



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 12, 2013 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER.

Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, Kohlmann, Smith, and Stevens were in attendance. A quorum was present. Others present: Town Administrator Fellner; Planning Director Morris; Fire Chief Cimini; Police Captain Miller; Public Works Director Adair, and Town Clerk Herrmann.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

Father Ron Greiser from Church of the Resurrection was unable to attend. Councilmember Johnson gave the invocation. Mayor Samples lead the Pledge.

3. PUBLIC HEARING.

Pursuant to SC Code §6-29-520 Mayor Samples declared the hearing open at 6:31 p.m. for the purpose of hearing public comments about the draft 2012-2022 Comprehensive Plan that is required to be adopted pursuant to §6-29-530.

"Ralph Magliette, Harbor Lights Drive. Very quickly, when I had a chance to look through the, the comprehensive plan, on part two, other services and facilities, I noticed that the South Strand Senior Center was not listed as a facility. We list the public library, which is run by the county, but we don't list the county South Strand Senior Center, so I'd like that to be included in the list for the comprehensive plan. Thank you."

Mayor Samples said that was a good suggestion, and called for other comments. There were none, so Mayor Samples closed the public hearing at 6:33 p.m.

4. AGENDA APPROVAL.

Ms. Kohlmann moved to approve the agenda with amendments that that council enter into executive session to meet with the town attorney immediately; that Business Item B. i. first reading of Ordinance #13-0766 to allow docks on town lakes be deferred, and that Business Item A. i. second reading of Ordinance #13-0864 be moved to Business Item B, first readings of ordinance. Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**

Mr. Smith moved to enter executive session at 6:34 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Ms. Dodge moved to reconvene regular session at 7:07 p.m. Mr. Stevens Seconded. All voted in favor. **MOTION CARRIED.**

Mayor Samples said no action was taken during executive session.

5. MINUTES APPROVAL.

Mr. Stevens moved to approve the minutes of the October 22, 2013 workshop as submitted. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

Mr. Stevens moved to approve the minutes of the October 22, 2013 regular meeting as submitted. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

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

58
59 "Ralph Magliette, Harbor Lights Drive. I'm here as the director at-large for the Harbor Lights
60 HOA, and I'd like some clarification, please. We're gonna have second reading of Ordinance 13-0765 to
61 accept Harbor Lights roads into the town road system, and I have a question. I have read the minutes
62 from the previous meeting and there was discussion that the town was going to take over the cost of the
63 street lights, and there was some conversation going back and forth. I don't know if I understand it
64 correctly, but we have decorative street lights, and that if damage was done, hit and run damage was
65 done to one of our street lights there would be an additional fee that the HOA would have to pay for,
66 because it wasn't a standard pole hanging street light, and my question is, since I walk around the town, I
67 see decorative street lights on Ocean Boulevard and Surfside Drive and the pier, so my question is if
68 those street lights are provided for the, by the Town of Surfside Beach, why would we have to be
69 assessed an additional amount, if, God forbid, one of our street lights was knocked down than the
70 standard fee, and the second question that I had, talking to, about the bill that we have from Santee
71 Cooper. We lease our street lights, and if they're damaged, the lease covers repair and replacement.
72 There's no additional fee beyond the lease that we pay for, so I'm just looking for clarification on those
73 two points before final adoption of the, that ordinance, please. That's all I have. Thank you."
74

75 "Hi. My name is Ron Whitcomb, 103 Harbor Lights Drive. First of all, thank you for letting me
76 speak, and thank you also for visiting again the situation on the docks on the lakes. I'm really happy to
77 hear that that's being brought up again. One thing about it is, most of the people that I've spoken to that,
78 that are in favor of having a dock are not really looking for anything too huge. So, I, I, I just ask that
79 maybe this isn't over-thought too much. We're not looking to dock the *Queen Mary* or anything on any of
80 these; just small docks are what most people are really looking for, and also as far as the way we feel
81 about it, I think, is it's a personal freedom kind of thing. This is, I'm big on that, and it's one of the reasons
82 I moved to South Carolina, which is one of the leading personal freedom states in this country, and it just,
83 it's being able to use the lake a little more by having a little dock is just something that many of us would,
84 would like the ability to do. I understand there's people that are against this and there's people that are
85 for it. The people, I believe, that are against it, they don't want a dock and they don't want anybody else
86 to have a dock. They want no docks. I would ask the town that if you do decide to give us docks, we'd
87 like them to have their personal freedom. We don't think they should be required to put in docks just
88 because we want docks. So, that's pretty much it. Appreciate your thoughts on it. Thank you very
89 much."
90

91 "Mr. Mayor, Council. Good evening. Shelby Smith, Cedar Drive North, Surfside. I wanted to talk
92 briefly about exercise. In the recent senior survey, the top two things on that survey, number one was
93 walking, number two was exercise, gym workout. So, as a member of the senior..."
94

95 Mayor Samples interrupted asking which item the discussion related to on the agenda.
96

97 Mr. Smith: "D. Recommendations from the Senior Committee. So, exercise is very popular, and
98 it's good for all, and especially seniors. This year, I turned 70, and I've had the opportunity over the last
99 45 years to be in the world's most highly recognized study of aging at Johns Hopkins University. Every
100 three years I would go up there for a three day, full hospitalization, and from 6 a.m. to 6 p.m. it's full
101 testing all areas of the body, and it's a longitudinal study of aging, and exercise is the key thing for
102 seniors. I recently wrote an article, and, for a national golf foundation, and in this article I make reference
103 to this national institute of aging, and it's a long name, and I always have trouble remembering it, National
104 Institute on Aging Advance Studies and Translational Research on Aging, and the aging realities are
105 consistent with these findings from this group. Adults on the average lose about 10-percent of their body
106 strength by age 40, and then another 12- to 18-percent by age 65. Into the 70s, 80s, and 90s, physical
107 activities and exercise helps stabilize the strength and muscle loss to 8- to 10-percent per decade. So,
108 aging is a great accomplishment in life. I always like the, up at the Grand Strand Regional [Hospital], you
109 go in the rehab center, and the little sign there said it's a privilege; aging is a privilege unfortunately,
110 denied to many. So, we're in Surfside Beach, and the seniors recreation and exercise is popular, so we
111 have a recommendation coming for individual exercise stations down at [the] passive park. There're,

112 there are three down there now, and there's a grant that would allow for 80-percent of the cost of these
113 units to be taken care of (*time ended*) by the grant. So, I'm recommending that we take a look at this. It's
114 a beautiful park."

115
116 Mayor Samples said thank you, time had ended.

117
118 Mr. Smith continued, "(**)" simplicity of it, and the cost is \$1,500."

119
120 Mayor Samples said thank you again, the point was well-made.

121
122 "Good evening. Ron Ott, 7th Avenue North. I'm surprised to hear that we have a section with
123 decorative lights and the town wouldn't support it. I, I see other decorative lights in other spots, too. I'm
124 sure the Town Council approved this. I think we could dig a little deeper and take care of that community.
125 It's a beautiful community, take care of the lights in there, and the senior citizens recommendations, if you
126 look around there's, we're full of senior citizens, aren't we. We have a lot of people (**), there's only two
127 or three people in here that don't fit that. I find that hard to imagine why we wouldn't be supporting a
128 senior citizen development. I don't know. We could all get together and play cards, bingo or something,
129 or arm wrestle. So, I, I hope you support the senior citizens center and everything about it, cause it is a
130 good thing, because I know I'm there. Thank you."

131
132 **7. COMMUNICATIONS.**

133
134 **A. Employee Recognition, James Behrens, 5 years.** Mayor Samples said that Mr. Behrens
135 could not attend this evening.

136
137 **B. Department Reports.**

138
139 **i. Fire.**

140
141 Chief Cimini presented the written report, a copy of which is on file. The department ran 70 calls
142 during October that included 7 fire runs; 39 medical calls; 2 hazardous conditions calls; 5 service calls; 6
143 good intent calls, and 11 false or accidental alarm calls. That was an increase of 23 calls over the same
144 period last year, most of which were service and medical calls. There was no dollar loss during the
145 month. There were five new volunteer applications pending background checks and committee
146 interviews. There were 104 fire prevention activities during the month; that number included Fire
147 Prevention Week. The first annual Fire Prevention Week open house was held October 12th. Over 500
148 children and adults visited the fire house. Chief Cimini thanked the Golden Egg Restaurant, Firehouse
149 Subs, A&I Fire and Water Restoration, and the SAFER (Surfside Area Fire and Emergency Responders)
150 who donated resources need to hold that event. He believed everyone that attended had a good time.
151 Career personnel and volunteers spent 483.45 hours in training; 408 hours were spent responding to
152 calls, including time spent at the Family Festival and the various fire prevention activities during October.
153 Captain Williams conducted required training to comply with standards, including a night drill that was
154 required by ISO (Insurance Service Organization.) Chief Cimini said he could not say how proud he was
155 of the volunteers who spent almost 850 man hours serving the town. During the past six months the
156 volunteer ranks have grown from 11 volunteers to 28 volunteers. The town's first junior firefighter was
157 going to be introduced by Captain Williams after this report. She was following her father's and brother's
158 example as they both were town volunteers. Thanks to Engineers Tom Zimpleman and Terry Grady, the
159 1920 Fire Pumper truck was repaired on their own time, and it will lead the town's Christmas parade.
160 SAFER provided finances for the repairs. Chief Keziah and he were still working on the volunteer
161 fire/police program. Some interest was expressed and Chief Cimini hoped to report progress next month.

