

 SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES REGULAR MEETING NOVEMBER 24, 2015 + 6:30 P.M. TOWN COUNCIL CHAMBERS

## 1. CALL TO ORDER.

Mayor Samples called the regular meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, and Stevens were in attendance. One seat is vacant. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Finance Director King; Fire Chief Otte; Public Works Director Adair, and Events Supervisor Ellis.

# 2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Pastor Brent Thompson, LC3 Community Church, gave the invocation.

B. Pledge of Allegiance: Mayor Samples lead the Pledge.

## 3. AGENDA APPROVAL

Mr. Stevens moved to adopt the agenda with an amendment to allow Horry County Councilmembers, the Honorable Gary Loftus, representative from District 4, and the Honorable Tyler Servant, representative from District 5 to make a presentation first under communications. Mr. Childs seconded. All voted in favor. **MOTION CARRIED.** 

## 4. MINUTES APPROVAL

**Regular Meeting November 10, 2015.** Mr. Childs moved to adopt the November 10, 2015 regular meeting minutes as presented. Ms. Mabry seconded. Mr. Johnson noted that he was absent at the November 10<sup>th</sup> meeting. All voted in favor. **MOTION CARRIED** 

5. <u>PUBLIC COMMENTS – Agenda Items Only.</u> (3-minutes per speaker)

There were no public comments on agenda items.

# 6. COMMUNICATIONS

The Hon. Gary Loftus, Horry County Councilmember for District 4, and the Hon. Tyler Servant, Horry County Councilmember for District 5 presented a check to the town from Horry County for recreation use in the amount of \$11,707. Town Council and the audience expressed appreciation by ovation. Mayor Samples said the town looks forward to working with Horry County to continue recreation services.

## A. Department Reports.

**i. Events and Recreation.** Supervisor Ellis presented the departmental report, a copy of which is attached and made a part hereof by reference.

Mr. Childs thanked Ms. Ellis on behalf of the Car Club for her assistance with the car show.
There were 87 or 88 participants when the final count was made. The event should continue to grow and
be a benefit for the charities.

Mr. Stevens said he attended the senior fair, the car show, and the Veterans service. They were all well done. He said Ms. Ellis was doing a "bang up" job.

ii. **Finance.** Director King presented the departmental report, a copy of which is attached and made a part hereof by reference.

Mr. Pellegrino asked when the \$348,000 accommodations tax revenue accrued. He was surprised that it was lower than the amount received last year. Ms. King said July, August, and September. Staff is checking with the Department of Revenue to find out why the amount was less. It was probably because the state uses the "Robin Hood" method and allocates revenue to poorer municipalities.

**iii. Fire.** Chief Otte presented the departmental report, a copy of which is attached and made a part hereof by reference.

There were no questions or comments.

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**iv. Planning, Building and Zoning.** Ms. Fellner presented the departmental report, a copy of which is attached and made a part hereof by reference.

Mr. Childs thanked the department again for providing pictures of the violations. He said it certainly makes the report clearer and more interesting.

Mayor Samples asked when the strip mall on Highway 17 South would be demolished. Ms. Fellner did not have a completion date. Mayor Samples said clearing that property would provide a great business opportunity for new business.

Ms. Mabry said that Fire Chief Otte was instrumental in facilitating the demolition. She thanked him for his efforts.

**v. Police.** Ms. Fellner presented the departmental report, a copy of which is attached and made a part hereof by reference.

Mayor Samples asked if Officer Gambone replaced Corporal King. Ms. Fellner said the position is open. The department maintains a file of qualified applicants from which to interview.

vi. Public Works. Director Adair presented the departmental report, a copy of which is attached
 and made a part hereof by reference. Mr. Adair reported that he received \$400,000 in County
 Transportation Committee (CTC) funds for road projects next year. Local road money totals \$225,000,
 and \$175,000 for state roads. There may some additional money available in January, and he would
 pursue a portion for the town.

Mayor Samples said it was important that the roads are maintained.

100 Ms. Mabry thanked Mr. Adair for the new lights along Highway 17. She knew that he worked 101 hard with Santee Cooper to get better lighting for the town, which is a safety factor. The new lights are 102 much better. She can tell a huge difference. She also thanked him for the new shutters on town hall. It 103 looks much nicer.

