



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
July 22, 2014 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER.

Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, Magliette and Stevens were in attendance. A quorum was present. Others present: Town Administrator Fellner; Town Clerk Herrmann; Finance Director King; Fire Chief Cimini; Public Works Director Adair, and Recreation Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation. Mayor Pro Tempore Pellegrino gave the invocation.

B. Pledge of Allegiance. Mayor Samples lead the Pledge.

3. AGENDA APPROVAL.

Mr. Childs moved to approve the agenda. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL.

Mr. Childs moved to approve the minutes of the July 8, 2014 meeting as submitted. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

5. PUBLIC COMMENTS – Agenda Items (3 minutes.)

Mr. Al Lauer of Harbor Lights Drive was thankful that Mr. Magliette brought the flower baskets forward again. In his opinion, the town had one business: tourism and supporting tourism. Good marketing and visual presentations were important. Flower baskets were to help in both regards. It was expected that tourists would see the baskets, be impressed, and share the news about how great the town is to visit. He hoped Town Council would fund the project.

Mr. Harry Kohlmann, South Ocean Boulevard, spoke a few years ago about overflowing garbage on Saturdays. The same problem continues to exist. Over-flowing cans were the first thing tourists saw when they arrived at the beach and it was not a 'welcome sign.' The same problem exists with recycling carts, because it is only picked up on Thursday. The south end of town has an infestation of rodents on the beach during daytime hours. The town can do nothing as was done about Saturday garbage; a Saturday pickup can be started, or an extra pickup could be done for recycling. It does not cost the town to tip recyclables, and it is a good program. He asked councilmembers to seek solutions to help the town look better.

Mr. Ron Ott, 7th Avenue North appreciated that an amended agenda was published, since the *Lambries* decision was overturned. He did not believe that was necessary, but he hoped that the practice would continue to people would know what was being discussed at meetings.

6. COMMUNICATIONS.

A. Employee Anniversary Awards.

i. Sharon Leahey, Finance, 10 years. Mayor Samples presented Ms. Leahey with a plaque, 10-year lapel pin, and a check. Ms. Leahey received a standing ovation.

58 **ii. Mike Greene, Public Works, 10 years.** Mayor Samples presented Mr. Greene with a plaque,
59 10-year lapel pin, and a check. Mr. Greene received a standing ovation.

60
61 **B. Department Reports.**

62
63 **i. Finance.** Ms. King presented the written report, a copy of which is on file. Ms. King explained
64 that the June 2014 reports are the *preliminary* results. There are many revenues yet to be reported and
65 expenditures to be booked. Accounting rules allow items to be received up to 60 days after June 30th to
66 be included in the prior year. Statistics for June:

- 67
- 68 • General Fund – revenue exceeds expenditures year-to-date by \$490,000
- 69 • General Fund – revenue exceeds FY 2013 by \$65,000; additional revenue is expected in the next
70 two months that will be booked in FY 2013
- 71 • Local business licenses and permit fees exceed FY2013 by \$15,000. Local business license
72 renewals are slightly behind FY2013, but renewals collected within 60 days will be included.
- 73 • Salaries and benefits exceed FY2013 due to the inclusion of salaries that were previously
74 charged to hospitality fund; wages paid for storm cleanup, and increased cost of benefits.
- 75 • General Fund operating expense exceeded FY2013 by \$27,000 as of this date; expenditures can
76 be booked up to 60 days after June 30th. As of this time, expenditures are within the budget,
- 77 • Capital projects fund expenditures year-to-date \$131,000 for various stormwater projects and
78 lake maintenance. Expenditures are below budget, because some projects were delayed until
79 this fiscal year.
- 80 • Accommodations tax fund expenditures total \$545,000 for beach events, police patrol and
81 advertising. Revenue for the quarter ending June 30 will be received in late August.
- 82 • Hospitality funds collections are below last year. The revenue will increase as the June taxes are
83 collected in July.
- 84 • Local accommodations taxes revenue collected in July will be reflected in June totals.
- 85 • Pier fund revenue from admissions and rent total \$255,000, which exceeds last year by \$69,000.
86 Parking has netted the pier \$77,000, but Lanier had not billed for June as of the reporting date.
- 87 • Sanitation Fund revenue year-to-date exceeds last year by \$180,000. Depreciation has to be
88 computed for the pier and sanitation funds.
- 89 • Lanier parking and citation revenue equals \$330,000. Lanier has not billed for June, and that
90 billing will be reflected in the June totals.
- 91

92 Ms. King said finance staff is preparing for the annual audit that is scheduled to begin on August
93 11th.

94
95 Mr. Stevens asked if parking revenue was an increase over last year. Mayor Samples said yes.
96 Ms. King said last year parking revenue was in hospitality funds. She would get the exact number and
97 advise councilmembers. Mr. Stevens asked for a breakdown of revenue received on Ocean Boulevard
98 and Seaside Drive compared to all other parking area revenue. Ms. King said that could be done, but
99 reminded council that Lanier only operated from March to June in 2013.

100
101 Ms. Mabry asked if the FEMA (Federal Emergency Management Agency) reimbursement would
102 be credited to public works. Ms. King explained that accounting rules state that you do not net
103 reimbursement against expenditures. Reimbursement is brought in as revenue. Staff was considering a
104 split between sanitation and general fund.

