



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS  
February 22, 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; Public Works Director, Adair; Building Director, Donevant and Finance Treasurer, Hursey. Attorney Mr. Smith was also present.

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

Councilman Mr. Samples gave the invocation and two members of the Boy Scouts, Caleb Boyce and Jacob Sparkes, led the pledge of allegiance.

3. **AGENDA APPROVAL**

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

4. **MINUTES APPROVAL**

Mr. Smith made a motion to approve the meeting minutes from February 8, 2011 with proposed changes. Mr. Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

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

*Gary Denbraven, 13<sup>th</sup> Avenue North:* “I want to address the relationship of the ordinance on the pier. I’ve lived here 37 years and I fish on the pier probably 4 to 5 days a week so the number of hours, there’s only a couple of men that have more experience on the pier than I do. I’m a non-drinking fisherman; however, the pier has never had any problem in the 37 years that I’ve been there in regards to alcohol consumption. The set-up has always been that the tackle shop people check the coolers when the people come in, if they have it, they take it back to the car; they don’t bring it in. Any alcohol that is consumed on the pier is purchased in the tackle shop; by doing that you have to walk down first to get there. So you buy maybe one or two and most people have the foam coolers that slide in so it looks like any can of soda or beer; it could be either. So I feel that the system that has been going on is a good system. The pier itself, I always bring my young grandchildren on there when they were growing up and there’s never been any problem. I think the pier itself actually continues the family beach atmosphere and if anyone spends any time out there they realize that the regulars spend time with tourists and their families. They take time with the children, teach them how to fish. I think it’s what we want in Surfside so I would like you to consider that, that’s the right way to go, to maintain it the way it was, which means that you have to approve this ordinance as it’s written. Thank you very much.”

51 **Larry Altman, 3<sup>rd</sup> Avenue N.:** “I’m here this evening representing five families on  
52 my block, informally representing them, regarding the issue that the previous  
53 gentlemen brought up and we’re all in favor. We agree with the previous speaker, we  
54 think that responsible adults should be able to drink on the pier; there’s never been a  
55 problem that I’m aware of. I’ve lived in Surfside 15 years or so and this area all my  
56 life. Been on that pier numerous times and never witnessed any sort of problem. I  
57 think that drinking out there as long as people are responsible adults is fine and  
58 should maintain that relationship.”

59  
60 **Wes Sparkes, 1410 N. Dogwood:** “I’d like to just second what the first two speakers  
61 said. I’m in support of keeping the alcohol consumption available at the pier as it has  
62 been in the past with no problems.”

63  
64 **Rosemary Purcell, 15<sup>th</sup> Avenue N.:** “I’ve lived here 25 years and I have to say what  
65 they do . . . I’ve never seen any . . . I’m not a fisherman but I’ve never seen any  
66 problem down there and everything I hear, we want to promote business in Surfside  
67 and we want tourists and if we’re going to tell them ‘you can’t do this and you can’t  
68 do that’ they’re going to go to Garden City where they can do it and prohibition went  
69 out in 1933.”

70  
71 **Grady Simpson, 12 Lone Oak Lane, Caropines.** “I’ve been living here 20 years and  
72 it’s just a joy to fish on the Surfside pier. I’ve been working in the tackle shop for 16  
73 years and we don’t have people coming on the pier drunk; we don’t have anybody  
74 leaving the pier drunk, you know, but I don’t drink, I’ve never drank anything in my  
75 life, but we have ordinance on that pier and it’s just a good place to be. You can go  
76 out and have a good time even though people drink beer and, you know, they have a  
77 good time but they don’t get drunk; we keep everybody in line and we go out and  
78 check all of the time. When they come on we usually check their cooler for hard  
79 liquor or something like that, you know, but it’s really a good place to work and I’ve  
80 enjoyed it so much and I really believe if we stop from selling beer I believe it will  
81 hurt the city and I just think it’s the wrong thing to do and I appreciate the time that  
82 you’ve given me.”

83  
84 **Pam Stapleton, Neal and Pam’s Pub:** “I’ve lived here since 1980. I voted every  
85 year since I’ve been here and I do agree with everyone else. This is a beautiful State  
86 and what is wrong with going out in warm, beautiful Carolina sunshine and having a  
87 beer and fishing and I have not seen any instances as long as I’ve been in business at  
88 Neal and Pam’s where an ambulance or police have to come and arrest a drunk  
89 fisherman or something happened to a child because someone is enjoying what they  
90 want to do. This is a family beach, I understand, but also it is a resort area and we  
91 have to consider everyone that lives in this area, the residents, the businesses and the  
92 tourists and I believe that the Town Council, I think if we go home and look it up, it  
93 means people working together to help everyone to maintain a town that works  
94 together and makes money and keeps people happy. I just don’t think we should  
95 deny something from everyone because a few naysayers don’t want it. I just think that  
96 all of you should work together on this and try to come to some kind of conclusion. I  
97 mean, there’s a way to make everybody happy and to make it work and I hope you do  
98 the right thing. Thank you.”

99

100 **John Wright, 710 S. Hollywood Dr.:** “A couple of issues I would like to address that  
101 is on the agenda, one, is the ordinance changes relating to signs. I’m talking about  
102 the portable signs that are put in and put out. It’s been a long time coming for the  
103 council to vote on this measure; I certainly hope that it will soon be done. On regards  
104 to the alcohol at the pier, I think the Bible says that the road is wide. How wide are  
105 we going to make the road here at Surfside? Are we going to have it as wide as what  
106 it is down in Garden City and Murrells Inlet? Are we going to have it as wide as  
107 what it is up in Myrtle Beach? Are we going to retain that distinction of being a  
108 family beach? I heard a commercial for Surfside the other day on the radio and it  
109 talks about us being a family beach. I certainly hope that we will keep things as a  
110 family. Thank you.”

111  
112 **Bill Turner, 4<sup>th</sup> Avenue N.:** “I recently opened up a shop here on Surfside Drive, the  
113 Ocean View Beauty Salon and you know, this is kind of, I think, to reiterate most of  
114 everybody else’s concern. If it ain’t broke, don’t fix it. There has been no big  
115 concerns there, that I’ve seen in the 5 years, that I’ve been down here, and really see  
116 no particular reason to change anything. If it’s working, let it work.”

117  
118 **Philip Kovalevsky, 121 Olde Town Way:** “I’m just in favor of the ordinance.”

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120 **Linda Kovalevsky, 121 Olde Town Way:** “We’re fairly new to the area, we moved  
121 here in June. I brought my granddaughter several times to the pier. I didn’t see  
122 anything wrong with people having a beer, drinking, so I’m in favor of the  
123 ordinance.”

124  
125 **Adam Korea (?), 507 Lakeshore Drive:** “I may not have as much experience with  
126 fishing as all my other friends back there but I fish on the pier nine months out of the  
127 year every day and I’ve never seen any problem with anybody drinking or drinking  
128 too much out there so I just want to say I’m in favor of the ordinance.”

129  
130 **Faye Skipper, 6127 St. Peters Church Road:** “I’ve worked at the pier and fished  
131 there for fifteen years now and out of all the years I’ve worked there; I’ve worked day  
132 shift, night shift, weekends, weekdays, I’ve never seen a problem with alcohol  
133 consumption on the pier. We’ve never had an incident where we’ve had to ask  
134 anyone to leave or even go see about anybody that had a complaint on them, so, I also  
135 feel that if this was not allowed that we would lose tourists and fisherman and  
136 therefore I am in favor of the amendment.”

137  
138 **Frank Sidesco, relocated here 3 years ago:** “Been coming down for the last seven  
139 years on vacation in the spring and the fall and spend just a ton of time up on that  
140 pier. I am a fisherman. I enjoy the pier quite a bit and on occasion like to have a beer  
141 once in awhile. I see no harm in it and never have seen any problems up there and I  
142 don’t think we want to make the same mistakes down here they made up in Myrtle  
143 Beach with the Harley bikers. I mean it cost that community up there a ton of money  
144 in revenue and if we chase tourists out here it’s not going to help us either. I’m in  
145 favor of serving beer out there. Thank you.”

146

147 **Bud Joynes, 15<sup>th</sup> Ave. S, Ocean Pines:** “I’ve been here for three years and I fish this  
148 pier almost every day. I don’t drink and 90 percent of the people that fish that pier  
149 every day don’t drink. Some of the local people and tourists too are on vacation like  
150 to come out and have some drinks. I’ve never seen anyone out of control, rowdy or  
151 drunk on this pier. As far as the children are concerned; it’s not our responsibility to  
152 babysit them but we do and we teach them how to fish, what to do and what not to do.  
153 There are parents who leave their nine and ten year old children on that pier seven  
154 o’clock in the morning, all day long until they get off from work. Somebody has to  
155 watch them so that’s what we all do, so, I am not against drinking on the pier and  
156 thank you all very much.”

