

Real Property Advisory Committee
10:00 a.m., September 6, 2007
City Council Chambers, 1207 Palm Boulevard
Isle of Palms, South Carolina

The meeting of the Real Property Advisory Committee was held at 10:00 a.m. on Thursday, September 6, 2007 in City Council Chambers, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present were Chairman Bettelli, Councilwoman Jane McMackin, Jim Raih, Marina Manager Brian Berrigan, City Administrator Tucker, Assistant Administrator Dziuban and City Clerk Copeland.

1. Call to Order.

Chairman Bettelli called the meeting to order and acknowledged that the press and the public had been duly notified in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes.

MOTION: Councilwoman McMackin moved for the approval of the minutes of the meeting of August 9, 2007; Jim Raih seconded.

Mr. Raih called the Committee's attention to page 3 ¶5 which states "that the tanks at the marina had to be replaced by a specific time in the near future. . ." Mr. Raih stated that, as long as the tanks are certified, replacement was not required; Administrator Tucker agreed, but added that, if the underground tanks were disturbed, they could not be put underground again, but would have to be replaced.

The vote to APPROVE THE MINUTES WAS UNANIMOUS.

3. Citizens' Comments

4. Old Business:

A. Marina Manager's Report – Brian Berrigan

Mr. Berrigan introduced Dan Sweeney with Stumphouse, LLC, an architectural firm located on King Street; Mr. Berrigan explained that Mr. Sweeney is the architect with whom he has been working for the past several weeks on a renovation plan for the marina store.

Mr. Berrigan asked that Mr. Sweeney be allowed to make his presentation at this time since he has another appointment in Edisto. Mr. Sweeney began his presentation with a conceptual drawing of a master plan for the marina and moved on to the drawings of the marina store renovations. Mr. Raih asked if a retention pond would be needed for the improvements at the site; Mr. Sweeney answered that there has been no civil

engineering work to make that determination. Mr. Sweeney explained that the drawings represent the marina store with a country home image somewhat like Sewee Outpost; he also noted that the drawings are those of a renovation, not a new building. Mr. Sweeney stated that they have engaged someone to go to the marina site and to make a cost estimate of the work his firm is proposing; those figures have not yet been returned to him. Councilwoman McMackin stated that the City does have a long-range plan for the marina which includes a renovation of the entire site; Councilman Bettelli noted that the City's funds are currently under tight constraints with the completion of Fire Station #2, the anticipated construction of the Public Safety Complex and the bulkhead replacement at the marina. Mr. Raih added that there is the FEMA 50% rule to be considered which dictates that any renovations cannot exceed 50% of the appraised value of the building. Mr. Berrigan was quick to inform the Committee that he does not intend to use City funds to do the renovations he is proposing. Mr. Raih asked that the Committee be allowed to keep the drawings with the minutes of this meeting for City Council; Mr. Sweeney was happy to oblige.

Mr. Berrigan began his report by stating that they have been doing many dock repairs; they fixed the finger piers and the fascia on the fuel dock. He has ordered the TMS system, which was approved at the last meeting. He presented the Committee with a crude drawing of the proposed new gate for the new docks; Mr. Raih was concerned with the aesthetics of a fence seven (7) feet tall, which is proposed. Mr. Raih thought two (2) feet over the railing was sufficient, and Mr. Berrigan agreed. The Committee was reminded that Mr. Berrigan is paying for the materials and installation of the new gate, but Councilman Bettelli asked that the Committee be allowed to see the final plan for the gate.

MOTION: Mr. Raih moved that the Committee recommend that City Council approve the modified design for the new gate for the ramp at the new docks; Councilwoman McMackin seconded and the motion PASSED UNANIMOUSLY.

Mr. Raih asked Mr. Berrigan if the new extensions on the finger piers presented a permitting issue to the City, and Mr. Berrigan replied that it did not.

The Marina Manager asked Public Works Director Pitts for a progress report on having the parking lot resurfaced. Director Pitts reported that a Charleston County engineer had visited the site after the first heavy rain, and they discussed the scope of work. Director Pitts said that he had explained to the engineer that the City wanted the portion of the parking lot which had been already surveyed to be resurfaced. The Director is currently waiting to hear back from the engineer. Manager Berrigan thanked the Director and asked that he stay on Charleston County to get the job done.

Councilwoman McMackin asked Mr. Berrigan what he was referring to in his report when he noted, under *Miscellaneous*, 41st Avenue Cleanup. Director Pitts responded that this was part of Eadies' contract for the Five (5) Year Drainage Plan; Eadies' employees were in the process of completing the job of clearing the ditches along 41st.

B. Marina Store – Informal Interest Progress

Administrator Tucker reminded the Committee that, at the previous meeting, the Committee had passed a motion for her to provide an informal process to generate interest in leasing the marina store. She related her understanding of that to mean calling various individuals, asking if they are interested, and, if so, asking what their vision is for the site. She continued that, in her opinion, this method means that the parties do not get the same information since they will ask different questions. Therefore, the Administrator reported that she has begun work on a Request for Proposals for the store, where bids would not be submitted, but the individual's vision for the marina store and other basic information the Committee would need to know in order to evaluate the proposals would be required. She remarked that she has reviewed the past RFPs for the marina management and for the restaurant and found components that she will include in the one she is preparing. Administrator Tucker described her plan as one where she will get the plan assembled, distributed to the Committee members immediately for their input, then to get it on the street before the next meeting. She will include in the RFP a picture that shows the building, a site map, and, hopefully, some basic financial information from The Pantry. Treasurer Suggs added that she has left a voice mail for Kevin Stevens with The Pantry, who attended that last meeting, but he has not responded. Mr. Raih commented that he thought it would be beneficial to get information from The Pantry related to their purchase from Anglers, as well as their last eight (8) months of operation. Administrator Tucker further explained that this RFP will be a document, that there will be an ad in the newspaper, that it will be sent directly to interested parties and that it will include the proposed contract. Mr. Raih suggested that responders be given a 28-day due diligence period; Councilwoman McMackin questioned such a long time period; Administer Tucker noted her opinion that the period should be at a minimum three (3) weeks.