105
106 Mayor Samples said that sounded reasonable. Ms. King said Town Council could earmark the
107 money, if it so desires. Mayor Samples personally wanted Surfside Drive potholes to be repaired, but it
108 was a matter for council to decide. He summarized that revenue receipts were on track or ahead of the
109 budgeted amounts; expenditures were on track, with the exception of the weather event expenses. Ms.
110 King said yes; revenue was far exceeding the budget.

111
112 **ii. Public Works.** Mr. Adair presented the written report, a copy of which is on file. June
113 statistics and projects:

- 115 • The pot hole on Surfside Drive will be repaired this week.
- 116 • Residential service: 3 carts to new occupancy; 47 calls answering questions and 7 complaints
- 117 • Commercial service: 6 increased service; 12 extra pickups due to overflow; 3 new businesses, Myrtle Beach TV Repair, Brewski's Sports Bar, and Malibu of Surfside; 14 telephone calls
- 118 • Recycling: 15 new carts delivered to town residents upon requests
- 119 • Household Hazardous & E-waste Drop Off event would be September 26 to 28
- 120 • June collections: 537 tons solid waste; 53 tons mixed debris; 123 tons yard debris, and 43.5 tons
- 121 recyclables, which are flat with last year's collections
- 122 • 3rd Avenue South channel bank stabilization project is wrapping up with fencing and seeding the
- 123 right-of-way
- 124 • Ditch cleaning and maintenance is being performed throughout town
- 125 • Mosquito spraying continues twice a week town wide on Tuesday and Friday, weather permitting
- 126 • 13 reports to Santee Cooper regarding malfunctioning street lights
- 127 • Grounds division continues preparing ball fields for games, planting and grassing parks, cleaning
- 128 town properties, and cleaning lakes, weather permitting
- 129 • Fleet maintenance made 88 repairs on town vehicles and equipment; repaired 9 flat tires, put new
- 130 tires on 6 vehicles, and performed preventative maintenance on 33 vehicles and/or equipment
- 131 • The open street department position was filled by Matthew Messall
- 132
- 133

134 Mayor Samples asked Mr. Adair to bring recommendations for the sanitation problems on Ocean
135 Boulevard at the next meeting.

136
137 Mr. Childs said it was the sanitation supervisor's discretion to add carts where needed. Mr. Adair
138 said that was correct. The process was to document the first overflow with a photograph; the second
139 overflow at the same address has another cart added whether it was trash or recycling. Mr. Childs asked
140 if larger recycle bins could be purchased. Mr. Adair said around \$10,000 was budgeted each year over
141 the past several years to purchase larger recycling carts. Once they were delivered, they were
142 immediately placed on the street. The state-wide goal was to achieve 30- to 45-percent recycling rate.
143 He was confident the town could reach that number through education. The town was not charged to tip
144 recyclable material.

145
146 Mayor Samples said an article about sanitation in the town should be the headline story in the
147 next newsletter.

148
149 Mr. Stevens received many complaints about contractors dumping job debris in town that they
150 should be cleaning up and asked what could be done about it. Mr. Adair said yard debris was the start;
151 yard debris numbers have increased as much as 40-percent during the past two or three years. Letters
152 were sent to 99 licensed lawn and tree companies reminding them that they are responsible for disposing
153 of debris generated by their companies. Notifications and summonses would be the solution. Mayor
154 Samples asked Mr. Adair to send a copy of the letter to councilmembers. It was also important for
155 property managers to understand the ordinances regarding debris cleanup. Mr. Adair said property
156 managers complied better than the small operators, but they would be reminded. Bulk items are
157 problems occasionally, but it was generally when a home was cleaned out, not a dumping situation.
158 Many residents call in advance so arrangements could be made to pick up the debris. When
159 arrangements were not made in advance, the items might sit curbside until the regular weekly bulk
160 pickup. Mr. Stevens asked if the water ponding at the big dog park could be corrected. Mr. Adair said
161 now that improvements were completed on the ditch and the filtration system on the Pine Drive side of
162 that park, this fall the park will be re-graded so that the gate will be the high side and water will run
163 towards the corner of Pine Drive.

164
165 Mr. Pellegrino asked which areas had Saturday trash pickup. Mr. Adair said the beach trash
166 cans. Mr. Pellegrino said in respect to Mr. Kohlmann's comments, he, too, thought trash on Ocean
167 Boulevard on check out days was a huge problem. He asked if Mr. Adair could bring solutions for council
168 to consider.

