



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
REGULAR MEETING AUGUST 8, 2017 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Town Council Meeting – 6:30 p.m.

1. CALL TO ORDER. Mayor Pro Tempore Ott called the regular meeting to order at 6:30 p.m. Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, Samples, and Stevens were in attendance. Mayor Childs was absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Police Chief Hofmann, and Events Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Pastor Steve Fairchild, LC3 Community Church, gave the invocation. **B. Pledge of Allegiance:** Mayor Pro Tempore Ott led the Pledge.

3. AGENDA APPROVAL. Mr. Stevens moved to adopt the agenda as presented. Mr. Pellegrino second. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL. Executive Session and Regular Meeting July 24, 2017. Mr. Johnson moved to adopt the July 24, 2017 executive session and regular meeting minutes as presented. Mr. Stevens second. All voted in favor. **MOTION CARRIED**

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

Mr. David Partin, Pine Drive: We're the owners of Shore Décor on Surfside Drive, and first of all I wanted say we love Surfside. We're citizens of Surfside. We've invested in Surfside. We've had our business open for 10 months now. I think we took probably the worst building on Surfside Drive and put \$50,000 into it and made it the nicest building. I am very biased about that statement. So we been here 10 months in this business. It's done very well. We're very happy, but the number one complaint that we have with our customers is the lack of parking. We know we can't just snap our finger and create parking. But one thing that upsets us is when we see somebody parking in a space for over 8-plus hours at a time. It's usually the folks that are working at the various other locations; that it would be a little bit of inconvenience, but if they parked in other public spaces rather than on Surfside Drive, it would allow us to have better rotation. Now, as far as whether it's 10 minute parking, one hour parking, two hour parking that's not as important to us. It's just when somebody's there eight hours at a time, and anyone can see that at ten in the morning until usually 5 p.m., it's the same set of cars every day tying up these spaces. We want to be good neighbors. We went to our neighbors, and we kindly said, hey, could you just park on the side or the other spaces to allow customers to come in, and they said this is public parking. I can do what I want. And you know what? They were correct. So, so, to try to be a good neighbor, I'm not gonna confront them in any other way, but I'm hoping that there would be some consideration to have a limited time on parking. Thank you.

6. COMMUNICATIONS. Administrator's Report. Ms. Fellner presented the written report, a copy of which is attached hereto.

Consensus Items: Ms. Fellner said I received numbers over the weekend that indicate the need for us to bring on the financial analyst and bond attorney. Tabulations sheets were distributed to councilmembers. If Town Council has no objection I would like to award the RFQ for bond council to Pope Flynn, LLC. One bid was nonresponsive; the other two were materially the same. However, one of the principles of Pope Flynn wrote the town's last bond, and is intimately familiar with the town and its operations. **Council CONCURRED.** Ms. Fellner said I would like to award the RFQ for financial advisor to First Tryon Advisors. The fees are exactly the same for both submitters; however, First Tryon assisted

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54 Horry County and the City of Myrtle Beach in 2016 with financing issues. First Tryon has a high level of
55 familiarity with our area and market. **Council CONCURRED.**
56

57 Mr. Johnson asked if beach renourishment would include dune repair and sand fencing. Ms.
58 Fellner said the nourishment project will place a certain cubic feet of sand on the beach. Once that is
59 completed, they will check to ensure the correct amount has been placed. Sand fencing will be installed,
60 but it will be after the total Reach project is done. Mr. Johnson asked if the renourishment was finished
61 from 6th Avenue North to the northern town limit or thereabouts. Ms. Fellner said yes. She explained that
62 the technical difficulties were caused by the hoses abrading. The hose was elevated and that should
63 eliminate any further problems.
64

65 Ms. Samples said regarding the August 26 meeting about the pier, do I understand that it is your
66 expectation that this council will be prepared during that meeting to provide direction and make motions.
67 Ms. Fellner said that was correct. Ms. Samples said feedback from the public would also be heard at that
68 meeting as it relates to the pier. Ms. Fellner said absolutely.
69

70 Mr. Courtney asked how long it would be until renourishment began on the south end of the
71 beach. Ms. Fellner said we don't exactly know. It will depend on the weather, and if they have any other
72 mechanical delays. To complete the north end to get to the city limits of Myrtle Beach is estimated
73 somewhere from 20 to 25 days. Mr. Courtney asked how many days were they delayed because of the
74 hose abrading. Ms. Fellner said about nine days. They don't have an estimated completion date, but they
75 do plan to be in North Myrtle Beach in mid-September. Mr. Courtney asked what the decision was by the
76 tree subcommittee regarding the tree ordinance, because he thought the committee was recommending
77 it go back to the planning commission. Ms. Fellner said the committee is, but I didn't want to discuss it
78 here, because it's a discussion item on the agenda tonight. Mr. Courtney asked if the town had received
79 any funds from FEMA for the pier. Ms. Fellner said no. Mr. Courtney explained that part of the delay with
80 the parking committee recommendations was because he was out due to medical problems.
81

82 Mr. Ott asked what RFP meant, as he was unfamiliar with that acronym. Ms. Feller said request
83 for proposal. Mr. Ott said a proposal would have a construction company come out and tell us how
84 they're going to construct the pier. Isn't that what Collins Engineering will do? Ms. Fellner said Collins
85 Engineering will determine the scope of work and the specifications for the pier. That information will be
86 put into the town's format, and let for bid. Mr. Ott said Collins will do the paperwork. Ms. Fellner said
87 correct; Collins will prepare the paperwork, but not perform the construction. Collins will also provide
88 oversight for construction. Ms. Fellner said we are required by procurement law to put out an RFP. There
89 are standard things that have to be included in the RFP. Normally, when it's a complicated project where
90 there's a lot of engineering and the scope could vary, if there are a lot of different specifications. The pier
91 rebuild is a very complicated project. So you have the engineer write that scope of work, and then we
92 put it into our Surfside Beach format, include the things required by our ordinance, like insurance and a
93 non-collusion agreement, and other such terms. Mr. Ott asked if Collins, Hagerty, *et al*/will help us when
94 the quotes are received. Ms. Fellner said they will be the ones who review the packages to determine
95 what is reasonable. I'm hoping for that meeting on the 26th to have a number; and I would hope they
96 would have estimates from contractors in this area that do that type of work. I know everybody's very
97 busy right now. We have trouble getting responses. I know that Collins is also having trouble getting
98 responses from people in this area.
99

100 Mr. Stevens referred to 1.D. on the administrator's report and asked if council would know after
101 the Saturday, August 26 meeting whether the town needs a financial advisor and bond attorney. Ms.
102 Fellner explained that she already knows that the scope will require both, and said that Town Council just
103 concurred to award the RFOs to Pope Flynn and First Tryon Advisors. Mr. Stevens asked if they would be
104 at the August 26th meeting. Ms. Fellner said the bond attorney will be there and the financial advisor will
105 probably be there.
106

107 **7. BUSINESS.**

108
109 **First Reading Ordinance #17-0849 to allow Mobile Food Trucks at Town Events and**
110 **Town Sponsored Events, Supervisor Ellis.** Ms. Ellis presented the decision paper and ordinance,
111 copies of which are on file. Since the discussion was held at the last meeting, she identified two
112 clarifications were necessary to have a proper ordinance. The two amendments are: (1) Section 12-33,
113 Paragraph 1.b., add the words "and/or town approved" between the words 'sponsored' and 'events', and
114 (2) Paragraph 2.b. add after 'License' "or an event vendor's permit."
115

