



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
July 14, 2009 ♦ 6:30 P.M.

TOWN COUNCIL
REGULAR MEETING MINUTES

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8 **1. CALL TO ORDER**

9 Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton, Mayor Pro Tem
10 Truett and Councilmembers Blair, Johnson, Martin, Samples and Childs were present.
11 A quorum was present. Staff present: Administrator Booth; Clerk Pinnell, Police Chief
12 Christenson, Fire Chief Packard, Public Works Director Taylor and Grounds Supervisor
13 Newell. Attorney Mr. Smith was also present.

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15 **2. INVOCATION and PLEDGE OF ALLEGIANCE.**

16 Councilman Doug Samples said the invocation and Mayor Deaton led the pledge of
17 allegiance.

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19 **3. AGENDA APPROVAL**

20 Mr. Samples made a motion to approve the agenda as submitted. Mr. Truett seconded
21 the motion. **All voted in favor of the approval of the agenda as submitted.**
22 **MOTION CARRIED.**

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24 **4. MINUTES APPROVAL**

25 Mr. Truett made a motion to approve the minutes from the June 23, 2009 meeting as
26 submitted. Ms. Blair seconded the motion. **All voted in favor. MOTION CARRIED.**

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28 **5. PUBLIC COMMENTS – Agenda Items only – 3 minutes per speaker**

29 There were no public comments.

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31 **6. COMMUNICATIONS**

32 **A. *Recognition: Michael Greene, 5 years service***

33 Mr. Michael Greene was recognized for 5 years of service with a plaque and a check.

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35 **B. *Building and Planning Report***

36 Mr. Booth stated that he would like council to contact their legislators on a town
37 property land transfer. Mr. Booth stated that the State is making it more difficult for
38 the town to accomplish this task. Mr. Samples asked Mr. Booth to provide council
39 with copies of the cover letter.

40
41 Mr. Booth stated that the town has done a little under a million dollars worth of
42 work. This is much lower than the town has done in the past few years. Mr. Booth
43 stated that about \$13,000 of revenue has been brought in for the Building
44 Department. The focus of the Building Department right now is to go through the
45 ordinances.

46
47 **C. *Public Safety Report***

48 Mr. Booth reported that the police department handled the extensive traffic during
49 the 4th of July celebration; the town did not anticipate the number of people the event
50 attracted but it was handled well. Mr. Booth reported that officer Eagan has resigned
51 and the town will look to hire a replacement. Mr. Booth reported that 1,000 miles

52 has been put on the bicycle patrol. Parking tickets have been cut in half and revenue
53 is up by \$5,000; the pay stations are working well as opposed to the meters. Mr.
54 Booth stated that the goal of the town is “less tickets and more revenue”.

55
56 Mr. Samples asked if the police position is being advertised and Mr. Booth stated
57 that town positions are always advertised. It was confirmed that the position would
58 also be advertised on the website.

59
60 **D. Administrator’s Report**

61 **i. 4th of July Update**

62 Mr. Booth reported that the 4th of July town celebration was a huge success
63 and added that next years’ event would be even better; there will be more
64 food and more bands. Mr. Johnson asked how the beaches held up the day
65 after in comparison to years past. Mr. Booth stated that there was less trash
66 to pick up than in years past. The crews had everything picked up by noon or
67 two o’clock and in the past it took a couple of days. Mr. Booth stated that he
68 felt that it was dangerous on the beach for people to light their own fireworks
69 in such a large crowd adding that council may want to consider addressing
70 this at some point.

71
72 **ii. Town Sponsored Events-Allocating Resources**

73 Mr. Booth reported that the town is looking to have many more events.
74 There is a new committee that has been proposing many new and creative
75 ways to provide more entertainment in town. These new activities will cost
76 the town additional money. Mr. Booth stated that he will be coming to
77 council with a budget amendment. Mr. Booth stated that it appears that the
78 towns ATAX money is coming in a little greater than originally anticipated
79 and he will probably be asking council to use some of the additional ATAX
80 to be used towards the added events. Mayor Deaton stated that this was a
81 good problem for the town to have adding that this is what the ATAX money
82 is to be used for.