169
170 Mayor Samples said mixed waste pick up had increased 41-percent in two years. A very modest
171 decrease in tonnage occurred when Caropines service was stopped in 2012. If the department was

under-resourced, council needed to be told. Mayor Samples said in the past temporary help was hired during the summer, and that might be a consideration. He reiterated the request to bring solutions for Town Council to consider.

iii. Special Events and Recreation. Ms. Ellis presented the written report, a copy of which is on file. The 4th of July celebration was a tremendous success again this year. Entertainment was provided by Steve Fairchild as "Garth & Friends." There were ten different performers and the show continues to be a hit with the crowd. Water slides and face painting were available at no charge to the children. Tickets were given to 250 children for a free cone of ice cream from Pier Outfitters. Surfside Area Fire and Emergency Responders (SAFER) prepared and sold hamburgers, hot dogs, drinks and water. Celebration t-shirts were purchased for \$2,479; sales totaled \$2,640. There were still a few 4th of July shirts available at Town Hall for \$5.00 each. Sizes were limited. The fireworks show was fantastic. The crowd was estimated at over 30,000. A huge thank you goes to the police and fire departments for their continued assistance with this event. Also, thank you to the public works crews for their assistance. The Kids Fair scheduled for Monday, July 14th was postponed due to a sudden thunderstorm. It was rescheduled for Monday, July 21st, and cancelled again because of inclement weather. It would not be rescheduled. Movies After Dark continue at Martin Field. The movie for Thursday, July 10th was postponed due to strong winds. The Farmer's Market continues to be a great success averaging 20 to 24 vendors each week. Several vendors lost their tents last week from the thunderstorm. Upcoming events: Beach Luau, Monday, August 11th, 6:00 p.m. to 10:00 p.m. on the beach; Movies After Dark, Thursdays, 9:00 p.m. at Martin Field thru August 14th; Farmers Market, Tuesdays, 10:00 a.m. to 3:00 p.m. at the T. J. "Bill" Harrison Park. Some vendors arrive and open for business as early as 8:00 a.m., and Sunday Serenades on Sundays, 2:00 p.m. to 5:00 p.m. at the Passive Park.

Mr. Magliette thanked everyone for the charity event at the Golden Egg to fund Special Olympics. It was heartwarming to see the outpouring of love, compassion, and camaraderie by staff and others who supported the event.

Mayor Samples asked Ms. Ellis to determine the amount of money made by SAFER (Surfside Area Fire and Emergency Responders) during the July 4th event. He understood that SAFER has exclusive rights to sell concessions during the annual barbeque and Independence Day events. In his opinion, SAFER should report to the town.

Mr. Johnson suggested that the town administrator answer the questions at the next meeting. Mayor Samples said that was acceptable to him. **All members agreed.**

C. Administrator's Report – Update on Current Events.

Ms. Fellner apologized for stacking the agenda. She explained that she would be on vacation and did not want to leave before tying up a number of items. The auditor's engagement letter was signed for the year ending June 30, 2014. The amount was \$27,250 and was a budgeted expenditure. Town Council was informed in writing this week pursuant to Section 2-208. The town received two checks from FEMA as reimbursement for the February ice storm emergency operations; one check in the amount of \$2,791.68 was for the first day of fleet and fire emergency operations. The second check in the amount of \$112,833.92 was for debris removal days 1 through 30. The outstanding balance owed to the town for the event is for debris removal days 31 through 90 in the amount of \$31,433.37. Mayor Samples asked if this was unbudgeted revenue. Ms. Fellner said that was correct.

Ms. Fellner reported in response to public comments at the last meeting:

- **Concern:** money was being taken from nonprofits at the civic center, but the town was still purchasing big ticket items like a trash truck. **Response:** the town does not operate as a charity and it is charged with being a good steward of the public's money. The trash truck is purchased through the sanitation enterprise fund and does not affect the general fund.
- **Concern:** 5th Avenue North and Poplar Drive was becoming a dumping ground. **Response:** this area sometimes looks like a dumping ground, because of high density housing on Lake Shore Drive. Those residents place items on the 5th Avenue right-of-way because there is no place in front of their dwellings.

- 229 • **Concern:** mosquito spraying schedule. **Response:** mosquito spraying is performed twice
230 weekly, usually on Tuesdays and Fridays,
- 231 • **Concern:** increase in minimum building height be considered along with the freeboard increase.
232 **Response:** to allow for parking under buildings, all builders are currently incorporating more than
233 enough space to accommodate the increase in the freeboard without increasing the building
234 height.
- 235 • **Concern:** disagreement with charging by the hour for the civic center. **Response:** again, the
236 town does not operate as a charity and it is charged with being a good steward of the public's
237 money. The small sum suggested only covers cleaning; the town still absorbs the cost of
238 maintenance, insurance, lights, water, air conditioning, heat, toilet paper, hand soap, clean
239 supplies, etc. Many of those who use the civic center are not residents, so what message is that
240 to our residents who just had a tax rate increase. If a free meeting space is required, space is
241 available at the library, and users would know that occasionally they may have to change their
242 meeting time.

243
244 Mayor Samples asked if the stormwater contract was executed. Mr. Adair said they are still
245 waiting on the company's performance bond.

246
247 **7. BUSINESS.**

248
249 **MOTION TO RECONSIDER: Motion made 07/08/2014 regarding C. Keep Surfside Beach**
250 **Beautiful Re-appropriation, Hanging Baskets, approved \$3,000, Councilmember Mabry.**

251
252 Ms. Mabry moved to reconsider the motion that was made at the July 8, 2014 meeting to approve
253 \$3,000 for hanging baskets and to allocate the requested \$15,000. Mr. Magliette seconded. Ms. Mabry
254 explained that it was a mistake to not approve \$15,000 as requested, because through various events the
255 original project approved by Town Council in January 2014 was never completed. The motion to
256 reconsider would fund the project that she and Town Council supported in January. The money was not
257 budgeted, because council was under the impression that the project was completed.

