



**SURFSIDE BEACH TOWN COUNCIL
SPECIAL COUNCIL MEETING MINUTES
APRIL 1, 2013 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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1. **CALL TO ORDER.**

Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Kohlmann, Johnson, Smith and Stevens were in attendance. A quorum was present. Others present: Administrator Fellner, Interim Police Chief Keziah, and Town Clerk Herrmann.

2. **PUBLIC COMMENTS – AGENDA ITEMS**

My name is Ryan Swaim. I'm the general manager of Dunes Realty in Garden City. As I said, I'm Ryan Swaim, Dunes Realty, and we manage 204 properties in Surfside, both houses and condominiums. Without going into the debate on the parking ordinance itself, and I can speak about that for a while, as you might imagine, I, I wanted to try to work out one possible compromise. To manage those 204 properties we employ a large number of people. Some of them drive Dunes Realty vehicles, which are easily recognized as being vendors. Most of them, however, drive their own personal vehicles; their own cars, pickup trucks, et cetera. On any given Saturday we have maintenance people, housekeepers, inspectors, linen delivery people, and bed setup crews all driving up and down the boulevard in Surfside and on the side roads, and last Saturday was our first busy check-in day of the year, and at least one of them was ticketed for parking on the shoulder between the sidewalk and the road. The reason he did so was because he was a, an inspector there to assist two housekeepers. They were parked under the house, and the back car was up to the sidewalk. He couldn't pull in to the driveway without blocking the sidewalk. So he pulled onto the shoulder, and was inside for ten minutes and came back out and found a parking ticket on the car. What I'd like to be able to do, if, if we can't change the ordinance, which I understand is probably not gonna happen, is to have some sort of exception for employees of vacation rental managers. Condominiums allow us to put a placard on dashboard of the car that says this is a Dunes Realty employee or a contractor working for Dunes Realty, and we're hoping that that would help. Dennis McElveen's joined me back here from Garden City Realty. He's one of our friendly competitors, I guess, and has the same concerns, and Mil Servant just got back in town from Surfside Realty. But between the, the five companies essentially, or really six, that manage property in Surfside, five or six hundred properties that need to be taken care of by all these employees on any given Saturday, and any solution that we could have would be greatly appreciated.

My name is Dennis McElveen, and I am with Garden City Realty, and have been employed there since 1977. Thank you, Mr. Mayor and Council, for giving me just a few minutes to share my thoughts. I concur with Ryan and hope that there's something our council can do to help us with our employees who are working diligently to get our properties ready for our vacationers who are coming in and also for our property owners. I own a home in Surfside. I have since the early 80s, and a, it's important to me. I've seen a lot of things happen over the years, and a, you know, our, our tourists and our guests are very important to us and I know that you recognize that. It's one of the things that that keeps us going, and a, helps us thrive. Surfside Beach is a great place, and a, you know, hope, and I'm sure it will continue to be, and a, and I hope our council sees the value in trying to help take care of our guests once they're here. I was talking a few minutes ago, I have been in business a long time, and there's nothing that upsets a guest more than to have a car towed or to be ticketed for something that they really don't know about, and I know that there's a lot of education that we will be trying to undertake to help our guests understand what we're facing here in Surfside, but we would certainly love and hope that you as our councilmembers would, you know, help us accomplish our goals so that our, our guests are, feel appreciated, and a, instead of sometimes maybe not being appreciated. So I appreciate your help, and again for our folks that are trying to work to get these properties ready, you know, we, we have Garden City Realty decals that we can put on the dash or hang from the, a, you know, the mirror or whatever to help identify those, if, if that's a possibility. So, again, thank you for your time.

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Ron Ott, 7th Avenue North. I think one of the really nicest privilege [sic] that this, that residents of this town has is to be able to drive your golf cart to the beach and be able to park for free. It, it's, it is a privilege. What I don't like to do is go there and find no parking and take a paid parking area. If we could somehow, maybe put out a little more definition on where we can park, maybe even back a little bit right off the beach, a, and to keep us off these, a, the toll parking, and let the, let the town make the money on the parking meters without having us in there, and it is a privilege and we appreciate it. Thank you very much.

Gene Maruca, 7th Ave. South, and also representing Old Colony Realty. I concur 100-percent with the two gentlemen that smoke, spoke on the problems we're gonna encounter Saturday. Please keep in mind the window that we face is very narrow. Checkout is in the vicinity of 10 o'clock; check in is in the vicinity of 2 o'clock, and there's a lot that has to be done by our staffs in that time. So, whatever the council can come up with to help would be greatly appreciated and beneficial in the long run. Thank you.

Harry Kohlmann, 1610 South Ocean Boulevard. I agree with the real, the Dunes gentleman and the Garden City and Mr. Maruca. It's not only gonna be Saturdays, though. It's gonna be throughout the week. You have landscapers. You have pool guys. You have emergency repairs on air conditioners. You know, there's, there's a lot of service oriented people, so you have to think of a way to, possibly a town placard or a business placard. It should be only for a limited amount of time, though. It shouldn't be an all-day thing. It should be, you know, you're going into clean a house, you're going to clean a pool, it's not going to the beach for four hours, and it should be on a company car. Thank you.

Carrie Johnson, 9th Avenue South. When it comes to the golf carts, I would like to see decals like the residents get for your cars to be able to park free also on the golf carts. But I would like to see that apply to beach accesses, as well, that you can only park in those beach accesses for golf carts if you have a decal. Let these rental golf carts park at the meters and feed them (**) for good income. Thank you.

3. **BUSINESS.**

A. Town Code of Ordinances Chapter 9, Motor Vehicles and Traffic, Article I.

Mayor Samples introduced the business item and suggested beginning with Section 9-16, explaining that that section was discussed at the last regular council meeting and deals specifically with golf cart parking and registration.

Mr. Smith moved to suspend the rules to allow discussion. Ms. Mabry seconded. All voted in favor. **Motion Carried.**

Ms. Kohlmann: Good evening, everybody. I would first like to explain a little background on how we got back to this ordinance in the first place so that y'all can understand. When we had the reading on this ordinance there was one sentence under the registration stickers that threw it all into a loop, and none of us caught it at all. Basically, the parking decals, which are the round stickers, which everybody remembers is they're for parking. The square stickers are registration stickers, and registration stickers have nothing to do with parking. If you read the newsletter that Mary Ellen Abrams typed so very well, it was, it was done exactly the way the ordinance was intended to be. Since that mistake was made, I agreed to do the workshop. However, I think it could've been done much easier by just removing the sentence that was added to the original ordinance. Now we're at a workshop and I understand now that there are other things in Article I that needs to be addressed, not just this issue. What I'd like to say is that now that we're back at it, I almost feel like we're going back like the overlay again, and I would like to hope that because we're already in the season for the parking that we could do this in a calm, collected manner, and do what's best for the town, and I don't believe that we're gonna do it all now, because we don't have our benchmark year, yet, and we really don't know what's gonna happen. I did compile a little list of things together and ideas, and it doesn't mean that there're gonna work. It doesn't mean anything. I just want to make sure we all touch upon them. The golf carts at the beach accesses; there's a lot more

112 to just saying well, let's let them park there for free or let's enforce it there. We need to know what can be
113 enforced, what signs can be done, what staff is capable of doing, because I have heard some people say
114 we have really overburdened staff very quickly with this whole parking thing. My concern is to get to at
115 least tonight to know where we stand with the parking and the registration stickers, and they are two
116 separate stickers. So, we'll start with the ideas, sir? Is that fine with you?

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118 Mayor Samples: That is fine. For clarification purposes, I would like to take you back to a
119 comment you just made...

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121 Ms. Kohlmann: Uh, hum.

122
123 Mayor Samples: ...which was a, there was one sentence...

124
125 Ms. Kohlmann: Yes, sir.

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127 Mayor Samples: ...can we refer specifically to that language that is in our current ordinance for
128 the benefit of all of us so that we can all understand what language has led us here.

