



TOWN OF SURFSIDE BEACH  
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**TOWN COUNCIL SPECIAL MEETING  
COUNCIL CHAMBERS  
WEDNESDAY, AUGUST 15, 2012 ♦ 6:30 P.M.**

**A G E N D A**

**1. CALL TO ORDER – Mayor Douglas F. Samples**

**2. PUBLIC COMMENTS – AGENDA ITEMS**

**3. BUSINESS**

Direction to Engineer regarding planned pier and parking area Improvements to be accomplished and requiring OCRM (South Carolina Department of Health and Environmental Control Office of Coastal Resource Management) approval

**4. EXECUTIVE SESSION**

Pursuant to FOIA §30-4-70(2) to receive a legal update from the town attorney on all pending town civil matters; and to discuss contractual matter

**5. ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL  
SPECIAL MEETING MINUTES  
AUGUST 15, 2012 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

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1. **CALL TO ORDER.**

Mayor Samples called the special meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, Kohlmann, Smith, and Stevens were in attendance; a quorum was present. Staff present: Interim Administrator Fellner, and Public Works Director Adair. Also present: Town Engineer Strickland, Town Attorney Moss and Town Clerk Herrmann.

2. **PUBLIC COMMENTS – AGENDA ITEMS**

Ms. Mary Maruca, 7<sup>th</sup> Avenue South. She believed that an elevator was preferable to a ramp. The cost would be around \$85,000, plus maintenance. The maintenance contract she has on the elevator at Boston Commons is \$220 per month for the first ten years, and then will be \$400 per month. The maintenance contract covers everything. Ms. Maruca said there had never been a problem with the elevator that wasn't resolved quickly and satisfactorily. She opposed a ramp, because elderly citizens had difficulty pushing wheelchairs up them. The elevator holds as many as 12 people and up to 2,400 pounds of weight, and are used to move appliances and furniture. Mayor Samples asked if the cost estimate included structure of the housing. Ms. Maruca said the elevator actually cost \$30- to \$40-thousand, and the housing structure was the remainder.

Mr. Gene Maruca, 7<sup>th</sup> Avenue South, had been involved with elevator installation for many years and said there are only a few contractors in this area that can successfully build the enclosures. He believed the ramp was too long, saying he could not walk its distance any more than he could walk the steep incline on the existing ramp. Seventy or 80 feet is too far to ask a senior citizen to walk, much less push a wheelchair. The maintenance contract he has includes parts and labor, and most things are covered. Unless there was a catastrophic event that would be covered under insurance, there were no extra fees.

3. **BUSINESS**

Direction to Engineer regarding planned pier and parking area Improvements to be accomplished and requiring OCRM (South Carolina Department of Health and Environmental Control Office of Coastal Resource Management) approval.

Mr. Smith moved to suspend the rules to allow public discussion during the business discussion.  
Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

Ms. Dodge thought a stainless steel elevator with a housing unit would work well on the beach. She was not sure whether another means of access was needed. She favored an elevator.

Mr. Johnson appreciated the comments in proposing an elevator, but he believed the fact that an elevator was being placed in a public area was being overlooked. This opened up the town to a big liability issue. His understanding is the elevator has to be operable 24-hours, 365-days a year. He asked whether a full time employee would be hired to operate the elevator. Another issue is vandalism, which occurs throughout the town. He asked what would keep children and/or adults from using the elevator for playing or other purposes for which it is not intended. He believed these concerns along with possible down-time might be issues insofar as compliance with Americans with Disabilities (ADA) standards. These were some of his concerns about choosing an elevator instead of a ramp.

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57 Ms. Mabry agreed with Mr. Johnson saying there was a difference between a public and private  
58 elevator. The town is responsible for cleanliness throughout the day, for children's safety. She said if this  
59 were a private enterprise, she would support it 100-percent. Because the town is responsible, in her  
60 opinion, an elevator is not the best choice.

61  
62 Mr. Stevens said the elevator is an option. In his opinion, the question is what is the cost of an  
63 ADA ramp compared to an elevator? Based on information he has, the elevator is much cheaper than  
64 the cost of a ramp if it is fully constructed. Using staff for construction labor would reduce the cost. He  
65 believes there is a duty to the taxpayers to compare the options. Mr. Stevens spoke with Otis Elevator  
66 staff who told him that there are no more problems with ocean-front elevators than others.

67  
68 Mr. Smith had mixed feelings about an elevator. He thought the ramp would be more attractive  
69 and more "beachy" than an elevator, which is a big box. He would like to keep the existing ramp,  
70 because he is not in favor of stairs. The elevator is a very good choice and would help to maintain the  
71 integrity of the gate to the pier, which insures town revenue that he believes is very important. The whole  
72 purpose is to make sure the town installs ADA bathrooms on the pier. Even if an elevator is chosen, the  
73 deck area will have to be constructed to house the bathrooms. Once cost information is presented, he  
74 would be better prepared to make a decision. Mr. Smith reiterated that a ramp would be more  
75 aesthetically pleasing. Even though the ramp might be a long walk, it would look good.

76  
77 Ms. Kohlmann wanted to be open to consider options, but believed Mr. Johnson's comments had  
78 merit, particularly since safety was one of her top issues. She had concerns about the elevator, but the  
79 long walk could be difficult. She believed council needed to have as much information as possible before  
80 making a decision. Hearing other members' comments was valuable and important to making an  
81 informed decision.

82  
83 Mayor Samples believed research should be done regarding the actual cost of elevators.

