



TOWN OF SURFSIDE BEACH  
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**TOWN COUNCIL REGULAR MEETING  
COUNCIL CHAMBERS  
TUESDAY, APRIL 9, 2013 ♦ 6:30 P.M.**

**A G E N D A**

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Pastor Tom Wallace, Journey Church
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** –
  - A. Special Meeting March 25, 2013
  - B. Regular Meeting March 25, 2013
5. **PUBLIC COMMENTS** – 3-minutes per speaker
6. **COMMUNICATIONS**
  - A. Department Reports
    - i. Planning, Building & Zoning
    - ii. Police
    - iii. Fire
  - B. Administrator's Report - Update on Current Events
7. **BUSINESS**
  - A. Second Reading Ordinance #13-0739 to repeal GTE Franchise, expired 10/2007.
  - B. First Reading Ordinance #13-0742 to add §17-905(d) and §17-914 Time for Completion of Overlay Requirements
  - C. First Reading Ordinance #13-0743 to amend §17-395 and §17-420 Parking Requirements in C-3 Zoning District
  - D. Resolution #12-116 to Establish *ad hoc* Beautification Committee, to consider KSBB recommendation to limit membership to 11 appointees
  - E. *Ad Hoc* Committee Reports
  - F. Committee Appointments (*May be deferred until after Executive Session*)
    - i. Planning & Zoning Commission (1 Vacancy) Bill Trail, Jim Toney, Al Lauer
    - ii. Construction Board of Appeals (2 Vacancies) Gene Pecelli
8. **DISCUSSION** – Any matters of concern or information to be discussed by Town Council. Drug Paraphernalia, Mayor Pro Tempore Mabry and Councilmember Kohlmann
9. **PUBLIC COMMENTS** – 5-minutes per speaker
10. **COUNCIL COMMENTS**
11. **EXECUTIVE SESSION** - Pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person to a public body and to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee.
12. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
APRIL 9, 2013 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

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1. **CALL TO ORDER.** Mayor Samples called the 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. Others present: Town Administrator Fellner; Planning Director Morris; Police Chief Keziah; Fire Chief Cimini, and Town Clerk Herrmann.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE.** Pastor Tom Wallace was unable to attend. Mr. Johnson gave the invocation. Mayor Samples led the Pledge of Allegiance.

3. **AGENDA APPROVAL.** Mr. Smith moved to approve the agenda as presented. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

4. **MINUTES APPROVAL.**

Mr. Johnson moved to approve the March 25, 2013 special meeting minutes as presented. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Mr. Johnson moved to approve the March 25, 2013 regular meeting minutes as presented. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

5. **PUBLIC COMMENTS – AGENDA ITEMS.** No comments were made.

6. **COMMUNICATIONS.**

A. **Department Reports**

i. **Planning, Building, & Zoning.**

Ms. Morris presented the written report, a copy of which is on file. The department issued 109 permits during March compared to 101 in 2012; 147 inspections were completed; 15 plan reviews were performed and 34 business licenses were issued. The Waffle House representative picked up the permit to begin construction. It will be located on Highway 17 North next door to Dagwood's Deli. The Board of Zoning Appeals denied the request by Tomlinson's to allow them to keep the parking lot as it without meeting the overlay landscaping requirements. Tomlinson's has 30 days during which to appeal to circuit court. The owner of the two properties located on 15<sup>th</sup> Avenue South obtained demolition permits and the structures were removed.

Mr. Smith thanked Ms. Morris for helping to get the River City Café sign replaced, and noted that in her report it should state Dagwood's Deli, not Dogwood's Deli.

Ms. Dodge, holding up a newspaper, asked if anything could be done to stop unsolicited papers being left all over town every week. They are even thrown onto vacant properties. Ms. Morris said that was being addressed as others had already called her about them. The service was asked to only leave them where there is a proper receptacle; it's a slow process. Ms. Dodge thanked Ms. Morris for the efforts to clean up 15<sup>th</sup> Avenue South. Mr. and Mrs. Goddard who are neighbors to the property will be thrilled to see it cleaned up.

56 Mayor Samples said the newspapers are a nuisance, and that he personally called *The Sun*  
57 *News* and its parent company, Knight-Ridder, many months ago. He suggested that staff contact the  
58 town attorney to see if there was some type legal action the town could take, because there is a contract  
59 in place for the distribution of those papers. He asked Ms. Morris to report back to council.  
60

61 **ii. Police.**

62  
63 Chief Keziah said he received a complaint today about unsolicited newspapers. He called, but  
64 had not yet received a reply to the message he left. Chief Keziah presented the written report, a copy of  
65 which is on file. There has been a 4-percent increase in calls for service during this month; 801 to 836.  
66 Arrests have decreased 3-percent, 178 to 172, compared to March 2012. Nicole Solorzano has  
67 completed the 6<sup>th</sup> week at Criminal Justice Academy. She is ranked at the very top of her class. She was  
68 named "assistant class leader" by her peers, which is a very big honor, and is an example of the quality of  
69 personnel Surfside Beach sends to academy. The department and town are very proud of her  
70 representation and look forward to having her serve. The promotional process for ranks of corporal and  
71 sergeant are completed and a list of candidates is done. The process for lieutenant is also underway,  
72 and should be completed by May 1. Staff performed on-line training required by the SC Criminal Justice  
73 Academy to receive mandated in-service hours. There was one use of force incident during March  
74 involving a burglary incident. There was one vehicle pursuit during March involved a vehicle travelling the  
75 wrong way down Highway 17 at night. The driver was intoxicated. The tire deflation device was used  
76 and worked perfectly to end the pursuit. The department hosted a Controlled Force Instructor Class on  
77 March 11 through 14. By hosting the class, the town received \$895 worth of training free for officers.  
78 Another class will be hosted in November. All officers, including beach patrol, will attend a 4-hour  
79 CPR/First Aid training class by the end of April. Sergeant Bailey's participation in the US Marshalls Task  
80 Force assisted the department in clearing 18 outstanding warrants, and collected \$9,725 in bonds and  
81 fines. Surfside Beach Police Officers wrote 63 warnings in lieu of Uniform Traffic Tickets or to record  
82 vehicles stopped for non-traffic related reasons that are not reflected in the database total. Chief Keziah  
83 thanked the town for allowing him to attend the FBI National Academy training in Quantico, Virginia. He  
84 graduated from the 10-week course on March 22<sup>nd</sup>. Instruction included leadership in law enforcement,  
85 forensic science overview for police managers and administration, labor law issues, forensic analysis of  
86 written statements, media issue for police administrators, and two hours of physical training four days a  
87 week, all of which will enable him to serve the town more effectively. The Citizens Police Academy is  
88 scheduled to begin July 12 and end August 15. The class will meet on Thursday nights from 7:00 to 9:00,  
89 and is open to town residents, property owners, and any citizen who works at a business in the town.  
90 Participants will be selected after completion of background checks and review by a selection committee.  
91 Two suspects were arrested on March 26 during the commission of a night-time burglary of a residence  
92 on Ocean Boulevard. They were later identified and charged for the commission of an armed robbery at  
93 a bank in the Murrells Inlet/Pawleys Island area. The arrest cleared numerous open cases in the  
94 department, and some open cases in Horry and Georgetown counties. The officers involved were  
95 commended. A citizen sent a very nice card to thank Corporal Ziolkowski, and Officers Brode and Hoffer  
96 for the manner in which they responded to a burglary call at her residence. She said they were  
97 "courteous, well-informed, and very professional." The department always appreciates letters and cards  
98 like this on as they confirm the level of service and professionalism to which they strive to provide.  
99

100 Mr. Smith asked how many people could take the first Citizens Academy class. Chief Keziah said  
101 the first class would be limited to between 10 and 15; future classes may have more participants  
102 depending on feedback and adjustments to the program. He would like to have larger groups participate.  
103 Mr. Smith said drivers going the wrong way on Highway 17 has happened in the past, and asked Chief  
104 Keziah to think of solutions that might help a drunk driver recognize that he's going the wrong way. He  
105 suggested that Chief take some time to think about it and report back to council. The road is going to be  
106 paved sometime before the end of the year, and he believed it would be beneficial to include additional  
107 signage or arrows on the road. Chief Keziah said it is a very common occurrence and solutions would  
108 take some thought. He said a lot of times it is not a drunk driver; it's just people who are not aware when  
109 they turn off the frontage road that that is not the right direction.  
110

111 Ms. Dodge said one-way traffic was instituted on Seaside Drive, and asked if there had been any  
112 problems with people accessing Seaside Drive. Chief Keziah said there are not any issues that he's  
113 aware of. He inspected the area and found that the road is marked very well, especially with the arrows  
114 on the pavement.

