



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
February 8, 2011 ♦ 6:30 P.M.

TOWN COUNCIL
REGULAR COUNCIL MEETING

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1. **CALL TO ORDER**

Mayor Deaton called the meeting to order at 6:30 PM. Mayor Deaton, Mayor Pro Tem Childs and councilmembers Blair, Smith, Dodge, Samples and Johnson were present. There was a quorum. Staff present: Administrator Duckett; Deputy Administrator, Fellner; Clerk, Pinnell; Police Chief, Frederick; Fire Chief Packard; and Building Director, Donevant. Mr. Hoeweler and Mr. Newquist from Waccamaw Regional Council of Governments and attorney Mr. Moss were also present.

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

Pastor Rich McLawhorn from Garden City Baptist Church gave the invocation and Mayor Deaton led the pledge of allegiance.

3. **AGENDA APPROVAL**

Mr. Smith made a motion to approve the agenda. Mr. Childs seconded the motion. **All voted in favor. MOTION CARRIED.**

4. **MINUTES APPROVAL**

Mr. Smith made a motion to approve the meeting minutes from the Public Hearing on January 25th and the regular meeting held on January 25, 2011. Mr. Childs seconded the motion. Mr. Johnson motioned to amend the minutes, line 110. **All voted in favor. MOTION CARRIED.**

5. **PUBLIC COMMENTS- Agenda Items only 3 minutes per speaker**

Tom Dodge, 1415 N. Poplar Drive: “Please do not pass this drinking in public law. You all moved here because you thought Surfside Beach was the best place on the strand to live. We have a great quality of life here. Why do you want to drastically change it? We call ourselves the family beach and rightly so, why change that? The passing of this ordinance will certainly change that image. Whose idea is this change? I come to all council meetings and never heard anyone ask for public drinking. How will Surfside Beach benefit from this change? How will it help our citizens? You are to do things that benefit Surfside Beach. Was it your idea, Mr. Mayor, or some other council person? How does it affect the towns’ liability? Would you want to take your small child or grandchild fishing on the pier and have people drinking all around them? Do you want the same at the family festival or events at the pier that have many children attend and subject them to open drinking or drunkenness. These same people will get in a vehicle and drive to their homes. This is a very bad image for Surfside Beach. We are different; keep it that way. This council has made some very bad decisions in the past. Please do not add to that list.”

P.L. Mabry, 15th Avenue N.: “Ladies and gentlemen, you’re trying to make a decision that’s going to change Surfside. How is it going to benefit Surfside Beach? I have yet, as Mr. Dodge stated, have yet to hear, ever hear a person come here to this podium and say we need to be drinking on the streets or to allow that, what kind of image is it going to set for Surfside Beach? Are we going to profit, are we going to gain by it? Are the citizens . . . is this town going to lose its image? What kind of

52 image do you want to impose upon Surfside? How do we gain by this? Those are
53 questions that need to be rolled around in your head; I know it's going around in a lot
54 of people here tonight but I don't think that we're going to gain anything by this.
55 This is a very sad day when you think that Surfside is going to allow drinking on the
56 beach. It has been implied that they've been drinking, selling beer and drinking on
57 the pier for many years. They've never allowed drinking on the pier. Never allowed
58 it in the restaurant either. Now why are we changing? This is the question that
59 everybody wants to hear and understand coming from this council, when it comes to
60 discussion on this item let's discuss the issue, not just, amen, and let it go. Discuss
61 this issue because it will change this town. We're going to open a door and once the
62 cows are out, they're out. Do not open that door because we're not going to gain
63 anything by this. Thank you very much for your time."

64
65 **John Wright, 710 S. Hollywood Drive:** "I stand in agreement with the two
66 gentlemen that have been up here before. Surfside Beach has a fine reputation. 2010
67 we had a couple of incidents that brought bad, bad media attention to our Town and it
68 was over alcohol and here we are going to vote on it again for a few coppers. That's
69 what we're going to gain out of this thing is a few coppers, a few pennies. Is our
70 Town name and our heritage worth a few pennies? I challenge you to search your
71 souls; let's go back to the principals that this country was founded on; this Town was
72 established upon. They were Godly principals and I can promise you, what's going to
73 be a few coppers when someone gets killed because more alcohol was consumed in
74 our little Town. What good is there going to come of our little Town. Thank you."

75
76 **Harry Kohlmann, 1610 S. Ocean Blvd.:** "I want to speak about the decision paper
77 for Business 17 and 5th Avenue North. I just hope that all of you have as much
78 information as you possibly have before you make a decision. Now I don't believe
79 you all do. Last meeting you had what you called a "workshop", it wasn't much of a
80 workshop. There was no PowerPoint presentation; there was no South Carolina DOT
81 representative to show what they were going to do or any other ideas. There was no
82 business owners there, but have them put a little input. The citizens of this town
83 weren't even allowed to put their input in. They were shut out. Accidents weren't
84 analyzed to find out the cause of them; what was happening at that intersection.
85 There was no traffic study; I don't believe there was any traffic study done by DOT;
86 the counting of vehicles and which way they were going and what's the best possible
87 procedure to take forth. Mr. Childs said there was nine accidents at that location;
88 across the street there was ten. Well, why aren't we working on that instead? I can
89 tell you another intersection has fifteen or sixteen. Mr. Smith stated that it was a
90 good idea because DOT recommended it. Well guess what? DOT also recommended
91 that we put a traffic light on 13th North. Does anybody here think that's a good idea?
92 I don't and I don't think any of you do. So just because DOT says it's good; they're
93 giving you an idea; it's like giving a child a little piece of candy, now go away. They
94 don't want to get rid of the frontage road. They don't want to spend the money so
95 they're going to put a little jersey barrier there and that's going to appease us for
96 awhile and twenty years from now, hopefully I'll be standing up here yelling and
97 screaming about the frontage road. The problem I see with this is that, like Ms. Blair
98 said, she avoids it; I'm going to avoid it but there are certain people, people are
99 creatures of habit, the elderly, just go one way all the time. You're going to have
100 fifteen, sixteen accidents there next year because they're going to wind up not