Mr. Childs thanked Mr. Adair and his crew for the help with the car show. It could not have been
 done without their help. His department and Ms. Ellis work well together to put on these events.

108Mr. Johnson thanked Mr. Adair for working to get the CTC funds, which requires him to109participate and be consistent to get the money awarded. His "bull dog" efforts on behalf of the town were110appreciated. Mr. Adair said Chairman Vereen asks what monies the town is spending. Being able to

111 respond with specific projects and amounts lets the CTC know the town is vested, which lets the 112 members know the town is "in the game," as they say. 113

114 Mayor Samples said over the past several years, the town has been more engaged, active and 115 participating with the larger entities that we work with, i.e. the state, Council of Governments, or Horry 116 County. Those efforts seem to be paying dividends. The grounds crew is putting up Christmas 117 decorations now. He always honks the horn when he passes staff performing their routine tasks along 118 the roadways. He was very, very happy with the level of maintenance staff gives the town. 119

## B. Administrator's Report. Ms. Fellner reported:

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122 Vision Retreat. The Vision Retreat was shortened to one day and went well. Council clearly 123 indicated which items they would consider funding and which they would not. This will help staff prepare a 124 more meaningful budget that is without major council controversy. The council will be meeting sometime 125 in mid- to late-February to further clarify budget priorities. 126

County Transportation Committee (CTC). Congratulations to Director Adair for securing \$400,000 in CTC funds for our paving needs.

129 130 FEMA Reimbursement Submission. Thank you to Director Adair who has just completed the 131 necessary paperwork for the FEMA (Federal Emergency Management Agency) submission. Our town is 132 requesting a reimbursement of approximately \$40,000. This is mostly for overtime and meals incurred 133 during the rain event associated with Hurricane Joaquin. 134

## Consensus Items: (Both of these items were discussed at the Vision Meeting.)

136 137 Sanitation Schedule Changes: Council was asked to publicly give staff direction to bring first 138 reading of an ordinance to the next meeting and to schedule a public hearing for the rate change. 139 Changes to the sanitation schedule in the R3 district would need to be in place long before the next 140 budget year. The major change would be each non-exempt home in R3 would receive an additional 141 pickup for a 9-week period during the heaviest collection weeks of June 19<sup>th</sup> through August 14<sup>th</sup>. The 142 additional service would be funded by the R3 owners being charged for an additional pickup for two 143 months at an additional cost of \$18.75 per month, which would be a total increase of \$37.50 per year. 144 The R3 owners currently pay \$76.25 per month during the rollout season. The additional collection would 145 bring their total bills during the two months effected to \$95. 146

Ms. Mabry moved to suspend rules to allow discussion. Mr. Johnson seconded. All voted in 148 favor. MOTION CARRIED. 149

Mr. Pellegrino supported an extra pickup, but was adamantly against charging the R3 owners the 150 151 extra fee. This was another fee added to the local businesses. We talk about being business friendly 152 and promoting growth, but this was yet another fee being added. He recommended picking up three 153 times a week, Saturday, Monday, and Thursday without adding any fees. 154

155 Mr. Childs asked if the public hearing would be before first reading. Ms. Fellner said the public 156 hearing could be held before first reading, if council preferred. 157

158 Ms. Mabry asked Mr. Adair if this was the best plan that he, himself, came up with. Mr. Adair said 159 this was discussed at the visioning meeting, and options were discussed. There are overflow issues at 160 times along the boulevard. The way to handle the problem is a two-pronged approach. There has to be 161 an increase in capacity by placing extra carts at the houses, and adding extra pickup days. It was not fair 162 to give every house in the R3 district an extra cart, because most of those 500 customers that participate 163 in the rollout service do not get a second cart. The most prudent approach would be to reschedule the 164 three day pickup to include Sunday, provide a fourth rollout service through the busiest nine weeks of the 165 summer on Ocean Boulevard, pay staff overtime and charge the customers involved. The fee is 166 reasonable considering that staff rolls out the carts seven or eight times a month. He recommended a