83
84 Mr. Johnson stated that he continues to receive concerns regarding
85 abandoned property within the town and it is getting to the point where it is
86 becoming a liability adding that he sent an e-mail to Ms. Donevant today but
87 has not received a reply yet. Mr. Johnson stated that abandoned property is
88 becoming a growing problem. Mr. Booth stated that the town will need to
89 review the ordinances; the town is not allowed to go onto private property; if
90 there is an ordinance that will allow the town to mitigate real problems then
91 this could change. Mr. Booth stated that the town is controlling mosquitoes
92 by throwing mosquito donuts onto certain properties to contain them. The
93 problem is the banks own many of these properties and they do not want to
94 put any more money into them. Mr. Booth stated that the town would need to
95 look at the legal authority it has regarding these properties. Mr. Johnson
96 stated that the properties he is referring to are not in foreclosure but are older
97 properties no longer maintained. Mayor Deaton directed Mr. Johnson to
98 provide the Building Department with addresses of the properties in question
99 for them to follow up on. Mr. Booth stated that he could also give him the
100 addresses and he could follow up with the Building Department. Mr.

101 Samples stated that the town adopted a maintenance standard and asked if
102 code enforcement uses this to address these properties. Mr. Booth stated that
103 the question is where the authority lies for the town to go onto a piece of
104 property to mitigate it. The code allows the town to issue a citation. Mr.
105 Childs commented that the town had sent letters to owners in the past and the
106 owners cleaned up their properties.

107
108 Mr. Johnson had a question regarding canisters stolen from the meters. Mr.
109 Booth stated that for a short time an individual was breaking into the town
110 parking meters and taking the canisters. The town is no longer having this
111 problem; the town changed locks. It was confirmed that the individual
112 apparently had a key to the canisters. The police department is still
113 investigating.

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115 **7. BUSINESS**

116 **A. *First Reading Ordinance #09-0676: Publication of Town Financial Information***

117 Mr. Booth explained that this ordinance pertains to government transparency. This
118 ordinance addresses posting financial information on the website. Mr. Samples
119 made a motion to suspend the rules to discuss the motion made at the last meeting
120 which provided direction and the item actually provided. Mr. Childs seconded the
121 motion. **All voted in favor. MOTION CARRIED.** Mr. Samples stated that the
122 ordinance addresses the Freedom of Information Act requests and he feels that this is
123 an issue that stands on its own and should not be included in the financial
124 information ordinance. Mr. Samples stated that he feels that the ordinance being
125 presented contains more information than the council had originally asked for. Mr.
126 Samples stated that there are FOIA items that the town needs to discuss that deal
127 with things other than financial transparency and feels each item is important and
128 should have separate ordinances. Mr. Smith stated that the choice would be up to
129 council to either leave the ordinance as it was presented, split the transparency and
130 FOIA into two ordinances or exclude the FOIA and have an ordinance on
131 transparency only.

132
133 Mayor Deaton stated that in the past council has micromanaged and he would like to
134 rely on legal advice and a legal expert to make a recommendation and asked for Mr.
135 Smiths recommendation. Mr. Smith stated that this ordinance was fashioned after a
136 FOIA ordinance in Anderson that addresses transparency issues and he reversed the
137 ordinance to include transparency issues that addressed FOIA. Mr. Smith stated that
138 the financial transparency issue can be addressed by council several ways it could be
139 by ordinance, by consensus or by resolution and Mr. Smith recommended that the
140 town address it by ordinance explaining that an ordinance allows the town to have
141 more control over transparency issues and FOIA requests that come in; it controls
142 staff actions so they understand what councils intent is; it apprises the public of
143 procedure. An ordinance also provides a record and the mandate of the council and
144 stays in perpetuity and allows for judicial interpretation. A consensus or resolution
145 would only include the councils' ideas at a specific time and does not bind any future
146 councils and it would also be open for a future councils' interpretation. Mr. Smith
147 stated that he and finance staff worked on this ordinance and it was agreed that the
148 town model an ordinance after the Anderson ordinance. Mr. Samples stated that the

149 council has yet to discuss policy as it relates to the Freedom of Information Act;
150 what warrants charging; when is it appropriate to charge for information and when is
151 it not; legally the town can charge any time. Mr. Smith stated that the town can
152 charge as long as it meets the spirit of the law which is to be very open and
153 reasonable in its charges. Mr. Samples stated that he does not agree with charging
154 taxpayers for requesting information.

155
156 There was some additional discussion regarding the ordinance and changing how it
157 reads.

