



**SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING CIVIC CENTER, 115 US
Highway 17 North, Surfside Beach, SC 29575 www.surfsidebeach.org - ☐ (843) 913-6111
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TOWN COUNCIL MEETING MINUTES TUESDAY, JULY 13, 2021, • 6:30 pm.

- 1. CALL TO ORDER** Mayor Hellyer called the meeting to order at 6:30 pm. Mayor Hellyer, Mayor Pro Tempore Scoles, Councilmembers Drake, Holder, Keating, and Pellegrino were in attendance. Others present, Town Administrator Shanahan, Town Attorney Crosby, and Town Clerk Sheri Medina. Absent was Councilmember Dietrich.
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**
 - a. Invocation: Nathan Sweet from the Surfside Baptist Church performed the invocation.
 - b. Pledge of Allegiance: Mayor Hellyer led in the Pledge of Allegiance.
- 3. PUBLIC HEARING - Ordinance 21-0933 -Chapter 17, Article VII Landscaping and Tree Protection, Division 2 Tree Protection** Carol Coleman stated that the Ordinance requires the public hearing to be held at the Planning commission level. There will be a public hearing scheduled later.

Councilmember Keating, since we're going to do a public hearing later at the Planning Commission meeting, what we have been given as the recommendation from the Planning Commission meeting comes down to - they took three months. They gave us an ordinance that corrected a few typos. They missed a significant opportunity to rewrite this Ordinance to make sense; there are many conflicts here. For example, in one place, we say the minimum tree diameter has to be three inches. In other places, it averages 8 to 5 inches, etc. We've got one place that tells the minimum number of trees, but you still can't cut any of your trees down if you have more than that. We missed a major opportunity to engage with the stormwater committee and the floodplain managers to take a critical look at this Ordinance as a whole and figure out what makes sense for the residents. We've got certain lots out within the Town that once they implement their stormwater plan that's required, they don't have room to put the required number of trees or to retain that many trees. So, I think we've missed a great opportunity to revise this Ordinance.

Carol Coleman stated we spent a lot of time going through the archives. We went through every iteration of the tree ordinance that is on the books. We compared ordinances all over the south-east, especially in South Carolina, coastal towns and resort towns, towns with similar lot sizes, and did comparison studies on those. What it came down to was the Planning Commission felt like the best Ordinance that they had produced the version that was forwarded to Council in 2017. So, we added those back in and added some clarifying language. But this was gone over, and over and over, and again, that was their decision. This is what was forwarded to you as a recommendation for approval.

- 4. Public Comment**
 - a. Carol Lucas**, Cyprus Drive-In 2017, the Ordinance they took to Council was stronger than what it came out of Council. That's why we now have, instead of hardwood trees on the property, we now have palm trees. The house that was just built next to mine took all the trees out and replaced them with four palm trees. Two of them are already dead. I asked him why he didn't put back hardwood trees, and he said they cost too much. And we are now allowed to put in palm trees. The differences are hardwood trees is their ability to absorb water.
 - b. Lynn Livesey**, 520 10th Avenue, South. I did want to speak to the fact that I'm glad you corrected the public hearing thing because no one knew we had a public hearing, and many people have a passion for trees. So, the public hearing coming through planning and zoning is a good idea. I see things happen all the time. We label some of our tree's specimens, landmarks, and some are protected. We have charts in the Ordinance for that. But what we need to be aware of the public is interested in the tree ordinances and, we are supposed to be good stewards of what we are given, and our Town is a Tree City USA, supposedly. I did read the Ordinance. Some of it I was familiar with. It wasn't changed that much, and I'm glad some things were put back, but I must agree with the charts that hardwoods should be replaced with hardwoods. You can't take it down, a live oak, and put in even a soft oak or a softwood tree; you just shouldn't. As part of our stewardship that we need to take care of in our community, those charts are there for a reason. You go, and you take out a 100-year-old Live Oak, and you pay the Town pittance for the value of that tree. It costs nearly \$900 to put a small live oak back in, and we're cutting them down because someone wants to build a house a certain way; we need to check the

footprint. And they are putting palms in, but I know the new Ordinance does not count palms in the total count for the lot. Thanks for listening.

c. Patricia Magliette, 104 Harbor Lights Drive, with this tree ordinance that we're going to have, many people in Town do not have computers. If this is an important issue for our tree-loving Town, Residents should be able to get a copy of the Ordinance. The reason I say this. I am the glad owner of a Live Oak tree. I don't exactly know when I'm allowed to trim, how much I'm allowed to cut. I don't know what happens if it comes down, and I need to replace it. I don't know if I have to replace it with a tree just as big, so I think we all need to have this in an easy print-out form at the town hall to read it, learn it, and plan our yards better.