157  
158 **Kurt Kremer, 125 Olde Town Way:** “I work down at the pier. I just want to say the  
159 pier is a business. When the town bought that pier they bought a business and you  
160 make decisions that are unfriendly to work the business into that; it just hurts the  
161 entire town. Last year we brought in over \$170,000 in admission revenues. If we  
162 lose one third of that, that’s over \$50,000 we lose in revenues that’s got to be made  
163 up some other way, so, I think if we eliminate beer on the pier I think we will be  
164 looking for other ways to bring that revenue to the pier, so, I would be in favor of  
165 keeping beer sales on the pier the way it is now. Thank you very much.”

166  
167 **Al Stein, 410 Cherry Drive:** “I would like to also add to what, pretty much  
168 everybody is saying here. We’ve been residents here for ten years now. I don’t  
169 drink; I don’t smoke but when I have my pass I do go on the pier and I’ve never seen  
170 a problem on the pier and I think as the business people are talking I think it’s  
171 important that we don’t lose that potential revenue for what appears to be something  
172 that’s been working for decades and I don’t see any reason to change something that  
173 seems to be working and I think that our local police force, should there be a problem,  
174 would take care of that problem but I don’t know what the statistics are from the  
175 police department side of things but in the ten years that I’ve been here I’ve never  
176 heard of anybody having a problem with the use of beer on the pier and so I speak on  
177 behalf of my wife and I that we would support it also.”

178  
179 **Tom Dodge, 15<sup>th</sup> Ave. N.:** “Wow, what a difference two weeks make. Two weeks  
180 ago no one wanted drinking. This is not an ordinance, to my understanding, of  
181 drinking on the pier. This is an ordinance of drinking in public. There’s a big  
182 difference. Public would be all over town. Every festival, every event the Town has.  
183 This would open up drinking to all of that; not just the pier. I don’t have a problem  
184 with having drinks in the restaurant at the pier. I don’t think tourists will stop coming  
185 to Town because we don’t allow drinking. I don’t think our Police Department has  
186 policed the pier drinking in the last couple of years. I may be wrong on that but we  
187 should not allow public drinking. Not drinking on the pier but public drinking all  
188 over Town and if you vote for this tonight you are voting to drink all over Town.  
189 Thank you.”

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191 **P.L. Mabry, 15<sup>th</sup> Ave. N.:** “I got here a little late tonight. I hate to follow Tom  
192 Dodge but you know; he’s correct. Let me also state, you got a copy of the agenda  
193 there. You notice that every one of those items there, you talk about what they are  
194 going to be about here tonight. Now, gentlemen, I’ve played cards many times,  
195 stacking a deck is something else also and I can’t believe that people want to give the

196 people out here that want to present their issue or their side and bring their point  
197 across to you. I can certainly understand that but the agenda tonight. Who made the  
198 agenda up; our Administrator? Here we have the Mayor and the Administrator  
199 making up the agenda. Look at the agenda here tonight and I think you'll see that it's  
200 stacked also. It does not talk about . . . on the agenda . . . that we're going to talk  
201 about consumption of alcohol in the public. Does it? You set the deck yourselves by  
202 allowing the agenda to be stacked. I think you would have had more people here  
203 tonight if you had said we were going to discuss or vote on consumption of alcohol  
204 on the public streets of Surfside. That's why people disrespect this Council, this  
205 Town. This is . . . I am disappointed in anyone that would mislead the public. If this  
206 meets . . . my perception is that it does mislead the public when the agenda does not  
207 talk about the consumption of alcohol but yet we got item section eight here. I don't  
208 even have the one in front of me but ladies, gentlemen this was wrong. You've  
209 mislead the public here yourselves in your agenda. I hope that you speak on that  
210 tonight because I do think the citizens of this Town were somewhat misled when you  
211 mislead them or do not show them both sides of the coin. They want to see both sides  
212 and they can make their own decision as to whether or not they would have come up  
213 here tonight but you didn't show them both sides; you only showed them one and  
214 tried not to even show that. Referred it to section eight, you couldn't even put on  
215 there what the agenda item was going to be about. Who mislead who? People can be  
216 disappointed in a lot of things and I've been disappointed in a lot of things but I hate  
217 it when our Council who represents the public here in Town to not show them both  
218 sides of the coin or give them what I accused my kids of, of telling me the half truth,  
219 the half they wanted me to know. The other half it took a pair of pliers and a  
220 screwdriver to get the truth out of them. Is that what we got to bring up here to you  
221 all? Ladies, gentlemen I think you should do . . . be a little more honest, forthright . .  
222 . are those the kind of words I wanted? I think so. Please look at it that way. Thank  
223 you for your time. I appreciate it."

224  
225 **Jim Graham, 212 Pinewood Drive S.:** "I'm in favor of us drinking on the pier. I  
226 drink but I have never drank on the pier. It's time for fishing, not drinking, but, I'm  
227 in favor of it and you talk about a family beach. The family comes down here; the  
228 mom takes the kids to go see a movie or something so the dad gets time to take time  
229 off for his self. He might want to go to the pier and drink a beer. What's wrong with  
230 that? There's nothing wrong with it; it's still a family beach. Thank you."

231  
232 **Alyssa, Twin Beachwear Store, 450 Hwy 17 N.:** "We're here about the zoning  
233 ordinance. We want to push again that we really need this as a business; as small  
234 business owners to get this passed through. We know you're discussing it this  
235 evening. You know we've gone around and we've questioned people, we got some  
236 signatures of why people come to our stores; what draws them in. We get the same  
237 thing every time. I've got about 150 signatures that tell us the signs, what you put  
238 outside, your tents, what we can see. We're on a frontage road, nobody sees us, you  
239 know, we're kind of hidden and now you're trying to shut our frontage road down on  
240 our end so if that happens it's going to hurt us even worse. We need everything we  
241 can get; absolutely everything to bring our businesses back to where they need to be.  
242 The economy is not getting better; we've been promised it is but it's not.  
243

244 **Elena Nichols, Some Gave All Antiques and Consignments, 1510 Highway 17 N.:**  
245 “I also sit way back from the road and I’ve been there for a year and I constantly have  
246 people come in and say they had no idea I was there because they can’t see. If I put  
247 stuff outside, if I put color out, they can see it but they’re not looking up when they  
248 drive, they’re looking like eye level and if I don’t have stuff outside I don’t get  
249 customers. If I put stuff outside I get customers who say they . . . there was a vote;  
250 there’s a church that just moved into my plaza, Gathering Community Church and I  
251 guess Deerfield just had a vote a week . . . last Saturday from four to six and there  
252 were hundreds of people who were coming to vote for some homeowners thing and  
253 just about all . . . there was a misunderstanding in their newsletter and it said that it  
254 was from one to four and everybody was coming one to four and the door said four to  
255 six so people had to come, leave and then come back so they all came into my store  
256 because I was open on Saturday and three quarters of the people said, we live in  
257 Deerfield, we had no idea you were here and I’m like three doors down from where  
258 Plantation . . . you know where you drive into where Deerfield is and I’m hoping, I  
259 know we’re allowed four outside sales a year, I’m certainly hoping that you are going  
260 to allow us to have more than that. I know the last time we were here we requested  
261 that we could have one a month, I believe, twelve, you know, for like a seven day tent  
262 permit and I have no problem paying for permits. I put ads in the Sun News when I  
263 do a sale but four a year is not enough for me to bring in the business I need to be  
264 able to stay open. Like I said, when people are driving on 17 Business they’re not  
265 looking high because you have 17 Business, you have like that grassy ditch area and  
266 then you have the service road and then you have the parking lot and then you have  
267 our stores and people don’t seem to be able to see us, so, we hope you’re able to do  
268 something to help us.”

