



**SURFSIDE BEACH TOWN COUNCIL
REGULAR MEETING MINUTES
MARCH 10, 2015 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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6
7 **1. CALL TO ORDER.**

8
9 Mayor Pro Tempore Pellegrino called the regular meeting to order at 6:30 p.m. Mayor Pro
10 Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, Magliette, and Stevens were in
11 attendance. Mayor Samples was absent due to illness. A quorum was present. Others present:
12 Administrator Fellner; Fire Chief Fox; Planning Director Morris; Police Chief Keziah, and Executive
13 Assistant Messall. Town Clerk Herrmann was absent due to illness.
14

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

16
17 A. Invocation. Reverend Kirk Lawton from Ocean Lakes Campground Ministries gave the
18 invocation.
19

20 B. Pledge of Allegiance. Mayor Pro Tempore Pellegrino lead the Pledge.
21

22 **3. AGENDA APPROVAL**

23
24 Mr. Stevens moved to adopt the agenda as presented. Mr. Childs seconded. All voted in favor.
25 **MOTION CARRIED.**

26
27 **4. MINUTES APPROVAL**

28
29 Mr. Magliette moved to adopt the February 24, 2015 Workshop minutes and the February 24,
30 2015 Regular Meeting minutes as presented. Mr. Stevens seconded. All voted in favor. **MOTION**
31 **CARRIED**

32
33 **5. PUBLIC COMMENTS – Agenda Items Only. (3-minutes per speaker)**

34
35 Mr. Tom Dodge, North Poplar Drive, urged Town Council to adopt the ordinance requiring
36 reimbursement for emergency services provided to nonresidents by the Surfside Beach Fire Department.
37 Former Fire Chief Cimini and current Fire Chief Fox both support the process. Mr. Dodge saw no reason
38 at all why the ordinance should not be adopted. He accepted the fire chiefs' recommendation; it must be
39 a good idea. Mr. Dodge believed that Mr. Johnson should recuse, because this was an insurance based
40 issue. Thank you.
41

42 **6. COMMUNICATIONS**

43
44 **A. Department Reports.**

45
46 **i. Fire.** Chief Fox presented the departmental report, a copy of which is attached to these
47 minutes and made a part hereof by reference.
48

49
50 Mr. Childs asked how many people volunteered for the traffic management team. Chief Fox said
51 five. Mr. Childs asked if more people were needed. Chief Fox said five will be the foundation. He hoped
52 to expand the program as it is developed. The Garden City/Murrells Inlet Fire Department (GCMI) has a
53 similar program, and he hoped the two agencies would work together. Mr. Childs asked if the team
54 members had radios so they could call for help. Chief Fox said GCMI has an 800MHz channel that is
55 compatible with his radio so he can speak with them directly.

56 **ii. Planning, Building and Zoning.** Director Morris presented the departmental report, a copy
57 of which is attached to these minutes and made a part hereof by reference.
58

59 Ms. Mabry appreciated the report style, because it was easy to see trends. She noticed that
60 permitting and inspections increased substantially. She asked if Ms. Morris expected the trend to
61 continue. Ms. Morris said yes, she anticipated that April and May would continue to be the busiest
62 months.
63

64 Mr. Stevens asked what progress had been made on the business owner that could not meet the
65 requirements to open any of the three proposed business tenants. Ms. Morris said staff developed a list
66 of what it would like to see permitted in the C-2 District. The C-2 District is the central business district
67 that begins at 4th Avenue South and ends just past town hall from Highway 17 to Poplar Drive. In staff's
68 opinion, the central business district should be a walkable, usable community that welcomes people in
69 and out. It should not be as lenient as the C-1 District. The current code has a very short list of permitted
70 uses. Two of his three tenants should have been allowed, in her opinion, but the code prohibited the
71 businesses. The planning commission will be asked to review the code at its next meeting for
72 recommendations to Town Council. Mr. Stevens asked how long the process would take, and whether
73 Ms. Morris recommended changes be made. Ms. Morris said the planning commission could hold a
74 special meeting, and then Town Council would need to hold two readings on the ordinance. Insofar as
75 supporting changes to the allowable businesses in the C-2 District, Ms. Morris said, "Absolutely!"
76