258
259 Mr. Childs explained that he made the amendment to allocate \$3,000, because he thought the
260 money was to buy just flowers for the fall. He didn't understand what would cost as much as \$15,000.
261 Some councilmembers voted against the budget, because so many expenditures were added. The town
262 cannot keep spending or there would be another tax increase. He like flower baskets, but did not
263 understand the expense.

264
265 Mr. Pellegrino agreed with Mr. Childs that council should be careful about making budget
266 amendments. The bulk of the excess expenditures was for stormwater, but adding numerous smaller
267 amounts eventually added up to a large sum and would create a shortfall next year. The unassigned
268 fund, the emergency fund, is impacted with every expenditure amendment.

269
270 Mr. Johnson said that staff might not spend \$15,000 to complete the project. Just because an
271 amount was approved did not mean it would all be spent. Town Council previously approved the
272 expenditure for the baskets. For unknown reasons, the project was not completed. He supported the
273 project.

274
275 Mr. Magliette read from the summer newsletter that stated "beautification is everyone's business."
276 He read a paragraph about the self-watering hanging basket pilot project at the pier parking area. The
277 project was a success. Town Council recognized the value and approved the project for 26 baskets on
278 Ocean Boulevard and the Surfside Drive business district. He concurred with Mr. Johnson and supported
279 the project.

280
281 Mr. Stevens agreed with Mr. Magliette. It was a shame that the project was not completed.

282
283 Mayor Samples and Councilmembers Johnson, Mabry, Magliette and Stevens voted in favor.
284 Mayor Pro Tempore Pellegrino and Councilmember Childs voted against. **MOTION CARRIED.**

285

286 **A. Second Reading Ordinance #14-0782 to Establish Rental Fees for the Dick M. Johnson**
287 **Civic Center and the Floral Clubhouse, Recreation Supervisor Ellis.**
288

289 Ms. Ellis presented the consideration paper saying that first reading was adopted at the July 8th
290 meeting with an amendment to charge non-profit groups \$15 per day. After a lengthy discussion, the
291 primary motion to approve and the second were appropriately withdrawn.
292

293 Mr. Magliette moved to amend paragraph 2, one time rental schedule, to add one line to state
294 "Dick M. Johnson Civic Center Non-Profits – Small Room, \$10." Mr. Stevens seconded. Mayor Samples
295 asked if the intent was to allow card players to use the room for \$10. Mr. Magliette said qualified non-
296 profit organizations. Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs,
297 Mabry, Magliette and Stevens voted in favor. Councilmember Johnson voted against. **MOTION TO**
298 **AMEND CARRIED.**
299

300 Mr. Stevens offered an amendment to allow small groups of residents to use the civic center
301 small room on a space available basis at no charge. Mr. Magliette seconded. Both Mr. Stevens and Mr.
302 Magliette withdrew after discussion.
303

304 Mr. Johnson believed it was an injustice to expect Town Council to adopt an amendment such as
305 was offered without having time to consider the consequences and without a legal opinion from the town's
306 attorney.
307

308 Mayor Samples said Mr. Johnson's comments were valid. Town Council **CONCURRED** to direct
309 staff to prepare another draft ordinance to incorporate the approved amendment and Mr. Stevens'
310 recommendation to allow groups of six or less town citizens to use the small room in the civic center on a
311 space available basis at no charge. Ms. Fellner said the ordinance would be sent for legal review, if that
312 was council's desire. Mayor Samples said council should approve the language first. Staff was asked to
313 provide a rate schedule and how the proposed changes would impact current users.
314

315 **B. Eastern Surfing Association (ESA), Request for September Event, Dr. Tom Chandler,**
316 **Regional President.**
317

318 Dr. Chandler presented a request to hold the regional ESA contest on September 6th and 7th at
319 the 13th Avenue South surfing areas. The decision paper is on file. Mr. Stevens moved to allow the event
320 as requested. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.** Mayor Samples noted that
321 this was not a town sponsored event; participants would be required to pay for parking. Dr. Chandler
322 understood and said that was another benefit for the town.
323

324 **C. Memorandum of Agreement between South Carolina Department of Transportation**
325 **(DOT) and Town of Surfside Beach regarding Disaster Debris Cleanup, Administrator Fellner.**
326

327 Ms. Fellner presented the decision paper, a copy of which is on file. It is in the best interest of
328 both parties to facilitate the most practical, economical and expeditious performance of disaster-related
329 debris clean-up activities. This agreement resulted from the recent ice storm when there were only verbal
330 agreements regarding debris removal. Mayor Samples mentioned the disaster recovery contract and
331 asked if the DOT contract conflicted. Ms. Fellner said when disaster recovery is required, FEMA
332 participates and reimburses costs. This contract is for self-managed events like the recent ice storm
333 when there is no "disaster" declared.
334

335 Ms. Mabry moved to instruct the town administrator to execute the proposed DOT contract. Mr.
336 Stevens seconded. All voted in favor. **MOTION CARRIED.**
337

338 **D. Town Council Motion on Venue for Visioning Meeting, Administrator Fellner.**
339

340 Ms. Fellner said either Brookgreen Gardens or Wampee Conference Center were staff's
341 recommendation for the fall vision meeting.
342