269  
270 **Joyce O’Brien, 613 S. Myrtle Drive:** “Honestly with the drinking on the pier  
271 situation, just speaking for myself, I’m kind of on the fence. I’m not for or against . .  
272 . probably because, as the gentleman said there, there’s been so much misconception  
273 and misinformation and misguidance in the past that I wouldn’t know what I was  
274 voting on, like, you know, are we limiting it to the pier as Mr. Dodge said, is it going  
275 to open up a can worms? Is it going to be out of control? Are we going to have  
276 police officers stepping up patrols in that area? I just think that we need more  
277 information. How it’s going to be handled. Not just say . . . voting . . . drinking on  
278 the pier, not drinking on the pier. Is it just on the pier? Is it everywhere in Town?  
279 Will there be some kind of regulation? Will there be more police patrolling the area  
280 to make sure things don’t get out of control and I think that’s what a lot of people  
281 here are having a problem with. They don’t trust the information that they get, so,  
282 perhaps if you could be more clear and give us more information on how you plan on  
283 handling this situation maybe you would have more people for it. Everyone’s for  
284 business, everyone’s for making money for the Town, everyone wants our Town to  
285 do well but we don’t want it to be out of control. We don’t want it to be Myrtle  
286 Beach and that’s my personal feeling and I think that maybe I’m speaking for some  
287 others too and maybe if we have more information, more clarity then maybe you  
288 won’t have all this controversy. Thank you.”

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291 Mayor Deaton encouraged everyone to go to the Town website for additional  
292 information which is available to the public and to schedule any appointments with  
293 the administrative staff adding that they can be contacted at any time.  
294

295 **Randle Stevens, 412 1<sup>st</sup> Ave. N.:** “I’m kind of amused at everybody’s comments  
296 tonight. It reminds me of the comedian Ron White when he talks about drinking in  
297 public. I don’t think anybody should drink in public. I don’t drink that much. I very  
298 seldom ever touch a beer and I know if I drink in a car and go drive on the highway  
299 and I get stopped by a policeman, I’m going to get a DUI. I certainly don’t want to  
300 be on the pier when the Spots are running and everybody is shoulder to shoulder and  
301 everybody’s got a sharp fish hook and I got a guy drinking beside of me. I don’t go  
302 hunting with people that drink and I don’t go fishing with people that drink; primarily  
303 because I don’t want to get hurt. Now I don’t know, there’s a lot of folks here and I  
304 respect their right to drink a beer but we’re talking the pier is now public. It’s a  
305 public . . . it’s owned by the taxpayers and what you’re doing if you decide to go with  
306 this; you’re okaying drinking in public. I just wonder what’s next. Those wide  
307 sidewalks on Surfside Drive have public drinking there and I keep thinking about  
308 people who have gotten killed, maimed, injured for the rest of their life because of a  
309 drunk driver. Now I haven’t seen anybody drinking on the pier but if you open the  
310 doors it may happen and then there’s the other word, liability to the Town and to the  
311 taxpayers. Believe me, find a good lawyer, somebody gets killed from a drunk driver  
312 leaving the pier the Town is going to have a lot of liability, for example, people sue  
313 all the time for that same type of stuff so we got to think about this; this is important  
314 that you get this right and there is a lot of misinformation. I have no problem with  
315 people taking a drink; if they want to come and drink they can come to my house, I’ll  
316 let them drink at my house but don’t drink on the pier with a fish hook and don’t  
317 drink while you’re out hunting. It just doesn’t make good sense. Children; that’s  
318 where I like to take my niece out there on the pier and my two nieces and let them  
319 fish when they come visit me in the summertime but I certainly don’t want some guy  
320 to be guzzling beer beside of me and then sling his rod back and hook my niece in the  
321 ear or in the nose or the eye or whatever it might be so I think this is something that  
322 we really think about the liability that the Town faces because lawyers are out here  
323 waiting to sue. Just look at the news and look at the commercials on TV; class action  
324 suits everywhere. Get a good lawyer, he’ll go after the Town of Surfside and he’ll  
325 sue you and the taxpayers will pay and pay and pay. A little girl got killed on a  
326 parking lot that was built wrong; people in California got a four million dollar verdict  
327 because a little kid got killed because the parking lot was built wrong. You don’t  
328 think it could happen here? Let people drink on the pier and let it happen.”  
329

330 **Doug Skipper, 6127 St. Peters Church Road:** “I wasn’t going to say nothing but I  
331 think I am. I started working at the pier in 1996. I worked there when the Holidays  
332 had it; when Sam Scalise had it and when the city owned it. I had worked second  
333 shift, first shift and a lot of third shift. I have never had a problem with somebody  
334 swinging a hook and hooking somebody. I have never had a problem with anybody  
335 getting drunk, Yes we’ve had kids that come out there all the time; we’ve had parents  
336 who leave their kids there and they would fish on that pier but as far as I know there’s  
337 never been a lawsuit off that pier because somebody had a beer. There’s a lot of  
338 people come out there; they don’t care whether they catch a fish or not. They go out  
339 there to relax and they would buy beer out of the tackle shop but I’ve never sold

340 nobody enough beer to get them drunk on that pier and I think it would be a good  
341 thing for them to continue to do it. “  
342

343 **6. COMMUNICATIONS: Presented by Administrator Jim Duckett**

344 **a. Employee Recognition: Terry Grady 5 Years**

345 Mr. Duckett recognized employee Terry Grady, Facility Maintenance Supervisor  
346 for 5 years service after completing 27 years of service.  
347

348 **b. Finance Report**

349 Mr. Duckett reported that business license revenue is up slightly from last year.  
350 Under taxes, real estate, personal property and vehicle tax collections from Horry  
351 County for January 2011 were \$670,000, which is up from last year’s \$566,500,  
352 approximately 15%. Year-to-date collections are down slightly from last year.  
353 The decrease is mainly attributable to property tax assessment protests.  
354 Hospitality and local accommodations taxes are up from last year for the same  
355 period. Enterprise funds: In January 2011, the Sanitation Fund collected \$78,700  
356 in service charges compared to \$79,500 in January, 2010. Year-to-date revenue is  
357 down about 2% from last year. The budget retreat will be held March 24<sup>th</sup> and 25<sup>th</sup>  
358 at Santee Cooper’s Wampee Conference Center in Pinopolis, SC and the public is  
359 invited to attend.  
360

361 **c. Public Works Report**

362 Mr. Duckett reported that in Sanitation the Beach crews have cleaned and/or  
363 replaced all beach trash cans. Two knuckleboom trucks were sold on GovDeals  
364 and have been picked up. Truck #305-1 was a 1999 model and sold for \$7,772  
365 and Truck #314 was a 2006 model and sold for \$20,000. This money will show  
366 up as gain on fixed assets. Ms. Dodge stated that she noticed that the Town is  
367 replacing knuckleboom trucks and asked if they only last a short period of time.  
368 Mr. Adair stated that they should get ten years out of the trucks but unfortunately  
369 the 2006 model had nothing but mechanical problems since the Town purchased  
370 it; it was out of warranty and it did not make sense to keep putting money into it.  
371 Another knuckleboom was purchased in 2010 and the 2006 model was sold. Mr.  
372 Smith stated that he likes the new blue street signs he is seeing around Town. Mr.  
373 Duckett reported on Streets and Drainage regarding the beach the swash outlets  
374 are being dug out as needed to ensure proper water flow. Crews are raking and  
375 grooming the beach and removing trash near the dunes areas as needed. Beach  
376 trashcans are checked and emptied at least once a week. On-going special  
377 projects: Crews have been replacing bolts on the pier; there are some good photos  
378 available on-line. The bid for planting of trees along Surfside Drive has been  
379 awarded to Palmetto Landscaping. Sellers Construction is working on the 4<sup>th</sup>  
380 Avenue South Drive project which was final today. Four reports were sent to  
381 Santee Cooper identifying street lights that were out or not functioning properly.  
382 The Grounds Division: with the arrival of the much-welcomed warmer  
383 temperatures, all public restrooms have been reopened. Playing fields are being  
384 readied for the upcoming season. The Floral Lake outfall deck landscaping has  
385 been completed. Two new flower beds as well as landscape timbers have been  
386 installed at Huckabee. Crews are completing maintenance and repairs to all Town  
387 properties. Playground equipment is being inspected. Repairs are being made  
388 when necessary. John McDonough has been hired as a light equipment operator.



389 Fleet Maintenance: From January 18<sup>th</sup> through February 16<sup>th</sup> town mechanics  
390 completed fifty-two repairs on Town vehicles and equipment. Mr. Samples asked  
391 about the status on the Dogwood Lake project. Mr. Adair stated that the  
392 contractors work has been completed. The Town has landscaping and other  
393 enhancements to make. Once the crews complete the 50/50 projects, there are 3  
394 or 4 left, they will move into piping the ditch and landscaping the area. Ms.  
395 Dodge asked if a handicap ramp will be installed on Dogwood. Mr. Adair stated  
396 that there will be a ramp installed.

