



**SURFSIDE BEACH TOWN COUNCIL
WORKSHOP MINUTES
FEBRUARY 18, 2014 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

CALL TO ORDER.

Mayor Samples called the workshop 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: Mike Kish, Lanier Parking Solutions area manager; Administrator Fellner; Public Works Director Adair, and Town Clerk Herrmann.

Mayor Samples asked Ms. Fellner to explain which issues remained to be resolved and then councilmembers would be given the opportunity to share their amendments or alternatives. The public was invited to make comments, as well.

Ms. Fellner said there was one large conflicting issue that needed to be addressed. Town Council adopted parking by permit only on Dogwood, Yaupon 3rd Avenue North to 3rd Avenue South, and all side streets from Melody to 17th Avenue North. Town Council also decided that signage would only be authorized for six golf cart signs. Unless signage was posted, there is no way to enforce the parking by permit only. The basic information was sent to councilmembers and she was ready to implement whatever directives Town Council approved.

After discussion about the permit only parking being limited to paid parking areas, Mr. Smith asked that the language on the January 14, 2014 historical list be changed from "all beach crossover golf cart parking ... to all paid beach crossover golf cart parking. The correction was noted in the record. Mr. Smith asked if six signs were sufficient to identify the areas that were permit only parking. Ms. Fellner said that was what she was told.

Mayor Samples asked if any property owners in the area were contacted about the permit only parking. Ms. Fellner said no.

Ms. Kohlmann said that was not done on Ocean Boulevard, either.

Mayor Samples said that was shameful, because those residents were not contacted; neither were the residents on Seaside Drive when it was made one way.

Ms. Dodge was concerned that neighbors just outside the town would fill the golf cart parking at the beach crossovers and town residents would not have a place to park.

Mayor Samples said that he had never, ever seen the beach crossovers filled to capacity. He understood there were certain street ends, like 7th Avenue South, where a certain group of people liked to congregate that filled up.

Mr. Johnson respectfully disagreed and said he had seen the beach crossover parking areas filled to capacity. He said kudos to public works staff that have in the past and continue to make more golf cart parking available. He was willing to wait one more season before making a change to permit parking only.

Mayor Samples suggested that Mr. Johnson check the access areas on the north end of town. There was plenty of golf cart parking available there.

Mr. Johnson agreed, but there were several beach access areas specifically on the south end that generally were filled.

Mayor Samples asked how councilmembers wished to resolve the inconsistency identified by Ms. Fellner earlier in the meeting. The floor was opened for comments in favor of restricting parking in paid lots.

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58 Mr. Stevens had identified on a zoning map that Dogwood Drive from Melody Lane to 6th Avenue North
59 was surrounded on both sides by R-3. From 6th Avenue North to 17th Avenue North, Dogwood has R-3 on the
60 east side. Because the majority of Dogwood is in an R-3, he recommended that council order 163 signs, if that
61 was the number needed. Ms. Fellner said if council wished to implement the parking committee
62 recommendation to limit Dogwood Drive from Melody Lane. Mr. Stevens recommended adopting the 163 signs
63 and eliminate the onus of where you can and cannot park. The City of Charleston has permit only parking in
64 just about every residential area.
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66 Ms. Dodge agreed and thought the parking committee spent a lot time formulating its recommendations
67 and she commended the members for their work. She thought council should implement the recommendation.
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69 Ms. Mabry opposed the signs entirely. She did not believe a single sign should be posted. The town
70 was not a gated community that welcomes people in. People that visit in the R-3 area shop on Highway 17;
71 those businesses pay the town's bills, not the citizens. She asked if park patrons would have to pay to park
72 their vehicles. She was maddened that the town would be so restrictive. The town wanted to put a few meters
73 up, and she saw value added for them. The town does get money from the meters. The purpose was not to
74 balance the budget with meter revenue and limiting parking. The few dollars earned from the parking meters on
75 Ocean Boulevard did not offset the message sent, and she would not support it. In fact, Ms. Mabry said she
76 was going to fight every way that she could to eliminate meters and signage. She did not mind removing
77 \$10,000 worth of signage.
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79 Mr. Harry Kohlmann, a parking committee member, said permit parking was recommended to stop
80 visitors from parking on the side streets and move them into the paid parking areas on Ocean Boulevard. The
81 recommendation would not affect any resident, nonresident property owners, or a tourist that legally rents a
82 house. Dogwood was included because the blocks are very short on the north end of town and visitors were
83 parking there. If residents had a party, they could get a special permit from the police department so their
84 guests would not get ticketed. The plan was to keep visitors and day-trippers from parking on residents' lawns.
85 There are numerous developments in the area and those people all want to come to the beach and they come
86 here. The biggest draw for the town is the available space between blankets on the beach. The beaches will be
87 packed and no one would rent the houses, if the town does not try to stop crowding. The meter fees help with
88 maintenance and services for the beach goers.
89