343 Mr. Childs moved to hold the vision meeting at the Wampee Conference Center. Ms. Mabry
344 seconded. Councilmembers Childs, Johnson and Mabry voted in favor. Mayor Samples, Mayor Pro
345 Tempore Pellegrino, and Councilmembers Magliette and Stevens voted against. **MOTION FAILED.**
346

347 Mr. Magliette moved to hold the vision meeting at Brookgreen Gardens. Mr. Stevens seconded.
348 All voted in favor. **MOTION CARRIED.**
349

350 Mayor Samples asked if the audit would be completed in time for the vision meeting. Ms. King
351 said it should be. Ms. Fellner said the reservation would be made and council notified of the dates.
352

353 **E. Caropines Trash Service Pursuant to 06/14/2014 Budget Workshop, Director Adair.**
354

355 Mr. Adair presented the consideration paper that is on file. After presentation, Mr. Adair could not
356 recommend reinstating sanitation service to Caropines, because the town's tonnage for yard debris had
357 actually increased as much as 40-percent, which fills the extra capacity that was formerly available. He
358 could not say with any confidence the extra service could be absorbed utilizing existing staff and
359 equipment. Town Council **CONCURRED** that service to Caropines should not be offered for the time
360 being.
361

362 **F. Recommendation from Parking Committee re: Resolution #12-119 Amend Number of**
363 **Members, Administrator Fellner.**
364

365 Ms. Fellner explained that this was not actually a recommendation from the parking committee.
366 She and chairman Kohlmann discussed the number of members, because with two long-time vacancies,
367 it had been difficult to have a quorum present to conduct business. Reducing the membership would
368 enable the committee to more easily establish a quorum and complete its recommendations to council by
369 the second meeting in August.
370

371 Mr. Childs moved to adopt the amendment to Resolution #12-119 to reduce the number of
372 members on the parking committee to five. Mr. Stevens seconded. Mayor Pro Tempore Pellegrino and
373 Councilmembers Childs, Johnson, Mabry, Magliette and Stevens voted in favor. Mayor Samples voted
374 against. **MOTION CARRIED.**
375

376 **G. Recommendation from Infrastructure Committee: Location for Next Underground**
377 **Wiring Project, Administrator Fellner.**
378

379 Ms. Fellner said the infrastructure subcommittee met last Thursday and voted unanimously to
380 recommend to Town Council that the next project for conversion to underground wiring be done on South
381 Ocean Boulevard from 3rd Avenue South to 9th Avenue South.
382

383 Mr. Childs moved to enter into an agreement with Santee Cooper to do an underground wiring
384 project beginning at 3rd Avenue South to 9th Avenue South on Ocean Boulevard. Mr. Magliette seconded.
385 Ms. Fellner explained that funds for the underground wiring projects were collected from franchise fees
386 paid by the town's residents and businesses. Santee Cooper matched a portion of the franchise fees for
387 the underground wiring projects.
388

389 Mayor Samples said the fees were collected on the monthly electric bills. Surfside Drive was discussed,
390 but until a plan is developed for Surfside Drive, there is no benefit to placing underground wiring there.
391 This will be a two year project; South Ocean Boulevard was chosen arbitrarily, as the goal is to eventually
392 place wires underground on its entire length. All voted in favor. **MOTION CARRIED.**
393

394 **H. Continuation of Electric Car Charging Station, Administrator Fellner.**
395

396 Ms. Fellner presented the consideration paper that is on file. The charging station was funded by
397 a grant and Santee Cooper absorbed the cost of electricity for three years. That agreement has expired.
398 Town Council needs to decide whether it benefits the town to keep the charging station, and fund the
399 cost, which was only \$436.09 from April 2010 to February 2014. Staff's recommendation is to keep the

400 electric car charging station in town and to pay for its electricity. If at some future time, the cost is
401 prohibitive then town could install a coin receptacle and charge users. This is the only car charging
402 station in town and is a convenience for residents and guests.
403

404 Mr. Childs moved to continue funding the electric car charging station. Mr. Magliette seconded.
405

406 Mayor Samples asked if the town assumed all liability; who would maintain it. Ms. Fellner said
407 the town assumed that liability when the station was installed two years ago. Liability is a factor, but it is a
408 trade off.
409

410 Mr. Johnson said based on his experience with low speed vehicles and after inspecting the
411 charging station, he believes the town's liability is minimal.
412

413 All voted in favor. **MOTION CARRIED.**
414

415 Mayor Samples said a citizen suggested moving the charging station and asked if that was
416 feasible. Ms. Fellner said there is a special power pole that would have to be moved to the new location.
417

418 **I. Stormwater: Lake Weir Study, Administrator Fellner.**
419

420 Ms. Fellner said a number of property owners have wetlands being affected by the level of
421 Dogwood Lake. In essence, the wetlands never dry so they ceased to function as wetlands. This has
422 caused numerous problems such as compromising existing tree root structures, vermin relocation to
423 adjacent dry land, trash accumulation, unstable soil structure, etc. The engineering contract was
424 distributed to councilmembers a few days ago, but there was no time to prepare a decision paper. Horry
425 County was contacted to determine its level of participation. The county requested a number of
426 engineering documents, which Mr. Adair was asked to forward to Mr. Garigan. When Mr. Garigan
427 completes the review, he will meet with staff for a site visit. Then the county will respond with its level of
428 participation. The usual 70:30 split was requested. The county's response will be presented to council
429 once it is received. This is an unbudgeted expenditure. The total cost of engineering is estimated at
430 \$16,200, including \$3,500 for bid documentation and review. Staff asked that the work be broken out as
431 staff may be able to perform some of the less complex work. Ms. Fellner asked for a formal motion by
432 Town Council to move this project forward to include the "scope and fee" portion of the engineer's weir
433 study proposal at a total cost of \$7,700. The project is greatly needed, because the situation is causing
434 harm to the town's citizens.
435

