



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
JUNE 9, 2014 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58

1. CALL TO ORDER. Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, Magliette and Stevens were in attendance. A quorum was present. Others present: Town Administrator Fellner; Town Clerk Herrmann; Finance Director King; Planning Director Morris; Police Chief Keziah, and Fire Chief Cimini.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. Pastor Oakie Landers of Pine Drive Gospel Church gave the invocation. Mayor Samples lead the Pledge.

3. PUBLIC HEARING. Pursuant to §6-1-80 of the SC Code of Laws, Mayor Samples opened the public hearing at 6:32 p.m. to hear comments on the Fiscal Year 2014-2015 Municipal Budget. Mayor Samples held the floor open for a few minutes before any speakers approached the podium.

Ms. Sandra Elliott, 5th Avenue North, believed that sanitation rates could be lowered, because of the high reserve amount. She said the rates were raised just last year, but it appeared that increase might not have been necessary. She also questioned the town setting aside funding for seniors, but not for all other demographic groups.

Mr. Ron Ott simply said that voters would vote in the 2016 Election.

There were no other public comments on the Fiscal Year 2014-2015 Municipal Budget. Mayor Samples declared the public hearing closed at 6:36 p.m.

4. AGENDA APPROVAL. Ms. Mabry moved to approve the agenda. Mr. Childs seconded. All voted in favor. **MOTION CARRIED.**

5. MINUTES APPROVAL. Mr. Johnson moved to approve the regular minutes of the May 27, 2014 meeting as submitted. Ms. Mabry seconded.

Mr. Stevens said for the record: "I was looking over these minutes and I have a little problem. They don't seem to be as concise [sic] as the minutes we had before. It seems like we're leaving a lot of stuff out, and I, and by the way, this is on the record, too, we're leaving a lot of stuff out, and I think in the spirit of transparency to the citizens, the minutes need to be a little bit more, I know we're doing summary. I bet; they need a little bit more summarized, because I feel like we have a vide [sic], audio tape, but as soon as the audi [sic], written minutes come out that audio tape is no longer available to anybody, so nobody can listen to it. It's gone, and where is it? I don't know. I reckon the only way you, you have is to come up to town hall and listen to it, and people don't have the time to do that, and with the Internet it's just my opinion, and you can take it for what it's worth that we're leaving a lot of stuff out of the minutes that should be in the minutes in both the regular meeting and the budget workshop."

Mr. Johnson asked whether Town Council discussed minute preparation at the budget workshop. Mayor Samples said with respect to the minutes being summary and action minutes. Mr. Johnson said yes. Mayor Samples said Town Council did. Mr. Johnson said thank you. Mayor Samples elaborated that council discussed this, but if council wished to offer a change on some particular item, the members would like to hear.

Mr. Stevens said, continuing for the record: "A little bit more detail. I know I went through here and there was some statements that fellow councilmen made and I couldn't find 'em, and it's just, it's got down to it's almost like reading a [sic] outline of a book report rather than a little bit more detailed, and I'm looking for a little bit more detail for the citizens who are sitting out here and have no idea what's going on. Maybe they can't come to a council meeting. Maybe they're too busy, but they need to have the ability, and once that audio tape's gone, they don't know anything other than what's this summary is. So, I feel like we're, we're falling and leaving the citizens asking questions. What was really said? What was said here? What was said there? Just a little bit too summarized."

59
60 Mr. Magliette thought this could be solved if the audio recordings were left on the website after the
61 minutes were published so the public would have easy access.

62
63 Ms. Mabry said *point of information*, and asked Ms. Fellner if storage space was available on the
64 website. Ms. Fellner said the town's site did not have capacity for long term storage. Audio files were very big.
65 The town meetings were long. The town could pay for additional storage, but it would cost.

66
67 Mayor Samples said *point of information*; the minutes being discussed were for a meeting that lasted
68 one and one-half days. He thought council could appreciate the amount of data bytes that create the files. He
69 pointed out that Town Council did discuss the nature of meeting minutes at the budget workshop, that they
70 would be summary action oriented. Councilmembers will have the opportunity during their comment time to
71 clarify any specific issues that they feel may not have been properly addressed.

72
73 All voted in favor of approving the regular meeting minutes of May 27th. **MOTION CARRIED.**

74
75 Ms. Mabry moved to approve the June 2, 2014 budget and parking workshop action minutes. Mr.
76 Johnson seconded.

77
78 Mr. Stevens said for the record: "Same, same point on that on the record."

79
80 All voted in favor. **MOTION CARRIED.**

81
82 **6. PUBLIC COMMENTS – Agenda Items (3 minutes.)**

83
84 Mr. Ron Ott, 7th Avenue North, referred to the council conduct ordinance and said if the residents were
85 censored during public comments, the Pledge of Allegiance should also be removed and the Flag should be
86 taken down. He said do not censor public speech.

87
88 Ms. Sandra Elliott, 5th Avenue North, disagreed with Mr. Ott. The community has residents that believe
89 the glass is half-full, and others believe it is half-empty. *Robert's Rules* calls for allowing specific lengths of
90 times for speakers. She did not believe the general public was familiar with *Robert's Rules*. The conduct
91 ordinance was asking the citizens to speak respectfully when they address council, and that council would be
92 respectful of the citizens.