4. MOTIONS RELATING TO AGENDA

a. Councilmember Holder made a motion to move the memorial for Thomas Andersen to first place on the agenda under communications. Councilmember Drake seconded. All voted in favor. **Motion carried.**

b. Councilmember Keating made a motion to discuss and vote to make the intersection at Surfside Drive and Ocean Boulevard a three-way stop. Councilmember Holder second. All voted in favor. **Motion carried**

5. MINUTES APPROVAL

Councilmember Scoles motion to approve the minutes from June 22, 2021, Regular Meeting, & July 6, 2021, Special Meeting. Councilmember Drake second. All voted in favor. **Motion carried**

6. PUBLIC COMMENTS – Agenda Items Only

a. Cheryl De Falco; 1015 North Dogwood Drive. We own Defalcos Automotive and towing on Highway 17. We have some concerns over the proposed changes to the Ordinance for the wrecker and towing Services in Chapter 9. I did email everyone a letter with my concerns. I will re-iterate my concern. My understanding is that the changes to the Ordinance, that any wrecker business outside of Town limits up to five miles can apply to the police wrecker rotation. And also have a storage slot up to seven miles outside time limits. That is a concern in itself, and, I believe, the new Ordinance is reading that these companies do not need to obtain a Surfside Beach business license. I have a lot of current concerns with that. My business in Town pays a large fee for our business license every year. I am a taxpayer in Town and pay many taxes to the Town as well, and I don't understand why we would allow outside companies to come in, not have to get a business license, and not have to pay any fees to the Town. Come in, reap the rewards, and leave without adding anything to our Town. Brian Ford, the owner of Coastal Collision, has also been in Town for only 27 years. We give back to the Town in taxes, but we have a good reputation with the police departments, fire departments, and other organizations. The second part is the effects on the Department of Public Roadways. We pride ourselves on getting there within 10 to 15 minutes. Our police department is on the highway as well as your residents. You happen to be in an accident or broken down; if you are going to open it up to five miles or ten miles, that would mean that your departments' lives will be on the road for an even longer amount of time waiting for an estimated time of arrival. And the second part of the rising concern is that if you have a breakdown in the rotation, say ten miles outside of our Town; she might not want to get her vehicle out of their storage outside of Town. Another major concern for the police department is that you thought that maybe there's only one other tow company that could meet these qualifications. But there are many more; There are plenty of private, small, independent repair shops, body shops with one tow truck that try to get on because they can come in and do tows and not give anything back to the Town. Also, by opening that out, people can buy some old junky tow truck that far out. All our employees have a background check. I think you're just inviting outsiders into our Town to reap the benefits and not give anything back, affecting the police department and our local community members. Finishing up, it makes us feel that we are being flushed out. Thank you.

b. Harry Kohlman; 10th Avenue north. I would also like to speak of the tow companies. I don't have a dog in this fight unless, of course, I get into an accident. I don't understand why are we hiring looking for outside tow companies? If they're not doing the job correctly, they're not available. I get it. But if they are, why, we need more. It just doesn't make any sense to me. You have two tow companies that are centrally located and can get to the job quickly. You'll have somebody five miles out, and you say it's on a Saturday, you're going to go down 544, it's going to take them, 40, 45 minutes to get here. There isn't a lot of ways in here.

Another thing is, they're not required to get a Surfside Beach business license. And we've always promoted, buy locally, use locally. Why are you going to use somebody, maybe from Socastee? Doesn't make sense.

c. Beth Kohlman.10th Avenue north. You can't do the first reading of the tree ordinance without a public hearing. With the public hearing, I don't think a lot of people understand it. It's not a matter of it should be changed; change all the ordinances you want. That's all well and good. When you're changing your ordinances, you have to follow your ordinances,

and it's right in your Ordinance. It says that the public hearings are held at the Planning Commission. So, to clarify for everybody and not against anybody who wants to change the order, as Ms. Livesay stated, it's important to a lot of people. If something's important to the resident, they need public hearings, and you don't want people saying you did something wrong. The other thing was DeFalco Automotive - I run a non-profit in this Town that's been here for over 35 years; they're probably one of the easiest people to back me up. I could walk in there, and it's just like, what do you need? Whether it be for kids in the schools, kids in our Town. I'm low on anything, whatever it is. I don't even have to ask. And we have to remember that with our businesses, I know there's a lot of animosity with companies. Many people, my clients are older people, don't have vehicles, their car gets towed, and it's going seven miles away on how they're going to get. I'm sure everybody comes here for that small-town feel. And when they're doing the job, we should be rewarding that.

Another thing I have is stormwater fees. Everybody in this Town should pay it, and I have a non-profit. We made a mistake; we got a late fee. We paid a fee, and there's no excuse for it. Everybody should pay. I shouldn't be exempt because I'm a non-profit. Maybe we didn't realize we had two units, and we paid one, not the other. You made a mistake; pay your fee. But once you guys vote on something, I thought it was over. You all shake hands and move along. Why are we bringing back the stormwater fee? Time and time again, please don't reward people that don't follow the rules and don't give us our money back.

d. Judy Henion, 11th Avenue North. I have several issues. First, I'd like to address the stormwater fee because I seem to remember it has already been before Council multiple times; it's already been voted down several times. Concerning the re-funding of unpaid fees under Robert's rules, I think the prevailing side is the only side that can bring it back, and it has to be brought back at the next meeting. I don't think it was on the agenda at the last meeting, so why is it on the agenda tonight? I accept defeat and move on. Second thing, the remediation of our buildings. I think what we're faced herewith is a math problem. We're looking at replacing or repairing, and this is a math problem. That appears to be a very, very simple math problem. If we're going to tear these buildings down, we will have to be looking at asbestos removal and several other hazardous waste dispensation issues. I think it's going to be somewhere around five million probably. But if you can purchase a building across the street and go ahead and comply with new regulations coming down the pike within the next year and a half, two years, why would you repair a building and spend more money than it will cost you to move? It makes no sense, and I'm sure we've got enough common sense up there among you to make the right decision on that one. Another thing is the Civic Plus Website. I have searched the website to find the RFP. I haven't seen that RFP; there needs to be an RFP because, when you start looking at IT, there are so many different issues that need to be addressed with building a Web site. In this day and age, we especially need to be concerned about safety and security. So, it needs to be designed so that our data is secure. You see, it's our data you're putting on the website; it's not your data. It's our data. If you contract with a company that uploads it on their server, they own it; if they decide to go out of business and we don't have access to it, how do we access it? If they get hacked, who pays? It's probably going to be us, but you're paying them. I would love to see an RFP go up and some bids are taken. As far as towing goes, I have had to have service here in this town, and I can't praise DeFalco's enough. When you're in the middle of 544 and traffic, and you need somebody to come to get your tire changed, and AAA calls them, I don't know why we'd want to go anywhere else. I have never had somebody come tonight so quickly. Thank you.