77 Mr. Magliette asked if the applicant was offered the opportunity to appeal or apply for a variance.
78 Ms. Morris explained that an appeal could be made; however, state law prohibits a variance for an
79 allowable use. Mr. Magliette said the individual had an opportunity for relief, but there seemed to be a
80 breakdown. Ms. Morris said the decision could be appealed, but the decision was very clear as the
81 allowable uses were clearly stated in the code. There is a \$200 fee to file an appeal, and 30-days
82 advertising is required. The process of having Town Council amend the code is free. Mr. Magliette
83 asked what the process was to address a problem like this. Ms. Morris agreed with Mr. Magliette saying
84 there was a breakdown and delay in the process. This is the first municipality she worked for where a
85 staff member cannot bring an issue for review. Ms. Morris presents issues to the planning commission
86 frequently for discussion; the commission has to direct her to add it to the next agenda for a
87 recommendation to Town Council or the matter dies. Every other municipality and many counties allow
88 planning staff to add items to the planning commission agenda for recommendation to Town Council. As
89 Ms. Morris explained to the owner, there was an option of going to the planning commission, who would
90 discuss it, and then it would be added to the next agenda for action, and then it would be presented to
91 Town Council, which would be a three month wait. Mr. Magliette explained he was frustrated trying to
92 help the individual, because the process was so difficult. This was not good customer service. The town
93 needs to encourage businesses to keep it business friendly. Ms. Morris agreed and said if Town Council
94 would direct her to take the recommendations to the planning commission, a revision could be requested
95 to allow staff to bring items to the planning commission, which would help prevent additional time delays.
96

97 Mr. Stevens asked if a council consensus was needed to present the information to the planning
98 commission. Ms. Morris explained that the Town Code states that the Town Council and the planning
99 commission are the only bodies that can present business to the commission, except property owners
100 that are requesting rezoning; therefore, she was seeking council's concurrence.
101

102 **Town Council Concurred to have C-2 Central Business District permitted uses added to**
103 **the next planning commission meeting agenda for recommendations to Town Council.**
104

105 Ms. Mabry asked if the commission's recommendations would be presented in ordinance form.
106 Ms. Morris said yes.
107

108 **iii. Police.** Chief Keziah presented the departmental report, a copy of which is attached to these
109 minutes and made a part hereof by reference.
110

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111 Mr. Stevens asked if Chief Keziah would enlighten the public about the body cameras that were
112 demonstrated recently. Chief Keziah said the body cameras were demonstrated by the manufacturer.
113 Staff was very pleased with the cameras. A partial shipment was expected within a few weeks. And then
114 the other shipment will arrive about two weeks later. This will allow training time and ensure that the
115 cameras are fully deployed before the May Bike Events.

116
117 Mr. Childs was impressed with the camera's picture and sound clarity. Chief Keziah said they
118 were state-of-the-art cameras. The body cameras will be interactive with the other cameras so recordings
119 can be stored and viewed in one place for evidentiary purposes.

120
121 Mr. Stevens said he and his wife were attending their second session of Citizens Policy
122 Academy. As yet, he had not seen another councilmember attend. This was one of the most educational
123 events offered by the town that includes ride-along with officers, and drug dog demonstrations. He
124 encouraged everyone to attend to learn more about the police department. Chief Keziah and his staff do
125 a fantastic job. Mr. Stevens thanked Chief Keziah for bringing the program to the town.

126
127 **B. Administrator's Report.** Ms. Fellner presented her report as follows:

128
129 **Updates:**

130
131 Coastal Alliance. The January and February Coastal Alliance meetings were cancelled. At the
132 March meeting, the lobbyist contract was executed for a one year period with an understanding that the
133 Alliance would move forward with an RFQ (request for qualifications) for the following year. Marlowe &
134 Company changed its name to Warrick Consultants, LLC due to a buy-out. There were no changes to
135 fees. Howard Marlowe is preparing a letter to be sent to the entire Assembly regarding beach
136 renourishment and helping with funding sources. All Alliance members voted in favor of this letter and as
137 soon as the final letter is received, it would be shared with Town Council. The Alliance believed it was
138 very important to seek State funding sources, because the Federal Government has done away with the
139 earmarked funds.

140
141 Routine Business. Aside from daily business, numerous issues have been worked on to clear the
142 calendar for the next four weeks so budget preparation can be done.