397

398

d. Recreation Report

399 Mr. Duckett reported on Athletics. Registration is ongoing now at Huckabee  
400 Complex for baseball, ages 9 through 14 and softball, ages 9 through 15. The  
401 concession stand is almost complete. Women's College Softball Tournament  
402 begins at Huckabee on Monday, March 6<sup>th</sup> through March 20<sup>th</sup>. Games will be  
403 played Monday through Thursday, rain days are Fridays and practice at Martin  
404 Field on Sundays. Games will be during the day. In special events: Surfside  
405 Rotary Road Race was held Saturday, February 5<sup>th</sup> in rainy weather conditions;  
406 there were still over 100 participants. Thanks went out to everyone who came out  
407 and participated. A Valentine's Day Seniors Dance was held at the Civic Center  
408 on Friday, February 11<sup>th</sup>. Approximately 50 people attended; DJs Ed and Irene  
409 Brown provided the entertainment. Light refreshments were served. A Wellness  
410 Committee has been formed and a "Lunch and Learn" has been scheduled for  
411 employees on Friday, February 25<sup>th</sup> from 11:00 a.m. to 1:00 p.m. Food will be  
412 from Bay Naturals, a health food store in Myrtle Beach. Council members are  
413 invited. Several health and wellness educational sessions are being planned for  
414 the year. The local car clubs, Myrtle Beach Car Club, Chicora Car Club and  
415 Georgetown, have declined to conduct the Memorial Day Car Show. The event  
416 has been cancelled for now. Plans are being made with Grand Strand Volleyball  
417 to conduct a two day high school volleyball tournament on the beach. Mr. Childs  
418 stated that the Town is still working on getting a car show for Memorial weekend.  
419 Mr. Duckett reported on upcoming events: St. Patrick's Day Dance will be held  
420 Friday, March 11<sup>th</sup> from 7:00 p.m. to 10:00 p.m. at the Dick M. Johnson Civic  
421 Center. The BBQ/Bluegrass Festival is Saturday, March 12<sup>th</sup> from 10:00 a.m. to  
422 4:00 p.m. on Surfside Drive. Ms. Dodge stated that the ladies did a wonderful job  
423 on the Valentine's Day senior dance; it was well attended and she had a great  
424 time. Ms. Dodge urged everyone to attend the March 11<sup>th</sup> St. Patrick's Day  
425 Dance. Mr. Samples asked if advertising was in place for the Blue Grass festival.  
426 Ms. Ellis stated that it will be advertised the first of the week.

427

428

e. Administrator's Report

429 *Update on current events*

430 Parking meters start March 1<sup>st</sup> and the Town is nearing completion with the  
431 preparations for this. Pier work will be finished this week. The streetscape is  
432 progressing on schedule. The tabby finish which is the oyster-shell texture that  
433 was originally specified for the project but because of the issues Myrtle Beach is  
434 experiencing with gum on that finish the Town engineer has recommended a  
435 diamond shape brushed finish with a paver edging. In addition, the Town would  
436 like to allow the contractor to pull the electric through the conduit, purchase and  
437 install the lighting receptacles, and install the tree grates. This means the Town

438 would exceed the overall project budget by \$14,210.38 but, if left until next year,  
439 as was originally planned, the cost would be expected to double. The original  
440 thought was to place the conduit and then pull the electric through the following  
441 year; the recommendation is to do this now. Mr. Duckett asked for consensus of  
442 Council to move forward with this item. Mr. Samples asked how much the  
443 overall budget was. Mr. Duckett stated that the budget is \$400,000 after  
444 consulting with Ms. Fellner. The addition of this work would bring the budget to  
445 \$414,210.38. It was confirmed by Ms. Hursey that the original contract award  
446 was \$333,000 and that the additional \$14,000 is not currently listed in the budget  
447 amendment being presented this evening. Ms. Hursey stated that the \$14,000  
448 would come out of the beautification in the hospitality fund. Mr. Samples and  
449 Ms. Dodge did not agree to the additional amount and the rest of council agreed to  
450 the added amount. Mr. Duckett reported that the recycling receptacles are being  
451 readied for the beach access area. The plan is for every place there are two trash  
452 receptacles one of the two will be for recycling and will be marked appropriately.  
453 Pot holes in Town will be addressed in the near future; crews have been busy and  
454 will get to them shortly. Mr. Samples asked if there is anything that can be done  
455 to move the County Tax (CTC) projects along; currently there is 11<sup>th</sup> and 10<sup>th</sup>  
456 listed and asked if there were others. Mr. Adair stated that last spring money was  
457 approved by the County to replace the 10<sup>th</sup> Avenue culvert bridge, pave Dogwood  
458 Drive from 5<sup>th</sup> Avenue North the 17<sup>th</sup> Avenue North, and 11<sup>th</sup> Avenue North from  
459 Cedar to 17, Palmetto Drive 7<sup>th</sup> Avenue to 10<sup>th</sup>, and a piece of 10<sup>th</sup> Avenue from  
460 Ocean Blvd. to the bridge. Mr. Samples stated that a couple of those projects  
461 were approved by Council when the transportation/sidewalk plan was adopted.  
462 Mr. Samples asked about the status on 10<sup>th</sup> and 11<sup>th</sup>. Mr. Adair stated that it is a  
463 two phase problem; the first part is waiting for the SCDOT permitting process to  
464 conclude so that the culvert bridge can be replaced on 10<sup>th</sup> and once the Town  
465 knows how much that will cost then a paving schedule can be created. This is the  
466 second phase of the problem; Palmetto paving who has the Horry County paving  
467 contract which the town would piggyback off of has been slow to respond to the  
468 Town with a price for each street. Mr. Samples asked if there is anything that can  
469 be done to move this along. He would not like to hold up the other projects  
470 adding that the residents have waited long enough. Mr. Adair stated that if he is  
471 directed by Council he will pave first and then get to the bridge second. Mr.  
472 Samples added that they are budgeted this year and the Town will get reimbursed  
473 by the County. Mr. Samples stated that he is worried that the County will have  
474 other priorities as time goes by. Mr. Smith stated that council should encourage  
475 Mr. Adair to spend half the money on paving and save the other half to the bridge.  
476 Mr. Samples asked to have this item added to the next agenda. Mr. Duckett  
477 stated that the 2010 bid for the fireworks has a renewable clause and staff would  
478 like to renew with the same company at the same price for the same amount of  
479 fireworks since they give more fireworks for the price than the other companies  
480 offered. Mr. Duckett asked for consensus of Council to sign a new contract with  
481 the previous company. There was a consensus of Council. No votes against.  
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**7. BUSINESS**

*a. First Reading Ordinance #11-0699: Budget Amendment FY 2010/2011*

Mr. Childs made a motion to adopt first reading of 11-0699. Mr. Smith seconded the motion. Mr. Samples asked Mr. Duckett to give a summary. Mr. Duckett gave summary. Amendments include appropriations that were previously approved by Council since July 1, 2011. Also included are recommendations from staff for line item changes as needed or required by the current Town purchasing guidelines. Finally, proposed appropriations include the net effect of significant savings in salaries and benefits due to the reorganization of Public Safety and various unfilled positions and the inclusion of either a 2% or 3% increase to current Town of Surfside Beach employees based on salaries. Lower salaried employees would receive a 3 percent raise and the higher salaried employees would receive a 2 percent raise. The proposed revenue amendments include income that is fully actualized or expected, from sources such as, grants, interest, sale of fixed assets, parking tickets, and parking meters. Mr. Samples stated that a lot of work has been put into this and preferred reviewing the budget during the year. Mr. Samples stated that Other Financing Sources go up significantly and realizes this is a result of selling the fire truck and includes other fixed assets adding that the inter-governmental revenues also are quite an increase given that the Town is currently 7 months through the fiscal year. According to the information provided with the proposed ordinance, the year will end with \$585,000 in inter-governmental revenues and year to date the Town is at about \$128,000; the Town has a lot of money to collect in the next 5 months. Ms. Hursey stated that the increase is for all of the grants received which include the passenger and in-car camera system for the police and the energy grant; all of these grants are in there and were not budgeted for but the expenses are included as well. The projection is that the Town will come in where planned plus grants. Mr. Samples stated that the Town already incurred these costs. Ms. Hursey stated that the Town has already received the grant money. It was confirmed that the two police grants were received since the end of January and only part of the Horry County energy grant has been received; approximately \$7,000 of it. **Ms. Blair, Mr. Johnson, Ms. Dodge, Mr. Smith, Mayor Deaton and Mrs. Childs voted for. Mr. Samples voted against. MOTION CARRIED.**