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130 Ms. Kohlmann: Absolutely. You all have the audience, ordinance in front of you?

131
132 Mayor Samples: Oh, yes.

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134 Ms. Kohlmann: Okay, this is not the incorrect statement, but I want to read it so that you can
135 understand what, what I'm saying. Under (a), 9-6, under (a) where it says resident and non-resident
136 residential property owner parking decals, decals issued for full time resident and non-resident residential
137 property owner vehicles including golf carts, and this was to entitle people to park at metered and pay
138 station areas whether it be a golf cart or whether it be a vehicle. That was parking decals. Underneath
139 (b) where there's golf cart registration required and that was registration decals shall be issued for golf
140 carts, and that went on to say all persons, businesses owning golf carts within the corporate limits and
141 they were go to the police station and pay a fee, \$2 for residents and non-residents, and this is where the
142 mistake was put in, under (b) item (1) this is the sentence, you're under registration now, decals shall
143 allow residents and non-residential property owners to park in golf cart parking and permit only parking
144 areas in the metered spaces without charge and when space is available. That was not in the original
145 submission of the ordinance. I believe it was added for a clarification purposes, but it just muddled the
146 ordinance, and it crosses out the decal for these golf carts.

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148 Mayor Samples: Just so I understand, are you saying delete the second sentence or was it are
149 there changes in that second sentence that got in, or was that...

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151 Ms. Kohlmann: That sentence was never submitted to be in the ordinance.

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153 Mayor Samples: Okay.

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155 Ms. Kohlmann: It crosses out what we're trying to do with the parking decals.

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157 Mayor Samples: So if we eliminated the second sentence...

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159 Ms. Kohlmann: Right.

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161 Mayor Samples: ...in paragraph (b)(1) we'd all be good with parking.

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163 Mr. Smith: No.

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165 Mayor Samples: Okay.

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167 Ms. Kohlmann: I was just clarifying what happened (**two speaking at once.)

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Mayor Samples: (***two speaking at once*)...just trying to clarify, just trying to clarify.

Ms. Kohlmann: Just clarifying what took place...

Mayor Samples: Very good.

Ms. Kohlmann: ...now we'll go on to this sheet then. We want to take this one by one?

Mayor Samples: Well, I think I suggested and I still believe that the ordinance in its entirety as the agenda says Chapter 9, Motor Vehicles and Traffic, Article I, which is 9-1 through 9-17 needs to be updated to be consistent with or adjusted for the changes, which this council has approved and implemented. Otherwise, if we only deal with 9-16 we all recognize we still have problems with the ordinance as written, or I think we do.

Mr. Smith: Mr. Mayor, I have some suggestions for updating those, too.

Mayor Samples: Well, good. Then could we go back and take it in an orderly manner; anyone have discussion?

Mr. Smith: I would like to work on 9-16 first, because that's where it deals with the parking decals and the golf cart registration.

Mayor Samples: Let's deal with 9-16, and then we'll get to the rest of the ordinance after that.

Mr. Smith: That's correct.

Mayor Samples: Very good.

Mr. Smith: Mr. Mayor, Ms. Kohlmann sent us some information about how this 9-16 should be rewritten and so I'll just take from here and go over each paragraph, one at a time...

Mayor Samples: Excellent.

Mr. Smith: ...and, and get an idea if we can get a consensus on it. The first paragraph would be dealing with full time residents, vehicles including golf carts, and in this section, when I'm reading the word vehicle that includes the word golf cart. It's very similar to what's currently there for full time residents, the paragraph as it's currently written says residents and non-residents. We think that should be separated, alright. So for full time residents, they're entitled to a decal per vehicle upon verification of vehicle registration in the corporate limits of the town. And then of course, the same follows about placement would be according to staff directions, and the decal would allow you to park free of charge at metered and pay station areas when space is available. The golf carts, likewise, for residents could park free of charge either at the golf cart only designated parking spaces or at metered spaces. In other words, if you're a resident and you've got a round decal sticker, you can park free anywhere. So, I'd like to know if, a, council has any corrections about that paragraph.

Mr. Stevens: If I may, just for a point of clarification, if everybody will take a look at this seal right behind us, Surfside Beach seal, that is exactly what the parking sticker looks like. It's a round seal sticker. I've got three of 'em and that's exactly what they look like. That allows you to park free.

Mayor Samples: Whether you acquired it legitimately or not.

Mr. Smith: We, we expect people to be honest.

222 Mayor Samples: Well, no, I mean I just want to make a point. I under, I think everybody
223 understands about the, the seal, right? We're all on board. We understand what the seal is. Would you
224 like to read the ordinance as you propose it to read?
225

226 Mr. Smith: I'll be glad to. For this section, the word vehicle includes golf carts. Full time resident
227 vehicles, including golf carts, all persons residing within the corporate limits of the town shall be entitled to
228 one free decal per vehicle to be issued by the town upon verification that current vehicle registration is
229 registered in the corporate limits of the town. Such decal will be placed on the vehicle pursuant to the
230 instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar
231 year in which issued. Said decal will show (1) decal number issued, and (2) year for which decal is valid.
232 Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is
233 available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking
234 areas when space is available, and that applies to full time residents.
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236 Mayor Samples: Excellent. Can I ask a question?

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238 Mr. Smith: Yes.
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240 Mayor Samples: The only change that I perceive from a policy standpoint is that you're alluding
241 to designated golf cart parking spaces.
242

243 Mr. Smith: Yeah, we wanted to make it clear that this decal would be put on either motor vehicles
244 or golf carts. The golf cart having this decal could park in the golf cart only areas, even though it has a
245 decal. We wouldn't want to be excluded from that, so we're just making clear by adding that sentence.
246

247 Mayor Samples: Which is a new sentence, cause there's no discussion of that in the current
248 ordinance (***two speaking at once*) golf cart parking areas. I don't think you'll find that in the current
249 ordinance.
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251 Mr. Smith: You will not.
252

253 Mayor Samples: Okay, just for clarification purposes, from a policy standpoint we know what
254 we're talking about, so we can convey it to staff who ultimately will bring back the proposed ordinance.
255

256 Ms. Mabry: Mr. Mayor, point of information from Mr. Smith, please. Mr. Smith, that means, what
257 you're saying is that golf carts will only park in golf cart areas?
258

259 Mr. Smith: No, ma'am. Golf carts with a sticker, a parking decal...
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261 Ms. Mabry: Right.
262

263 Mr. Smith: ...that parking decal, can park anywhere that's a legal parking space.
264

265 Ms. Mabry: May I make an amendment, if this is a motion, or...
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267 Mayor Samples: Well, this is just a discussion.
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269 Mr. Smith: Please state what you were concerned about.
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271 Ms. Mabry: Because we have legally registered 232 carts in town now, we have a 152 golf cart
272 legal parking spaces that we could put our golf carts in and not take up any metered or pay stations,
273 because there's a large number of golf parking areas to accommodate them. I really don't like the idea of
274 these golf carts going into metered spaces. Those spaces are for our visitors and we have enough
275 parking, clearly, to put a golf cart.
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277 (***Audience speaking out.*)

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Mayor Samples: Order, order! Regular order.

Ms. Kohlmann: I just want to say being that we're a beach town. I think it's really beneficial to us to think about using golf carts. I know that sometimes they're too many of them. I know that all too well. However, with the environment, I think it's an environmentally friendly thing and I think it's really nice to see people on golf carts and it really creates a sense of community, and they stop and talk, and I know we don't like the teenagers on 'em and I agree with that, as well; it's another issue. But I still know plenty of people in town that don't own vehicles. They don't own cars. I have to be clear about that. They use their golf carts to get around town, even as much as to go to Bi-Lo. So, I think that it's really discriminating against, against a lot of people to say because you don't own a car, you can't park in a spot. They have just as much right, and some of the people have six passenger golf carts, and you know, you can have a two seater [sic] car take up the spot all day long, and you could have a six passenger golf cart. I just don't see the difference when it comes to that. That's just my opinion on it.