143
144 **Consensus Item:** Consensus was sought regarding several committees requesting minimal
145 funding requests for projects. There was money available in the general fund as a result of savings on
146 purchases that could be devoted to the committees. She asked if Town Council wanted to authorize
147 some discretionary amount, i.e. less than \$500 per committee for supplies. The two current requests are
148 from the Business Committee for printing and shipping costs, which was mentioned by Council Liaison
149 Stevens, and the Keep Surfside Beach Beautiful Committee asked Mr. Adair about reimbursing basket
150 and plant costs of about \$200. Rather than bringing individual requests to Town Council, as long as the
151 small cost could be covered, it would be more efficient to allow the administrator authority.

152
153 Mr. Johnson suggested deferring a decision until the next meeting. He wanted an opportunity to
154 review the budget for past expenditures to the Keep Surfside Beach Beautiful Committee.

155
156 Ms. Mabry personally believed if a committee needed money, she had no problem with the
157 request being made individually. She thought Town Council should be made aware of the amount and
158 purpose for the expenditure.

159
160 Mr. Stevens concurred with both Mr. Johnson and Ms. Mabry. There are some costs being
161 incurred for the Taste of Surfside Beach. Jerri-Bob's is printing everything at cost. There may be some
162 other costs involved.

163
164 Mr. Magliette said the Keep Surfside Beach Beautiful Committee will present its accomplishments
165 for 2014 at the next meeting, which he encouraged them to do. The Senior Citizens committee is
166 planning to present its accomplishments in May. As liaisons for both committees, Mr. Magliette asked the

167 committees to put together a 2015-2016 budget proposal for immediate and long-term projects. It was
168 good to have the town's hardworking volunteers present their accomplishments to Town Council, and to
169 discuss respective budget needs that could be incorporated into the FY2015-2016 Budget. Ms. Fellner
170 said that would be great, if the committees would do that. The problem is that many committee members
171 come to town hall asking that 200 or 500 copies of various information be copied: toner, paper, staff time,
172 it all adds up. She like the idea of committee budgeting and was very happy to hear the recommendation.
173 Ms. Fellner said she would bring this back at the next meeting along with the amounts requested for this
174 budget year.

175
176 Public Comment Responses:

177
178 *Comment:* A resident stated that flying the Flag at half-staff is illegal unless for a National
179 remembrance designated by the President or a State remembrance designated by the Governor.

180 *Response:* Title 4, Section 7 of the US Code authorizes the only the President of the United
181 States, Governors, and the Mayor of the District of Columbia to order the Flag flown at half-staff, and then
182 only for certain reasons. The Flag Code, however, does not prescribe any penalties for noncompliance
183 nor does it include enforcement provisions. Rather, the Code functions simply as a guide to be voluntarily
184 followed. No federal restrictions or court decisions are known that limit lowering the Flag or that makes
185 such display alone a form of desecration.

186
187 *Comment:* A resident wanted an update on the status of town lawsuits.

188 *Response:* There are currently three items in various stages of litigation:

- 189 1. Donevant case: an appeal is pending.
- 190 2. Sono-Irish case: a request for Summary Judgment was filed.
- 191 3. Sifonios case: staff is awaiting a ruling on the appeal to the Summary
192 Judgment granted to the town.

193
194 **7. BUSINESS**

195
196 **A. Second Reading Ordinance #15-0795 addition of \$6-7, Service Fees to Nonresidents for**
197 **Emergency Services, Fire Chief Fox.** Chief Fox presented the decision paper and ordinance, copies of
198 which are on file.

199
200 Mr. Stevens moved to suspend rules to allow discussion. Mr. Johnson seconded. All voted in
201 favor. **MOTION CARRIED.**

202
203 Mr. Stevens researched this proposal and the biggest concern he had was that this had not been
204 done in the State of South Carolina in a tourist driven city. In his opinion, he needed much more
205 information, before deciding how to vote. The bulk of the town's revenue is generated from tourism,
206 accommodations taxes, and hospitality tax. Adopting this may negatively impact tourism, and he did not
207 want to be the "guinea pig." If it was such a good program, why had the other large resort towns not
208 adopted the program? The theory of recuperating costs was understandable, but not at the expense of
209 making tourist choose other destinations. Mr. Stevens asked how many tourist-involved accidents
210 occurred during the past five years. Council just did not have enough data.

211
212 Mr. Johnson said he preferred to have all councilmembers present before the vote was taken.