90 Mr. Tom Dodge, a parking committee member, said he visited the beaches in New Jersey and Virginia
91 for over 40 years. Both places had metered parking, and it did not stop him from going. The argument that
92 parking meters would stop visitors from coming to town was ludicrous. The citizens should be allowed to park in
93 the beach crossovers with their golf carts instead of day trippers from Deerfield. Town Council is charged to
94 protect town citizens. The town's neighbors would come here, because the town has the best looking beach on
95 the coast. The beach is clean; the garbage is picked up that was left by day trippers. Let them pay \$1.50 an
96 hour to park. Mr. Dodge said to make it better for citizens, not the people that did not live here.
97

98 Mayor Samples said the outcome of the town's long-term health remains to be seen. Parking issues
99 were initially about safety. Town Council voted 4:3 to restrict parking on Ocean Boulevard, because the
100 ordinance was changed based on safety reasons. Now, the parking is moving back into the R-3 district, which
101 has nothing to do with safety; it is about raising revenue. Parking meters are one source of revenue, but the
102 major sources of revenue were hospitality tax, accommodations tax, and the general fund. If the town is made
103 unfriendly for people, they would not come. Supply and demand would dictate the amounts spent be less. That
104 was simple economics. Mr. Samples did not personally want the town to become "Surf Sign Beach," but that
105 was already being discussed. He did not support expansion of the parking restrictions beyond where they were
106 currently located.
107

108 Ms. Dodge disagreed with Mayor Samples. The town is a family beach. She visited family beaches all
109 over the country, east and west coasts. Parking fees and restrictions were in place. She did not mind paying
110 the fees; nor was she dissuaded from visiting again. She did not know what the argument was. Ms. Dodge said
111 the recommendation was to place signage so people would know where they could park. The parking

112 committee did an admirable job, and she thought Town Council should listen to the recommendations. She did
113 not think it would drive people away from town.

114
115 Mr. Stevens said members needed to understand how it came to this point. In June 2004, the
116 administrator reported that parking machines had to be cannibalized because they were breaking down.

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118 Ms. Kohlmann called *point of order*, no side conversations, please.

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120 Ms. Mabry called *point of order*, and asked what Mr. Stevens' comments had to do with parking on side
121 streets.

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123 Mr. Stevens said it was about meters and parking in particular.

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125 Mayor Samples said the history did not need to be revisited. Everyone remembered there was a
126 problem; for some reason the pay station at the pier was not removed; shame on staff for not taking that action.

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128 Mr. Stevens said that was exactly why council was in this meeting; this started because of that incident.

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130 Mayor Samples asked how many parking meters were recommended for Ocean Boulevard.

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132 Mr. Stevens replied 30 to 50, if he recalled correctly. The town purchased 100 and some.

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134 Mayor Samples said to clarify, at the September 12th meeting of the parking committee the only
135 recommendation dealing with Ocean Boulevard was, according to the written record, at least 30.

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137 Mr. Kohlmann spoke from the audience. (**)

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139 Ms. Mabry called *point of order*, this had nothing to do with the discussion permit parking only on the
140 side streets.

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142 Mayor Samples said then chairman Saunders was putting together a lot of detailed information with
143 respect to the numbers of parking spaces, because there was an issue about the number of spaces there would
144 be. The range was up around 200 on Ocean Boulevard. He asked how 200 spaces would be metered with 30
145 to 50 meters.

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147 Mr. Kohlmann spoke from audience. (**) It was proven that revenue from meters on Ocean Boulevard
148 average 40 cents per meter per day.

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150 Mayor Samples asked how many permits were issued to town residents.

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152 Mr. Kohlmann said only 30 to 50 people were parking along Ocean Boulevard.

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154 Mrs. Kohlmann said Ms. Mabry was correct, the discussion was off task. We need to go back to side
155 streets.

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157 Mayor Samples asked Mr. Kohlmann if he recognized that there were people that live in town who park
158 on Ocean Boulevard that did not pay.