101 knowing where they're going and Mr. Childs said people don't believe and listen to
102 signs; they don't adhere to the signs well they're not going to and I've been looking at
103 this, this intersection for the last month and Ms. Blair's right. There's minimal back-
104 ups in that location; why are we even bothering with this? It's a three month problem
105 and the citizens of this Town are going to be inconvenienced for twelve months. The
106 problem with 17 Business and that intersection and the whole frontage road is that
107 people are going 45 miles an hour on 17 Business and they don't have to merge.
108 Where they merge they just fly in, they don't have to stop, they don't have to yield
109 but the people on the frontage road, they have to. Now my wife pointed it out to me,
110 we're driving down the frontage road and we stop so I look to my right, I look to my
111 left and I go but you know what? I didn't look over my shoulder to see if that car was
112 coming off Business. That's the problem. Those people should be . . . when they
113 merge they should have to stop or they should have to yield, so hopefully, you have
114 three choices here, I read, Action: motion to approve, or you can present an alternate
115 solution or you could direct staff and transportation committee to come up with
116 alternate solution. You have a choice here, please, look at it longer and get alternate
117 solutions."

118
119 **Glenn Curtis, 257 Palladium:** "You talk about the pier and drinking. It will only get
120 you a couple pennies like one gentleman said but I hope you have enough money for
121 time and a pay for these police officers and worry about their safety when all these
122 people get on that pier towards the evening and start drinking, getting it down, belting
123 up across and start driving home. We're starting fights on the pier, on the beach and
124 acting like jerks and throwing the rest of the tourists out of here and we lose a hell of
125 a lot more money. The police officers are important. Our town is important. Please
126 start thinking."

127
128 **Randle Stevens, 412 1st Avenue N.:** "I was reading your ordinance on drinking in
129 public on the internet today and it just don't make sense. The way you got it written
130 I'm not sure if you can carry it on the pier, a couple of coolers of beer in your cooler
131 or whether you go out there with a fraternity and have a keg party. What can you do
132 out there? And the other side of the coin, of course, I'm not one to be talking about
133 drinking because I don't even drink at all, so, my question to you is what good is it
134 going to do you and what kind of revenue are you going to get from it when it's more
135 than likely what you're going to end up with is people coming off the pier
136 intoxicated, driving down the road causing possibly a wreck or injury to some
137 innocent person for example like the lady, the 25 year old lady that ran into a little
138 girl named **** in 2005 and killed her, dead as a doornail because she had been
139 drinking at one of the places in Garden City and she drove down in Murrells Inlet and
140 went completely off the road. Kerry was almost ten feet off the road and she ran right
141 over the girl and killed her. Came this close to killing two girls, so, this council
142 should know that drinking and driving don't mix and I think that you should kind of
143 refrain from having something here. You're trying to be a family beach and that's
144 why I moved here, it's a family beach. When my nieces come to visit me do I have to
145 take them out there and be . . . want to take them fishing and have to be sitting beside
146 a drunk? I can tell you fish hooks and guns don't mix with alcohol and neither do
147 cars, so, I would ask you to really reconsider what you're doing here because I don't
148 think you're going to benefit from it in the long run and the other thing that Mr.
149 Kohlmann had mentioned a minute ago is about Business 17 and blocking the road on

150 Business 17. If anybody should know about blocking the streets, I should, since I live
151 on a street that's been blocked. I think you're going to have some business people
152 there that are not going to be very happy and I don't think it's going to benefit that
153 much. I think there needs to be a little bit more study, maybe, go a little bit more in
154 depth than this to make sure that you're doing the right thing. I'm not saying that you
155 got a bad idea. I think you need, like Mr. Kohlmann said, study it a little bit more
156 before you actually pass that decision. That's something that you're effecting
157 business owners all up and down that area. I'm not sure if DOT is, what their
158 recommendation is, I'm sure I can look it up on the internet but I think it needs to be
159 studied maybe just a little bit longer. Remember you all have done a lot of things
160 before where you didn't study it and you regretted it so why not study it a little bit
161 longer."

162
163 **Beth Kohlmann, 1610 S. Ocean Blvd.:** "I'm up here as a parent of young children
164 and at first I was really in the middle with the drinking on the pier but thinking about
165 it and my kids came up and wanted to know when they're fishing out there in the day
166 time what if something happens out there and people get unruly. It's not a place
167 where I really want my kids to go and be around and also for the officer's safety. I
168 don't know if any of you have ever been in a brawl. You could probably be in a
169 brawl and you could walk away but for police officers they're running to what people
170 are running away from and I think putting them at risk is a big problem with this
171 drinking on the pier as well. I tell my kids all the time that we make choices every
172 day. You could make a good choice or you could make a bad choice. Tonight you're
173 all here to make a choice for all of us and for our children and for our grandchildren.
174 We moved here because it is a family beach and I think that it's becoming known
175 worldwide as a family beach and I don't understand why you want to change that.
176 Am I boring you, Mr. Mayor?"

177
178 **Mayor Deaton:** "Ma'am, please don't direct anything to me, direct your comments to
179 the council."

180
181 **Ms. Kohlmann:** "Well then can you please show a little respect. Then show us the
182 respect that we deserve. When we speak can you just show us a little bit of respect?
183 It goes a long way. Again, we make choices each day and I hope that you can make a
184 choice that's a good choice and I appreciate each of you and what you do and as
185 though. . . I know I get up here and I say a lot of negative things but I also say a lot
186 of positive things and I do notice when you guys do a good job and for the most part
187 you each do but I hope that you listen to us and I think in the beginning of this year
188 people are going to come out and speak and I hope that you take the time to listen like
189 we take the time to listen to you every two weeks. Thank you."

