



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
EXECUTIVE SESSION JULY 14, 2015 ♦ 6:00 P.M.
REGULAR MEETING JULY 14, 2015 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Executive Session – 6:00 p.m.

Mayor Samples called Town Council to order at 5:53 p.m. on Tuesday, July 14, 2015 for the purpose of entering executive session pursuant to the Freedom of Information Act §30-4-70(a)(2) to discuss proposed contractual arrangements related to the proposed sale or purchase of property. Mr. Johnson moved to enter executive session at 5:53 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 6:28 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.** Mayor Samples said that no action was taken during executive session. Any motions or directives to the town administrator will be presented during the business portion of the meeting. Mr. Johnson moved to close executive session at 6:28 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Town Council Meeting – 6:30 p.m.

1. CALL TO ORDER.

Mayor Samples called the regular meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, Magliette, and Stevens were in attendance. A quorum was present. Others present: Administrator Fellner and Town Clerk Herrmann.

Mayor Samples announced that the next regular meeting would be held on Monday, July 27th at 6:30 p.m., because Tuesday, July 28th is Primary Election Day for South Carolina House Seat 106.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Reverend Kay Stanaland from the South Strand Assembly of God gave the invocation.

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

3. AGENDA APPROVAL

Mr. Childs moved to adopt the agenda as presented. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL

Regular Meeting June 23, 2015. Mr. Childs moved to adopt the June 23, 2015 regular meeting minutes as presented. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED**

5. PUBLIC COMMENTS – Agenda Items Only. (3-minutes per speaker).

There were no public comments on agenda items.

6. COMMUNICATIONS.

Mayor Samples reminded the audience that Town Council agreed to have all department directors make their reports at the second monthly meeting, which was why there were no directors present. The only report at the first meeting would be from the town administrator.

57 **Administrator's Report.** Ms. Fellner reported:

58
59 Hurricane Training. The training is scheduled [Wednesday, July 15th] at 6:30 p.m. in Council
60 Chambers. Horry County Emergency Management Division staff and town department directors would
61 address their respective functions during a hurricane. The public was invited, and questions were
62 encouraged.

63
64 Stormwater Committee Meeting. The committee will meet Tuesday, July 21st at 5:00 p.m. in
65 Council Chambers. The committee will discuss the recent water level adjustments to Dogwood Lake,
66 Lake Elizabeth and Palmetto Lake. The engineers and wetlands professionals will be in attendance to
67 field questions after a short presentation by the public works director.

68
69 Human Resource (HR) Audit. The first human resource audit is scheduled for August 12th and
70 13th to be performed by FGP, headquartered in Greenville. The firm has many years of experience
71 working in municipal government HR. FGP regularly speaks at Municipal Association spring and fall HR
72 conferences. The Municipal Association highly recommends FGP.

73
74 Infrastructure Focus Group. Councilmembers Childs and Magliette, two members of the focus
75 group, Public Works Director Adair, representatives from Santee Cooper, a representative from HTC and
76 she met for a site visit on Ocean Boulevard regarding the upcoming underground wiring project. The
77 purpose was to walk the entire project area and discuss the placement of light poles and vaults. They are
78 "pretty well along" in their acquisition for the prescribed area. There are only a few places where the town
79 will be asked to help.

80
81 Woodlawn Weir in Garden City. Mr. Adair and she also met with Steve Gosnell, Tom Garrigen,
82 and Andy Martinez from Horry County regarding the repair of the Woodlawn Weir. The split with Horry
83 County for this project is was supposed to be 80-percent town, and 20-percent county. It was agreed at
84 the meeting that the town would not participate financially in the repair. It would be technically classified
85 as maintenance. It was also agreed to assess the water discharge volume from the Melody Basin into
86 Garden City and redefine the watershed accordingly. The reassessment will need to be done by an
87 engineer. The county has agreed to split the cost of the assessment, which should be relatively
88 inexpensive. Ms. Fellner hoped to lower the split percentage for the town, because the town dumps very
89 little water into that area, and should not bear the cost of all the water moving there. Most of the water is
90 from the county. She will keep Council apprised of the costs and scope of work.