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85 Mr. Strickland said his company had designed several elevator retrofits for condominiums in the  
86 Garden City area at costs ranging from \$80- to \$100-thousand for commercial elevators. Council should  
87 consider weight capacity and the number of passengers as well as what size is necessary to  
88 accommodate fishermen's equipment and/or vendors delivering supplies. Mr. Strickland will contact the  
89 manufacturer's representative for specific details based on what they believe are the requirements for this  
90 site. He would also consider placement of an elevator at the pier, if council chooses to install an elevator.

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92 Mayor Samples asked if this was what council wished to direct the engineer to do at this time.

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94 Ms. Mabry added that an ADA compliant elevator was being discussed, which would not be used  
95 by food purveyors. The current ramp would have to be kept or a new one constructed for the vendors  
96 and fishermen, because they cannot use stairs. Other means of access are also necessary. Keeping the  
97 existing ramp will eliminate parking expansion. More will be lost than money, if an elevator is installed.

98  
99 Ms. Terri Lauer, Harbor Lights Drive, had been a special education teacher for many years, and  
100 said she had vast experience pushing wheelchairs. She believed the ramp was too long. She asked who  
101 would maintain the elevator; who would pay the electricity to operate it, and the premiums for liability  
102 insurance. She said children often are unsupervised and might get their fingers caught in the door. She  
103 personally would love to have an elevator, but wondered if it was practical for an outside venue in the salt  
104 air.

105  
106 Mr. Glen Curtis, Palladium Drive, said his mother was in an elevator when it crashed, causing a  
107 lot of personal injury. An elevator is a good idea, but liability and safety must be considered. The beach  
108 environment encourages running and playing, which might be a problem on the ramp, and might be a  
109 problem for vendors moving products on the ramp. If the elevator breaks down, it might be weeks before  
110 repairs are made.

111

112 Mayor Samples said Garden City Pier, a privately owned business, does not have an elevator.  
113 That pier is much higher than the height at the town's pier. He believed an elevator when it is working is  
114 the best solution. However, his concern is that this is a beach town at a publicly owned venue, where  
115 children are dropped off to play, often unsupervised, which is a liability issue. Mayor Samples wanted  
116 council to have all the information possible so it feels comfortable making a decision.

117  
118 Ms. Maruca asked if anyone had visited the 2<sup>nd</sup> Avenue pier or contacted anyone there about  
119 their elevator. She believed it had been in operation over a year, and they might provide some insight.

120  
121 Mr. Stevens visited the Garden City pier where a group of teenagers ran by him "like mad dogs"  
122 when he was going down the ramp. He believed the liability question was irrelevant, because running on  
123 the ramp versus playing in an elevator were about the same.

124  
125 Mr. Maruca asked if anybody had ever fallen off the existing pier, because it is open to the ocean  
126 and has only a few rails. He asked if anyone had drowned in the "pool" (water fountain) at the Veterans  
127 Memorial. He asked if anyone had suffocated in the rubbish buckets on the beach. These questions  
128 were asked to point out that children do those strange things. The town does have an overall liability  
129 insurance policy and he believed it would cover an elevator, or an insurance rider could be purchased for  
130 a small cost. He did not think liability should be a factor in this decision.

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132 Mr. Stevens moved to direct the engineer to look at both plans and to give cost breakdowns and  
133 anything that would help make the best decision. Ms. Dodge second.

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135 Ms. Dodge said that both options have merit. Excellent points were raised by Mr. Johnson and  
136 other councilmembers.

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138 Ms. Kohlmann moved to amend the motion to delete "and anything that would help make the best  
139 decision." Mr. Johnson seconded. All voted in favor. **MOTION TO AMEND CARRIED.**

140  
141 Mr. Johnson moved to amend the original motion to state that the options are ramp versus  
142 elevator. Mr. Smith seconded. All voted in favor. **MOTION TO AMEND CARRIED.**

143  
144 Mr. Smith asked that the motion as amended be stated for the record. Ms. Herrmann said the  
145 motion is "to direct the engineer to look at options for a ramp versus an elevator, and give cost  
146 breakdowns for each alternative." All voted in favor. **MOTION CARRIED.**

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148 Mr. Strickland asked that anyone who had contact information for elevator companies let him  
149 know that information could be obtained.

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151 **4. EXECUTIVE SESSION**

152  
153 Pursuant to FOIA §30-4-70(2) to receive a legal update from the town attorney on all pending  
154 town civil matters; and to discuss contractual matter.

155  
156 Mr. Smith moved to enter executive session at 7:16 p.m. Ms. Dodge seconded. All voted in  
157 favor. **MOTION CARRIED.**

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159 Mayor Samples announced a 5-minute recess.

160  
161 Mr. Smith moved to reconvene regular session at 8:13 p.m. Mr. Johnson seconded. All voted in  
162 favor. **MOTION CARRIED.**

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164 Mayor Samples said that no action was taken during executive session.

165  
166 Ms. Mabry moved to appoint Micki Fellner as town administrator. Ms. Kohlmann seconded. All  
167 voted in favor. **MOTION CARRIED.**

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**5. ADJOURNMENT**

Mr. Smith moved to adjourn at 8:13 p.m. Ms. Mabry seconded. All voted in favor. MOTION CARRIED.

Respectfully submitted, |

Debra E. Herrmann, CMC, Town Clerk

Approved: August 28, 2012

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randie M. Stevens, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In accordance with FOIA, meeting notice and the agenda were distributed 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. Public Comments and Council Comments are transcribed verbatim without grammar corrections. When used given names are replaced with surnames.