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160 Mr. Kohlmann said yes. He explained that the safety part of the recommendation was 10-feet from a
161 driveway and 30-feet from an intersection. The parking committee did not want parking at all on Ocean
162 Boulevard.

163
164 Mayor Samples asked if that was for the record, that the parking committee did not want anybody
165 parking on Ocean Boulevard.

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167 Mr. Kohlmann responded from the audience, absolutely; that's correct yes. The committee only wanted
168 to allow parking on the west side, if it was allowed at all.
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170 Ms. Carrie Johnson, Harbor Lights Drive, said the golf cart areas that got packed were the ones with the
171 showers. Everyone wanted to park where they could clean up before heading home. Showers at the other
172 crossovers would help eliminate congestion where the showers are located. The two gentlemen that spoke
173 earlier said they were concerned about the citizens and the town as related to the parking permits. In her
174 opinion, if they were truly, sincerely concerned they would have written a letter to the people being affected to
175 see what their views were, just as they should have done, but did not, when they changed Seaside Drive to one-
176 way. If she lived in one of those areas, she would be furious, because she does have friends, many who do not
177 live in the town of Surfside that visit and it was not one time a year. Quite often she has several people visiting
178 her home. Ms. Johnson thought before any policies were adopted the citizens should be surveyed to determine
179 what the feel about the proposed changes, if they were not just wanting to push through an agenda for just a
180 few people.
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182 Ms. Kohlmann asked if surveys were sent for docks on the lakes, and then said no, they did not. She
183 did not believe it was standard to survey citizens.
184

185 Mr. Johnson called *point of order*, this discussion was not about docks. It was about parking.
186

187 Ms. Kohlmann said she was making a point, the town does not send surveys every time there is an
188 action of council. There were public hearings like this that people could attend, but they were not there.
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190 Mr. Johnson said this was not a public hearing; it was a workshop.
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192 Ms. Kohlmann said it was a workshop, but it was a time people could attend and voice their concerns,
193 but they did not, which was a shame. She was not opposed to letting people know. She believed in all fairness,
194 the public was invited to attend the parking committee meetings and workshops, but they chose not to do so. It
195 was not the town's responsibility to "hand feed" everyone information about every vote Town Council made.
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197 Mayor Samples said Ms. Kohlmann's point was well made.
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199 Ms. Mabry said the majority of people living in the R-3 district do not have homes here. They live all
200 over the United States, and some live in different countries. It would be most unlikely that they could attend a
201 public hearing. However, there are more permanent residents closer to the Dogwood Drive area. Everyone had
202 a right to be notified. The towns did not mind taking the hospitality and accommodations tax payments, or their
203 business license fees. In her opinion, sending a letter was not asking too much. The rental properties paid \$2
204 million in taxes last year. She believed the town could "pony up" for a letter once in a while. If email addresses
205 were available, a message could be sent. She believed there was some responsibility being overlooked, and
206 the businesses were being hurt when that was done. If the town wants to business friendly, it must welcome
207 people in so they can support the local businesses. You do not want drive them away, and nothing says you
208 are not welcome anymore than "you can't park here."
209

210 Mr. Johnson said 35 minutes had been wasted, and all he would say was he really did not recall anyone
211 standing at the podium wanting parking meters on Ocean Boulevard. There may have been maybe one or two,
212 except for the parking committee. He suggested members make recommendations on the parking ordinances
213 and that the workshop move on. Quit wasting time, and make recommendations.
214

215 Mayor Samples wanted to revisit the parking by permit only in the district discussed. He wanted it back
216 on the agenda for a vote specific to that item instead of a litany of recommendations. The council tried to deal
217 with the totality of the parking committee recommendations, and succeeded in going through several.
218

219 Mr. Smith thought there should be two specific items on the next business agenda: (1) permit parking
220 all the way from Dogwood to Melody including the side streets, and in that same item the number of signs
221 should be included, as well as the cost to implement, so that would be a complete subject; and (2) staff

222 recommendation to use a smaller number of signs going from 3rd Avenue South to 3rd Avenue North on
223 Dogwood, again with the number of signs and the cost to implement. That way, the items would be complete
224 with all information on which Town Council could make its decision. Ms. Fellner said she understood.
225