436 Mr. Pellegrino asked if studies were done in the past before the homes and weirs were built. Ms.
437 Fellner believed some studies were done, but nothing comprehensive that considered everything as a
438 whole. This was why the engineer suggested doing so. Mayor Samples said the projects were done in
439 sections and were not part of a comprehensive plan. Myrtle Basin was the last major stormwater project.
440 In his opinion, an engineering analysis will help. Mr. Pellegrino asked if Ms. Fellner was confident that the
441 county would financially support the projects. Ms. Fellner said the county requested some documentation
442 and a site visit before it can determine the town's agreement with the county substantiates the county
443 funding. She and the public works director both believe that it would, because it is part of the Dogwood
444 Lake maintenance. But, the county may not agree, which is why they are asked to review the project in
445 advance. The engineering has to be done whether the county participates or not.
446

447 Mr. Magliette said the Harbor Lights community experiences flooding during heavy rains and
448 asked if the weir project would help resolve that problem. He did not believe the manually operated weirs
449 were adequate to manage flooding by pushing water into Dogwood Lake. He thought all parts were
450 intertwined and should be considered. Mr. Adair said staff monitors weather reports and opens the weirs
451 at low tide anytime there is a 3-plus inch rain, regardless of the time of day. Crews also take the backhoe
452 to the beach to ensure the swashes were opened to clear the water flow. Mayor Samples said the street
453 division employees were long term employees and were very familiar with the issues. Mr. Magliette
454 asked if the public could be informed of the process.
455

456 Mr. Stevens said an elevation certificate should have been done when the dam was built at
457 Dogwood Lake. Mr. Adair said LPA did an engineering study on Dogwood Lake in 1985, which was what
458 the weir was based upon. There is an elevation certificate, but it does not address the interrelationship
459 between the Dogwood and Myrtle Lakes systems. Mr. Stevens understood that Palmetto Lake no longer
460 drains into Myrtle Lake. Mr. Adair said that was correct. That was changed during the Myrtle Lake
461 improvements in 2006 or 2007. Mr. Stevens asked if Horry County ever built the promised retention
462 ponds in the Deerfield area. Mr. Adair did not know what was built prior to his employment.
463

464 Mr. Childs offered an incomplete motion to which Mr. Johnson called point of order. Mr. Childs
465 then restated and said he moved to proceed with the "scope and fee" portions of the engineer's weir
466 study proposal for \$7,700. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**
467

468 **8. DISCUSSION – Any matters of concern or information to be discussed by Town**
469 **Council.**

470
471 A. Proposed Ordinance to Establish Financial Policy Identifying Funds for Beach Renourishment,
472 Capital Replacement, and Other Allocated Monies, Director King. Director King presented the
473 consideration paper and proposed ordinance, copies of which are on file. Mayor Samples recommended
474 that Town Council refer this ordinance to the finance subcommittee. **COUNCIL CONCURRED.**
475

476 B. Proposed Ordinance to Establish Fire Inspection Fee Charges, Chief Cimini. Chief Cimini
477 presented the consideration paper and proposed ordinance, copies of which are on file. Mr. Pellegrino
478 said that Town Council had already approved the part time employee and it would be irresponsible not to
479 approve the revenue side. Mayor Samples said the manpower was established in the approved budget
480 to perform the inspections. He asked if having a fee structure in place would improve the town's
481 Insurance Service Organization (ISO) standing. Chief Cimini said the fee structure has no bearing on the
482 ISO rating. It was providing the resource to get the job done. Mayor Samples said instead of adopting
483 these fees, in his opinion, the council chose to adopt a tax increase that included revenue to fund the
484 position. Ms. Mabry was concerned about businesses license fees being adjusted, and also being
485 burdening the businesses with a tax increase and then a fire inspection fee. Mr. Pellegrino said Ms.
486 Mabry had a valid point, but this should not be forgotten. There is no way to predict whether there will be
487 excess revenue in the future. Mayor Samples said that any councilmember could bring this back for
488 consideration at a later date. **COUNCIL CONCURRED.**
489

490 C. Any matters of concern or information to be discussed by Town Council.

491 Ms. Fellner reported that the new permit technician began work today.

492
493 Mr. Magliette attended the Achievement Awards at the Municipal Association Summer Meeting.
494 He suggested that the administrator submit the town for a 2015 Achievement Award for Public Safety or
495 for Public Service based on the activities that the fire and police departments do in town. **COUNCIL**
496 **CONCURRED.**
497

498 Ms. Mabry asked Town Council to consider having *ad hoc* committees communicate
499 recommendations through their respective council liaisons. After discussion, Town Council
500 **CONCURRED** to have a resolution brought for consideration to direct *ad hoc* committees to communicate
501 recommendations through respective liaisons.
502