*b. First Reading Ordinance #11-0700: Chapter 17 Zoning Ordinance Amendment*

Mr. Childs made a motion to adopt first reading of 11-0700 Chapter 17 zoning ordinance. Mr. Smith seconded the motion. Mr. Smith stated that he has a typo amendment to make; there was a number wrong in one of the tables. Mr. Smith requested that the table on page 1-31 table 17-332, column row heading Two Story, Four or more Bedrooms the number be changed from 22 to 12. Mr. Smith stated that the Director of Zoning is familiar with this. Ms. Donevant confirmed. Ms. Dodge had a question on section 17-411 the ocean front setback; the wording makes it sound like the ocean becomes someone's back yard. Ms. Donevant stated that this is correct adding that it has always been this way; there was no change made to that section. Ms. Dodge stated that she feels that sexually oriented business should just be listed as prohibited in Town. Attorney Mr. Smith stated that when it comes to sexually oriented businesses there are some

531 ordinances that have been tested in the Supreme Court and he feels that it is the  
532 best interest of Town to adopt an ordinance that has already been tested in the  
533 Supreme Court of US and this one has. Mr. Samples made a motion to amend  
534 page 1-23 paragraph four at top which begins with 'to remand a matter'; the 3<sup>rd</sup>  
535 sentence currently reads: 'the board must set a rehearing on the remanded matter  
536 without further public notice for a time certain within sixty days unless otherwise  
537 agreed by the parties'. Mr. Samples motioned to amend that section to strike it  
538 out so that public notice is still required on matters remanded adding that this is  
539 about transparency. Mr. Johnson seconded the motion. All in favor. MOTION  
540 **CARRIED.** Mr. Smith stated that there is another numerical correction to make;  
541 on page 1-21 it references ordinance section 2-47 that will soon be replaced by 2-  
542 61 if passed; Mr. Smith would like to make sure these are kept in sync. **All voted**  
543 **in favor of original motion. MOTION CARRIED.**

544  
545 c. *First Reading Ordinance #11-0701: Chapter 13 Fee Schedule Amendment*

546 Mr. Duckett gave an over view and read the decision paper details. Mr. Johnson  
547 made a motion to adopt first reading. Ms. Blair seconded the motion. Mr.  
548 Samples asked Ms. Donevant to explain note 4 on page 11 regarding approval of  
549 permits designee. Ms. Donevant Zoning stated that an example of a designee  
550 would be utility companies like Grand Strand Water and Sewer, gas lines or  
551 anything that goes into the public right of ways. They would need to submit an  
552 encroachment permit and it would need to be approved. The right of ways is  
553 usually done by Public Works. There was a suggestion made to possibly insert  
554 the work 'temporary'. Ms. Donevant stated that if a gas line or cable or telephone  
555 line were run it would be considered permanent. There was some additional  
556 discussion. **All voted in favor. MOTION CARRIED.**

557  
558 d. *Second Reading Ordinance #11-0698: Repeal and Recreate Appointment of*  
559 *Committees Ordinance*

560 Mr. Duckett gave overview of the ordinance and read the decision paper on file.  
561 Mr. Childs made a motion to adopt second reading of ordinance 11-0698. Ms.  
562 Dodge seconded the motion. Mr. Samples asked for clarification on unlimited  
563 terms. Mr. Smith stated that he feels the way the ordinance is written an  
564 individual could be on the committee for life. They could be appointed and  
565 reappointed and could continue serving. Mr. Samples stated that this would  
566 require a reappointment as long as Council is provided the information that a term  
567 has expired. At the end of each term an individual would need to be appointed.  
568 Mr. Smith stated that he disagreed; his understanding is that an individual serves  
569 until their replacement is appointed and he is against the ordinance as it is written.  
570 Mr. Samples made a motion to amend paragraph (e) to add that committee  
571 members cannot serve for more than one year without official reappointment by  
572 Town Council. Attorney Mr. Smith stated that the ordinance was originally  
573 written so that everyone could serve four years and that way a new council would  
574 not be locked into particular committee members; they would just roll off as time  
575 went by. Attorney Smith stated that they could be reappointed and it was his  
576 understanding that it was staffs concern that it is very difficult to get volunteers to  
577 serve on committee. Having a built in expiration time of a committee member is  
578 more than practical; it is desirable if the Town has trouble getting people to fill  
579 committees openings. This can be amended to set terms. Mr. Johnson made a

580 motion to defer this for further investigation and further study until the next  
581 meeting. Mr. Smith seconded. Mr. Samples stated that this has been going on for  
582 a year and he wanted to understand the concern of Mr. Smith which is that a  
583 committee member could serve without reappointment in perpetuity. Mr. Smith  
584 stated that there are two points the first was to limit terms but he likes what Mr.  
585 Samples suggested. The other problem is he has no problem with people serving  
586 continuously as long as they are reappointed by Council. Mr. Smith withdrew his  
587 second and Mr. Johnson withdrew his first. Ms. Blair asked for some further  
588 clarification. Mr. Smith stated that the concern is paragraph (e); where it states  
589 'board, commission and committee members shall continue to serve until  
590 reappointment or until their successors are appointed by town council'. Ms. Blair  
591 stated that if it is at every anniversary date then they would be reappointed or  
592 appointing a successor. Attorney Smith stated that Ms. Blair is correct. Attorney  
593 Smith stated that he would propose some language that would say 'board,  
594 commission and committee members shall continue to serve until reappointment  
595 or until their successors are appointed by Town Council, but in no event greater  
596 than' the number of years. **All voted in favor. Mr. Johnson, Ms. Dodge, Mr.**  
597 **Smith, Mayor Deaton, Mr. Samples and Mr. Childs voted for the amendment**  
598 **and Ms. Blair voted against. MOTION CARRIED. Mr. Johnson, Ms. Dodge,**  
599 **Mr. Smith, Mayor Deaton, Mr. Samples and Mr. Childs voted to adopt**  
600 **second reading and Ms. Blair voted against. MOTION CARRIED.**

601  
602 e. *Second Reading Ordinance #11-0697: Priority Investment Element of the*  
603 *Comprehensive Plan*

604 Mr. Duckett gave an overview of the ordinance and read the decision paper on  
605 file. Mr. Smith made a motion to approve second reading of ordinance 11-0697  
606 to add priority investment element to comprehensive plan. Mr. Childs seconded  
607 the motion. Ms. Dodge asked to confirm that this was a wish list for the Town  
608 and items on the list are not written in stone. Mayor Deaton confirmed Ms.  
609 Dodge was correct. Mr. Samples had a question on table P4, needed  
610 transportation projects, unfunded, referencing US 17 Business 10<sup>th</sup> Avenue North  
611 intersection improvement with an estimated cost of \$500,000 with potential  
612 funding source through GSATS/SCDOT/Federal Highway Administration. Mr.  
613 Samples asked what this was for. Mayor Deaton stated that he believes it is for  
614 5<sup>th</sup> Avenue South. Mr. Smith stated that it is referenced in the transportation plan  
615 in the wording but not in table and this was an amendment he added at the last  
616 meeting; it was for 10<sup>th</sup> Avenue North. Mr. Smith stated that there is also one in  
617 Table P-3. It was confirmed that the 10<sup>th</sup> Avenue North was a signal light for the  
618 future. Mr. Samples stated that the need for 10<sup>th</sup> Avenue South is obvious; Mr.  
619 Samples stated that his concern is that there is a plan that someone has that has  
620 not been shared with Council. A \$500,000 10<sup>th</sup> Avenue North improvement he  
621 feels is not necessary and he has a problem voting for something he does not feel  
622 is necessary when there are problems on Business 17 adding that the Council  
623 needs to prioritize. Mr. Samples made a motion to delete the 10<sup>th</sup> Avenue North.  
624 Ms. Blair seconded the motion. **Mr. Smith, Ms. Dodge, Mr. Childs and**  
625 **Mayor Deaton voted against the amendment. Ms. Blair, Mr. Johnson and**  
626 **Mr. Samples voted for. AMENDMENT FAILED.** Mayor Deaton stressed  
627 once again that this is a plan and it is not written in stone. **Ms. Blair, Mr.**

628 **Johnson, Mr. Smith, Mayor Deaton and Mr. Child voted for original motion.**  
629 **Ms. Dodge and Mr. Samples voted against. MOTION CARRIED.**