91
92 Consensus. Ms. Fellner proposed Thursday and Friday, November 12th and 13th as the dates for
93 the fall visioning meeting. Directors will attend to make their presentations on Thursday, and be
94 available, if needed, on Friday. The meeting will begin at 9:00 a.m. each day, and end whenever
95 discussion is completed. She proposed that the vision meeting be held in Council Chambers.
96 Ms. Mabry said that Town Council voted to have the vision meeting at Brookgreen Gardens and \$2,500
97 was budgeted for that purpose. Mr. Childs believed Brookgreen was the perfect venue to have the vision
98 meeting, because there were no distractions. The last vision meeting went very well. He hoped that
99 Town Council would agree to going to Brookgreen. Mr. Pellegrino agreed with Mr. Childs, and supported
100 having the meeting at Brookgreen. **Town Council CONCURRED to have the Vision Meeting**
101 **November 12 and 13, 2015 at Brookgreen Gardens.**

102
103 Reponses to Public Comments:

104
105 *Comment:* A resident asked that the tents stay by the dunes behind the umbrella line; he asked if
106 there was an ordinances that requires tents to be placed behind the umbrella line.

107 *Response:* Town Code Section 12-67 Obstructions states that "Beach umbrellas and other
108 beach paraphernalia will be at a distance of at least ten (10) feet to the rear (inland side) of the lifeguard
109 stands and in a line generally parallel with the ocean strand. It shall be unlawful to place any obstruction
110 on the beach in such a position that it will interfere with the ground-level vision of a lifeguard looking
111 toward the water and the lifeguard stands on either side of him." This ordinance is enforced, however,
112 there are times when a tent may be set up prior to a lifeguard arriving, especially when the tide is low. In

113 cases such as these, the lifeguard will ask the person to move the tent at least ten to the rear on the
114 inland side of the lifeguard stand, and will engage beach patrol, if necessary. Obviously, this is a line-of-
115 sight issue.

116
117 *Comment:* A resident asked how many lifeguards were on the beach and questioned the
118 proximity between stands. The resident asked that the town communicate the lifeguard coverage areas
119 to visitors, and also stated that the "No Swimming" area near the pier was not being enforced.

120 *Response:* There are ten lifeguard stations in Surfside Beach at the following locations: Holiday
121 Inn at 16th Avenue North, 12th, 6th, 3rd, and 1st Avenues North; Days Inn at the Pier, and 4th, 7th, 10th, and
122 13th Avenues South. The location of the stands and beach rules have been published on the town's
123 website since 2009. The link is <http://www.surfsidebeach.org/beaches.html>. In view of the recent East
124 Coast shark attacks, the beach services provider and she discussed the importance of enforcing no
125 swimming or surfing within 300 feet of the pier. The provider has discussed this thoroughly with all of his
126 personnel.

127
128 *Comment:* A resident said there are erosion problems emanating from the swash at the
129 Seabridge Complex. She further remarked that the administrator and public works director looked at the
130 swash, but did not look at the structural damage inside the houses, and asked that the town look further
131 into these problems.

132 *Response:* As stated at the last meeting, opinions on these kind of matters require the study and
133 input of a certified engineer who specializes in this type of work. An engineer from DDC is currently
134 evaluating the area and will be in touch with us, hopefully within the next few weeks, regarding his
135 determination. Ms. Fellner will keep Town Council apprised.

136
137 Ms. Fellner said there was one other public comment, but it did not require a response or follow-
138 up. There were no questions or comments by Town Council.

139 140 **7. BUSINESS**

141
142 **A. Personnel Handbook Amendment, Administrator Fellner.** Ms. Fellner presented the
143 decision paper, a copy of which is on file. As previously directed by Town Council, she proposed to
144 amend Section 210 Conflicts of Interest by adding "No Surfside Beach employee or their spouse may
145 enter any raffle, drawing or other comparable activity at any town sponsored event." This would establish
146 a policy to prohibit town employees and their spouses from participating in raffles, drawings or other
147 comparable activities at town sponsored public events to avoid sense any impropriety in the eyes of the
148 public.

149
150 Mr. Stevens moved to amend the Town Personnel Handbook as written. Mr. Childs seconded.

151
152 Mayor Samples asked if Town Council was included as employees. Ms. Fellner said yes.

153
154 All voted in favor. **MOTION CARRIED.** Mayor Samples noted that this amendment was adopted
155 and did not require a second reading.