226 Mayor Samples said Ms. Mabry made a point earlier about Martin Park, which is located on Dogwood.
227

228 Mr. Stevens said he also wanted to make that point; the park on Dogwood and the Floral Lake areas
229 should be excluded.
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231 Mayor Samples asked for consensus purposes if any other areas should be excluded. He asked if
232 there was any objection to giving staff direction.
233

234 Mr. Smith believes the first motion that included Melody Lane to 17th Avenue North on Dogwood should
235 include exceptions for Martin Park, exceptions for the deck area at 3rd Avenue South, and exceptions for the
236 deck area at Dogwood Drive.
237

238 Mr. Stevens said that was perfectly fine with him.
239

240 **There were no other comments or objections.**
241

242 Ms. Sandra Elliott, 5th Avenue North, wanted to go on record to say that she did not oppose paid parking
243 lots. Visitors should contribute to the cost of the beach maintenance. The town does not own the beach, but we
244 should be good stewards and not deny the public access. She strongly opposed the meters on Ocean
245 Boulevard. Mr. Dodge mentioned going to New Jersey beaches; she personally was from New Jersey and
246 there was paid parking at the beaches. But mostly parking was in lots with an attendant collecting the fees.
247 There were parking meters at Cape May where there was a boardwalk. In the beginning when metered parking
248 was discussed, then parking committee chairman, Mr. Kohlmann, said and said it again tonight, that he did not
249 want parking on Ocean Boulevard. Ms. Elliott believes the council should have listened to him. Bushes and
250 trees would have been preferred solutions for our family beach. It would have looked much more attractive.
251 What she thought she saw tonight was that council would purchase 42 meters to replace the loaned units at a
252 cost of \$16,600. With shipping and handling cost \$4,000, plus \$9,000 for signage to direct people to the
253 boulevard. She asked what made Town Council think people would move their car to parallel park on a narrow
254 street. There was no curb; there were landscaping timbers. She did not think they could park there. She said
255 the town would be spending \$29,000 or more for the boulevard that only generated \$14,200 income on the
256 meters. Her math calculations showed that it would take two years to catch it up. At the last meeting, the
257 council approved a contract with Lanier for 9:00 a.m. to 7:00 p.m. She thought that was a great idea by the
258 committee to help the town businesses. But, the motion was for \$1 per hour meter fee; \$19,000 less income for
259 the year. Ms. Elliott believed the council should have agreed to adopt \$1.25 per hour meter fee, eliminate
260 meters on Ocean Boulevard, and not spend \$29,000 on more meters and signage. By doing this, at the end of
261 two years, the town would have a profit of \$60,200. Instead, the council wants to spend \$29,000 to buy new
262 meters, keep the ugly meters, and lose \$19,000 a year, pay a \$1 parking fee and lose \$67,000 [sic.] She did
263 not understand the councilmembers and said, "Do the math."
264

265 Mr. Stevens was glad Ms. Elliott spoke as she covered some of the things he wanted to speak about.
266 He spoke with the business owners at the pier today. They could care less whether the town has free parking
267 there. He thought the next agenda should include an item to change the parking hours back to 7:00 a.m. to 7:00
268 p.m. and to consider the suggestions by the parking committee and by staff to raise the rates on the beach
269 access meters.
270

271 Mayor Samples asked if Mr. Stevens' recommendation was consistent with Mr. Smith's earlier
272 recommendations.
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274 Mr. Smith said at the last meeting the fee of \$1 per hour was adopted, so there would have to be a new
275 motion. If the rate is changed, the motion should also include approval of the Lanier budget so that it was done
276 all at once.

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Mayor Samples said it did not affect the Lanier budget, because the expenditure level was adopted for Lanier at the last meeting. Ms. Fellner said that was correct. Mayor Samples said that was done and was no longer a concern. This discussion was about revenue.

Mr. Stevens said it was very simple, 7:00 to 7:00 and consider the \$1.25 rate suggested by staff and the \$1.50 suggested by the parking committee.

Ms. Mabry asked if the \$1.00 per hour could remain, if council wished. She said Miami charges one dollar an hour, even in their parking garages. There was only one small section in Miami Beach that charged \$1.75 an hour.

Mayor Samples said that is the current rate, and would remain if there was no change approved. Mayor Samples asked if there was any objection to having staff present a proposal.

Mr. Stevens interrupted and said the parking committee and staff recommended that beach accesses change to \$1.25 or \$1.50; other areas would remain \$1.00, and asked if that was correct.