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159 Mr. Samples made a motion to have staff take the ordinance that was proposed,
160 labeled *Surfside Beach to provide for publication of town financial information*
161 separated into its two appropriate pieces, one being financial transparency and the
162 second piece being Freedom of Information Act request. Mr. Childs seconded the
163 motion. There was consensus that the ordinances be brought back in two weeks at
164 the workshop. **All voted in favor. MOTION CARRIED.**

165 **B. *Second Reading Ordinance #09-0675: Amendment to Parking/Meter Infraction***

166 Mr. Truett made a motion to adopt second reading of ordinance #09-0675. Mr.
167 Childs seconded the motion. There was discussion regarding the wording in the
168 ordinance section 9.2 regarding “may” and “shall”. The town administrator clarified
169 that the ordinance will be enforced as written. Mr. Johnson stated that 9-7 has a typo
170 and should read 30 feet not 50 feet which is a state regulation. **All voted in favor.**
171 **MOTION CARRIED.**

172 **C. *Proclamation #09-69: Parents’ Day July 26, 2009***

173 Clerk Pinnell read the proclamation. Mr. Truett made a motion to approve the
174 proclamation as presented. Mr. Childs seconded the motion. **All voted in favor.**
175 **MOTION CARRIED.**

176 **D. *Decision Paper: Façade Grant***

177 Mr. Booth explained that a beautification façade grant was proposed by the
178 Beautification Committee and the funds would come from money allocated to the
179 Beautification Fund. Mr. Booth stated that a business would apply for funding; the
180 beautification committee would review the applications and come up with a
181 recommendation that would then come to the council for approval adding that the
182 town would be giving money to a business so the council would need to approve it.
183 It would be a 50 percent match with no more than \$5,000 to be allocated. This is a
184 widely used tool by many large and small cities throughout the United States to get
185 their downtown areas and business areas to improve. Mr. Booth stated that not more
186 than 6 or 7 would be given out this year. Sample forms had been given to council for
187 their previous review. Mr. Martin made a motion to approve the façade grant as
188 presented. Mr. Truett seconded the motion. It was confirmed by Mr. Booth that
189 \$80,000 was budgeted for beautification with most of it still remaining. There was
190 discussion regarding criteria and the recommending committee. It was confirmed
191 that the Beautification Committee was not appointed by council. Mr. Samples stated
192 that he has many concerns as to where the town is financially and he has concerns
193 that this program could be perceived as the town playing favorites. **Ms. Blair, Mr.**

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**Johnson, Mr. Martin. Mr. Truett, Mayor Deaton, Mr. Childs voted in favor.
Mr. Samples voted against the motion. MOTION CARRIED.**

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E. *Decision Paper: Comprehensive Parking Study, DDC Engineers*

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Mike Wooten, Principal of DDC Engineers Inc. presented proposal which is on file. A previous parking plan was done in 2003 but many changes have taken place since that time. Mr. Wooten stated that he would review the previous plan, perform studies of his own and then come back to the town with a report of what the town needs versus what it has. Recommendations would be given. The cost would be \$48,500. There were concerns regarding the cost. Mr. Childs stated that he thought the cost would be a couple thousand dollars to tweak the plan presented in 2003. Mr. Childs stated that he feels it is a lot of money for a small town and asked for a workshop to discuss the need of such an expensive study. Mr. Johnsons stated that this was a lot more than he expected it to cost adding that he is not familiar with the actual cost of these types of studies but thought it was a lot of money. Mayor Deaton stated that his background is in planning and the town generates a lot of money from parking and parking is currently a major issue in town. Mayor Deaton stated that the town would be remiss in not having a good parking management plan in place adding that it is not an inexpensive study. The town paid \$10,000 in 2003 to the COG and the town received a plan that “went on a shelf and collected a lot of dust”. The plan was never implemented and needs and plans change. Mayor Deaton discussed the parking issue further and stated that without a parking plan in place the town is causing more problems than it needs to. The revenue stream would increase and the town needs someone to professionally instruct the town on how to manage this issue. Mayor Deaton stressed that the town is not parking planners or engineers and it needs the help of professionals.

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Mr. Childs asked what the cost for Phase III, which was not included in the price, be. Mr. Wooten stated that the next phase is the actual implementation or development of additional parking lots based on the plan. Mr. Wooten stated that he realized the price seems high but informed council that the fees for this actual proposal was cut in half recognizing that the town would have “sticker shock” and added that DDC believes that once the plan is implemented the revenues would be made back tenfold. The town is not currently taking advantage of possible revenues. Mr. Wooten stated that the cost of Phase II would depend on the number of parking areas and size of parking lots included. A small parking lot/park design provided to the town would cost \$5,000; this included 20 parking spaces and a park; prices would vary. Mr. Childs stated that he is concerned that the study, once done, it would be so in depth that the town would need to purchase property and the plan could then sit on a shelf and collect dust as well. Mayor Deaton stated that there are current parking issues that could be resolved by a good comprehensive plan adding that he is adamant that the town is not capable of doing this study alone and would need direction by professionals. Money received from meters is delegated towards property acquisition to create more parking. The town is growing and the parking would need to increase to accommodate this growth. It was confirmed by Mr. Booth that the money for the parking study would come from the parking meter fund. Mr. Booth stated that there is approximately \$120,000 in the parking meter fund.

