



SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING
Council Chambers, 115 US Highway 17 North, Surfside Beach, SC 29575
Tuesday, September 11, 2018 ♦ 6:30 p.m.
www.surfsidebeach.org - ☎ (843) 913-6111 📠 (843) 238-5432

TOWN COUNCIL MEETING AGENDA

1. **CALL TO ORDER.** Mayor Robert F. Childs, III
2. **INVOCATION AND PLEDGE OF ALLEGIANCE.**
 - A. Invocation: Pastor Tim Harmon, Christian Support for Emergency Services
 - B. Pledge of Allegiance: Mayor Childs
3. **AGENDA APPROVAL.**
4. **MINUTES APPROVAL.** Regular Meeting August 28, 2018 - **Go to page 2**
5. **PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)
6. **COMMUNICATIONS.**
 - A. Keep Surfside Beach Beautiful, Chairman Mull - **Go to page 14**
 - B. Administrator’s Report
7. **BUSINESS.**
 - A. Second Reading Ordinance #18-0877 MASC Setoff Debt Collection, Administrator Pieper - **Go to page 5**
 - B. First Reading Ordinance #18-0878 Obstructions Prohibited [In Rights-of-way], Administrator Pieper - **Go to page 8**
 - C. First Reading Ordinance #18-0880 Amend Single Use Plastic Bags, Administrator Pieper - **Go to page 11**
 - D. Keep Surfside Beach Beautiful Recommendation, Mayor Childs Liaison - **Go to page 14**
 - E. Appointments to Ralph Magliette Senior Citizens (2 vacancies), Ms. Kat Brown, Mr. Steve Shore
8. **TOWN COUNCIL DISCUSSION.** Any other matters to be discussed by Town Council.
9. **PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)
10. **TOWN COUNCIL COMMENTS.**
11. **ADJOURNMENT.**

This agenda is published pursuant to the Freedom of Information Act Section 30-4-80(A) and (E). The public is invited to attend all meetings and events.



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
REGULAR MEETING AUGUST 28, 2018 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Town Council Meeting – 6:30 p.m.

1. CALL TO ORDER. Mayor Childs called the regular meeting to order at 6:30 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 Administrator Pieper; Town Clerk Herrmann; Finance Director King; Fire Chief Otte; Planning, Building & Zoning Director Morris; Police Chief Hofmann; Public Works Director Adair, and Events Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Father Ron Greiser, Church of the Resurrection, gave the invocation. **B. Pledge of Allegiance:** Mayor Childs led the Pledge.

3. AGENDA APPROVAL. Mr. Stevens moved to adopt the agenda as presented. Mr. Ott second. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL. Executive Sessions and Regular Meetings July 10 and August 14, 2018. Mr. Stevens moved to adopt the executive sessions and regular meeting minutes for both the July 10 and August 14, 2018 meetings as presented. Mr. Ott second. All voted in favor. **MOTION CARRIED**

5. PUBLIC COMMENTS. Agenda Items Only.

Mr. Larry McKeen, 6th Avenue South, said regarding the public works report that the trees were being transplanted from Highway 17 to Martin Field. In his opinion, preserving the trees was worthwhile, but the trees were taking up too many parking spaces at Martin Field. Perhaps they should be planted elsewhere.

6. COMMUNICATIONS.

A. Employee Awards. i. Mark Priganc and Gilbert Williams. Mayor Childs and Chief Hofmann presented both officers with a 5-year anniversary plaque, pin, and service award check. Ms. Nicole Kindzia who works in the finance department also achieved 5 years of service, but was unable to attend.

B. Department Reports.

i. Events: Supervisor Ellis presented the written report, a copy of which is attached hereto. The Eternal Wave Surfoff will be held Saturday, September 9th, if anyone would like to attend. They expect around 85 surfers and over 200 spectators. Mr. Brian Pedrick from the Surfside Beach Youth Association announced that the Surfside Dixie Youth Baseball Minors 10 year old team was the Sub-District Tournament Champions for 2018. The team decided to give the trophy to the Town of Surfside Beach. The trophy will be displayed in the lobby at Town Hall. Congratulations and a standing ovation were given to the team, and coaches.

ii. Finance. Director King presented the written report, a copy of which is attached hereto.

iii. Fire. Chief Otte presented the written report, a copy of which is attached hereto.

iv. Planning, Building & Zoning. Director Morris presented the written report, a copy of which is attached hereto. A discussion was held regarding anonymous complaints. Generally, when an anonymous complaint is received there is actually a violation.

v. Police. Chief Hofmann presented the written report, a copy of which is attached hereto. Town Council **CONCURRED** to retire K9 Viking as requested, and allow him to retire to the home of his handler, Officer Hans. A presentation as "Honorary Graduate of the Citizens Police Academy" was made to Mr. Boyd Sadler *an absentia*.