Ms. Fellner believed that Yaupon was also part of the area to be increased. She also said that staff believes the rate should be consistent throughout town otherwise it would drive people to park wherever the cheapest parking rate was located. The recommendation from staff was that because the town is surrounded by \$1.50 and \$1.25 rates in Myrtle Beach and Garden City, respectively, that the town's rate should be no higher than \$1.25.

Mr. Smith asked if that \$1.25 rate was proposed across the board, including the meters and Yaupon, etc. Ms. Fellner said yes. Mr. Smith asked that the papers submitted for the next meeting include specific details for a motion exactly as she recommended. Ms. Fellner said the paper would be written very carefully for all three options.

Mayor Samples asked if council had any interest in hearing a proposal for \$1.50 per hour.

Mr. Johnson said no.

Mr. Stevens said all three proposals should be presented for consideration, and also expanding hours back to 7:00 a.m. to 7:00 p.m., because the pier business people said the time did not matter to them.

Mr. Johnson said with all due respect to Mr. Stevens, would Ms. Fellner also contact the business owners to report to council. Ms. Fellner said yes.

Mr. Tom Dodge said he was glad to hear the town was going to write a letter to him for every piece of business it conducted, because Mr. Johnson said contact the people before you do anything.

Mayor Samples appreciated his comment, but that notice was for the affected property owners. The council did not want to be the "big heavy hand of government" and take actions without informing those who were involved.

Mr. Johnson called *point of order*, the meeting was off topic.

Mr. Stevens also wanted staff to present booting vehicles with more than \$100 in accrued fines as an option.

Mayor Samples said Mr. Stevens had obviously reconsidered his position on booting, and asked if others also wanted to consider booting.

331 Ms. Kohlmann said there was no motion before to use booting and this was wasting the council's time.
332 She did not support the boot system. There seemed to be a lot of controversy about the parks and deck areas
333 on Dogwood Drive, so she wondered if there were strong opinions about the side streets. She believed that a
334 lot of time was being wasted arguing over things.
335

336 Mayor Samples reiterated his position for clarification, because he agreed with Ms. Kohlmann, he would
337 like to see it dropped and not brought back.
338

339 Ms. Kohlmann believed it was important to consider the side streets; people already park on her lawn.
340 Like the mayor said at the last meeting, why would anyone park at a meter when they could park for free.
341 People would park on your rose bushes before paying a meter.
342

343 Ms. Dodge believed the side street should be considered, because people will park where they could
344 park free. That was not a good thing.
345

346 Ms. Fellner said Town Council had already approved no parking on the side streets.
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348 Ms. Kohlmann said Dogwood was part of it, and that was being brought back. Ms. Fellner said it was all
349 one motion, but only one piece, Dogwood, was being reconsidered thus far. Ms. Kohlmann said she wanted
350 that clarified, because she got confused during all the banter.
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352 Mayor Samples favored bringing it all back, but he was only one member.
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354 Mr. Stevens said booting was mentioned was that it was already in the ordinance in Section 9-17,
355 paragraphs (g) and (h). If it was not being enforced, it should be taken out of the code.
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357 Mayor Samples said that council gave the administrator instructions not to boot or tow at the same
358 meeting when the motions were approved to purchase of \$170,000, plus or minus that grew to \$225,000 for the
359 meter purchase and to award a 5-year contract to Lanier. Mayor Samples asked whether council wanted to
360 revisit the matter in terms of instructions to the administrator.
361

362 Ms. Dodge and Mr. Stevens supported booting and wanted to revisit the issue.
363

364 Mr. Smith did not want to boot; he thought that was the wrong way to go.
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366 Ms. Kohlmann asked if the town owned a boot. Ms. Fellner said no; nor had the police department
367 booted a single vehicle during the last three years. The booting provisions are a police function; not a parking
368 enforcement function. Ms. Kohlmann believed the terms were included in the event a boot was necessary, it
369 was a tool. If the town decided to boot cars, it would cost more money. She believed boots averaged between
370 \$150 and \$200 each.
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372 Mayor Samples said it appeared that only two members wished to reconsider booting, so there was no
373 sense wasting council time on the matter.
374