116 Ms. Samples moved to adopt first reading of Ordinance #17-0849 as presented. Mr. Johnson and
117 Mr. Stevens second.
118

119 Mr. Stevens asked if the vendors would be required to have South Carolina Department of Health
120 (SCDHEC) documentation. Ms. Ellis said yes, and noted that the ordinance would repeal Resolution #16-
121 168 that permits mobile food trucks once a month at the Farmers Market. If adopted, the ordinance
122 would allow mobile food trucks every Tuesday. Vendors at the market must have a town business
123 license and provide a SCDHEC form to obtain the business license. Only vendors with a Grade A sticker
124 are allowed. Mr. Stevens said the events supervisor has authority to designate parking location for the
125 vendors. Ms. Ellis this is so the vendors can be separated at events like the Family Festival. At the
126 market, they will park along Willow Drive.
127

128 Mr. Courtney asked if food trucks would only be at events. Ms. Ellis said yes, the events and
129 Farmers Market. Mr. Courtney thinks they are a wonderful idea. At the Guy Daniels Surf-off it will be
130 great to get food and a cold drink on site.
131

132 All voted in favor. **MOTION CARRIED.**

133
134 **8. TOWN COUNCIL DISCUSSION.**

135
136 **A. Proposed Law for Health Clubs & Massage Bodywork Therapy Parlors,**
137 **Councilmember Stevens.** Mr. Stevens presented the discussion paper, a copy of which is on file. He
138 read a written statement, "I'm presenting this ordinance tonight, because it's vital to the community
139 standards that our citizens demand. As councilmembers, we are responsible for the health, the welfare
140 and preserving the peace of our citizens, taxpayers, and visitors." Referring to the portraits of former
141 mayors, Mr. Stevens continued saying "[I'm doing this for past members of Town Council] who worked to
142 build our family image. This ordinance is aggressive and a sensible approach to regulating massage
143 parlors in our town. We have some ordinances in place, but we as council can do much better for our
144 community. The citizens and taxpayers demanded that we do our job, and protect our family beach
145 community from this type of illegal and illicit behavior. This ordinance presented is based on the City of
146 Columbia, South Carolina that deals with health clubs and massage parlors and they have solved such
147 problems. The ordinance has been changed a little, little bit. It allows legitimate and legal spas, like
148 Ocean Edge Salon and Spa that's been in business many years right on Surfside Drive. The ordinance
149 presented follows the South Carolina State Code of Law, Title 40, Chapter 30, and the South Carolina
150 Code of Regulations Chapter 17. This ordinance will provide a way to restrict repeated openings of illegal
151 operation of prostitution under a new name in the same location. If a business has been convicted of
152 prostitution, you can you cannot receive another business license this town are at that same location.
153 Already we have one massage parlor that has already obtained a business license at the same location as
154 the one that was arrested for prostitution. This is not a mom and pop business. They get caught; they
155 change their name, and owners. This happened in 2015 with the Palm Massage. Start up within a day
156 and this has to stop. These types of businesses know where to operate. They know what ordinances are,
157 and if they are going to stay in business after being arrested, will we as a council allow that? I pray that
158 my fellow councilmembers will consider this ordinance and work together for the good of this community.
159 This is now on our shoulders. If you feel that allowing this behavior is best for our community, then

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160 simply do nothing. But I ask all councilmembers is that really the reputation you want? I want to thank
161 the police department for catching and arresting the people involved in this illegal activity, but frankly,
162 they should have never had to waste their time doing our job. It is up to us as councilmembers to get rid
163 of this cancer on our family beach community. I ask council to direct the administrator and send this to
164 the planning and zoning committee and share the state laws, regulations and proposed ordinance with
165 the attorney for written opinion tonight and that written opinion be sent to every councilmember by
166 Friday.”
167

168 Mr. Stevens referred to a news article from an ABC affiliate in Indianapolis, Indiana area.
169 Lieutenant Richard Kovett, vice president of the Indianapolis Metro Police said we've had several illegal
170 massage parlors in Indianapolis. We shut them down and they have moved to the outlying counties
171 because there's been too much police activity. Kovett also said we've been hitting these Asian massage
172 parlors for two years to cut down on human trafficking. Missouri Attorney General Josh Holly stated it is
173 believed that women from China or East Asia are held against their will as these business are one large
174 human trafficking ring. He also said raids were conducted in Alabama, Arkansas, Louisiana, and these
175 rings could possibly be connected to Asian organized crime. Holly stated we will find you out; we will hunt
176 you down; we will prosecute everyone suspected of committing human trafficking in Missouri.
177

178 Mr. Stevens concluded after several minutes of discussion by saying if you think this is great for
179 the town of Surfside, I suggest that we do nothing. But, if you think that we need to preserve our family
180 image, we should direct the administrator to give this matter to our planning and zoning or either a
181 committee to ensure that we maintain the status of having the lowest crime rate in the area. I also ask
182 that the ordinance be given to the town attorney for a written opinion to be delivered to every
183 councilmember by next Friday. If you believe in the Bible and doing the right thing, you will support this.
184

185 Mr. Pellegrino said we certainly should follow up on this, but I would like the town attorney to
186 review it. I think that is the next logical step. Mr. Ott agreed.
187

188 Mr. Courtney said to very clear that he has two young children. I don't want prostitution here,
189 but I am not a lawyer. I know there is a South Carolina Law prohibiting prostitution. I believe Chief
190 Hofmann will speak about it. We have law enforcement working on this problem. I support an ordinance
191 to ban massage parlors, but on the other hand, I'm not going to rewrite the law. I also recommend this
192 goes to an attorney before any action is taken, because I have many questions on the proposal.
193

194 Mr. Ott said that the planning and zoning commission is for planning and zoning. We're looking
195 for a criminal law. I agree that this is a start, but I wouldn't ask the planning commission to look at this.
196 Options for review were discussed, but no conclusion was made. The South Carolina State Law is very
197 detailed; if you can't stop this activity using that law, we're not going to have any better local success
198 stopping the activity. If council wants a subcommittee that would be fine with me, but it's a criminal item.
199

200 Ms. Fellner said the police chief and she have spoken with town attorney Battle about this.
201 Basically between the State Law and the State Law for Abatement of Nuisance we have some pretty
202 strong powers to shut down those businesses and then actually close the property down for a year. We
203 would have to send it to the solicitor's office. There is a mechanism in place for handling this. At this
204 point, we don't have to populate yet another ordinance. State Law is relied upon when our local laws do
205 not include a matter, so we don't have to repopulate the language in our local law. State Law trumps our
206 law anyway. I think you're right, Mr. Ott, when you said that there's a lot in that State Law. The other
207 piece is the nuisance abatement law.
208

209 Mr. Stevens understood Ms. Fellner's comments, but argued that no one would ask for a license
210 to operate a house of prostitution; it would be disguised as a massage parlor. Those people will slip right
211 through the cracks to operate illegally. I'm saying is be proactive. Make a law that mirrors the State Law
212 so they have to get a license and have 500 hours of education, plus continuing education. Every worker

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213 should have a license with their picture on it, and it would have to be checked by business licensing and
214 the police department. The Ocean's Edge Salon & Spa is a legitimate business and is embarrassed having
215 the illegal activity going on next door. That's my opinion on the matter.
216