162
163 Chief Cimini said he had 54 years in fire service, working in several communities. He has never
164 worked with staff that was as incredible as the Surfside Beach staff. Public works was asked to help get
165 the fire department get ready for fire prevention program. The fire station looked awesome; they did a
166 great job. He said all the departments worked together very well and were quick to help with events.

167
168 Captain Williams introduced Hailey Osiecki, the town's first junior fire fighter. (*Applause*) Ms.
169 Osiecki has done an outstanding job. She already completed CPR (Cardio Pulmonary Resuscitation),
170 first aid, and the required National Incident Management System (NIMS) classes. Hailey is well liked in
171 the fire department. Captain Williams said she is 15-years old; the program includes ages 15 through 18.
172 Next year, she will start the fire fighter classes in January, so she'll be the first female firefighter starting
173 as a junior fire fighter and moving through the ranks. Chief Cimini said Hailey already learned how to set
174 up the aerial, which demonstrates how energetic she is about learning the job. (*Applause*)
175

176 Ms. Kohlmann was touched by last paragraph in the report, but the Chief summed it up pretty
177 well. Being from a law enforcement background, she knew that fire and police departments did not
178 always see eye-to-eye. Chief Cimini had done a terrific job of blending the departments. It shows every
179 day in the town in the way men and women conduct themselves. She commended the police and fire
180 departments and staff saying they were all shining. She congratulated Hailey, and said she looked
181 forward to seeing her.
182

183 Ms. Mabry understood there were many very strict requirements to be a junior fire fighter,
184 including school grades. Chief Cimini said that was correct. Junior fire fighters were required to maintain
185 a "B" average. If they fail in doing so, the parents will notify the department. That was not punishment; it
186 was an effort to get the students help with their class work. The junior fire fighters are required to
187 participate in exercise and other programs. Captain Williams has done an outstanding job refining the
188 program so the department can attract young people that can grow in the ranks. The current average
189 age of fire fighters is 54.5 years, even though most never quit. A second female applicant wants to join,
190 which will create bonding opportunities with the female volunteer fire fighters. The program will help
191 guide the junior fire fighters as they grow and mature. The department provides education resources; the
192 computer in the library was where Hailey completed the NIMS 100, 200 and 700 classes that are required
193 for all staff, even councilmembers. It is good education, tunes computer skills, and some other things as
194 well. The whole process is not just teaching these young people to be fire fighters; they are being taught
195 responsibility, maturity, community respect and involvement.
196

197 Mr. Smith asked for a reminder about the Neighbors Savings Neighbors Program. Captain
198 Williams said the program will be held on Thursdays from 1:00 p.m. to 3:30 p.m. and from 7:00 p.m. to
199 10:00 p.m. The first session will be Thursday, November 14th; training will include CPR (Cardio
200 Pulmonary Resuscitation) and first aid. Information on identifying heart attacks and strokes will also be
201 presented. Chief Cimini added that the program is free to town residents, but there is a nominal fee for
202 nonresident participants.
203

204 **ii. Planning, Building & Zoning.**

205

206 Ms. Morris presented the written report, a copy of which is on file. The number of permits being
207 issued continues to increase with 166 permits issued in October 2013 compared to 104 in October 2012.
208 Two stormwater plans were reviewed and staff constantly removes signs from the rights-of-way. Staff
209 met with homeowners and contractors to consult about upcoming projects that were delayed until the
210 summer season ended. FEMA (Federal Emergency Management Agency) conducted the town's
211 community assistance visit. The assessment found no violations; staff has education above the standard
212 requirements and the town ordinances were being enforced. Amendments will be presented at this
213 meeting to the flood ordinance to comply with state code. Staff has worked very closely with the South
214 Carolina Flood Mitigation office to satisfy them that the ordinance complied with state code. The
215 department is due for the ISO (Insurance Service Organization) rating; two scheduled meetings were
216 cancelled due to conflict of the ISO coordinator. Staff is prepared whenever the coordinator notifies them.
217 Ms. Morris hoped the ISO rating would go down since all three planning, building and zoning department
218 staff members were now certified.
219

220 Mayor Samples asked with regard to the Bigger Waters legislation and the dramatic increase
221 coming in flood insurance premiums for second homeowners and investors, if it was feasible for the town

222 to strive to reduce the current CRS (Community Rating System) rating of 9, because there were discounts
223 with better ratings. Ms. Morris said staff was striving to get the rating lowered. There were two certified
224 flood plain managers now, and the permit technician and the building official are going to take certification
225 classes next year. Each certified staff member helps to lower the rating. The regional FEMA coordinator
226 recommended that staff evaluate the freeboard [*freeboard is the space between the FEMA required*
227 *construction level and the bottom of the structure*] that the town has, which is a foot above the FEMA
228 requirement. The town could go to two or three feet higher, because most construction already meets
229 that level. The town lots are so small that most construction is done so that parking is beneath the home.
230 Once a structure is over four feet, there is no additional discount. Staff will certainly consider advancing
231 the freeboard and bring a recommendation to Town Council at a later date. Mayor Samples said that
232 would definitely benefit the town.
233

234 Mr. Smith asked what the current height requirement was. Ms. Morris said it is one foot above
235 the FEMA required flood elevation. The AE zone requires at least 13 feet above mean sea level. Many
236 lots within the zone already meet the requirement, so if they build a three foot crawl space, there would
237 be an advantage insofar as flood insurance. In the V zone, the velocity zone, which is right on the water,
238 the requirement is right above the lowest horizontal member [*the lowest point on the bottom of the*
239 *structure*]. All of those properties meet that requirement, because they have parking beneath the
240 structures, so there is some savings in flood premiums. Staff would like to adjust the flood ordinance to
241 require the maximum freeboard.
242

243 **iii. Police**

244
245 Captain Miller presented the written report, a copy of which is on file. Even though the
246 department was busy, there was a 9-percent decrease in service calls with a corresponding decrease in
247 citations. Two full time police officer positions were filled. Jim Amundsen converted from part time to full
248 time status. Joey Mutto, a town resident who graduated from the Citizens Police Academy, filled the
249 second vacancy. Sergeant Bailey successfully completed driving instructor recertification, so he will be
250 instructing the officers in emergency vehicle operations. Chief Keziah, Lieutenant Hofmann, and
251 Sergeant Bailey attended the South Carolina Training Officers Conference held in Myrtle Beach.
252 Investigator Sliker and Corporal King attended marijuana analysis recertification classes that are required
253 for agencies that perform their own marijuana analysis testing. Sergeant Bailey attended fire arms
254 instructor recertification training at the South Carolina Criminal Justice Academy. All officers will
255 participate in fire arms training this month. All sworn personnel attended in-service training during
256 October that included policy reviews for use of force, which is required, practical training in vehicle
257 training, defensive tactics and taser recertification, which reduces the town's liability. The department
258 participated in the Surfside Beach Family Festival. Captain Miller and others were in the dunking booth
259 raising \$700 for South Carolina Special Olympics. Communications officers Christina Mueller and Christi
260 Norton graduated from the South Carolina Criminal Justice Academy three-week basic jail certification. In
261 addition to their certified dispatcher designations, they now hold certified detention officer certifications.
262 The certified detention officer certification will allow them to assist officers when female inmates are
263 brought into the station. Captain Miller said a phone call was received from a visitor whose vehicle broke
264 down during October. Sergeant Black stopped to assist and went the extra mile to get the individual
265 home. The individual called saying they were impressed to see an agency willing to help somebody
266 visiting the town. Captain Miller said they agreed. The department is sponsoring two programs in
267 December: (1) a town meeting will be held to discuss the town ordinances and enforcement, and (2) the
268 second program that might be incorporated into the town hall meeting will be called "Coffee with Cops"
269 will be a partnership with a local business to offer free coffee and pastries to the attendees and provide
270 another venue to have citizens interact with law enforcement. The surveillance camera system was 100-
271 percent operational. Staff was really impressed and happy with the cameras. He invited everyone,
272 including the public, to come view the system.
273

274 Mayor Samples said they were very proud of the department's work and efforts. Comments he
275 heard on the streets about the quick response times were terrific and he heard them often.
276

277 Ms. Kohlmann said, because she was sure that Chief Cimini wanted to, that they might want to
278 partner with Krispy Kreme Donuts for the Coffee with Cops! (*Laughter*) Chief Cimini said they needed to
279 serve pastries, not donuts. (*Laughter*)

280
281 **C. Administrator's Report – Update on Current Events.**

282
283 **i. Update on Current Events.**

284 Ms. Fellner reported that

- 285
286
- 287 • Surfside Beach magazine production was on schedule; advertising sales to date equal
288 approximately \$19,852
 - 289
 - 290 • Installation of the welcome sign at Melody Lane and US Highway 17 was completed
291
 - 292 • The CTC funds distributed for road paving was revenue derived from gas tax. An apportionment
293 of \$2.66/gallon gas state wide was collected by the Department of Revenue and deposited with
294 the County Transportation Fund in the State Treasury. Funds remain there until SCDOT (South
295 Carolina Department of Transportation) requests disbursement. Funds were not held in the
296 SCDOT account. Funds were apportioned based on
297
 - 298 ○ 1/3 county land area to the total land area in the state
 - 299 ○ 1/3 of the ratio of the county population to the total population of the state
 - 300 ○ 1/3 of the ratio of rural road mileage in the county to the total rural road mileage in the
301 state

302
303 The counties then disburse the funds for transportation improvements via an application process
304 according to need and municipal impact. The only caveat was that 25-percent of the total amount
305 of the funds disbursed by the county must be for state rural road improvements.

