



**SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING Civic Center, 115 US Highway  
17 North, Surfside Beach, SC 29575 [www.surfsidebeach.org](http://www.surfsidebeach.org) - ☎ (843) 913-6111  
📞 (843) 238-5432**

## **TOWN COUNCIL MEETING MINUTES TUESDAY, August 10, 2021, • 6:30 pm.**

1. **CALL TO ORDER** Mayor Hellyer called the meeting to order at 6:30 pm. Mayor Hellyer, 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 and Mayor Pro Tempore Scoles.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
  - a. Invocation: Councilmember Pellegrino gave the invocation.
  - b. Pledge of Allegiance: Mayor Hellyer led in the Pledge of Allegiance.
3. **PUBLIC HEARING** None
4. **MOTIONS RELATING TO AGENDA** – Councilmember Keating made a motion to move Item 8g to the Executive Session portion of the meeting. Councilmember Drake second. All voted in favor. **Motion carried.**
5. **MINUTES APPROVAL** – Councilmember Drake made a motion to approve the minutes for July 27, 2021, as presented. Councilmember Keating second. All voted in favor. **Motion carried.**
6. **PUBLIC COMMENTS** – None
7. **COMMUNICATIONS** - None
8. **BUSINESS**
  - a. **FIRST READING ORDINANCE 21-0936- CHAPTER 9** – Councilmember Keating made a motion to accept Ordinance 21-0936. Councilmember Holder second. Councilmember Keating stated I believe that all the changes have been made that we discussed in the workshop. Particularly with the concerns expressed by our local businesses.

Chief Hofmann stated under section 9.51; you'll be able to see the subsection g, must have such business and tow and storage lots within the corporate limits. Also going down to subsection (2), the business location, storage lot, and location of primary business operations within the Town's limits. Hopefully, we've addressed those concerns to protect our business stakeholders.

Councilmember Keating stated I want to highlight one change we made to the parking. We have said that there is no parking along the west side of Ocean Boulevard, other than the permit parking. Public Works has an initiative to connect the sidewalks at from Surfside Drive to 1st Avenue South. The should eliminate some of the concerns with parking and traffic in this area. One of the other things we mentioned was parking in the Town's right-of-way's facing the wrong way instead of the natural traffic flow was prohibited. We also have areas that are parking perpendicular to traffic that may be problematic. So, this was changed to prohibit parking in any manner other than with the natural flow of traffic, unless otherwise designed as a parking space/lot.

Chief Hofmann stated that parking in the opposite direction to traffic is a state law. However, we are we going to need to communicate these parking changes to the residents and visitors?

Mr. Shanahan stated our first step would be to get it on all of our Social media. Number 2, I think for the first couple weeks or so, maybe do warnings until everyone gets acclimated to the new rule.

Councilmember Keating stated I want to highlight one other significant change that we've made. That is there will be distinction between parking lots; all Town-owned lots will be two dollars an hour, and all issued permits can park in any of the Town-owned lots.

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

**b. SECOND READING ORDINANCE 21-0935 – HOLES ON THE BEACH** – Chief Hofmann

Councilmember Keating made a motion to accept Ordinance 21-0935, Holes on the Beach. Councilmember Holder seconded.

Chief Hofmann stated the only change from the first reading to the second reading is we addressed the question about the sizes of the shovels vs. metal shovels. I made a change to limit the size of the shovels to six-by-six inches. We think this will be reasonable. Also, just as a reminder, we're not going to be out searching for people digging hole that are too big. The whole system is so that if we see someone doing this, that will have the ability to intervene and remind them that they've got to fill in the holes before they leave the Beach.

Councilmember Pellegrino stated, as I said last time, I find this to be government overreach and control. I had 3 people ask me about it. I feel that this is a problem we do not have. We're only going to enforce it if we receive some complaints, just like the rest of the rules. I personally want the cops around to prevent us from getting robbed.

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

**c. FIRST READING ORDINANCE 21-0937 – ADOPTION OF CHANGES TO CHAPTER 14 - FLOOD DAMAGE PREVENTION.** – Councilmember Keating made a motion to accept ordinance 21-0937 to adopt the new Flood Insurance Rate Maps. Councilmember Holder seconded.

Councilmember Keating made a motion to accept ordinance 21-0937 to adopt the new Flood Insurance Rate Maps. Councilmember Holder seconded.

Mr. Combs stated that the changes to Chapter 14 se are proposed because these are the recommended revisions by the State and that is part of the National Flood Insurance Program. Nothing in here compromises or reduces our CRS rating. These are to comply with the state model ordinance.

We will have an opportunity to make any required adjustments before the second reading. The only thing that may change for second reading is that the State is considering adding a Riverine Study. However, we do not have any rivers in our jurisdiction, so it should not affect our ordinance. This will put us on track for our maps to be adopted by December 16, 2021.

Mayor Hellyer asked if there were significant changes, and he asked that these maps be posted for our residents when available.