115  
116 Ms. Kohlmann congratulated Chief Keziah on the FBI graduation. It's a wonderful thing, and she  
117 said they were happy that he was here and she looked forward to all the great programs he's coming up  
118 with.

119  
120 Mr. Stevens welcomed Chief Keziah and said he's glad that he is the one they picked, and also  
121 wanted to ask him when the Crime Watch program might get started. Chief Keziah said that was in the  
122 works now; as soon as the lieutenant promotional process is completed May 1st that will be one of the  
123 lieutenant's duties.

124  
125 **iii. Fire.**

126  
127 Chief Cimini presented the written report, which is on file. He noted that the Midway Fire  
128 Department (Pawleys Island) ladder was damaged at a 3-alarm building fire and the town's crew and  
129 volunteers were able to arrive and set up in record time to help douse that fire. The Midway fire chief said  
130 our crew did a great job. That is a good testament to our volunteers as the incident was at 3 o'clock in  
131 the morning. The town crew and volunteers also supported Horry County during the recent Carolina  
132 Forest fires. During the month of March, fire prevention activities included 15 inspections; 9 pending re-  
133 inspections; 3 public education events; 3 plan reviews, and 6 new pre-fire plans, totaling 36 fire  
134 prevention activities. Volunteer and career personnel dedicated 178.3 hours training and 265.45 hours  
135 responding to calls during March. Career crews are now receiving 18-hours additional training each  
136 month through the SC Fire Academy and the Horry County Fire Rescue online system. Captain Prentice  
137 is conducting CPR classes for the police department. The working relationship with the police  
138 department is fantastic; they are a great group of people. The volunteer rank was increased by two  
139 members and there are five new volunteer applications. A mentor program was started this past month  
140 that matches new volunteers with experienced people to give them a better insight into the how and why  
141 of firefighting. The assessment center will take place for the vacant career position on April 17<sup>th</sup>, with  
142 written and practical applications at the Myrtle Beach training center. On the 18<sup>th</sup> a 5-member panel,  
143 including Captain Miller from the town's police department and three outside fire chiefs will conduct  
144 interviews, followed by an agility test. On the morning of the 19<sup>th</sup>, the top three candidates will  
145 interviewed by the town administrator and himself. Three of the five successful candidates are currently  
146 volunteers for the town. There were 22 applicants that tested for the position. Chief Cimini said it was a  
147 pleasure serving as the fire chief. He was very proud of the personnel, the volunteers, and the crew who  
148 are all testament to the 49 years the department has existed. Chief Cimini reminded everyone, including  
149 councilmembers, that the department has free smoke detectors which they will gladly install, just contact  
150 the department.

151  
152 Mayor Samples asked if it was the condo fire in Litchfield. Chief Cimini said it was the James  
153 Smith Realty office building. Mayor Samples said it was a long way to go for a fire, and said that was a  
154 different issue.

155  
156 Ms. Dodge thanked Chief Cimini saying he's done an excellent and spectacular job, and she  
157 appreciated it. In her book, he's the quiet man who gets it done. Chief Cimini said thank you.

158  
159 Mr. Johnson also thanked Chief Cimini.

160  
161 **C. Administrator's Report – Update on Current Events.**

162  
163 Ms. Fellner reported that public works continues to work on delineation of the parking spaces  
164 along Ocean Boulevard and Seaside Drive. Some councilmembers and residents had asked about the  
165 progress. They were still placing some of the wood as late as yesterday afternoon. Mr. Adair has plans  
166 for additional signage on Seaside for no parking as people are trying to crowd the other side of the street,

167 because they do not want to park at the meters. The engineer met with staff on site today to discuss a  
168 required change to the gate on the pier, the Kiwi shades, and the finalization of the additional parking  
169 space plan. Staff will continue to work diligently to move the project forward. The contractor is being  
170 called every day to make sure it is completed timely. The contractor lost a few days due to rain, and the  
171 gate change will add a few days. It will probably be an additional five days in total to complete the  
172 project. The original completion date was Friday, April 12<sup>th</sup>. The contractor will be asked to work on  
173 Saturday.  
174

175 Mayor Samples asked if there is a retention provision on that construction contract. Ms. Fellner  
176 said yes, she believed it was 7-percent.  
177

178 Ms. Fellner informed council that six bids were received for the Huckabee ADA (Americans with  
179 Disabilities Act) bathroom update project that ranged from \$29,500 to \$11,244. After reviewing the  
180 specifications, the lowest bid was determined to be responsive and the bid award will go to the low  
181 bidder, L&J Construction.  
182

183 Mr. Johnson asked if L&J was a local company. Ms. Fellner said they are located in Conway.  
184

185 Ms. Dodge asked how much the bid was. Ms. Fellner said \$11,244; a list of all the bids was  
186 distributed on the dais prior to the meeting. Ms. Dodge found it and said she had covered it up with her  
187 things.  
188

189 Mayor Samples said the administrator and he had discussed the need for a special meeting next  
190 week, and asked Ms. Fellner to explain. Ms. Fellner said an ordinance will be presented during this  
191 meeting to correct one paragraph in the decals and exemption ordinance so that the town is not issuing  
192 an untoward number of decals to nonresident property owners, who would get one decal free and a  
193 second reading on that to make it law. Code requires seven days between first and second readings. It  
194 would behoove the town to have a special meeting for that purpose. It would be a short meeting. The  
195 suggested day and time is April 17<sup>th</sup> at 10:00 a.m., and that would be the only agenda item. After further  
196 discussion, it was decided to meet on Wednesday, April 17<sup>th</sup> at 6:30 p.m. at the fire station.  
197

## 198 **7. BUSINESS.**

### 200 **A. Second Reading Ordinance #13-0739 to repeal GTE Franchise, expired 10/2007.**

201  
202 Mr. Smith moved to adopt second reading of Ordinance #13-0739. Mr. Stevens seconded. All  
203 voted in favor. **MOTION CARRIED.** Mayor Samples said that the franchise agreement is repealed.  
204

### 205 **B. First Reading Ordinance #13-0742 to add §17-905(d) and §17-914 Time for Completion** 206 **of Overlay Requirements.**

207  
208 Ms. Morris presented the consideration paper that is on file and said that Town Council approved  
209 the design overlay district in January 2013. Since that time staff has enforced the ordinance. Generally,  
210 design overlay district requirements are completed prior to a business opening. However, Town Council  
211 may certainly establish a time line to allow a business to open, but set a deadline during which the  
212 business must meet the overlay requirements. The proposed ordinance was recommended by the town  
213 attorney. There was a public hearing on this matter, and the Planning Commission recommended the  
214 changes by unanimous vote. There is a correction to the last line in paragraph (d): the word "used"  
215 should be "issued." At Town Council's request, the penalties for violations will be added in Section 17-  
216 914 upon adoption. The penalty language is exactly the same as penalties in the other sections of the  
217 zoning code. Packages are distributed to those who inquire about the overlay requirements, and adding  
218 this section would inform the public about penalties when requirements are not met.  
219

220 Mr. Johnson moved to adopt first reading of Ordinance 13-0742 as amended. Ms. Dodge  
221 seconded.  
222

223 Ms. Kohlmann said the background section states that Town Council can establish a timeline in  
224 order to allow the business owner to open, while making the required improvements, and asked if that  
225 wording should be included in the ordinance. She understood there was a 60-day time to allow  
226 compliance, but it did not actually state the business could open for business, and she believed that was  
227 council's intent. Ms. Morris said the town attorney provided the wording. When a zoning permit is issued,  
228 it will state the business can open and that 60-days is allowed during which to complete the requirements.  
229 Ms. Kohlmann asked again if it should be part of the ordinance, reiterating that was her only question.

230  
231 Mayor Samples said it was reviewed by legal counsel.

232  
233 Mr. Stevens asked if a business license could be obtained at the same time. Ms. Morris said yes,  
234 but she had no problem adding the language suggested by Ms. Kohlmann.

235  
236 Mr. Smith thought those words should be added to make it very clear that the intent is for the  
237 business to be able to open, just as Ms. Morris stated in the consideration paper.

238  
239 Mayor Samples asked where the words would be inserted. Ms. Morris said the change would be  
240 sent to the attorney for review and suggested adding after ...shall have 60 days from the date of  
241 opening... instead of ...60 days from the date of approval...

242  
243 Ms. Kohlmann asked if "however, may open for business during that time" could be added after  
244 ...comply with the overlay requirements... She said either way was acceptable.