- 306
- 307 • An Excel spread sheet was completed that includes all information including serial numbers,
308 meter numbers, and locations for each of the POM meters, so equipment can be easily tracked.
309 The town's parking equipment is segregated from other equipment as follows
310
 - 311 ○ The nine pay stations are stored inside the parking pavilion garage. Each pay station has
312 its own serial number.
 - 313 ○ Each modem has its own IP (Internet Protocol) address, which is associated with each
314 pay station. These pay stations are DPT's newest versions, which are not utilized by
315 Myrtle Beach, so they not only look different, but all the parts only work in the town's pay
316 stations.
 - 317 ○ POM meters are also stored inside the parking pavilion garage and occupy three storage
318 racks. Each of these meters have their own number, which coincides with which street
319 they belong on, and have park mobile zone location numbers that are specific to Surfside
320 Beach. The inside of each meter has Surfside Beach's rates and hours of enforcement
321 listed on the mechanism.
 - 322 ○ The Duncan meters and bases that were used at the 13th Avenue South parking lot are
323 also stored on those shelves. They are the only Duncan meters on the property, so they
324 are clearly recognizable as Surfside Beach property. No parts are interchangeable with
325 any other meters.
 - 326 ○ The 30 IPS meters that were a trail run this year have been shipped back to IPS. If the
327 town chooses to purchase them for the 2014 season, they will send brand new meters.
 - 328
 - 329 • DDC Engineers has completed the specifications and plans for the 3rd Avenue Swash. The
330 public notice was published. She expected an early January bid letting, if the permit process with
331 both DHEC-OCRM (South Carolina Department of Health and Environmental Services –

Department of Ocean and Coastal Resource Management) and the US Army Corp of Engineers went smoothly.

- DHEC has issued the MS-4 NPDES (National Pollutant Discharge Elimination System) permit after completing numerous changes to the May draft. The changes were in anticipation of stricter rules by the EPA (Environmental Protection Agency.) It is currently under review to determine, what, if anything, will directly impact the town's stormwater program. Any changes, of course, would be presented the stormwater committee for recommendation to Town Council.
- The winter paving projects began this week. Letters were sent on November 4th to residents in the affected areas. The information was also posted on the town website. Paving will be done at 14th Avenue South from Dogwood Drive to Highway 17; Oak Drive North from 1st Avenue to Myrtle Drive, and 13th Avenue North from Ocean Boulevard to Cedar Drive North. Subject to weather delays, all of the paving projects should be completed in one week.
- The enhancements at Magnolia Lake on 16th Avenue North between Magnolia and Palmetto Drive were completed. The total project cost, including materials, but not including staff salary or fringe as the work was completed in-house, was \$2,546.24, which was well under the budgeted amount of \$5,000.
- The 6th Avenue South project to fill in the retention pond was almost complete. Cost to date is in last year's budget. There was \$3,375 to Earthworks Group for wetland permitting and surveying in the prior year's budget. Expenditures in this year's budget are \$2,720 to Earthworks for the contract, which included the site plans, the stormwater NOI (Notice of Intent) for DHEC, and the drawings, and also materials in the amount of \$3,217.35. Some special equipment had to be rented to complete this project.

ii. Consensus Item – Pier Open to Patrons during Winter Months.

Ms. Fellner asked Town Council for concurrence to keep the pier open for winter hours from December 1, 2013 through February 13, 2014 from 7:00 o'clock a.m. until 7:00 o'clock p.m., except for a two week period for construction in the parking lot and the pier restaurant roof. The work is tentatively scheduled for the first two weeks in December. Pier Outfitters confirmed that it would be closed those dates. **COUNCIL CONCURRED.**

7. BUSINESS.

A. Second Readings of Ordinances

i. #13-0764 to amend §§13-52, 13-57, 13-60 & 13-61 Planning, Building and Zoning Fees, Director Morris. Clerk's Note: Please see Item 4, Agenda Approval for the approved motion that moved this ordinance to first reading.

Mayor Samples welcomed Horry County Councilmember Paul Price, who just arrived at the meeting.

ii. #13-0765 to accept Harbor Lights Roads into Town Road System, Director Morris.

Ms. Morris said Town Council adopted first reading of this ordinance to accept the roads into the town's system at the last meeting. Repairs were made the streets where trucks had damaged them. The public works director signed off on the repairs. The certification of non-litigation was presented at the last meeting, and the letter of credit was approved by the planning department as well as the public works department. As far as the decorative lights, decorative stop signs and other signage in Harbor Lights, the town's Land Development Regulations stipulate that a subdivision has every right to install decorative lights, etc.; however, the town will only replace any damaged fixtures with standard fixtures. There are

387 several other subdivisions in town that have very nice decorative lighting, but those subdivisions are
388 planned developments and the respective homeowners associations pay the fees and take care of the
389 fixtures. The decorative lights on Surfside Drive and Ocean Boulevard are maintained at the town's
390 expense, because that is public property and were put in place to beautify the town. Those particular
391 lights are not in a subdivision. Ms. Morris reiterated that decorative lighting and signage could be used,
392 but once the town accepts the rights-of-way and streets the town would only be responsible for the cost of
393 standard lighting and/or standard signage, if any fixtures needed to be replaced.

394
395 Mayor Samples understood Ms. Morris to say that accepting the Harbor Lights streets and rights-
396 of-way was being done consistent with the existing Code of Ordinances. Ms. Morris said that was correct.
397

398 Ms. Kohlmann said the town has a beautification committee, and the town encourages
399 beautification. Harbor Lights installed nice lights and the owners did have a point. If someone took out a
400 light pole on 14th Avenue South, it would be replaced with the same type decorative pole. She asked if it
401 would go against town ordinance if the wording for the replacement fixtures was changed. Ms. Morris
402 said that was correct; the Land Development Regulations would have to be amended. Ms. Kohlmann
403 said so the council's hands were tied with this. Ms. Morris said that was correct.
404

405 Mr. Smith said the decision paper states that the homeowners association could pay the extra
406 cost and get the decorative lights, and asked if that was correct. Ms. Morris said that was correct. She
407 personally spoke with the management agent for the association. The agent was in contact with Ms.
408 King, the town's finance director, and the association seemed to be willing to pay any extra required to
409 get the decorative fixtures, because it was a very minimal amount. Mr. Smith said as long as they can get
410 them by paying a little extra, they would probably be happy, because they like their pretty lights. Ms.
411 Morris said they are very attractive; they look really nice.
412

413 Ms. Mabry asked if the town had decorative lights on public property. Ms. Morris said yes. Ms.
414 Mabry said there are no decorative lights throughout the neighborhoods; those are standard lights. Ms.
415 Morris said the decorative lights located in neighborhoods are in planned developments. There are no
416 decorative lights in the neighborhoods. Ms. Mabry said there are standard lights up and down 15th North.
417 Ms. Morris said correct.
418

419 Mayor Samples said there are some exceptions. When the underground wiring project was done
420 on 14th Avenue South, decorative lighting came with the package, because part of the underground wiring
421 plan was to improve the looks of the utility poles for the lights.
422

423 Mr. Smith moved to approve second reading of Ordinance 13-0765 to accept Harbor Lights roads
424 into the town's road system. Ms. Mabry seconded.
425

426 Mr. Johnson said to this point, he intentionally kept quite. He thought in the future the Land
427 Development Regulations should be reviewed to address this question, because beautification was a key
428 component of improving the town. He would like to refer the Land Development Regulations insofar as
429 they pertain to lighting to the planning commission for review.
430

431 Mayor Samples asked if that was Chapter 15. Ms. Morris said that was correct, it would be
432 presented to the planning commission for a recommendation to Town Council.
433

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

435
436 **B. First Readings of Ordinances.**

437
438 **#13-0766 to allow Docks on Town Lakes, Councilmember Kohlmann and Councilmember**
439 **Smith.** Clerk's Note: This item was deferred by approved motion, see Business Item 4, Agenda
440 Approval.
441

442 **i. #13-0764 to amend §§13-52, 13-57, 13-60 & 13-61 Planning, Building and Zoning Fees,**
443 **Director Morris.**
444

445 Ms. Morris said the ordinance was presented at the last council meeting, but was only discussed.
446 There was a lot of confusion, because of the manner in which the ordinance was written. Corrections
447 were made to clarify the ordinance, and the existing and proposed changes were highlighted. The fees
448 were increasing, but they would not be as high as surrounding areas fees. Staff would like to have fees in
449 line with other areas without competing for business. The goal was to increase fees, but still encourage
450 development in town. She said there was discussion about structures with big square footage, but small
451 dollar values. Ms. Morris said she and the building official discuss the proposed change and determined
452 that the code should state "valuations for new construction, additions, renovations, repairs, or remodeling
453 shall be determined by the use of 2012 International Building Code or the latest adopted edition thereof
454 on a total square foot basis, and the valuations for new construction shall be determined by Section 13-
455 52(a) or (b) whichever was applicable, which is construction of a single family or a commercial building."
456