242 Mr. Wooten stated that the study would include an estimate of what the revenue
243 stream would be. The town could also partner with property owners and share the
244 revenues. Some properties were already identified as possible additional revenue
245 stream areas. It was confirmed that the plan would be implemented in increments.
246 Mr. Martin made a motion to approve the DDC Parking study. Mr. Johnson
247 seconded the motion. Mr. Truett agreed that the cost was a surprise but the town is
248 in need of a study; there is an influx of parking back in the neighborhoods that needs
249 to be addressed. Mr. Samples questioned the time it would take and Mr. Wooten
250 confirmed that the study would take approximately 3 months and it would be started
251 the following weekend. Mr. Johnson stated that there has been an amazing increase
252 in parking needs with the growth of Horry County. He has a concern with the cost
253 but agrees that a study is needed. Mr. Samples asked if the study would include the
254 problem of parking in the R-1 and R-2 districts. Mr. Wooten stated that DDC would
255 look at the town ordinances and possibly make some recommendations on changes
256 adding that this is an enforcement issue. Mr. Samples stated that he does not feel that
257 the town will ever have enough parking. Mr. Wooten agreed but added that the goal
258 is to derive additional revenue. **All voted in favor. MOTION CARRIED.**

259 F. *Decision Paper: Streetscape Master Plan, DDC Engineers*

260 Mr. Samples made a motion to defer any additional studies on streetscapes until the
261 town has a parking plan. Mr. Childs seconded the motion. Mr. Johnson stated that
262 he has a copy of the previous study. **All voted in favor. MOTION CARRIED.**
263

264 **8. PUBLIC COMMENTS**

265 *Jack Barron, 620 Melody Lane:* “We need to do something about the traffic. The
266 speed limit there is not enforced; there’s not enough room for two cars to pass one
267 another; you can’t walk safely along the street. I’ve yet to see a police officer over
268 there; I’ve never seen a ticket written over there; something needs to be done. If you go
269 a block farther north the speed limit’s 25, Hollywood is 30 and Melody Lane is 35.
270 There’s no sidewalks; it’s not safe for kids to be out in the front yard; it’s not safe for a
271 dog to be out in the front yard and if stop signs lower the speed limit and if those can’t
272 be done at least have the speed limit be enforced that isn’t, please.”
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274 *Bobby, Myrtle Beach Golf and Yacht:* “With work being as scarce as it is and how
275 difficult it is to work in the town of Surfside. What are we doing in Surfside to enforce
276 immigrations as far as illegal workers here doing work?”
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278 Mayor Deaton referred him to speak with Mr. Booth.
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280 *Michael Romano, 518 13th Ave North:* “I’ve been a resident and owned property here
281 for 37 years. I say that because this precursors everything I have to say. I’m here this
282 evening as a representative of all of the residents on 13th Avenue North, here in Surfside,
283 and these residents have asked me to speak for them and present to the town council this
284 petition. The petition is relevant to the business of a street or red light on the corner of,
285 at the intersection of 13th and Business 17. Now all of you are new here as far as I’m
286 concerned because I’ve never seen this council before, but I’ve spoken to every council
287 for the last twenty some years on this same issue. The issue basically, gentlemen and
288 lady, is an issue of greed, flat out greed on the part of the developers over in the
289 Deerfield area. This is approximately the 4th time that this issue has arisen and I’d like