57 **vi. Public Works.** Director Adair presented the written report, a copy of which is attached hereto.
58

59 **C. Administrator's Report.** Administrator Pieper said an amendment to the prohibition of obstructions in
60 the town rights-of-way will be presented at the next meeting for consideration. The parking kiosks have maintenance
61 issues because the units have reached their useful life span. A proposal will be forthcoming. The 35 percent pier
62 design threshold for submission to FEMA (Federal Emergency Management Agency) should be completed this
63 week and submitted. Once those plans are approved, FEMA will begin the environmental study. Cost estimates were
64 requested that will be presented to council in a workshop after receipt.
65

66 **7. BUSINESS.**
67

68 **A. First Reading Ordinance #18-0877 MASC (Municipal Association of South Carolina) Setoff Debt**
69 **Collection, Administrator Pieper.** Mr. Stevens moved to adopt first reading of Ordinance #18-0877 as presented.
70 Mr. Dietrich second. Mr. Pieper presented the decision paper and ordinance, copies of which are on file. All voted in
71 favor. **MOTION CARRIED.**
72

73 **B. Street Resurfacing 4.86 Miles, Director Adair.** Mr. Stevens moved to approve the recommendation at
74 a cost of approximately \$900,300 (the bid price) for paving and up to \$75,000 (estimate) for engineering. Mr. Ott
75 second. Mr. Pieper reminded councilmembers that a budget amendment would be brought forward mid-year. All
76 voted in favor. **MOTION CARRIED.**
77

78 **C. Committee Appointments**
79

80 **i. Construction Board of Appeals.** Mr. Ott suggested deferring this appointment until the volunteer
81 provided detailed information. There were no objections.
82

83 **ii. Stormwater and Senior Citizens.** Mr. Stevens moved to appoint Ms. Carol Lucas to the Stormwater
84 Committee and Ms. Gail King to the Ralph Magliette Senior Citizens Committee. Mr. Ott second. All voted in
85 favor. **MOTION CARRIED.**
86

87 **8. TOWN COUNCIL DISCUSSION.** Any matters of concern or information to be discussed.
88

89 Mr. Ott asked that the overlay workshop with the business committee that was deferred at the July 10th
90 meeting be scheduled as quickly as possible. Ms. Herrmann said dates are already being considered. He also
91 believes council should consider requiring complainants identify themselves, but the names could be kept private.
92 The town is in the forefront of plastic bag bans. Kroger just announced that it will stop using them in all of its 2,800
93 stores.
94

95 **9. PUBLIC COMMENTS. General Comments.**
96

97 Ms. Westcott, Cedar Drive North, said many years ago five mils were collected dedicated to stormwater
98 projects that ended after five years. We should again seriously consider a millage for stormwater projects.
99

100 Mr. Tom Dodge, 8th Avenue South, spoke disparagingly of various individuals. Ms. Scoles called *point of*
101 *order*; the speaker was citing personal names. Mayor Childs ruled Mr. Dodge out of order and ended his comments.
102

103 **10. TOWN COUNCIL COMMENTS.**
104

105 Mr. Ott wanted the town to become the "friendly" family beach.
106

107 Mr. Dietrich appreciated the updates on stormwater projects. Congratulations were offered for the
108 officers' longevity. Nice job to off duty Officer Ziolkowski for assisting the citizens with the tire change.
109

110 Mr. Pellegrino said stormwater is an issue; work needs to continue on stormwater projects. He wants
111 to pay using current budget funds without adding a fee or tax increase. Congratulations to the Youth
112 Association baseball team. The Subdivision win was the result of hard work and dedication. The town heard

Town Council Regular Meeting
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113 three examples tonight of good citizenship: the baseball team that donated the trophy to the town; the
114 honorarium to Mr. Sadler, and Officer Ziolkowski changing a tire. There are many people who strive to be
115 good neighbors and make the town a great community.
116

117 Ms. Scoles thanked the department directors and Mr. Pieper for responding to her inquiries in a
118 timely manner. Stormwater problems require attention and those projects will require funding by the citizens.
119