e. Chris Stamey, 715 Cedar Drive North. I think that it's a great idea to keep the DeFalco's in our Town. I don't think you should be reaching out to other places, not making them get a business license. I've told you before, and you support the businesses that are in Town. The other thing is, this deal with this building, the building you're talking about buying across the road, it's not big enough to start with, for what you need. So, we're going to go over there to buy this building. You have to build a courtroom – Council chamber. And, of course, there is not enough land. Because once you've put a parking lot, it's gone. If you buy across the road, you stay here, and you're going to spend that money. Why don't we look to this town's future and build something on this land that we can use 15 to 20 years or 50 years down the road? You're starting with a building that's 25 years old. You're starting with a 25-year-old building, to begin with, where, in 50 years from now, that's going to be a 75-year-old building, that we could already have a new one here, big enough to take care of what this Town needs, another 50 years. On this side of 17, we need to build here in the Town of Surfside.

f. Steve Shore, 1st Ave North. I requested a copy of the risk insurance contract, and I was told we don't have a copy of that contract. I asked will someone ask for a copy of the contract. We've got a big project, and we need to know in case something does happen. Also, \$30,000 per website? Put it out to bid and see if we can do better. For transparency, find out what people will charge to build websites. The thought of buying a building across the street would be a disaster because most of the people in his Town are used to getting rid of that car to run to Town Hall to go out to eat. We've got plenty of land to build on.

7. COMMUNICATIONS

a. Memorial Plaque for Assistant Chief Thomas Anderson- Interim Fire Chief Larry Carter presented Mr. & Mrs. Holder, sister, and brother-in-law with a plaque from the fallen firefighter foundation. Mr. Anderson was assistant Fire Chief for 22 years in Surfside Beach. He lost his life while working a structural fire here in Surfside in 2002.

b. Pier Update – Mr. Shanahan This is our July 2021 Project update. Since removing the remnants of the damaged pier in February significant process has been made on the replacement of the pier. Reconstruction of the landside portion of the pier began in March. So far, 73 18" x 18" precast concrete piles have been installed. These piles will support the podium, which will house the three new buildings. Consensus is now installing the 12" piles to support the monumental staircase, the handicap ramp, the stairwell, and the elevator towers. Following the installation of the 12" piles and concrete beams, the slab for the podium will be constructed. Construction of the remainder of the podium is expected to take approximately 11 months, hopefully sooner, and we don't have a firm date yet. They're doing everything they can to reduce that. To assist with constructing the seaside portion of the pier, a temporary access trestle is being constructed parallel to the new pier. The trestle will allow a crane to traverse alongside the pier as it is constructed from the landside. The trestle is expected to begin within the next two weeks. Next month, Consensus will be installing pile caps for the standard towers, handicapped ramp, and elevators. Concrete walls up to an elevation of 28 feet for the stair towers in the elevator. The risk insurance they gave is an overview of the current coverage, and it's not our contract because it's their contract. Our contract says that they can do that, and we allowed them to do that based on the service they were given. I do not have a copy of the official contract, but I don't think it would be an issue to get that contract.

Councilmember Keating stated that according to our contract with Consensus, we exercised our right to procure the insurance for themselves; it also stipulated that we are named additional insured and that there was an indemnification provision in the policy. Consensus Construction privately holds the contract.

Mayor Hellyer stated that we owe it to any resident who wants to know information about that; we should share the information.

c. Dogwood Swash Update – Walter Warren, Thomas, and Hutton. The old bridge section was demolished, and during that demolition work, we discovered some waterlines, which were older style waterlines. The contractor made an effort to do some pile installation but could not complete the pile driving due to the hardness of the rock underneath the Swash. We have ordered newer equipment, similar to what the previous contractor had. We had to engaged GSWSA; they have replaced the pipe with a new PVC line and are in the process of removing the asbestos. We had to apply to DHEC to remove that line and adequately dispose of it; that application was made and approved, and that work should be completed by the end of this week. At that point, the contractor will then go back to work on the piles. Completion of the box should wrap up sometime in September.

Councilmember Keating asked when we were doing the Dogwood Swash design. Did we do any site survey plans to foresee any of these issues and differences between the Dogwood Swash and what we experienced with the Myrtle Swash?

Mr. Warren stated each one was surveyed independently. The type of material that the waterline in question was made of couldn't be determined because it goes under Swash water; we knew there was a water line, the type of material involved was not identified. There are two water lines there. There was a dark line. It's on the ocean side. There's a 12-inch asbestos cement line that was on the opposite side.

Councilmember Keating asked whether the new auger will penetrate the bedrock and through the silt layer and so forth?

Mr. Warren stated we believe it is very similar to what the previous contractor used and was successful. The Swash concern is that you have a thin layer on top of the rock layer and that thin layers are so shallow that you don't get any support to get down into the sandstone layer. Still, all indications are they've obtained the appropriate auger bit and would go back to work next week.

d. Public Works Department Report – John Adair gave the Public Works Department report.