Mayor Samples: I understand. Just for clarification purposes, cause I know we're talking about golf carts and golf cart parking, but you made the point earlier the change that you're talking about, you're gonna use the word vehicles and from this point on vehicles refers to golf carts, also.

Mr. Smith: Yes.

Mayor Samples: I presume it applies to mopeds, or what have you. I mean some people can't afford automobiles, you're right. For clarification purposes, I want to know the scope of what we're talking about. What we're talking about is motorcycles, mopeds, golf carts, low speed vehicles?

Mr. Smith: Correct.

Mayor Samples: Bicycles?

Mr. Smith: *(laughing)* Bicycles don't usually park at metered spaces.

Mayor Samples: I understand. Again, I'm trying to get my arms around the scope of it. To summarize it, we're talking about free parking for town residents only.

Mr. Smith: That's correct.

Mayor Samples: With respect to that paragraph.

Mr. Smith: This paragraph.

Mayor Samples: Including nonresident property owners?

Mr. Smith: That's a different paragraph.

Mayor Samples: Okay.

Mrs. Mabry: May I make one more comment. Your vehicles that you get the little blue stickers for, they brought in over \$116,000 last year. That was for 212. Actually, I have the exact number, but I'm not gonna give it. So, there was a real value every time you registered your car. You brought value to the town. You didn't take anything away when you got your little blue sticker. Well, now when you put them on every motorized vehicle, you're starting to do a take-back, and when you do a P&L sheet, and you see anything that says we're taking away, then you might want to reconsider at least trying to break even. We already lost money; every time you register your car you pay, your golf cart, you pay \$2. So, you pay \$2 for that. It costs more than that to affix the tag, the little sticker, to get the person to take the picture, to do the admin work. So that's over \$2. So, we're already losing money. All I'm saying is that you should consider not having everything with a motor park on these very valuable metered spaces just

334 because you're a resident. I mean, we're actually going backwards. We're not going backwards with
335 your vehicles. We've got value from that, but now you're starting to do a take away, and we have a 152
336 parking spaces for golf carts. Please keep in mind that I'm not saying that you should pay at every
337 metered space. I'm just saying that I would prefer if you park in the legal golf cart parking areas that we
338 already have.

339
340 Mr. Stevens: I've been a full time resident since I moved in my house in December of 2005. This
341 year I got three of the round stickers. I have yet to park in a paid parking spot, and I've been here since
342 2005, of December. I've yet to even ever park in a paved parking spot, even though I'm a resident. I got
343 'em this year just in case it started pouring down rain and I wanted to go to eat at the Surf café. I'd like to
344 be able to drive my car down there and not have to walk in the rain. So, this is a benefit to the citizens of
345 this town. They pay the taxes here. They pay, they buy their cars, and I guarantee you and you're not
346 gonna have a family get all the cars and all the golf carts and travel down to the pier to park. They're
347 gonna get in one car and they're gonna drive down, and if they go down to eat at the Surf Diner, they're
348 helping our business in town make money, and if it's parking at a beach access, whether it's 7th Avenue
349 South, or whether it's 14th Avenue North, or whether it's 1st Avenue North, which I usually park my golf
350 cart in at the beach access, the golf carts can still park in those beach accesses, and that's where most
351 people go to park their golf carts. This is not; I don't believe that; the sky is not falling here. This is a
352 good thing for the people.

353
354 Mr. Smith: Prior to golf cart registration, golf carts got round decal stickers for parking, and they
355 could park anywhere. This was prior to registering golf carts, which was about what, three or four years
356 ago.

357
358 Mayor Samples: That's true.

359
360 Mr. Smith: So we're not taking away. We're just trying to make it equitable to what it used to be
361 and eliminate some of the confusion. A parking decal is round. A registration decal is square. Now, the
362 next paragraph, I'll be glad to over that one, if there're no more comments.

363
364 Mayor Samples: That's fine by me. Any comments? Okay.

365
366 Mr. Smith: Okay, the next paragraph nonresident residential property owners, vehicles including
367 golf carts, and when I use the word vehicle that means golf carts also. It's very similar to the first
368 paragraph, except for a few important facts, and I'm gonna read it, and then I'll explain it. All nonresident
369 residential property owners within the corporate limits of the town shall be entitled to one free decal for
370 one vehicle per property to be issued by the town only upon verification of proof of property ownership.
371 The name on the vehicle registration must be the same as the name on the property tax records to show
372 proof of property ownership. Additional decals may be purchased for the sum of \$40 for each additional
373 vehicle upon verification of proof of property ownership. Such decal will be placed on the vehicle
374 pursuant to instructions given by the town hall staff when obtaining the decal. The decal shall be valid for
375 the calendar year in which issued. Said decal will show (1) decal number issued, and (2) year for which
376 decal is valid. Such decal shall allow the vehicle to park free of charge in metered and pay station areas
377 when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only
378 designated parking areas when space is available. The paragraph is similar to the first one except for
379 nonresidents they only get one free decal, if you want more than one, you have to pay \$40 for it.

380
381 Mayor Samples: Questions or comments? The rules have been suspended. \$40 a pop for
382 nonresidents. Let's just throw this out, it doesn't matter who the house is titled to, deeded to, in terms of it
383 being a business or otherwise, right?

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385 Mr. Smith: Well, it says the name on the vehicle registration...

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387 Mayor Samples: Must be the same.

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389 Mr. Smith: ...must agree with the name on the property.

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Mayor Samples: Correct. So as long as the two names are the same, it's fine, right.

Mr. Smith: That's how I would see it.

Mr. Johnson: Often times rental properties are in the name of an LLC. I don't know how you would deal with it then.

Mr. Smith: If it's an LLC, it's probably not one owner. That means there are multiple owners and they would have a problem trying to get this one free sticker.

Mayor Samples: Well, the LLC, if they have a golf cart in the name of the LLC...

Mr. Smith: That's right, they could get it.

Mayor Samples: Right, okay. Alright, any other questions, comments?

Mr. Smith: And that one free sticker could be put on an automobile or a golf cart.

Mayor Samples: Or a motorcycle, so long as it was registered.

Mr. Smith: Yeah.

Mayor Samples: Okay.

Mr. Smith: The next paragraph has to do with the special issue decals, if you are fisherman and buy an annual pass you get parking in Yaupon parking lot. We felt it appropriate that this ordinance address that issue so it would be, so everybody would know about it. Paragraph 3, limited issues, special parking with the approval of town council, the town administrator may issue special parking decals, i.e. to purchasers of annual fishing passes. These special decals are limited to parking in Yaupon parking lot when space is available. These decals will be different color than the full time resident and nonresident property owner parking decal. That's the end of the paragraph.

Mayor Samples: Did I understand you to say Yaupon parking only?

Mr. Smith: Yes.

Mayor Samples: They get free parking in Yaupon, but if they park at the pier, they gotta pay.

Mr. Smith: If they park at the pier they gotta pay.

Mayor Samples: Unless they're a town resident.

Mr. Smith: Well, if they're a town resident then they would not need this decal.

Mayor Samples: Correct.

Mr. Smith: These are for people who buy annual fishing passes and live outside the corporate limits.

Mayor Samples: So these are for nonresident fishermen.

Mr. Smith: They would be the only one that would request it.

Mayor Samples: Is that the only special category?