213
214 Ms. Mabry did not support the ordinance, because the fire department building and many of its
215 services are paid for out of accommodations and hospitality tax revenue, which are generated by the
216 town's tourists and tourist-related businesses. The tourists have every right to receive emergency
217 services provided by the town. Unfortunately, she was left the task of performing about four hours of
218 research that she had not planned to do. There are 14 states that do not allow this type charge; she read
219 each one of the Bills. There would be impact to town residents, because the insurance company would
220 evenly distribute all the payments among its policy holders in the state. She did not want to pay for York's
221 fire department, nor Greenville's, nor any other. The town fully funds its fire department to make sure the
222 tourists and the businesses have everything they need. The town has a state-of-the-art fire department.

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223 She asked what will happen if the tourist has no insurance or the insurance company refuses to pay,
224 which they often do. Ms. Mabry said the plan was flawed for this town. She could understand why a fire
225 department that did not have resources and was located beside an interstate highway would use this
226 program.

227
228 Mr. Magliette asked how many wrecks occurred on Highway 17 during a year. Chief Fox said
229 during the last six months, the majority of accidents were on Highway 17. There were 10 to 15 to the best
230 of his recollection. Mr. Magliette said the town is very small. He asked just how much revenue would be
231 generated if there ten accidents a year involving nonresidents. If it was a small amount of money, he
232 would not support the ordinance. Chief Fox clarified that the driver would never receive an invoice from
233 the fire department. InnovaPad would file the claim with the driver's insurance company. If the insurance
234 company declines, the fire department would never pursue the individual for payment. There is a flat fee
235 for going to collisions, about \$500, which would involve a standard accident that involved cleaning debris,
236 and spreading oil-dry. Medical services are not provided by the town; they are provided by Horry County
237 Fire Rescue. The town would file a claim for cost incurred for one-use, expendable supplies while
238 responding to collisions that might involve a car, a tanker truck, or a bus. If a hazardous spill occurred,
239 the town would expend a lot of its resources to control the spill to protect the town and to clean up. The
240 recovered revenue would be used to replace supplies and to maintain and/or replace the hydraulic tools
241 used for extrication.

242
243 Mr. Stevens asked if the tanker truck companies would be responsible for any damage from oil or
244 chemical spills. Chief Fox said the companies had a certain level of responsibility, depending on they
245 were insured by a third party or self-insured. Mr. Stevens said the InnovaPad representative said the
246 town could improve its ISO rating. The Town of Surfside Beach is one of four in the State of South
247 Carolina that already has the highest fire rating possible, an ISO-1. He commended the fire department
248 for its work to be awarded that rating. He reiterated his concern that the tourism industry would be
249 damaged by this ordinance, because no other tourist town has adopted the program. As Ms. Mabry said,
250 accommodations and hospitality tax revenue fund many of the services provided by the town. He wanted
251 to review data from a town that has a tourism industry. Chief Fox offered to provide 5-years of call
252 response data and also check with other vendors that provide this type service, which has been offered
253 for a long time. He would see if there were any other towns similar to Surfside Beach. Mr. Stevens had
254 information that one town only received 26-percent of the total revenue; 74-percent went elsewhere. That
255 concerned him, and did not sound like a good deal. Chief Fox spoke with an agency in the up-state that
256 reported a 20-percent recovery on the claims filed. Money was not being expropriated; the recovery rate
257 was simply 20-percent. Longevity data was not available, because they had only used the program for a
258 short time.

259
260 Mr. Stevens moved to reconvene regular session. Mr. Johnson seconded. All voted in favor.
261 **MOTION CARRIED.**

262
263 Mr. Johnson moved to defer second reading of Ordinance #15-0795 until the next regular
264 scheduled council meeting. Mr. Childs seconded.

265
266 Ms. Mabry reiterated that she was prepared to vote at this meeting, but would support Town
267 Council's decision to defer.

268
269 Mayor Pro Tempore Pellegrino asked Chief Fox if he understood what information council sought.
270 Chief Fox responded that he did. Mayor Pro Tempore Pellegrino proceeded to explain there was an
271 upside. If you cause an accident, you will have a claim against you and your insurance premium will
272 increase, regardless of whether extra fees are charged to the insurance company. Information from other
273 tourist communities would be valuable. Chief Fox reiterated that he would do his best to gather and
274 distribute the information.