503
504 **9. PUBLIC COMMENTS – General Comments (5 minutes.)**
505

506 Ms. Sandy Healy, 7th Avenue North, said her yard had eroded about 12-feet. To correct the
507 erosion, she had a seawall installed. She spoke with town hall and obtained a permit to do the project.
508 During the process, her existing sun deck had to be moved to allow the seawall construction. When the
509 seawall was completed, the contractor installed two new posts and placed the original sun deck back in
510 the same place that it was prior to the seawall construction. Now she was being told it had to be
511 removed. She was very upset about the situation and asked if there was anything that could be done,

512 because she tried to comply with the rules and could have easily had the contractor build the seawall
513 around the deck and reclaimed the lost 12-feet of property.

514
515 Mr. Tom Dodge, North Poplar Drive, said the town seems like Washington, DC with all the tax
516 and spend. The 5 mil stormwater tax sunset on June 30th, 2013; however, that tax was continued with
517 only 1 mil going into stormwater and 4 mils going into the general fund. In his opinion, that meant a 5 mil
518 tax increase. Chief Cimini had good suggestions to increase revenue by charging the fire inspection fees
519 and the program to submit claims to insurance companies for accidents occurring in town. Nothing else
520 has been discussed about the insurance reimbursement program. Now, Town Council increased taxes
521 another 6.2 [sic] mils. During the discussion about fire fees, Town Council did not want to over burden
522 the businesses, but it did not mind taxing its citizens in June. In his opinion, the citizens had had an 11.2
523 [sic] tax increase in one year. He was pleased council decided not to provide sanitation service to
524 Caropines, which would have taken business away from a local contractor, and the town has no business
525 providing service outside the town. There was a problem keeping the town clean; this was the worst that
526 he and others he had spoken with had seen it in the 22 years he had lived here. In his former job, the
527 plant director would have been fired if the college looked like the town. In his opinion, mosquito spraying
528 was not being done; regardless of when you were outside, mosquitoes were attacking. He heard that rats
529 were on the beach. The fire and police departments did a good job at the Golden Egg to raise money for
530 South Carolina Special Olympics. The Golden Egg is a great community asset. Thank you to all of them.

531
532 Mr. Ron Ott, 7th Avenue North, was worried about the 40-percent increase in trash collection and
533 asked where it came from. He would like to know what makes up the percentage. Has residency
534 increased; are contractors leaving trash, or is it summer related.

535
536 Ms. Patricia Magliette, Harbor Lights Drive, loves living here and being close to the ocean. She
537 asked what constituted standing water. In New Jersey, the yard was graded so the water ran into a
538 puddle on the street. She appreciated the maintenance men and that they were controlling the lake
539 levels. Still, their neighborhood was flooded during the recent heavy rain. She was concerned, and did
540 not care where the water originated. She just did not want it in her yard.

541
542 Ms. Terri Lauer, Harbor Lights Drive, said the stormwater issue was a massive safety issue for
543 everyone. She lives behind a storm retention basin, and the water was rising almost to her fence. It
544 worries her how high it can rise. She just learned this evening that some of the water came from the
545 retention pond by the bowling alley. The street runoff also empties into that pond. There are two drains
546 beside her house that fill up. Her friends on Lake Elizabeth were losing their ground due to erosion. The
547 county should be involved, because it is everybody's problem, which involves stormwater, FEMA, and
548 lakes. It is a massive problem that is growing quickly. She believed Town Council was the starting
549 pointing, and because at least three other people expressed concerns, she pleaded with Town Council to
550 look into the problem.

551
552 **10. COUNCIL COMMENTS.**

553
554 Mr. Childs said the public speakers had made the council's argument about the need for a
555 backhoe, because if the beach was clogged during a storm everyone would see flooding. He supported
556 the spare backhoe during the budgeting process.

557
558 Mr. Stevens introduced his brother, Yancey Stevens from Texas, who was visiting. He heard the
559 public's comments and concerns, and would see what he could find out. He agreed that the county
560 should be involved. He thanked everyone for attending and wished them a good evening and week.
561 Mayor Samples welcomed Mr. Stevens; Town Council and the audience applauded.

562
563 Ms. Mabry knew that stormwater was an issue and that it would continue. The town has battled
564 stormwater for over 30 years. It has been addressed, and the town has spent "a ton of money" trying to
565 resolve the problems. As more people move into town and homes are built, the problems change and
566 new solutions have to be found. Density across the highway also impacts the town. When there is
567 nowhere for the water to drain, it runs off and comes through the town. The rule of thumb is that if your
568 water has drained out of your yard within 24-hours, you have a good drainage system. When the tide is

569 high and there are heavy rains, flooding will happen, because we live in the low country. Nowhere in
570 town is much higher than sea level. The town will take care of what it can. It is very expensive to
571 address and improve stormwater issues. Mr. Adair received a certification for the town's 6th consecutive
572 year as a Tree City. The offsetting problem is that the town has 40-percent more yard debris, because
573 the town has all these trees! When you look on Google Maps, the town is green with a tree canopy.
574 When there are storms and heavy rains, branches come down creating more yard debris. Higher density
575 and unusual weather conditions have contributed to the higher yard debris. The town cannot just
576 overstaff in case there is a storm. There is adequate staff that does the best it can when there are
577 storms.