446 Mr. Smith: Well, we made it kind of general so that if there were other categories that the council
447 cam up with you wouldn't have to change the ordinance. Council would just have to instruct the
448 administrator on what kind of categories.
449

450 Mayor Samples: Then I suggest changing it in other words to for example, but Micki will pick that
451 up, I'm sure.
452

453 Mr. Smith: Okay. We do expect Micki to correct it, the proper English for the ordinance.
454

455 Mayor Samples: Okay, any other comments?
456

457 Mr. Smith: Okay, the next one, I wasn't quite sure in working with Beth how to put this, so we just
458 put it as a note, and it's to make sure that the people over in Deerfield and all and the commercial guys
459 feel like we're treating them right. We said this, beach access parking, all golf carts registered,
460 unregistered, commercial, may park free of charge in all beach accesses when space is available, except
461 where prohibited by signs. There're some beach accesses where they have signs that says no parking.
462

463 Mayor Samples: Yeah, emergency vehicles and that sort of thing. Absolutely.
464

465 Mr. Smith: In other words, they couldn't park in the parking areas where there're pay stations
466 where there are signs that say you have to pay.
467

468 Ms. Kohlmann: I don't want to throw you under the bus, Mark, but I was rather hoping that Mr.
469 Johnson would've come up with something, cause I know that this has been a thorn in your side for a
470 while, so I'm looking forward to hearing there's some, cause I don't really have a preference on the beach
471 accesses. I put this in here so that we would remember to discuss it, cause it is something that needs to
472 be discussed. So I'm not so sure, I don't park down there at the beach accesses, and I know you do, and
473 you feel strongly about it. So, I'd like to know your ideas about it.
474

475 Mr. Johnson: Speaking with other residents, I just think that there is a parking problem or lack
476 thereof parking spaces in many beach accesses. Sometimes it's insanely crazy down there trying to get;
477 it's like trying to get ten pounds of potatoes in a five pound sack, so to speak. Up to this point, you know,
478 I was pretty lenient to go along with everything. But, I feel pretty strong about the beach access.
479

480 Mayor Samples: So what are you suggesting?
481

482 Mr. Johnson: Well, right now I mean it's; basically what this does is nothing. I mean it continues
483 what's being done now. I don't know. We could use stickers; require stickers there. I don't know.
484

485 Mayor Samples: Again, this is for nonresidents?
486

487 Mr. Smith: Yes, nonresidents and commercial.
488

489 Mr. Johnson: And commercial.
490

491 Mr. Smith: In other words, anyone with a golf cart could park at the beach accesses free of
492 charge, except where prohibited.
493

494 Ms. Mabry: Well, rather than taking up the meters, and letting anybody park anywhere, and so
495 far we're there, if we sold passes for golf carts in neighboring areas, I don't have a problem with that. But
496 they need to bring some value. Now going to a beach access with your golf cart, you're not help, you're
497 not contributing to any of the amenities that we have provided. You're taking up a parking space that a
498 resident may want to use, and you know, we want to be good neighbors. But what did we put the meters
499 down there for? Why do we have pay stations, if we're gonna eliminate anybody that could possibly
500 come to Surfside Beach and give 'em free parking. We're gonna give it to anything with a motor on it, if
501 you live in town. We're gonna now give it to you, if you fish. And now we're gonna give it to you if you

502 have a golf cart and you live across the street. Why did we even put pay stations in or meters. It was so
503 that we could continue to improve our beaches to make them as pristine and desirable as they can be.
504 So I would actually like somebody to come and visit and put a dollar in, and this is where we get our
505 money. So I'd prefer 'em to park at a pay station.

506
507 Ms. Kohlmann: Point of information, Mr. Mayor. The fishing sticker, doesn't that go with the
508 pass, Micki, when you get a license for fishing, do you get one of those, or do they have to buy that, or
509 are we now giving, cause I got lost in that translation there.

510
511 Ms. Fellner: You get a sticker as part of the whole package.

512
513 Ms. Kohlmann: It's part of the package, so we're not adding that. We just put that in this paper to
514 clarify this law for everybody. I don't believe it's been on paper anywhere, right? I couldn't find it
515 anywhere

516
517 Ms. Fellner: I know that at one time it was on the website, but I don't believe it's there anymore.
518 But there used to be a charge when Mr. Booth first started, when Yaupon lot first came out. But there,
519 that has not been the case for a long time.

520
521 Ms. Kohlmann: Okay, I just wanted to make sure that people didn't think that we were now giving
522 away a free fishing sticker. It is included in part of the pier fees that are paid and those fees, as we all
523 know, bring in a lot of revenue to this town. Thank you.

524
525 Mayor Samples: Thank you. (**) I'm sure I should've known; I didn't know, and that kind of
526 explains why fishing brings in quite a bit of revenue also then I would suggest.

527
528 Mr. Smith: Fishermen tend to stay down there for very long times, so if they are not residents of
529 the town, to encourage 'em to buy the annual pass, I think that's why the town is giving 'em that parking
530 sticker, but requiring them to park in the Yaupon lot.

531
532 Mayor Samples: That's where they're required, Yaupon?

533
534 Mr. Smith: Yes.

535
536 Mayor Samples: We have no signage that indicates any of that, right? None whatsoever. I just
537 think...

538
539 Ms. Fellner: That's because the only people with regard to the Yaupon lot. They're issued a
540 yellow sticker. It's a totally different color than our regular decals.

541
542 Mayor Samples: Is that what those mean?

543
544 Ms. Fellner: Yes, that means the only place you can park is in that lot, and those are only issued
545 to fisherman. So when they get issued, their package that they buy, their annual pass, when they go in
546 there and purchase that, they're given, they're told that they can come up here and then get that annual
547 sticker. We don't let them dispense those stickers down there.

548
549 Mayor Samples: And all that was conveyed to Lanier?

550
551 Ms. Fellner: Yes.

552
553 Mayor Samples: Okay, okay.

554
555 Ms. Fellner: It was to both Carrie Loomis and Scott Diggs that we had that arrangement.
556

557 Mayor Samples: Well, I mean it has to be otherwise what happens if you got a change in
558 personnel or it's not, you know, it's one of those things that might fall through the cracks.
559

560 Ms. Fellner: Right and all of those are tied to an actual name, vehicle tag number.
561

562 Mayor Samples: Okay. Thank you.
563

564 Ms. Mabry: Mr. Mayor, could we put some language in there to denote that decals for annual
565 fishing passes are automatically given. I think that would clear that up a great deal.
566

567 Mayor Samples: My expectation is after we come out of here tonight there will be clear
568 instruction to staff to draft a revised ordinance, hopefully for a first reading at which point I'm sure we'll all
569 be studying it again.
570

571 Mr. Smith: Let me just also make a comment. After we get this done, I think it would be
572 advisable for staff to have some written rules that could be laminated and handed to the people who do
573 the parking enforcement so that they clearly have some rules as to which they can follow and they don't
574 have to remember what to do, but it's written down for 'em. But, getting back to the beach access
575 parking, I just feel that this year, we need to let the golf carts park free at the beach accesses when space
576 is available, and I fully understand that we might get overwhelmed, but it's not gonna be every day. It's
577 gonna be July the 4th weekend. So all the other times we're gonna have plenty of parking for golf carts at
578 the beach accesses, and I just think it's a good idea to allow that. Mr. Mayor, would you like me to go to
579 the next paragraph?
580

581 Mayor Samples: Everybody in agreement?
582

583 Ms. Mabry: No.
584

585 Mr. Johnson: Mr. Mayor, I would just like to point out that at this point nothing on the beach
586 accesses would change.
587

588 Mayor Samples: Correct. Let's move on.
589

590 Mr. Smith: Okay, the next...
591

592 Ms. Kohlmann: We need to make it a little less painful. I would like, again, I said it at the last
593 meeting, maybe if, and I'm not saying an elaborate plan, but I really firmly believe that it would benefit all
594 of us if we had a comprehensive plan that could take place over a period of time so that your needs, you
595 know, the needs of the people that park at the beach accesses could be addressed. We're not going to
596 solve all of this tonight. We already know that, and I think it's really important to see it down on paper so
597 that can tweak it where it needs to be tweaked, instead of watching staff go back and do double the work,
598 and I think that's really important and I would like this council to have a consensus to figure out a way to
599 direct staff or work with staff to do that.
600