190
191 **Ken Laukhuff, 411 7th Avenue N.:** "My concern is like the other residents with the
192 drinking on the pier. The other concern that was not brought up is litter. A bottle
193 falls in the ocean, a beer can falls in the ocean, now we got beer bottles and cans in
194 the ocean, kids are swimming and a possibility of walking . . . I know when I walk the
195 beach it's hard for the police, I think, to control the beach as it is. I see people
196 drinking, I pick up beer cans, I pick up hooks, I pick up cigarette butts, I see people
197 smoking, smoking cigars. We can't control that, I don't know how you're going to
198 control the pier situation. The 5th Avenue I think if you look at that traffic light there

199 it's a green light when it goes green would stay green longer, it would move traffic
200 across the street; it wouldn't cause some congestion there. You can't possibly walk
201 across there. When the light goes for you to walk you can only get to the middle of
202 the road, you can't make it the whole way across; I've done it several times so I think
203 you ought to look in maybe a longer light, that direction might help move the traffic
204 off feeder roads. Thank you."

205
206 **Ron Ott, 7th Avenue N.:** "I was unaware that we were going to have public drinking;
207 now that sounds like fun. Good going, I know that public drinking goes along with
208 public drunkenness and public lewd, lewdness so that's what we're going to vote on
209 tonight. Your vote for public drinking is going to be for drunkenness and lewdness so
210 now you're going to change the whole face of the town and make it like a party town.
211 Pretty cool. Good going. Thank you."

212
213 **Anna Johnson, 711 Cedar Dr. North:** "As most of you know, my husband was the
214 Mayor here for 13 and a half years and this was a family beach then and I'm just
215 standing up to say I hope that's the way you'll keep it and I'm against the added
216 drinking. That's all I have to say."

217
218 **6. COMMUNICATIONS: Presented by Administrator Jim Duckett**

219 **a. Building Report**

220 **i. Monthly Report**

221 Mr. Duckett reported that the Town has a new staff member, Sabrina
222 Morris, who will act as code enforcement/zoning officer. Complaints,
223 concerns and zoning questions will be addressed daily. The department
224 issued a total of 64 permits in January. General repairs and mechanical
225 were the leading number of permits during that month. Staff held 33
226 scheduled meetings with members of the public in January to discuss
227 various issues, concerns, address general complaints and assist with code
228 questions. Signs and building code questions were the major topics of
229 discussion. A total of 53 inspections were performed in January. The
230 code enforcement staff has made every attempt to perform code
231 enforcement duties as well as carry out all other duties of the department.
232 3 certified warning letters were issued regarding derelict vehicles and
233 nuisance violations. Enforcement will increase now that there is a new
234 staff member that will dedicate a portion of her time to performing those
235 duties. A summons to court has been issued for 2 properties located on
236 Platt Blvd at the entrance of Deerfield Plantation; court dates have been
237 set for March the 2nd and March the 16th, 2011. It was confirmed that Platt
238 Blvd. is located within town limits. Ms. Donevant confirmed that the 2
239 properties that were issued a summons are in the towns' jurisdiction.

240
241 **b. Police Report**

242 Mr. Duckett reported that although the Town has not yet entered its high volume
243 season the work output remains steady. Officers are performing admirably despite
244 the limited off season staffing levels and continue to deliver a very high level of
245 service to the community. The Town is wrapping up a somewhat hectic hiring
246 process with conditional job offers which were approved this week. The Town is
247 going to offer conditional employment to 4 officers beginning the following day.

248 The Town has begun the cooperative training program initiated with the Myrtle
249 Beach Police Department. Officers have already attended training provided by
250 both offices. A sergeant has completed the taser course in Lexington which will
251 allow the Town to repair the weapons in-house rather than having to ship them to
252 the manufacturer. Sergeant Travis Bailey and Agent Fred Curry successfully
253 completed the Glock Armorer's course conducted in Florence, SC. Bailey also
254 completed the rigorous firearms instructor course taught by the South Carolina
255 Criminal Justice Academy staff. Four Surfside Beach Police Department
256 supervisors attended the Advance Supervision course taught by the Charlotte, NC
257 law firm of Thomas and Means which was held in Charleston, SC. Next month
258 the cooperative training efforts continue with at least two training sessions to be
259 conducted in Surfside Beach for multiple agencies. Surfside Beach Police
260 Department conducted a joint investigation in undercover operations with the
261 Horry County Police Department this past September which resulted in the
262 detection and dismantling of a major golf cart theft ring in the area. At that time
263 two defendants were arrested and the third one was just recently arrested. The
264 prisoner transport van which was purchased with a grant fund is field ready. The
265 interior outfitting of it has been completed and it will be ready to transport in the
266 very near future and at some point before a council meeting it will be made
267 available to look at. Another grant funded project came on-line recently; the old
268 VHS tape based in car video system has been replaced by state of the art digital
269 systems. The new system not only records much higher quality images and sound
270 but eliminates a costly and time consuming requirement of managing the
271 hundreds of VHS cassettes attendant to the old system. The digital systems are
272 easy to download; officers simply dump their data on the last day of the work
273 week and it captures much more data than the analog systems. The system uses
274 solid state memory and back up captures video for one minute prior to the
275 activation of the camera. This makes it a lot easier in court.

276
277 Mr. Johnson had an inquiry regarding the hiring process with the 168 applicants;
278 there were 39 candidates selected by the Applications Screening Committee and
279 Mr. Johnson asked who was on that committee. Chief Frederick stated that the
280 committee had two phases; the initial screening was headed by Captain Arron
281 Miller and he was assisted by Detective Matt Prock and Sergeant Rodney Keziah.
282 After the 2nd or 3rd phase Chief Frederick began sitting in on the telephone and
283 panel interviews. It was confirmed by Chief Frederick that the committee was
284 made up of active supervisors within the Police Department. Mr. Samples asked
285 if the taser training certification was given by manufacturer? Taking on potential
286 liability issues was a concern he had. Chief Frederick stated that he is not an
287 attorney but he did not believe there would be a liability issue since taser covers
288 the Town with its blanket liability policy regardless and Taser was the one that
289 suggested them getting certification. They would be covered since they would be
290 certified by Taser adding that there would be an issue if they tried to do it without
291 certification. Mr. Samples suggested that the Town follow the manufacturer
292 instructions precisely.