167 proactive approach by assigning extra carts at the beginning of the busy season to properties that have 168 received them during the past two years. Mr. Adair said the appropriate changes would have to be made 169 to the ordinance. That was what he recommended. Ms. Mabry asked again if that was what Mr. Adair. 170 himself, recommends. Mr. Adair said yes, he thought it was fair and equitable to all. Ms. Mabry asked 171 how much it would cost the town, if the cost was not passed on to the customer. Mr. Adair said about 172 \$20,000; charging the customers would pay 90- to 95-percent of the cost. Ms. Mabry wanted everybody 173 to have all of the information before a decision was made and wanted to make sure that everybody 174 understood the \$20,000 had to be paid. Mr. Adair felt the people receiving the service should pay, rather 175 than the town residents that do not get that service. 176

Mr. Johnson appreciated Mr. Adair's comments. Obviously, the problem is in that particular area, not in the other areas of town. He did not feel that Town Council would be prudent to penalize people that were not living in that district. Those customers should pay the price. He was pro-business, but if there was a problem in a particular district, then that area should be targeted and they should take care of the problem.

Mr. Stevens concurred with Mr. Pellegrino.

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Mr. Pellegrino said to say that homeowners are not paying or not getting a service is ridiculous. The businesses in the R3 district along with the entire business community pay for 80-percent of the fire department, police department, and staff. Residents that do not live in the rental district pay very low taxes and get all the services. He said we are happy to let the businesses pay for all those services, but we would not pay for a few weeks of trash service. If the extra pickup is added, the town should pay for it, and the budget should be cut to fund it.

Mr. Johnson said it was a little bit of this and a little bit of that, but again, it was going back to where the problem was. He said to be fair with this, put the money where it belongs. The problem is with the rental properties on Ocean Boulevard. If they cannot pay, tell them they cannot rent every other week, or they have to haul excess trash to the landfill themselves. To be fair, the money needs to be paid by customers where the service is needed. There is obviously a problem, and we obviously have to pay for it. He did not feel like it was the citizens' responsibility to pay for trash being collected on Ocean Boulevard.

Mr. Stevens said every property in R3 pays 6-percent tax [sic.] They produce business income for the town. He said once the fee was raised, the rent would increase. Will the town be competitive with Garden City, or other rental areas? Once again, another burden was being put on businesses, which pay between 80- to 90-percent of our town taxes. The increase will pass to the consumer. Will it affect our rentals? The owners will increase rents by \$100, not just the \$18.75.

206 Ms. Mabry said we are very unique, special town; \$18 a month will not make or break any 207 business. If it does, then your business model should be evaluated. People do not come here, because 208 of the rent charged, they come because we have clean beaches, the amenities, the crossovers, and 209 because of the way our town looks; because we are not Myrtle Beach or Garden City. We are a special, 210 unique resort area where you can bring your children and family and feel safe. That is why people come 211 here. She hoped the owners got to \$5,000 a week rent. We are working hard to make sure they do. We 212 are keeping our beach better than anybody keeps their beach. We are doing everything we can to make 213 sure that these businesses are successful. For them to have to pay \$18 a month and not pass it on to the 214 residents... By the way, not to argue, she will admit the businesses pay a great deal, but it was not 90-215 percent. Tourist accommodations tax and hospitality tax paid for the fire station. She did not believe in 216 passing on unnecessary burdens to the businesses and she never would, but \$18 a month was not an 217 unnecessary burden. 218

Mayor Samples thought it was a bargain price to ensure trash was collected. Town Council spent a lot of time solving a "rat problem" this past year...media problem is what it really should be called. Will this help ensure we do not have that problem? Mr. Adair said if there is no overflow, then there should not be any rat problems. Mayor Samples said then let us solve the problem. Mr. Johnson moved to reconvene regular session. Ms. Mabry seconded. All voted in favor.
 MOTION CARRIED.

Mayor Samples polled members for a consensus: Councilmember Childs, yes; Councilmember
 Stevens, no; Councilmember Mabry, yes; Mayor Pro Tempore Pellegrino, no; Councilmember Johnson,
 yes, and Mayor Samples, yes. Town Council CONCURRED to consider an ordinance. Mayor
 Samples asked Ms. Fellner to advertise the public hearing in advance of first reading. Ms. Fellner said
 that would be done.