93
94 Ms. Holly Watson, 3rd Avenue North, was very confused about the budget and comments made at the
95 June 2nd workshop. The public notice advertisement showed no change in income and millage. The workshop
96 minutes indicate there will be a tax increase up to 15.5-percent. She objected to any tax increase saying she
97 had no more money to give the town. The 5 mils collected for stormwater fees were never sunset. She
98 requested that the public be notified of correct information before the budget was adopted, so the public could
99 investigate where the 15-percent more tax money was going to be used.

100
101 **7. COMMUNICATIONS.**

102
103 **A. Department Reports.**

104
105 **i. Fire.** Chief Cimini presented the written report, a copy of which is on file. There were 91 incidents in
106 May 2014 compared to 62 in May 2013. The estimated loss by fire in May 2014 was \$2,500, which would have
107 been worse had the department not contained the fire to one room in the house. Horry County and Murrells-
108 Inlet Garden City provided mutual aid. The department conducted 112 fire prevention activities. Two Fire
109 Prevention Grants were submitted; Wal-Mart awarded the town \$1,000 to use during Fire Prevention Week.
110 The other grant with Sam's Club is being reviewed. The department entered the SC Fire Chief's Education
111 Award Program, the winner of which will be announced at the State Fire Chief's conference in June. Chief
112 Cimini hoped that the department's fire prevention and community education programs would be strong enough
113 to win in its category of "Combination Fire Department" serving 5,000 people or less. Beginning next month
114 every call, assistance to a citizen, or education event will be considered an "incident" under the new dispatching

115 system adopted by Horry County. The town will have an ISO inspection tomorrow; the town will be allowed one
116 year to correct any deficiencies. Chief Cimini expects to have a good evaluation. Career and volunteer
117 personnel spent 220 hours training, and 169 hours responding to calls during May. The department was proud
118 to host the League of Cities meeting for Town Council. A Town Hall meeting was held last Thursday evening
119 that was well attended to learn about hurricane preparedness. The job description for Chief Cimini's
120 replacement was published on the town website and distributed on the Fire Chief's Association website. Chief
121 Cimini thanked Chief Keziah and all police staff for their assistance to fire and rescue during the two bike weeks.
122 He gave a heartfelt thanks to career and volunteer for all their hard work during May. A Citizens Fire Academy
123 will be offered in September that is free to anyone that wanted to participate.
124

125 Mr. Stevens asked if the academy had limited participation. Chief Cimini said 12 participants in each
126 class, because the students would actually get into turn-out gear; go through the mazes, and work with rescue
127 tools. Mr. Stevens asked if ride-alongs would be allowed. Chief Cimini said the department has a ride-along
128 program; contact him whenever he wished. Mr. Stevens said for the record: "Put this on the record, if you
129 would. Anybody that attended the Police Academy and now we have a Fire Academy, this gives you a better
130 look at your a, probably the two main important things we have for public safety; the fire department and police
131 department. I recommend every citizen, if you haven't been to the Police Academy, go to that, and since they're
132 having the Fire Academy, I'll be the first to sign up. Thank you." Chief Cimini said the department just signed
133 on its second junior firefighter, and had hopes that Mr. Pellegrino's son would soon sign up as the third junior
134 fire fighter. The junior firefighter program was working very well.
135

136 Mayor Samples said he sorry that Chief Cimini did not reconsider staying on with the town. Chief Cimini
137 said after 53 years of fire service, it was time to retire and let the younger fire fighters take over. September
138 would be his last month of service. Mayor Samples asked if the ISO inspection would be complete or partial.
139 Chief Cimini said a complete inspection; he anticipated that the town would be rated a 2 or very close thereto.
140

141 **ii. Planning, Building & Zoning.** Ms. Morris presented the written report, a copy of which is on file.
142 Staff issued 172 building permits in May compared to 120 permits in 2013; 144 inspections were made;
143 stormwater plans, and residential plans for additions and renovations were reviewed. There were no new single
144 family plans submitted during May. Staff continues to work on weekends, because of the number of contractors
145 performing work without permits on Saturdays and Sundays is increasing, which results in stop-work orders
146 when necessary so contactors can get permits. Complaints continue to be received; staff follows up on each
147 complaint. This time of year is when the most complaints are received about overgrown lots, which may be
148 resolved slowly, because the permit technician position was vacant. The Community Rating System (CRS)
149 focus group met today; the meeting went very well. Ms. Morris will travel to Emmetsburg, Maryland at the end
150 of June for advance CRS training, which will be at no charge to the town.
151

152 Mr. Stevens asked if citizens were allowed to attend focus group meetings. Ms. Morris said absolutely.
153 Normally, meeting notices are given to the town clerk for publication. Today's meeting was posted in town hall.
154 The next meeting will be Monday, June 16th in chambers at 1:00 p.m. Mr. Stevens encouraged all citizens to
155 support the CRS program, because it would possibly lower flood insurance premiums. The town has a good
156 CRS committee and he believed it would benefit the town in the long run.
157

158 Mayor Samples asked if the vacant permit technician position was advertised. Ms. Morris said it was on
159 the town website and the Municipal Association website.
160