630

631 *f. Second Reading Ordinance #11-0696: Amend Chapter 8, Section 8-95*

632 Mr. Duckett gave an overview of the second reading and read the decision paper  
633 which is on file. Ms. Dodge made a motion to suspend the rules. Mr. Samples  
634 seconded the motion. **All in favor. MOTION CARRIED.** Ms. Dodge asked to  
635 put this topic back on the agenda and she would like it unresolved one way or the  
636 other adding that it is not just the issue to allow drinking beer on the pier, as the  
637 new owners, the municipality needs to look at how the Town wants to handle the  
638 restaurant and businesses located there. Ms. Dodge stated that she feels it is  
639 important that the Town faces the liability issues owning a public venue. Ms.  
640 Dodge stated that the Town needs to write good ordinances that cover all areas  
641 and she sees potential problems of liability if the Town does not do something  
642 quickly; it is Councils' responsibility to the citizens. Ms. Dodge stated that Mr.  
643 Smith had sent an e-mail to Council to urge a visioning meeting regarding the pier  
644 and she feels this should be done right away and that it should include citizens in  
645 the process. Ms. Dodge added that in preparation of the leases on the pier before  
646 they come up for renewal the Council needs to look at the current businesses and  
647 decide what regulations should be placed on them in order to meet the goals  
648 Council sets for them. Ms. Dodge stated that she is sure that other council  
649 members have thought about the same thing. Mr. Johnson asked Mr. Duckett to  
650 address what is involved in the current ordinance. Mr. Duckett stated that he has  
651 been with the Town for about ten weeks and he had received some emails right  
652 after he started from one concerned citizen stating that the Town had allowed  
653 drinking on the pier last year which was in violation of our ordinance. Mr.  
654 Duckett stated that he thought this was a fairly simple thing to take care of since  
655 drinking on the pier happened historically in Town he thought the simple way to  
656 take of the ordinance was to add four words "except on the pier". The drinking in  
657 public ordinance does not change in any way except for the pier which is now  
658 publicly owned but was previously privately owned. As discussed the Town  
659 would continue to operate the pier under the same rules that applied in the past.  
660 The ordinance stated that it must be in compliance with rules set by Town Council  
661 and the Administrator. Mr. Duckett stated that the ordinance has been posted and  
662 it has not been hidden. This will just change one ordinance to make an exception  
663 since Surfside is one of few entities that owns a pier. Mr. Samples asked for  
664 clarification for the record. Mr. Samples stated that the Town purchased the pier  
665 and property and to clear up any confusion in the future for the record this does  
666 not include the parking lot; it includes the pier only. Ms. Blair read the ordinance.  
667 Ms. Blair stated that the only change starts with paragraph (b) which says:  
668 'except as provided below, it shall be unlawful for any person to drink any kind of  
669 alcoholic liquor and/or non-alcoholic and non-intoxicating beverage on the  
670 streets, alleyways, highways or other public places in the town'. Ms. Blair stated  
671 that this was very clear to her. The new addition is the exception which refers to a  
672 business located on the Surfside Beach Pier and she read the section from the  
673 ordinance adding again that it is quite clear. Ms. Blair made a motion to go back  
674 under the rules. Ms. Dodge seconded the motion. **All voted in favor. MOTION**  
675 **CARRIED.** Mr. Johnson made a motion to approve second reading of 11-0696.  
676 Mr. Childs seconded the motion. Mr. Samples had a question on paragraph (c)

677 'Exceptions' being plural. Attorney Smith stated that this is a matter of  
678 semantics. **Ms. Blair, Mr. Johnson, Mr. Smith, Mayor Deaton and Mr.**  
679 **Childs voted for. Ms. Dodge and Mr. Samples voted against. MOTION**  
680 **CARRIED.**

681  
682 g. *Decision Paper: Reappointment of Accommodations Tax Committee Members*  
683 Mr. Childs made a motion to reappoint Mil Servant and Randy Harrison to the  
684 Accommodations Tax Committee. Mr. Smith seconded the motion. Ms. Dodge  
685 asked if the Town had other people interested in serving. **Ms. Blair, Mr.**  
686 **Johnson, Mr. Smith, Mayor Deaton, Mr. Samples and Mr. Childs voted for.**  
687 **Ms. Dodge voted against. MOTION CARRIED.**

688  
689 **8. DISCUSSION ITEM – Councilman Samples**

690 *Request GSATS to perform traffic study this summer; north end to south end on*  
691 *Business 17 including the frontage roads.*

692 Mr. Samples stated that back in June a draft plan was presented to Council; it  
693 included traffic counts from 2000 and 2008. For Business 17 it showed that the  
694 traffic count dropped 20 percent. Mr. Samples stated that he does not believe that this  
695 is accurate and in order to move along on Business 17 he would like to get a current  
696 count that includes the frontage roads. Mr. Samples stated that he believes that in  
697 2000 the frontage roads were included in the count and that in 2008 they did not  
698 include the frontage roads and that is why there is a 20 percent drop. Mr. Samples  
699 stated that he would like to recommend that a letter from the Town with the Mayor  
700 being the signor be sent to GSATS asking that current traffic counts be done in four  
701 locations in Town. Mr. Samples suggested a couple areas be Highway 544 coming  
702 into and leaving town and the section around Surfside Drive with traffic coming in  
703 from Glens Bay and 17. Mr. Johnson asked if there was a specific week or month in  
704 that the Town should target. Mr. Samples and the Mayor suggested that it be some  
705 time in July. There was no opposition from Council. Mayor Deaton asked Ms.  
706 Fellner to create the document. Mr. Samples suggested Ms. Fellner construct the  
707 draft and send it to Mr. Samples for his added input. Mayor Deaton stated that he  
708 would then sign it with the approval of Council.

709  
710 **9. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker**

711 *Tom Dodge, 15<sup>th</sup> Ave. N.:* “You confirmed in my mind that you are a gutless  
712 Council. Two weeks ago everybody that spoke was against the open . . . the drinking  
713 in public as it was stated on the agenda ‘drinking in public’ not drinking on the pier.  
714 Everyone spoke against it. You people did not have the guts to vote on it. Gutless.  
715 Tonight, somehow we get people coming in from Mars. These people have all gone  
716 home, we will never see them again and you conceded to go with their wishes. You  
717 are a gutless Council.”

718  
719 *John Wright, 710 S. Hollywood Drive:* “Tonight’s vote was not surprising. I’m just  
720 glad that you were strong enough to take it up. Re-elections will come. Re-elections  
721 will come, Council, Mr. Mayor and we know who to vote for. Not surprised there is  
722 an agenda up there but it’s not out here for the public to see it. It’s being hidden but  
723 it’s becoming clearer and clearer, each and every council meeting a little bit more of  
724 it comes out. Looking forward to days ahead for our little Town; praying for it. My  
725 real concern here is what is going to happen to our Town in the days to come; it’s

726 going to be interesting to see but it's all on the yay votes. That is on your hands.  
727 Thank you.”

728  
729 **Faye Skipper, 6127 St. Peters Church Rd:** “I would like to address that I am one of  
730 those gutless people you were talking about. That's what I'm doing up here. Like I  
731 told you before I have worked at the pier 15 years. I think if some of these people  
732 that I have seen up here that say that they come to the pier that I've never seen in the  
733 15 years I've worked there, would come out there and see some of the family beach,  
734 the families that come to our pier and bring their children and enjoy it; they might  
735 have a different perspective. I thank you.”

736  
737 **Gary Denbraven, 13<sup>th</sup> Avenue North:** “I voted for all of you. I think you're doing a  
738 good job. I think tonight there was an explanation that you hadn't had previously and  
739 I think that's why you made the right decision. Thank you very much.”

740  
741 **Joyce O'Brien, 613 S. Myrtle Dr.:** “Two quick comments. One, on the issue of your  
742 vote tonight; time will tell, that's it, you know, you made a decision and we'll see  
743 what happens and hopefully you will all stand by what you have told us this evening,  
744 that it will be controlled, it will be clean, it will remain our family beach and time will  
745 tell, we have nothing else to say about that, so, but one quick item, last time that I was  
746 at a meeting I had some questions about the bidding process and you had  
747 recommended that I make an appointment to have my questions answered so if I  
748 cannot ask a question now I would like to make that appointment. Some information  
749 has come to me that I would like to clarify.”

750  
751 Mayor Deaton asked Ms. O'Brien to set up a meeting with Mr. Duckett.

752  
753 **Pam Stapleton, 511 6<sup>th</sup> Ave. S.:** “I understand the beautification and everything  
754 you're doing on Surfside Drive and I know I'm not supposed to ask questions but I  
755 have the impression that like with the Charleston Café and . . . it was going to be like  
756 alfresco dining and have people sitting outside and enjoying themselves and you're  
757 doing all this work and I understood a whole different thing, that's what's coming up  
758 now. I'm just bamboozled by what's going on. I don't know what's right and what's  
759 wrong or what are we going to be able to do and what's going to happen next. I'm  
760 just frazzled by not knowing exactly what's going on and I think a lot of people in the  
761 Town are and especially businesses and tourists and no one's going to know what  
762 they can do and what they can't do, so, I'd just like maybe some more clear answers  
763 on your all part. Thank you.”