245  
246 Mayor Samples asked if the planning commission and parking committee reviewed the  
247 ordinance. Ms. Morris said the planning commission reviewed it twice, and the wording was approved by  
248 the commission and had legal counsel's review. The parking committee was involved with Ordinance  
249 #13-0743, not this one. Mayor Samples asked her to make sure legal review was done after the  
250 change. Ms. Morris said absolutely.

251  
252 Mr. Smith asked what words would be added and where they would be placed. Ms. Morris said it  
253 would be sent to the town attorney to add the language based on the comments, and it would be  
254 presented to council.

255  
256 Mr. Stevens asked if the words opening and receive a business license should be used. Ms.  
257 Morris said the zoning ordinance has nothing to do with the issuance of a business license.

258  
259 Mr. Smith said the background information says the council can establish a timeline in order to  
260 allow the business owner to open, and the intent is to allow them to open and give them 60 days to do the  
261 overlay. Whatever proper words say that, just like presented in the background information was what  
262 they were looking for. Ms. Morris said she could get that done.

263  
264 All voted in favor. **MOTION CARRIED.** Mayor Samples said first reading is adopted as  
265 amended.

266  
267 **C. First Reading Ordinance #13-0743 to amend §17-395 and §17-420 Parking**  
268 **Requirements in C-3 Zoning District.**

269  
270 Ms. Morris said the current requirements in the C-3 District, which is the business area located at  
271 the pier, actually stifles businesses and give no room for growth or redevelopment. Currently, even on a  
272 very small parcel, a 3,000 square foot retail store requires approximately 60 parking spaces. If something  
273 should happen to those businesses, they could not be rebuilt based on the current code. Several months  
274 ago, council was asked to consider waiving the parking requirements completely for the C-3 District, but  
275 council did not agree with waiving it and instead asked that the matter be reconsidered with input from the  
276 parking committee and planning commission. Staff worked with the parking committee, whose members  
277 were very helpful with the new proposal that is presented tonight. The recommendation basically states  
278 that a building that is to be torn down or to be renovated at 50-percent of the value or more has to be

279 elevated based on FEMA flood elevation requirements and therefore, parking could be located  
280 underneath the building. Staff presented a sketch to the parking committee and to the planning  
281 commission showing that each lot on Ocean Boulevard from Eagles to Neal & Pam's (Surfside Drive to  
282 1st Avenue South) are all the exact same size. Generally, those businesses currently have between ten  
283 and 15 parking spaces. Allowing for an elevator; piers and pilings, and storage areas staff calculated that  
284 they could probably get 24 parking spaces underneath elevated buildings. The planning commission  
285 recommended a change in the wording to state the number of spaces shall be at least 80-percent of the  
286 potential spaces for each parcel or business, which would allow room for elevators, storage, and pilings.  
287 Any lots containing parking areas for existing businesses relinquish the right to develop the area devoted  
288 to parking, unless and until such time parking is provided elsewhere by the business or property owners  
289 meeting the requirements of this chapter. Basically, if there is a vacant parcel being used for parking, it  
290 must continue to be used for parking, unless and until parking is provided in some other location. That  
291 stipulation is already in the ordinance in a different section, but was added here for clarification. The  
292 parking committee and the planning commission recommended approving the ordinance unanimously. A  
293 public hearing was held on the ordinance before the planning commission, and the ordinance is  
294 presented for first reading.

295  
296 Mr. Smith was not sure he understood the 80-percent of potential spaces theory.

297  
298 Mr. Johnson said point of order; a motion was needed prior to discussion.

299  
300 Mr. Smith moved to suspend the rules. Mr. Johnson seconded. All voted in favor. **MOTION**  
301 **CARRIED.**

302  
303 Mr. Smith said the proposal is for 80-percent of potential spaces, but if a building was rebuilt it  
304 would have to have 60 spaces. Ms. Morris said that was correct under the current ordinance and that  
305 was the reasoning behind the proposed change. The new proposal eliminates the 60 space  
306 requirement. Mr. Smith asked if it would be 80-percent of 60. Ms. Morris said it would be 80-percent of  
307 the number of spaces the parcel is capable of holding. The parcels in that district are generally 100- x 60-  
308 feet, with the setback requirements of 20-foot on the front, 5-feet on each side, and 15-feet at the rear.  
309 Parking is allowed in the setback, although staff would prefer those areas to have landscaping. Mr. Smith  
310 asked if that was required. Ms. Morris said no, parcel landscaping is required, but nothing like the  
311 overlay. With those calculations using a 9- x 18-foot parking space, each lot could hold approximately 24  
312 parking spaces. Considering piers, pilings, and the potential for an elevator, instead of requiring 100-  
313 percent of the parking that can fit on the parcel, the recommendation is to require 80-percent. For  
314 example, Eagles currently has ten parking spaces. This would prevent them from elevating a new,  
315 possibly larger building and just putting ten spaces back. Using 80-percent of the potential parking  
316 spaces would require them to increase the number of spaces. Every parcel would gain additional parking  
317 spaces using the 80-percent requirement, and that is what the parking committee was trying to  
318 accomplish.

319  
320 Mr. Stevens wanted to be clear, because it was confusing to him. A building has to do 50-percent  
321 renovations before elevating. Ms. Morris said that was right. Mr. Stevens previously inspected the  
322 Eagles property, because he was curious about how it worked. The building is 86 x 22, and he figured  
323 about 2,000 interior square feet. If he decided to open a new restaurant business, but was not doing 50-  
324 percent renovations, according to current code if he had an 800-square foot kitchen and a 1,200 foot  
325 dining area, he would need 20 spaces. If he was required to have 80-percent, he would need 16 spaces.  
326 He had seen the presentation at the planning commission meeting. He said Eagles only has 10 spaces,  
327 but his new business would need 16 spaces. Ms. Morris said that was correct, but the ordinance  
328 provides for existing businesses that cannot meet the parking by stating "if possible." There are several  
329 businesses, particularly on Highway 17, that there is no way to bring them up to current standards. The  
330 town cannot prevent a business from opening because they do not meet the current standards, especially  
331 for an existing building. Mr. Stevens said he was still a little confused and believed a workshop was  
332 needed. Ms. Morris offered to show council the same PowerPoint shown to the planning commission.  
333

334 Mayor Samples said the first time he read the ordinance it was confusing to him, because he  
335 knows there are places where 80-percent is used in residential lots, i.e., if you don't meet the minimum lot  
336 size of 9,000 for example in R-1, but 80-percent can be used to build. He believed the important element  
337 in this was that the C-3 District, the very small amusement commercial district down by the pier, held old  
338 block buildings that were built many, many years ago. Worst case, a hurricane destroys them. They  
339 cannot be rebuilt as they currently exist, because the FEMA flood regulations require elevation in the  
340 flood zone. He had no problem holding a workshop. He was glad that the planning commission and the  
341 parking committee spent time reviewing the ordinance. He suggested adding the item to the agenda for  
342 the 17<sup>th</sup> meeting so Ms. Morris could do the presentation. He trusted the recommendation of the planning  
343 commission and parking committee who reviewed the ordinance. Everyone knows that parking is a  
344 problem in that district, and those buildings will not be there forever, and they are not the highest and best  
345 use of the property. If there was no great objection, he would like for council to adopt first reading; have  
346 the workshop, because committees of council appointees have worked on this.  
347

348 Mr. Smith said the parking requirement with the new change is no longer associated with the  
349 business type; it's only associated with the lot size. Ms. Morris said that was correct. Mr. Smith asked  
350 which type business had the "S" by them. Ms. Morris said any business, restaurant, retail. Mr. Smith  
351 objected to liquor sales and said the requirement for that type business should remain as it is. Ms. Morris  
352 said yes, they are actually permitted in the district now it could remain as is. Mr. Smith preferred that  
353 individual businesses be in that district and did not want the shopping center parking requirement to  
354 change. He wanted to keep the ordinance, as the background says, retail and restaurants, because they  
355 complement each other. Ms. Morris said that was the goal, to make sure it was the restaurants and the  
356 retail stores. She had no problem changing everything else. Mr. Smith also did not want billiard parlors  
357 to have relaxed parking requirements. Ms. Morris said she would take care of that. Mr. Smith said that  
358 was pretty much his questions and he like the idea of a workshop to view the presentation. He said  
359 henceforth he believed he would attend the planning commission meetings and not participate; sit in the  
360 back row with a frown on his face (*laughter*).  
361

362 Mayor Samples said that would be perfectly acceptable, and told Mr. Smith to just not move his  
363 head. He asked if there was any disagreement with Mr. Smith's suggestion.  
364