457 Mayor Samples asked if a public hearing was required. Ms. Morris said a public hearing was
458 required. Mayor Samples asked Ms. Morris to schedule the public hearing outside of the regular council
459 meeting. Ms. Morris said that could be done.
460

461 Mr. Smith moved to adopt first reading of Ordinance 13-0764, Building and Zoning fee changes.
462 Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**
463

464 **ii. #13-0767 to adopt 2013 Comprehensive Plan, Director Morris.**
465

466 Ms. Morris presented the decision paper, a copy of which is on file. The planning commission
467 worked on the comprehensive plan for the past year. The commission was proud of its accomplishment,
468 and she was proud of the commission members for taking the time to perform the detail work and the
469 persistence on accuracy. After the first draft was presented to council, the planning commission
470 members brought changes forward that had already been done. Every department director also assisted
471 with providing information and making corrections. The senior center would be added, that was an error
472 to omit it. Every five years the plan must be reviewed and changes made; then every ten years, the plan
473 must be completely rewritten, which is what was being presented for approval.
474

475 Mr. Smith had many suggestions and moved to suspend rules to allow discussion. Mr. Johnson
476 seconded. All voted in favor. **MOTION CARRIED.**
477

478 Mr. Smith wanted corrections to page 58 in the paragraph about the council is the legislative and
479 administrative body. In the council form of government, the council is both legislative and administrative.
480 On page 9, annexation is discussed and is also mentioned in other places in the document, he wanted
481 stronger language that the council was not necessarily in favor of annexation, but it was willing to look at
482 it, but there was not a strong interest in it.
483

484 Mayor Samples agreed with Mr. Smith's intent.
485

486 Ms. Mabry said as one councilmember, she liked the language the way it was stated. She did
487 want to explore some annexation on businesses. She was afraid if language was used that was too
488 strong, future councils may not consider any annexation. When a member says "the council" feels one
489 way or the other, as one councilmember, she did not particularly feel that way.
490

491 Mr. Smith said that was the purpose of having the discussion, so opinions could be expressed.
492

493 Mayor Samples agreed with Mr. Smith in that he wanted to be very careful about annexation. In
494 fact, he said, a previous council adopted a policy that said no money would be spent or efforts made by
495 town staff exploring annexation. He believed that was a good policy. Before any initiatives are taken to
496 expand the town's corporate limits, he believed Town Council should clearly authorize it. He thought the

497 words in the plan were weak enough; they did not bother him. There was a particular section where a
498 number of acres was stated and asked if that had been removed. Ms. Morris said the acreage amount
499 was removed. Mayor Samples was very concerned about the town's quality of life when other's problems
500 were taken on by annexation. He suggested that Mr. Smith and Ms. Morris work together to offer a
501 solution.
502

503 Ms. Dodge said she opposed annexation. She liked the town the way it is. She was old
504 fashioned and stubborn, so she was going to speak out against annexation, if it was brought up.
505

506 Mr. Stevens agreed with Mr. Smith and Mayor Samples. Annexation was something the council
507 had to be very careful with. The only benefit that would be received from annexation at all would be by
508 annexing businesses. There was a section on Azalea Drive where businesses were located that could be
509 annexed, but other than that you would be talking about problems on top of problems.
510

511 Mr. Johnson iterated that this was the comprehensive plan; it was not a guide or a direction that
512 stipulates that annexation would or would not be done. It was simply a guide that the town should follow.
513

514 Mayor Samples said Mr. Johnson's point was well made, but he also appreciated other members
515 comments so there was no misunderstanding with respect to the effort or direction without first obtaining
516 clear approval. It is a plan.
517

518 Mr. Smith said if council approved the plan, this paragraph could be staff's direction, and that was
519 why care must be taken with the language in the plan.
520

521 Mayor Samples said the language is that annexation 'can;' it did not state 'will.' Ms. Morris said
522 neither did it state 'shall.'
523

524 Mr. Smith continued with his comments saying again on page 9 it states that accommodations
525 are estimated to lodge approximately 10,000 people during the peak summer months. He thought there
526 were about 30,000 people here during the peak summer months, which was the number used in the
527 police reports to justify the number of officers. Ms. Morris said the numbers could be checked.
528

529 Mayor Samples believed there was a difference in lodging counts and day visitors.
530

531 Mr. Smith continued referring to page 10, household size, the last sentence states long term
532 household size would depend on the influence of new residents. He believed 'influx' should be used. Ms.
533 Morris said that could be corrected. Page 16, Mr. Smith explained that he was a conservative and did not
534 like liberal words, in the second paragraph "to develop viable and sustainable economic policies," in his
535 opinion, the word 'sustainable' was a liberal-type word, so he wanted it deleted and the plan state
536 'develop viable economic policies.'
537

538 Mayor Samples took exception to deleting 'sustainable,' as there was clearly a dictionary
539 definition for sustaining. In his opinion, sustainable meant something that would be on-going. It did no
540 good to start something, and then have it fail the next year for whatever reason as that would be the
541 opposite of sustainable.
542

543 Mr. Smith disagreed with the word, but that was why they were given the opportunity to express
544 their opinions.
545

546 Ms. Mabry did not think sustainable was a liberal word. She thought it meant on-going.
547

548 Mr. Smith continued saying that on page 50 the table of Surfside Beach special events should
549 include the Movies after Dark, and the Turkey Trot.
550

Regular Town Council Meeting
November 12, 2013

551 Mayor Samples said the Turkey Trot would be discussed later in this meeting to determine
552 whether it would be an annual event or permission would need to be requested every year.
553

554 Mr. Smith said even if the coordinators request permission every year, it was usually approved,
555 so he thought it would be nice to leave in the schedule as one of the town's activities.
556

557 Mayor Samples said for that matter, the Guy Daniels Surf-off could also be included.
558

559 Mr. Smith believed Guy Daniels should be included. He thought that was the Ocean Expo.
560

561 Ms. Kohlmann said the Ocean Expo was no longer held.
562

563 Mayor Samples said the Ocean Expo was only held one year.
564

565 Mr. Smith said that page 50 had 'August Ocean Expo' and asked if that should be Guy Daniels.
566

567 Mayor Samples asked if Mr. Smith had many more comments.
568

569 Mr. Smith said he had three pages.
570

571 Ms. Kohlmann said Ms. Morris would appreciate members just going to her office to discuss
572 changes. If there are words that were controversial, by all means, Mr. Smith should continue.
573

574 Mayor Samples said this was first reading, and changed pages could be provided to council.
575

576 Mr. Smith said on page 69 the police discussed upgrading their facility. He wanted to know what
577 was meant. Captain Miller said generally it was referring to the space in the building. About one-quarter
578 of the building was the municipal jail and not useable square footage by staff. They have reached the
579 limits of space; he had three or four computer servers running in his office, which was not the usual
580 environment for computer servers. There were probably two dozen boxes of files in the records room;
581 records were being stored in a pod off site, because there is no more storage space. Mr. Smith asked
582 exactly what they were looking for, an additional conference room, or what. Captain Miller said some
583 office space and some record storage space; they were not looking for anything extensive, but there are
584 offices occupied by two or three people; they need usable floor space. Mr. Smith said increasing fire
585 staffing to four per shift and adding a full time fire prevention and public education officer were also
586 discussed on page 69, and asked for explanations. Chief Cimini said the requirement for four fire fighters
587 had been in the plan for several years. It was added when OSHA (Occupational Safety & Health
588 Administration) required two in and two out, which means that four fire fighters have to be on scene
589 before a building could be entered. However, a master plan was submitted to the town administrator that
590 addresses this by various options. Mr. Smith asked if these positions would be full time or on-call. Chief
591 Cimini said it could be handled either way. The full time fire prevention and public education officer would
592 be a full time fire marshal, which the town used to have on staff. Mr. Smith said he had one more
593 comment to offer that might be controversial. He referred to page 71, 6C, and said he was against the
594 town looking into an indoor exercise facility, because to support that type facility, you might need as many
595 as eight people on staff to support a gym or fitness center. He believed that should be deleted. The town
596 was small and did not have an unlimited budget.
597

598 Mayor Samples agreed with Mr. Smith, but read 6C, "*Evaluate the feasibility (speaker's*
599 *emphasis)* of a year-round, indoor health and fitness center." He recognized that when the evaluation
600 was done, that the presentation would have to pass through the administrator who would probably
601 determine that it would be a waste of time to present. Mayor Samples said he loved planning documents.
602 He remembered when the state adopted the requirement to have planning documents prepared for all the
603 municipalities. The fact of the matter was that it turned into a business for the councils of government to
604 shop their skills around to generate revenue. Having said that, Mayor Samples said he did not mean that
605 there was not some benefit. The point he wanted to make was that council should not kid itself over

606 whether the plan was 'gospel.' He appreciated Mr. Smith's effort. He said bringing up things like
607 annexation were a waste of time. Mayor Samples said he visited Ms. Morris about the priority investment
608 section. He hated that section, because there were millions of dollars of planned expenditures in it. This
609 was what came of the public comments and the planning commission recommendation. The council saw
610 how much input was received during the public hearing earlier in this meeting. This was a state
611 requirement. Mayor Samples said the council should meet the state requirement and move on.
612