764  
765 **Ron Meadows, Mason Circle, owner of Village Café:** (Mr. Meadows apologized to  
766 Ms. Donevant for a previous encounter): “We own the Village Café which is up in  
767 the same little district we're doing the streetscape in. We're asking for a little bit of  
768 help here. I'm coming into this at a very, very late date and I realize that because we  
769 just moved to Town and took over the store back in December. The median that  
770 they're putting down in the middle of the street I think is really, really a bad, bad idea.  
771 It's changing the traffic pattern of folks coming off of 17 and going into any of the  
772 businesses on the north side of Surfside Drive. On top of that there's no place for the  
773 folks to turn around coming off of 17 and we saw an older gentleman yesterday  
774 morning has already fell over that curb out there and I think it's not only a safety



775 issue it's going to kill all the businesses on the north side of the street. I don't know  
776 what we can do at this late point because they're already laying the curb out there to  
777 do it so it's still not too late to do something about that. If that was a turning lane it  
778 would be a perfect scenario. That's a very, very tight section through there anyway  
779 there's a lot of folks there, there's a lot of older folks through there that are coming to  
780 like our store and we serve mostly an older clientele. They're not really comfortable  
781 driving through there anyway, they go 20 miles an hour up and down Ocean Blvd. all  
782 day long so we're putting them in a very, very tight spot there and asking them to try  
783 and come through there during the tourist season. Somebody's really going to get  
784 hurt. Thank you."

785  
786 **Harry Kohlmann, 1610 S. Ocean Blvd.:** "I wasn't for or against the drinking on the  
787 pier. Last week, two weeks ago, it was like a deer staring at the headlights. You all  
788 were afraid to make a move because the group in here didn't want it. This Council  
789 meeting you had people you probably never saw before and never will see again.  
790 Four of you are up for re-election that was a hard, hard choice. You have a lot of  
791 people in this Town that are not going to be happy tomorrow or tonight when they see  
792 it on the news. I think you made a big mistake and I honestly, I know it was a hard  
793 decision, but you know what? Public place, the beach, can I drink on the beach?  
794 Why can't I drink on the beach? I want to drink on the beach. I want to sit in my  
795 lounge chair and drink on the beach. Why I have no fish guts on me? I don't have a  
796 fishing pole? I can't drink? I want to go to the public park. I want to watch my kids  
797 go on the swings. I want to have a beer. I'm not going to get drunk and rowdy. Why  
798 can't I do that? Why can't I go to the ballpark and do the same thing because it's a  
799 public place. I think you made a big mistake and like I said I couldn't care either  
800 way, it's not my issue but you had people here who don't drink but they're concerned  
801 about drinking on the pier. They want them to drink; seems a little weird. You had  
802 the store owner or the people who work there. I want them to drink, well; they have  
803 an interest in it. That makes sense and you had a couple other fishermen who want to  
804 drink and have a couple other beers and I honestly believe they're not going to be  
805 rowdy but it's a public place. You open yourself up to other people who want public  
806 drinking. It doesn't make sense, now, Chief, please hold your ears and I'm going to  
807 tell you everyone's secret. If you still had the ordinance in saying you couldn't drink  
808 they still would have had a beer. They wouldn't have been rowdy and I got another  
809 thing for you. On the beach there are people drinking; nobody's getting rowdy and  
810 our festivals, you know, if you ever walk around they have those little red cups. If  
811 you look in those little red cups they're having a drink. Now you can open your ears  
812 now. The reason why is an ordinance that says you can't drink in public, people are a  
813 little bit more afraid to do it out in the open and they don't get wild; they don't get  
814 crazy. If you had the ordinance you couldn't drink on the pier you just wouldn't  
815 enforce it and if somebody got rowdy up there just gives another tool for the police  
816 officer to go up there but you're drinking and at that point you can take them off the  
817 pier. I think you made a big mistake."

818  
819 **Ron Saunders, 313 6<sup>th</sup> Ave. S.:** "First off I'd like to make a comment about our  
820 Public Works Department and our new Town Administrator, these folks are really  
821 doing exceptional work and they're getting information out to the public so we know  
822 way in advance now things that are going on and things really are going on and that's  
823 great. I would like to comment, however, that last summer, the end of the summer,

824 early fall you all voted on and approved hash marks on the crosswalks and some  
825 limited, Micki had information on the amount of money it cost to do it, some limited  
826 signage that tells people going up and down Ocean Blvd. that you have to stop for  
827 pedestrians at the crosswalk and now I know I'm getting old and my eyesight is  
828 starting to fail but if you put those signs up I haven't seen them yet and I haven't seen  
829 any hash marks. Maybe you all have voted on and changed that at some meeting that  
830 I wasn't here but I really would urge you to have those and these guys wasn't here at  
831 that time so they're not responsible for that but we really need to have those hash  
832 marks put in those crosswalks. We need some signage on Ocean Blvd. because our  
833 tourists are coming back and we're going to get somebody run over sooner or later.  
834 Thank you."

835  
836 **Randle Stevens, 412 1<sup>st</sup> Ave. N.:** "On your vote tonight you all stood up and you  
837 made a vote. Whether it's going to be the wrong vote I couldn't tell you. Basically I  
838 really could care less whether you are for drinking on the pier or not. I know I won't  
839 go there anymore because I'm not going to take anybody down there where  
840 somebody's drinking. If you get sued, I'm sure there's an attorney out there would  
841 take the case on a contingency, they always do. That way the people don't have to  
842 get any money up front but let's hope that that doesn't happen to you; that you don't  
843 say 'I told you so'. Let's hope that that doesn't happen but the fact is I've seen  
844 people who drink one beer and be drunk as a skunk and some people drink two cases  
845 of beer and walk down the street like they're sober. I don't know what's going to  
846 happen with this maybe you've opened a door. You've opened the top to Pandora's  
847 Box, we'll have to wait and see. Hopefully you made the right decision. Hopefully it  
848 will be beneficial. I don't know. I have no idea but I'm not going to the pier myself  
849 other than with myself and I may walk up there and see who's catching fish. I'll take  
850 my kids out and my nieces out in my boat and we'll go fishing that way so I won't go  
851 to the pier. The other thing I had a question about is Surfside Drive. I do business  
852 with Gaskys insurance up there, I hate to plug them but when I go up there I was able  
853 to park in front of the place and the back of my truck was, when I backed out, I didn't  
854 have to back out into traffic and your ordinance section 2-91 says you're not  
855 supposed to have any parking places that back directly into the street but that's what  
856 we got now and that, to me, seems like a safety factor. I don't know it seems like that  
857 Surfside Drive you got to park, the sidewalks a little bit wider than I would have  
858 expected them to be. Safety should be of utmost importance not just for the citizens  
859 of this Town but also the visitors that are driving the streets and everything. I know  
860 today when I went up there I had to drive around on the side because the back of my  
861 truck sticks out into the road. Something's not right there. According to the South  
862 Carolina DOT ARM's manual that parking is . . . it doesn't have enough room and I  
863 don't know if it's 45 degree or what but I haven't measured that but it seems like a  
864 little unsafe from my standpoint and it seems a little kind of tight especially I drove  
865 my truck today and I was looking at I saying gracious me I'm right on top of these  
866 cars so I'm expecting there will be some wrecks there too as well and you got to  
867 remember whenever you build something I think public safety is the most important  
868 thing. That's why I support the Police Department and I support the Fire Department  
869 very strongly because they protect our lives and save the citizens in the event of a fire  
870 and traffic control needs to be safe as well and I think that's one thing you need to  
871 look real hard at is the streets being safe . . . a matter of fact there's a lady, I can give  
872 you her name, I can give you the article, she wrote, she has a PHD, she has more

873 degrees than I could ever think about and she said that on-street parking should never  
874 be allowed and that's what you got on Surfside Drive so I wonder how we ended up  
875 with on-street parking before I could back up and didn't have to back into the streets  
876 in front of the restaurants down there, Charleston Café I didn't have to back into the  
877 street I could back up without even being in the street and now if I park there I have  
878 to back into the street. Doesn't make sense. What happened? What happened?  
879 Thank you."