290 to know where it has come from this time; who is behind it and I think we'll find that it
291 comes from the developers who wish to open up 13th Avenue North to traffic across the
292 highway from their townhouses, their time shares and their wonderful little community
293 behind the gates that they have established there. I've seen the original plan some 15
294 years ago, for your information, where there was going to be a jug handle around the
295 bank which will develop four beautiful commercial pieces of property that should bring
296 in a tidy sum for whoever owns them. Now that may be or may not be this case at the
297 present time, although there is a piece of property on that area that is slated to be a
298 corner. Now what will happen if this light comes in as we have discussed in previous
299 times and which, by the way, the two former mayors stood here and swore on a stack of
300 bibles that they would never allow it to happen; you will bring traffic down upon our
301 street; one of the most quiet and nice streets that you have; a street that is traverse by
302 many, many people, not just in our neighborhood but from the motel up above; people
303 with dogs and bicycles and golf carts and everything else like that. You will hamper and
304 cause confusion and all kinds of difficulties in relationship to the church at the end of the
305 block at the corner there of Business 17. You will open this area up to the same kind of
306 traffic that we have on 15th, 16th and Surfside Drive and you have no sidewalks. On
307 behalf of the, I'm going to put it straight to you, this voting block, we are going to
308 demand sidewalks if you open that up to a red light and open up our street, we're going
309 to demand sidewalks all the way from 17 down to Ocean Blvd. You just had a
310 gentleman here talking about traffic and about parking. I guarantee you gentlemen and
311 lady, that you will have to put a parking lot at the end of 13th; you'll have to police 13th.
312 We've got a speed limit now of 20 and 25, nobody pays attention to it; do you think
313 these people across the highway are going to pay attention to it or drive safely? We have
314 children, we have dogs, we have all kinds of old people and what have you, not me, of
315 course, and another thing, not only are the realtors and the developers after this, the
316 homeowners associations, plural, have been after this for the last 20 years and as I've
317 said I've been fighting it every time it comes. Only this time I've got forty some people,
318 voters, by the way, again to remind you, who say 'no' to this thing but yet there is this
319 situation where the people over on the other side of the world want us to open up our
320 beautiful street where as they have put up a blanket of gates all over the place. They
321 don't want us traversing their nice quiet streets or anybody else coming in on 544, on
322 Glenn's Bay Road; they don't want us traversing their condominiums and their
323 timeshares; they put up speed bumps and now they've put up a gate. I can only say what
324 Ronald Reagan said to the communists, Deerfield tear down these gates, if they do we
325 will be willing on 13th Avenue to discuss with them. If we can travel through their
326 beautiful little development and make our way to 17 and then cross 17 into our
327 community along with the trucks and the buses and everything else, we're willing to sit
328 down and talk about it. Before this thing gets going, we're asking the town council, all
329 43, 45 voters of us, would you please stop it, here and now. I don't want to come back
330 another 20 years from now; if I do I'm going to scare the pants off of you."

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332 Mayor Deaton instructed Mr. Barron to give the petition to the town clerk.

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334 **Tom Dodge, 15th Avenue N.:** "Knowing that I cannot ask a question in this forum, I
335 wrote a letter to a high ranking town employee and asked 6 questions. I very promptly
336 received a reply. The answer was sent certified mail at a cost of \$5.54. This seems to me
337 to be a gross waste of town, think this is funny Mr. Booth? Gross waste of town funds,
338 if all correspondence is by certified mail. If it's not by certified mail, why was mine?"

339 After reading the letter with his answers, I got to the last piece of paper in his response;
340 it was a bill for \$39.06. I thought, wow, never heard of this before. I've lived here over
341 17 years and suddenly I cannot ask a question at a council meeting but when I ask at
342 town hall I have to pay for the answer. I should have been warned, so this is my way of
343 warning fellow towns people, don't ask or you will pay. The townspeople are purposely
344 being kept uninformed. This does not seem like a family beach to me. I feel this is a
345 personal attack on me. I'm eating breakfast the other day and I read this editorial from
346 the Sun News, Surfside Beach increase transparency, I darn near choked on my cereal.
347 Don't ask, don't tell. Thank you very much."

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349 **Joe Colangelo, Joeys HotDogs (his partner Joe Sutherland):** "I started a new business
350 a week ago and I'm definitely not here to get any advertising for the business. I'm here
351 to come to the leaders of the town. Our idea is to give \$2,000 worth of donations to any
352 worthy cause on any Sunday in the town whether it's Boy Scouts, Girl Scouts, Fire
353 Department, Police Department, some unfortunate child in town needs something, we
354 want to be involved. So since we're here such a short time I figured I would come to
355 you guys and gals, if you need our help we have the money, we want to give it. So if
356 you come up with any ideas let us know."

357
358 Mayor Deaton stated his thanks and directed him to speak with Mr. Booth regarding this
359 donation.