217 Mr. Ott said Ocean's Edge goes by the state law. Mr. Stevens reiterated that the Ocean's Edge is
218 not a massage parlor; it is called Ocean's Edge Salon & Spa and offers haircuts, waxing, facials and
219 massages, but does not do anything of a sexual nature. There are many legitimate spas where you can
220 stay a week at a \$10,000 cost; but, nobody in this town wants prostitution and human trafficking in our
221 community. Mr. Ott agreed that nobody does. But the US Constitution that tells them they have to
222 commit the crime before they are arrested. You can't arrest anyone until the crime is committed. Mr.
223 Stevens believed Mr. Ott misinterpreted what he said; I didn't say arrest people before they do anything.
224 I never said that. I said make it that they have to present a license to the business license department, to
225 the zoning department, and to the police department that there a legitimate business. The City of
226 Columbia, South Carolina adopted an ordinance that they had to be licensed by the state; pass education
227 requirements; have a legitimate license to get a business license, and they had to provide continuing
228 education. Mr. Stevens cited several examples of businesses for which valid licenses are required. Mr. Ott
229 asked if the businesses in question had a business license. Mr. Stevens said they did not have a state
230 license according to the police report. Mr. Ott said then we only need to [require state licenses]; we don't
231 need 15 pages. Mr. Stevens asked how these businesses were licensed without a state license.
232

233 Mr. Johnson suggested that Mr. Stevens meet with the town administrator to get some answers
234 about that.
235

236 Mr. Pellegrino agreed that if there is a way to prevent, we should try. I agree with Mr. Johnson. I
237 think that Ms. Fellner, Ms. Morris and Chief Hofmann need to make a decision whether it would be more
238 enforceable, and we can have a better chance prevent people from coming in with a new ordinance
239 versus state law or there's a simple tweak where we change a line in the ordinance. In my opinion, those
240 three would be the ones that would give us this information.
241

242 Mr. Courtney said I want to be really clear about this. There is nobody on this council that wants
243 prostitution in our neighborhoods. It does not have anything to do with race, creed or color. The subject
244 is prostitution. I thank Mr. Stevens for doing a good thing, but there are seven pages here. I'm not a
245 lawyer. I recommend that we have a subcommittee to sit down Chief Hofmann and the administrator. We
246 do have state laws. You've gotta be careful what you doing; you're opening up the box again. You don't
247 rewrite ordinances. From my understanding state law supersedes county and town. Believe me, I don't
248 want this in my neighborhood. I found a few things in the document that I was concerned with. We need
249 make sure it's done right. We've adopted ordinances in the past that have come back at us.
250

251 Mr. Stevens thanked Mr. Courtney for his comments and agreed that we should have a
252 subcommittee to meet with the lawyer. I'm suggesting that we mirror state law. Let us do what's
253 necessary to stop this forever, and be an example for the community.
254

255 Mr. Johnson suggested that the town attorney meet with town staff to come with solutions,
256 because no one on this council knows anything about the ordinances and the guidelines. So I think it
257 would be inappropriate for us to make a subcommittee. If you want expediency, have the town attorney
258 work with our town staff. That's why the town attorney and staff get paid. If you want something done,
259 that's the quickest way.
260

261 Mr. Ott said very good, Mr. Johnson. I agree with you. I would like to ask the town administrator
262 and police chief to meet with the attorney. He asked Ms. Fellner what the earliest date was that a plan
263 could be presented to prevent anyone from opening an establishment without appropriate state licenses.
264 Ms. Fellner said we can bring that information to the next meeting.
265

266 Mr. Courtney asked Chief Hofmann if there was an agency investigating this now. Chief Hofmann
267 said the State Department of Labor & Licensing Regulation (LLR) is who oversees the state law regarding
268 the massage parlors. I met with one of their investigators this week who was in town. I did some checks
269 at the business; the LLR representative said they will continue giving assistance monitoring this problem
270 to ensure everyone is properly licensed. At this time, one establishment has an LLR licensed individual in
271 the establishment, so that's where were held up now. Mr. Courtney asked if there is a process for
272 revoking a license. Chief Hofmann said we do have a process that we can go through to declare the
273 property a nuisance through the solicitor's office. We will be happy to pursue that remedy in the absence
274 of anything else. We will continue with that process and try to get that business closed.
275

276 Mr. Stevens asked if the open business was on Surfside Drive. Chief Hofmann said yes. Mr.
277 Stevens asked if the town of Surfside had verified that that person has never been arrested or placed
278 under arrest for prostitution or operating an illicit house prostitution in any place. Chief Hofmann said no,
279 sir. Staff has to rely on LLR who regulates that to assure that anyone licensed has [no history.] Mr.
280 Stevens asked how you check to see what employees are there. Chief Hofmann said I don't have any
281 way to check. Mr. Stevens said they could slip in 10 girls overnight. Is that right? Chief Hofmann said yes.
282 Mr. Stevens said in essence, it could become another house prostitution. Chief Hofmann said that is a
283 risk. Mr. Stevens said I also understand some of these places have been open all night long. This is
284 another reason the town needs an ordinance. A legitimate business is open during regular business
285 hours. Mr. Stevens talked at length about illicit after-hours business activity and said that is another
286 reason the town needs an ordinance, because it needs to stop it now to preserve the family beach
287 atmosphere the town is known for. Chief Hofmann assured everyone that the prostitution law is available
288 to us to continue to pursue this as a criminal action. We also can pursue the nuisance abatement through
289 the solicitor's office. The ordinance that you're presenting, Mr. Stevens, is geared towards business
290 licensing/planning, building and zoning issue in which the police department would not be much involved.
291

292 Mr. Courtney said there was a prostitution arrest; the police did a good job. Council has directed
293 staff to look into this. Let them do their job and come back to us with a recommendation. We don't need
294 to write another ordinance just because. If the police shut down a meth lab, are we going to write an
295 ordinance to prohibit meth labs to supersede county or state laws? Again, I don't want prostitution.
296 Neither does any member on this council. But we want to make sure this gets done right. I want to hear
297 what staff has to say, because I am not an attorney. I don't think anybody on this dais has a law degree.
298

299 Mr. Stevens reiterated his comments that massage parlors have to be licensed by the state and
300 the employees have educational requirements, just a contractors and realtors. All we have to do is let the
301 town follow state law and require that anybody that comes into town to do this kind of work produce a
302 license to the police chief, business license, and code enforcement. Each individual should be required to
303 have a state license in addition to a town business license. It's a simple fix. I don't understand why
304 council is fighting this. Mr. Ott said that council was not fighting, but requesting that the town
305 administrator present something for council to vote on at the next meeting. Ms. Fellner asked if that
306 would be under discussion. Mr. Stevens said yes, and I want something that is strong.
307

308 Mr. Ott called for consensus of council. **COUNCIL CONCURRED.**
309

310 **B. Parking Committee Recommendations, Councilmember Courtney.** Mr. Courtney
311 presented the discussion paper, a copy of which is on file. Mr. Courtney apologized to the parking
312 committee, because he had a slow recovery from surgery, which caused a delay bringing the
313 recommendations forward. The parking committee made recommendations for Surfside Drive on March
314 9, 2017 and numerous other recommendations, which will be presented over the course of several
315 meetings. A PowerPoint presentation was given, because he wanted to show the public exactly what was
316 being discussed as it affects everyone. In items 4.i. the times should be from 9:00 a.m. to 5:00 p.m.; 4.ii.
317 should be amended from 10:00 a.m. and 6:00 p.m. to 9:00 a.m. to 5:00 p.m. due to the fact if you had
318 someone that wanted to park there, and wanted to stay there, they could park at 3:00 p.m. and stay