275
276 All voted in favor to defer the ordinance to the next meeting. **MOTION CARRIED.** Ms. Fellner
277 said Chief Fox's next meeting was the first meeting in April, and asked if Town Council wished to have

278 second reading at the next regular meeting or the next meeting that Chief Fox would attend. Mayor Pro
279 Tempore Pellegrino said the next regular meeting.

280
281 **B. Second Reading Ordinance #15-0796 to add §9-18, Pay Only Parking Lots, Administrator**
282 **Fellner.** Ms. Fellner presented the decision paper and ordinance, copies of which are on file.

283
284 Mr. Childs moved to adopt second reading of Ordinance #15-0796 to add §9-18 Pay Only Parking
285 Lots. Ms. Mabry and Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

286
287 **C. Second Reading Ordinance #15-0797 to amend Accommodations Tax, Capital Projects,**
288 **and General Fund Budgets for FY2014-2015, Administrator Fellner.** Ms. Fellner presented the
289 decision paper and ordinance, copies of which are on file.

290
291 Ms. Mabry moved to adopt Ordinance #15-0797 to amend Accommodations Tax, Capital
292 Projects, and General Fund Budgets for FY2014-2015. Mr. Stevens seconded. All voted in favor.
293 **MOTION CARRIED.**

294
295 **D. Committee Appointments – May be deferred until after executive session.**

296
297 **i. Planning & Zoning Commission Appointment (1 Vacancy) Volunteers: Betty Lowery,**
298 **Tabitha Mull**

299
300 **ii. Stormwater Committee (2 Vacancies) Volunteer: Tabitha Mull.**

301
302 This matter was deferred until after executive session pursuant to the Freedom of Information Act
303 (FOIA) §30-4-70(a)(1).

304
305 **8. TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed.

306
307 **A. §9-16(b) Golf Cart Registration Required, Administrator Fellner.** Ms. Fellner presented
308 the decision paper, a copy of which is on file.

309
310 Mr. Childs asked what kind of stickers the rental golf carts were required to have. Ms. Fellner
311 said the rental carts get a red sticker. This entire program cost a lot of money; not just staff time, and
312 asked Chief Keziah to explain.

313
314 Chief Keziah said the magnitude of rental carts is such that the town does not have the resources
315 or facilities to perform the inspections. Staff visits each rental company to perform inspections and
316 register the carts. Serial numbers and insurance documents are verified. The problem was that each
317 company had a blanket insurance policy to cover all the carts. Pictures were not taken of the commercial
318 carts. Neither the red sticker nor the residential sticker issued by the police department entitles the cart to
319 park free. Free parking is only granted when the vehicle has a town issued parking decal. The real
320 problem was providing good customer service while explaining there were three different stickers
321 required, a state registration that last 5-years, a town police department sticker that last 2-years, and a
322 town parking decal that last 1-year and all three were obtained from various locations. Chief Keziah said
323 the ordinance was adopted previously to any of the current administration's tenure. His understanding
324 was that originally the police department sticker was used for a parking decal, but now the code requires
325 that an actual parking decal be affixed to the vehicle or parking fees must be paid. Mr. Childs asked if
326 rental carts were required to have a state sticker. Chief Keziah said yes; staff ensures that each cart has
327 a state sticker and proper insurance. After this code was adopted, the state began requiring registration
328 and insurance the same it does for cars and other vehicles. Chief Keziah's position was that residents
329 were not required to bring their cars to the police department to check registration and insurance;
330 therefore, they should not be required to bring their golf carts. He saw no benefit on the extra step of
331 registering golf carts with the police department. The code places a burden on residents and business
332 owners.
333

334 Mr. Johnson asked if the goal was to eliminate the requirement to register the golf carts at the
335 police departments. Parking decals would continue to be issued. Chief Keziah said yes.
336

337 Ms. Mabry was more than happy to see this code repealed. She said registration service should
338 be provided for those who wished to voluntarily file their information with the police department, in the
339 event of theft or vandalism. Chief Keziah had no problem with a voluntary registration; however, he did
340 not agree with having a lobby full of disgruntled people without the proper information trying to get their
341 golf carts registered so they could get a parking decal from another building.
342

343 Mr. Childs said this week when he went to register his golf cart and there was a lobby full of
344 people just as Chief Keziah described.
345