120 Mr. Stevens thanked those who volunteered to serve on committees. He thanked staff for their good
121 work. The new pier will be the only concrete pier on the coast. Highway 17 is being improved by the State.
122

123 **11. ADJOURNMENT.** Mr. Stevens moved to adjourn the meeting at 7:39 p.m. Mr. Dietrich
124 second. All voted in favor. **MOTION CARRIED.**
125

126 Prepared and submitted by:

127 _____
128 Debra E. Herrmann, CMC, Town Clerk
129

130 Approved: , 2018
131

132 **Surfside Beach Town Council**

133 VOTE: Yes No

134

135 _____
136 Robert F. Childs, III, Mayor
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140 David L. Pellegrino, Mayor Pro Tempore
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144 Bruce H. Dietrich, Town Council
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148 Mark L. Johnson, Town Council
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152 Ron Ott, Town Council
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156 Debbie Scoles, Town Council
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160 Randle M. Stevens, Town Council
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162 Clerk's Note: This document constitutes minutes of the meeting that was digitally recorded, and not intended to be
163 a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the audio
will be given to you provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(A) and
(E), meeting notice and the agenda were distributed to local media and interested parties via the town's email
subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice was also
posted on the town website at www.surfsidebeach.org and the marquee.

Decision Paper

Meeting Date September 11, 2018

Written By: Debra Herrmann, Town Clerk

1. SUBJECT: Second Reading Ordinance #18-0877

2. PURPOSE: To participate in the Municipal Association of South Carolina (MASC) 2018 Setoff Debt Collection Program

3. FACTS:

- (a) The town currently participates in the MASC Setoff Debt Collection Program
- (b) MASC amended the existing ordinance and determined that amendments were necessary
- (c) To continue participation, the town must adopt the amended ordinance and deliver it to MASC by Thursday, November 15, 2018
- (d) First reading was adopted at the August 28, 2018 regular meeting without amendment

4. ACTION: Recommend that Town Council adopt second reading of Ordinance #18-0877 as presented.

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
TOWN OF SURFSIDE BEACH)

RELATING TO THE RECOVERY OF COLLECTION COSTS AS A PART OF
DELINQUENT DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT
COLLECTION ACT

WHEREAS, the City/Town of SURFSIDE BEACH is a claimant agency as defined in the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10, et seq. (the Act) and is therefore entitled to utilize the procedures set out in the Act to collect delinquent debts owed to the City/Town of SURFSIDE BEACH;

AND WHEREAS, "delinquent debt" is defined in the Act to include "collection costs, court costs, fines, penalties, and interest which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made;"

AND WHEREAS, the City/Town of SURFSIDE BEACH has contracted with the Municipal Association of South Carolina to submit claims on its behalf to the SC Department of Revenue pursuant to the Act;

AND WHEREAS, the Municipal Association of South Carolina charges an administrative fee for the services it provides pursuant to the Act;

AND WHEREAS, the administrative fee charged by the Municipal Association of South Carolina is a cost of collection incurred by the City/Town of SURFSIDE BEACH that arises through contract, and is therefore properly considered as a part of the delinquent debt owed to the City/Town of SURFSIDE BEACH as that term is defined in the Act;

AND WHEREAS, the City/Town of SURFSIDE BEACH also incurs internal costs in preparing and transmitting information to the Municipal Association, which costs are also collection costs that are a part of the delinquent debt owed to the City/Town of SURFSIDE BEACH;

AND WHEREAS, the City/Town of SURFSIDE BEACH may desire to recover its internal costs of collection by adding such costs to the delinquent debt;

NOW THEREFORE, be it enacted by the Mayor and Council of the City/Town of SURFSIDE BEACH as follows:

1. The City/Town of SURFSIDE BEACH may impose a collection cost of up to \$25.00 to defray its internal costs of collection for any delinquent debts that are sought to be collected pursuant to the provisions of the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10 et. seq. This cost is hereby declared to be a collection cost that arises by operation of law and shall be added to the delinquent debt and recovered from the debtor.

2. The City/Town of SURFSIDE BEACH hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the City/Town, which shall also be added to the delinquent debt and recovered from the debtor.