<u>3rd Avenue South from Highway 17 to Poplar Drive.</u> Direction was sought from Town Council to
 proceed with the paperwork to take over 3rd Avenue South from Highway 17 to Poplar Drive from the
 State of South Carolina. This would allow for improvements to the parking and sidewalks in that area,
 which would benefit the business owners.

Mayor Samples said this was the portion of 3<sup>rd</sup> Avenue South that runs by Benjamin's Bagels.
 They were working very hard to achieve something that would involve improvements to the commercial district and some state elected officials were working with the town to accomplish this. The project would be completed much quicker if state money was available.

Mr. Childs said the goal is to make 3<sup>rd</sup> Avenue South mirror Surfside Drive to improve the business district with lined parking, light poles, and a sidewalk.

## Town Council CONCURRED to move forward to take over 3<sup>rd</sup> Avenue South.

Mayor Samples asked if a schematic drawing was available for Surfside Drive improvements. Mr. Adair had plans and said they could be added to the website.

Responses to public comments.

*Comment:* A resident asked council to pass Ordinance #15-0810. *Response:* Second reading of this ordinance was adopted by Town Council at the last meeting.

*Comment:* The same resident said that Ordinance #15-0813 could be used in a vindictive manner to get back at a neighbor and he felt the wording was dangerous.

*Response:* The amendment to this ordinance simply stated that there were additional codes for landscaping and tree protection and these were cited for the convenience of the public. There were no other changes made and the sole purpose of the addition was to make the presence of all ordinances, with regard to landscaping and trees more apparent to the general public.

## 7. BUSINESS

A. Second Reading Ordinance #15-0817 to Declare Vacancy on Town Council and to Conduct a Special Election to fill an unexpired term ending May 8, 2018, Administrator Fellner. Ms. Fellner presented the decision paper and ordinance, copies of which are on file. First reading was adopted at the November 10<sup>th</sup> regular meeting without amendment.

Mr. Childs moved to adopt second reading of Ordinance #15-0817 as presented. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.** 

# B. Resolution #15-161 the Ralph Magliette Senior Citizens Committee, Councilmember Stevens.

Mr. Stevens moved to adopt Resolution #15-161 to rename the *ad hoc* Senior Citizens Advisory Committee the Ralph Magliette Senior Citizens Committee. Mr. Childs seconded. All voted in favor.

MOTION CARRIED. An ovation was given in honor and in memory of Mr. Magliette. Mayor Samples told
 Mrs. Magliette who was in the audience that the town is still a gem, and that Ralph made us better.

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8. <u>TOWN COUNCIL DISCUSSION</u> – Any matters of concern or information to be discussed.

283 Ms. Mabry said she was appointed liaison to the Keep Surfside Beach Beautiful Committee 284 (KSBB) at the last council meeting. She thanked council for the appointment, but after attending a 285 meeting, to say that she was inept at this task was putting it very mildly. She said Mr. Childs was 286 gracious enough to attend with her, and he is far better suited as that committee's liaison. Mr. Childs has 287 a wealth of knowledge that she simply did not possess. She asked if it would be agreeable to Town 288 Council for Mr. Childs to serve as the KSBB liaison. The committee already expressed its support for Mr. 289 Childs to serve. Mayor Samples asked Mr. Childs if he was willing to serve as the KSBB liaison. Mr. 290 Childs said the he would be happy to accept the position. Town Council CONCURRED. 291

Mr. Childs jokingly said for Mr. Pellegrino's information, KSBB just met and has all kinds of ways to spend the town's money and to make things beautiful. *(Laughter)* 

295 Mr. Stevens said the business committee recommended that three charities benefit from 296 proceeds of the 2016 Taste of the Town passport sales: the American Red Cross, South Strand Helping 297 Hand, and the Surfside Beach Lions Club. The committee will discuss a recommendation at its next 298 meeting that all proceeds be given to South Strand Helping Hand in memory of The Hon. Ralph Magliette. 299 There will be no prizes or raffle drawings sponsored by the Town of Surfside Beach or any of its 300 committees for this event. On July 14, 2015, the town's Personnel Policy Manual was amended to 301 prohibit any councilmember, employee, or employees' spouse from participating in any town sponsored 302 drawing or raffle. Private businesses may choose to give away gifts or prizes, but that was a business 303 decision. 304

Mayor Samples asked if Town Council would need to approve the proceeds donation. Mr. Stevens said he would bring a recommendation to council after the next business committee meeting for approval. Mayor Samples said for the record, "We just want to make sure we are doing it right."