346 Mr. Stevens asked how many man hours were spent on golf cart registrations. Chief Keziah said
347 there were 1,253 residential golf cart registrations and 434 commercial golf cart registrations. It takes
348 about 322 hours per year for privately owned registrations. One business has over 100 rental golf carts; it
349 took an entire weekend to complete those registrations; there are three other rental businesses.
350 Registration is \$2; the sticker cost \$1.30 each. New registration takes 20- to 30-minutes. He reiterated
351 that a voluntary registration program would be good, but now most people were not "in a voluntary mode."
352

353 Mayor Pro Tempore Pellegrino said if this were to move forward, golf cart owners would only
354 need the parking decal issued by town hall. Chief Keziah said that was correct; the department would
355 continue to provide information and take voluntary registrations from residents.
356

357 Mr. Stevens supported staff bringing the recommendation to Town Council for consideration.
358 Mayor Pro Tempore Pellegrino ask for consensus to bring the ordinance for consideration. All members
359 **CONCURRED.**

360 **B. Any matters of concern or information to be discussed by Town Council.**

361 **Approved**
362 Taste of the Town. Mr. Stevens said he would show the logo for Taste of Surfside Beach until the
363 event occurred. There were almost 80 businesses signed up to participate; over \$3,200 in gifts and
364 prizes were being awarded on the final day. He encouraged everyone to purchase a passport for the 8-
365 day event.
366

367 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)
368

369 Mr. Matt Lillich, 3rd Avenue South, thanked Town Council for the opportunity to speak. He and his
370 wife own a commercial rental property on 3rd Avenue South. He sought Town Council's help as the
371 property is located in the C-2 District that was discussed earlier. The space at 818 has been vacant for
372 almost an entire year; in the last few weeks two different tenants were rejected by the zoning office. Both
373 businesses were deemed noncompliant with current C-2 restrictions. One business was a K-9 training
374 operation that would work with area police departments. K-9 Pen was rejected as falling into the animal
375 hospital, veterinary clinics, pet boarding facilities and retail pet shop use classification. The second
376 business was the screen shop which has been located in Surfside Beach for the last 5-years, and they
377 wish to relocate to our property and would remain within town limits. This company was rejected because
378 it was deemed to be a manufacturer and thus, not allowed in C-2. The screen shop primarily repairs
379 existing window screens and porch enclosures at homes and businesses. Occasionally, a screen frame
380 would be made in-house when the repair could not be made on site. In his opinion, this would be a repair
381 facility, not manufacturing, but the difference of interpretation highlights the core issue at hand. As the
382 code is currently written, the C-2 District restrictions have made it extraordinarily difficult to place tenants
383 in the property, and certainly for town personnel to find compliance. Mr. Lillich gave a brief history of the
384 property and said none of the previous businesses would be allowed based on the current code. There
385 are nine storefront locations on the block; four are empty. Only two of the five businesses would be
386 considered suitable for the C-2 District. For these reasons, he sought Town Council's help to amend the
387 code requirements to be more inclusive of a more diverse range of businesses. He was desperate for
388 council's assistance. If he understood the earlier conversation, it may take as long as 90-days to effect
389

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390 changes. He asked if there was anything he could do to expedite the process as he feared the prolonged
391 delay in changing the code would cost him the ability to place a tenant in the space prior to the season.
392 There is a very finite time when people are more apt to rent commercial property space. He looked
393 forward to hearing from Town Council and appreciated the council's consideration of this matter.
394

395 Mr. Tom Dodge, North Poplar Drive, said he could not imagine that Town Council would not
396 support the emergency service fee ordinance that Chief Fox presented. He also could not believe that
397 the fire department was operated on accommodations and hospitality tax revenue. Mr. Dodge was sure
398 that he and all the other tax payers in town were paying towards the fire station. He said we certainly did
399 not want to pay a bill for a tourist, if he has to have his car towed because of an accident. If they have to
400 pay, it would put a bad taste in their mouth. Restaurants charge people to eat. Tourists don't like that.
401 They want a free meal. So what the council is saying is come on tourists, we are not going to charge you
402 for things. We will sock it to the residents of the town to pay for things. There was a 6.2-percent tax
403 increase. There was a \$2.75 garbage increase per month, and we had a 5 mil sunset on a tax that never
404 did go away. We are still paying that 5 mils. In his humble opinion, the residents of this town have
405 already been charged 11.22-percent in taxes in the last year, two years, and a \$2.75 a month charge for
406 sanitation two years ago. That's a tax increase. What is wrong with trying to help the citizens of the town
407 not have to pay these fees? The tourists will come whether they have to pay to have their car towed;
408 whether they have their insurance company billed because they were inattentive, drunk, or under the
409 influence of something. Mr. Dodge did not think that the town citizens should have to pay the charges.
410 He thanked Chief Fox again.
411