613 Mr. Smith did not think things should be included to which the council objected. He did not want
614 to change things and have councilmembers say that he changed it, but they were in favor of it. On page
615 143, he thought the plan needed to include that outfall pipes to the swashes were unfunded capital
616 projects. He would meet with Ms. Morris to discuss his other comments so they could be presented at the
617 next meeting.
618

619 Mr. Stevens said he had glanced over the comp plan over and over. On page 69, he liked item
620 4C, continue use of citizen boards and advisory committees to provide input to town council and
621 administrator on major policy and public facility issues.
622

623 Ms. Mabry said the planning commission was very careful to use the words may and can; it does
624 not state that everything in the plan must be done exactly as it was stated. The plan gives an opportunity
625 to future councils who would serve three, four, or even five years from now. Those councils will have the
626 opportunity to adopt whatever they choose. It was not for this council to say; it was for this council to
627 consider, in her opinion, and not hold somebody's feet to the fire, because they did not like something.
628 The council has the opportunity to vote when a matter presents and say that it does not want to approve.
629 Ms. Mabry was very hesitant to change the commission's language. The commission opened the door; it
630 fulfilled the state's requirements. Council was not required to implement any of the comprehensive plan
631 recommendations, because of the way it was written. The council has the right to say no when a strong
632 objection is presented, because there was no money, there was no time, or the recommendation was not
633 feasible. The council needed to get the plan as correct as possible and move on.
634

635 Mayor Samples said for a 170 pages he was sure there were not too many changes to be made.
636

637 Mr. Stevens thanked the planning commission for its work on the plan saying it was
638 commendable.
639

640 Mayor Samples said it was remarkable.
641

642 Mr. Smith moved to reconvene regular order. Ms. Dodge seconded. All voted in favor. **MOTION**
643 **CARRIED.**
644

645 Mr. Johnson moved to approve Ordinance #13-0767. Ms. Kohlmann seconded.
646

647 Mr. Smith said in the interest of transparency he brought his concerns and changes to the
648 meeting. He could have done so in private with Ms. Morris, but he thought it was good to do it in a public
649 meeting so that they would know that some of the councilmembers actually read the document and take it
650 very seriously. Mr. Smith did not want staff to take action on some of the plans, spend money preparing a
651 study for the council, and then council vote against it, if council knew today that it did not favor it.
652

653 **Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson,**
654 **Kohlmann and Stevens voted in favor. Councilmember Smith voted against. MOTION CARRIED.**
655

656 **iii. #13-0768 to amend Flood Ordinance, Director Morris.**
657

658 Ms. Morris presented the decision paper that is on file. The proposed changes were to comply
659 with new FEMA (Federal Emergency Management Agency) regulations. The town had a Community
660 Assistance Visit on July 11th. Minor problems were found with the flood plain management regulations;

661 there were no other enforcement procedure problems, engineering, local flood plan management
662 program or the reports. This ordinance includes wording directly from the state model ordinance and will
663 be in compliance with FEMA.
664

665 Mr. Smith said it took quite a while from the July to get this done and asked if that was because of
666 dealing with slow response times. Ms. Morris said yes, as soon as the comments were received from the
667 visit, staff started working with state staff. Mr. Smith said now the council had a time constraint to get the
668 ordinance adopted by December. Ms. Morris said that was correct; a certified copy had to be submitted
669 by December 9th.
670

671 Mr. Smith moved to adopt first reading of Ordinance 13-0768 to amend the flood plain ordinance.
672 Mr. Johnson seconded.
673

674 Mr. Johnson asked if a public hearing was necessary. Ms. Morris said no.
675

676 All voted in favor. **MOTION CARRIED.**
677

678 **C. Festival Promotions, Mike Shank, Owner – request to hold Turkey Trot annually.**
679

680 Mr. Derrick McKnight presented on behalf of Mr. Shank who was in Florida on business and could
681 not attend. Mr. McKnight said that Festival Promotions had partnered with Surfside Rotary to hold the
682 annual Turkey Trot race on Thanksgiving Day. He appreciated the support from Town Council and
683 thanked Ms. Ellis and the police department for helping with the event during the past three years. The
684 request tonight was to approve the event as an annual event since it had been held consecutive three
685 years and he anticipated it continuing. Festival Promotions holds a Surfside Beach business license.
686 The event is the fourth largest road race in the area; almost 1,200 racers participate.
687

688 Mayor Samples asked what registration cost. Mr. McKnight said it was a fluid registration
689 beginning at \$25, as race day nears registration cost increases.
690

691 Mr. Smith asked how the administrator would get the proper documents to protect the town. Ms.
692 Fellner said it would be handled like any other event; a schedule would be given to Festival Promotions
693 and it would have to comply.
694

695 Mr. McKnight said Festival Promotions covers all the town's expenses, including paying the police
696 and other town employees that work the event. No taxpayer money is used for the race.
697

698 Mayor Samples asked if Festival Promotions was non-profit. Mr. McKnight said for profit, but it
699 was working with Surfside Rotary as its charity. Last year \$1,500 was presented to the Rotary. He
700 hoped more would be raised this year.
701

702 Mr. Stevens said Festival Promotions had been around for quite a while. It had done promotions
703 at Market Common and Myrtle Beach. They run a very efficient race, and he would be totally in favor of
704 supporting the request. Mr. McKnight said thank you.
705

706 Mayor Samples said he was in favor of it, but he was trying to figure out how the town could
707 generate some revenue. He asked how much was grossed on the town's race last year and how much
708 was reimbursed to the town. Mr. McKnight said about \$30,000; the police officers and town workers that
709 worked the event were paid by Festival Promotions. He did not have the dollar amounts. Mayor Samples
710 reiterated that the event had been supported for four years; but it sounded like business was good, too.
711 Mr. McKnight said the company did pay taxes.
712

713 Ms. Kohlmann said a business license was required for the company, and asked if an additional
714 license was purchased for the race. Mr. McKnight said no additional license was purchased for the

715 specific race. The event brought people in from 35 different states, Canada, the Virgin Islands, and the
716 District of Columbia, who all visited the town's businesses.

717
718 Mr. Smith asked if a lot of them stayed in the town's hotels. Mr. McKnight did not have that
719 information. Mr. Smith asked if they could be encouraged to stay in the town's two hotels. Mr. McKnight
720 said the packet pickup was done at the Surfside Beach Resort by the pier.

721
722 Ms. Kohlmann asked if Festival Promotions could consider something like a sports or running
723 scholarship for a local student in addition to the Rotary, just to start something new and different for the
724 town, because the event will grow and everybody wants to come here. Mr. McKnight said he would be
725 happy to meet with the Rotary Club to see what kind of scholarships they currently have and how they
726 could be enhanced. Ms. Kohlmann was asking for an additional scholarship. Mr. McKnight reiterated
727 that Festival Promotions had partnered with the Surfside Rotary and he would see what the company
728 could do to enhance its scholarships. Ms. Kohlmann said okay.

729
730 Mayor Samples asked what would happen if the event were just handled as it was in the past.
731 Mr. McKnight did not have an answer. Mayor Samples asked if other for profit groups conducted events
732 on an annual basis. Ms. Fellner did not believe any for profit events were approved.

733
734 Ms. Kohlmann said approval did not sit well with her, to be honest, because this is the Family
735 Beach. She wanted to see something coming back to benefit the children in the community. She
736 understood that all expenses were paid, but it was a for profit company.

737
738 Mayor Samples agreed.

739
740 Mr. Stevens said for profit companies attended the festival.

741
742 Mayor Samples said those companies paid for a license and set up. This was a special event
743 and his thinking was that it would be nice to grow the event and leverage it. Once permission was
744 granted to hold it annually, Festival Promotions would only be seen when it was time to make staff
745 available. Mr. McKnight wanted to be responsible, but the company did have limitations on the number of
746 racers it could have at this event, because of the parking lot size at the pier. Mayor Samples asked if
747 Festival Promotions bought advertising in the town's commemorative magazine. Mr. McKnight did not
748 know.

749
750 Mr. Smith said Mr. McKnight should speak with Ms. Fellner about the commemorative book.

751
752 Ms. Mabry asked if Festival Promotions promoted the town in any way other than the race was
753 held here and asked whether the registration packets have any information about in-town hotels,
754 restaurants or other businesses. Mr. McKnight said the Surfside Rotary contacts local businesses to sell
755 sponsorships for the race so the businesses can be involved and have their names in front of the runners.
756 The Rotary used to have a spring race that was not as successful as the Turkey Trot, so it decided to
757 focus on this one. Mr. McKnight reiterated that the locale could only handle so many participants; another
758 course would have to be identified if there were 2,000 to 2,500 registrations. The reason Festival
759 Promotions partnered with Surfside Rotary was to get the community involved.