601 Mayor Samples: Well, I think, if I could, that's why we're here, we're having a special meeting,
602 okay, is to go through this. You know, I know it's an arduous process. There's no doubt about it. Before
603 we leave tonight, I think we have some real business issues that we have to address and that we should
604 come up with some resolution that isn't in 9-16, but we have an obligation. We've got a season going on
605 down there. One of the things we don't want to happen is to discourage business in our town on Ocean
606 Boulevard, and the fact is that people do get ticketed. We all knew when we hired a private for-profit firm
607 and made them responsible for writing tickets they were gonna do a bang-up job, okay. If anybody had
608 any doubt about it, rest assured they're writing tickets, okay, and we haven't even started. So before we
609 get into the middle of the season, I believe it is incumbent upon us to continue to go through the details.
610 You're right, we're not gonna resolve all the issues. There are some important issues that we, by golly,
611 better figure a way out to resolve. So, Mr. Smith, if you would continue.
612

613 Mr. Smith: The next section is golf cart registration required. Most of these words are in the
614 current ordinance with just a few changes, but I'm gonna read it as is, as we've written it. Golf cart
615 registration required. Registration decals shall be issued for golf carts. This decal is only for identification
616 and informational purposes only. This is not a parking decal. All persons and businesses owning golf
617 carts within the corporate limits of town, including those entities which may lease, lend, borrow or
618 purchase golf carts for the purpose of renting to the public shall register their golf carts with the town
619 police department. Proof of ownership and liability insurance is required. Golf cart decals shall be placed
620 by police staff in such a manner that would enable the registration decal to be clearly visible to the
621 operator of the golf cart while being operated. The issue decal will show (1) registration number, (2)
622 years for which decal is valid, and (3) all applicable golf cart rules. (i) Full time residents and nonresident
623 residential property owners shall pay a fee of \$2 per golf cart. Decals shall be distinguished by blue
624 lettering on a white back ground. The South Carolina State golf cart registration must have an address
625 within the corporate limits of the town. I'd like to stop there and get discussion on that paragraph.
626

627 Mayor Samples: I don't have a problem with it.

628 Mr. Smith: Okay.

629 Mayor Samples: Anyone else?

630 Mr. Smith: Okay, next paragraph, commercially owned golf carts shall be charged a fee of \$5 for
631 each golf cart. The decal shall be distinguished by white lettering on a red background. The registration
632 decal shall state paid parking only, meaning that operators of commercial golf carts must pay applicable
633 fees while parking at meters and in pay station areas. That was added for clarification. That's the end.
634

635 Mayor Samples: Thank you. Any comments?

636 Ms. Dodge: I commend Councilman Smith. I think this is well written. I think it's clear. If
637 somebody has a problem with this, or a question, if they read it carefully, they'll find the answer. Thank
638 you.

639 Mr. Smith: Mr. Mayor, I can't take full credit. Ms. Kohlmann was a big participant. Fact is, she
640 did a lot of it, too.

641 Ms. Dodge: And also to Ms. Kohlmann. Thank you.

642 Mayor Samples: Well, I commend all of us for coming out and doing the work, and we still got a
643 lot more work to go. So are you saying we're done with 9-16?

644 Mr. Smith: As far as I'm concerned.

645 Mayor Samples: Okay, we're done with 9-16.

646 Ms. Herrmann: I know that you've addressed the portions that you want changed, but we need to
647 make sure that council's intentions to leave the disabled veterans, and Purple Heart, and handicapped,
648 and employee stickers, if you intend for that to remain...

649 Mr. Smith: That remains the same.

650 Ms. Herrmann: Thank you.

651 Mayor Samples: Appreciate that.

652 Mr. Smith: Fact is,

653 Mayor Samples: I misspoke. You're right, those are three items at the end.

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Mr. Smith: These paragraphs A and B correspond to the current paragraphs, A and B. Paragraphs C and D do not change, and E does not change.

Mayor Samples: Let me ask, Councilman Smith, would it be appropriate to address the business concerns that were raised to us in this section or in another section or not at all?

Mr. Smith: I think this is the time to do it, because we are talking about parking decals, and so now I believe is the time to do it, to talk about the business concerns.

Mayor Samples: Any other comments? Any other members? Ms. Kohlmann?

Ms. Kohlmann: *(No response.)*

Mr. Stevens: We definitely need to address it.

Mayor Samples: Do you have any suggestions?

Mr. Stevens: We need to come up with something for all service vehicles. You know, we have, naturally we have the real estate companies that have to do their work, that have to check people in, check people out. We have people helping, going down there and do work like plumbers, FedEx, UPS; so there's a lot of different services people that are gonna be down there.

Mayor Samples: Do you have any suggestions? That's alright. That's fine.

Mr. Stevens: Possibly some type of (**).

Mayor Samples: Mrs. Dodge, do you have any suggestions?

Ms. Dodge: I like the idea of their having either a placard that goes on the dashboard that identifies exactly who they are, or a decal of some sort. But the placard, I think, would show up. Any of our policemen driving by would see that.

Mayor Samples: How about Ms. Mabry? You got any suggestions?

Ms. Mabry: Yes, sir. This is a common practice; you'll see it in Florida and a lot of places, they do get a placard. Sometimes it does have a limited time on it. Most times it does not, and there's so many that would be given to each realty company. When they send their service workers out, they'll give 'em a placard. When they come back in, they'll turn it in. Because, like you said, there's [sic] emergencies also, and I want to make one point, if you go down to Dune Realty, and I'll say this one, their reservation area is probably from that aisle all the way over here and they have about 25 people taking reservations. They also have a slew of houses in Garden City, and a lot of other places. When they make that reservation, we prefer that they send 'em this way. But if it's gonna be so difficult for them, they're gonna send them to another house. That's just the way it's gonna be. So we want to make sure that we're inviting. The maids have to go in and clean, and they have a very short window. Saturday is not a good day for Surfside. That's check out and check in, normally, but that doesn't mean that some work doesn't go on through the week. Placards; we have to do something to accommodate. They are paying our taxes, so we have to be careful about how we handle this, and handle it responsibly.

Ms. Kohlmann: I agree with the placards, as well; however, how are we gonna handle the independent people that do have business licenses in town that take care of the pools, that clean houses and condos? It's not only about the real estate companies. There are a lot of independent people. I know I use them. Young kids starting out, but they pay a business fee. So how do we control that, as well?

724 Mayor Samples: Well, you know, what I would suggest is there's no perfect solution. What I
725 would suggest is that the predominance of business and revenues that are raised in this town; I'll say it
726 again, they come down from the R-3 district. It's from R-3.
727

728 Ms. Kohlmann: But those people are working in R-3 district. I know that for a fact. They're doing
729 the pool; I'm saying they don't come out of Dunes. I'm not looking for an argument. I'm giving you facts.
730

731 Mayor Samples: What would you suggest?
732

733 Ms. Kohlmann: I don't know. I've heard a lot of suggestions.
734

735 Mayor Samples: Very good.
736

737 Ms. Kohlmann: Can I finish, sir.
738

739 Mayor Samples: Please do.
740

741 Ms. Kohlmann: All I'm doing is making a suggestion. If I don't have a suggestion for every single
742 thing, that's not a bad thing to do. I'm just saying we need to look at the independent business people.
743 That's all I'm asking. I don't have the (**)
744

745 Mayor Samples: I have a suggestion to make for the independent business people. What I
746 believe we should do is sell an annual pass at a fee that they can deal with. It's a cost of doing business,
747 just like getting a business licenses to do business in the town. I believe they would be happier to pay the
748 one-time fee for a pass, than to get the \$25 ticket, to worry about being towed, to be running down to the
749 meter in the middle of a job; once again, it's just simply to sell them a parking pass. Now we have a
750 different issue when it comes to the larger what I call mini-hotels that are managed down there, like by the
751 Dunes Realty Company, because on a regular basis as we said, on Saturdays, they're managing their
752 operation. They're not managing their operation in Surfside Beach. This creates kind of an impediment.
753 So I'd like to hear from them. As you said a placard of some form; with the administrator's input might be
754 the way to go. But in terms of having every landscaper, every pool company, every plumber, every air
755 conditioner man, every tradesman having a placard, no, no, no. I think we should sell them a sticker. I
756 also believe, frankly, that we should offer that same sticker to people who live in Deerfield; people that
757 live in the Surf Club. I think that we're talking about raising revenue, which is something that we're
758 interested in. It will make people happier by charging them a one-time fee and letting them park as
759 opposed to ticketing them. Again, we're gonna ticket plenty of people this year; not we, we're gonna say
760 it's Lanier. We're gonna say it's not me ticketing you. It's Lanier Parking Management. It's our
761 responsibility. So, I think that we, again, just to keep it simple, I think we sell a sticker to anyone who
762 wants to buy it, and then we have to work with the larger businesses that butter our bread. They have a
763 decision to make; are they gonna put them in Garden City, are they gonna put them on the neck further
764 south, or are they gonna put 'em in Surfside Beach. That's just my comment. You may not agree, and
765 you're certainly entitled not to agree, but we have a problem that we need to address.
766