Mr. Combs stated, there are changes to the Northern side of Ocean Blvd. Also, the maps can be added to the website.

All voted in favor. **Motion Carried.**

**d. DECISION PAPER – PROPOSED CONTRACTUAL AGREEMENT WITH AXON ENTERPRISE, INC.** – Chief

Hofmann stated it's a five-year contract and that's it's already in the budget this year. Tasers, which are very important and less-lethal weapons, are here to protect our officers and citizens. We've had our current tasers since 2005. They are now out of service and support. For the last couple of years, we had to use some other vendors for services, which is risky. Axon will step in and help police departments prevail in support of lawsuits and things like that, as long as the partners properly train, using equipment and follow protocols. We need to transition to the current model. The five-year cost of the equipment to include everything with the \$66,000 offers a five-year agreement at the expense of \$13,200 per year. So that is a complete change our of equipment, including tasers, training materials and accessories. We are asking the Council to essentially direct the administrator to sign this five-year contract with Axon.

Mayor Hellyer asked if there were grants that can be obtained for these tasers.

Chief Hofman stated yes, but you have to pay for them first, then get reimbursed. Through the Presidential American Rescue Plan, this should be covered. I assure you we will be diligently looking for grant funding to reimburse the budget. We will receive 20 new Tasers, holsters and cartridges. Also, when cartridges are used, we turn them into Axon, and they replace them for five years. Every year we will receive a new batch of training information. Axon requires training every year.

Councilmember Keating stated according to the terms and conditions, we provide a one-year warranty on the tasers. But according to the quote, we are going to pay another \$5700 for an extended warranty. What is in that extended warranty in coverage, or extended term?

Chief Hofmann stated I don't know; I will have to look into it and get you an answer.

Councilmember Keating made a motion to direct the Town Administrator to sign an agreement with Axon Enterprise. Councilmember Holder second. All voted in favor. **Motion carried.**

**e. MOTION FOR 1.85 MILLION DOLLAR CAP FOR NEW BUILDING.** – Mr. Shanahan stated I'm asking for \$1.85M cap for the new Town Hall building procurement, renovation and move. This includes, but is not limited to the Building, Council Chambers, property for additional parking, wiring and IT services, and security cameras. All expenses that we have previously discussed association with this project is included in the cap. Should we need to exceed this cap, it would come back to Council for approval. The closing on the additional property should be on Monday.

Councilmember Pellegrino asked if there was a target date for the move.

Mr. Shanahan stated as soon as we find out the information for the additional 25 feet for parking, I will send an email to Council.

Councilmember Keating made a motion to authorize the expenditure of \$1.85M in total for expenses related to the acquisition of property, renovations, and relocation, recognizing this will require a budget amendment. Councilmember Drake second. All voted in favor. **Motion carried.**

**f. BUILDING INSPECTOR POSITION** – Mr. Shanahan stated we spoke at the last workshop about an additional position based on our workload. It is requested that we create this position as it existed in the past. This position is needed. The total cost of this position will be around \$60,000. As I stated before, we need more coverage, which means we should increase the total headcount and eliminate the temporary contractors. We can always eliminate the extra position down the road if it becomes unnecessary. We need full force in PB&Z.

Councilmember Keating stated, if I'm understanding correctly, we are proposing that the PB&Z department now would consist of a Director of PB&Z, 2 building inspectors, hopefully one being a CBO, a permitting clerk, and a Code Enforcement Officer. I think there are significant issues in this department. This is one of the most critical departments to the Town. This is the one that has the most touchpoints to every business, every homeowner, every second homeowner. This is also one of our biggest areas that if we did it wrong, we open up the Town for some significant liability. Again, we're being reactive and we're doing this band-aid, piecemeal approach to things. I would prefer to see a charter, for lack of a better word, on how can we visualize this group operating. Who is going to be responsible for what? What credentials must they have in each role? What's their total scope of responsibility? Because right now, we've got several these 3<sup>rd</sup> parties that we are relying on with little accountability to the Town. We've got Carroll Coleman doing some of the planning things, but others have fallen through the cracks. We've got 3<sup>rd</sup> party inspectors approving things that I question if they are in compliance with our ordinances. I'm not opposed to adding headcount if it's the right head to be put in the right seat, but I want to see how this operation will function and how we will do things. We've got a lot of things out there that going on, in my opinion, that could result in life-threatening situations. I want to see how this department is going to be improved before spending more money.

**g. PIER CHANGE ORDER** – Mr. Shanahan – Moved to executive session.

## 9. PUBLIC COMMENTS

**a. Cheryl DeFalco**, Dogwood Dr. Considering all the hard work you did in putting the Chapter 9 ordinance together, we want to thank you. We aim to do an exceptional job for the community and police department. Thank you very much.

