



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES  
JULY 23, 2019 AT 6:00 P.M.  
TOWN COUNCIL CHAMBERS**

**1. CALL TO ORDER.** Mayor Childs called the regular meeting to order at 6:00 p.m. Mayor Childs, Mayor Pro Tempore Pellegrino, and Councilmembers Dietrich, Johnson, Ott, Scoles, and Stevens were in attendance. A quorum was present. Others present: Town Attorney Crosby; Town Administrator Pieper; Town Clerk Herrmann; Finance Director King; Planning, Building & Zoning Director Morris, and Police Chief Hofmann.

Mayor Childs announced that a public hearing and special meeting would be held on Monday, August 5, 2019 at 10:00 a.m. in chambers regarding Ordinance #19-093 to set FY2019-2020 Tax Millage and to amend Ordinance #19-0985. The public is invited to attend. The special meeting is necessary, because Horry County has to be advised of the town's millage rate before mid-August.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation:** Reverend Myron Roberts, Waccamaw Association Transitional Pastor, gave the invocation. **B. Pledge of Allegiance:** Mayor Childs led the Pledge.

**3. EXECUTIVE SESSION.** Pursuant to the Freedom of Information Act §30-4-70(a)(1) to discuss the employment, appointment, compensation, promotion, demotion, discipline, or release of an employee or the appointment of a person or persons to a public body, specifically to amend the town administrator's contract. Mr. Dietrich moved to enter executive session at 6:02 p.m. Mr. Stevens second. All voted in favor. **MOTION CARRIED.** Mr. Dietrich moved to reconvene regular session at 6:25 p.m. Mr. Stevens second. All voted in favor. **MOTION CARRIED.** Mayor Childs said for the record that no action was taken during executive session.

**4. MOTIONS RELATING TO AMENDED AGENDA.** There were no motions; the amended agenda was approved by acclamation.

**5. MINUTES APPROVAL. June 25, 2019.** Mr. Stevens moved to adopt the June 25, 2019 minutes as presented. Ms. Scoles second. All voted in favor. **MOTION CARRIED**

**6. PUBLIC COMMENTS. Agenda Items Only.** There were no comments.

**7. COMMUNICATIONS.**

**A. Employee Award: Matthew Messall, 5 years.** Mayor Childs presented Mr. Messall with an awards check, anniversary pin, and certificate of recognition. Mr. Pieper said that Mr. Messall is one of the town's dedicated employees who works in the sometimes 105 degree heat daily to ensure the town is well kept. Mr. Messall received a standing ovation.

Chief Hofmann introduced K9 Officer Sif, a 14 month old chocolate Lab, and her handler Patrolman 1<sup>st</sup> Class Pinto. They just returned from a four week training class to be certified in narcotics and tracking. K9 Sif worked last night and already made her first drug case. Chief Hofmann thanked Town Council and citizens for supporting the K9 Unit as it was vital to keeping the town drug free. *(Applause.)*

**B. Finance.** Director King presented the preliminary written report for June, a copy of which is attached hereto. She noted that the town may book revenue through August for the fiscal year ending June 30<sup>th</sup>; most expenses are booked, except the 3<sup>rd</sup> Avenue South Promenade that isn't yet completed. She also reported that the town administrator was successful in negotiating the purchase of property to

54 establish public parking as authorized by Town Council. Closing will be on or before July 31, 2019. The  
55 lots abut Surfside, Oak and Pinewood Drives. Purchase proceeds will come from land, meters and parking  
56 funds, and hospitality funds. A budget amendment will be presented at a later date.  
57

58 Mayor Childs said the project at 3<sup>rd</sup> Avenue South is almost completed. He encouraged everyone  
59 to visit the area to see the improvements that include brick walkways; widening and paving the road,  
60 new street lamps and wider sidewalks.  
61