161 **iii. Police.** Chief Keziah presented the written report, a copy of which is on file. During May the
162 department responded to 1,611 calls for service, compared to 1,167 calls in May 2013. Arrests and citations
163 were 451:305, which is a 48-percent increase over May 2013. The US Marshal's Task Force cleared six
164 outstanding warrants and collected over \$1,500 in bond and fine money. July 1st is the next Coffee with a Cop
165 at Benjamin's Bagels on 3rd Avenue South from 7:30 a.m. to 9:30 a.m. Everyone was invited to attend the
166 informal gathering to meet the officers and have a cup of coffee. The fire department will also be there. The
167 new rescue equipment will be on display. Chief Keziah introduced K-9 Biko to Town Council and the audience.
168 K-9 Biko is a Belgian Malinois that is certified in tracking suspects and lost or missing persons; he also certified
169 in narcotics detection. K-9 Biko was brought on board by a partnership with private and corporate donations.

170 K-9 Biko was on patrol about three days and effected a money seizure and three felony drug arrests due to his
171 keen sense of smell. Corporal Julian Ziolkowski is K-9 Biko's handler.

172
173 Mr. Childs was on the beach at 7:00 o'clock Monday morning. He said patrol officer Williams was on
174 the beach. He was glad to see him there that early. Officer Williams went above the call of duty to stop and
175 pick up some bottles and cans. Mr. Childs said not many people do that, and he appreciated his extra effort.

176
177 Mr. Stevens said for the record: "I'm gonna say this, because I promised the Chief I would, and this is
178 on the record, if you would, I still challenge every councilmember who hasn't gone to the police academy,
179 Citizens Academy, to go and encourage all their neighbors to go."

180
181 Mayor Samples asked if Chief Keziah had been contacted by Horry County. Chief Keziah said Mr.
182 Whitten contacted him to advise that he had been appointed to the Memorial Day focus group. Chief Keziah
183 hoped he would be able to protect the town's interest as he served.

184
185 **C. Administrator's Report – Update on Current Events.** Ms. Fellner said much discussion was held
186 about the removal of golf cart parking spaces, to inform the public she explained that at the 6th Avenue South
187 beach lot, two former golf cart spots were removed along the northern fence line, because the parked golf carts
188 created an obstacle for cars backing out of the spaces, and also because a new shower was installed in the
189 northeast corner of the lot, which would create problems for any carts parked there. The 6th Avenue South lot
190 has 14 metered car spaces. Two former golf cart spaces were removed from the street side at the restrooms at
191 the 13th Avenue South beach lot. The reason was public safety; drivers were complaining that they could not
192 see approaching pedestrians, joggers or traffic as they exited the lot, which was usually in reverse gear. Also,
193 golf carts parked there often encroached on the public sidewalk. The 13th Avenue South beach lot has 10
194 metered car spaces. The following new golf cart parking has been created in place of landscaping: 1st Avenue
195 North Access, 12 spaces; 2nd Avenue South Access, 10 spaces, and at 7th Avenue South Access, 5 spaces.
196 There are also 5 new golf cart spaces at the Surfside Pier parking lot as a result of the parking lot expansion.
197 This totals 32 new golf cart parking spaces. Ms. Fellner said the peddling ordinance would not be brought
198 forward as it failed the second attorney review with regard to Constitutionality. The town has distributed 25,200
199 copies of the 50th Anniversary magazine; 10,000 are reserved for upcoming town events, and the remaining
200 4,800 will be placed in the Piggly Wiggly and Bi-Lo grocery stores beginning July 1st. Staff anticipates that the
201 magazines will be gone well before the end of season. Ms. Fellner sadly informed the public that Chief Cimini
202 will retire; he committed that he will stay until October 1st. The position was published on the town's website
203 and the Southeastern Association of Fire Chiefs site. It was also e-blasted to its 1,783 members. Once the
204 application period is closed, the interview and hiring process includes a review of all the applications by the town
205 administrator and fire chief; applicants best matching the town's needs will be invited to meet the current fire
206 chief, tour the facilities and the town, and also attend a drill night to meet the career and volunteer staff. The top
207 ten applicants will be asked back to interview with a panel of fire service professionals from the South Carolina
208 Fire Service. The top five candidates will interview with the town administrator. The top candidate will be
209 offered the position only after concurrence of Town Council pursuant to Town Code. The offer will be contingent
210 upon passing NFPA (National Fire Protection Association) physical.

211
212 Mr. Johnson was concerned about tickets being issued when people parked against the flow of traffic,
213 because that had been allowed in the past. He did not feel that the public had been informed and thought that
214 this season only warning tickets should be issued. Ms. Fellner explained that the new code was in the parking
215 brochure and on the town website; the information could be featured in the town newsletter. Mr. Johnson
216 suggested that everyone who receives a parking decal also receive a parking brochure. Ms. Fellner said that
217 practice could begin right away.

218
219 Mr. Stevens asked if state law prohibited parking against the flow of traffic. Chief Keziah said there is a
220 state law prohibiting parking against the flow of traffic, but it only pertains to spaces that have a raised curb. Mr.
221 Stevens asked if Chief Keziah considered that to be an unsafe parking practice. Chief Keziah said yes,
222 because even though there were ways to get around it, most people will drive on the wrong side of the road to
223 park and/or to leave the space. Mr. Stevens said the town has laws that should be obeyed regardless of the
224 situation. He agreed that parking against the flow of traffic was a safety hazard.