293
294 c. Fire Report

295 Mr. Duckett reported that the following classes in training were presented at the
296 station in January: PowerPoint presentation for the new aerial platform truck, all

297 equipment operators as well as fire fighters and the town mechanic were in
298 attendance for the class, representatives from the RK Ladder Co. were on sight to
299 deliver the operators course. Lt Faulkenberry also delivered a class on the latest
300 hybrid, electric and battery powered vehicle technology in relation to extrication
301 of patients and extinguishing fires in these types of vehicles. This class was
302 attended by all of the fire department personnel as well as representatives from
303 other local fire departments. Toyota was present with two vehicles and the Town
304 had its Town Ford Escape Hybrid. Lt Faulkenberry has been asked to present his
305 technology class to SC Emergency Management Association at the Coast
306 Workshop in Litchfield Beach during the month of March. Interior structure fire
307 fighting was also a topic for training. Training Lt. Mike Hans attended and
308 successfully completed an incident Safety Officer class after which he returned to
309 Surfside Beach Fire Department and made that knowledge available to all
310 members especially those tasked with overseeing incident safety. The Fire
311 Department command staff as well as members from other Town departments
312 attended training classes presented by Dr. Walter Maestri, past Director for
313 Emergency Management at St. Barnard Parish in Louisiana and current consultant
314 to DRC who is the disaster mitigation contractor to the Town ICS 300, 400 and IS
315 800, for executives and elected officials. Fire Department as well as police,
316 public works, finance and building/zoning departments and administration were
317 represented. All members participated in tabletop scenarios which assimilated the
318 approach of a category III hurricane to the northern portion of the SC coast.
319 There was also a tabletop scenario that addressed the mitigation efforts after the
320 storm and how Surfside Beach would reestablish itself. Members in attendance
321 used the Town of Surfside Beach Emergency Operations Plan as well as All
322 Hazards Mitigation Plan and National Incident Management Plan directives. The
323 executive level 800 class was for informational purposes regarding how elected
324 officials would participate in the approval of preplanning for the event and what
325 their responsibilities would be after the event. During the month of January fire
326 inspections began for the calendar year. Prior to this year all of the inspections
327 were done by Lieutenant Faulkenberry but all lieutenants and shift supervisors
328 hold the same Fire Marshall certification. Lt Richards, Lt Hans and Lt
329 Faulkenberry each have a section of Town that has an excess of 150 for inspection
330 and preplanning. Public education opportunities for the month of January
331 consisted of one visit by a troop of girl scouts and their leaders; total of 18 visitors
332 attended this public education event with a tour of the fire station and
333 demonstrations by shift personnel using tools of the trade. During the past several
334 months there have been several businesses move out of the area, however, the
335 Town has also had a few move into the area. New tenants are moving into the
336 previous Legends location, and the previous Surfside Hardware location. The
337 previous Days Inn will not be ready until early May. A total inspection of this
338 building will take place prior to the company obtaining an occupancy permit. The
339 fire department responded to 44 incidents or calls for service in the month of
340 January. There were 47 calls in January 2010 and 46 calls in January 2009.
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d. Administrator's Report

i. Update on current events

Mr. Duckett reported that the town needed to rent a crane to place the mobile platform from which the bolts are installed onto the pier. Mr. Duckett presented some photos of the crane which was rented to place the mobile platform on the pier. Mr. Duckett reported that the rental went smoothly; it will need to be rented a few times to complete the work; the cost is relatively minimal at \$140 per hour with a minimum of 4 hours. There is also a fuel surcharge which adds up to \$600. The projected cost for the 3 lifts is \$1,800 which is in addition to the \$6,000 cost reported at the last meeting.

7. **BUSINESS**

a. First Reading Ordinance #11-0698: Repeal and Recreate Appointment of Committees Ordinance

Mr. Childs made a motion to adopt first reading of ordinance 11-0698. Mr. Johnson seconded the motion. It was confirmed that this ordinance will have no impact on the Committee as a Whole. Mr. Smith had a question regarding a committee member continuing to serve until reappointed or until their successor is appointed by town council. Mr. Smith stated that once a committee person is appointed they can serve 4 years and once those 4 years were up he feels they should leave the committee unless town council takes specific action to put them back on. Mr. Smith stated that he feels that the council will be negligent if this is left in adding that council should be aware of who is on a committee and when their appointment is up. Mr. Smith made a motion to amend the ordinance to remove a portion of item (e) "Board, commission, and committee members shall continue to serve until reappointment or until their successors are appointed by town council." Mr. Samples seconded the motion and then withdrew his motion. Mr. Childs seconded the motion. Ms. Blair stated that she felt this was already the intent of the ordinance. Mr. Duckett stated that council can fashion an ordinance any way they would like. Ordinances are sometimes written this way to say if per chance the Town had a hurricane and the four years were up and the Town had to wait an extra 2 or 4 weeks and if by chance someone was not appointed at the end of the term the Town would not have people falling off committees before council had a chance to make a new appointment. Ms. Blair, Mr. Johnson, Ms. Dodge, Mayor Deaton and Mr. Samples voted against the amendment and Mr. Smith and Mr. Childs voted for. **MOTION FOR AMENDMENT FAILED.** Mr. Smith asked Mr. Duckett if the ordinance should reference electing a chairman. Mr. Duckett stated that it could be either way council should desire. Mr. Smith suggested that staff review this. **Ms. Blair, Mr. Johnson, Ms. Dodge, Mayor Deaton, Mr. Childs and Mr. Samples voted for. Mr. Smith voted against.** MOTION CARRIED.

b. First Reading Ordinance #11-0695: Priority Investment Element of Comprehensive Plan

Mr. Smith made a motion to adopt the Priority Investment Element of the Comprehensive Plan. Ms. Blair seconded the motion. Mr. Smith made a motion to amend Table 1; the clerk made a copy of his suggested changes and distributed