309 Mayor Samples said it is the town's turn to host the League of Cities meeting in January. The last 310 time the town hosted, it had a bar-b-que at the fire station. It was suggested that Valentino's II be 311 contacted. Mr. Childs said they have a large meeting room that would accommodate everyone, and a 312 nice buffet. Mayor Samples explained that this is a meeting of the seven municipalities in Horry County where they discuss issues of common interest. This is particularly important for issues on the state or 313 314 federal level. Mr. Stevens said the League of Cities met with Santee Cooper about the rate increases 315 and also state officials regarding the proposed state bill to eliminate business license fees. Mayor 316 Samples said many General Assembly members were unaware of the importance of business license 317 fees to municipalities. In the town's case, property tax is the largest revenue source, and business 318 license fees were next at about 25-percent. Ms. Fellner explained for the public's benefit that each city 319 pays for those who attend the meetings from their respective cities. There were no objections by Town 320 Council. 321

Mayor Samples asked if the fishing pier would remain open for fishing throughout the winter. Ms. Fellner said yes, the pier would be open for fishing, but the bait and tackle shop may close.

# 9. PUBLIC COMMENTS – General Comments. (5-minutes per speaker)

Mr. Ron Ott, 7<sup>th</sup> Avenue North, said he went by the property at 3<sup>rd</sup> Avenue South and Willow that the town bought. He noticed it was laid out in grids. He asked what was going on. He appreciated Mr. Adair being so "tight with the taxpayer's money." Since we have that check (from Horry County for recreation), can we get a little bit of that for mulch for the children's playgrounds. The kids are falling and they're getting dirty. I'm getting beat up by my daughter. They need it. We had this big rain storm that washed away most of the mulch.

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# 10. TOWN COUNCIL COMMENTS

336 Ms. Mabry said the grids at 3<sup>rd</sup> Avenue South and Willow were placed 10-feet by 10-feet to 337 perform an archeological study. A team goes every Thursday. It rained last Thursday, so they took the 338 artifacts already found, washed, labeled, dated, and indexed them for storage. Eventually, the artifacts 339 will be displayed. The team has found quite a few things. Finding the perimeter of the plantation house is 340 one goal; the two chimneys at either end were found. Plaster was found, so we know the inside of the 341 house was plaster, not wood. It was a refined house. These artifacts date back to Colonial times; 18<sup>th</sup> 342 Century. A small piece of china was also found. The public is asked to stay off the site, but is welcome 343 to observe. There may be between 12 and 15 people working every Thursday beginning at ten o'clock in 344 the morning until about three o'clock in the afternoon. The Historical Society meets the first Wednesday 345 monthly at the Floral Lake Clubhouse at 4:00 p.m. The society is open to anybody; everyone who 346 attends is a voting member. A conch shell was found that was cut to be used as a hoe that was dated 347 back to the Waccamaw Indians. She wished everybody a Happy Thanksgiving. 348

Mr. Stevens thanked everyone for coming out. Last week he was in Disney World, and he really got to see what it was like to be with his family. We're gonna have Thanksgiving coming up here. I wish everybody would go out and get with their family; give them all a hug, because family is so important to us. Have a very Happy Thanksgiving, and may God bless you all.

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Mr. Childs wished everybody a Happy Thanksgiving, and said thank you for coming tonight.