225

226 Mayor Samples asked if it was unsafe to pass golf carts on Ocean Boulevard. Chief Keziah said it was
227 legal to pass golf carts; the law allows you to drive in the opposing lane when passing a vehicle. Mayor
228 Samples asked when the stormwater project bids would be presented. Ms. Fellner that information was being
229 reviewed and would probably be presented at the next regular meeting.

230
231 **8. BUSINESS.**

232
233 **A. Second Readings of Ordinances**

234
235 **i. Ordinance #14-0777 to amend §2-208 Bidding & Quotation Requirements and Approval**
236 **Authority, to increase limits and correct approval authority, Administrator Fellner.**

237
238 Ms. Mabry moved to defer second reading. Mr. Stevens seconded. All voted in favor. **MOTION**
239 **CARRIED.**

240
241 **ii. Ordinance #14-0778 to amend §5-32(B) Statements of Economic Interest and §5-33**
242 **Campaign Disclosure Forms, Administrator Fellner.**

243
244 Ms. Fellner presented the consideration paper, a copy of which is on file.

245
246 Mr. Stevens moved to adopt second reading of Ordinance #14-0778. Ms. Mabry seconded. All voted in
247 favor. **MOTION CARRIED.**

248
249 **B. First Readings or Ordinances**

250
251 **i. Ordinance #14-0779 to adopt FY 2014-2015 Municipal Budget, Director King.**

252
253 Ms. King presented the ordinance to adopt the 2014-2015 budget and tax millage for the fiscal year
254 ending June 30, 2015. The initial budget presented to Town Council on April 30, 2014 was a balanced budget
255 using \$274,240 of available reserve balances rather than having a tax increase. Since that date the budget has
256 been reviewed by Town Council and items added and items removed. The ordinance presented reflects a
257 millage increase of 6.22 mils, the maximum allowed by State Code Section 6-3-320 Millage Rate Increase
258 Limitation. This calculation is based on the change in the Consumer Price Index (CPI) and the increase in
259 population over the past four years as presented in the State Code. This increase on a \$200,000 home equals
260 \$50 increase per year. As a point of history, the town's tax millage rate increased in Fiscal Year (FY) 2003-2004
261 for stormwater projects and in FY 2005-2006 and FY 2010-2011 the millage rates decreased to reassessment.
262 Since 2008 the town has been spending more in general fund than it has taken in. However, services have
263 remained about the same for all residents and visitors. The town has been relying on the transfers from other
264 funds and the general fund's unassigned reserve to balance the budget. This strategy has afforded the town the
265 ability to not raise taxes, but it has not allowed for the build-up of capital reserves nor to plan for the reality of
266 ever escalating costs. Each year it is harder to maintain this balance and will continue to be so, especially if
267 revenues plateau or decline. The unassigned reserves which are being used to balance the budget are the
268 funds available, if the town should have an emergency situation such as a storm or swash collapse. The budget
269 being presented for 2014-2015 also has expenditures which exceed revenues to be collected by \$249,740. The
270 bulk of that spending is for items being purchased using the dedicated savings reserved for such items.
271 However, the towns operating costs are covered by the operating revenues anticipated to be collected in 2014-
272 2015. Without the tax increase, the expenditures in the presented budget exceed revenues by \$613,465 and
273 the operating costs are not covered by the revenues collected. The unallocated reserve balances would be
274 used to balance the budget, if the projections stand. The town is very fortunate to have no major debt issues
275 outstanding; however, there is a lease payment for a fire truck, but the payment is manageable. This budget
276 also anticipates the reserve for beach renourishment will total \$497,818 by June 30, 2015. It was a goal to have
277 a substantial reserve for this project in this budget. There never seem to be shortage of "wants" but there is a
278 shortage of funds to even think about the projects.

279
280 Ms. Mabry moved to adopt first reading of Ordinance #14-0779 to adopt the 2014-2015 Municipal
281 Budget presented by Director King. Mr. Childs seconded. Mayor Samples and Councilmembers Childs,

282 Johnson, and Mabry voted in favor. Mayor Pro Tempore Pellegrino and Councilmembers Magliette and
283 Stevens voted against. **MOTION CARRIED.**

284
285 Mayor Samples asked if Town Council wished to have a special meeting to discuss the budget further
286 and to bring specific reductions or revenue enhancements for consideration prior to second reading. **COUNCIL**
287 **CONCURRED TO MEET SATURDAY, JUNE 14TH AT 11:00 A.M.**

288
289 **ii. Ordinance #14-0780 to amend §2-39(a) Agenda; §2-39(b)(9) Discussion; §2-40 Addressing the**
290 **Council, & 2-54 Appearance of Citizens, Councilmember Mabry.**

291
292 Ms. Mabry moved to adopt first reading of Ordinance #14-0780. Mr. Childs seconded. After lengthy
293 debate, Ms. Mabry withdrew the motion. Mr. Childs withdrew the second.