760
761 Mr. Smith moved to grant permission for Festival Promotions to hold the Turkey Trot this year
762 only, and that Festival Promotions could make additional contributions to the town, and to try to determine
763 how many registrants stay in town lodging. Ms. Dodge. All voted in favor. **MOTION CARRIED.**

764
765 **D. Senior Citizens Committee Recommendations, Administrator Fellner.**

766
767 Ms. Fellner said many of the senior citizen recommendations go hand-in-hand with their survey
768 results regarding exercise. The recommendations were delivered to Town Council and also published on
769 the town website for public viewing. She specifically asked for a motion from the committee to bring it

770 forward to council, because funding was required. Up to this time, Ms. Fellner said she was flexible with
771 committees when expenditures were minimal, i.e., \$50 to a few hundred dollars. The senior citizens
772 committee is very active, and their plans involve large dollar amounts. The town's budget this year was
773 "skinny" and she was trying to comply with the budget. Ms. Fellner sought direction from Town Council
774 on whether the committee's recommendations should be funded. The final document titled "Year 2013
775 Surfside Beach Senior Citizen Survey and Recommendations," cites funding recommendations in the
776 total amount of \$6,720 for a number of items, including \$120 for sign up and publicity; \$1,200 for a digital
777 street map of Surfside Beach with locations of sidewalks, rest rooms, benches and bike racks; \$1,800 for
778 walking and bike path signage; \$3,600 for a PARD (South Carolina Parks and Recreation Department)
779 grant match that has an \$18,000 contribution by the state for four Life Trail Stations.
780

781 Ms. Kohlmann asked which bike paths were being referred to as she was unaware of any. Ms.
782 Fellner said the town does have a Greenway. It was laid out throughout the town and it met the
783 requirements. It was not a bike path, per se, but it was a part of the Greenway Plan.
784

785 Mayor Samples said you had to be here to know what happened.
786

787 Ms. Kohlmann remembered hearing about it years ago when she did not live in town. She did not
788 believe bike path signs should be placed when there were no legitimate bike paths. It was an awful lot of
789 money in a time when the town did not have money.
790

791 Ms. Mabry felt strongly that the recommendations should be budgetary items for next year. This
792 was a large amount of money that was not in this year's budget. The council was going to Pinopolis
793 where it can discuss the recommendations. She did not have an aversion to doing so, but to just give a
794 committee that kind of money even if it was something they really wanted, and it may be very good for the
795 town, it was a budgetary item. In the next budget, if it comes up then, she would be glad to discuss it at
796 that time.
797

798 Ms. Dodge commended Mr. Magliette and the committee for their work for the senior citizens
799 group. She could see the council funding some each year over a period of time, and those things could
800 probably change and grow, and maybe there would be more money available in the budget. But she
801 could not see the council right now funding \$18,000 or something to that effect. If the items were broken
802 down comfortably, she thought some of it might be funded over a period of time.
803

804 Mr. Stevens said to clarify, it was not \$18,000. It was \$3,600; 80-percent was paid by grant
805 funds. He said we are a town of senior citizens, and he actually fell in that category himself. More and
806 more people were retiring in town, so he would like to see Mr. Magliette's and the committee's
807 recommendations come to fruition. He understood that it would be a budgetary item, but it was definitely
808 something the council should consider, because seniors make up the majority of the town. Mr. Stevens
809 said he was basically in favor of the recommendations. He would like to see if it could happen, but he
810 knew it was a budgetary item.
811

812 Mr. Smith thought the recommendations were good, but said council should wait until next year's
813 budget. He suggested that they work on getting the life trail station grants and time them so that the grant
814 would come due the first part of next year's budget so they could say they have the grant money so the
815 town could pay its 20-percent portion. He said if they grant was awarded, then there probably would not
816 be a problem putting it in next year's budget.
817

818 Mr. Johnson agreed with Mr. Smith.
819

820 Ms. Fellner wondered if she could ask Festival Promotions for a contribution, because the
821 recommendations were physical activities and they might be interested in helping.
822

823 Mayor Samples said there appeared to be support for the recommendations, but this was not the
824 year to provide funding. Ms. Fellner asked if Town Council would like to reconsider the recommendations
825 at the budget retreat. **COUNCIL CONCURRED.**
826

827 Mr. Smith suggested that Ms. Fellner speak with Festival Promotions to see if they were
828 interested in working with the senior committee.
829

830 Mayor Samples asked if staff would handle procurement. Ms. Fellner believed the committee
831 would be willing to do some of the work, but some would be required to be handled by staff.
832

833 **9. DISCUSSION – Any matters of concern or information to be discussed by Town**
834 **Council.**
835

836 **A. Parking Committee Workshop regarding Lanier Parking, Tuesday, November 26, at 5:00**
837 **p.m., Mayor Samples.**
838

839 Mayor Samples said the parking committee requested a workshop on November 26th. He asked
840 if the committee had all the information it needed. Ms. Fellner believed the committee did; the committee
841 would meet on the 18th at 2:00 o'clock p.m. so that Kerry Loomis and Mike Kish from Lanier Parking could
842 attend. Mayor Samples asked for consensus from council to hold the workshop before the next council
843 meeting and asked if members would prefer to carry the workshop over into the New Year.
844

845 Ms. Mabry said two days before Thanksgiving was a busy time; she preferred to hold the
846 workshop after the New Year.
847

848 Ms. Kohlmann believed the committee planned the workshop at that time so people with second
849 homes might be in town and could attend the workshop to make comments. She had no preference, but
850 she understood from the last meeting everyone wanted the evaluation on the parking completed and that
851 the workshop was to be held before the next year, so she did not understand the delay. She did not want
852 to fall short and be told that they waited too long. She did not want to wait until next year and said that
853 was for sure.
854

855 Mayor Samples asked if Ms. Fellner would provide the data provided to the parking committee to
856 Town Council. Ms. Fellner said it had already been sent to council. She would be working on the
857 numbers in preparation of the Monday parking committee meeting. Everything that is shared with the
858 parking committee members was also shared with council. Mayor Samples said from an analysis
859 standpoint it made sense to him that the committee had adequate time to consider the actual data before
860 recommendations were made to council.
861

862 Ms. Kohlmann asked how long it would take Ms. Fellner to prepare the information. Ms. Fellner
863 said the amount of data would require several days to analyze.
864

865 Mr. Smith asked if the workshop could be held the first meeting in December.
866

867 Mayor Samples was open to suggestion. He just thought having it Thanksgiving week put
868 everyone under undue pressure.
869

870 Mr. Smith suggested the first meeting in December.
871

872 Ms. Mabry said that would be fine.
873

874 Mr. Stevens thought that would be good.
875

876 Mr. Johnson said chances were that he would not be here.
877

878 Mayor Samples said the workshop would be at 5:00 p.m. on Tuesday, December 10th.
879

880 **B. Leash Laws, Mayor Pro Tempore Mabry.**
881

882 Ms. Mabry said during a recent meeting a citizen expressed concern about the town's leash laws.
883 She asked if council was willing to instruct staff, including the police department, to review the code and
884 present any language they deemed necessary to strengthen the leash laws.
885

886 Ms. Dodge asked who police the proposed leash law.
887

888 Mayor Samples said the town had a leash law, and he presumed it was a police matter.
889

890 Ms. Dodge said she would presume; she did not see many animals running lose, but she did see
891 some.
892

893 Mr. Smith said he was comfortable with the way the leash law was written today.
894

895 Mr. Stevens concurred with Mr. Smith.
896

897 Ms. Kohlmann said she completed a lot of research on leash laws in different towns. She thought
898 the town had a good leash law. The problem was that some people just would not obey some of the
899 laws. She believed it was more of a community policing issue than it was rewriting the ordinance.
900

901 Ms. Mabry did not think it would hurt just to have staff look at it, which was all she asked. If staff
902 presented a recommendation, then of course, she would accept that recommendation. It would not hurt
903 to have the police and other staff review the code to ensure it was standard and up to current codes.
904

905 Mayor Samples said that sounded reasonable to him. He read the ordinance and tended to
906 agree that enforcement was difficult. It was common sense. However, some dog owners lacked common
907 sense sometimes.
908

909 Ms. Kohlmann had no problem sending the code to staff, specifically the police department, for
910 review.
911

912 Mayor Samples asked if any member had a problem with asking staff to review the leash codes.
913 **There were no objections.** Mayor Samples said the code was referred to staff for review.
914

915 **C. Fire Department Fee Schedule, Chief Cimini.**
916

917 Chief Cimini sought Town Council's direction on a plan to improve the fire department's
918 inspection program. A full time fire marshal was on staff until about three years ago, when it was thought
919 that putting the fire marshal on a shift would be beneficial. The plan was inspections could be performed
920 during the shift. There are 350-plus businesses in town. The fire marshal works nine shifts a month;
921 some of the shifts were on weekends when some businesses were closed. Code requires every
922 commercial building in the town to be inspected twice each year, and a pre-incident plan [*referred to as*
923 *pre-plans*] must be done on every commercial building in town. He had been evaluating ways to improve
924 the department's performance and to also raise revenue, because the department was one of the few
925 agencies that did not develop any income. One process would be to implement a fee schedule for
926 inspections. Based on estimates, around \$60,000 would be generated by commercial inspections, which
927 would pay for a part time inspector to work 20 hours a week. Chief Cimini said somewhere down the line
928 they had to start thinking about how the department could improve the inspection process, especially
929 since it is an ISO requirement that inspections be performed twice a year. Engine crews were helping
930 with inspections, because it was an impossible task for one person to complete. It was not a matter of
931 just the two required inspections; many times there were follow-up inspections to ensure corrections were
932 made and also completing pre-plan reviews. The town currently was rated 3 by ISO, with the additional

933 inspector the rating could possibly move to a 2. Chief Cimini asked whether council had any interest in
934 moving forward.