156 157 **B. Motions and/or directions to Town Administrator from Execution Session (at 6:00 p.m.)**

158
159 Mr. Johnson moved to approve the contractual agreement discussed in executive session. Mr.
160 Stevens seconded. All voted in favor. **MOTION CARRIED.**

161 162 **8. TOWN COUNCIL DISCUSSION**

163
164 **A. Housekeeping Amendments to Various Town Code, Councilmember Johnson.** Mr.
165 Johnson said as one of the liaisons to the town clerk, he was made aware of various housekeeping
166 issues in the code. Except for the sailboat registration code, the amendments are just housekeeping
167 issues. Ms. Herrmann presented the discussion paper, a copy of which was on file. Mr. Johnson
168 recommended that staff be directed to present an ordinance for consideration.

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Ms. Mabry said regarding §12-62 *Shark Fishing*, any reference to chum or other type baiting being placed in the ocean should be omitted, because fishermen have to be able to dispose of fishing offal. She agreed the remainder of the recommendations were housekeeping changes. Mr. Magliette agreed with Ms. Mabry. As long as fishing was allowed on the pier, there was no option except to allow the chum to be put into the ocean. Mr. Childs said the City of Myrtle Beach discussed this issue today and came to the same conclusion. There is no other way to get rid of the offal without throwing it in the ocean. Mr. Pellegrino wanted to make sure that shark fishing from the pier would be prohibited. Several members agreed.

Mr. Stevens said regarding §9-16(4) *Beach access parking* should have the words “asphalt or paved” after “where there are no” and before “parking lots.” After discussion, Council agreed that this section would be sent to the parking committee for a recommendation.

Mr. Stevens said regarding §12-86 *Registration of Sailboats* that the State already charges a fee to register sailboats. In his opinion, this section should be repealed. Mr. Johnson agreed to repeal §12-86; Mayor Samples also agreed, and asked if others agreed. **Council CONCURRED to repeal §12-86 *Registration of Sailboats*.**

Mr. Johnson appreciated every member’s comments, which was why the items were brought for discussion. **Council CONCURRED to have an ordinance presented with the changes noted.**

B. Any matters of concern or information to be discussed.

Mayor Samples said it had been a month since Mr. Stevens mentioned that the dry cleaners would like to have a parking space designated for its drop-off and pick-up customers. He asked if this would be addressed by the parking committee. Mr. Childs said the committee was meeting next Tuesday, July 21st, at 10:00 a.m. The committee will discuss the dry cleaner’s request, in addition to §9-16(4) *Beach access parking* for golf carts.

Mr. Magliette gave a brief update on the economic development, planning and marketing focus group. The members met on [June] 30th. Mr. Magliette read the minutes, copies of the minutes were sent to Town Council and are on file in the town clerk’s office. The group’s goal is to bring family friendly businesses into the town that will ultimately reduce the tax burden on citizens, and to bring “Millennials” to live in town to keep the town from becoming a senior retirement community or a vacation rental spot. Possible enhancements to the town’s pier area include a boardwalk from 3rd Avenue North to 3rd Avenue South, an arcade, expanded restaurant, developing special treatments and unique attractions. The group will meet with Urban Land Development representatives on August 12th with the administrator and planning director. Two key questions are (1) will this plan or any plan stimulate redevelopment of the Highway 17 Business corridor in town, and (2) would economic incentives attract a nationally known restaurant or retail establishment. Mayor Samples thanked the committee members for their work and said it would be a long time before Town Council was ready to hear formal recommendations. Mr. Magliette said every effort was made to be transparent; the group was taking baby steps. Mr. Stevens said keeping the town a family oriented beach was the focus, because that set the town apart from other area beaches, and stimulating the business economy to avoid tax increases. Millennials are the future; they like Wi-Fi, so it might be good to get it at the pier.

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

Mr. Harry Kohlmann, South Ocean Boulevard, said about two months ago he commented that Highway 17 is the gateway to the town. The State gave the town Crepe Myrtles and ornamental grass to beautify the highway. It was looking shabby; weeds were growing. One time he saw a single employee working on the medians for about a week, but he only managed to clean one and maybe a half of the second of five planting areas. He asked why the maintenance was stopped and why it has not continued. Most of the rental properties on Ocean Boulevard are at full occupancy. He believed it would be a banner year, even though there is limited parking on Ocean Boulevard. The rental properties seem to be able to