375 Mr. Johnson was not in favor of enforcing parking on the side streets, be he was willing to reconsider
376 the matter if council wished to bring it back.
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378 Mayor Samples, Mayor Pro Tempore Mabry and Councilmember Johnson agreed to reconsider parking
379 on the side streets.
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381 Mr. Smith wanted the administrator to present a motion along with the others mentioned earlier at the
382 next council meeting. He cited the motions as:
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- No parking except by permit on Melody Lane to 17th Avenue North, and Dogwood Drive, Yaupon Drive from 3rd Avenue South to 3rd Avenue North and all side streets between Dogwood and Ocean Boulevard, with the dollar amount to purchase and number of signs to be purchased
- No parking on the side streets, except by permit, Yaupon and Dogwood Drives from 3rd Avenue South to 3rd Avenue North, with the dollar amount to purchase and number of signs to be purchased

Ms. Mabry asked what options were available for the members that did not want any changes; could language be included to leave things as they were.

Mr. Smith said members who did not want change could vote no to the motions, which would keep the status quo.

Mayor Samples said that everyone had an opportunity to explain why they chose to vote for or against any motion. He asked what other information needed to be presented. Ms. Fellner said that covered all of the issues she identified.

Ms. Kohlmann asked why enforcement hours were not included. Ms. Fellner said the hours were posted on every meter.

Mr. Stevens asked if the total number of signs was 163 instead of 102. Ms. Fellner said 163 signs.

Ms. Fellner asked if the exclusions should be made part of motion number one.

Mr. Smith said yes.

Ms. Kohlmann asked if the side streets were the only parking restricted streets or if Dogwood Drive would also be restricted except at the park areas.

Mayor Samples said that should be introduced as an amendment, there was not currently specific language regarding that.

Mr. Smith said the second motion as recommended by staff would be side streets plus Yaupon from 3rd Avenue South to 3rd Avenue North, and Dogwood from 3rd Avenue South to 3rd Avenue North. Those parts of Dogwood and Yaupon are where there is a lot of free parking. She could offer a third motion stating side streets.

Ms. Kohlmann said she just wanted clarification of what was included.

Mayor Samples asked if that was the area that would use 102 signs. Ms. Fellner said yes, and asked if there would be a third motion regarding times, and a fourth motion regarding rates.

Mr. Smith said the times would be addressed when the ordinance was presented for second reading. If the ordinance failed, the times would remain 7:00 a.m. to 7:00 p.m.

Mayor Samples said council already voted to make it 9:00 a.m. to 7:00 p.m.

Mr. Smith said council did vote; however, it had not been codified by ordinance to effect the change in times. Another motion was not necessary.

Mayor Samples understood and agreed. He asked when the merchant validation language would be presented for council's consideration. Ms. Fellner said the program is already in the ordinance, but it was not term specific. Proposed language would be submitted with these amendments. Mayor Samples believed some format should be made available to the public, in addition to realty companies, identifying parking polices and

439 guidelines. Ms. Fellner understood and said information was given to rental agencies, published in a parking
440 brochure, on the town website, and also on social media.
441

442 Mr. Smith said that was what he was attempting to do when he asked for some of the actions to be
443 documented in a resolution a few weeks ago. He thought when significant changes were made they needed to
444 be written so it became a public document. An ordinance was the preferred method, but some of the actions in
445 a resolution would be a policy and it would be a document the public could refer to. If a clerk was asked about
446 it, the resolution could be given to the inquiring party. Mr. Smith thought that the current ordinance stipulated
447 that changes to the ordinance should be documented in resolutions, because it was very difficult to research
448 minutes. He said in fact he was not sure anyone would understand what went on tonight if they read the
449 minutes. If the information was summarized in a document, then it would be clear.
450

451 Ms. Sandra Elliott hoped there would be a large influx of tourists, because this is the town's 50th
452 Anniversary, who would explore the town, perhaps even to become rental tenants and shop the town
453 businesses. There are only 136 meters on the boulevard. Where would these visitor park? They cannot park
454 in the first three blocks. It will be like July 4th many times.
455

456 Mayor Samples said excellent point.
457

458 (**multiple speakers) Ms. Kohlmann said there was a very, very short block on the north side.
459

460 Mayor Samples said the visitors would park further back into the neighborhoods to avoid paying, which
461 is one reason places like Charleston have multiple parking zones. Last time he checked, Charleston has nine
462 different parking zones.
463