294
295 Mr. Magliette asked if council would concur to remove the portion of the last sentence in Section 2-54(b)
296 reading "with not more than three (3) speakers discussing the same subject." **CONCURRENCE FAILED**

297
298 Mayor Samples explained that ordinance as it currently exists had been in place for many years, and
299 there had been a very few times when the number of speakers was limited during comments. He said when the
300 chair makes a ruling, under *Robert's Rules of Order* any councilmember may challenge the chair by calling *point*
301 *of order objection to the ruling*, and then move to override the chair. A positive majority vote, four members,
302 always overrides the ruling of the chair. Mayor Samples suggested members familiarize themselves with
303 *Robert's Rules of Order*.

304
305 Mr. Childs explained that Section 2-39(a) and Section 2-54(a) were housekeeping matters and asked
306 whether council would consider amending those particular sections. He would also like Mr. Magliette's
307 recommendation to strike the last portion of the last sentence in Section 2-54(b) presented for Town Council to
308 reconsider. **COUNCIL CONCURRED.**

309
310 **C. Parking Committee Appointment – Mr. Ed Hunt (May be deferred until after executive**
311 **session.)**

312
313 Mr. Johnson moved to suspend rules to allow discussion. Ms. Mabry seconded. All voted in favor.
314 **MOTION CARRIED.** Mr. Johnson asked if there was only one candidate for the parking committee vacancy.
315 The town clerk indicated yes. Mr. Johnson moved to reconvene regular session. Ms. Mabry seconded. All
316 voted in favor. **MOTION CARRIED.**

317
318 Mr. Johnson moved to appoint Mr. Edward Hunt to the parking committee. Ms. Mabry seconded. All
319 voted in favor. **MOTION CARRIED.**

320
321 **9. DISCUSSION – Any matters of concern or information to be discussed by Town Council.**

322
323 Mr. Stevens commended Mr. Childs who took it upon himself to speak to House Representative
324 Hardwick to have a Department of National Resource (DNR) representative inspect the pier for suitability for
325 placing an artificial reef off the end that would provide habitat for bait fish and ultimately bring in larger fish.
326 There are only three piers that have reefs in the State of South Carolina. He asked if the administrator could
327 provide the information to councilmembers, because the reef would increase fishing during the shoulder
328 seasons and could the town and business community could market fishing tournaments to tourists.

329
330 Mr. Childs said Mayor Samples was there, too. This discussion began years ago. He regularly visits
331 the pier and speaks with the fishermen. The ocean has a very smooth bottom on our beach, which does not
332 provide fish habitat. A reef would provide habitat and food for fish. He believes this is a very worthwhile project.
333 DNR reports there is grant money available for a project like this. It would take at least a year to complete the
334 project. Ms. Fellner was asked to send the DNR representative information about the pier, as he would go
335 ahead and start the permitting process now.

336

337 Mayor Samples said the two issues to consider were that beach renourishment should not negatively
338 impact the reef, and that the 1,300 pound concrete cones that form the reef should be secured so they would
339 not become projectiles coming on shore during any storm events. Ms. Fellner was going to proceed with this,
340 and Mayor Samples thanked Mr. Childs and others who worked on the initial contact.
341

342 **10. PUBLIC COMMENTS – General Comments (5 minutes.)**
343

344 Mr. Tom Dodge, 15th Avenue North, thanked Officer Amundsen who pulled over a child who appeared
345 to be about 10 years old speeding on Ocean Boulevard on a golf cart. Mr. Dodge was driving his golf cart and
346 said he could not keep up with the child. He expressed great respect for Chiefs Cimini and Keziah. Mr. Dodge
347 read from minutes of the May 27th council meeting, saying that Ms. Mabry said council should show respect for
348 each other, and citizens, and citizens should show respect for council. Mr. Dodge totally agreed with her, but
349 then proceeded to chastise Ms. Mabry for the manner in which she treated Mr. Stevens. Mayor Samples called
350 Mr. Dodge out of order several times, saying that this council would not allow members to be called out. He
351 asked Mr. Dodge to stay positive, but do not demean individual members. Mr. Dodge believed his First
352 Amendment Rights entitled him to say anything he wanted; he had a right to say what council had done to his
353 wife (a former councilmember.) Mr. Dodge accused the mayor of saying he would ruin his wife. Mr. Samples
354 said that was untrue, and after yet another warning, Mayor Samples asked the officers to escort Mr. Dodge out
355 of the meeting. Mayor Samples apologized to the audience, but asked them to rest assured that he *never*
356 (*speaker's emphasis*) any such comments to Mrs. Dodge. The council meeting was not a show. Town Council
357 would not allow such negativity; individuals would not be allowed to disrespect other individuals by name.
358

359 Mr. Ron Ott, 7th Avenue North, said everyone at the meeting were neighbors and should be friends. He
360 facetiously thanked council for trying to squeeze a few more pennies out of the citizens. He did not like more
361 taxes, but he did like K-9 Biko, and was glad there was no burden on the taxpayers. Mr. Ott appreciated the
362 mayor requiring more information on the bids and quotes before voting on the project. He did not believe
363 council should limit the number of speakers; if several speakers had similar comments, the mayor could ask for
364 each one that agreed to come forward and simply state their name and address for the record.
365