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319 there until late at night. We're trying to keep spaces open for the restaurants. I spoke to every business
320 owner over in the district, except Ocean's Edge. There is a problem there. There are employees from
321 those businesses taking up the parking spots that should be for customers. Anyone with a handicap
322 parking decal is allowed to park anywhere for any length of time. Therefore, the committee recommends
323 removing two of the handicap spaces from each side of Surfside Drive in the business district. Two
324 spaces need to be handicap reserved for those using vans. A PowerPoint will be shown at the next
325 meeting to clearly show how these changes will affect the parking.
326

327 Mr. Stevens said he was on Surfside Drive discussing another subject with business owners.
328 Every business owner that I talked to mentioned parking, and they said a Mr. Courtney came by here and
329 talked to us about parking. I was the one that brought up the 10 minute parking sign in front of the dry
330 cleaners. The cleaners' staff will tell you that people come there and lay the sign down, and park and go
331 about their business, sometimes staying there all day. I've personally seen cars parked in the same spot
332 in the morning and then throughout the day into the late in the afternoon. Because we have several
333 restaurants there that serve breakfast, lunch, and dinner, there are quite of the few people that come
334 there. This is a good thing. I think this is a wise decision to make. The only question I have is how are
335 we going to enforce it? Will it be by the town's police department or the Lanier staff?
336

337 Mr. Courtney said Mr. Stevens was correct. When he went to pick up his dry cleaning this
338 evening, the 10 minute parking sign was turned sideways. My biggest concerns are core drilling in the
339 concrete, and polluting the area with signs. After spending a lot of time talking with all the owners, I
340 heard different stories from each one. The biggest problem is people parking in the same spot all day
341 long. Pictures of cars in the same spots were shown. I asked councilmembers to go view Surfside Drive
342 during the last meeting. The question is how we are going to correct the problem. I'm a firm believer that
343 we should review an ordinance to determine whether it is really working. If not, how we can correct it.
344 We considered the restriction times again, so the times were amended to 9:00 a.m. to 5:00 p.m. He said
345 signs stating a two hour restriction could actually be placed in the soil in the planter areas, which would
346 preserve the sidewalk. The most common complaint from the business owners were that spots were
347 being taken up by employees and not open for customers. The 10 minute parking sign should be
348 permanently affixed. The handicapped spaces marked on the pavement are not legal. State law changed
349 in 2012 that requires a sign posted that denotes the space is for handicapped parking. Harrison Park has
350 two handicapped spaces, one of which could be converted to a regular space. The committee
351 recommends removing the electric charging station. It currently is not working. Mr. Fellner said as electric
352 cars become more common, the charging station could be upgraded and users would pay to charge their
353 cars. The dedicated pole for electricity is in place. Mr. Courtney said gas is reasonable now and very few
354 people use the charging station. The barriers were removed on the vacant lot at the corner of Surfside
355 and Poplar Drives and now people are parking there in the right-of-way and on private property. The
356 town needs to address this issue, and in his opinion, buy that property for parking. The Pindo Palm is
357 taking up two spaces that could be used for parking. Between Surfside Drive and 1st Avenue North along
358 Floral Drive could be designated as golf cart parking for the business district. Golf carts are parking in
359 marked spaces, because that is required by code.
360

361 Mr. Ott recommend that we take another picture of that extra parking space in the Harrison
362 parking lot; we can add two or three other parking spaces there, and also with that golf cart parking, too,
363 bring that decision to council.
364

365 Ms. Fellner said we must be really careful about is Harrison Park is a PARD (South Carolina Parks
366 and Recreation Department) piece of property. It was swapped for the property at the library. We had to
367 give PARD a rendering with every square footage that we were using and an as built survey. So before
368 we proceed with taking out anything there, trees or something of that nature, it is really important that
369 we go back to PARD and discuss that with them to make sure that were not doing something that they
370 might not be happy about.
371

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372 Mr. Ott said I understand exactly what you're talking about. That's probably why that tree looks
373 out of place.

374
375 Mr. Stevens asked how many parking spots would be created by all of this.
376

377 Mr. Courtney said two spots would be added at Harrison Park. There is room on the Floral Drive
378 North right-of-way for golf cart parking, which would be a huge advantage for our residents who drive
379 golf carts.
380

381 Mr. Stevens reminded council that the land swap was the area being used for parking for the old
382 library. If we swapped parking for a park, why couldn't we take out the palm tree? Ms. Fellner responded
383 that she did not say we couldn't; I said it would need to be investigated with PARD. Mr. Stevens
384 suggested that staff investigate that. Ms. Fellner said I will also tell you that I was the one who did the
385 swap and wrote the paperwork. I happened to know that swap included a quarter of the park itself; it
386 wasn't all parking. Mr. Stevens said I do remember a lot about. Ms. Fellner said just so we're clear, that
387 was not me. That was during Mr. Booth's administration.
388

389 Ms. Samples said Mr. Courtney I like your effort and I really support the two hour parking on
390 Surfside Drive. I think it's imperative that it happen sooner than later. I just want to be cautious when
391 ordering signs that if we're going to implement any other changes about golf carts, and where they
392 should park, maybe we need to incorporate that into any signage that we plan to put up. How many
393 handicapped parking spots are required under the Federal and State ADA (Americans with Disabilities
394 Act) ratio requirements. Ms. Fellner said 1:25. Ms. Samples said as long as we are cognizant of that I
395 really support the effort by the parking committee and Mr. Courtney. You have my full support.
396

397 Mr. Courtney reminded Ms. Fellner that the handicapped parking spaces must have signs to
398 comply with the 2012 Code. That was the end of the PowerPoint.
399

400 Mr. Johnson said my concern is the number of signs, and I would just like to see if it would be
401 feasible to paint the curb with the two-hour message. Some have in the past referred to us as 'sign city
402 or sign beach.' Town Council has previously discussed removing the electric station. It has not been
403 done, yet. I just would like to mention the fact we had tried at one point to purchase that corner lot on
404 Surfside Drive and Poplar. For whatever reason, the negotiations did not go through. Ms. Fellner said it
405 was very expensive.
406

407 Mr. Courtney said we did really put a lot of work into this, and the parking committees did a
408 great job. I commended them for it. The main thing was the core drilling in the concrete. I didn't want to
409 tear up our sidewalks just in case this does not work, and we have to pull them. That's why my
410 recommendation to install the signs where the trees are located, which is legal. If we had to remove
411 them, it would not destroy the concrete. To address the lot on Poplar and Surfside Drives, I contacted the
412 real estate agent. They dropped their price to \$350,000, roughly.
413

414 Mr. Pellegrino said I appreciate the work that parking committee and Mr. Courtney did. There is a
415 problem down there, and I do support the two hour time limit. I ate at the Pickled Cucumber today, and
416 there were a number of cars that were there when I got there, and the majority were still there when I
417 left. People have mentioned the signs. We're masters at making obstacle courses out of roads like Ocean
418 Boulevard. Please be cognizant when we do the sign plan, because even if we put them in the dirt
419 around the trees, we don't want to have to zigzag through signs to get down the sidewalk.
420

421 Mr. Stevens asked Ms. Fellner if she had any knowledge or any information that the tells us what
422 we have to do as far as state law with signs such as a two hour parking sign. Ms. Fellner said no, I would
423 need to research that. Mr. Stevens asked if she could bring that information back to council. Ms. Fellner
424 said absolutely.