391 them to council. Mr. Childs seconded the motion. Mr. Samples stated that he
392 would like to amend the amendment but would like to delete any reference to
393 bonding and to strike the new Town hall and the new Civic Center. Mr. Childs
394 seconded the amendment to the amendment. Ms. Blair asked Mr. Samples about
395 his stand on the new town hall and civic center. Mr. Samples stated that until the
396 economy sees a real turnaround he feels the Town should live within its means
397 and if by chance the economy turns and if the 2 mile Town needs a larger
398 municipal complex then he would like to take it to the voters for them to decide.
399 Ms. Blair stated that she agrees to the reference of bonding but feels that at some
400 point she would like to see a new updated facility adding that deleting it seems so
401 permanent. Mr. Childs asked Mr. Samples to divide his amendment up into
402 parts. Mr. Childs and Mr. Samples withdrew their motions. Mr. Samples made a
403 motion to Mr. Smiths' motion to strike the new Town hall. Mr. Smith seconded
404 the motion. Mr. Johnson stated that the estimated timeline is between 2015 and
405 2017 and while he understands the economic situation that currently exists he
406 would not like to take it off the table. If at some point it could be added back in
407 he would be in agreement. If it is not the top priority he feels it should be the top
408 one or two. Mayor Deaton stated that the Priority Investment is a visioning
409 process, it is not cut in stone and it is not mandatory. Mayor Deaton stated that he
410 would hate to shortchange the Town for a lack of vision and lack of anticipation
411 of future needs. The Comprehensive Plan is about trying to anticipate future
412 needs; not the need for tomorrow or today but for 10 years, 15 years, 20 years and
413 25 years from now. Mayor Deaton stated that things do change; plans change and
414 if the Town does not have money to accomplish the items in the plan then the
415 Town will not do it. **Ms. Blair, Mr. Johnson, Mr. Childs and Mayor Deaton**
416 **voted against. Mr. Smith and Mr. Samples vote for. MOTION DENIED.**
417 Mr. Samples made a motion to delete the Civic Center. Mr. Childs seconded the
418 motion. **All voted in favor. MOTION CARRIED. All voted in favor of the**
419 **original amendment. MOTION CARRIED.** Mr. Smith made a motion to
420 amend Table 3 which was presented to council and the clerk. Mr. Samples
421 seconded the motion. Mr. Smith listed his amendments to the public. 13th
422 Avenue was changed to 15th; a typo adding South to 10th Avenue was made. **All**
423 **voted in favor. MOTION CARRIED.** Mr. Smith made a motion to amend
424 table 4 as presented to Council and the town clerk. Mr. Childs seconded the
425 motion. Mr. Smith explained that the reference to Platt Blvd was deleted and
426 intersection improvements at 17 and 10th Avenue improvements was referenced in
427 the text but did not show up on the list; it is now being added in. **All voted in**
428 **favor. MOTION CARRIED.** Mr. Smith made a motion to amend table 5; the
429 unfunded capital projects needs. Mr. Samples seconded the motion. Mr. Smith
430 explained what he deleted and they were: internet upgrade, establish town wide
431 Wi-Fi network; intersection improvements roundabout installations; pier stage
432 construction; Poplar park upgrade is currently being done; construction of a
433 parking structure; moved beach access upgrades from unfunded over to priority
434 capital table 1; a reference to improving recycling programs, need for larger
435 recycle carts was added; added pavement and sidewalk plan 2009-2014, back in
436 2009 the Town did a plan that referenced paving streets and sidewalks and this
437 plan did not list this so it was added to the unfunded capital projects; the priority
438 was rearranged. Mr. Samples thanked Mr. Smith for his hard work on the review
439 of the Priority Investment. Mr. Smith confirmed that the expansion surround deck

440 for the pier is still included in the plan. Mr. Smith clarified that his reasoning
441 behind eliminating the Wi-Fi was that he did not feel the Town should have to
442 pay for any of this; the Town should be approached. **Ms. Blair, Ms. Dodge, Mr.**
443 **Smith, Mayor Deaton, Mr. Samples and Mr. Childs voted for. Mr. Johnson**
444 **voted against. MOTION CARRIED. All voted in favor of the original**
445 **motion to amend the Priority Investment. MOTION CARRIED.**
446

447 c. *Second Reading Ordinance #11-0693: Transportation Element of Comprehensive*
448 *Plan*

449 Mr. Smith made a motion to adopt 2nd reading. Mr. Childs seconded the motion.
450 Mr. Smith made a motion to amend page 11 next to last paragraph to add the
451 words to “which the town citizens and town council do not approve, this refers to
452 a parking garage”. “The plan also outlines long range parking enhancements
453 including the construction of a parking garage near the Surfside Pier which the
454 Town citizens and Town Council do not approve.” Mr. Smith stated that he
455 wanted to add the words “which the Town citizens and the Town Council do not
456 approve”. Mr. Childs seconded the motion. Mr. Johnson stated that he does not
457 feel comfortable being presented information such as this at a council meeting
458 without an opportunity to review it. Mr. Smith stated that this amendment is
459 simple; councilmembers either agree with the parking garage or they do not. Mr.
460 Johnson stated that he agrees with the amendment but he would like to suggest
461 council be given more time in the future to review. Ms. Blair stated that she
462 agrees with Mr. Johnson adding that it does not necessarily refer to this
463 amendment alone but just the fact that in the future it would be nice to be able to
464 review issues prior to a meeting. Mayor Deaton stated if any councilmember has
465 an amendment they would like Council to consider they should have it to the clerk
466 by the Wednesday prior to the meeting. Mr. Samples stated that he would like to
467 agree with this but he also recognizes that there may be information that could
468 come at a later date and he would hope that Council would not cut off discussions
469 in the future and foreclose councils’ options in terms of amending at the last
470 minute. **All voted in favor of the motion. MOTION CARRIED.** Mr. Smith
471 made a motion to amend page 17 next to the last paragraph the 1st sentence has to
472 do with the East Coast Greenway; it states that the East Coast Greenway has
473 already been approved and finalized and noted that this is an incorrect statement
474 and he would like to amend this sentence. “The design width of the East Coast
475 Greenway corridor through Surfside Beach has been identified but not approved
476 by this Town Council.” Mr. Samples seconded the motion. Mayor Deaton
477 confirmed that this statement was correct; the East Coast Greenway was not
478 approved by this Town Council and explained the history. The originally
479 approved route was along Ocean Blvd and Council denied that route at that time
480 and funding was removed for the East Coast Greenway in the Town limits. **All**
481 **voted in favor. MOTION CARRIED.** Mr. Smith made a motion to amend
482 page 13 table 4 adding an entry; this is to be consistent with the Priority
483 Investment element approved earlier; US 17 Business at 10th Avenue N.
484 intersection improvements year 2012-2020 unfunded; this was referenced in the
485 text but was not in the chart. Mr. Childs seconded the motion. **All voted in**
486 **favor. MOTION CARRIED. All voted in favor of original motion.**
487 **MOTION CARRIED.**
488