935
936 Mr. Smith asked fees were currently charged for any inspection. Chief Cimini said no, they were
937 free. Mr. Smith asked if \$60,000 was enough to cover a fire marshal's salary. Chief Cimini said it would
938 be more than enough; excess funds would go to the general fund. Mr. Smith asked how much an
939 inspection would cost. Chief Cimini said that was the question; other community charges average around
940 \$50 for a small business. Charges were based on square footage. Prices range up to \$300 for some of
941 the bigger buildings. Mr. Smith asked if Myrtle Beach, North Myrtle Beach, and Conway charge
942 inspection fees. Chief Cimini said Myrtle Beach began its program about six months ago. Myrtle Beach
943 has about 4,000 businesses, and four full time inspectors. North Myrtle Beach does not have inspection
944 fees and has a full time fire marshal. Conway does not charge an inspection fee and has two full time fire
945 marshals. Mr. Smith asked if other cities were considering inspection fees. Chief Cimini said Chief
946 Barstow in North Myrtle Beach said they are not considering fees at this time. He had not spoken with
947 Conway's fire chief.

948
949 Mayor Samples asked if Horry County charged for inspections. Chief Cimini said no; its building
950 department performs inspections, not the fire department. Mayor Samples asked if the town had
951 considered that option. Chief Cimini said this discussion was his first approach.

952
953 Mr. Smith asked if the planning director had a comment. Ms. Morris was not prepared to
954 respond, but she did say that the building official held a fire marshal certification. Mr. Smith asked if Chief
955 Cimini and Ms. Morris would discuss the issue as part of the evaluation. He would be in favor of the
956 inspection fees as long as the revenue was used to help the businesses succeed; be safe. Mr. Smith
957 thought Chief Cimini should continue with the study.

958
959 Mayor Samples did not support charging inspection fees, because it was businesses being
960 discussed. The town did not have any great big businesses; there were a lot of 'moms and pops' who
961 were just trying to make it. Another fee for something that has been done at no cost would be viewed as
962 a tax on the businesses. The ocean front property owners were going to have a very high flood insurance
963 premium. Those ocean front businesses, which were what those properties were, would have huge
964 premium increases under the new insurance regulations. Mayor Samples said in his opinion this did not
965 seem to be the right time to adding fees.

966
967 Ms. Mabry had spoken with Chief Cimini about the proposed fees, because she believed it was
968 counter to the town's goal of bringing in businesses; it was not good for economic development, nor was
969 it good for the existing businesses to have an additional fee, because the department was trying to bring
970 money into town when each and every one of us gets the benefit of the fire truck responding to calls. She
971 was glad that Mr. Price was present, because she believed county residents paid a fire tax. Mr. Price
972 indicated yes by nodding assent. Town residents do not pay a fire tax; fire expenses were taken from
973 general funds. Ms. Mabry did not think a user fee just for businesses was the answer. She thought that
974 would punish businesses to generate money for the town. Ms. Mabry said if a fee was implemented, it
975 should include everyone. She was willing to consider options, but just did not think this was the right
976 answer.

977
978 Mr. Stevens said he was glad they felt that way; they were helping businesses.

979
980 Mayor Samples said Chief Cimini was looking for direction. Chief Cimini said it would be a lot of
981 work, and he did not mind that if council believed it was relevant and good for the community. The goal
982 was to improve the process without burdening the taxpayers. Mayor Samples said generally the
983 businesses that take care of their exteriors were one in which the interiors were maintained. Chief Cimini
984 said pretty much so. Mayor Samples asked if there were any other comments.

985
986 Mr. Johnson did not believe it should be pursued.

987

988 Mr. Smith said he wanted the Chief to pursue it, and to have a meeting with the business
989 committee to present the proposal to those members for feedback. He thought they might prefer a tax
990 raise instead of a user fee.

991
992 Mayor Samples saw nothing wrong with the chief presenting to the business committee. Mr.
993 Stevens, the business committee liaison, could arrange that meeting. Other than that, no other effort was
994 required. Mr. Stevens could report back to council what he found.

995
996 **10. PUBLIC COMMENTS – General Comments (5 minutes.)**
997

998 "Ralph Magliette, Harbor Lights Drive. Oh, no! (*Speaker's emphasis.*) Here he comes again, but
999 I'm gonna be real quick. The question is about the senior survey recommendations, and I have a
1000 question or two on the passive park PARD grant, and I have some data I would just like to share as far as
1001 the exercise stations, there are three stations in the passive park. There's one directly behind the dog
1002 park, and there are two by the library; one closer to the gazebo, and one on the side street, so we have
1003 three stations. I did, when I put this, the approximate price at \$18,000 for the four citizens trail stations,
1004 contact the Life Trail Company, actually Play World Systems, and originally when I got the price it was
1005 much higher. They have discounts if you buy more than one unit and for four units there's a 35-percent
1006 discount, so what I'm saying is we have some data that we pursued as far as the best price, and when I
1007 went on line looking at the PARD grants, the way I understand them to work is when you submit them,
1008 they're on a rolling monthly basis when you submit them so that the grants are, the grants are reviewed,
1009 either approved or denied almost on a monthly basis and a rolling basis. So, having provided that
1010 information, and (**) value both to you and to my committee, what should we do as far as to proceed?
1011 Should I download the PARD grant applications, and give, and have the committee decide maybe with
1012 Mr. Adair what senior stations he thinks would be applicable, and then go back to the Play World and get
1013 an estimate, and then bring that forward, or is that too far advance since there's no money available for
1014 us to do that now? I wanna provide value. I wanna do the needful things. I don't wanna spin my wheels
1015 either, so if you could give me a balance of what you, how you'd like me to proceed that is exactly what I
1016 would like."

1017
1018 Mayor Samples suggested that Mr. Magliette meet with the town administrator.

1019
1020 Mr. Magliette: "Okay, have an appointment and just do it that way; very good. Thank you very
1021 much."

1022
1023 "Alan Beck, I'm on the corner of 10th Avenue North, 8th Avenue North and Cedar Drive, one of our
1024 popular race route corners. There is another side to the, to the racing in the town. Sometimes for the
1025 residents it's a minor inconvenience. I've picked up the trash that leave, cause 98-percent of the runners
1026 don't throw trash, but some of 'em come along and they'll toss their stuff out all over, so race day, that's
1027 not a big problem. Coming back this year, if they're running the race, I sit on the side and wait for a while
1028 a block away while the runners went through, you know, before I could finally drive home. It's a minor
1029 inconvenience. Don't mind that for a charity. I would like to applaud the council for your perceptive
1030 questioning tonight of the Turkey Trot guy that is using the local Rotary Club as their charity giving them
1031 \$1,500, which they probably raised more than that with their guys all out there doing work collecting for t-
1032 shirts and so forth. He did not give you the total revenues at all. He just indicated that they had 1,500
1033 runners and they started at was it \$25 or \$30, and maybe they go up to \$50. I don't know, but when I
1034 multiplied that out that's \$45 or \$50 thousand. Now, I go to give to a charity, I often go on line and look
1035 up where the percentage is that goes to the purpose of the charity versus the percentage that goes for
1036 the administrative expenses or profit for the organization, and there are some out there that call us up
1037 asking for money when you find that only 10- or 15-percent going to the charity, and we usually look for
1038 things that are going 70-, 80-, 90-percent to the charity. But this, we can give our local Rotary Club
1039 \$1,500, and then we can walk away with \$50 thousand and we'll call it a charity event; it's not a charity
1040 event. Thank you for figuring that out, and not making it a permanent thing for this group, cause there
1041 may be a better way for Surfside to get the runners coming in that think they're giving to a charity rather
1042 than a company to have the whole thing and be better for everybody. Thank you." (*Applause.*)

1043
1044 "How you doing? Greg Szupillo, 344 Melody Lane. Coming here my primary concern is the
1045 cameras mainly cause I can't find anybody to tell me where they are, and the gentleman right next to me
1046 was talking about the senior exercise and all that stuff, he was wondering where they were. I, I think they
1047 should be public access, just as the DOT's are, so that somebody else is watching those cameras aside
1048 from law enforcement officers, cause you never know, people who operate cameras tend to play with the
1049 camera some times when they don't think somebody's watching. Accountability, who is moving the
1050 camera, who's observing the camera? I've seen a number of places that have been sued, and I don't
1051 want to see us sued. (**) on some babe that's discretely trying to change in their car. I don't know where
1052 the cameras are. I know that if I had a camera down by me, we could collect a lot of money on the dog
1053 wastes and the dogs running wild, because I'm down on the end of town that people seem to forget that
1054 there is a south end of town; got beautiful lights up here on this side of town, but not down that side of
1055 town. I think they all should be standard and make it real easy. But, I do appreciate you going after the
1056 Turkey Trot guy. That was very, very nice, and the first reading, try and clarify that and get it down to the
1057 first reading. I would like to see what the, cause I came to the town, because Master Care took down a
1058 tree in my yard. I brought it to the planning board and I got nothing. I don't understand that. There are
1059 people who are not seniors, and have children. People who don't have children in this town, don't forget
1060 about us, okay. I would appreciate that, okay. Thanks."