365 Mr. Johnson asked if a business had one or two pool tables if that was considered a billiard  
366 parlor. Mr. Smith said in his point of view, one table is not a billiard parlor. A billiard parlor is where your  
367 main function is to have pool tables. Mayor Samples thanked him, and said that was clear. There was  
368 no disagreement regarding the workshop.  
369

370 Mr. Smith moved to reconvene regular session. Ms. Kohlmann seconded. All voted in favor.  
371 **MOTION CARRIED.**  
372

373 Mr. Stevens moved to have a special meeting and a workshop on this on Wednesday, April 17<sup>th</sup>.  
374 Ms. Kohlmann said they are two different meetings. Mayor Samples said the special meeting would  
375 include a workshop component on this ordinance, in addition to the business item Ms. Fellner needed to  
376 have addressed.  
377

378 Mr. Johnson called point of order stating the issue on the table is Ordinance #13-0743. Mayor  
379 Samples said it is, and called for motion.  
380

381 Mr. Johnson moved to approve first reading of Ordinance 13-0743. Ms. Mabry seconded. All  
382 voted in favor. **MOTION CARRIED.** Mayor Samples said there would be a workshop at the special  
383 meeting to discuss the matter.  
384

385 **D. First Reading Ordinance #13-0744, to amend §9-16 Decals and Exemptions, ¶(a)**  
386 **Resident and Nonresident Property Owner Parking Decals.**  
387

388 Ms. Fellner understood council's intent to deal with this ordinance in its entirety at the next  
389 meeting, but this one small change is to prevent the issuance of extra free decals to nonresidents in the



390 meantime, and hence, the special meeting scheduled next week. She presented the proposed change,  
391 which was reviewed by the town attorney:  
392

393 Section 9-16, paragraph (a) as it currently reads  
394

395 All persons residing or owning residential property within the corporate limits of the  
396 town shall be entitled to one free decal per vehicle, to be issued by the town, upon  
397 verification of current vehicle registration or verification of proof of residential property  
398 ownership.  
399

400 Section 9-16, paragraph (a) requested change to read  
401

402 Persons residing within the corporate limits of the town shall be entitled to one  
403 free decal per vehicle to be issued by the town upon verification of current  
404 vehicle registration and verification of proof of residential property ownership.  
405 Nonresident residential property owners shall be entitled to only one free decal  
406 notwithstanding the number of vehicles owned upon verification of current vehicle  
407 registration and verification of proof of residential property ownership.  
408

409 Ms. Kohlmann moved to suspend the rules. Mr. Smith seconded. All voted in favor. **MOTION**  
410 **CARRIED.**  
411

412 Ms. Kohlmann said it says persons residing within the corporate limits of the town shall be entitled  
413 to one free per vehicle to be issued by the town upon verification of current vehicle registration and  
414 verification of proof of residential property ownership. She asked if that was intentionally done so that  
415 residents that rent cannot get a decal. There are people that have rented for 50-years, but don't own the  
416 house. Mayor Samples said that was a good point. Ms. Fellner agreed.  
417

418 Mr. Smith suggested that the proposed paragraph be deleted and substitute the paragraph that  
419 he spoke of during the workshop. Once regular order was reconvened, he was prepared to make  
420 motions and amendments to do that. He believed the way it is proposed, as Ms. Kohlmann said, would  
421 keep renters from getting decals, and since it has to be amended, he suggested that council go ahead  
422 and amend it as he spoke of during the workshop. Mayor Samples thanked Mr. Smith and said since that  
423 amendment would be offered, he asked Mr. Smith to refresh everyone's memory before leaving  
424 discussion.  
425

426 Mr. Smith suggested deleting paragraph (a) and replacing it with a paragraph that would say, as  
427 he spoke vehicles include the word golf carts so that all full time resident vehicles, including golf carts, all  
428 persons residing within the corporate limits can get one decal per vehicle upon verification that car is  
429 registered in the corporate limits. For nonresidents, he noted the he was only reading highlights, non-  
430 resident residential property owners would be entitled to one free decal. If they want additional decals,  
431 they have to pay \$40 for each additional decal. This was part of the problem that the administrator was  
432 trying to correct by making this proposal. Since paragraph (a) was being modified, he suggested moving  
433 forward to add the words about limited issued special parking decals that was spoken of like the ones  
434 used for the purchases of annual fishing passes, and also the paragraph that speaks about golf carts  
435 parking fee at the beach accesses except when prohibited.  
436

437 Mr. Stevens moved to reconvene regular session. Ms. Kohlmann seconded.  
438

439 Mayor Samples said Town Council met a week ago and believed the sheet that Mr. Smith was  
440 reading from was the same one read from during that meeting. Ms. Fellner said she had a copy of Mr.  
441 Smith's sheet. Mayor Samples said other members may be on board, but he did not recall it as clearly  
442 without having it in front of him. Mr. Smith passed out copies of the recommended language. Mayor  
443 Samples asked Mr. Steven's to withdraw his motion so council would have time read the proposed  
444 language. Mr. Steven withdrew the motion; Ms. Kohlmann withdrew the second. Mayor Samples said  
445 council was still in suspended rules for discussion and asked Mr. Smith to present his proposal.

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Mr. Smith said the purpose for paragraph (a) and the reason he was only talking about paragraph (a) is because the agenda only refers to paragraph (a.) The agenda cannot be changed, so council may only deal with that part. That paragraph refers to decals for residents and nonresidential property owners. He found that the best way to present it was to separate into two different paragraphs: one dealing with the residents, and other one dealing with the nonresidents, since the conditions would be different for each. For full time residents there is basically no change. If you're a full time resident and you've got a vehicle, and it's registered in South Carolina and in the corporate limits of the town you can get a decal for it. You get a decal for your golf cart, or whatever kind of vehicle is registered in the corporate limits of the town. The nonresident residential property owners would get one free decal that can be for a vehicle like an automobile or a golf cart. Staff just has to be told which vehicle it will be placed on and it would allow free parking. A nonresident residential property owner that wants more than one decal will have to pay \$40 for additional decals. This is just like it used to be for nonresident residential property owners. This solves the problem that the administrator is concerned about, plus allows them to get additional decals for a fee of \$40.

Mayor Samples said he was satisfied and appreciated his efforts. This clearly cleans up the issue identifying residents and nonresident residential property owners. There is another group of people that he knows some members have concern for that he would like to discuss at a later date, soon he hoped, and those are nonresidents who visit the town and live in the surrounding area. For purposes of this meeting, he asked if there were any questions.

Ms. Fellner asked if the intention was that round decals to also be placed on golf carts. Mr. Smith said yes; paragraph (b) cannot be changed at this meeting, because the agenda only refers to paragraph (a). At the next opportunity, council would like to change paragraph (b), which will state that the registration decal is not a parking decal, just a registration. If free parking is desired, you have to have a round decal. Ms. Fellner said she was unclear about circle decals versus square decals. Mr. Smith explained that the nonresident residential property owner was entitled to one decal, which could be placed on a golf cart if they wanted that free parking. Ms. Fellner said the other changes would be presented to council at the next meeting, and all changes should be incorporated. Mr. Smith said if it could be presented at the special meeting that would be great to have first reading on paragraph (b). Ms. Fellner wanted to present the entire ordinance.

Mayor Sample said it gets more confusing the longer it is discussed. It would be helpful if a flow chart were developed to show the customers and vehicles types.

Mr. Stevens believed that paragraph (a) was pretty clear. Mayor Samples asked if he meant the subsections, too. Mr. Smith said yes, all of the parts of paragraph (a).

Ms. Kohlmann said that basically council accepted this in December. There is one sentence in (b) that has to be taken out. She said this had been mentioned at three different times. If the registration (b), which cannot be done at this meeting; it is very simple. The line crosses out the parking stickers. The round symbol right there is the parking sticker. The square sticker with rules on it is a registration sticker. Registration means registration; parking sticker means parking. It can't get any simpler than that. What Mr. Smith is proposing tonight is what council spent hours on the other night at the workshop. This is not new to anybody, and she didn't remember anybody being opposed to it, so she was questioning why it's even come up again. She thought just one rule would have been done right away, if council had just amended it the first time.

Mayor Samples said the proposal introduced by Mr. Smith has significant changes, including a fee of \$40 for additional decals.

Ms. Kohlmann said that was done at the workshop; council has already done that. What was presented tonight by Mr. Smith was discussed in detail at the workshop and everyone agreed to it. That's why she was confused.