3. All Ordinances in conflict with this Ordinance are hereby repealed.

4. This Ordinance shall be effective on the date of final reading, provided however, that this ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

Surfside Beach Town Council

Robert F. Childs, III, Mayor

David L. Pellegrino, Mayor Pro Tempore

Bruce H. Dietrich, Town Council

Mark L. Johnson, Town Council

Ron Ott, Town Council

Debbie Scoles, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

First Reading Approval: August 28, 2018

Final Reading Approval: September 11, 2018

Decision Paper

September 11, 2018

Written by: Debra Herrmann

1. **SUBJECT:** First Reading Ordinance #18-0878

2. **PURPOSE:** To clarify rights-of-way prohibitions and property maintenance relating to rights-of-way

3. **FACTS:**

a. Town Council has received many calls regarding use of the town's rights-of-way by private citizens

b. Town Council has discussed this matter during several meetings

c. The town administrator met with Mayor Childs and Councilmember Ott to determine a reasonable course of action, upon which the proposed ordinance is based

d. Town Council recognizes that many properties have had obstructions in the town's rights of ways since before the town was incorporated; therefore, effective with the adoption of this ordinance, said obstructions may remain in place, but shall not be replaced if destroyed or removed.

4. **RECOMMENDATION:** Motion to adopt first reading of Ordinance #18-0878 as presented.

this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon second reading by the Mayor and Town Council of the Town of Surfside Beach.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this _____ day of _____ 2018.

Surfside Beach Town Council

VOTE:	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Robert F. Childs, III, Mayor

David L. Pellegrino, Mayor Pro Tempore

Bruce H. Dietrich, Town Council

Mark L. Johnson, Town Council

Ron Ott, Town Council

Debbie Scoles, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Decision Paper

September 11, 2018

Written by: Debra Herrmann

1. **SUBJECT:** First Reading Ordinance #18-0880

2. **PURPOSE:** To clarify allowable construction material for single use plastic bags and exemptions relating to foods

3. **FACTS:**

a. The town continually receives questions and complaints about town businesses using bags marked “biodegradable” and about exemptions for foods

b. To clarify these questions, the proposed ordinance cites “biodegradable material” as an allowable construction material, but it is not within the town’s purview to determine the definition thereof.

c. The exemption for food in paragraph 4.2.i was amended to state unwrapped ‘foods, or’ prepared foods, or bakery goods; to that end that grocery stores selling produce may use customary plastic bags, and the like.

4. **RECOMMENDATION:** Motion to adopt first reading of Ordinance #18-0880 as presented.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon second reading by the Mayor and Town Council of the Town of Surfside Beach.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ____ day of _____ 2018.

Surfside Beach Town Council

VOTE:	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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Robert F. Childs, III, Mayor

David L. Pellegrino, Mayor Pro Tempore

Bruce Dietrich, Town Council

Mark L. Johnson, Town Council

Ron Ott, Town Council

Debbie Scoles, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Decision Paper

Meeting Date September 11, 2018

Recommendation from: Keep Surfside Beach Beautiful Committee (KSBB)

Written By: Tabitha Mull, Chairman, and Keep Surfside Beach Beautiful committee

1. SUBJECT: “It’s A Wonderful Life in Surfside Beach” Strategy

2. PURPOSE: To create a unified community effort that would entice shoppers and visitors to come to Surfside Beach during the Christmas Holiday Season and spend their money here.

3. FACTS:

(a) The Keep Surfside Beach Beautiful Committee was established by Resolution #12-116

(b) KSBB was created for the purpose of working towards the improvement of the aesthetics of the town; its overall appearance; its cleanliness, and preservation and enhancement of public and private property values

- Hanging Baskets
- Enacted Multiple beach sweeps each year
- Inspire residents to participate in Yard of the Month
- Partnership with public works to improve curb appeal in public areas e.g. pier box, islands, etc.

(c) KSBB voted unanimously to sponsor the “It’s A Wonderful Life in Surfside Beach” at its April, 2018_ meeting

(d) “It’s A Wonderful Life in Surfside Beach” will potentially increase tourism, revenue, and jobs by making this a destination during the off season

(e) KSBB encourages all businesses and town residents to decorate for the holiday season to be ready for our tree lighting on November 29th

(f) Surfside Beach is the Family Beach and we are encouraging all business to “Host a Toast” event for the Christmas Crawl (Hot chocolate, cookies, promotional items, raffles, and even spirits) and possibly carriage rides

(g) We would like to propose the town sponsor the movie “It’s A Wonderful Life” in a park TBD – work with Debbie Ellis

(h) KSBB will recognize the best residential and business Christmas displays at our January meeting

4. REQUESTS: Approve KSBB sponsoring the “It’s A Wonderful Life in Surfside Beach” strategy

5. ACTION: The members of KSBB ask respectfully that the Mayor and Town Council join our efforts to promote potential revenue for our town by approving the requests stated above.