Mayor Hellyer stated, I see that you put some banners on the lights, but there's only a few. Are we going to have more of them.?

Director Adair stated I started with only eight to see how it would be received.

Councilmember Holder stated, John, I want to thank you and your group for the outstanding work. You do keep them busy around Town. I have seen them working, picking up trash. I appreciate that.

8. BUSINESS

a. 1st Reading Ordinance 21-0934- Chapter 9 – Chief Hofmann

Chief Hofmann stated I applaud Councilwoman Keating for tackling these ordinances article by article. We're way behind on some of these ordinances. Mainly dealing with parking. But there are a couple of things that I do want to hit on as we go through here because I'd like to make some suggestions after consulting with Elise on some of these things. First is Section 9.3 reckless operation of bicycles. This has been redlined at this time to come out of the Ordinance. I would respectfully ask that Council not take that out of the Ordinance. We have dealt with this. So, this Ordinance allowed us to stop that behavior and resulted in a disorderly conduct arrest.

Regarding Right of Ways: Do you want cars for sale in a town right of ways in the neighborhoods, whether it's adjacent to the property? That's entirely up to Council? I don't have an opinion on that. The other concern here is that you're creating selective enforcement. So, a business could not, but a resident could. The parking Ordinance has got many changes that Councilwoman Keating has made in here just to clean it up. As directed by the Town Administrator, I'll be happy to work with Lanier to help in any way I can to address some of these things.

Councilmember Keating stated, just let me say that the intent here was to clean it up and update for consistency of use of the terminology. I didn't change any of the requirements for parking or the parking policy in general. I took out some redundancies. Nothing operationally is changing.

Chief Hofmann spoke about free parking for certain town events. Maybe perhaps making a change to add other Town authorized events to take advantage of that generosity to waive parking enforcement. They are doing a lot down there at the Holiday Inn. I spoke to Phil Jackson, and he said they don't have a problem with paying. Still, I thought; eventually, it does look as though one particular event is getting favoritism over the other. So just something for Council to think about.

Section 9.17 was something that we did need to take pretty quick action on. We found some problems when this was rewritten some years ago about some criminal and traffic offenses here. We just needed to clean that up. Mrs. Crosby has made some recommendations here of how we can reword that, particularly the very first portion where it says where no specific penalty is provided. Particularly the offenses that we would be discussing here would be careless operation, Golf cart violations in the latter part of the chapter. They also say the reckless operation of bicycles if you permit that to stay in.

Moving into 9.23: If you remember, in the last couple of years, we had some issues, particularly as the highway was reconfigured and parts of the frontage road were closed. It became very convenient for some drivers to use your local business's parking lots as highways. We're still getting some of those complaints, particularly with the beach store, at the intersection of Fifth Avenue on the west side of the highway. They've done a lot of signage. We want to be able to have a way to be able to address the cutting through the private property just for purposes of going 30 miles an hour in someone's parking lot.

Article III, taxicabs: There's a recommendation to remove most of the language of Chapter 9 that regulates taxicabs. We don't have a lot of taxicabs anymore because of Uber and Lyft. Before we go to the second reading on this, I got some additional information today speaking with the Finance department. There could be some ramifications with taking out the regulation of taxicabs.

Wreckers and tow services: I will say we could not expect better service from the Police Department's perspective than what we get from DeFalco's and Coastal Collision. Even though we have two here in Town, we are just two square miles. The service response time is better than I've ever seen in my career with time. It's usually within minutes that we have wreckers on the scene from either of those two companies, and that's 24/7. They do a fantastic job. Businesses seven miles away from here, on turnover day on a Saturday in the summer, could face some significant challenges getting in here within 30 minutes. The other thing right now, the Ordinance requires that all of your tow businesses have their business located in Town, so they have to have a business license. Also, the tow and storage lot is located in the Town. That's a convenience for people who get their cars towed. Do you want to allow businesses outside the Town to participate in the police towing rotation list?

Councilmember Keating made a motion that we accept the first reading of Ordinance 21-0934. Modified to provide for changes to Paragraph 9.17 only, as presented in the redline changes. We can adjust the balance after completing a public workshop and implementing the modifications resulting therefrom. Councilmember Drake second. All voted in favor. **Motion carried.**

b. 1st Reading Ordinance 21-0933, Chapter 17, Article VII Landscaping and Tree Protection, Division 2 Tree Protection – Carol Coleman

Councilmember Keating made a motion to defer the first reading of Ordinance 21-0933, pending completing the Planning Commission's public hearing and appropriate modifications to the Ordinance thereafter. Councilmember Drake second. All voted in favor. **Motion carried.**

c. Ralley in the Alley@ Benjamins Bakery – Melanie Peek from Myrtle Beach Herald Ms. Peek stated we would like to promote this event we are planning for September 25th, Saturday, from 11 to 3 on the second block of 3rd Avenue, South. We would like your endorsement of this. It would be called Discovery Surfside, and it would involve Vendors. I am currently working with Lee from Benjamin's Bakery and Debbie Ellis to help draw the event altogether. We would also like to promote local breweries.

Councilmember Keating asked have talked with John and Sonia Hutton because their craft market is called Discover Surfside?

Mr. Shanahan stated you all have asked for other events, family-sponsored events. Things that will help us become a destination, not just at the waterfront but also in the whole community. A few streets will be blocked, and we have spoken to the local businesses, and they are fine with it. And I feel they fit everything we are looking for.