502 Mayor Samples asked if everybody agreed

503

504 Ms. Mabry said no, sir.

505

506 Mayor Samples did not believe that that he agreed, either. There were other issues.

507

508 Mr. Stevens said he recalled that Ms. Mabry brought up registration stickers with former chief  
509 Frederick. The registration stickers are one of the things that were a problem with the ordinance that was  
510 passed on December 10<sup>th</sup>, because it had a line that made it sound like the registration sticker was a  
511 parking sticker. He recalled the registration stickers were a way for citizens to identify their golf carts, if  
512 they were stolen.

513

514 Mr. Samples said that registration was done prior to Ms. Mabry's seating on council. It was  
515 adopted under chief Christiansen after a rash of golf cart thefts. But, that is not the point of tonight's  
516 discussion.

517

518 Mr. Johnson referred to the sheet that Mr. Smith distributed and said it was what council  
519 discussed and it specifically pertains to Section 9-16, paragraph (a).

520

521 Mr. Samples asked council if that was what they wished to adopt, and asked when the remainder  
522 of the amendments to Section 9 would be presented, because there were several other items discussed.  
523 Ms. Fellner said that was right. The other amendments would be presented at the next regular meeting,  
524 but the immediate issue is decals for nonresident residential property owners, and she decided to  
525 address this one small portion. Mr. Samples said the one small portion is the issuance of many  
526 nonresident decals. Ms. Fellner said that is the issue. Mayor Samples reiterated that the best  
527 information he had is that last year the town issued a total of five nonresident decals. He asked how  
528 many had been issued this year.

529

530 Mr. Stevens had received an email message from Ms. Fellner that stated 71 nonresidents got one  
531 parking decal; 7 nonresidents got two, and one nonresident got three.

532

533 Mayor Samples said there is a 1,500-percent increase one year over the other. Ms. Fellner said  
534 with meters.

535

536 Mr. Stevens said as far as residents, one resident did get seven stickers. Six residents, he was  
537 one of them, got four. He doubted he would ever use them, but he got them. There were a lot of them  
538 that got one.

539

540 Ms. Kohlmann said the bottom line is residents that live here year round got 708; nonresident  
541 households for a total of 88, but considering that we have new parking meters, she did not think that was  
542 drastic at all. That was just her opinion. She did not think that was a crazy number.

543

544 Mayor Samples thought the issue was that the town has to pay to maintain the level of the quality  
545 down on the beach. The town has to pay to maintain the roadway. The town is just completing a major  
546 underground wiring project on the boulevard. Those things cost money.

547

548 Mr. Johnson moved to reconvene regular session. Mr. Stevens seconded. All voted in favor.  
549 **MOTION CARRIED.**

550

551 Mr. Smith moved to adopt first reading of Ordinance 13-0734 to amend Article 9-16, paragraph  
552 (a). Mr. Stevens seconded.

553

554 Mr. Smith moved to amend the motion to replace the current paragraph (a) with the proposed  
555 paragraph (a) that he had in his hand, and he would be happy to read that. For the record, the clerk has  
556 a copy, and this concerns what council has been discussing; parking decals for full time residents.

557

558 Mr. Johnson called point of order asking if the procedure should be to make the motion to adopt  
559 as amended.  
560

561 Mr. Smith said that a motion must be on the floor before it can be amended, and the way it's  
562 stated he made the motion, and now he's amending that motion, which is the proper procedure according  
563 to *Robert's Rules*.  
564

565 Mayor Samples accepted Mr. Smith's interpretation of the rules. There was no objection by  
566 council.  
567

568 Mr. Smith asked if he should read the proposed amendment or whether council would accept it  
569 since it was distributed. Mayor Samples said since it was distributed to members, he was satisfied.  
570

571 Mr. Smith restated the motion to amend to replace current paragraph (a) with the paragraph (a)  
572 that council has been discussing and that the clerk has a copy of. Mr. Stevens seconded. Mayor  
573 Samples, and Councilmembers Dodge, Johnson, Kohlmann, Smith and Stevens voted in favor. Mayor  
574 Pro Tempore Mabry voted against. **MOTION TO AMEND CARRIED.**  
575

576 There was no additional discussion on the primary motion. Mayor Samples, and  
577 Councilmembers Dodge, Johnson, Kohlmann, Smith and Stevens voted in favor. Mayor Pro Tempore  
578 Mabry voted against. **MOTION CARRIED AS AMENDED.**  
579

580 Mayor Samples said first reading was adopted and would be presented for second reading at the  
581 special meeting on April 17<sup>th</sup>. Mayor Samples referred to the principal that allows newly adopted  
582 ordinance to be placed in effect immediately and said the town will charge nonresidents for additional  
583 stickers beginning tomorrow morning. Ms. Fellner said yes, sir. Mr. Smith said the first sticker is free.  
584 Mayor Samples asked staff to monitor decal distribution.  
585

586 Mr. Smith offered to help whomever is working on the remainder of Section 9 to get it ready for  
587 council consideration. Mayor Samples said council had discussed the possibility of Mr. Smith and  
588 another member addressing the sale of parking decals, and asked for a status. Mr. Smith said Ms.  
589 Fellner was going to call a meeting, and he told her when he was available. Ms. Fellner said a phone  
590 meeting is scheduled with Carrie Loomis with Lanier Parking Solutions.  
591

592 **E. Resolution #12-116 to Establish *ad hoc* Beautification Committee, to consider Keep**  
593 **Surfside Beach Beautiful Committee (KSBB) recommendation to limit membership to 11**  
594 **appointees.**  
595

596 Ms. Herrmann explained that the resolution is the one approved by Town Council. No changes  
597 were offered, because it is council's decision as to how it should be amended. The paragraph in question  
598 is the fourth paragraph that states "Whereas, Town Council has determined that said beautification  
599 committee shall consist of at least seven resident volunteers and a nonvoting member of Town Council."  
600 The committee has offered a recommendation to limit membership to 11 members and it currently has 11  
601 members.  
602

603 Mr. Smith moved to word paragraph four of Resolution #12-116 to state Town Council has  
604 determined that said beautification committee shall consist of not more than eleven resident volunteers  
605 and a nonvoting member of Town Council. Ms. Kohlmann seconded. All voted in favor. **MOTION**  
606 **CARRIED.** Ms. Herrmann said a corrected resolution would be presented for signature.  
607

608 **F. *Ad Hoc* Committee Reports.**  
609

610 Mayor Samples asked if there were any comments about the committee reports.  
611

612 Mr. Smith appreciated the reports. He did not attend the meetings, because he did not want to  
613 interfere or unduly influence the committees. He was pleased to find out what had been discussed. He  
614 thanked the committees for the reports.

615  
616 Mayor Samples said not all committees submitted a report and asked if there were any  
617 explanations.

618  
619 Ms. Mabry had attended the historical board today and said its report is being prepared.

620  
621 Mr. Stevens said the business committee is preparing its report.

622  
623 Mr. Johnson said the infrastructure committee had yet to approve its report. Mayor Samples said  
624 subcommittees were not asked to submit reports.

625  
626 Mayor Samples asked staff to review the reports to identify any items that were worthy of budget  
627 consideration and present them for council consideration.

628  
629 **G. Committee Appointments (*May be deferred until after Executive Session.*) i. Planning  
630 & Zoning Commission (1 Vacancy), Bill Trail, Jim Toney, Al Lauer; and ii. Construction Board of  
631 Appeals (2 vacancies) Gene Pecelli.**

632  
633 This item was deferred until after executive session.

634  
635 **8. DISCUSSION – Any matters of concern or information to be discussed by Town  
636 Council.**

637  
638 **Drug Paraphernalia, Mayor Pro Tempore Mabry and Councilmember Kohlmann.** Ms.  
639 Kohlmann said she had not yet met with Chief Keziah about the drug paraphernalia matter, but she  
640 wanted to let everyone know that she and Captain Miller had discussed it and the hope is to give the  
641 department another tool in which to enable this being a criminal offense instead of a civil penalty, which  
642 she believed was the case now. Chief Keziah said that was correct. Ms. Kohlmann said in order to  
643 combat Up in Smoke, because it's going to be a lot of struggles with the laws in place now, and the state  
644 and federal laws. Council was not giving up, Ms. Mabry and she were still working on it, but the big  
645 component is the police department. They need to meet to work on the drug paraphernalia ordinance,  
646 and she knows Captain Miller has already done a lot of work on it.

647  
648 Ms. Mabry said if it was agreeable with council, the ordinance should go to the town attorney to  
649 prepare a proper ordinance to present to council. They would like to have council's consideration and  
650 approval.