767 Mr. Smith: Mr. Mayor, do you have a suggested price for this sticker?
768

769 Mayor Samples: I bet Micki has a suggestion, if she were forced to come up with one, because I
770 know she has been looking at what the rates are at the state parks and other places. I know she's happy
771 to do this.
772

773 Ms. Fellner: I'm actually not happy to do this (*laughter.*) I abhor the thought of parking placards.
774 That is just an invitation to all kinds of abuse. It is one of the worst methods. Having said that, because
775 we purchased new technology, merchant validation codes are a definite possibility, and some part of
776 recoupment of that percentage-wise, if council wanted to do that, there are a lot of alternatives, but they
777 need more time than five minutes here to discuss, and we need probably, I need to have someone from
778 Lanier come and talk to council just about the different, and it would be probably Carrie Loomis, about the
779 different use of validation codes. I am told that there is not a problem putting that in place, so that would

780 be certainly my suggestion; not any kind of a placard situation. These are totally traceable and they can
781 be limited to an hour, a day, whatever. It's a matter of programming the technology, and then you know
782 exactly who's using that, and you know exactly where they're using it, and you know exactly what time
783 they're using it, and it's traceable back to that merchant that you're giving that validation code to. So, that
784 would be my recommendation. With regard to price for stickers for people that aren't from this area, I
785 know that people charge everything. I mean they tried to do one for, I believe, Isle of Palms at \$65, \$75.
786 It's whatever the market bears. We have the cheapest parking. We're a dollar an hour. We've got south
787 of us, \$1.25 an hour; north of us we got \$1.50 an hour, so we're a pretty big bargain right now. It's
788 whatever the market will bear. Is \$75 outrageous? If I lived in Deerfield, I'd pay \$75.

789
790 Mr. Stevens: It's \$75 for how long?

791
792 Ms. Fellner: For a seasonal pass.

793
794 Mayor Samples: Season.

795
796 Mr. Stevens: Okay.

797
798 Ms. Fellner: But, you know, it's whatever council feels the market will bear.

799
800 Mayor Samples: Again, just to follow up on that, and to piggy-back on something that I heard
801 earlier, we're feeling our way through this first season.

802
803 Ms. Fellner: Yes, sir.

804
805 Mr. Stevens: Point of information, Myrtle Beach website, Lanier Parking. The number you can
806 call is 626.7275. I called them personally...

807
808 Ms. Mabry: Point of order.

809
810 Mayor Samples: Ms. Mabry is calling a point of order.

811
812 Ms. Mabry: Point of information...

813
814 Mr. Stevens: This is a point of information.

815
816 Ms. Mabry: Point of information is only to be used to either to address the chair or to ask
817 permission to address another councilmember to get information. It's not to give information to the
818 audience.

819
820 Mr. Stevens: Okay, well, you're right. I'll do it in a minute.

821
822 Mayor Samples: Thank you.

823
824 Mr. Smith: I think I would like to ask Ms. Fellner if she could tell us what the parking fees are in
825 Myrtle Beach for a annual pass, or weekly pass, or daily pass. Do they have those things?

826
827 Ms. Fellner: I'm actually not aware of that. I will look into that.

828
829 Mr. Smith: Alright, and then the other question, could you tell me, the validation code is
830 something you would enter at the pay station by way of a cell phone or what.

831
832 Ms. Fellner: You could enter it by way of a cell phone. It could be a number of different ways. It
833 could be a card, you know, there are many different ways to do it, but it would all be traceable back to
834 that.

835

836 Mr. Smith: And you could also do it at the parking meters.

837
838 Ms. Fellner: Yes.

839
840 Mr. Smith: Okay.

841
842 Ms. Fellner: At the new meters, not the old meters.

843
844 Mr. Smith: And would this validation code, for example, be able to say you couldn't park at the
845 pier?

846
847 Ms. Fellner: You could make it specific to any different pay station or any of the new meters.

848
849 Mr. Smith: Okay, for example, if you are changing the linen at a beach house, you don't need to
850 be at the pier, you need to be in front of that beach house.

851
852 Ms. Fellner: That's correct.

853
854 Mr. Smith: If you have a big condo, they have a big parking lot, so you don't need to be parking
855 out front. On Saturdays, people are going and coming and there are a few hours in there where the
856 parking lots are at least only half full and not fully full.

857
858 Ms. Fellner: That's correct.

859
860 Mr. Smith: Okay, and Mr. Mayor, I'd like to ask Mr. Stevens if he could share with us the
861 information he has on Myrtle Beach annual passes and so forth.

862
863 Mayor Samples: Mr. Stevens, would you care to share your information.

864
865 Mr. Stevens: Thank you, Mr. Mayor. I called up Lanier Parking, I called up their office. Their
866 rates, if you park on a parking meter on a street, for bi-weekly, weekly rate is \$30, anywhere, any parking
867 meter on a street in Myrtle Beach. If you park at their garage, which we don't have one, it's \$60 a month.
868 They do not sell an annual pass in any way, shape, or form. You either pay by the hour, by the day or by
869 the week, or by the month if you're at the parking garage. Their daily rate, and this is off their website, if
870 you park by the day, it's \$6 per day. If you park there at the hourly rate, it ranges from a dollar to \$1.50,
871 depending on the location and demand.

872
873 Mayor Samples: Is that it?

874
875 Mr. Stevens: That's it.

876
877 Mayor Samples: Let me clarify something, cause I take exception to the, there are two classes of
878 people that we're talking about. I have the business license people, they're ~~due~~ a rough breakout in
879 terms of the number of rentals down on the boulevard. I think there's about 900 of 'em. We've got
880 probably 80-percent of those are covered by four, that's how many you'd need, four companies, major
881 companies. The merchant validation, or whatever it's called, is probably a good idea. I would hate to get
882 it to be so specific that it winds up taking the housekeeper, if you will, a lot of time connecting to that
883 specific meter, if that's where, in front of the particular condominium, because I think you may, we may
884 stop getting any rentals in the Town of Surfside Beach. You know what I'm saying?

885
886 Mr. Smith: Yes, Mr. Mayor, I'm not interested in being that specific.

887
888 Mayor Samples: Thank you. But the other piece, and I do support it, make no bones about it, I
889 support selling annual passes to people that are nonresidents, but who live nearby, okay. I believe that
890 choice is the right thing to do, quite frankly. I also believe that if we price it right that the town will benefit.
891 People buy timeshares all the time, for example, because they're buying a dream. Many of those people

*doing scrivener's error
dh*

892 don't use those timeshares, but they've already purchased it. So I think it would be; so I like the idea of
893 selling the annual passes, because I don't like the idea of ticketing them either. Also if we sell 'em out of
894 town hall, annual passes out of town hall, I'm gonna speak plainly, I don't think Lanier has, I don't think
895 there's any reason why Lanier would even be involved. I mean unless the contract, unless it's an
896 exclusive agreement, which I don't remember any of that language in the contract, okay, don't remember
897 it being in the contract. The town will collect an extra, we will avoid paying for Lanier, okay, to collect the
898 funds, which I think is a plus for the town, to the tune of 6.5-percent. Again, there'll be fewer tickets
899 issued, because they'll have an annual pass and they'll come back. But that's just my view.