366 Ms. Ann Wescott, Cedar Drive North, said it seemed that most cities and town that were in bad financial
367 condition got that way because they wanted goods and services that they were not willing to pay for. The cost
368 of everything was going up. She was not happy about it, but she understood why taxes were being increased.
369

370 Mr. Ed Hunt, Cypress Drive, said last week a neighbor hired a contractor that left trees and yard debris
371 on his other neighbor's yard. Mr. Hunt was taking care of this neighbor's yard because he cannot come to town
372 this year. Mr. Hunt contacted Mr. Adair, and the town removed the debris. He hoped the contractor was
373 charged, because it was mountain sized. He had heard people say do work on Saturday and Sunday; you
374 would not need a permit, because there would be nobody around to catch you. He suggested that staff work on
375 weekends and listen for the chain saws.
376

377 Mr. Harry Kohlmann, South Ocean Boulevard, said nobody like taxes or to have an increase in taxes.
378 Years ago the town had a surplus, and it went through it like a bunch of drunken sailors. Some of the things
379 were needed, but the town bought a pier without an inspection, and it has costs the town hundreds of thousands
380 of dollars to repair it. He implored the council to not waste his or the other citizens' money. A stage was built at
381 the pier without proper permitting; more money wasted. The pier pilings had to be treated for boring insects. He
382 pleaded with the council to deny paving a state road with town monies. There are plenty of town-owned roads
383 that need to be paved, and there other town-related projects that need to be done. He read from the March 22,
384 2011 minutes that a councilmember said, 'The reality was the money did not belong to the town; it was tax
385 money. There were needs and when citizens paid more, it was taking money out of their pockets.' Mr.
386 Kohlmann continued reading that the member questioned candidates that ran on a conservative platform and
387 then spent everything available when elected. Mr. Kohlmann said that in defense of Mr. Dodge, a few years ago
388 someone else was removed from a council meeting. Within the next few meetings, a great lady made a great
389 speech saying that 'government officials cannot silence speech because it criticizes them.' He continued
390 reading that citizens may exercise their First Amendment Rights, even under *Robert's Rules*. Mr. Kohlmann red
391 that the then mayor caution the speaker about naming councilmembers, and she responded she did not care
392 what the bylaws were; she was protected under the United States Constitution. Now, that same woman was on

393 council now, and was the one that drafted the conduct ordinance, because she was afraid someone might say
394 the wrong thing. He said Mr. Dodge had never, ever threatened anyone. Sometimes he got a little bit dramatic,
395 and he was passionate about the town and how he feels. The best thing to do when Mr. Dodge speaks is to
396 listen to him. If you don't agree with him, that's fine. But, save the dramatics for somewhere else. Thank you.
397 *(Applause)*
398

399 Mr. Mark Gibson said he was not a resident of town. His child played baseball with the Surfside Youth
400 Sports Association program. He was happy Mr. Dan Flood, association president, was at the meeting so he
401 could hear the comments. His child has special needs, and he believes he was discriminated against so that
402 other teams could be 'winners.' There were other parents that felt the same way, even though their children
403 were not special needs. He recognized the parents by asking them to stand; about 15 people stood. He and
404 the other parents did not believe the association treated the players equitably, and cited several incidents that
405 were questionable. Mr. Gibson encouraged Town Council to contract with Horry County to run the baseball
406 program. Mayor Samples suggested that Mr. Gibson speak with the town administrator. *(Applause)*
407

408 Ms. Carrie Johnson, Harbor Lights Drive, had no problem parking with the flow of traffic, because it was
409 a safety issue. Her problem was that she had been living here 30 years. People have always been allowed to
410 park against the flow of traffic, and that implied that it was allowed. Ms. Johnson believed there should be
411 education and signage posted about the rule. During the first year, warning tickets should be issued. She
412 commended the councilmembers that had the fortitude to vote for what is needed and necessary. It may not
413 always be popular. In her opinion, there should be a limit on the number of speakers on an issue, if they all
414 agree. Maybe Mr. Ott's suggestion was good to allow speakers to state their name and address for the record
415 and to voice their support. Citizens have stopped attending meetings, because they last so long.
416 Councilmembers often repeat the same thing other members have said, which just drags out the meeting. She
417 believes speakers should have respect for everyone, and when a speaker begins calling names that is
418 disrespectful. Town Council is a body as the whole and should be addressed as a whole; not one on one. She
419 did not have a problem having anyone that was disrespectful removed from the meeting.
420

421 Ms. Jamie Och, Murrells Inlet, was an assistant coach for the baseball team. She was annoyed
422 because her husband was accused today by a board member of the Sports Association of planning tonight's
423 comments. She felt her husband would no longer be allowed to coach, nor would her son be treated fairly. All
424 these parents would not be here, if the association was treating the children fairly. Ms. Och also coaches for
425 Horry County Recreation. Horry County sports did not have any drama or issues. Horry County Recreation
426 said it would be happy to start negotiations with the town to take over the baseball program. After explaining the
427 failure of the association board to communicate and provide rules for the program, she recommended that the
428 town do so.
429