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Mr. Courtney asked if Town Council would concur to bring this back for first reading. **COUNCIL CONCURRED.**

C. Landscape & Tree Ordinance, Administrator Fellner. Ms. Fellner presented the discussion paper and ordinance, copies of which are on file. There was a request by the subcommittee to have the proposed ordinance sent to the planning commission for review prior to second reading. It is for council to decide whether they want the proposed ordinance to go back to the planning commission or to go directly to second reading.

Mr. Johnson said in our last subcommittee meeting, we didn't make many suggested changes. We tweaked the ordinance; Mr. Stevens and I were in agreement with those tweaks. We did agree and I think both Ms. Fellner and Ms. Morris agreed that the ordinance should go back to the planning commission at least one more time just to look at the proposed changes that we made. We don't have the proposed changes in front of us now, although they are minute. I would suggest that it be sent to the planning commission, but it is a council decision. I attended a flood plain symposium in Conway. Many of the planning and zoning commission members were there. There was lot information that was provided. The most prevalent information happened to deal with the Palmetto tree and how it does or does not absorb water in relation to specimen, heritage or other regular trees. That was one of our concerns in the subcommittee. Ms. Fellner said copies of that information was on the dais for each member.

Mr. Stevens said Mr. Johnson and I went over the ordinance at the subcommittee meeting. We agreed on most everything. We both agreed that we wanted to let the planning commission have one final shot at it. I asked Ms. Morris many questions, and I am very pleased that they left some amendments that I had made in this ordinance that benefit people who are building a house or a business when they have a landmark tree in the building footprint. The building department has the ability to let them get rid of that tree. Of course, they will be replanting trees, and she also went over the chart. I was little hesitant on the chart. They can have trees that amount to the required inches, and didn't necessarily have to be a big giant tree. I echo Mr. Johnson's recommendation that it goes to planning commission to review for one final time.

Mr. Courtney said I'm all for preserving trees. I understand the math behind it, and the storm drain issues. But, when have small lots, and I went over this in the past, we have small lots 40 x 60 lots where you can't have these oaks, unfortunately. An example is the south end of town. Back in 2008 when my house was built, Block 25 was all woods. It was cleared; now, it's all homes. Go by, take a look. There are not many trees. I'm all about preserving the trees, but on the other side of the coin, I represent the people. I don't want to live an HOA. It's a tough place to be sitting up here. So with that being said, I'd like to add one more thing. People come down here. We are a tourist community. If you like it or not, that's who we are. It's where we get most of our tax revenue from. They come down and see palm trees and sunshine. They enjoy driving their golf carts. This is who we are. This is why a lot of you guys have come down; moved down here. So when you got a lot that's 40 x 60, I support it going back to planning commission. We don't live in an HOA and I ask to be a little bit lax on the trees as far as regulation goes. We don't want to overregulate. When this started it was so simple. It was gonna be about trimming and pruning trees and changing the diameter of the limbs that you can cut down. Well, it's turned into a mess, and now it's going back to the planning commission for a final time. I commend the planning commission for the job they did. But I do ask them to, please, I don't live in HOA. I bought my property for a reason; it's my property.

Mr. Johnson said Mr. Courtney, I think you will be pleased to know that we did address that issue and that was part of our recommendation going planning and zoning. We know that you can't have a tremendously large tree on a small lot. So we're trying to work with that, is that not correct, Ms. Fellner? Mr. Fellner said yes.

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478 Ms. Samples said this is a piece of work that's for sure. When this was brought up back in
479 September, the intent was to simplify the tree ordinance, because it was so complicated and
480 overregulated, and just a mess. Here we are, how many months later, and it's still a mess. It's just a
481 mess. It's just as complicated. It's maybe more complicated in some instances, in my opinion. Then we're
482 going to send it to the planning commission, and after they've done all this work, put all this time and
483 attention into it; they did a great job. We got our hands on it and messed it up, and now we're gonna
484 send it back to them again. So, I don't support putting that on them. They did their job. It's our turn to
485 do our job. Again, this is a piece of work. I don't think we've done it, because it is very complicated, and
486 very convoluted. I read through the whole thing, and as much as I thought I knew that tree ordinance
487 front and back, I'm completely confused now. So, I don't know what's happened to it. But, Godspeed to
488 the planning commission, because, again, it seems as if we have had a lot of motion, and no movement
489 about a lot of things, but certainly about this tree ordinance. My God, if we can get a tree ordinance
490 through; I have no words. I don't support sending it back to the planning commission, because I think
491 we are setting them up. That's really what I think.

492
493 Mr. Pellegrino said I'm not sure what else the planning commission is gonna do, because they
494 already submitted the first one, and then they got feedback, and massaged it a little bit. I think we
495 should just go to second reading, and it is adopted or fails. But if it does go back to the planning
496 commission, I would like for it to come back for second reading and a vote after they review it. Ms.
497 Fellner said yes.

498
499 Mr. Ott said I agree with that and I would like to meet with my other two subcommittee
500 members one more time. Every time I look at this I have something to chop. I had a medical problem
501 and I did not make that last meeting. Mr. Ott said if Mr. Johnson and Mr. Stevens would meet with him
502 tomorrow to discuss some additional questions, he would appreciate it. Mr. Ott proceeded with
503 numerous comments and questions to which Mr. Stevens responded.

504
505 Mr. Stevens said we doubled the size of limbs that could be cut from four inches to eight inches.
506 We are allowing palm trees to be planted on the smaller R3 district lots. The ordinance is pretty simple.
507 I've read this over several times, and I don't have a problem with it. I agree with letting the planning
508 commission review it and then we can vote on it. If council needs to make any amendments, so be it.

509
510 Mr. Courtney said the fines collected as a result of enforcement for this article shall be placed in
511 general fund, and said I thought we have a land fund. Ms. Fellner said it makes more sense going into
512 the general fund. I mean it's just actually a placeholder. It just creates a lot of busywork from a financial
513 perspective. Mr. Courtney asked what the purpose of the tree mitigation was. Mr. Ott said those funds
514 will be put into the general fund. Ms. Fellner said since you're sending the ordinance to the planning
515 commission, anything that you want the planning commission to look at specifically, and also you might
516 want to consider giving them a time when like do you want it on business at the very next meeting, etc.
517 The ordinance will come back to Town Council for second reading and that would be the time to make
518 those amendments that council discussed amongst themselves.