225 keep their cars on property. Occasionally, a renter parks on the sidewalk to avoid inconveniencing
226 someone in their house. Mr. Kohlmann said very few cars park on Ocean Boulevard, even during the day
227 when it is beach hours. There may be one or two with parking decals. The "big worry" was where people
228 would park if Ocean Boulevard was restricted. They are parking in the lots. The parking lot at 16th-17th
229 Avenues North is seldom full, but usage is up two-thirds to a half of the spaces when he passes mid-day
230 on his way home from work three days a week. On Saturdays that lot is almost always completely full.
231 The lot at 13th Avenue South is not doing as well. He believes part of the problem is that the Value
232 Parking signs were not placed correctly. The parking committee was not consulted for recommendations
233 on the sign placement. He believes the signs should be placed at the pier parking lot that is always full,
234 and at Melody Lane where there is a very small parking lot. He found a rental house on Sunday with
235 overflowing garbage, but there were no sanitation rollout service markings on the street. He asked how
236 that could happen when the house had a big rental sign. He believed the sanitation supervisor should be
237 looking for situations like that. This was the second house in two months that he saw like this. The
238 reason he was so "excited about this" was that last year he and his wife reported rats on the south end
239 running on the dunes. This year rats are not only on the dunes, but they are also running along the
240 sidewalks on Ocean Boulevard. The town says three people have to complain. He asked what kind of
241 nonsense was that (*time ended*). Something should be done. Thank you.

242
243 Ms. Patricia Magliette, Harbor Lights Drive, said she was walking along Ocean Boulevard on a
244 Friday night, which are great because there are a lot of visitors. Unfortunately, like [Mr. Kohlmann] said,
245 the garbage cans in some respects were full and overflowing. Some of those garbage cans probably
246 have a week's worth of diapers in them. She was a nurse and can stand most odors, but those cans
247 were just too much to smell. She did not want to have a case where someone was bitten by a rat and
248 sued the town. She was going to put another prayer up there and hoped that the garbage situation was
249 taken care of. The rental homes are extremely nice and bring in revenue. Renters arriving on Sunday
250 who see garbage at their houses will not enjoy that part of the Family Beach. Thank you for listening to
251 this.

252
253 Mr. Tom O'Dare, *Myrtle Beach Herald*, said that pursuant to the Freedom of Information Act you
254 cannot vote to enter into a contract without telling the nature of the contract. Mayor Samples said he
255 believed the direction was to proceed with negotiations.

256
257 Mr. Tom Dodge, 15th Avenue North, said he rode his golf cart through town a couple of times
258 every day, and said that Mr. Kohlmann's comments were absolutely true. Mr. Dodge thought that the
259 basic problem was that department directors do not live in town. He addressed that with Ms. Fellner. The
260 department directors have no feeling towards the town; quitting time comes, they go home. They come
261 back to work Monday morning. They are not here over the weekend. They don't know what is
262 happening. Do not cut the town's people short on what they see and what they tell you. We tell you the
263 facts. Thank you.

264
265 **10. TOWN COUNCIL COMMENTS**

266
267 Mr. Pellegrino said thank you for coming tonight. He appreciated it, and thank you for the input.
268 He believed there was a trash situation last summer. Obviously, it has not been addressed adequately,
269 because we have the same sort of situation this summer. We will have to see what we can do to remedy
270 that situation. Thank you very much. It was a short agenda. It was the shortest meeting he had ever
271 been to. Have a great night.

272
273 Ms. Mabry said Saturday is the number one checkout day; checkouts are also done on Sunday.
274 The town offers rollout service. The only solution to the trash situation was to have the trash picked up
275 two or three days in a row. Every time there is [overflow] identified by staff, another cart is delivered. Of
276 course, the homeowner is kicking and screaming when he finds out there are two carts instead of one.
277 The town has placed the huge recycle bins in the rental district, which helped a lot with the overflow.
278 Those are the only solutions, which would require a lot of overtime and another full staff. Think about
279 that. If the town has to do it, it has to. It was more than just saying go by there and pick up the trash.

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280 She certainly did not want to see any "critter" running around in Surfside Beach. If trash is a problem, we
281 would definitely have to do something about that.

282
283 Mr. Stevens thanked everybody for coming out. He reminded everybody that sanitation rates
284 were raised a few years ago by \$3.75. Citizens demand services and it is imperative that we, as a town,
285 make sure that the trash is picked up. If we have rats, then we need to set traps. He actually had seen
286 rats in that area. It was important that citizens bring information forth. Recently, a citizen submitted 15
287 items in an email message. When he looked for the pothole, he ran into it. It was 5-inches deep.
288 Unfortunately, the pothole was on a state road. He wanted to make sure that the administrator contacted
289 the highway department to repair the potholes. We have to do everything as a town to make sure the
290 place is neat and clean. Tourism is our money maker, and we certainly do not need trash cans sitting out
291 there. If he ever went some place where trash was all over, he complained. He did not want to pay his
292 good money to stay in a place with trash around. Thank you for coming out and have a good evening.