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361 **Joe Zoltak, 414 Pine Drive:** "Earlier in the meeting Mr. Booth made an appeal for help
362 from the council regarding land transfer but he did not explain to the public what this
363 land transfer is so I'll attempt to do that. Fuller Park used state and federal money to
364 purchase it and build it as we all know it today. When you take state and federal money
365 there's always strings attached with it. By taking federal money, Fuller Park is
366 guaranteed to be used as a park forever; however, the town of Surfside Beach now wants
367 to reduce the size of Fuller Park. This could be possible and that's what Mr. Booth was
368 eluding to when he was referring to Mr. Bebber and his large checklist in deficiencies
369 with the package. I don't know if Mr. Smith is paying much attention to what's going
370 on in this matter either but perhaps he may want to issue some questions and look into it.
371 The proposal is, is to transfer land from Fuller Park and create an equivalent park across
372 from the Sundowner, Poplar and Surfside Drive and this is a perfectly legal process but
373 in this process there are many requirements and I believe that's what Mr. Booth was
374 responding to, that the package was deficient in meeting these requirements. As I
375 understand it there's at least 100 pages of documents required, there will be a public
376 hearing required, etc., so at least the public knows that besides there's plans to reduce
377 the size of Fuller Park as it exists today and create a park next to the Sundowner. Mr.
378 Booth asked the town to contact their legislative leaders for help. This request is one of
379 political interference and hampering of a State public servant, Mr. Bebber, from
380 performing his duties. Mr. Bebber is a qualified public servant responsible for
381 upholding federal, not just state law for the National Parks Services. Mr. Bebber cannot
382 make exceptions just because Surfside Beach council is contacting their legislators. It is
383 required by federal law to execute all transfer requests equally and in accordance with
384 federal law. He cannot make exceptions because you're contacting your local
385 legislators. He is merely implementing and executing federal law; the National Park
386 Service. I don't know if Mr. Smith is aware of the towns plan and something that was
387 mentioned many times before Planning and Zoning and it's in public record that the

388 Planning and Zoning Board never approved the rezoning request for that property on
 389 Surfside Drive and Poplar; they wanted to make that commercial and make it a parking
 390 lot so the plan is to circumvent the R-2 district ordinance which prohibits parking lots to
 391 make that property 51 percent park and 49 percent parking lot; this is an intentional
 392 circumvention of the ordinance and once you put meters on that property, on that
 393 parking lot you are making a commercial enterprise in a residential district. There are no
 394 other meters in parking lots in the residential districts. I ask that you seriously consider
 395 and relook at what you're planning to do to keep it all legal and above board. Thank you
 396 very much."

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 398 **Janet Gainey, 8th Avenue South:** "First of all start with good stuff. I had a great time
 399 with the 4th of July festivities so thanks to the town of Surfside Beach. The family and I
 400 plus a lot of visitors enjoyed that, we parked at my own house, walked down, so, we still
 401 do that and second thing is I want to commend one of the town employees that I've had
 402 the pleasure of speaking with and doing some and asking some questions, Ty Taylor,
 403 always very courteous, thank you so much, and answers questions and was very
 404 responsive to actually call me back, that doesn't always happen, so I do appreciate that.
 405 Following up on what Mr. Zoltak was saying and I'm not well versed in the laws of what
 406 Surfside can and cannot do in terms of the land on Surfside Drive which I do own the
 407 property adjacent to the two lots that Surfside Beach owns, so of course it has been an
 408 ongoing concern of mine for years now, when I also put in a bid for that property along
 409 with McQuiddy who had requested for commercial rezoning and all that was being
 410 discussed during the comprehensive plan for Surfside Beach and for Surfside Drive
 411 specifically to what we were going to do and it was repeatedly said we're discussing
 412 that, we're going to put it into our comprehensive plan, we're looking at that and on and
 413 on and on and that's where I think probably two years ago, I would have to look back in
 414 my records it came up and that was first said with the 51 percent, 49 percent because I
 415 jumped all over Mr. Booth there for trying to circumvent what I felt was hiding things
 416 from the town citizens. I still have an issue with that, I still don't know what the plans
 417 are for that. Are we, and I've told the story thousands of times, not sure if everyone here
 418 has heard it so I'll tell it again, but with the first house, I lived there, the bar is right
 419 beside you so during bike weeks and other times and one incident was when a drunk
 420 biker, not that I'm against bikers, my husband used to own one but we're too old and
 421 have kids now, but they ended up in our front yard on our swing, passed out, so is that a
 422 good place for a park for children? I wouldn't take my children there, I would still take
 423 them to Fuller Park, so I would like to know and hopefully Mr. Mayor you'll tell me to
 424 make an appointment with Mr. Booth and he'll actually set an appointment with me that
 425 we can sit down and let me hear what the town of Surfside Beach side of that is; what
 426 are our plans; where are we going forward with the comprehensive plan for the entire
 427 Surfside Drive and how can that benefit the entire citizen group of Surfside Beach."