464 (**two speaking at once)
465

466 Ms. Mabry pointed out that if the town would have enforcement of any kind it has to be in ordinance
467 form. Resolutions were nice documentation. But if there is any enforcement, it should be in an ordinance and
468 that ordinance had to be codified. It was unfair to expect the police department officers or Lanier staff to issue a
469 ticket when an ordinance was not properly adopted. Every ticket they write would be thrown out of court, if there
470 is no statute to cite. This is a government; ordinances can be amended to bring them up to date. Some
471 municipalities update ordinances every three to five years as a matter of course.
472

473 Mayor Samples asked for clarification purposes, because he heard it from both Ms. Mabry and Mr.
474 Smith, whether council wanted the merchant validation codified.
475

476 Mayor Pro Tem Mabry replied yes.
477

478 Ms. Dodge said yes.
479

480 Mr. Johnson replied yes, simply because resolutions, as you well know, had caused problems many
481 times over the years. He believes it should be codified.
482

483 Mayor Samples said the administrator had her direction. Ms. Fellner understood that council did not
484 want a motion on the change of times for parking enforcement. She asked if a motion was desired to change
485 the rates. Several members replied yes. Mayor Samples said motions to consider the \$1.25 and \$1.50 should
486 be easy to prepare. Ms. Fellner heard Mr. Stevens say "and the times" and she needed clear direction.
487

488 Mr. Smith explained to Mr. Stevens there is a proposed ordinance to change the time that will be
489 presented for second reading. If that ordinance to amend the time fails, then the times will remain 7:00 a.m. to
490 7:00 p.m. Mr. Stevens said okay.
491

492 Mr. Johnson asked if direction should be given to fellow councilmembers. (**several speaking at once.)
493

494 Mayor Samples believed Mr. Stevens needed some clarification, and he appreciated Mr. Smith being
495 direct in providing that information. He said the parking committee has worked hard, but he saw the council
496 stepping away from the parking committee recommendations. The committee was fairly adamant about helping
497 the pier businesses. But according to Mr. Stevens, the pier businesses did not have a problem with the rates or
498 times.

499
500 Mr. Stevens said exactly.

501
502 Ms. Kohlmann asked Ms. Fellner if the rules apply to police officers where it states 9-17, Penalties,
503 Section (B) violations shall be issued on Uniform Traffic Tickets or Uniform Ordinance Summonses used by the
504 town's parking contractor for a parking violations occurring east of Dogwood drive. Ms. Fellner said the police
505 officers can issue parking tickets anywhere in town. The wording beginning with "or Uniform Ordinance
506 Summonses" was added to authorize the parking contractor's staff to enforce parking. The parking contractor's
507 employees are not sworn officers and cannot issue a Uniform Traffic Ticket, but are authorized by resolution to
508 issue a Uniform Ordinance Summons.

509
510 Mayor Samples asked if there were any other discussion topics to be discussed.

511
512 Mr. Johnson believed staff had clear direction.

513
514 Mayor Samples asked Mr. Stevens, if he had anything further, because he hoped any major
515 amendments would be discussed tonight to make the ordinance adoption process easier.

516
517 Ms. Fellner believed everything was covered. She asked to confirm that there would be three motions
518 and one expansion to include in the ordinance about the merchant validation program.

519
520 Mr. Smith said the three motions should be presented next meeting, and the merchant validation
521 program expansion when she had time. Second reading regarding parking enforcement times should also be
522 on the next agenda.

523
524 Mayor Samples preferred that the merchant validation be included as part of the ordinance.

525
526 Ms. Mabry agreed that merchant validation should be part of the ordinance, but it could be done later.

527
528 (**several speaking at once.)

529
530 Ms. Fellner said the ordinance could be presented for first reading, and the merchant validation
531 expansion language could be amended to the ordinance for second reading.

532
533 Ms. Fellner said there also were fees of \$8.00 for all day parking and \$40.00 per week.

534
535 Mr. Smith suggested that the rates be included in the fees section for consideration.

536
537 Mr. Kish said the daily rate expired at midnight on the day of issue; merchant validation passes were
538 generally a 24-hour period that allowed for overnight parking.

539
540 Mayor Samples called for a motion to notify the property owners in the R-3 district prior to
541 implementation of the permit only parking.

542
543 Mr. Stevens said he thought it was a waste of money, because the town codes stipulate the amount of
544 required parking in the district. If owners created bedrooms after a certificate of occupancy was issued, they
545 broke the law.