430 Mr. Ray Kawa, 3rd Avenue North, asked if the town would reconsider the location of the sunburn trailer
431 located in a handicapped space at the pier parking lot. He suggested placing it on the sand on the other side of
432 the handicapped ramp. He thought it was a wonderful idea for DNR to put a reef off the pier. When he came to
433 town in 1976, a live coral reef extended from the north end of the pier to beyond Ocean Lakes Campground. It
434 was reachable by casting at dead low tide; you would catch more trout than you could shake a stick at! The
435 beach renourishment programs to protect the economy destroyed the reef; sand loaded on the beach washed
436 out to sea and covered the reef. The town needed to consider the impact to the reef, if beach renourishment
437 continued. He suggested if there was another hurricane that building should be prohibited on the east side of
438 [Ocean Boulevard.] Mr. Kawa applauded council for trying to control public speakers. He had attended many
439 meetings in town when people were long-winded over a major event. He suggested that everyone that attends
440 those meetings sign up with their name, whether pro or con, and allow a councilmember to choose three
441 speakers from each side to represent that group to address the council. Signing up would provide a record of
442 those for or against.
443

444 Ms. Holly Watson, North Oak Drive, wanted the June 5th meeting minutes completed by noon on
445 Thursday; she was confused about some of the concurrences by council. The \$250,000 designated for
446 Highway 17 was one-third of the amount needed to balance the budget. She asked why the town was spending
447 money on a state road. She thought council should ask Horry County for all the C-funds money the town
448 allowed the County to keep to improve county roads. If the money was not forthcoming, then county council

449 should be lobbied to donate funds towards upgrading Highway 17. She believed \$50,000 for welcome signs
450 should also be omitted. In her opinion, the bank stabilization bid should be let again, if there was a \$31,000
451 change order. Either the engineer messed up when he designed the contract or the contractor bid too low to
452 begin with and was trying to make it up on the change order. She was formerly a contractor and understood the
453 bidding process.
454

455 Mr. Dan Flood, 7th Avenue South, president of the Surfside Youth Sports Association, said he agreed
456 with the parents that were present; the town should talk with Horry County about handling the baseball program.
457 He also believed the parents should hear an explanation from the mayor about how the program came about.
458 The association board was appointed not elected, because no one wanted to run the program. Mr. Flood said
459 he had a great working relationship with Ms. Fellner, but he would not debate issues with the parents. He
460 invited everyone to attend the association's annual meeting on July 12th at the Surfside Presbyterian Church at
461 9:00 o'clock. There are four board positions open for election. Any active booster club member was eligible for
462 nomination and election.
463

464 Ms. Donna Lugers, 5th Avenue South, had a grandchild playing baseball. All seven board members
465 were coaches and she understood that were good friends, and that would be a conflict of interest when an upset
466 parent had no one to contact about their issues. There were several documented incidents, and she personally
467 saw situations that were unseemly, and the children did not enjoy themselves. Ms. Lugers encouraged the town
468 to negotiate with Horry County to take over the baseball program.
469

470 **11. COUNCIL COMMENTS.**

471
472 Mr. Johnson thanked everyone for attending. He appreciated their comments. He invited everyone to
473 attend the meeting Saturday.
474

475 Mr. Pellegrino said last week a discussion was held about the lack of follow up on public comments. He
476 wrote down each comment; last week there were six comments. Ms. Fellner did an excellent job following up on
477 them; speaking with some individually, and addressing the parking and golf cart parking issue during the
478 meeting. He said he would continue working with council and administration to make sure the public did receive
479 feedback. There were 11 public comments this evening, most of which were requests. Four people spoke
480 about the sports association, each with different information. That showed the importance of hearing more than
481 three speakers on an issue. He agreed that the budget needed additional attention, because specific things
482 were brought up during comments that had not been resolved. He believed that past councils for many years
483 did three great things for the town: (1) kept the Family Beach by limiting overcrowding and high rise hotels; (2)
484 maintained a high level of public safety, and (3) the town is debt free, which is very positive. Many towns and
485 organizations have huge debt. He believed expenses had been managed well, but revenue was the shortfall.
486 Creating new revenue streams would take two to five years. He was going to push for new revenue streams.
487

488 Mr. Magliette thanked everyone for attending and for their comments. He offered the following
489 programs for citizens' participation, the first at the Surfside Beach Library, 4:00 p.m., Thursday June 26th, Estate
490 Planning and Probate Administration by Dan Butler. All beach accesses were adopted through the Adopt-a-
491 Beach program. A clean up is scheduled Saturday, June 14th at 8:00 a.m., meet in the pier parking lot. The
492 volunteers want no recognition; only to help. The Horry County Senior Center at 10th Avenue North is working
493 on a barbeque for July 3rd for the seniors. If anyone could volunteer to help or donate food, please contact him.
494 The Neighbor-to-Neighbor program provides free transportation to medical appointments, grocery shopping,
495 errands, or other life sustaining and life enhancing appointments for homebound seniors and chronically ill
496 adults in the community. If you are interested in helping or know a senior that needs transportation, brochures
497 were available at the door or call 843.839.0702. Joe Kunkel is the executive director; he will be happy to talk
498 with you about Grace Ministries and the Neighbor-to-Neighbor program. Over 14,000 free transports have been
499 made since the program's inception. Mr. Magliette said it was a pleasure to serve the town, and thanked the
500 citizens for the honor or electing him as a councilmember. God bless you all.
501