519
520 Mr. Ott said if he can meet with the subcommittee, then they can give direction to planning and
521 zoning exactly what we're looking for. Ms. Fellner reminded Mr. Ott that a consensus was needed to
522 return the ordinance to the planning commission. Mr. Ott said after the subcommittee is finished with it
523 they to send it back to the planning commission. The subcommittee will meet in the next couple of days.
524 Ms. Fellner said that is not appropriate. The subcommittee would be making decisions not in front the
525 public; the public has been this version that was presented at this meeting. So, my suggestion is you
526 offer your amendments when it comes back for second reading to the council. At that time you may offer
527 any amendments you wish. Mr. Ott said this is the product that the planning commission will review in
528 between then. Ms. Fellner said correct, but what I'm suggesting is that this document go to the planning
529 commission as it is. Then the planning commission will make recommendations, and they will send their
530 recommendations back to council. At that time, anything that you've discussed amongst yourselves or if

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531 there is something you feel strongly about, you can bring forward to amend it at that time. Mr. Ott said
532 that would make it go right back to the planning and zoning commission, when I put that in. Believe me,
533 so I want to avoid that. We want the final ordinance that all three of the subcommittee members agreed
534 to, then send it to planning and zoning.
535

536 Mr. Stevens said I miss the part that states all fines collected as a result of enforcement of this
537 article shall be placed in the general fund. I shudder when I see that because that's what Congress did
538 with the Social Security Act. They took your social security money and put it in the general fund so they
539 could spend it like they wanted. I don't agree with putting anything in the general fund, absolutely not.
540

541 Mr. Ott said he had numerous changes he wants to make to the ordinance. Ms. Herrmann
542 explained to Mr. Ott that the point that Ms. Fellner was trying to make is that the subcommittee must
543 bring its recommendations to the full council before anything is sent to the planning commission. Mr. Ott
544 said that's right. Ms. Herrmann said if you want to meet with the subcommittee again, and make more
545 changes, you need to ask council to concur to return the ordinance to the subcommittee. So, that would
546 delay this at least one more meeting. Mr. Ott said that is what will happen, unless you want to sit here
547 now and do them all. Ms. Herrmann said that would be out of order. Mr. Ott said yes, it is. Ms. Herrmann
548 said the subcommittee could meet and then the ordinance with his recommendations would be presented
549 to council for discussion at the next meeting. A concurrence is required for that. Mr. Ott asked if council
550 concurred to send the ordinance back to the subcommittee. Mr. Ott said that a tree ordinance was in
551 place.
552

553 Ms. Samples asked if he would meet one more time with the subcommittee, and bring it to
554 council and then send it to the planning commission. Mr. Ott said we would see what council decided at
555 that time. Maybe they may change their mind and we will put it on as a business item at that time. I
556 have more radical changes that weren't done. It's my fault that I was not at the last subcommittee
557 meeting, but it was due to a medical problem.
558

559 Mr. Johnson called *point of order* saying the consensus item should be addressed to give
560 direction to the town administrator.
561

562 Mr. Ott said the subcommittee meetings concurred. Ms. Herrmann said the business at hand for
563 this evening was that council would decide whether or not the ordinance as it was presented would be
564 sent to the planning commission for review, or whether it would be placed on the next agenda for second
565 reading. Because you have additional changes, and would like to meet with the subcommittee one more
566 time, then the concurrence would need to be whether or not the council will agree for it to go to the
567 subcommittee. If there is no concurrence to go to subcommittee, then council needs to decide whether
568 to send it to the planning commission or bring it forward for second reading at the next meeting.
569

570 Mr. Ott called for consensus to send the ordinance to the subcommittee. **Consensus FAILED.**
571 Mr. Ott said he would offer his amendments at second reading. Mr. Ott called for consensus to send the
572 ordinance to the planning commission. **Consensus FAILED.** Mr. Ott called for consensus to bring the
573 ordinance to Town Council for second reading. **Council CONCURRED.**
574

575 Mr. Johnson asked if a list of all the subcommittee changes could be given to the
576 councilmembers. Ms. Fellner said yes.
577

578 **D. Any matters of concern or information to be discussed.**
579

580 Ms. Samples asked Ms. Fellner to put a discussion item on our next meeting agenda and that is
581 home businesses in the residential areas, and customer walk-ins. One of my discussion items is going to
582 be to send it to the planning commission to look at the ordinance to determine how we can restrict home
583 businesses who currently have customer walk-ins. I don't care if the review the whole ordinance, but I'm

584 concerned about businesses that have a lot of traffic and a lot of activities in our residential areas. So, I
585 want to be very specific about the request. Mr. Stevens restated Mr. Samples' request. Ms. Samples said
586 to be very clear, I only want to address home businesses that are in the residential areas that have a lot
587 of walk-in traffic; that are creating a parking issue and a safety issue on the road. Specifically that is what
588 I want to address, but other councilmembers may have other things they want to discuss about that
589 ordinance. I want to be specific enough to where when we send it to planning commission we're clear in
590 what our expectations are. Ms. Fellner said yes.

591
592 Mr. Stevens said thank you for bringing that up. I brought that up the last meeting and
593 unfortunately, nobody wanted to do anything about it.

594
595 Mr. Pellegrino asked that Business Committee Chairman be added to the next agenda to make a
596 presentation about the *Insider* publication at The Market Common. The committee has negotiated a
597 lower price for an insert about the town, which he believes would be beneficial.

598
599 **9. PUBLIC COMMENTS. General Comments. (5-minutes per speaker)**
600

601 Ms. Mary Mabry, 15th Avenue North: First of all, I want you to look around the town and name
602 all the sexually oriented businesses that you see. I want you to name all the strip clubs that you see, and
603 you know why you don't see 'em? Because planning and zoning about 27 years ago went into their little
604 meeting at that council's request, and they have an ordinance that forbids it. Not because they waited for
605 the state law or they wait for criminal activity, because they took the initiative to do the right thing and to
606 make sure that it didn't come to town. Now, I have talked to councilmen till I am blue in the face. Let me
607 tell you something. There's gonna be an ordinance. It may not be this year. But there's gonna be an
608 ordinance. And we're not gonna have this trash in our town, because you refuse to act. All you had to do
609 was send it to planning and zoning. Planning, planning and zoning committee. They do regulate the
610 businesses. Ms. Samples just asked for it. She just said I need you to look at some business in town.
611 Truly that needed to be done. That's what they're for. You want to wait till there's criminal activity before
612 staff does anything. This poor police chief over here should have a mechanism where it doesn't even
613 come out. So do you want to rescind the one that we have now? It is the S.O.B. law. Which I think is
614 kind a crappy, but Sexually Oriented Businesses the Town of Surfside Beach. They wanted it out. They're
615 sitting on their record today, because we don't have that trash. You're gonna sit on your record today,
616 because you do want it. So you know what, you got it, and I'm gonna (** *expletive*), excuse me. I'm
617 gonna make sure everybody knows it.

618
619 Ms. Carol Cook, 7th Avenue South: I'd like to thank Chief Hofmann and his officers for Surfside
620 Beach's first National Night Out. It was great food, and a great time. I would also like to thank my
621 neighbors, staff, council, and the police for closing the beauty shop on 7th Avenue South. Peace, quite
622 has been restored. There are no parking issues. It's a lovely place to live again, and I look forward to the
623 next meeting.