880  
881 *Joyce O'Brien, 613 S. Myrtle Drive:* "He just brought up an interesting situation.  
882 Driving down there also myself I thought the same thing. You have people coming  
883 out of restaurants serving liquor, beer, wine, whatever and if someone starts to pull  
884 out you no longer have room to go around them. There's an automatic accident and I  
885 thought of that myself and I just thought of it as he was speaking. There's no wiggle  
886 room. None. If someone's drinking coming out of a restaurant starts backing up  
887 you're in an accident. I mean any other time you could before you could swerve  
888 around and it's happened even when people weren't drinking, they weren't drinking,  
889 they weren't paying attention, they start to back out and many times I had to go  
890 around someone there. There's no room. There's nowhere to go and it's a dangerous  
891 situation."

892  
893 *PL Mabry: 15<sup>th</sup> Ave. N.:* "Well the cows are out. We don't know how far they're  
894 going to go and neither do you but I hope that we have not made a serious mistake;  
895 that we keep it in check because the decision that you've made the residents of this  
896 Town will have to live with for awhile. I sat over there in that seat right over there  
897 where Ms. Blair's at for many years. I've seen everything come up to this podium  
898 here and they've wanted a lot of things. I see the Council agreed on a lot of things  
899 and turned things down but we never allowed any public consumption of alcohol on  
900 our streets. You think you've done a good job tonight. In your eyes you may think  
901 you have but I really believe that there's a lot of people that will not agree with you  
902 because I do think the cows are out. It's going to be hard to reign them back in  
903 because once you start and the next guy you can't change it. I want to do this, I want  
904 to do that. How are you going to answer to him oh, well, we let them do it because  
905 we had to do . . . well it will not work that way. I doubt if you'll be sitting there to  
906 make those decisions next time because I don't believe the citizens of this Town  
907 totally would agree with you on the consumption of alcohol on any public property  
908 that this town owns. I just don't believe they think that will be a good idea. You be  
909 the ones that will have to sell them on that idea. That it was a good idea for us to  
910 allow this. I don't think that you made a good decision but that's one that you all will  
911 have to live with. I hope it works out well for you. I really do. I do think, again, in  
912 posting the agenda if we could write more on there about what the agenda item is  
913 about. If you go back and look at the way it was listed at last meeting and the way it  
914 is listed tonight you'll find out it's totally different. Now when you start changing  
915 things around it makes me wonder why and when I saw that it was changed  
916 differently than it was the last time. The last time it was the mention of the  
917 consumption of alcohol, this time it does not show that. That makes me think that  
918 you're trying to deceive or mislead someone. The citizens of this Town do not want  
919 to be deceived in any way, shape or form. I don't think it was done intentionally but  
920 as guardians of this Town you have to make a special effort that it is never any  
921 deception. The full truth, the whole truth has to come out the first time, not when

922 someone has to come up here and hit you in the ribs and say hey you know what you  
923 did? Look and try to find it. Now the gentleman that you've hired over here as  
924 Administrator, I'm quite sure that he is a very capable man, he better be, since he's  
925 the highest paid Town Administrator in South Carolina. You all think that is a  
926 misrepresentation of the truth? I think you'll find that he is the highest paid Town  
927 Administrator in South Carolina. He doesn't have a water department to look after,  
928 he doesn't have a sewer department to look after, he doesn't have an electrical  
929 department to look after. Is my time up? Thank You. I'll be back."

930

931 Mayor Deaton stated that it is inappropriate to single out an individual and thanked  
932 Mr. Mabry for his time.

933

934

#### **10. COUNCIL COMMENTS**

935 *Mr. Samples:* "I'm concerned about the Surfside Drive also, I mean, we'll see how it  
936 plays out but I think anybody who drives down Surfside Drive asks a very basic  
937 question, I know I have since I voted to approve the design. Well, I wish I knew how  
938 wide those streets actually were going to be because there's no question and I'm just  
939 curious how some of the trucks that currently they park in the middle of the street and  
940 they supply stuff and they're not going to be able to do that obviously so, obviously,  
941 we're going to be stopping traffic on side streets or in the alley or something like that,  
942 not a problem, but I am concerned in the summertime when people are making left  
943 hand turns, right hand turns that we're not exacerbating other problems and frankly I  
944 think it's inevitable because it is true that when you back out, you're in the middle of  
945 Surfside Drive now; you're in the middle and that's a surprise to me. I know the  
946 original plan we had a . . . in fact the original plan included parking, additional  
947 parking and then we sent it back to the committee and to be honest with you I  
948 remember asking when it went back because we had so many irregularities; that's  
949 how I would describe it so we canceled the first procurement and we sent it back to  
950 be redesigned and this councilman asked that it be sent to Waccamaw Regional  
951 Council of Government so that their traffic planners could take a look at it. Now I  
952 assume that was done with the design. I don't know if it was or wasn't and maybe  
953 when it went to them they said 'sure, no problem' but I doubt it. That's all I got to  
954 say."

955

956 *Mr. Smith:* "I'd like to say that I know a lot of you are not happy with the passing of  
957 that ordinance of beer on the pier but I'd like to let you know that I feel very  
958 comfortable with my vote in favor of it. Thank you."

959

960 *Ms. Dodge:* "The gentleman from the audience who talked about the hash marks on  
961 Ocean Blvd. Thought that was a good point to bring up I'm glad that he spoke about  
962 it. I think that that's something we need to take care of right away and another thing  
963 that we haven't thought about but we should give some thought right now is parking  
964 on Ocean Blvd. What we're going to allow and what we're not going to allow. I  
965 appreciate the comments from the audience. Thank you."

966

967

968 *Ms. Blair:* “Just want to share that Council was treated to a tour of the new library  
969 today and while it’s certainly still under construction and the aesthetics and all of the  
970 niceties, the pretty’s are not in yet; it’s very well laid out. I think that it will certainly  
971 be a wonderful addition to the Town. It seems like and, of course, being a woman I  
972 ask about carpets and colors and paints and all those types of things and it sounds like  
973 it’s going to be really a beautiful building designed to be in keeping with our  
974 surrounding architecture and the low country feel so hopefully everyone will be  
975 thrilled at the look and once it reopens this fall we’ll be glad that we lived through  
976 that in that decision making process. I’m very glad too that and appreciate the vote to  
977 allow for the electrical to be pulled on Surfside Drive; I know we talked about that  
978 when we were planning that streetscape and we talked about opening the door for  
979 having our own festivals and events on Surfside Drive and needing to have the ability  
980 to have PA systems and music at Christmas and other holidays and I’m afraid that if  
981 we didn’t do it now when it’s most affordable we may never get around to it again  
982 and we would be lost and I know the effort that Ms. Ellis goes to, to drag her PA  
983 system around and set it up. To be able just to go and plug in and have it right there  
984 would really be nice for our future events and thirdly and last, I just wanted to, again,  
985 thank Ms. Ellis she and a local vet will be hosting a rabbi’s clinic at the dog park in  
986 April and it is a very good, affordable event for you to bring your pets in keeping with  
987 our Town ordinance and get them vaccinated and to spend some time at the park and I  
988 believe that’s April 30<sup>th</sup> . . . April 2<sup>nd</sup>, I jumped to the end of the month and it’s  
989 actually at the first of the month but so I hope all of you will keep that in mind and  
990 come out and be with them on that day and thank her for her effort to promote it.  
991 Thank you all for coming and I hope you have a great week. Thank you.”

992  
993 Mr. Johnson made a motion to go into executive session. Mr. Smith seconded the  
994 motion. **All voted in favor. MOTION CARRIED.**

995  
996 **11. EXECUTIVE SESSION-** FOIA 30-4-70(2) Discuss contractual matters relating to  
997 pier restaurant proposals.

998  
999 Mr. Smith made a motion to come out of Executive Session and go into Regular  
1000 Session. Mr. Childs seconded the motion. **All voted in favor. MOTION**  
1001 **CARRIED.**

1002  
1003 Mayor Deaton stated that Council had a detailed discussion with the broker in charge  
1004 and has instructed him to pursue the three candidates further and come back to  
1005 council.

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**12. ADJOURNMENT**

Mr. Smith made a motion to adjourn. Ms. Blair seconded the motion. **All present voted in favor. MOTION CARRIED.** The meeting was adjourned at 9:56 PM.

Approved: March 8, 2011

\_\_\_\_\_  
Sharon Pinnell, Town Clerk

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K. Allen Deaton, Mayor

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Roderick E. Smith, Town Council

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Vicki W. Blair, Town Council

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Ann Dodge, Town Council

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Douglas F. Samples, Town Council

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Mark L Johnson, Town Council

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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.