900

901 Mr. Smith: Mr. Mayor, a question for you. We would sell these also to small businesses who
902 were not maybe entitled to a validation code, they could buy these.

903

904 Mayor Samples: Seems to me it'd be a logical alternative.

905

906 Mr. Smith: Okay. Mr. Mayor, to be honest with you, I'm not really in favor of it. But I see the
907 justification for it and so I'd like the administrator to work on some language for an ordinance, and some
908 prices that could be presented to us in ordinance form that would say this is how much it would be and
909 this is what you'll be getting for annual passes, and also some language as to how we would do a
910 validation code, and to find out if Lanier needs to be, their contract needs to be changed if we do annual
911 passes, and so forth. I think we need to stay on the right side of that contract.

912

913 Mayor Samples: Well, I agree everything you said. There is no exclusive agreement. Council
914 never offered an exclusive agreement, okay. Let's be clear, unless something was done... Well,
915 anyway, I agree with you a 100-percent. I don't want to see the town giving away 6.5-percent of the
916 revenue just because somebody has a contract; there's something different. We don't pay anything for
917 the stickers that people use who live in the town. There's no benefit derived from that. Anyway, so I
918 wouldn't be so concerned about that, Mr. Smith.

919

920 Mr. Stevens: In the litigious society we're in before I would do anything, I would prefer that we
921 have the attorney look at the contract, that we make sure that we are stepping on solid ground, and not
922 paper thin ground. I certainly don't want to crash down in a septic tank full of you know what, because we
923 violated a contract. We have been sued before, and we can be sued again. So I think it's in the best
924 interest of the citizens of this town before we do anything, we have the attorney look at it.

925

926 Mayor Samples: That goes without saying in a contract matter, and I would just like to say that
927 we had attorneys reviewing everything we did in the past also...just as a point of information.

928

929 Ms. Herrmann: Mr. Mayor, may we pause to change the tape?

930

931 Mayor Samples: Yes, ma'am.

932

933 Ms. Herrmann: Thank you.

934

935 Mayor Samples: Just to remind you, because I know you weren't serving at the time, we had
936 lawyers reviewing everything we were doing then, also.

937

938 Mr. Johnson: I would just like to point out that I concur with Councilmember Smith on directing
939 the town administrator on those issues.

940

941 Mayor Samples: Thank you. Alright...Ms. Mabry.

942

943 Ms. Mabry: I just want to say that I concur with the passes, and I know that I can get up here and
944 give a lot of facts and figures, because that's just what I do, and that's just who I am. Any way council
945 goes is fine, but you need to know what it's costing you every step of the way, and I hope that I've pointed
946 that out today. I also wanted to say that the passes are usually a money maker for a town. Many times
947 you'll get promotional where for \$10 you get a little books and nobody ever redeems 'em. So that's a big

948 money maker for any business. I think that if you sell passes enough, and we keep the price right, and
949 we have a lot of them sold, people might come five times. They might come three times. They think
950 they're gonna every day; they never do, and it could be a real benefit to the town. So it's something we
951 need to take very seriously and look into it at least.

952
953 Mr. Smith: After Ms. Mabry's comments, I would like for staff to give us some type of financial
954 analysis as to if we sold these passes, what impact it might have on the revenue.

955
956 Mayor Samples: Right. Just anecdotally, and I agree with you, I think that's a good thing to do.
957 It came to me today, we did sell passes for \$40 to nonresident property owners, and we sold a total of
958 five. We sold a total of five for a total of \$200. So we looked into how we marketed that, and we
959 determined that there was no marketing done at all. What I would say is that since this parking season,
960 since the nonresident people have learned through the grapevine that they get free parking stickers, free
961 parking stickers now. We've had one person come in who's a nonresident owner and you know how
962 many stickers they got? They got seven, cause they've got seven vehicles. Okay, and what I'm saying is
963 I've at that counter myself. It's been lined up; nonresident people. People are smart.

964
965 Mr. Stevens: Nonresident property owners or nonresidents?

966
967 Mayor Samples: Nonresident property owners coming in, getting their free parking passes. All
968 I'm saying is last year, before when we had it and we didn't market it, we didn't collect much money. We
969 didn't market it. This year it's free, and everybody knows they're coming and getting 'em, okay. It's a
970 failure of marketing. Business people know they have to market. The government doesn't do a very
971 good job marketing. I suggest that if we adopt an annual pass and we market it, that we'll do very, very
972 well, anecdotally. Alright, what I would like to do, unless there are objections, to go back to 9.1 and let's
973 just run through. I'm gonna start off by just hollering out the 9-1, anybody got a comment, bring it up. I'd
974 like to do this one time thoroughly.

975
976 Mr. Smith: Mr. Mayor, before you get to that, I'd like to make a change to Article II down in the
977 bottom where it says State Law References, because of the new golf cart law, I think we should reference
978 Section 56-2-105, Golf Carts. That refers to the new golf cart law about being able to drive four miles.

979
980 Mayor Samples: Four miles from your gate.

981
982 Mr. Smith: Yes. At the bottom of the page add these words, SC Code 1976, Article 56-2-105,
983 Golf Carts.

984
985 Mayor Samples: Thank you. Definitions, anybody want to change any definitions? I guess not,
986 because it's under state law. Okay, 9-2, it says jurisdiction and municipal court. I guess it, and the word
987 is may, so we don't need to change this particular section is my reading, but I'm no lawyer. The bottom of
988 the page it will say CD9:3, are you there?

989
990 Mr. Smith: Mr. Mayor, do you think that we should reference our resolution that refers to the
991 contract with Lanier in this section.

992
993 Mayor Samples: No.

994
995 Mr. Smith: Okay.

996
997 Mayor Samples: No, I don't think you should ever reference a contract in an ordinance.

998
999 Mr. Smith: Okay, okay.

1000
1001 Mayor Samples: Any other question; comments?

1002
1003 Mr. Johnson: No.

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Mayor Samples: First let me say y'all have had time to read this, I hope. Okay, thank you. Next is 9-3, 9-4, 9-5, 9-6, 9-7.

Ms. Dodge: Mr. Mayor, I know I've made the statement in regard to intersections. State law doesn't directly say intersection. It calls it a stop light, or a stop sign. But, anyway, that would mean an intersection and it is 30 feet, according to the law.

Mayor Samples: Where are you referring to?

Ms. Dodge: Section 9-7, No parking places within 30 feet of an intersection. I just wanted to clarify that, because I did make a mistake twice.

Mayor Samples: Okay.

Mr. Smith: No changes.

Mayor Samples: No changes? Okay.

Ms. Kohlmann: Are you up to ...

Mayor Samples: Just through 9-7. Okay, everybody good? Definitions, 9-8.

Mr. Smith: We've got some changes there.

Mayor Samples: Yep, we do, don't we. Would you care to suggest some.

Mr. Smith: I'll be glad to suggest mine.

Mayor Samples: Excellent.

Mr. Smith: Under parking meter, it means a mechanical, add the words or electronic, device.

Mayor Samples: Okay.

Mr. Smith: And down at the last line in that paragraph where it says persons depositing a coin or electronic payment.

Mayor Samples: That shows up a couple of places, I think.

Mr. Smith: That's right. And under the pay station, requires a monetary or electronic payment, add the words or electronic.

Mayor Samples: Everybody agree?

Ms. Kohlmann: Yes.

Mr. Smith: And in the next paragraph it says pay station area. In the second line it says payment of US money or electronic payment, and in the fourth line down, mechanical or electronic pay station device.

Mayor Samples: Very good. Any other changes? Definitions. Anybody want to change the charges? Okay, that's 9-9. Section 9-10, method of using; failure to deposit coins or pay at pay station.

Mr. Smith: Mr. Mayor, after the word coins add electronic payments, or an electronic payment. You want me to continue?

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Mayor Samples: Yeah, I do.