651  
652 Ms. Dodge complimented both councilmembers Kohlmann and Mabry for their work on this. It's  
653 difficult to say the least, and she thought they were up to the task. She told them to keep it up and thank  
654 you.

655  
656 Mr. Smith complimented Ms. Kohlmann and Ms. Mabry and said it was important that council  
657 have a first reading and approve this ordinance just to let folks now that the council is serious about  
658 stopping the proliferation of those drugs.

659  
660 Mr. Stevens also commended both of those fine ladies for what they are doing. This is an  
661 excellent step for Surfside, and he wanted to commend both of them.

662  
663 Mr. Johnson concurred.

664  
665 Mayor Samples agreed with the intent, but he wanted to be very careful, because it had been  
666 suggested that council not talk about specific businesses, but to talk about products that need to be  
667 regulated. Designer drugs are a travesty, and frankly, the General Assembly needs to move forward to

668 give the tools to the town to control them. The ordinance that was previously drafted by Captain Miller  
669 during Chief Keziah's absence in conjunction with Ms. Mabry and Ms. Kohlmann is an outstanding step  
670 forward. Let us use, let us research, and try not to reinvent the wheel if there is some ordinance that is  
671 working in the State of South Carolina that will help the Town of Surfside Beach enforce and actually  
672 achieve the goals. Mayor Samples suggested that council be careful about how the issue was  
673 approached. Everyone wanted the same outcome, but no one wants the town losing a lawsuit. He had  
674 no problem with the town being sued and winning.  
675

676 Mr. Smith asked Ms. Fellner about the gate at the pier that was to be adjusted, moved, and so  
677 forth. He asked whether that was to give better visibility to the tackle shop or some other reason. Ms.  
678 Fellner said no; they are making a right angle where the old... it is not easy to explain without a diagram.  
679 Mr. Smith said the gate was at an angle and now it is going to be... Ms. Fellner said the gate is going to  
680 be at an angle, but because they are getting an extra corner and they are moving the area where the gate  
681 connects, it has to be longer, and that particular gate has to be rebuilt. The other smaller gate, which  
682 staff believed could be used is falling apart and the contractor showed us why it has to be rebuilt. A small  
683 relatively inexpensive closed circuit camera will probably be used short term so that Pier Outfitter  
684 employees behind the counter can view the area and press the buzzer to allow entry. Mr. Smith thanked  
685 her and said he knows she is working on the budget, but wanted her to think about the stormwater tax  
686 millage, which is coming up for renewal. He asked if that would be done during the budget process. Ms.  
687 Fellner said it would be discussed in the budget process. Mr. Smith asked if the stormwater plan would  
688 also be part of the budget process. Ms. Fellner said yes. Mr. Smith said there was an article in the  
689 newspaper that reported Senator Cleary was trying to reduce real estate taxes by allowing people that  
690 had rental property to go from a 6-percent assessment to a 4-percent assessment. He did not believe  
691 Ms. Fellner had had time to look at that, but it was an important issue for the town. Ms. Fellner said it was  
692 a huge issue. Mr. Smith asked if she knew what Myrtle Beach and North Myrtle Beach were doing in that  
693 regard; was a lobbyist been hired to work on that issue. Ms. Fellner was not aware that had been done.  
694 Mr. Smith was not sure what approach should be taken, but wanted her to aware of it, because council  
695 needed to be advised as to whether a resolution should be sent to Senator Cleary and the other senators  
696 that had tried to hurt all the towns on the beach. Ms. Fellner said absolutely. Mr. Smith said some of the  
697 beach accesses, like 1<sup>st</sup> and 2<sup>nd</sup> Avenues North, have some palm trees and bushes that take up golf cart  
698 parking places. He would like to leave the palm trees, but wanted the bushes to be relocated. Ms.  
699 Fellner said that was already discussed. She and Mr. Adair went to every golf cart parking area and that  
700 is on his "to do" list. It just has not risen to the top yet. Mr. Smith said that was what he wanted to hear;  
701 it's on the "to do" list. Ms. Fellner explained that the parking committee brought that forward. Mr. Smith  
702 was happy with the commitment that it was on his list; he knows how busy he is, and said thank you.  
703

704 Mayor Samples said that was a very important point about the tax bill as it relates to nonresident  
705 property owners. This town has benefited greatly for many, many years as a result of that. He said there  
706 is a League of Cities meeting on Thursday night, and he was sure that would be a topic amongst a  
707 number of the attendees.  
708

#### 709 **9. PUBLIC COMMENTS.**

710  
711 "I'm Holly Watson. I'm at 319 North Oak Drive. I've been a resident of Surfside Beach for 27  
712 years. Good evening. I want to talk to you about our new overlay ordinance, and my concerns with  
713 redevelopment as pertains to resurfacing of a parking lot that's in existence at this time. In a small  
714 business... oh, let me speak for my credentials. I'm a licensed contractor with the State of South Carolina.  
715 I personally hold the licenses for grading, asphalt paving, concrete paving, highway paving, and public  
716 utilities. I'm also certified by South Carolina Department of Transportation in streets and roads,  
717 contractor's licensing board, and a bidder's license. When, and as you know, we are pretty flat here in  
718 the Town of Surfside Beach. There's really no hills, no mountains. We're, we're pretty well flat. When  
719 our town was developed, these private parking lots were built so that the water would run off, and that we  
720 wouldn't have ponding or any kind of problems. Well, a lot of our private parking lots are built on FLBC  
721 base, not granite. It gets gummy when it gets wet. When you put asphalt over the top of it, you want to  
722 completely seal the parking lot. You don't want any water getting under, underneath your asphalt. When  
723 council or the planning commission decided to include resurfacing in the overlay that meant that there

724 would demand the property owner either dig up part of his parking lot and put the landscaping flush with  
725 the asphalt or build up a raised bed in the middle of the parking lot. I don't have a problem with going  
726 perimeter, and we're trying to soften the look of Highway 17. I'm all for beautification. I've lived here a  
727 long time. I've seen a lot of changes, but I really would love to see it more flowers and more trees. My  
728 concern is that the property owner is having to do what's called end-caps within the parking lot. If he  
729 does end-caps within the parking lot, and he puts, number one [sic,] any landscaping flush with the  
730 asphalt all the water that goes to water those plants and all the natural rain fall is going to get up  
731 underneath the asphalt and that's gonna disintegrate your asphalt in your parking lot. It wasn't designed  
732 to do that from the get go. If you do a berm, a built up parking, a built up landscaped area, you've got to  
733 water it somehow. That means you've gotta get irrigation lines to it. You again have to dig up your  
734 existing parking lot. Now the, I feel like the answer to this is to allow the property owner to go to the  
735 perimeter of his lot and dig his irrigation and put his plantings along 17 so that visually you will have a  
736 nice softening, cause that's what we're after anyway, the corridor. Now, one of the things that's stipulated  
737 was a 40-foot tree. A 40-foot tree has roots that go out and that again, it's gonna be up underneath your  
738 asphalt. I don't think that's an option. Not even bordering 17. I mean, because you're getting down into  
739 your drainage ditches. So my concern is that that item needs to be taken off the table all together. A 40-  
740 foot tree has too big a roots, too long a roots. Ask any horticulturist. I, I don't think that's an option. My  
741 concern is that none of our business owners know and with this ordinance on resurfacing won't attempt to  
742 resurface their lots, because they're going to have to dig up their parking lots. They're going to have to  
743 run irrigation. They're going to have to locate the gas and electrical lines that are already there. They're  
744 not only gonna have to pay for the plantings and the landscaping, but at the time they repave that lot it's  
745 going to be a further and more expensive because the paving machines can't get around the landscape  
746 areas. These are just some things that I have (*time ended*) a concern about. So, I thought I would bring  
747 them before council. Thank you for your attention."