62 **8. BUSINESS.**

63  
64 **A. Second Readings of Ordinances**  
65

66 **i. #19-0897 to Grant Utility Easements to HTC, Inc., Administrator Pieper.** Mr. Stevens  
67 moved to adopt second reading of Ordinance #19-0897 as presented. Mr. Johnson second. Mr. Pieper  
68 presented the decision paper and ordinance, copies of which are on file. All voted in favor. **MOTION**  
69 **CARRIED.**  
70

71 **ii. #19-0899 amend §2-61(b)(ii) Volunteer Applications, Administrator Pieper.** Mr.  
72 Stevens moved to adopt second reading of Ordinance #19-0899 as presented. Mr. Johnson second. Mr.  
73 Pieper presented the decision paper and ordinance, copies of which are on file. All voted in favor.  
74 **MOTION CARRIED.**  
75

76 **B. First Readings of Ordinances**  
77

78 **i. #19-0900 to add Public Property Zone (PL) to Chapter 17, Director Morris.** Mr.  
79 Stevens moved to adopt first reading of Ordinance #19-0900. Mr. Dietrich second. Ms. Morris presented  
80 the decision paper and ordinance, copies of which are on file. She explained that the town's jail (holding  
81 up to 6 hours) facility is not currently in use, but may be used in the future. That accessory use could be  
82 added as an allowable use as part of the police department's day-to-day operations. The intent was to  
83 prohibit stand-alone jail facilities, because the required acreage is too large to be accommodated in town.  
84

85 Mr. Johnson noted that the properties were not contiguous. Ms. Morris said correct; the  
86 designation applies to all government-owned properties throughout the town.  
87

88 Ms. Scoles believed all uses should be allowed on public land; there should be no exclusions.  
89 Some other members agreed. Ms. Morris said that was a council decision.  
90

91 Mr. Pellegrino said the year-long trial for the inmate housing just started. Council needs to work  
92 through the year before this type decision is made and to ensure no issues arise. He agreed that the  
93 current facility should be allowed. In his opinion, the proposed ordinance is just another level of  
94 regulation. We are correcting a problem that doesn't exist. I hear questions all the time about  
95 enforcement; there are about 50 rules on the beach, but we enforce the 5 most common ones. Do we  
96 need to keep adding more rules? We have a finite number of staff and resources. There hasn't been an  
97 issue with this zoning, and we don't need it.  
98

99 Mr. Stevens asked if the R2 zoning at the dog park would be zoned public land, and said the  
100 town is required to keep a structure 75 feet from the property line. Ms. Morris said the various districts  
101 will all be designated public land. The 75 feet requirement, and the requirement of 150 feet from  
102 residential for construction of a fire station or public works building are currently in the code. Mr. Stevens  
103 believed the public land designation would ensure keeping the land for public use. Ms. Morris said future  
104 councils could amend the ordinance.  
105

106 Mr. Ott asked if this included the Huckabee Complex. Ms. Morris said no; that property is not  
107 inside the town limits. Mr. Pieper said that property is protected [with restrictions in the Parks and  
108 Recreation Grant.]  
109

110 Mayor Childs said the amendments discussed by councilmembers should be included for second  
111 reading. Mayor Childs, and Councilmembers Dietrich, Johnson, Ott, Scoles and Stevens voted in favor.  
112 Mayor Pro Tempore Pellegrino voted against. **MOTION CARRIED.**  
113

114 **ii. #19-0901 to adopt International Swimming Pool and Spa Code, Director Morris.** Mr.  
115 Stevens moved to adopt first reading of Ordinance #19-0901. Mr. Dietrich second. Ms. Morris presented  
116 the decision paper and ordinance, copies of which are on file.  
117

118 Mr. Pellegrino asked for clarification if this was adopting another code. Ms. Morris said the  
119 International Building Code (IBC) will no longer reference the swimming pool and spa code, so the  
120 recommendation is to adopt it individually. The town currently enforces this code, and nothing would  
121 change except it would be adopted separately from the IBC. All voted in favor. **MOTION CARRIED.**  
122