Councilmember Drake asked if there will be food trucks and other vendors.

Ms. Peek stated some of the restaurants in the area would participate so they can showcase their products.

Councilmember Keating stated I am just concerned that we're planning our events, and we're getting far too many people involved in leading them. Please don't take me wrong. I fully support what you're doing 100%, but I just want to make sure that we understand who's in charge, who's doing what. So, we need to be clear from the beginning so we don't end up with misunderstandings through the process. I'm also concerned with how many sets of rules we will have to have an event within the Town. We need to make sure that, whether the Town is leading and sponsoring an event, or KSBB, or it's one of our local businesses that want to help and support our Town. Let's make it one way. Bring your great ideas, bring your help; that's fabulous. But let's do it one way for all of them.

After a short conversation, the Council's Consensus was to allow the event.

d. Decision Paper – Civic Plus- Website Upgrade – Mr. Shanahan stated we spoke about this two weeks ago, and the #1 goal was to upgrade, create, and implement a website that addresses the Town's needs. The website would encourage citizen engagement, improve document management information and navigation. It would also be able to collect money and pay fees. Based on that, we went through the process and talked to four different companies. We looked at who could give us what we wanted at the best price. When we finished that, we identified Civic Plus to be the website company to do that. We did not break any rules. It would not be hard to put out an RFP and identify precisely what we wanted. However, if we do that, we could lose the price we've got with the Civic Plus. I think Civic Plus has a history of doing a good job; they've got 4000 governments that they look after.

Councilmember Keating made a motion to accept the offer as negotiated for Civics Plus and get started on achieving our goals and upgrading our web page's functionality and user-friendly features. One of the key features of this program is that management of the content can be brought in-house. That offsets the cost from the current platform provider and the third party we pay to update the content. We're saving more money per year than this ultimately will cost us, and it's only this year that the program would not be in the budget, and that would only be about a \$3000 difference. The motion was not seconded.

Mayor Hellyer stated that I saw some stuff that says it was privately negotiated just so that the residents know. Mr. Shanahan contacted and talked to Civics Plus, and when he did that, he spoke to Ms. Medina to have her learn more about it. They had an online interview with Civics Plus where they did a demonstration. Ms. Medina later emailed the Council to see if they wanted to join a zoom meeting to see a demonstration. Mr. Holder, Mrs. Keating, and I attended the Go to Meeting and learned about Civics Plus.

Mayor Hellyer stated I guess we'll defer that; I have a motion but no second. Do you have any recommendations on where we should go from here?

Mr. Shanahan stated that we could put it out for bid.

Councilmember Scoles stated I think we're just moving a little bit too fast with this. That concerns me, and it was brought up with all the costs that we are incurring right now. I know this is important to bring us into the technology age that we need to be in. But I would like to see more people offering stuff and bringing presentations to Council. They're the ones who are going to be working with this, and they're the ones who are going to be going on that website. We need to hear from those people sitting out there, but I think, more importantly, right now, I don't think we need to spend any more money than is necessary. This was not budgeted for this year. Bring it up next year, and let's put it on the budget.

Councilmember Keating stated we have a goal and an objective that we all agreed this year that we wanted to update the website and get better information out to the residents. It will take at least six months to build, so we're already going to be out of this year before we get this done. If we go through a bidding process, we've got the same four companies are likely to give us their proposals, again, except we won't have the benefit of the negotiated discount that was about 20%.

Ms. Medina explained the various benefits that Civics Plus offers from ADA compliance, Instant notification to residents, and social media.

Councilmember Drake asked if there was any way that we can get the bids from everyone.

Mr. Shanahan stated we would prepare a request for a proposal.

Councilmember Drake made a motion to put the website design out to bid. Councilmember Holder second. Councilmembers Soles, Holder, Pellegrino, Drake, and Mayor Hellyer voted in favor. Councilmember Keating voted against it. **Motion carried.**

e. Building Remediation – Mr. Shanahan stated I presented our alternatives, and I was asked two questions. The first question was, can we even build on this property? Yes, we can. It's in hurricane evacuation A zone, it's not a flood zone, but we can build on this area. I was asked to negotiate a lower price for the building across the street. We went back in, and we tried to renegotiate and see if we could get the price any lower than the \$200K price reduction we had. They we are not willing to lower the cost any further. However, if we build here, we're talking for all the buildings, it would be \$3,654,500; the demolition would be another \$1.1M, for a total cost of \$4.7M.

To purchase an additional lot for additional parking would be \$85,000. We can also have the opportunity to get the property on the left-hand side as well. We talked with our engineer about a courthouse/civic center/council conference chamber. If we have the parking space, and due to the hurricane-resistant features of the building, it would be better to build a separate building in the back attached to the building. We're talking about \$500,000 to do that. So, the total cost to relocate will be about \$1.6M for all of that.

Councilmember Scoles asked why do we need that much space if we're not going to utilize it. Why can't we build what our needs are?

Mr. Shanahan stated the only difference is the cost.

Mayor Hellyer stated I'd like to thank Mr. Shanahan, who did the due diligence and pursued this project, answered all the questions for us.

Councilmember Keating made a motion to give the town administrator the ability to continue with the plans to obtain the property across the street as soon as possible. Councilmember Drake second.