624
625 Mr. Tom Dodge, 8th Avenue South: It's been roughly a year and one half since the Town Council
626 spent the tax payers' money on a park. This was reported by the *Sun News* to be a cost of \$399,000.
627 Council says it was only \$330,000, but with the tax breaks to the seller of, I guess, \$69,000. The bottom
628 line is \$399,000. The word was that it was to be a park for the town taxpayers. Folks, this was one and
629 one half years ago, and there have been no trespassing signs since it was purchased. Nobody from this
630 town legally can go into our \$399,000 park. It's against the law. Please explain to the citizens, or at least
631 this old cowboy, what is going on. I went to town hall yesterday to see the museum full of artifacts, and
632 lo and behold, there was none. No museum after year and a half. No footprints in the park after year and
633 a half. Point number two, the lights at Martin Park ballfield have been coming on every evening around
634 six-ish, and there's nobody there. And they're on until at least 7:30. No one is there, folks. Our town
635 should send the bill to the Rabon led recreation department, so he and the over 93-percent of the people
636 involved in the recreation department can pay the bill for such waste. This rec department is just one

637 more way Town Council was bamboozled into a bad deal. Rumor around town is we hired the
638 administrator an assistant. No job advertisement. No application, and only a first name was given on a
639 plain sheet of paper. If this is true, shame on you.

640
641 Mr. Bill Kinken, Dogwood Drive North: I read through what was online on the tree ordinance,
642 and it still comes back to me that I have to do 'Mother may I' to trim and cut my tree. That is too much
643 regulation on something that is my property. I'm not hurting anybody, and I can tell ya when we get 15
644 inches of rain it isn't the trees that water absorb the water. It's the sand. So I've only seen water stand in
645 sand twice. Once was after 15 inches and one was after 10.5, and that was only because it rained the
646 day before. So you can say all you want about trees, and it may be true in the Piedmont. It may be true
647 in the mountains, but down here it's the sand that absorbs water. Now the other thing I want is take the
648 time the next couple weeks and walk down on the beach. I know you going talk about the canopies again
649 this fall, but for everything that's been said about a canopy, people coming down set them up, taking up
650 space, this that and the other, being unoccupied, you can say the same thing about umbrellas. I had the
651 opportunity in the first 10 days of July walking to the pier and back. That's 14 blocks. I did a count, and
652 there were almost twice as many umbrellas unoccupied as there were canopies. And that's not counting
653 our vendor who goes down; he'll set his up at 8 o'clock. They take up space. There's nobody there. You'll
654 also notices as you get closer to noon, those unoccupied canopies and tents and umbrellas become
655 occupied. You don't need them before 10 o'clock. You probably don't really need them until after 12, but
656 that's what happens. I would like to see this city as a family beach to continue to allow canopies. You
657 can't put a family under an umbrella. What you can do is you can put six umbrellas together and put a
658 whole bunch of people under 'em. I would have to buy three umbrellas to put my family under. Have we
659 solved anything? No. I'm taking up space, but to protect my family, I'll have three umbrellas to take up
660 for my one canopy. Thank you.

661
662 Ms. Diana Taylor, 7th Avenue North: My ambition, of course, is aesthetics and what our town
663 looks like. So I agree totally that the businesses on Surfside Drive need two hour limit parking. And
664 shame on the businesses that don't respect the other businesses. But, make it aesthetically appealing.
665 There is nothing worse, it drives me crazy [seeing all the no parking signs] as I'm driving down Ocean
666 Boulevard: no parking, no parking, no parking, no parking. It's ugly and as if no thought went into to
667 how that was planned. And I like to thank our town for all the activities that we have. I've enjoyed every
668 one of them. Thank you.

669
670 Mr. Boyd Sadler, 8th Avenue South: Citizens, Council, Mayor. I sat here in this meeting and I see
671 the same thing every time. Every time. I honestly don't believe anyone you have met the other. I really
672 don't, because you don't communicate. With a career in communications; I mean a career in
673 transportation, communications is a very big asset. It was a priority. Now, you're running a train here,
674 supposedly a train of government. What's happening? You come in here and you dispute; you argue
675 everything that comes up. You argue in front of the people here. Don't you take time to do your
676 homework? I mean you, some of you have kids going to school this year; back-to-school. You're gonna
677 require them to do their homework. And those of us that have raised our kids, we had to do that; make
678 sure that they did their homework. When we were kids, we had to do our homework. You guys certainly
679 are not setting a very good example; none of you. You need to start thinking about it. Start paying
680 attention. Start communicating. Take care of this in your executive session. (***) argue here. I didn't
681 really calculate, but I guarantee that was over an hour of arguing over things that have been argued over
682 before. Back and forth. You've never gonna get anything done. And here, an election is gonna be coming
683 up pretty soon. I hope the public remembers it. I really do, because it needs to be addressed. Thank you
684 very much. Y'all have a good evening.

685
686 **10. TOWN COUNCIL COMMENTS.**

687
688 Mr. Pellegrino: Thank you for coming today. Thank you for your comments. On the last
689 comment there, it's an interesting thing, because we do talk to each other. There are countless emails

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690 that go back and forth; countless phone calls, you know, when you don't agree with someone, you can
691 talk all you want, if they don't persuade you, you still don't agree with. So with the, I mean, we try to be
692 respectful, and go across, but certainly all seven of us up here never are never gonna agree on
693 everything. We do communicate, it's just that we all have different; different focuses, different
694 perspectives, and we don't agree on everything, and we shouldn't. That's how we get the best result.
695 Tents, tents are a big issue. Obviously, I was vehemently against the tent ban, and you know, we have
696 an opportunity to do the right thing. I did talk to Fire Chief Otte. We have not had one incident where we
697 had any trouble accessing the beach for any situation, emergency, anything. I run on the beach all the
698 time, and take my children on the beach, and even without, even before beach renourishment, in our
699 busiest month of July, I don't know. It just seems like a nonissue to me. But that's just me, and now
700 we're gonna have beach renourishment. You know, half the beach is done. We've got the other half. So I
701 really think, and I urge council to reconsider this. I voted no, so I can't bring it back up. But, one of you
702 council people who voted yes could bring it back up. So I urge you to do so. Because that is an issue. I
703 was just responding to emails. Just before this meeting I was going through emails, and two more just
704 this afternoon, I got them. People are vacationing here and sent, sent emails about disappointment about
705 tents. It's nonstop. Every week a bunch of them, every week. You go on the beach and people; I'm on
706 council so I go and talk to people. Ask where they are from, this, and that. Lo and behold, they'll mention
707 I heard you guys getting rid tents. That stinks. I have little kids, so I mean it's a big issue for our tourists
708 and I guess for the people who live here. Some of the people who live here don't like it, but it's only
709 three months a year, and it's a big issue for the tourists. So I do implore that one of you council people
710 that voted yes, please bring it back. Thank you. Have a great night.

711
712 Mr. Ott said it is coming back. It's already on the agenda for the second meeting in October. We
713 did debate that.

714
715 Ms. Samples: Mayor Pro Tem Ott, you did a great job tonight. Thank you all for your input. I
716 appreciate it. Have a good evening.

717
718 Mr. Johnson: Thank you for your comments, Mr. Pellegrino. I agree with you on the canopies
719 and thank you all for your comments. I specifically want to bring out a comment that was made about
720 the park that was purchased, and I appreciate those comments. I myself have some concerns and issues
721 as to why things aren't moving as fast as I think they should, and I would like to ask the administrator to
722 enlighten us on the process and the progression of that park and the signs and so on and so forth at
723 least by the next meeting. Thank you all for coming out. We appreciate all the comments, negative and
724 positive. We appreciate them, or at least I do. Thank you.