123 **iii. #19-0902 to repeal certain sections and replace §13.21 IRC Code Chapter 1**  
124 **Administrative, Director Morris.** Mr. Stevens moved to adopt first reading of Ordinance #19-0902.  
125 Ms. Scoles second. Ms. Morris presented the decision paper and ordinance, copies of which are on file.  
126 Mr. Johnson said somebody did a good job of cleaning this up. All voted in favor. **MOTION CARRIED.**  
127

128 **iv. #19-0903 to set FY2019-2020 Tax Millage and amend #19-0985, Director King.**  
129 Mr. Stevens moved to adopt first reading of Ordinance #19-0903. Mr. Johnson second. Ms. King  
130 presented the decision paper and ordinance, copies of which are on file. She explained that the town's  
131 previous assessment was \$63 million for real estate; the new assessment is \$71 million. That is an \$8  
132 million increase. To effect the rollback, you calculate the millage based on the previous millage and then  
133 calculate the millage on the new assessed value, adjusting the millage number to equal the same pre-  
134 assessment amount. In this case, the millage was 46.2; the millage after reassessment would be 41.0.  
135 However, staff proposes an increase of 2 mils for a millage of 43 for FY 2019-2020, which would add  
136 \$150,000 revenue. The reasoning is that over the last four years, FEMA (Federal Emergency Management  
137 Agency) has sent the town over \$500,000 for general fund; \$200,000 for Sanitation, and \$500,000 for  
138 the pier. Those monies were used to maintain the current level of services. More money is being  
139 transferred every year from other funds to maintain the general fund, because costs continually rise and  
140 there haven't been any tax increases. We all know that cost have gone up, including operations; property  
141 and tort insurances; workers compensation costs, and now the state requires a 1% increase to the town's  
142 contributions to the retirement fund every year, which is \$50,000 just for retirement. Most of the  
143 property values in town were increased by 15% by the reassessment.  
144

145 Mr. Pellegrino thanked Ms. King for the explanation, and said the millage would be 41 mils based  
146 on reassessment. There are many appeals on reassessment, so there may be some delays in payments.  
147 That is why 43 mils are being recommended. Personally, he did not support a tax increase, because of  
148 the recently adopted stormwater utility fee, which was a 16% increase for the average tax payer. Fees  
149 keeping adding up, although individually they may be low amounts.  
150

151 Mayor Childs, and Councilmembers Dietrich, Johnson, Ott, Scoles and Stevens voted in favor.  
152 Mayor Pro Tempore Pellegrino voted against. **MOTION CARRIED.**  
153

154 **C. Lanier Parking Solutions Contract Extension, Administrator Pieper.** Mr. Stevens  
155 moved to extend the Lanier Parking contract for two years. Mr. Dietrich second. Mr. Pieper presented the  
156 decision paper, a copy of which is on file.  
157

158 Mr. Ott asked if there was any competition in this area. Mr. Pieper believed so, and explained  
159 that Lanier provides parking services for all Grand Strand municipalities and Isle of Palms, and Folly  
160 Beach is considering using Lanier. Once this extension expires, request for proposals will be let.  
161

162 Mr. Pellegrino said Lanier's staff does a good job, but they are very strict with enforcement and  
163 he gets a lot of complaints. He believed the town was losing repeat visitors, because of minor infractions.  
164 Mr. Pieper said Lanier enforces the codes, which could be amended if council desired.  
165

166 Ms. Scoles believed relaxing enforcement would create more issues; because many town roads  
167 are narrow, the codes should be enforced. She believed Lanier is doing a good job.  
168

169 Mr. Dietrich said simply that visitors should be reminded that if you can't do it at home; you can't  
170 do it here or you will get ticketed. All voted in favor. **MOTION CARRIED.**  
171

172 **D. Bid Award – Four Police Interceptor Sedans, Chief Hofmann.** Mr. Stevens moved to  
173 award the bid for four police interceptor sedans to Vic Bailey Ford Lincoln, Inc. in the amount of  
174 \$108,636. Mr. Dietrich second. Chief Hofmann presented the decision paper, a copy of which is on file.  
175 The 2019-2020 Municipal Budget included three police vehicles. In June the shop found that a vehicle  
176 had rust damage to the frame due to use on the beach that made it unsafe to use as an emergency  
177 vehicle. So a fourth vehicle was needed.  
178