502 Ms. Mabry defended herself regarding the speech she made about Freedom of Speech. The content of
503 what an individual has to say is precious to everybody; however, that freedom does not give anyone the right to
504 call out another individual. People have the right to come to the podium and you have the right to express your

505 opinion, period; amen; no questions asked. They do not have the right to beat up on staff and call people out by
506 name. The content of your speech is very precious, whether council wants to hear it or not. Disrupting a
507 meeting is not the same thing. The speaker's five minutes is time that they can use any way they want as long
508 as they do not tread on someone else's rights. It was not appropriate to call names, beat up on staff, or single
509 out a councilmember, and she would call *point of order*.
510

511 Mr. Stevens said members campaigned to be elected and the public voted for them. If mistakes were
512 made, he wanted to know. He thought every councilmember should develop a skin as thick as a rhinoceros.
513 The fact is people "tattooed and hung" him about dogs, when he was just trying to implement a good neighbor
514 policy. People have also attacked him for other reasons, for instance, someone asked him if he was taking kick-
515 backs. He told the individual he had the right to ask the question and he respected that right. The First
516 Amendment gives the reporters taking notes freedom of the press. Mr. Stevens quoted Nathan Hale [sic,] "Give
517 me liberty or give me death." He would fight and die for freedom; that is needed in this country. In his opinion,
518 the national government does not care about our freedoms. Be respectful, but you deserve that First
519 Amendment right. To those that talked about sports, sports activities were important for kids, and he hated to
520 see people ruin sports. He enjoyed coaching girls soccer for ten years. Some teams are always better, but
521 there has to be a fair playing field. Regarding the budget, Town Council needs to get the best value for the
522 taxpayers' dollar. Costs need to be cut every way possible and be fiscally conservative with taxpayers' money.
523 He appreciated the comment supporting the reef, and Mr. Childs for arranging the meeting. Mr. Stevens said
524 the trash that Mr. Hunt spoke about was 6-feet high and 20-feet wide; he had a photograph anyone wanted to
525 see it. It was a shame the town had to pick up a contractor's trash. He thanked everyone for attending the
526 meeting. Town Council represents the people who vote for the members to serve. The public votes members
527 in and can vote members out. He respects what the public says and believes. Thank you and have a good
528 night.
529

530 Mr. Childs hoped the parking committee was working diligently on the ten recommendations for town
531 council. Not a day goes by that parking is not brought up. He did not know how the town could control the
532 debris pick up. He had complained about it for years. Contractors come into town at night or in the early
533 morning and dump their debris. There is a vacant lot by his house where cut trees are left and he knew that no
534 one in his neighborhood had cut trees.
535

536 Mayor Samples expressed appreciation for everyone attending the meeting. He said that in the past,
537 the state owned Ocean Boulevard and 16th Avenue North, which was State Highway 26-622. Since the last time
538 taxes were considered, the town took ownership of that road. The town now has responsibility for the
539 maintenance of Ocean Boulevard and the channels that run under the road, which directly impacts the town's
540 budget. He was sure that there were numerous other items for which the town had taken responsibility that
541 increased the town's liability for maintenance. Responding to comments about youth baseball and softball, the
542 background was that coaches from Huckabee approached him and meetings were held with staff, coaches and
543 members of the community who were not happy with the way the staff was operating the ball programs. Ball
544 was played four nights a week and on Saturday. The town thought it might be a win-win situation to allow the
545 booster club to assume operation of the ball games. The president of the association said tonight that he thinks
546 the town should talk to the county. If the town chooses to staff the program, there will be related costs. No one
547 likes or wants tax increases, but he commended Town Council for accepting the fact that the town needs to
548 move forward; cutting town services is the last thing that the people who live in town want. No one has called
549 him, and until today he had not received any email messages. Today he received one email message
550 complaining about the tax increase. Others have told him do what you have to do to maintain the quality of life
551 that we have in town. Mayor Samples said he was very sorry about the incident during public comments, but he
552 has had many people tell him that they quit attending meetings because of the rancor and negativity that was
553 being expressed during public comments. Mayor Samples reminded Town Council that should he ever take an
554 action as chairman to which the council objects, the members may override that action by calling *point of order*
555 and moving to override the chair. The prevailing vote carries.
556

557 **12. EXECUTIVE SESSION**

558
559 **A. Pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person to a public body.**
560 **(Parking Committee) Note: Addressed in number 8(C) above.**

561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608

B. Pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, Administrator Fellner

C. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements, Administrator Fellner

Mr. Johnson moved to enter executive session at 8:54 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 9:46 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

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

13. ADJOURNMENT.

Mr. Magliette moved to adjourn the meeting at 9:47 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: June 23, 2014

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

Mary M. Mabry, Town Council

Ralph J. Magliette, Town Council

Randle M. Stevens, Town Council

Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded. Audio recordings are published on the town website after the meeting (approximately two weeks) until the minutes are approved and published. You may download the recording to your personal computer from the website, or bring a flash drive to the town clerk to obtain a copy. Appointments to hear or to obtain copies of recordings should be scheduled with the town clerk, telephone 843.913.6333. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on the town website, the entry door at Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the Town marquee.