- 489 d. *Second Reading Ordinance #11-0696: Amend Chapter 8, Section 8-95 Drinking*
490 *in Public*
491 Ms. Dodge stated that a number of people from the audience spoke this evening
492 and she thought them to be quite eloquent and she shares their comments. There
493 was no motion made.
494
- 495 e. *Decision Paper: Business 17 and 5th Avenue North SCDOT Improvements*
496 Mr. Childs made a motion to adopt the decision paper on Business 17 and
497 frontage road and 5th Avenue intersection improvements. Mr. Smith seconded the
498 motion. Ms. Blair stated that she called for a report on the number of reported
499 accidents in that location; reports indicated that there were a total of 11 reportable
500 collisions at the 5th Avenue intersection in 2010. The review of those reports
501 indicated that five were on the frontage road side and six on the east side which
502 may or may not have been frontage road connected. Ms. Blair stated that this is a
503 very low percentage of the total accidents the Town has had and added that she is
504 not convinced that this is the right answer for this area or that it will make enough
505 of a difference. Ms. Blair stated that she feels it will cause traffic to backup in
506 that location at 5th Avenue and that people will become frustrated. Mr. Smith
507 asked Ms. Fellner to project the traffic route plan on the wall and then explained
508 the plan to Council and the public. The proposed plan is on file. The plan
509 addresses reducing the number of ways you have to look for traffic. Mr. Smith
510 reported that this plan has been on the books for 6 years or more and is not a new
511 concept; this is the first effort to try to control traffic on the frontage road; it
512 would be set up as a temporary fixture and can be removed if it does not work.
513 Mr. Smith stated that he feels this plan will help. Mr. Johnson approached the
514 proposed plan on the screen and pointed out his concerns. Mr. Johnson had
515 concerns with the traffic pattern and time issues to reroute the traffic. There are
516 businesses located in this detour which will contribute to the excess traffic this
517 will cause. There are no lines on the road and he feels this plan will cause major
518 traffic issues adding that he does not think it's worth 6 or 8 accident preventions
519 when it could cause more issues. Mr. Johnson stated that he does not agree with
520 this plan. Ms. Dodge suggested placing a light that is timed similar to the one on
521 Surfside Drive; this was a suggestion from a resident. The light would be timed
522 appropriately and would allow the traffic to flow better. Mr. Samples stated that
523 he is no traffic engineer but it was addressed that no driveways would have to be
524 closed at the Title building; he sees the Town creating a similar situation to that of
525 the one on Glenn's Bay Road where people cut through and feels that this may
526 cause other problems. Mr. Samples stated that he does not know what the
527 solution is, the point is the Town needs to start somewhere with the frontage road
528 but it seems to him that there's got to be a better place to block the frontage road.
529 **Mr. Smith, Mr. Samples and Mr. Childs voted for. Ms. Blair, Mr. Johnson,**
530 **Ms. Dodge, and Mayor Deaton voted against. MOTION FAILED.**
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f. *Resolution #11-103: Support of MASC 2011-2012 Agenda*
Ms. Dodge made a motion to support the Municipal Associations 2011-2012 agenda. Mr. Samples seconded the motion. Mr. Smith stated that the legislative agenda supports the 1 percent sales tax for capital projects and it is opposed to efforts to enforce local immigration laws without proper funding and he does not agree with these items. Mr. Smith stated that he feels that municipalities have responsibilities to enforce local immigration laws. **Mr. Johnson, Ms. Dodge, Mayor Deaton, Mr. Childs and Mr. Samples voted for. Ms. Blair and Mr. Smith voted against. MOTION CARRIED.**

Mayor Deaton addressed the public in attendance stating that the Town adopted Roberts Rules of Order and under these rules people are not allowed to specifically point out anyone or personality. The public is to speak to the Council as a body; a decision making body and added that he would appreciate everyone adhering to these rules.

Mr. Samples asked for clarification on a previous item addressed earlier. The Council failed to get a motion on item 7d for the ordinance addressing section 8-95 this meant there was no action taken; it does not die and it can be brought back. Mr. Samples suggested placing this item on the next agenda so that some action can be taken.

8. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker

Tom Dodge, 1415 N. Poplar Drive: “I want to thank Council, don’t fall down. I want to thank you for not voting for the drinking. I hope it doesn’t even come back up again. We don’t need it. I want to thank you for thinking of the 5th Avenue light change. Thank you, Ms. Blair, Mr. Johnson, people that voted against that; it was a bad idea. Thank you Council for finally listening to the people of Surfside Beach. Keep it up. Thank you very much.”