179 Mr. Pellegrino asked how this impacted the capital replacement plan and the approved budget.  
180 Chief Hofmann said the fleet was in pretty good shape, because some vehicles were replaced last year.  
181 The fourth vehicle takes the price over budget about \$30,000, so a budget amendment will be  
182 forthcoming. Mr. Pellegrino said recently council agreed to allow police officers to take home cars. That  
183 decision reduces the flexibility on the number of cars we have. If that policy was not adopted, we could  
184 probably hold off on buying a fourth vehicle until funds were in the budget. But, Chief Hofmann did say  
185 the take home car policy is reaping benefits; we already hired two qualified officers from Horry County  
186 because of that policy. But, whenever we go over budget, we need to consider our decision.  
187

188 Mr. Ott believed the last cars were at \$42,000, but these are only \$27,000. Chief Hoffman said  
189 the SUV models on state contract were about \$28,700. Sedans are less expensive. He believed the  
190 \$40,000 amount included up fitting with equipment. The fourth vehicle will use the equipment salvaged  
191 from the rusted out unit, so it will not cost as much. Mr. Ott said two vehicles were bought to use on the  
192 beach and asked if these would be on the beach. Chief Hofmann said interceptors are not used at all on  
193 the beach, because the exposure to salt and sand destroys the frames. The beach truck is only used  
194 during emergencies and to deploy or retrieve equipment. The Bobcats and utility vehicles are used to  
195 patrol the beach. All voted in favor. **MOTION CARRIED.**  
196

197 **E. Motions and/or directions to Town Administrator from Executive Session.** Mr.  
198 Stevens moved to authorize the mayor and town attorney to negotiate an amendment to the contract for  
199 the town administrator in Section 3 Compensation and Section 5 Termination of Service as discussed in  
200 executive session, and to authorize the mayor to execute the written amendment. Mr. Ott second. Mayor  
201 Childs, and Councilmembers Dietrich, Johnson, Ott, Scoles and Stevens voted in favor. Mayor Pro  
202 Tempore Pellegrino voted against. **MOTION CARRIED.**  
203

204 **F. Resolution #19-197 to Escrow New Revenue Generated from Local Accommodations**  
205 **and Hospitality Taxes, Administrator Pieper.** Mr. Stevens moved to adopt Resolution #19-197. Ms.  
206 Scoles second. Mr. Pieper presented the resolution, a copy of which is on file. He explained that this is in  
207 accordance with the on-going lawsuit against Horry County regarding hospitality and local accommodation  
208 tax collections. Our outside legal counsel has advised that this resolution be adopted. Essentially, the  
209 revenue collected above what the town normally receives will be placed in escrow until the lawsuit is  
210 settled.

211  
212 Mr. Johnson said the suit settlement will determine where the money goes. Mr. Pieper said yes, but  
213 to this date, we, the municipalities, have prevailed in each case. All voted in favor. **MOTION CARRIED.**

214  
215 **9. PUBLIC COMMENTS.** Town Services or Business Conducted.

216  
217 Mr. Anousha Shifteh, North Ocean Boulevard, asked Town Council to consider removing the  
218 words "without grounding lines or ropes" from Section 12-67(c)iii, because umbrellas that are not  
219 secured pose hazards when the wind blows them about.

220  
221 **10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS.**

222  
223 Mr. Ott asked if council would agree to have the administrator check into charging for parking at  
224 the beach crossover parking areas. Mayor Childs believed that was a good idea. Mr. Pieper asked if  
225 residents with stickers would be allowed to park free, but others should be charged, perhaps using a  
226 mobile parking app. Mr. Ott said yes. Mr. Pieper said he would contact Lanier. Mr. Ott also thanked  
227 everyone for attending and listening to the council. Money will continue to be tight until the pier is  
228 completed; maybe some revenue will be generated then. Right now we need to look for every nickel and  
229 dime that we have. Thank you very much.