749 "Ron Ott. 7<sup>th</sup> Avenue North, and of course, tonight's meeting was interesting, and if we keep  
750 getting these special meetings I'm gonna have to cut back on my satellite TV. I'll tell you, these, going to  
751 the special meetings they can really confuse you. Make your head spin. I heard a lot of different things  
752 there, and I, I started thinking what, why do we have the council, mayor. The people votes [sic] you in so  
753 you become our voice. You, you speak for us. You make decisions for us. Then you look at what,  
754 what's the reason why citizens have moved here. In the last 20 years a lot of people have moved here,  
755 and everything's really changed, and if I can make a speculation, first thing was the weather brought us  
756 here. Number two, at least for myself, it's the people. Believe it. Believe it or not, I came from a big city.  
757 May have been the City of Brotherly Love, but don't believe that a little bit. The third part, I wanted to be  
758 near the beach, and there was something very, very unique about Surfside Beach compared to  
759 everything else in this area. It was un-crowded. It was, it was, you could ride your bike around here on 4<sup>th</sup>  
760 of July and there's no traffic, and I, I, now, that becomes a concern for me and if you think about what's  
761 happening and this young folk singer from California back in the 60s said this very well, I'm not gonna  
762 sing it, but what she said is you don't know what you have until it's gone. Put up another parking space...  
763 do, do, do, do... do you remember the song? We have to be very careful what we're doing here. In my  
764 opinion, we're, what we have was always explained to me when I first moved here is less is more, and  
765 less was the height restrictions and the parking, there was only so much parking. Part of that's changing.  
766 We're gonna, first of all we're gonna add in all this parking. And adding ten, 20, a 100 parking spaces we  
767 become dependent on the revenue. Ideas come that we want two-story, three-story parking lots. We're  
768 taking away from what we have; that little uniqueness in this town. The parking, special, special meeting,  
769 parking, boy I really got my head spun there. We were, I heard coming through the microphones we  
770 could give free parking to everybody in Deerfield, okay. We pay a little bit more tax than they do. We get  
771 one bone thrown at us and that's that privilege of free parking, okay. You take that and you give it to  
772 everybody, we don't have that anymore. You know, and I respect the people over there, but we do pay  
773 for that. It's not free parking. We have, we have a big nut that (\*\*\*) pay to live on this side that the other  
774 people don't. And that, that is a concern if we start crowding it in. We, we have a very unique (\*\*) and  
775 that is less is more. But I gotta ask you about the parking sticker. I, I've been in town hall twice and they  
776 don't parking stickers. So I can park tomorrow with just the square sticker. But how about next week?  
777 We don't know, and I ask you this, the people, the people that have gone already and gotten the  
778 registration and have been told you don't need that other sticker, they're gone. They're out there  
779 somewhere. (\*\*\*) they were there both times when I was there getting registrations, getting stickers.

780 Nobody's ever gonna tell them. They're just gonna get a ticket if we go to the round ones. So it'd be like  
781 each sticker would be \$4 a piece (\*\*audience background noise). We're still concerned, when will that  
782 happen, and yeah, that, that designer drug is really a problem. A very, very, a, a, smart person told me in  
783 this chamber, think about what these kids are doing. They're doing this, this synthetic drug. We have no  
784 idea what it is. We don't know how it's harming these children. It could be affecting their genes or  
785 whatever. So, the craziness is what would you rather have them do, illegal marijuana, which has been  
786 proven out for the last 30 years, right, or this synthetic stuff. I'm not advocating that we're gonna legalize  
787 pot, but I'm just (*time ended*) saying this is how you look at it. We're selling this stuff in this town. Maybe  
788 we could put that police car with the blow-up doll in it front of the place, I don't know." Mayor Samples  
789 thanked Mr. Ott. Mr. Ott: "Was it my five minutes?" Mayor Samples said yes, sir. Mr. Ott: "Thank you  
790 very much, thank you."  
791

792 "Carrie Johnson, 9<sup>th</sup> Avenue South. I just have one question. Do you all not like surfers, because  
793 up at 14<sup>th</sup>, you've got two places in town that they can surf. Down at 13<sup>th</sup> South there's a parking lot; 14<sup>th</sup>  
794 North there is none. You put up all these palm trees up there and taken away all the good parking. Even  
795 with the meters, there's a few meters up there, but all of those palm trees up there, they're taking up, and,  
796 and, I know that your intent was probably to push 'em to the parking lot up there by the Holiday Inn, but  
797 when you're coming to the beach, you may have a couple of kids with you, and you've got kid's toys.  
798 You've got a cooler with waters [sic] in it. You've got your surfboard. You've got your chairs. That's a  
799 long way for somebody to have to walk that wants to surf. So, I'm just ask you, you know, are you all so  
800 old that you don't like young people anymore, cause you sure are trying to push 'em out of town it seems  
801 like. So, I think maybe you should consider moving those palm trees somewhere else and giving people  
802 up there that like to surf a place to park. That's all I have. Thank you."  
803

804 "Good evening. Ralph Magliette, 104 Harbor Lights Drive. I just want to say my wife, Patti, and I,  
805 we love the Town of Surfside Beach. A lot of wonderful things are happening to this town, and I just want  
806 to bring forward a few things that are happening starting the month of April that people are aware of and  
807 things are gonna be going on to help our senior population. Starting in April and continuing on a monthly  
808 basis the second Monday of each month, there's gonna be a senior morning movie at 9:30 a.m., and on  
809 the second Thursday of each month there's gonna be a senior activity day at 10 a.m., and I have  
810 handouts of the, of this calendar and also of the first senior activity day that we're gonna have at the se,  
811 at the library, and it's gonna be an introduction to computers. There's no registration required. The class  
812 is designed for those who have never used a computer before. They'll learn terms and how to navigate  
813 the Internet, mouse and keyboard touch skills, and we'll also have a handout to give the seniors as far as  
814 the just basic understanding of how computers work. It's interesting when we were looking at a survey for  
815 the seniors in town how many seniors in their 70s and 80s don't have any computer skills, and are afraid  
816 of computers. They're afraid of technology, and so what, what we've tried to do with, a, (\*\*) White, who is  
817 the manager of the library, and a, Mike, the reference librarian, is to give programs to get seniors  
818 comfortable with the technology, provide hands-on learning, not in a big class of 15 or 20 people, but on a  
819 one-on-one or two-on-one so that the people can learn to use the computers, learn how to use emails.  
820 It's very, very important that people be hooked up to that. There's many, many things that people can do  
821 with computers. We all know that. From buying your drugs, I mean prescription drugs (\*\*laughter),  
822 through the mail order, (\*\*) internet account. There's also electronic banking. There's, they'll be able to  
823 share pictures with people. There's a whole bunch of things that people can do; even downloading, if you  
824 have a Netflix account, movies and things. That's especially true for seniors who maybe now no longer  
825 can [sic] able to drive, and who, a, you know, want to have, be able to share with their family and friends.  
826 So, I have copies of the senior day computer class. It's kind of funny that I had asked to put it out on  
827 website, when the people who need it don't know how to use the website. So, what good did it do? That's  
828 why I decided to come here tonight. I'm thinking how stupid could I be (*laughter*) to say put it on there,  
829 when the whole idea is to tell people, so I have copies here for anybody that wants 'em, so please, if you  
830 know any seniors that are maybe computer phobic, it's gonna be a complete hands-on, our Mike is very  
831 good about that, it's gonna be Thursday, April 11<sup>th</sup>, from 10 to 11 a.m., and additionally to that, because  
832 this is our, the kickoff, there's also gonna be two additional classes. It's gonna be on Monday the 22<sup>nd</sup>,  
833 it's gonna be introduction to computers. You will actually get to sit down with a computer. There's a  
834 computer there to just learn how to turn it on; how to use the keyboard; how to use the mouse. Then on  
835 the 23<sup>rd</sup>, there's gonna be an introduction to emails, an Internet class. How to sign up to use emails.



836 How to send and receive messages. How the Internet works, and these are gonna be on-going, so what I  
837 have here, I'm sorry if I've taken too much time, I have the calendar, which lists all those programs, and  
838 also have the senior activity day computer class. So please, if you know seniors in your neighborhood or  
839 a computer phobic who have [sic] been saying, you know what, I'd like to learn how to use a computer  
840 but, I'm just too afraid. We have these programs available to you to teach you how to use a computer.  
841 To help you hands-on, and not to be afraid and you know, become part of the, a, the Internet, because it's  
842 a wonderful place to be. So, if you don't mind, I would just, I don't know who to hand... leave 'em in the  
843 back row? Pick 'em up, or I could just." Ms. Herrmann asked him to just put them on the chairs in the  
844 front row and people could pick them up. Mr. Magliette: "(\*\* Speaking away from microphone) ... there's  
845 no preregistration required. If you know anyone in town who you think might be a, have use for those  
846 programs, please let them know about it, and thank you very much, and God bless you, and again,  
847 Surfside Beach is a wonderful town. God bless you. Thank you." Mr. Stevens asked for the class dates  
848 again. Mr. Magliette: "(\*\* ... on the calendar of events (*time ended*) and that's gonna be on the 22<sup>nd</sup>,  
849 introduction to computers, it's 11:30 a.m. and on the 23<sup>rd</sup> at 11:30 a.m. introduction to email and the  
850 Internet, and those are signups. But what we're talking about on Thursday is free. There's no  
851 registration. People can walk in and it will first be 20 minutes talking about computers in general. Many  
852 people feel comfortable about it, and if people then feel comfortable they will have the option to actually  
853 sit at a computer and just get the feel of it and take it one small step at a time. Thank you." Mayor  
854 Samples thanked Mr. Magliette and said there were plenty of copies available; be sure to get one.  
855