P.L. Mabry, 15th Avenue N.: “The drinking on the pier failed, is that correct? Now, is it going to come back up? Is the horse going to get back up and ride again? Or how many times do these people have to keep coming up here preaching the same sermon every council meeting. We do not want drinking on the streets, we don’t want it allowed and why do we have to keep preaching the same sermon? What does it take to save you? You got to listen to the people, we don’t want it, we don’t want to see it come back to life when there’s fewer people here. Is that the idea when they’ll forget about it and we’ll pass it at a later date? It needs to die now. Let the horse die. Let the drinking on the streets die. We don’t want to see it come back up. We haven’t had the first person get up here and say, oh my God, we got to have this drinking on the pier, so why does it have to come back to life ever again? What does it take? Yes, sir, I am speaking and it’s about the drinking on the pier, sir. We don’t want it. I don’t know how many times people have to tell you we don’t want the drinking on the pier. Do you understand what I’m talking about, now? I hope that you do. Thank you very much for your time and your attention but people are here for a purpose, to convey their wishes on the drinking on the streets of Surfside Beach. There comes a time that you have to listen to the public here. Not that you have to but I promise you they will not go to sleep on this issue but we don’t want to see it

581 slip back up and slide it here on a dull night, well, we'll add this here to the agenda.
582 These people have not come up here just to see what's going on. They want to make
583 sure that this is not passed. Thank you very much for your time and your attention."
584

585 **Glenn Curtis, 257 Palladium:** "I walk every day and I go down to the pier; I enjoy it
586 and I'm worrying about the safety of the pier and I just want to ask is you're telling
587 me we're saving a lot of money with the new bolts and everything we're putting in
588 and sometimes if you look underneath the pier you worry about some of the planks
589 that we're putting new bolts in and worry about how long it's going to stand up and
590 you know you're paying insurance for it and everything else and worrying about
591 people being on it and hoping the weather don't take it down if you're going to put all
592 this money into the pier so I'm just hoping that what you're doing is going to be safe
593 enough to hold it together so we don't have to go through insurance and watch it go
594 down and hopefully while people ain't on it. Thank you."
595

596 **Mike Visnich, Minutemen with the Palmetto Minutemen:** We are a statewide
597 organization of citizens that are very concerned for the safety of our communities, our
598 children, our families, our economies. I have submitted to Council tonight via the
599 clerk, legislation that the City of Summerville, SC has already enacted into law. All
600 you have to do, ladies and gentlemen, is to remove the name Summerville and insert
601 Surfside Beach. Illegal immigration costs American citizens their lives, their
602 livelihoods, their families, the morals. Twenty seven women across the Country,
603 every day, in our Country are raped by an illegal alien. Twenty five children are
604 molested every day by an illegal alien in our Country. These are not figures that I am
605 proud of as a citizen but I am very proud that I am a minuteman and I spend a lot of
606 my time fighting the effects of illegal immigration which is what brings me here to
607 you folks tonight. All that you have to do is to take this legislation that's already
608 been run by attorneys and councilmembers in the same State we live, South Carolina,
609 and put your name on it to help us to fight illegal immigration and make Surfside
610 Beach the town that it wants to brag about. A family beach does not exist of people
611 that are unemployed that have drug problems, alcohol problems because of being out
612 of work, being without a family because of being without work. It is not conducive to
613 be a family beach; a family beach is a happy family that works; that spends money in
614 the community; that gives the government the funds they need to serve the
615 community. Illegal immigration takes away all of those benefits. It puts people out
616 of work; it threatens families; it ruins families. I'm asking you folks tonight to help
617 us to enact this legislation in front of you; to make our community strong. We have
618 already introduced this same legislation to Horry County and to the town of Aynor.
619 Please folks separate from the immigration issue I personally feel that you have done
620 a very good thing for the Town of Surfside Beach tonight with your other decisions
621 and I, as a citizen, am grateful to you for that. Now let's take it another step, ladies
622 and gentlemen, let's protect the citizens of Surfside Beach, let's get them a job, let's
623 help protect them from the effects of illegal immigration. Thank you so very much
624 for your time."
625

626 **Ken Laukhuff, 411 7th Avenue N.:** "I recently had, in the past, some problems with
627 my home and if it wasn't for the Building Department getting behind me, getting the
628 builder out to repair them; I probably would have had to go to court so I just want to
629 publicly thank the Building Department, Jackie and Sue. Thank you."

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Ron Ott, 7th Avenue North: “Recently I went around Town and I’ve seen all the decking work that’s been done around the lakes and I think it’s actually beautiful. That’s a class act, I mean, the carpentry looks great and I’d like to see a lot more of that kind of stuff done in this Town because it adds to it. Thank you.”

Ken Harbin, 322 S. Willow: “On the frontage roads and I know we all know that it’s a problem when we fix 5th Avenue or don’t fix 5th Avenue. It appears that we were taking the biggest bite first. If we could just improve it a little; if we could have some discussion about potentially limiting left turns. If you’re coming off frontage road it’s a right hand turn only. Maybe that would keep some crossing of traffic; maybe that would keep some suggestion of people trying to find an alley to get across to take a left. We all know, locally, that the best way to come off frontage road is to go right and then around the corner and head out and eventually take your left. We’ve got plenty of left turn lanes; plenty of left turn lanes on 17 so if we could encourage the traffic to flow or join the flow I guess rather than try to cross it. Thank you.”

Randle Stevens, 412 1st Avenue N.: “I want to commend the Council for passing up on the drinking in public. I think that’s a good step. You probably took away a lot of liability that you might have had if you put drinking on the pier and somebody had gotten drunk and went out and killed somebody and I certainly don’t think that taxpayers want that liability either. I also want to commend the Police Department, I have been dealing with them lately and Chief Fredericks has helped me in some matters and the rest of the Police Department had dealt with some matters that I had and they were very helpful. I also want to commend the Fire Chief over there too because I was talking to a friend of mine that had a problem with his house catching on fire in the past few months and he was telling me how well you handled it. I want to give you all a pat on the back for not passing drinking because I certainly don’t want any person that goes on the pier to drive off of . . . come off of that pier or in public and go out and kill somebody. I know what it’s like to have a friend die and I told you about the little 14 year old girl that died. I knew her so well she called me my Disney World . . . I was her Disney World dad and I watched her die on the 4th of July by a drunk driver. They ran completely off the road so I applaud you for that and I also applaud you for holding off on the 5th Avenue area which I travel that all the time. I never have any problem there, but maybe I’m a careful driver. I want to applaud you on Mr. Johnson pointing out that. I’m sure there’s something you all need to do on the frontage road; I think a little further study would help you get all your facts before you . . . even though it’s been on the books for six years that doesn’t mean it’s right so get all your facts right and then proceed and also I want to give an at a boy to the new Administrator because he is . . . I’ve talked to him on several issues and he has been most helpful. Do what I like, I asked you to get the construction company to put their toilets on their own property instead of in the right of way but that’s the only other thing. Other than that you’ve been doing great. Thank you.”