1061
1062 "[Horry County District 5 Councilmember] Paul Price. I live in Garden City. I'm your neighbor.
1063 It's very rare that I get to come to your council meetings. The reason being, we meet the same nights.
1064 Tonight we got out early. I came down the road and saw your lights on, (*laughter*) and I said, 'Gee, how
1065 did we beat the city getting out? So, I'll pull in and stop, say hello.' So, it gives me an opportunity, you
1066 don't get to see me much. I'm around town all the time, not necessarily, you know, shorts and flip flops
1067 and golf cart, but I'm around. You'll see me, and it's just giving me an opportunity to come and speak to
1068 you and let you know that I'm concerned about you. If you need something, I'm wanna try to help, and I
1069 want to wish everybody a Happy Thanksgiving and Christmas early, because I probably won't make
1070 another one; this was the first one I made in three years, so this is kind of different, and of course, we like
1071 to see y'all come to our council meeting, and share some, some things, and some of the things you're
1072 talking about now, we're going through our budget. This, it's the same thing. It's always short of funds,
1073 and everybody always needs more, but it always seems to work out somehow, and it's just because of
1074 people like you who will put the time in, put the effort in and represent the people. So, I thank you for
1075 that, and y'all have a happy holiday."

1076
1077 Mayor Samples thanked Councilmember Price, wished him Happy Thanksgiving and Merry
1078 Christmas, and asked him if he planned to be in the town's Christmas parade. Mr. Price said yes, if
1079 everything worked out right.

1080
1081 Mr. Smith asked Mr. Price to remember the Town of Surfside Beach when allocations were made
1082 in the county budget for recreation funding. The town could always use a little bit of money. Mr. Price
1083 said it was strange that he would mention that. Tonight at the county council meeting there were quite a
1084 few people asking the same question. The county did not have a lot of recreation funds and it had to be
1085 used throughout the entire district, which spreads it very, very thin. Mr. Price said he would be happy to
1086 do anything he could to help. Mr. Smith said he would ask Mr. Ralph Magliette to meet with Mr. Price.
1087 Mr. Price quickly responded, "No!" (*Laughter.*) Mr. Price said town council would have to come to his
1088 council meeting and get on the agenda to speak to him, (*laughter*), and then said he was joking. Mr.
1089 Price reiterated that the county and town had the same problems. The County Council donated to
1090 Special Olympics at its meeting tonight, and he was sure that each town councilmember would support
1091 that. He reiterated thanks for being allowed to speak. (*Applause.*)

1092
1093 **11. COUNCIL COMMENTS.**

1094
1095 Ms. Kohlmann: "I wanna just take a second to talk about the cameras. There are safety
1096 measures in place. I was there today, and I do believe that you might feel better if you go and see,
1097 because not everybody has access to have control over those cameras, and they're on board with it, and

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1098 I, you're shaking your head, but just give them the opportunity to show you the system, and explain it. It's
1099 all top of the line. I know people don't like big brother watching them, but it's already working for us. It's
1100 been utilized already, and to me, if it helps one case or it solves one case or protects one life, then I'm
1101 sorry, public place is a public place, so, when you're in public, you're in public. For your concerns that
1102 you have, you should go and, and, yourself and see the system so that you can be a little bit more
1103 reassured. Thank you, Mr. Price, for coming. I appreciate it, as always and thank everybody else as
1104 well."

1105
1106 Mr. Johnson: "Thank you for coming out. God bless you. Have a great Thanksgiving, if I don't
1107 see you beforehand."

1108
1109 Mr. Stevens: "Thank you everybody for coming out. I want to thank the senior citizen committee
1110 for all the work, hard work they did. This was a great presentation you had, and the survey was, had a lot
1111 of good information, and I hope that can come, your dreams can come to fruition on that. On a personal
1112 matter, the last council meeting we had a councilmember bring up some information about vendors at the
1113 festival, and I thought it was a good idea what she was talking about until I found out the councilmember
1114 was talking about me. Obviously, there's [sic] people out here that don't have anything to do, but make
1115 up lies, defamation and slander. I don't know who gave this councilmember that information, but it's, it's
1116 reprehensible to make up a lie about a councilmember and say something and I have to find out from the
1117 press that this lie was being told about me. It is just reprehensible. I don't care if you have an opinion.
1118 You wanna talk, you know, your opinion is, I welcome that. But don't tell a lie and don't say I did
1119 something. I was at the family festival and I spent my money just like every business did. I sold Pepsi
1120 Colas and water for 75 cents. I think it was the lowest price at the festival. But, I did not try to give away
1121 a TV, as some people spread those lies. That, that's nothing more but lies, defamation and slander, and I
1122 don't really like when you attack my business, I don't like it. Just like Mr. Johnson a few weeks back said
1123 the same thing, don't attack my family. Well, don't attack my business. You can call me anything you
1124 want and say it's your opinion. I don't have a problem with that. That's your freedom of speech. But,
1125 don't spread lies and defamation and slander about me. Thank you."

1126
1127 Ms. Dodge: "I don't have any comments. Thank you."

1128
1129 Ms. Mabry: "Yes, I did not have a comment, but I do now. I did bring up that for discussion. I
1130 want to make sure that everyone in this room knows I never, never discussed Mr. Stevens, ever. His
1131 name never comes up. I never discuss him. I will not discuss him. His business; what he does and his
1132 life is his business, not mine. If there was a concern, I brought it up for discussion in a general forum. I
1133 was not specific. I did not call his name. I don't care what he does as far as he gives away TVs or
1134 doesn't, I don't care. That's his life. I don't get into his life. On the contrary, so I want to make sure you
1135 know that I hope he understands that never is Mr. Stevens' name mentioned from me. So, have a nice
1136 night and we'll see you later."

1137
1138 Mr. Smith: "I'd just like to comment on the comprehensive plan. If you're gonna have a plan and
1139 it's gonna be something that the town staff is gonna follow, I think the contents need to be accurate. If it's
1140 just gonna be something we're gonna do and then put on a shelf, and never look at it until 10 years from
1141 now, it doesn't matter what's in it. But, if it's something that staff is gonna follow, I want it to reflect the
1142 opinion of council, and especially I want it to reflect my opinion. Thank you."

1143
1144 Mayor Samples: "Thank you all. Thank y'all for coming out. You know the problem is, is when
1145 government at any level prescribes a one size fits all solution, you can take it to the bank, it ain't right;
1146 there's problems with it. It doesn't make sense, and I refer to the Comprehensive Planning Act. Does it
1147 make sense; sure we need to have a plan. I believe in planning. But, next month, or tomorrow, or next
1148 year circumstances are gonna be different. There's gonna be things that we have to deal with, and I think
1149 as Councilman Price said early, we already have a wish list. There's already things that we know we
1150 need, but we can't, let's rephrase it, that we want that would improve the quality of life, but who's gonna
1151 pay for it? Who's gonna pay for it? And, I think we have a terrific staff. I think they work hard to do the
1152 very best they can for the town. (**) a growth in staff, I don't see it. I don't see it. I think it's a function of

1153 us being two square miles. We go up and down in terms of the work load, and so we hire good people to
1154 use their heads and to bring us solutions and to express their best professional judgment. Good night,
1155 y'all."

1156
1157 **12. EXECUTIVE SESSION**

1158
1159 **A. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements and to**
1160 **discuss legal advice where legal advice relates to multiple pending, threatened, or potential**
1161 **claims.**

1162
1163 Mr. Smith moved to enter executive session at 9:28 p.m. Ms. Mabry seconded. All voted in
1164 favor. **MOTION CARRIED.**

1165
1166 Mr. Johnson moved to reconvene regular session at 9:55 p.m. Ms. Mabry seconded. All voted in
1167 favor. **MOTION CARRIED.**

1168
1169 Mayor Samples said no action was taken during executive session.

1170
1171 **13. ADJOURNMENT.**

1172
1173 Mr. Johnson moved to adjourn the meeting at 9:55 p.m. Ms. Mabry seconded. All voted in favor.
1174 **MOTION CARRIED.**

1175
1176 Prepared and submitted by,

1177
1178 
1179 Debra E. Herrmann, CMC, Town Clerk

1180
1181 Approved: November 26, 2013

1182
1183 
1184 Douglas F. Samples, Mayor

1185
1186 
1187 Mary Beth Mabry, Mayor Pro Tempore

1188 
1189 Ann Dodge, Town Council

1190
1191 
1192 Mark L. Johnson, Town Council

1193 
1194 Elizabeth A. Kobmann, Town Council

1195
1196 
1197 Roderick E. Smith, Town Council

1198 
1199 Randle M. Stevens, Town Council

1200
1201 *Clerk's Note: This document constitutes minutes of the meeting that was audio taped. These are*
1202 *detailed minutes documenting each member's comments. Appointments to hear audio tapes may be*
1203 *scheduled with the town clerk. In accordance with FOIA, meeting notice and the agenda were distributed*
to local media and interested parties. The agenda was posted on the town website, the entry door at
Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the
Town marquee. Public Comments and Town Council Comments are transcribed as close to verbatim as
*possible. When (**) is used a section of the tape recording is inaudible.*