Councilmember Pellegrino stated from a numbers standpoint, and we're talking about \$4.7M to rebuild here versus \$1.7M across the street. Obviously, from a number standpoint, it points to buying a building over there. I still have a concern, and I've talked to Mr. Shanahan about this a lot. I still think a \$1M is too much for that building. I understand that there are many interested buyers, but they didn't have any interest for the last year. Because we know we're going to have to put ~\$800,000 into the property over there afterward, I still think we could save in the front end and the cost. I was involved with the last two. Land purchase is here, and we paid too much for both of those, and it seems like the same thing again.

Councilmember Scoles stated what concerns me is the location, the access, the majority of our people, come here Ouy a golf cart. The accessibility to the building is not good, especially going down Glenn's Bay Road and having to Crossover 17. It's just not a good thing. I really would like to stay on this side of 17. Not just for the convenience of our residents, but this is a

prime piece of property, and 40 years from now, it's going to be even worth more for the residents.

Councilmember Drake stated the cost of the trailers would have to be more than \$150,000 to \$200,000. Not including the plumbing, the electrical that will have to run to them. We have employees that are in harm's way right now. I'm worried about the fact that we don't do something really quick that, then we're going to be liable. That's not worth messing around with. We're saving money, to begin with. The price was \$1.2M, but Mr. Shanahan got it down \$ 200,000.

Mr. Shanahan stated my recommendation is to buy and move into the other building. Then we can determine what we're going to do with this property and evaluate what we're going to do later.

Councilmembers Keating, Drake, and Mayor Hellyer voted in favor. Councilmember Scoles, Holder, and Pellegrino voted against it. **Motion failed.**

Mr. Shanahan stated he would like to see if I could get another motion on building remediation. The reason being is now that this is done, I need to get some trailers or something here ASAP to get everyone out of the buildings, and I would like your permission to move forward with that.

Councilmember Drake made a motion to authorize the Town Administrator to obtain trailers for the employees. Councilmember Holder second.

Councilmember Pellegrino stated that we should have the town administrator go back to the seller and negotiate for a lower price.

Councilmember Drake amended the motion to permit Mr. Shanahan to negotiate a better price with the realtor. If it's unsuccessful, proceed with getting the trailers, sewer, and electrical set up. All voted in favor. **Motion carried**

f. Stormwater Fee – Councilmember Pellegrino stated that we did pass the Stormwater fee a couple of years ago. I do agree everyone should pay Stormwater fees. We had multiple penalties with the 501(C)(3)s in Town because they have not had to pay any taxes. But in these cases, I feel the Town dropped the ball by not communicating properly with these entities. It was multiple 501(C)(3) organizations, and it was 100% the Town's fault for lack of communication. All it takes to correct the problem that we cause is \$502.00. I know some of you disagree with that. But, in my eyes, when you create a problem, you should resolve the problem. We did zero communication on a new tax. We dropped the ball, and that's the way it is. We made a mistake; we learned from it.

g. Discussion to make the intersection at Surfside Drive and Ocean Boulevard a three-way stop.

Councilmember Keating made a motion to direct our public works director to install the appropriate signage to make the intersection of Surfside Drive and Ocean Boulevard a three-way stop due to safety concerns. Councilmember Holder second.

Councilmember Keating stated that there are significant safety concerns down at that intersection with the increased pedestrian traffic due to the pier parking lot being closed. As we've said multiple times before, we're seeing a record number of tourists and traffic in that area. Many don't understand the concept of crosswalks in and right of way to pedestrians. There's a lot of traffic that's just rolling the stop sign that is there. I think whether we make it a temporary measure while Pier construction is underway or a permanent measure, for the safety of our residents and our visitors, we should put the three-way stop at Surfside Drive and Ocean Boulevard.

Chief Hoffman stated we made this recommendation some time ago. I would let the director decide whether it would be best to be a permanent measure or a temporary measure during pier construction. Because the pier parking lot is closed, pedestrian traffic is much higher, crossing Ocean Boulevard at Surfside Drive. But you have many visitors, and residents are parking on Surfside Drive and the open lots, and they're all walking over because it seems that everybody wants to be close to the construction. There's a danger there to pedestrians. So, we could do this on our temporary measure, and we can ask you to come back and let us know how it is.

All voted in favor. **Motion carried.**

9. PUBLIC COMMENTS – Town Services or Business Conducted

a. Anousha Shiflet, 813 N Ocean Blvd., thank you, Mr. Shanahan, for providing this update about our large projects. Living on public access, I had the opportunity to talk to hundreds of people coming to the fourth of July. The majority of people are saying, the clean Communities and how beaches were such a clean place. So, thank you, Mr. Adair and his team,

and also, everyone felt safe to leave their family and their belongings. I guess everyone was very pleased with how they had the opportunity to spend the fourth of July. Thank you.

b. Patricia Magliette, 104 Harbor Lights Dr, Between the two necessary decisions about where we're going to house our workers for safety, first and foremost, this is a safety issue. I am allergic to mold, not just black mold, but all kinds. I have trouble breathing, and I have many other symptoms, so this is a safety issue. You shouldn't take it lightly. It's not an inconvenience to these workers, but we have two options. And the one option is two practically get into a turnkey-ready situation, which, pretty much you have a budget for. You don't have to waste money on trailers. You just put them over there. Just because we buy it and use it doesn't mean we have to keep it forever or get rid of this land permanently. Because this land that we are on now is valuable, that land is ready, necessary, safe, turnkey, and it has a budget that's pretty much set in stone. There's no reason why we can't make a compromise. We could take access to that building now. That is on good real estate. We could buy it, but our people there for safety, use it, and then not make it be the permanent place forever. But use it as long as we need to go about figuring out what we want to do to build. As a house owner, I was looking today at things around the house, and a lot of people are having trouble what they were painting their homes because of the bad drywall that comes from China. I mean, you need to understand that to do a big project, we need to count on supply, demand, and cost. This has a fixed cost pretty much, and it doesn't need to be forever. And this has a cost that could rise dramatically and have delays, and it could be sketchy, which means our people will be stuck in trailers, longer, which also incur more cost and lowers the morale of the employees in trailers. So, please, I don't see why we can't come together on this, take advantage of that, use it, there'll be safe, and then we can come up with the comprehensive plan, which would be even better than what you said tonight. Thank you.