412 Ms. Mimi McKee, the owner and operator of Southside Grill in Surfside Beach, said she had
413 owned or operated a business in town since 1996, but she was not a resident. Representing herself and
414 her business, she wanted to make Town Council aware that there were parking problems at Surfside
415 Plaza. There were seven businesses currently operating in the plaza. Signage clearly marks the
416 businesses. Businesses other than the tenants at the plaza are using the parking lot. The problem was
417 addressed with Dalton Floyd, the landlord, and Riverwood Enterprises, the management company.
418 Some signage was posted, and added extra parking at the rear of the plaza. A video was made on
419 March 7th of patrons parking in the plaza's lot but into Valentino's to provide evidence to the landlord that
420 the problem exists. The photographer did not speak with anyone at that time. Her husband and the
421 photographer were accosted and threatened with a call to the police by a fellow business owner at
422 Surfside Plaza. He accused them of harassing his customers, taking names and license numbers, and
423 causing more problems for the plaza. Ms. McKee said those things were not done. Valentino's has a
424 license for a restaurant with a very large seating capacity. At most, they have four parking spots on
425 Highway 17; two of which have been taken up by a box truck with advertising on its walls. For at least the
426 last 18 months, the truck has never once been moved. The owners of Valentino's have refused to help
427 with the matter. They suggested that our patrons use the Golden Egg parking lot. The owner of the
428 Golden Egg has cooperated by allowing her patrons park there, but she did not think her patrons should
429 have to move to a different parking lot when she has one available. The matter is causing serious
430 dissension among the tenants at Surfside Plaza. Some are affected more than others by the parking
431 situation. Ms. McKee said her restaurant is opened during evening hours; there is small window of
432 opportunity for business on the weekend. She has had patrons say they did not stop, because the lot
433 was full and they assumed her restaurant was busy. When in reality, she only had two tables occupied at
434 the time. She has been to the zoning office three times in the last 18 months with complaints, but there
435 have been no results. She either loses revenue or complains and causes problems with neighboring
436 tenants. Ms. McKee said she needs a level playing field, but did not have one. She asked for help, but
437 did not know where to go. Thank you.
438

439 Mr. Ron Ott, 7th Avenue North, said his comment was neither a yea nor nay for the insurance
440 ordinance, but to hear someone say that tourists would not come here because they may be charged;
441 maybe that should be put on a box truck. How would the tourist know? He did not want to be told that
442 someone might not come to Surfside Beach, because they might get in an accident and might be
443 charged. That was totally ridiculous! (*Speaker's emphasis.*)
444
445

446 **10. TOWN COUNCIL COMMENTS**

447
448 Mr. Johnson thanked everyone for attending and invited them to attend the next meeting. He was
449 sure there would be some lively discussion when the mayor returned. God bless you.

450
451 Mr. Magliette thanked everyone for attending. The council needed citizens to attend because it
452 was a participatory government; citizen input was necessary, and council values public comments.
453 Condolences to Mr. Shelby Smith who lost his wife, Linda, on February 28th. Mr. Smith is a long-time
454 resident and volunteer in town. Anyone that needs help preparing income taxes can go to the Surfside
455 Beach library for free tax preparation. Times are Monday 10:00 a.m. to 2:00 p.m.; Tuesday 3:00 p.m. to
456 6:00 p.m., and Thursday from 1:00 p.m. to 5:00 p.m. God bless you all and have a good night.

457
458 Ms. Mabry thanked everyone for attending. She hoped they enjoyed the great weather and
459 hoped to see everyone at the next meeting.