293
294 Mr. Magliette thanked everyone for coming. He thanked all the volunteers that serve the town.
295 During June, 28 volunteers in the Adopt-a-Beach group worked 80 hours; 42 bags of trash weighing
296 about 55 pounds total were collected from the beach. Water testing was done today. Dogwood Lake has
297 reached its normal turbidity baseline of 5 to 6. Thank you to all those who worked toward reaching that
298 goal, including Horry County and Surfside Beach employees. The Surfside Beach Fire Department
299 continues with the Special Needs Outreach program to assist individuals with special needs during
300 hurricane season or other events evacuation. If you know of anyone that needs special assistance,
301 please get them registered. South Carolina has a home renovation matching grant of up to \$5,000 to
302 retrofit roofs to hurricane standards. The zoning department has the forms and staff will assist. He walks
303 Ocean Boulevard every day at different times. One of the problems he saw was that when the dumpsters
304 were overflowing, the trash that fell when it was emptied was never picked up. The rats are there
305 because they never really tidy up and remove all the bags of trash. He recommended to the
306 administrator and others that the area be cleaned before the dumpster was put back. If there is a rat
307 problem, which there appears to be from the photographs submitted to council, he thought the policy of
308 having three independent eye witnesses before action was taken did not help to resolve the issue. He
309 believed we should be proactive. If someone saw a rat in an area, bait traps should be put out. Thank
310 you for coming, and I appreciate you coming here. It was important to have citizen participation. Thank
311 you to all the volunteers who make this town such a wonderful place. God bless you and have a good
312 night.

313
314 Mr. Johnson said thank you all for coming out tonight. I just want to clarify the executive session
315 motion that I made. It was a contractual agreement discussed in executive session, and the reason we
316 went in executive session was to discuss a proposed contractual arrangements for proposed sale or
317 purchase of property. So, that means that I don't have a whole lot to say that has not been said. I would
318 like to... Mayor Samples interjected that we are still in negotiations. Mr. Johnson said yes, we are. I
319 would like to say that several councilmembers are going to the Municipal Association conference this
320 week to get educated on how to better serve you. We look forward to coming back further educated and
321 trying to make this town as good as it can be. Thank you very much.

322
323 Mr. Childs said [Parking Committee] Chairman Kohlmann brought up a good point. The parking
324 committee discussed signage numerous times. Signage directed visitors to the parking lots. He
325 suggested that the parking committee discuss signage for recommendations. Thank you.

326
327 Mayor Samples thanked Mr. Tom O'Dare for calling him on a Monday to share that the Town of
328 Surfside Beach was ranked number 29 in the country on the Trip Advisor website as an affordable, family
329 oriented beach vacation place. There was one other beach in South Carolina, Pawleys Island. The rest
330 of the beaches were in Florida, California, and other states. He thought that said something about the
331 community. We know it is a great place, otherwise, we would not live here. Yes, there are some
332 problems, life presents challenges. He wanted to thank Town Councilmembers for their conscientious,
333 considered, dedicated efforts to work, to do what is right for the people of the Town of Surfside Beach and
334 for the town. We have different opinions, but they are honest. He could not say enough about how we

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335 were working together. Thank you all for coming tonight. Keep coming back. Keep us on our toes. But,
336 rest assured they have your interest at heart.

337
338 **11. ADJOURNMENT.** Mr. Childs moved to adjourn the meeting at 7:28 p.m. Ms. Mabry
339 seconded. All voted in favor. **MOTION CARRIED.**

340 Prepared and submitted by,

341 _____
342 Debra E. Herrmann, CMC, Town Clerk

343
344 Approved: July 27, 2015

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346 Douglas F. Samples, Mayor

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348 _____
349 David L. Pellegrino, Mayor Pro Tempore

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351 Robert F. Childs, Town Council

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354 Mark L. Johnson, Town Council

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356 Mary Beth Mabry, Town Council

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358 Ralph J. Magliette, Town Council

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360 Randle M. Stevens, Town Council

361 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded.
362 Contact the town clerk for appointments to hear recordings. Bring a flash drive to obtain a free copy. In
363 accordance with FOIA §30-4-80, meeting notice and the agenda were distributed to local media and
subscribers on the town's Email Updates list. The agenda was posted on the town website and the entry
door at Town Council Chambers. Meeting notice was also posted on the Town marquee.