578
579 Mr. Magliette thanked everyone for attending the meeting. He was confident the town could solve
580 the stormwater issues. It would not be overnight, but it would work as a team, hopefully with Horry
581 County, and fund the solutions. The problems did not happen overnight, and it would take some time to
582 resolve them. Three events are coming up in August: the annual food drive to benefit South Strand
583 Helping Hand; the Meet N' Greet Breakfast August 6th at the Golden Egg; The Veterans Meet N' Green
584 on August 13th, at the Golden Egg. This Saturday the Adopt-A-Beach cleanup will meet at the pier at 7:00
585 a.m., if anyone wants to help. He thanked all the volunteers who helped without recognition and served
586 in many ways. God bless you and have a good night.

587
588 Mr. Pellegrino thanked everyone for attending, and said council appreciates their comments. It
589 was nice to recognize two employees for their service. Mr. Adair gave him a tour of the public works
590 facilities when he first began serving on council. He saw a huge stack of paperwork on his desk, which
591 turned out to be the FEMA submission forms for the ice storm. He thanked Mr. Adair for his diligence in
592 that regard. There obviously was a mistake with the beautification recommendation for the flower
593 baskets, and council should take note to ensure that directives were completed. Poor budget
594 management always ended up in higher taxes or more debt. He would continue to challenge budget
595 amendments. If the budget was managed the same way for the next three or four years, there would be
596 no money in the unassigned emergency fund. He appreciated the stormwater comments. That was
597 obviously an issue on which Town Council should focus. Administration is working with the county
598 seeking its involvement. God bless you.

599
600 Mr. Johnson thanked everyone for attending. We do live in the low country. Low country literally
601 means low country. When he lived on the south end of town, his yard flooded numerous times. Before
602 the south end stormwater project was completed water came up to his doorstep in the back. The town is
603 taking care of some of the issues. Now, he lives on the north end, and has another issue that was
604 created by the developer. This is a tremendous undertaking. The 3rd Avenue South project that is just
605 being completed is part of the equation. He asked the citizens to bear with the town as it works through
606 the issues. Thank you. God bless you.

607
608 Mayor Samples said there was no doubt that stormwater issues were a regular recurring problem.
609 There is only so much that was cost effective. It was one reason the town zoning regulations limit the
610 amount of impervious surface and the allowable building area on a lot. Water has to have a place to go.
611 The public works department staff was often out of sight as they dug of channels to move water. Nature
612 controls the water flow. A full moon, a high tide and a major storm event will result in flooding. In his
613 opinion, that was why Town Council raised taxes to do the promised stormwater projects. He intended to
614 run for reelection on the tax increase and sanitation increase, because those actions help to maintain the
615 quality of life that town residents expect. The town would pay its own way, and when it decided it would
616 not pay its own way, the quality of life would change. Raising building heights would raise revenue; but,
617 that would also affect the quality of life in the town. He was very proud of Town Council for working
618 together. It needs to watch the budget, but there are unbudgeted requirements that must be funded. The
619 town should do as much as possible for its citizens without being a charity and balance priorities. Town
620 Council wants staff to be happy, to encourage business, to be tax conscious, and keep the town a family
621 beach. Thank everyone for attending.

622

623 **11. EXECUTIVE SESSION**

624
625 **A. Pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation,**
626 **promotion, demotion, discipline, or release of an employee and B. Pursuant to FOIA §30-4-70(a)(2)**
627 **to discuss multiple proposed contractual arrangements.**
628

629 Mr. Johnson moved to enter executive session at 9:39 p.m. Mr. Magliette seconded. All voted in
630 favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 10:05 p.m. Mr. Childs
631 seconded. All voted in favor. **MOTION CARRIED.** Mayor Samples said that no action was taken during
632 executive session.

633
634 **12. ADJOURNMENT.**

635
636 Mr. Johnson moved to adjourn the meeting at 10:05 p.m. Ms. Mabry seconded. All voted in
637 favor. **MOTION CARRIED.**

638 Prepared and submitted by,

639 _____
640 Debra E. Herrmann, CMC, Town Clerk

641
642
643 Approved: August 12, 2014

644 _____
645 Douglas F. Samples, Mayor

646
647
648 _____
649 David L. Pellegrino, Mayor Pro Tempore

649 _____
650 Robert F. Childs, Town Council

651
652 _____
653 Mark L. Johnson, Town Council

651
652 _____
653 Mary M. Mabry, Town Council

654
655 _____
656 Ralph J. Magliette, Town Council

654
655 _____
656 Randle M. Stevens, Town Council

657 *Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded.*
658 *Audio recordings are published on the town website after the meeting (approximately two weeks) until the*
659 *minutes are approved and published. You may download the recording to your personal computer from*
660 *the website, or bring a flash drive to the town clerk to obtain a copy. Appointments to hear or to obtain*
661 *copies of recordings should be scheduled with the town clerk, telephone 843.913.6333. In accordance*
662 *with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The*
663 *agenda was posted on the town website, the entry door at Town Council Chambers, and in the Town Hall*
664 *reception area. Meeting notice was also posted on the Town marquee.*