460
461 Mr. Stevens thanked everyone for attending and for the people who made comments. He
462 clarified that towing was already covered by insurance. In response to Ms. McKee from Southside Grill,
463 he spoke with Mr. Floyd a few days ago about the Taste of Surfside Beach and Mr. Floyd mentioned the
464 parking problem at Surfside Plaza. This is definitely a situation that needs to be addressed. He wished
465 everyone the best of luck between now and the next council meeting. Do not forget the Taste of Surfside
466 Beach. The passport is \$10 which goes to the Red Cross, and entitles the holder to get discounts all over
467 town. Support your Surfside Beach businesses.

468
469 Mr. Childs informed council that the parking committee met last week. He believed the committee
470 came up with a good solution to the parking situation on the west side of the boulevard. Mr. Adair wanted
471 to study the recommendations before bringing the report to Town Council. Mr. Childs said he believes
472 the report will be ready for discussion at the next meeting.

473
474 Mr. Pellegrino thanked everyone for attending the meeting. Regarding InnoPad and the cost
475 recovery option. Thank you to Chief Fox for bringing the program and ordinance forward. Had the vote
476 been taken at this meeting, he would have voted yes. People talk about insurance going up from the
477 claims, but look what has happened to wind and hail, and flood insurance premiums. There has not been
478 a hurricane in 25-years. He hated to say it, but insurance premiums would go up regardless of whether
479 the town adopts these fees. The person at fault will have a claim; they will have to pay \$500 to \$1,000
480 more each year in premiums because of the accident anyway. There are pros to the program. Costs are
481 increasing with everything every year. This is a positive way to recover some of those costs. The only
482 negative is that it can be misconstrued. If reported in certain ways, it could be don't come to Surfside
483 Beach, because they are going to "penny pinch you and fee you to death." Realistically, the insurance
484 company will be charged and the policy premium will go up. Premiums increase even when you do not
485 have accidents. Town Council will consider the ordinance again at the next meeting, and with more
486 information from Chief Fox, council should be able to make an informed decision. Have a great week.

487
488 **11. EXECUTIVE SESSION**

489
490 **A. Pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation,**
491 **promotion, demotion, discipline, or release of an employee, or the appointment of a person to a**
492 **public body.**

493
494 **B. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements.**

495
496 Mr. Johnson moved to enter executive session at 8:04 p.m. Mr. Magliette seconded. All voted in
497 favor. **MOTION CARRIED.**

498
499 Mr. Johnson moved to reconvene regular session at 9:14 p.m. Mr. Magliette seconded. All voted
500 in favor. **MOTION CARRIED.**

501

Town Council Regular Meeting
March 10, 2015

502 Mayor Pro Tempore Pellegrino said that no action was taken during executive session.

503
504 Mr. Johnson moved to direct the administrator to move forward making the code enforcement
505 official position a full time position. Mr. Childs seconded. All voted in favor. **MOTION CARRIED.**

506
507 Mr. Johnson moved to direct the administrator to move forward with contract negotiations as
508 discussed in executive session. Mr. Magliette seconded. All voted in favor. **MOTION CARRIED.**

509
510 Mr. Magliette moved to appoint Ms. Betty Lowery to the Planning and Zoning Commission, and
511 Ms. Tabitha Mull to the Stormwater Committee. Mr. Childs seconded. All voted in favor. **MOTION**
512 **CARRIED.**

513
514 **12. ADJOURNMENT**

515
516 Mr. Johnson moved to adjourn the meeting at 9:14 p.m. Ms. Mabry seconded. All voted in favor.
517 **MOTION CARRIED.**

518
519 Minutes recorded by Ann Messall, Executive Assistant

520
521 Minutes prepared and submitted by,

522
523
524
525 _____
Debra E. Herrmann, CMC, Town Clerk

526 Approved: March 24, 2015

527
528 _____
529 Douglas F. Samples, Mayor

530
531 _____
532 David L. Pellegrino, Mayor Pro Tempore Robert F. Childs, Town Council

533
534 _____
535 Mark L. Johnson, Town Council Mary Beth Mabry, Town Council

536
537 _____
538 Ralph J. Magliette, Town Council Randle M. Stevens, Town Council

539
540 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded.
541 Contact the town clerk for appointments to hear recordings. Bring a flash drive to obtain a free copy. In
542 accordance with FOIA §30-4-80, meeting notice and the agenda were distributed to local media and
543 subscribers on the town's Email Updates list. The agenda was posted on the town website, the entry door
544 at Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the
545 Town marquee.