c. Judy Henion, 11th Avenue North. I want to apologize to the residents because I thought there was enough common sense to make a common math problem when I spoke to you earlier. And the common math problem was the building itself is almost turnkey, costs less, and now, instead of putting \$1.7M into real estate, that is only going to appreciate, we're going to go out, and we're going to rent trailers; money that we won't recover. Then, we might lose the building because of this wonderful decision. Do you think you can play hardball with someone that already has an offer on the table for more money? Please explain that to us; we really would love to hear the answer. I mean, I've got a little math problem, and now you're going to turn it into a huge liability issue. How does that make sense? It doesn't, so I apologize to all the residents for assuming we had enough common sense to make a good decision.

d. Carol Lucas, Cypress Dr. I don't understand why there's one option you all haven't looked at. The huge sign in front of the building says sale or lease. You do not have to buy it. I think that the lease option needs to be looked at. I don't know if it would cost less than those trailers. They know Mr. Pellegrino's reference to how many hundreds of thousand dollars it would take to renovate it. I think that everybody's concern. I just sold a property. Everybody's playing hardball right now. So, play harder. So, what if we rent it for a year? Take some time to think about it and give them a good enough offer that they're willing to take a lease option to buy after a year, just by some time. I don't know that, and they don't think about it, but.

e. Jerri Favor, 721 Plantation Dr; I am a commercial insurance agent at Moore and Associates. I have quoted insurance for the pier since it was bought. It was over \$100,000, this was in 2009, and I was told that was too much. I continued every year. The only reason I'm here is for Facebook comments to be made about Sammy Truett; he didn't quote that insurance; I did; my name was on it. And at one point, I had trouble getting insurance, just liability for the restaurant and the part of the pier where you could stand. When it was destroyed, we had to change insurance up a little bit because you couldn't walk on the pier anymore. But we got it. I was asked to quote for the builder's risk, and I worked diligently on it. I changed that proposal five times. And then, after I lost the bid, which is fine. People said our agency was ripping off the town for \$200,000 because the town bought a building risk policy from Consensus. And for the Freedom of Information Act, I requested all emails pertaining to the pier from counsel people, to the builder, anybody else to add emails about the bid. Instead, there was an email that the builders' risk police is a strange animal, and I don't think they're capable of doing it. I have a copy of the contract from Consensus; All they had to purchase was insurance to cover the payroll. I would ask that people retract their comments. Thank you.

f. Chris Stamey, 715 Cedar North. I think this building across the road is the worst place in the world to get in and out of. But I do think that you should pursue leasing because then we won't have trailers out here. There are some other places around, and I would think that would be capable of housing our employees. I asked the question: Are our employees in danger? I was told at that time they're in the best possible situation that they can be. We've moved them out into one space to keep them from getting sick. The mold will hurt somebody, not only the lawsuit, and I'd hate to see you get sick from that building. Then, the Swash. That Swash was supposed to be done two months ago. We didn't have the stuff to fix it. So, we're giving them another two months extension to fix it. Does it cost us more money? Are we buying the drill bit to

drill into this rock? They saved us half a million dollars. That was the story. Is it saving us now, or would pay in that other half a million dollars tool? I'd like to know. Thanks.

g. Beth Kohlman 10th Avenue North. I Just wanted to start with I know it's just a stormwater fee that's small to you; we all own houses, we own vehicles, it's our responsibility as adults. And I think that's what you would tell your children as you're raising them. You're going to be an adult someday, and you're going to get a car, you're going to get a tax bill with that car. When you get a motorcycle, you're paying the tax on that motorcycle. So, when you get your mail, you should be responsible enough to open it if you choose to be irresponsible and not read what you get in the mail, which happened at my office. It was an honest mistake, and again, mistakes are made. But there are penalties for a reason. I'm hoping my staff now knows not to make that mistake again. But if it's coming out of your pocket in your home, when you're that non-profit, now they're going to think twice. They're going to open their mail now. Maybe they'll be responsible, but don't reward people for being irresponsible. So, this stormwater fee, I hope it is over and done with. I don't want my back. I want whatever fees were paid and penalties to go into Stormwater, which is where they belong.

I feel sorry for all of you, especially with the building situation. People are coming up here and telling you, I want those people to move right away, but they don't want you to have the opportunity to move them safely. They want what they want. They want you to spend more money so that they can go on Facebook and say you're paying \$5M. Why is it taking so long? We don't want our taxes to go up, but we want what we want. You've been thinking about it, and for those that you forget, it was moldy in that building when I was on Council; it was a long time ago. Don't blame them for things that have happened in the past.

See everybody jumping up and down back then saying, well, we have to move all the workers. Now, all of a sudden, it's important, but let them do their job without yelling at them and yelling at each other and interrupting each other. I appreciate what you're doing, and I don't know if you're going to make the right decision or not. But I wouldn't want to have to be up there. Making it right now with the atmosphere and what's going on and the misinformation that's been swirling around out there. But I appreciate everything you do. Thank you.