546
547 Mayor Samples said Mr. Stevens was correct; the zoning code has a requirement that had to be met
548 regarding parking. He believed there was an obligation by town government to advise property owners, who

549 may or may not live in town, before implementing an ordinance that could possibly affect them. Mayor Samples
550 said in his opinion it smacked of big government, heavy handedness, and this was the type of thing that people
551 were sick of. People did not like government telling them what to do. He knew that Mr. Stevens was an
552 advocate for freedom, liberty, the Constitution, etc., etc. All he was asking was that a vote be taken on
553 notification to property owners, but again he was only one member.
554

555 Mr. Stevens said before he could even consider doing so, he would have to know the itemized cost. He
556 said if someone parked in the right-of-way at this house, he could have the car towed. That was the law.
557

558 Mayor Samples interrupted saying Mr. Stevens had made his point.
559

560 Mr. Johnson agreed with notification, and said if nothing else the notice would show that the town was
561 good stewards. If cost was a concern, the town could eliminate one or two the parking meters to be purchased.
562

563 Ms. Kohlmann did not oppose notifying property owners, but she believed in equality across the board.
564 She said as she said in the past and would say again, if this was done, the council would set a precedent. The
565 town would have to keep doing this every single time the council decides to change something that affects
566 anybody, which means the property owners ultimately paid for it. Ms. Kohlmann did not care if the owners were
567 notified, but it would cost money. If notice was sent for one action, then it would have to be done for all things,
568 because she believed in equality.
569

570 Mayor Samples agreed with the principle when it involves property; their private property.
571

572 Ms. Kohlmann interrupted saying the town had not done that and she did not see it being done in the
573 future.
574

575 Mayor Samples said the town should have done so. He believed before Ms. Kohlmann moved into
576 town, and the sidewalks were being installed, the town surveyed the property owners being affected.
577

578 Ms. Kohlmann reiterated her concern that this council had not done that. She was not opposed to
579 notifying property owners, but agreed that council should know the cost. If this was done now, then notices
580 should be sent every time. Ms. Kohlmann said for the record: "I'm not opposed to it, I just wanna know the cost
581 and if we do it for one, we do it for all."
582

583 Mayor Samples appreciated Ms. Kohlmann's comments. Three members expressed their positions.
584

585 Ms. Mabry found it odd that somebody was ready to write a check for \$29,000 to stop parking, except
586 for, except for [sic] a little blue sticker, and yet, they're concerned about notifying the public. She did not
587 understand that rationale. She thought the public should have always been notified when their streets were
588 being changed; when meters were being placed in front of their houses, especially the people who live in town
589 full time. The council was still receiving email messages about parking meters. In fact, she received a visitor at
590 8:15 this morning at her home about parking. The blow-back that members would hear would last for years. It's
591 still going on from the boulevard. For her dollars worth, she believed the town better start notifying people when
592 a permit parking sign is put in front of their driveway.
593

594 Mayor Samples said there appeared to be four members, including Ms. Kohlmann, that had no problem
595 sending property owners notices. He asked if there any other matters to discuss. There were none.
596

597 Mr. Tom Dodge (**speaking from the audience.) He believed the discussion was about town property;
598 not personal property. The rights-of-way were owned by the town. He had lived here 22 years and had never
599 received a letter requesting his opinion about something it planned to do.
600

601 Mr. Stevens has been here since 2004. Between that time and 2008 the town never notified him that it
602 would put an illegal dumping site beside his house, nor did he receive notification in 2009 that the town would try
603 to close the street he lives on. When the dog park was built, he did not receive notification. He was the least
604 notified person in the world.

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Mayor Samples appreciated Mr. Stevens' circumstances, but when he was first elected as mayor, in 2002 (scrivener's error-DHerrmann) the planning and zoning commission did not post signs on properties as required by state law. He made a point of making it happen. He agreed with him that before the town takes action it should involve those who are affected. That was all he was suggesting. Mayor Samples said he regretted that was not done in the past, but there is no time like the present to move forward and get right.

ADJOURNMENT.

Mr. Johnson moved to adjourn at 8:10 p.m. Ms. Kohlmann seconded. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: March 11, 2014

Douglas F. Samples, Mayor

Mary M. Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Clerk's Note: This document constitutes summary minutes of the meeting, which was digitally recorded. Appointments to hear the recording may be made with the town clerk. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on bulletin boards outside Council Chambers; in the Town Hall reception area; and on the town website. Meeting notice was also posted on the Town marquee. When (**) is used a section of the recording is inaudible. Public Comments and Council Comments made during workshops are edited.