**b. Tabitha Mull**, Chairman for Keep Surfside Beach Beautiful, I just wanted to invite everyone out for our Beach Sweep on Sunday August 22nd, 4 to 6 pm. We need volunteers for this event. Then, a reminder of the Labor Day golf cart Parade. We're excited about that. Then, finally, if you haven't already, please join our Facebook page.

Thank you.

**c. Jamie Gercheck, 217 North Pine.** I was wondering on October 2 if we could have an appreciation day for the Town's service workers in our community because they do an excellent job. I've lived here for seven years. They talk to everyone. Always courteous. They do a great job. They're just really beautiful people. It would be nice to do something for an Employee Appreciation.

#### 10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS

**a. Councilmember Holder,** thank you to everyone who came out and listening on line. We hope to have a good school year and I'm glad that they are going back to open session. It's great to see the pier starting out over the water. It's really coming along. Thank you.

**b. Councilmember Keating,** thank you to everyone listening and watching live streaming, and certainly our media representatives. We've had some struggles, in my opinion, getting all the Town communications out to all of our stakeholders. That's not just residents and businesses, but our visitors also. We don't have a lot of choices in communication mechanisms. We've been trying to get as much information out there and get as open and transparent as possible. Many of you are friends of mine on Facebook, and I try to put messages out to everyone so they know what's going on, what challenges we're facing, what successes and failures we have. We have not always been successful over the years, but we keep trying to improve. I want to thank all of you that follow those messages and appreciate them being out there. Hopefully, we can make greater strides when we are successful in hiring our public information officer. Then we will get back on track with getting our website developer and getting a website that easier to use, update and navigate. Hopefully, we can then share much more timely and useful information. It will also be a user-friendly from an operational standpoint. Our current website is difficult to updated without going back to our provider and paying tens of thousands of dollars to have any information. I want to ask everyone to think about what you say about the Town, its operations, its employees, and its governance. Think about how you communicate with others. There's never a case in your life that you will ever agree to 100% with everyone around you. My mission, and part of what I said when I was elected, has been to make sure you have as much information available to you so that you can, at least, understand why decisions are being made, why do they need it, and why they're necessary? Everybody has an opinion. Everybody has a different perspective. That doesn't make anyone wrong. It doesn't make anyone right. So, try to accept where we are and how we got here, and try to work as a team to move us all forward. We're all in this together. We all stand to lose a lot, if not all, if we continue to divide our Town. Thank you very much,

**c. Councilmember Pellegrino,** thank you for coming tonight. It was great hearing the public comments. Thanks for being involved. From my perspective, we have a good staff here, I always have questions on the material, and I call on Mr. Shanahan. I always take the time to read the information I need to make a good decision, and it's almost time to sign up to run for Council. So, some of you guys need to run.

**d. Councilmember Drake,** I'd like to thank everybody for tuning in. Thanks for keeping up with what is going on in your town. Thank you to Chief Hofmann and Director Adair for all you do. They're always busy. Thank you very much. I'll see you all next week.

**e. Mayor Hellyer,** there's a lot of stuff going on. Those people who are saying this is the problem or has a question, why don't you call someone and ask? If you call me, I'll tell you exactly what I said. People tend to make up information in the absence of good information. I appreciate everybody coming tonight, and I'm glad people get more involved. Remember there is less than a month to sign up to run for the Council? You guys have a good evening.

Councilmember Keating made a motion to enter into executive session at 7:35 pm pursuant to the Freedom of information Act §30-4-70(a)(1), Discussion of employment, appointment, compensation, promotion, discipline, or release of an employee, and in according with the Freedom of Information Act §30-4-70(a)(2), Discussion of negotiations incident to proposed contractual arrangements. Councilmember Holder second. All voted in favor.  
**Motion carried.**

#### 11. EXECUTIVE SESSION pursuant to the Freedom of information Act §30-4-70(a)(1), Discussion of employment, appointment, compensation, promotion, discipline, or release of an employee, and the Freedom of Information Act §30-4-70(a)(2), Discussion of negotiations incident to proposed contractual arrangements.

Councilmember Keating made a motion to reconvene the public session for Tuesday, August 10th. Councilmember Holder second. All voted in favor. **Motion carried.**

- 12. Council may take action related to matters discussed in Executive Session**  
Councilmember Holder made a motion to authorize the Town Administrator to execute an agreement with Jesse Kirchner to represent Surfside Beach in Lawsuit 2021-CP-10-1650 Air B&B. Councilmember Drake second. **All voted in favor.**
- 13. ADJOURNMENT** Councilmember Keating made a motion to adjourn at 8:49 pm. Councilmember Holder second. All voted in favor. **Motion carried.**

**Surfside Beach Town Council**

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Robert Hellyer, Mayor

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David L. Pellegrino

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Bruce H. Dietrich, Town Council

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Cindy Keating, Town Council

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Michael Drake, Town Council

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Debbie Scoles, Mayor Pro Tempore

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Paul Holder, Town Council

Attest: \_\_\_\_\_

Sheri L Medina, Town Clerk

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