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 429 Mayor Deaton instructed Ms. Gainey to set up an appointment with Mr. Booth.

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 431 **9. COUNCIL COMMENTS**

432 **Ms. Blair:** "Thank you all for coming out and for being with us. I hope that you all had
 433 a chance to enjoy some of the 4th. It was a great event and I've been proud of Surfside
 434 and honored to live here for a long, long time now. I have never been as proud as I was
 435 that night and I'm sorry Ms. Ellis isn't here to thank her for the effort she put in. It was
 436 a long, hard day but I think made a bit easier by the fact that she does now have a

437 committee there helping and encouraging and coming up with new ideas so if you didn't
438 make it, I agree with Mr. Booth, shame on you, you missed a great event that brought a
439 lot of the town together and welcomed visitors as well. To Mr. Romano, I remember
440 this fight for the stop light and I remember when Mr. Ashley Ward came to, I live on
441 14th North right behind the church and I remember when Mr. Ward came to bat for us
442 trying to help defeat it the last time and I agree we would not want that stop light at 14th
443 North. Mr. Colangelo, that's an awesome offer and thank you for coming forward and
444 I'm sure working with council and Mr. Booth there will be some great ideas for you.
445 Thank you very much for your generosity. Thank you all for being here."
446

447 **Mr. Johnson:** "I echo Ms. Blair's comments. I do thank you for coming out. The 4th of
448 July celebration was amazing. I could not believe the amount of people but as good as
449 the 4th of July celebration is there is another event at the pier each Sunday from 2 to 4
450 PM, it's a little music event. It's very laid back; you can bring your lawn chairs and
451 your umbrellas and just sit there and listen to some local musicians. It's yet another
452 thing the town of Surfside Beach is providing thanks to our Recreation Committee and I
453 would just like to invite you all to come out and just sit back and relax and enjoy the
454 music. Thank you very much."
455

456 **Mr. Truett:** "I'll talk about 13th and Mr. Romano and I've had this conversation once or
457 twice. Mr. Booth I got an e-mail the other day concerning a meeting you had about the
458 light on 13th and it was not part of the traffic study?"
459

460 **Mr. Booth:** "It's not. It was an offer from the State to identify two intersections that
461 have not been identified. Well that's not true, 10th South has been identified because it
462 has the water park but no other intersection has been identified."
463

464 **Mr. Truett:** "Just wondering. I wanted to clarify that and we wrote a letter to the State
465 about, when Michael Kovacs was here, about 8th Avenue or 10th Avenue South about
466 getting a light, 6 years ago, 7 years ago and their response was that nobody's gotten
467 killed there yet so they wouldn't look into it, that's the truth, so I appreciate everybody
468 coming and the fireworks show was pretty amazing, so, thanks."
469

470 **Mr. Samples:** "Thank you all for coming and bring your friends next time. Mr. Barron,
471 Melody Lane is a problem, we need to, certainly we need to show greater presence there;
472 it's a race track and a lot of people aren't coming into Surfside, they're just passing
473 through Surfside on their way to Garden City. We need to do something and I don't
474 know if that's buy another radar machine and station it there? You all probably saw we
475 were covered on 5th Avenue North, has its own speeding problems on the local news.
476 We've got to enforce the speeding; we've got to be present. Mr. Romano, you got your
477 good news already, I think, it's not in the planning, 13th Avenue stop light. Mr. Dodge,
478 transparency is very important and we got to get that information, the financial
479 information, I believe, will be of great benefit to the citizens, it should provide
480 reassurance. I'm not saying that we have anything wrong going on but an ounce of
481 prevention, the fact of the matter is in South Carolina and all around the country it's not
482 uncommon for things to go wrong and it's just another tool to assure the citizens that
483 their monies, one, are being spent wisely and they know where it's being spent, we have
484 the technology, we should make that available as fast as possible. With respect to
485 Freedom of Information Act, you know we could establish a policy where we charge for

486 every piece of paper, that would be consistent but frankly most information requests are
487 pretty modest. We do, as a council, need to protect ourselves from either unreasonable
488 requests or very, very expensive requests to the taxpayer. Somebody could come in and
489 ask for 10, 15 years of minutes just to be funny or because they don't have a life and
490 they like reading about what went on here, I don't know, we need to be able to get
491 reimbursed for that type of request. Mr. Zoltak, there is a parking lot in R-3 on 13th
492 Avenue South. I'll double check, you may be right. I will be happy to take another look
493 at the conditional uses. The property in question is immediately adjacent to a
494 commercial district and certainly would not be out of character with the use that the
495 town has proposed. Thanks for all coming out, bring your questions, make them harder
496 so we know when we're making up the answers."