Mr. Smith: Okay, in paragraph (a) in the second line it says United States or make electronic payments; then in the fourth line, the sentence that says deposit of a coin or electronic payment. In paragraph (b) the third line whether it be by cash, or by bank, or by credit card, or electronic payment. In paragraph (c) without ...

Mayor Samples: May I stop you, a question I have in the same area. They get a parking voucher receipt and they're supposed to leave it on their dashboard.

Mr. Smith: For a pay station?

Mayor Samples: Yep. Where would they leave it for a golf cart?

Mr. Smith: The steering wheel.

Mayor Samples: Okay.

Mr. Smith: Should we add that?

Mayor Samples: I don't know. Dashboard is probably good enough. Alright.

Mr. Smith: Paragraph (c) last line, installed without depositing a coin or making an electronic payment.

Mayor Samples: Okay. You want to take this; carry us on.

Mr. Smith: That's it for that section.

Mayor Samples: Section 9-11; 9-12, Overtime parking. I'm not sure I know what that really means. Do we allow parking overnight, Micki?

Chief Keziah: There is an ordinance where you cannot park overnight in a beach access, after seven.

Mayor Samples: Okay, that's my question.

Chief Keziah: After the meters are, after they quit checking the meters, then they can park there, but they're not allowed to park overnight.

Mayor Samples: That's just for pay stations?

Chief Keziah: No, that's any of the beach parking, or parking lots for the beach access.

Mayor Samples: What about now where we have parking meters in front of the condominiums?

Chief Keziah: I'll have to look that up.

Mayor Samples: Just a question that we need to clarify.

Chief Keziah: There's a specific ordinance for the beach accesses, but we're talking about parking.

1114 Ms. Kohlmann: I think he's right, it's just strictly for the beach accesses, like Melody Lane. The
1115 park, wherever you can park a car up against where you can cross over the beach, it's illegal to stay
1116 overnight.

1117
1118 Unknown Speaker: In the parking lots.

1119
1120 Ms. Kohlmann: Yeah, there wouldn't ever be an ordinance for parking overnight on Ocean
1121 Boulevard. That's why we have meters now, but there is no regulation right now stated in the books that I
1122 could find, like you said, but you cannot park overnight. So, at seven o'clock at night you could, if you're
1123 renting a house down there or you want to do whatever you wanna do, you legally can park your cars at
1124 the meter at seven at night and leave it there till seven in the morning without paying to park it.

1125
1126 Chief Keziah: You've just can't do it at a beach access.

1127
1128 Ms. Kohlmann: Absolutely.

1129
1130 Mayor Samples: Very good. Section 9-13; 9-14; 9-15; 9-17, Penalties. Is Lanier an authorized
1131 code enforcement official.

1132
1133 Unknown speaker: Yes.

1134
1135 Mayor Samples: They are?

1136
1137 Ms. Fellner: They are according to the resolution that Town Council passed.

1138
1139 Mayor Samples: Okay. They are gonna notify, they're gonna provide written notice after 30 days
1140 of issuance of a parking ticket if it hasn't been paid?

1141
1142 Ms. Fellner: They will handle everything with the debt setoff, yes, sir.

1143
1144 Mayor Samples: Okay, the ordinance says that we'll provide written notice in (j) the end of the
1145 ordinance, a written notice shall be sent to the registered owner of the vehicle after 30 days of issuance of
1146 the parking ticket if it has not been paid. So they're gonna do that.

1147
1148 Ms. Fellner: Yes, sir.

1149
1150 Mayor Samples: Okay.

1151
1152 Mr. Smith: Mr. Mayor, 9-17, paragraph (h) the last line, public safety department should be
1153 changed to police department.

1154
1155 Mayor Samples: Paragraph (h) towing, huh? Very good. Any other changes?

1156
1157 Ms. Kohlmann: I have a question. Micki, I'm sorry, when Lanier issues a summons, does it go to
1158 our town's municipal court?

1159
1160 Ms. Fellner: No.

1161
1162 Ms. Kohlmann: It says here under line (d) violators shall appear and be subject to the jurisdiction
1163 of the town's municipal court.

1164
1165 Mayor Samples: Absolutely.

1166
1167 Ms. Kohlmann: So we need to change that to where they go.

1168

1169 Ms. Herrmann: Mr. Mayor, the resolution that the Council adopted specifically states that town
1170 has no jurisdiction over tickets issued by Lanier. However, our police department also issues tickets and
1171 this would apply to the tickets issued by our police department.

1172
1173 Ms. Kohlmann: Then we need to have different wording in there.

1174
1175 Mayor Samples: Yeah, I agree with you.

1176
1177 Ms. Kohlmann: The verbiage is off, cause if you take it out...

1178
1179 Mayor Samples: You need to clarify it. Let's make the distinction, and I would say that also
1180 applies to (e) violators shall have a right to a jury trial upon proper request.

1181
1182 Ms. Kohlmann: Is the administrator gonna do the words on that, or do we need to do it?

1183
1184 Mayor Samples: I have confidence in the administrator.

1185
1186 Ms. Kohlmann: I was just clarifying it so that we didn't come back and not finish it.

1187
1188 Mayor Samples: Any other comments? Good thing you got back, Rodney. Alright, is it the
1189 desire, what is the desire of Council to have an ordinance drafted, a revision drafted?

1190
1191 Mr. Smith: Yes.

1192
1193 Ms. Dodge: Yes.

1194
1195 Ms. Kohlmann: Yes.

1196
1197 Mayor Samples: Thank you. Okay.

1198
1199 Mr. Smith: Mr. Mayor, do we need to go into regular session and have a consensus or a vote?

1200
1201 Mayor Samples: Please, yep, need a motion to return to regular session.

1202
1203 Mr. Smith moved to reconvene regular session. Ms. Mabry seconded. All voted in favor.

1204 **MOTION CARRIED.**

1205
1206 Mr. Smith moved to direct the town administrator to revise the ordinance on parking decals and
1207 motor vehicles and traffic as mentioned in this discussion tonight. Ms. Dodge seconded.

1208
1209 Ms. Kohlmann: Mr. Mayor, I just wanted to make sure that the part with the selling of the stickers
1210 outside, are we gonna wait on that, or is it gonna be included in that.

1211
1212 Mayor Samples: It's gonna be included.

1213
1214 Ms. Kohlmann: We didn't come up with a conclusion on the fees or any of that stuff, so how do
1215 we do that?

1216
1217 Mayor Samples: Well, again remember, we go first reading, second reading, and so nothing is
1218 concrete until you adopt it and it becomes concrete and then ...

1219
1220 Ms. Kohlmann: Alright, I just wanted to clarify that.

1221
1222 Mayor Samples: ...you gotta come back and clarify what it was when it was concrete, if you get
1223 my drift. So again, I don't mind making the point. I would like to see it in there. At least I'd like to see
1224 council discuss it, because, well, for the reasons we discussed earlier, okay.

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Mr. Johnson: Yes.

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

Mayor Samples: I guess you have your direction. The last item is we need to go into executive session pursuant to the Freedom of Information Act, Section 30-4-70-(a)(1).

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

Mr. Smith moved to enter executive session at 8:07 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Mr. Smith moved to reconvene regular session at 8:53 p.m. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

Mayor Samples: No action was taken during executive session.

Ms. Kohlmann moved to authorize the town administrator to appoint Rodney Keziah chief of police. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

5. ADJOURNMENT.

Mr. Smith moved to adjourn the meeting at 8:54 pm. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

Respectfully submitted,


Debra E. Herrmann, CMC, Town Clerk

Approved: April 23, 2013


Douglas F. Samples, Mayor


Mary M. Mabry, Mayor Pro Tempore


Ann Dodge, Town Council


Mark L. Johnson, Town Council


Elizabeth A. Kohlmann, Town Council


Roderick E. Smith, Town Council


Randle M. Stevens, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on the Town marquee. When (**) is used, a section of the transcription is inaudible. Public Comments are verbatim. Council Comments are mostly verbatim, with the exception of aside comments, i.e. interjections, partial words, redundant words, requests for the floor, and acknowledgement of speakers.