356 Mr. Pellegrino said thank you for coming tonight. He thanked Ms. Ellis personally for her work on 357 the town events. It's great that we can walk, ride our bikes or golf carts to these events right in town. It's 358 a great activity for our residents. I know my family always enjoys them. Thank you to Mr. Adair for his 359 tenacity, because it seems like every other meeting he's coming in saying he got money from someone 360 else. That's always positive. So, keep doing that, and any extra money we can get is good money. 361 Thank you for that effort. I appreciate it. I can only imagine how many times you have to nag on people 362 to get that money considering it is government. I was pretty adamant on the extra fees; \$38 of extra fees 363 is not a lot, but there will be more fees. If people keep saying it's just this much, and keep adding more 364 and more, the fees do add up. These homeowners have increasing cost for wind and hail insurance 365 every year, but nobody considers that. I do; I own a home in the R3 district. Mayor Samples just said 366 property tax and business license fees are the biggest contributors to our revenue. If we tell them not to 367 rent one week or to haul their trash, we will discourage business and that will cause less tourists and 368 visitors. A year-and-a-half ago we had a tax increase for all of us that resulted from many years during 369 which there was a recession and funds were depleted. In the end, we all will pay more in the end, if we 370 keep the budget to maintain the services that we have. Inflation in a tourist area on the beach is very 371 high. Just keep that in mind. That is why I'm very careful anytime there are extra fees on anyone or any 372 business; I will really question it. I hope you guys have a great Thanksgiving. We have a lot to be 373 thankful for in our town, and it is a gem, and our country. I don't agree with much that goes on with our 374 government, but it is still a great place to live. Please enjoy that day, please enjoy it with your families, 375 and God bless you. Go Tigers!

Mr. Johnson said Go Tigers! He said as far as the wind and hail coverage, he could help Mr.
Pellegrino save some money on that! (*Laughter.*) Thank you all for coming out. We do live in a blessed
little town. I spent the last 14 days in Europe and was there during the bombings and attacks. I was in
Paris for the past two days. It was a blessed time, but there is no place like home. We live in such a
wonderful little town. You can't replace that. I just hope that you all appreciate what we have here, and I
just hope that you all have a blessed Thanksgiving. Have a good evening. Thank you.

Mayor Samples said we are conscience of taxes. Hopefully, the investment which the town made in manpower and resources in the Community Rating System (CRS) [will payoff.] The newsletter will come out in the next week or so, and it will have an article that says that if you are in an AE or VE zone, you can expect at least a 25-percent reduction in flood insurance premiums. That is quickly going to make up for that \$40. If you are in an X zone, a 10-percent reduction is expected. We are trying to do what is smart. I'd match our staff man and woman up against any other group of municipal employees

390 from anywhere. They are dedicated to providing quality services that we expect. I've lived here long 391 enough to know that we expect guality services. I've also lived here long enough to see the standard go 392 up for what we expect. They are doing a great job, and that is what is bringing tourists in. I talked to 393 business people quite often; some of the major employers in town. They tell me this past year they were 394 up 15-percent. We are doing the right thing. My concern is, if we don't get some help on the beach 395 renourishment from these higher levels of government that will affect our primary business, tourism. The 396 government subsidized people buying homes here [by reducing flood premium.] That is enough doom 397 and gloom. As everyone else has said, I wish you all a very, very happy, Happy Thanksgiving. God 398 bless you all, and God bless Ralph and God bless Patty. 399

<b>11. ADJOURNMENT.</b> Mr. Childs seconded. All voted in favor. <b>MOTION C</b>	s moved to adjourn the meeting at 7:50 p.m. Mr. Stevens CARRIED.
	Prepared and submitted by,
	Debra E. Herrmann, CMC, Town Clerk
Approved: December 8, 2015	
Do	ouglas F. Samples, Mayor
David L. Pellegrino, Mayor Pro Tempore	Robert F. Childs, Town Council
Mark L. Johnson, Town Council	Mary Beth Mabry, Town Council
Randle M. Stevens, Town Council	Vacant Seat
Clerk's Note: This document constitutes	summary minutes of the meeting that was digitally recorded

421 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded. 422 Contact the town clerk for appointments to hear recordings. Bring a flash drive to obtain a free copy. In 423 accordance with FOIA §30-4-80, meeting notice and the agenda were distributed to local media and

subscribers on the town's email subscription list. The agenda was posted on the town website and theentry door at Town Council Chambers. Meeting notice was also posted on the Town marquee.