C. Action Related to Boat Bandits

Councilman Bettelli reported that he had met with Jay Clark of The Morgan Creek Grill the previous day, and there was only one boat tied up on that side of the pier at that time. Mr. Clark knew the owner and was going to personally contact him to move the boat. They also discussed signage that could be nailed to pilings stating "Parking allowed only for Morgan Creek Grill Patrons." Carla Pope, the General Manager of Morgan Creek Grill, entered the discussion at this time asking for clarification on the rules associated with the boat slips. Councilman Bettelli stated that the docks belong to

the City, and the City is allowing Morgan Creek Grill to use certain boat docks for patrons of the restaurant, but boats should not be parked overnight, unless there are extenuating circumstances. Ms. Pope asked whose responsibility it was to enforce this policy, and she was told that it fell to the restaurant. Mr. Raih voiced his understanding that the restaurant was being given a privilege to have those slips assigned to it; he suggested that, when there are problems with persons from Goat Island leaving their boats in those slips, restaurant management should call the City Administrator, who will, in turn, contact the Police Department, who will handle the problem. Mr. Raih wanted it on the record that there are no exceptions to the rule that persons arriving in a boat and dining at Morgan Creek Grill are welcomed to park in one of the slips. Ms. Pope then asked how the new gate will impact restaurant patrons, and Mr. Berrigan informed her that someone from the restaurant will be required to open the gate for patrons to gain access. Councilman Bettelli said that he and Mr. Clark had briefly talked about the gate the day before; Mr. Clark had suggested that a direct connect phone might be installed. There is also the fact that nearly everyone has a cell phone and the restaurant number could be posted for patrons to call for entry. Councilwoman McMackin asked Ms. Pope how many of their patrons arrive by boat on any given day; Ms. Pope answered that the number is probably a dozen a day, and, on a weekend when a storm rolls in, many boaters come into the bar to wait out the storm. Ms. Pope stated that she was aware of people from Goat Island who come in, leave their boat long enough to go to the grocery store then return to the island. The Administrator commented that The Boathouse's systems works very well; she explained that they have a gate with call-in system and a dockhand to tie the boat up. Ms. Pope stated that, now that she is aware of the problems, she will work to resolve them.

From discussions at the previous meeting, Mr. Raih asked if there had been a decision not to have City employees running the marina store; Administrator Tucker responded that there had not been any official action to that effect, but the feelings she had gotten from Council were the City "is not headed in that direction at this time."

Mr. Raih again referred to the previous meeting's discussion on the parking area and the number of trailers that can be in the area of the buildings that have been removed from the marina site. He said he would like to see the area designated more for employee parking than for trailers in an effort to maximize the space available. Marina Manager Berrigan agreed that the key function of that space should be employee parking, but he added that there remains room for overflow parking and trailers, without the vehicle attached.

MOTION: At approximately 11:10 a.m. Mr. Raih moved that the Committee go into Executive Session to discuss contractual matters related to the marina; Councilwoman McMackin seconded and the motion PASSED UNANIMOUSLY.

The Committee resumed their meeting at 11:18 a.m. with Councilman Bettelli reporting that no motions had been made and no votes had been taken during the Executive Session.

5. New Business

A. Discussion of Scope of Work Related to Bulkhead Replacement

During the year, there was to be research into the total scope of work that needs to be done directly related to the bulkhead replacement. Will the task be to replace the bulkhead and the electrical? Will it include dredging and the reconfiguring of the docks as well? Administrator Tucker explained that, if the dredging and docks were included, the project will likely have to be phased. Also adding dredging and dock reconfiguration will require new permits and a change to the scope of the engineering contract with Zande-Jon, Guerry Taylor to include them.

Councilwoman McMackin stated that she felt this conversation was premature since the City has not received the results of the monitoring work by General Engineering; she understood that the results of the monitoring would define the scope of the work.

Mr. Raih expressed his feelings that the Committee should, at least, look into the permitting process to determine how long it will take to acquire the permits necessary to dredge and reconfigure the docks. Councilman Bettelli asked the Administrator to determine what those time frames are if the information were submitted November 1.

The Administrator stated that she expects to have the bulkhead monitoring report to be available by the October meeting.

B. Status of New Quarterly Reporting Request

City Treasurer Suggs related that it was her intention to present her reports showing a full year of activity on a quarterly basis to the Committee.

MOTION: Councilwoman McMackin moved that the Committee to discuss details related to contractual matters at 11:23 a.m.; Mr. Raih seconded and the motion PASSED UNANIMOUSLY.

The Committee returned to regular session at 11:28 a.m. and Councilman Bettelli reported that no motions had been made and that no votes were taken in Executive Session.

6. Miscellaneous

The next meeting was scheduled for 10:00 a.m. on Thursday, October 11, 2007.

With no further business to come before the Committee, the meeting was duly adjourned at 11:29 a.m.

Respectfully submitted:

Marty Bettelli, Chairman