230  
231 Mr. Pellegrino thanked everyone for coming. As the pier construction gets closer, he was  
232 concerned that it's going to cost more than expected, as everything does when you're dealing with bigger  
233 government. That is why he was tentative about spending reserves. He would always keep pushing  
234 towards making hard decisions about how to more effectively supply services the town expects, and get  
235 rid of extra "fluff". Hopefully, we can have budgets that address those questions. Have a great night.

236  
237 Mr. Dietrich thanked everyone for coming. He agreed with Mr. Ott about the parking, and with  
238 Mr. Pieper's comment about the pay stations. That's probably the way to get it fixed. It gives everybody  
239 who lives in town freedom to park and obligates visitors to pay for parking. It's been that way for years;  
240 we should keep it that way. Thank you to the residents for allowing him to attend the Municipal  
241 Association Annual Meeting in Greenville. It was a good seminar; he learned a lot. If you need him, call  
242 him or visit anytime. God bless you all. Be safe going home.

243  
244 Mr. Johnson thanked everyone for coming out tonight. He has always had concerns about the  
245 parking issue. He did not agree with eliminating parking along Ocean Boulevard, because we are a beach  
246 town. If you can come up with a solution, good luck to you. Thank you.

247  
248 Ms. Scoles thanked everyone for coming, and also thanked Mr. Ott for bringing the parking  
249 discussion to council. She had observed the same issues, but never thought about being able to charge  
250 those visitors. Have a good evening.

251  
252 Mr. Stevens thanked everybody for coming out, and said considering everything, the town is in  
253 good shape. Our new pier will be the first concrete pier [sic] in the state; the entertainment district will  
254 provide hospitality revenue; Highway 17 is being repaved at the state's expense. People at the Municipal  
255 Association meeting spoke very highly of Mr. Pieper, and many said they would love for him to still be in  
256 their towns. He feels good when people tell him he made the right decision. Mr. Pieper came to the town  
257 at a reduced salary, and has done a grand job. That is why he got an extension. When you hire the right  
258 people, you do the right thing. He encouraged everyone to support the town's businesses, because they  
259 pay 85% of property taxes and over 70% of the sanitation fees. Have a good week. May God bless you.

260  
261 Mayor Childs explained that the orange barrels on Highway 17 are so the state can perform the  
262 stormwater work on the upgrade. The lane closures are being held off until after the end of summer. The

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263 state is spending about \$14 million on the roadway in the town's limit that includes landscaping,  
264 stormwater, new lanes, and it is going to be a nice addition to the town. Thank you all for coming.  
265

266 **11. ADJOURNMENT.** Mr. Stevens moved to adjourn the meeting at 7:22 p.m. Mr. Dietrich  
267 second. All voted in favor. **MOTION CARRIED.**

268  
269 Prepared and submitted by:

270  
271  
272 \_\_\_\_\_  
273 Debra E. Herrmann, CMC, Town Clerk  
274

275 Approved: August 27, 2019  
276

277 **Surfside Beach Town Council**

278  
279  
280 \_\_\_\_\_  
281 Robert F. Childs, III, Mayor  
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283 \_\_\_\_\_  
284 David L. Pellegrino, Mayor Pro Tempore  
285

283 \_\_\_\_\_  
284 Bruce H. Dietrich, Town Council  
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286 \_\_\_\_\_  
287 Mark L. Johnson, Town Council  
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286 \_\_\_\_\_  
287 Ron Ott, Town Council  
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289 \_\_\_\_\_  
290 Debbie Scoles, Town Council  
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290 Randle M. Stevens, Town Council  
291

292 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,  
293 and is not intended to be a complete transcript. Appointments to hear recordings may be made with the  
294 town clerk; a free copy of the audio will be given to you provided you bring a new, unopened flash drive.  
295 In accordance with FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local  
296 media and interested parties via the town's email subscription list. The agenda was posted on the entry  
297 door at Town Council Chambers. Meeting notice was also published on the town website at  
298 [www.surfsidebeach.org](http://www.surfsidebeach.org) and the town's LED marquee.