725
726 Mr. Stevens: There was a lot of comments tonight. One of them was from a businessman who
727 talked about parking on ocean, excuse me, Surfside Drive. I definitely support some help there for these
728 business people. I think Mr. Courtney has done the right thing by bringing this forward, and doing
729 whatever we need to do. Ms. Mabry brought up a factual fact that many years ago the town of Surfside
730 decided to do something about sexually oriented businesses, and I remember they were, *The Sun News*
731 and everybody else was publishing stuff about a place that was on 5th Avenue North extension. It was in
732 the paper. The town was up in an up roar. It was a topless bar just outside the town in the county, and
733 Surfside was responsible for the County passing an ordinance that they had to be 1500 yards from a
734 residential subdivision, or church, or whatever. So we passed something, and now we are allowing
735 business to come back in our town that don't fit our family values; they don't fit the family beach, and I
736 want to see what the administrators going do about it. If she doesn't do anything, I'm gonna continue on
737 this, because I'm gonna fight it until we do something that eliminates 'em forever. Mr. Dodge, I agree
738 with you; \$399,000 for piece of land that we can't even walk on. It's got no trespassing signs. I've been
739 by it a bunch of times and there's not; I haven't seen a museum for the artifacts. I don't know where it
740 is. They say they got some. In Martin Park, it seems like somebody is falling down on the job, and the
741 lights are staying on all night long. That used to happen at the Fuller Park at the tennis courts. But now
742 people cutting them off. Somebody needs, I think administrator needs to address that with public works,

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743 and make sure these lights are not being set to run all night long and run up our electric bill that
744 taxpayers have to pay for. As far as the rumor assisted, deputy administrator, whatever you want to call
745 it, yeah, they hired one. I voted no, just to let you know. I didn't think it was money well spent. Tree
746 ordinance, too much regulations; not enough regulations. I don't know. It's it somewhere in the; we have
747 to meet somewhere in the middle, and there's compromise has to come. As far as canopies on the beach,
748 I'm not gonna get into that right now. That, it's supposed to be coming back up. We'll let Council decide
749 what they want to do. [Ms.] Diana Taylor mentioned the two hour parking. I think that's, once again I
750 think that's good. And communication. I agree with you, [Mr. Sadler] there's not enough communication.
751 Some of us are left in the cold, and we don't even know what the heck is going on sometimes, because
752 we're not informed. Why? I don't know. I can't answer that. I'd have to ask some the other folks on
753 Town Council, and town staff why I wasn't informed of some things. But that being neither here nor
754 there. Thank you all for coming up, out, and I'm glad you are conscientious citizens, and just remember
755 we serve you, if you don't want us on council, vote us off. If you want us to stay on council, vote us
756 back in. That's simply, that's the way it works. Every election you have that choice. You are really the
757 boss, cause [sic] you can eliminate us or keep us on. Thank you. Y'all have a good week.
758

759 Mr. Courtney: Thank you for coming out. I really do appreciate it and appreciate your
760 comments. I just want to address a couple of things. As far as planning and zoning and our problem with
761 the prostitution, again, I want to give our directors, the professionals, give 'em a chance to act on it. See
762 what they have to present and to bring back to council. I sat down with [Chief] Hofmann for what was
763 close to two hours discussing about the state laws. So, again, nobody here is a lawyer. Again, we want to
764 do an ordinance. We're gonna make sure it's done right. Again, I have two children. The last thing I want
765 is prostitution my neighborhood, but I want the ordinance done right, and not have to go back like the
766 tree ordinance. Too, I have to put a positive thing; National Police Night Out. It was a huge success. I
767 want to thank [Chief] Hofmann and his department. A lot officers came on their own time. We had
768 Sergeant Black who jumped in a bouncy, what is it called? Chief Hofmann said a bouncy house. Mr.
769 Courtney continued saying my daughter had fun operating PFC (Patrolman First Class) Martin's car with
770 the canine. It was a really good time. It was a blast. So we really thank you very much, and they will
771 barbecuing for us. I didn't go home for dinner. I fed the kids hot dogs and hamburgers on [Chief
772 Hofmann] and I got in trouble when I got home. *(Laughter)* As far as the park at Willow and 3rd Avenue
773 South, yes, I do have a problem with it. It needs to be opened up. And that is all I'll say about that. As
774 far as the tents, you know, we, I'm a firm believer. You know, you've gotta be careful about ordinances. I
775 always believe you should amended an ordinance; try to tweak it, not try to reinvent the wheel. When
776 you do that you end up in the mess like we ended up with the tree ordinance. So the tent ordinance will
777 come back, and a lot of other ordinances will come back to be relooked at. I believe Mr. Ott's goal is to
778 bring back every ordinance, and see if they were good or bad for the community, just as I did with the
779 parking. I found a solution about not core drilling into the concrete. If the signs don't work out, the town,
780 the people, will have the option to have them taken out. That's how simple it is. With no damage done.
781 As far as the last comment about doing homework. I do my homework. This is a full-time job, and when
782 I get handed stuff, I get a stack of paperwork, I'm gonna challenge everything on here. I'm gonna read
783 into it, and make sure it's right. I'm protecting my family as much as I'm protecting yours, and it's all on
784 here. I don't get much time to read everything, but I want to make sure to if I'm gonna pass an
785 ordinance it's gonna be right; it's gonna stick and it's gonna be able to be processed under criminal law.
786 Again, I want thank everybody for coming out. Have a great evening. Thank you. God bless.
787

788 Mr. Ott: I want to thank the council for supporting me tonight. [Mayor Childs] will be back for
789 the next meeting, I'm sure. We have a democratic process, and the process is debate. It's not arguing.
790 It's debating, and we do debate issues. If we just go along with whatever one person says; that's how
791 we got into a lot of messes that we have here, especially that tree ordinance, because we just allowed
792 whatever came up they said yes, yes, yes. And it's not always yes, yes, yes. As for the young lady that
793 came here and said there was something put in for sexually oriented businesses. Obviously, it don't [sic]
794 work, and it's failed us. These things are out there. Want to talk about prostitution, prostitution's been
795 out there. You can see it in the Bible before our Lord Jesus Christ was born. It's been there for a long

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796 time. So, are we going to put an end to it? It's always going to be there. I can't stop it. If you think about
797 it, we're gonna stop these businesses, but you're [sic] never be able to stop that. It's going to be there. I
798 wish we could, but it's impossible because it takes two sexes to make it happen. Men are there for the
799 women, and that's what happens. I thank you for coming out. Thank you for those comments. They do
800 mean a lot to us. As for that piece of land there. Winston's (*his dog*) been on it. I'll take him back there
801 again and let him pee on it. For that 399,000, I got something for it. Thank you, again.
802

803 **11. ADJOURNMENT.** Mr. Johnson moved to adjourn the meeting at 8:58 p.m. Mr. Courtney
804 second. All voted in favor. **MOTION CARRIED.**
805

806 Prepared and submitted by Debra E. Herrmann, CMC, Town Clerk
807

808 Approved: August 22, 2017
809

810 _____
811 Robert F. Childs, III, Mayor
812

813 Attest: _____
814 Debra E. Herrmann, CMC, Town Clerk
815

816 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,
817 and not intended to be a complete transcript. Appointments to hear recordings may be made with the
818 town clerk; a free copy of the audio will be given to you provided you bring a new, unopened flash drive.
819 In accordance with FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local
820 media and interested parties via the town's email subscription list. The agenda was posted on the entry
821 door at Town Council Chambers. Meeting notice was also posted on the town website at [www.Surfside](http://www.SurfsideBeach.org)
822 [Beach.org](http://www.SurfsideBeach.org) and the marquee.

Approved