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

857  
858 Mr. Johnson: "Thank you, Mr. Mayor. Thanks for coming out. It's been a rather nice meeting,  
859 actually."  
860

861 Ms. Dodge: "That was a good one. I wanted to say thank you to Mr. Ott for his remarks. He  
862 always has some thoughtful comments and that's appreciated. He also makes me chuckle, and that I  
863 need that, and I want to thank Mr. Magliette. He and his wife are two hard working people in our  
864 community and they deserve our thanks. The computer program that he is, is sponsoring for the senior  
865 citizens is excellent. I just want him to know that I figured out how to turn the volume down on my  
866 computer today. Yes! (*laughter*) And, I also wanted to comment on the surfers. They are young people.  
867 They can walk to where they need to get to, I think. I don't know how heavy their boards are, but I think  
868 they can probably manage to get to where they need to get to in the ocean to surf, but glad they're out  
869 there doing it. Thank you very much."  
870

871 Mr. Smith: "The a people who a have golf cart registrations and do not have round parking  
872 decals, they will be notified by the town hall when it's legal to issue those parking decals. So don't fear,  
873 you won't be getting a ticket unless you become negligent after you've been notified and don't come up  
874 here and get your ticket [sic.] The other thing is, a, we don't ever intend to build a parking garage in  
875 Surfside Beach. That's one thing I like about Surfside Beach, no parking garages, and that's a concern I  
876 that I have with the limited parking in the, a, C-3 commercial areas, and I think that, a, the plan has been  
877 presented. Once we have a full understanding, it'll probably be what we are looking for. It requires  
878 parking, but not the enormous amount of parking according to the current regulation. Thank you."  
879

880 Ms. Mabry: "Yeah, let's start off with some good news. The Jamin' Leather has been sold, and  
881 Rick Worley, I happen to know him, bought it. He has a store in, a, Conway, called the Wild West. It is  
882 an equine store. It's not a bar, or anything like that. They sell a lot of trailers, a lot of horse equipment,  
883 and a, and I used to have horses, so I know him. He is gonna be getting a lot of visitors to our town from  
884 Andrews, from the Waccamaw Neck area, from all those areas where's there's a lot of horse people.  
885 They'll be coming into Surfside to use his store, and then they'll be, the first time maybe, using our town,  
886 eating in our restaurants, cause it's a haul. It's not, you know, we're talking an hour, an hour and a half  
887 just to go to the store, and it's the same distance if they went 701 to go down to Conway. So, he's  
888 looking to get a lot of his regular customers. He's keeping his store in Conway, which is very successful,  
889 and he'll be bringing 'em in to Surfside. So, we're gonna get a lot of new folk visiting our town, and I think  
890 that is great. I talked to him today, and he's kept me appraised [sic] of, he did say he hoped to be open in  
891 a month. I hope everybody stops by and visits. I don't think that we have a big horse population here,

892 but you know, we can at least go in and say hello, and I, I'll probably try to beg P. L. for another one after  
893 I, they get here. I also wanted to say please write your [sic] Senator Cleary. I cannot stress enough how  
894 important it is not to lose our businesses and that's what we're talking about, losing a great deal of our  
895 business in the rental district. When you go to 4-percent to 6-percent, that is, is, it sounds like you're  
896 along going up 2-percent. You're almost doubling the tax, so it, it is tremendous. That can hurt us a lot.  
897 Please, if you can, sit down. He has a website, you can go on it. I've already done it, and just send him a  
898 note. If you can do that, I'd appreciate it."  
899

900 Mr. Stevens: "Thank y'all for coming out. Glad everybody got out here and I appreciate the, a,  
901 people who made comments. Ralph Magliette is working real hard to get things done in this town, and  
902 doing a lot for the seniors. Ron Ott always has a funny comment, and he's always welcome. As far as  
903 other things we've done, the parking and all that, that's all gone [sic] work out. We'll get that done and  
904 we'll get it satisfactory for everybody. Thank you for your time."  
905

906 Ms. Kohlmann: "I'd just like to take a minute to thank our staff. Everybody does a very good job,  
907 and a, I think sometimes we forget to say thank you to each and every one of them. The police officers,  
908 they keep us safe, and a, run into what we all run away from, and the fire department, as well, and just  
909 our every day staff members that are out there. When you see them out there doing their job, just wave  
910 or say hello. It really, I think it goes a long way. Have a good night."  
911

912 Mayor Samples: "Well, I want to thank the council for putting in the time, doing the work, thinking.  
913 We don't always agree, but you wouldn't want us to. I mean that's not democracy. This is, it's a messy  
914 business, but we're doing the best we can, and I, too, share the pleasure of having people come in,  
915 spend your time, be [sic] and participate, and your town government. I'm also, I think we're all thrilled that  
916 the committees that we set up less than a year ago, okay, less than a year ago, producing products and  
917 results and the individuals are committed to the task they've been given, and I think that's something that  
918 we, we all in town should be proud of, and we have, we've by design implemented resolutions,  
919 established, we heard about policies and procedures last night, and that sort of thing. A lot of what we  
920 have isn't written down; it is by tradition. But, a lot of what we have today were conscious decisions that  
921 this council made to put in place, and you know, like any family, we're gonna have our little bumps in the  
922 road. But a, we live in a great town, and I would just reiterate let Senator Cleary know. It is important. It  
923 represents a significant portion of our property tax revenue money that we collect. That's where that, the,  
924 the market value is. We all know that, otherwise, some of us might choose to live on the ocean front.  
925 But, but the factor of the matter is, those taxes that are paid by those businesses, that is nonresident  
926 property owners down there, is what enables us to be able to provide the quality of service which we  
927 expect in this town, and we don't want to go in the wrong direction with this. So let Senator Cleary know.  
928 Anyway, thank you."  
929

930  
931 **11. EXECUTIVE SESSION** - Pursuant to FOIA §30-4-70(a)(1) to discuss employment,  
932 appointment, compensation, promotion, demotion, discipline, or release of an employee, or the  
933 appointment of a person to a public body.  
934

935 Mr. Smith moved to enter executive session at 8:34 p.m. Mr. Stevens seconded. All members  
936 voted in favor. **MOTION CARRIED.**  
937

938 Mr. Smith moved to reconvene regular session at 9:29 p.m. Ms. Mabry seconded. All voted in  
939 favor. **MOTION CARRIED.**  
940

941 Mayor Samples said that no action was taken during executive session.  
942

943 Mr. Johnson moved to appoint Al Lauer to the planning and zoning commission. Ms. Mabry  
944 seconded. All members voted in favor. **MOTION CARRIED.**  
945

946 Mr. Johnson moved to appoint Gene Pecelli to the construction board of appeals. Ms. Kohlmann  
947 seconded. All members voted in favor. **MOTION CARRIED.**

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**12. ADJOURNMENT.**

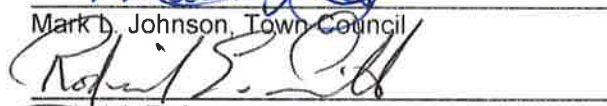

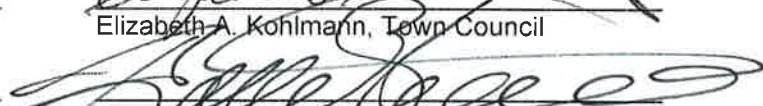
Mr. Smith moved to adjourn the meeting at 9:30 p.m. Ms. Dodge seconded. All members voted in favor. **MOTION CARRIED.**

Prepared and submitted by,



Debra E. Herrmann, CMC, Town Clerk

Approved: April 23, 2013

  
Douglas F. Samples, Mayor  
Mary Beth Mabry, Mayor Pro Tempore  
Mark B. Johnson, Town Council  
Roderick E. Smith, Town Council  
Ann Dodge, Town Council  
Elizabeth A. Kohlmann, Town Council  
Randle M. Stevens, Town Council

*Clerk's Note: This document constitutes minutes of the meeting that was audio taped. These are detailed minutes documenting each member's comments. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on the entry door at Town Council Chambers, and in the Town Hall reception area,. Meeting notice was also posted on the Town marquee. Public Comments and Town Council Comments are transcribed as close to verbatim as possible. When (\*\*) is used a section of the transcription is inaudible. Appointments to hear audio tapes may be scheduled with the town clerk.*