10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS

a. Councilmember Soles, Thanks to everyone that came this evening, and I appreciate all the comments that were given regarding hot topics that are going on in the town. I understand the severity of mold. I had someone in my family exposed to mold that ended up with repercussions from it. I do not want to put our employees at Jeopardy. But I think that we need to be a little more cautious instead of just going out and purchasing, ask about the lease option. And I was told they don't want to lease. My concern with that building is we can't just move into it today; I mean, it's got renovation that's got to be done. We can't have council chambers, and we don't have ample parking in there, and it doesn't just happen overnight. There are plenty of other places we can start looking for a place. If anyone knows anything, contact the town administrator and let him know. I don't want to put them in trailers, but we want to keep them safe. Want to thank each one of our departments in this town? And all of the employees in townhall answering all the questions, planning the events, keeping our finances straight is huge, especially right now. So, I would like to thank everybody that came tonight and spoke, and the employees, our town administrator, and I look forward to seeing you again in two weeks.

b. Councilmember Holder, I'd like to thank everybody that came out tonight, and also the radio to hear it. I'd like to make one comment about his pictures over there. Tom was a nice man. We lost him 19 years ago. It's hard. Nice has been appreciated, so thank you. I want to thank you for all the comments you made tonight. Hopefully, we can get a better price on the building. Thank you.

c. Councilmember Keating, I want to thank everybody for coming out. It's nice to see an entire roomful once again. We haven't had that for quite some time. So, I appreciate you taking your time to participate in the meeting. I'm not going to go over everything; we've handled some very contentious issues tonight, and I appreciate everybody's perspective. Hopefully, we can make some modifications and come to some agreement on some middle road such that we can move forward and move forward in a fiscally responsible way and not be wasteful when there are other alternatives available to us. But on a lighter note, I would like to remind everybody that Keep Surfside Beach Beautiful is sponsoring another beach sweep for this month on Saturday July, July 22nd, from 6 to 8, so be sure to participate if you can. Thank you.

d. Councilmember Pellegrino, thanks for coming. It's nice to see a whole house tonight. They haven't thought we've had a whole house since before COVID. So, thank you for your participation. Thanks for coming! Thanks to the people listening online, and your involvement helps the town every day. So, thank you.

e. Councilmember Drake, thank you, everybody, for coming out tonight. I see everybody on online tuning in. Mr. Shanahan brought to our attention that the mold issue in that building has been going on for a long time. It was repaired for

\$50,000 with repairs. Guess what they did? They didn't fix the problem. They cleaned them all day. And here we are again today discussing it again. Mr. Shanahan did check out the lease option, but the sellers are not interested in leasing. We'll go back again, and I hope we are successful in doing something with it. If not, it'd be just sad to see two trailers parked out front on the 17th. But, anyway, thank you all for coming out here tonight. Thanks.

f. Mayor Hellyer We do have a whole house tonight, and we had a very controversial agenda. We got all through of it. A lot of it had to do with transparency and had to do with having the residents involved. We're going to do the tree ordinance. We're going to have a public hearing first. That's what we needed to make the first time. So, we're going to do that, and we're going to have a public hearing. The same with the building, we're going to work on it. But you have to realize there are many issues that we're dealing with right now that are a lot of hardcore issues. We just took a vote not to raise our millage, but Horry County raised theirs, so our taxes are going to go up. It's just our Surfside Beach taxes are not going to go up. So, we're trying to be conservative, we're trying to do it the right way, and it takes time. So, I'm hopeful that you guys will bear with us; you have a little confidence in us that we're going to do the right thing. So, thank you very much. I want, you know, there's a lot of stuff going on, but I'm going to change the whole subject.

g. Mr. Shanahan stated I want to brag about our guys on Wednesday, during the storm, about nine o'clock in the morning. Acting Chief Larry Carter was driving me around to town, so we could see what was going on. I watched public works, working hard. I watched some picking up trees. I noticed them dealing with sinkholes. I saw them dealing with water. I saw my police guys out there. I saw them stop and check on people. I saw them getting out of the vehicles. They did an amazing job; it is my first major storm here, and impressed how professional our guys are and, more important than that, how much they care about this community and how much they care about each other. So, you got some good guys working for you, and I'm, I thank them for what they did.

11. EXECUTIVE SESSION pursuant to the Freedom of information Act §30-4-70(a)(2), Discussion of negotiations incident to proposed contractual arrangements.

Councilmember Keating made a motion at 9:41 pm to enter into an executive session in accordance with the Freedom of information Act §30-4-70(a)(2) to discuss negotiations incident to proposed contractual arrangements. Councilmember Holder second. All voted in favor. **Motion carried.**

Councilmember Keating made a motion at 10:09 pm to reconvene the regular session. Councilmember Drake second. All voted in favor. **Motion carried.**

Mayor Hellyer stated there was no action taken in the executive session.

12. ADJOURNMENT Councilmember Drake made a motion to adjourn at 10:10. Councilmember Keating second. All voted in favor. **Motion carried.**

Surfside Beach Town Council

Robert Hellyer, Mayor

David L. Pellegrino

Bruce H. Dietrich, Town Council

Cindy Keating, Town Council

Michael Drake, Town Council

Debbie Scoles, Mayor Pro Tempore

Paul Holder, Town Council

Attest: _____

Sheri L Medina, Town Clerk

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