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9. COUNCIL COMMENTS

Ms. Blair: “Thank you all for coming. I hope that . . . I regretted to hear that many of you felt you were excluded from the workshop and I heard from many of you that you prefer workshops in a different format where it’s not incorporated within the Council meeting. I tend to agree with you on that position and certainly will, hopefully, look at that for future workshops so that more of you feel incorporated into that procedure. A lot of decisions made tonight and I hope that we are starting off the new year in the right way and to positive effects getting ready for spring. Glad you’re all here. Be careful going home and for all of you fellows out there remember that Monday is Valentine’s Day so don’t forget your sweeties coming up, ok, so ladies, you can let me know if they do and we’ll double up on them, ok? Thanks for coming. Have a great week.”

Mr. Johnson: “Ladies and gentlemen I would be remiss in saying that we don’t have a problem on the frontage roads, we do, but I think that we need to take a look at the entire frontage road from Surfside Drive North to Surfside Drive South. To me there are some key areas that need work but I just don’t think that 5th Avenue N. is the place to start. Obviously with the Post Office being there, there is a lot of traffic and, you know, we just need to slow down, take a look and see what can be done. Maybe our County Council member can help us out and you know whatever it takes but I think we need to slow down, take a look and see what can be done. Also the pier, you know, my vision for the pier is that it still needs to be the focal point of our Town along with Surfside Drive. Obviously we are doing some major improvements on Surfside Drive. I hope the business owners are willing to bear with us. We’ve had a lot of rain and I don’t know that we are in a delayed situation but I do think the improvements will be worth the expense and I just see really good things and I hope that it goes all the way down to the pier at Surfside Drive. Thank you for coming out, please call us, e-mail us, markjohnson@surfsidebeach.org I promise I will get back to you and have a good evening and thank you, thank you, thank you for coming out.”

Ms. Dodge: “I am so grateful that no action was taken on the drinking on the pier or in public anywhere in this Town. I hope that topic never comes up again. If it does, I’m going to be on it and I am against it. Thank you.”

Mr. Smith: “I want to tell you that I appreciate you all listening to all the amendments that I had. I take it very seriously when we’ve got these documents to read and I think they should express the Councils wishes and so I took it very seriously when I read over that priority investment and that’s why I had to come up with all those amendments but concerning 5th Avenue I think, again, I felt that we should have done something and since I am on the Transportation Committee and we weren’t effective I’m going to step down from that committee and suggest that Mark Johnson take my place because we need to do some action. They did a study back in 1999, none of those things have been done; it’s now 2011 and so somebody needs to come up with some good ideas. My ideas didn’t work.”

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Mr. Samples: “Well there’s an old saying, if at first you don’t succeed . . .

Mr. Smith: “. . . get out of the way.”

Mr. Samples: “. . . try, try, try again and I sincerely do appreciate everybody’s work tonight but especially, it was evident, that Councilman Smith had put in a lot of time on a lot of this government gobbly gook that, frankly, I wish we didn’t have but you know we live in a different time. If no one else wants the drinking on the pier on the agenda I want to publicly withdraw my request that it be put back on. I just feel like we should resolve it and I know we’ve had first reading and it passed first reading by a wide margin, I wasn’t here, but we didn’t have second reading tonight and that was certainly the intent when it was put on the agenda. I think Council should resolve the matter but, again, I’ll repeat what I said. Take it off. If I’m the only one that wants to see it on the agenda, don’t put it on for me. Thanks for coming out.”

Mr. Childs: “I agree with Mr. Smith, there, I was hoping that we could have at least tried the 5th Avenue but I also . . . if that had of passed we were supposed to write a letter to the Department of Transportation saying that the Town did back that and I was going to ask, in that letter, to be put to replace those yield signs on frontage road with stop signs. I think that would . . . they’re not stopping for the yield, I think the stop signs would be a real step forward to at least slowing most of the traffic down and I was with a group of three people the other day, came off 17, going onto the frontage road, we had the right of way, well, here comes this car barreling up, laying on the horn. It went right through the yield sign, I don’t know if he just didn’t know what a yield was but I think if we replace those yield signs with stop signs I think it would be something that everybody could agree with. I really believe that and second of all I think that maybe we need some fresh thinking and Mr. Mayor, I too, am going to resign my position on the Transportation Committee and suggest that Mrs. Dodge take my place. Thank you.”

Mayor Deaton stated that Council would now being moving to go into Executive Session. Mr. Smith made a motion to go into Executive Session. Mr. Childs seconded the motion. **All voted in favor. MOTION CARRIED.**

10. EXECUTIVE SESSION- FOIA 30-4-70(2) Routine legal matter

Mr. Smith made a motion to come out of Executive Session and go into Regular Session. Mr. Childs seconded the motion. **All voted in favor. MOTION CARRIED.**

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11. ADJOURNMENT

Mr. Johnson made a motion to adjourn. Mr. Smith seconded the motion. **All present voted in favor. MOTION CARRIED.** The meeting was adjourned at 9:01 PM.

Approved: February 8, 2011

Sharon Pinnell, Town Clerk

K. Allen Deaton, Mayor

Roderick E. Smith, Town Council

Vicki W. Blair, Town Council

Ann Dodge, Town Council

Douglas F. Samples, Town Council

Mark L Johnson, Town Council

Robert F. Childs, III, Mayor Pro Tempore

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Clerk Pinnell. In accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted on bulletin boards outside Council chambers and in the Town hall reception area. Meeting notice was also posted on the Town marquee. When (***) is used a section of the transcription is inaudible.