497
498 **Mr. Childs:** "Mr. Dodge, I talked to Mr. Dodge earlier and I think we could have
499 possibly avoided his comments had my motion been able to go through. I have not
500 forgot it, it was indicated to me that it would be handled at workshop and the Mayor
501 asked me not to offer it at the time, so, it was not forgotten, it will not be forgotten and
502 I'm sorry it did not go through tonight but it will.:

503
504 **Mayor Deaton:** "It will be on the agenda, Mr. Childs. I would like to thank everyone
505 for coming and I do appreciate the info. It's so valuable that people are actually standing
506 up and making their wishes or their intent known to the town. That's important, that's
507 what makes this such a good community and I would encourage everyone to participate
508 in any kind of committees that we have available. If we start (SIC) systems for the
509 planning of Surfside Drive and things of that nature we're going to need participation
510 and any kind of participation we have is welcomed. We don't have a shield; we don't
511 have walls up, any type of input is very welcome to this council and to this town and I'd
512 like to thank you for putting up with our tourists which is our income stream for 100 to
513 120 days. Things are a little bit tighter, things are a little bit more complicated but for
514 the 260 other days we get to benefit from the infrastructure improvements and things of
515 that nature so just thanks for putting up for that 120 days. I grew up here, my family was
516 in the motel business and they made it or broke it in 100 days and there was some long
517 winters a couple of times but right now this town's in good shape and we've built houses
518 whether you like them or not. We have houses instead of condotels and now we're
519 shifting, I think our direction is shifting, as we're trying to put heads in those beds for
520 the 120 days to increase our revenue streams from accommodations tax, hospitality fees,
521 all of these things make our quality of life better than most communities and thank you
522 for coming tonight. We're going to have to go into executive session."

523
524 **Mr. Childs:** "On the 4th of July, I'd like to, our colleague, Vicki Blair's husband was
525 very instrumental by getting the band and getting all that elaborate electronic equipment,
526 those big speakers that made it possible for everybody to hear no matter where you were
527 and playing the music during the fireworks activities, and he is also our vice chair of or
528 Rec Committee and Special Events."

529
530 **Mayor Deaton:** "And you probably noticed that we have had large events all the way
531 from May through and our last event; in August there's going to be an ocean expo which
532 would be the first time Surfside's ever had that. We're going to showcase our biggest
533 asset, that's the ocean, the Guy Daniels Surf Off is going to be in conjunction with the
534 You Gotta Regatta which is a sailboat race and a large demonstration for all types of

535 water sports, kite boarding, windsurfing, kayaking; all those things are going to be
536 within about a 6 block area on one weekend August 15th and 16th, so come down to the
537 beach and find out why we're here. I mean that's our biggest asset and we're going to
538 try to showcase it."

539
540 *Mr. Samples:* "No skinny dipping."

541
542 *Mayor Deaton:* "We're going to have to go into executive session for 30-4-70(a) 2 pier
543 property contractual legal advice so I don't know how long we're going to be in there.
544 You're welcome to stay, we're not going to adjourn, we're simply going to move this
545 meeting behind closed doors which is a necessity. I don't really like to do that but when
546 it comes to a legal situation we have to so you're welcome to stay. We're going to take
547 a 5 minute break if that's all right with everybody and then we'll reconvene after the
548 executive session."

549
550 **10. EXECUTIVE SESSION**
551 FOIA 30-4-70 a (2) Pier Property Contractual Legal Advice

552
553 **11. ADJOURNMENT**
554 Mr. Truett made a motion to adjourn. Ms. Blair seconded the motion. **All voted in**
555 **favor. MOTION CARRIED.** The meeting was adjourned at 9:00 PM.

556
557 Approved: July 28, 2009

558
559 _____
560 Sharon Pinnell, Town Clerk

561
562
563
564 _____
565 K. Allen Deaton, Mayor

566
567 _____
568 Joseph P. Martin, Town Council

569
570 Vicki W. Blair, Town Council

571
572 _____
573 James S. Truett, Mayor Pro Tem

574
575 Douglas F. Samples, Town Council

576
577 _____
578 Mark L Johnson, Town Council

579
580 Robert F. Childs, III, Town Council

581
582
583
584
585 Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting notice and the
586 agenda were faxed and/or emailed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted
587 on bulletin boards outside Council chambers and in the town hall reception area. Meeting notice was also posted on the town marquee.