



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
MARCH 11, 2014 ♦ 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; Fire Chief Cimini; Planning Director Morris, Police Captain Miller, and Town Clerk Herrmann.

Mayor Samples announced that Friday at five o'clock the town would hold its initial 50th Anniversary Celebration. Former mayors and councilmembers were invited, as well as many people important to the town. Everyone was invited to attend. The Myrtle Beach Area Chamber of Commerce is hosting a meet and greet for Town Council candidates on March 27th beginning at four o'clock at the Holiday Inn Surfside.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

Pastor Scott Wachter of Surfside United Methodist Church gave the invocation. Mayor Samples lead the Pledge.

3. AGENDA APPROVAL.

Mr. Smith moved to approve the agenda. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL.

Ms. Dodge moved to approve the workshop minutes of February 18, 2014 and the regular meeting minutes of February 25, 2014 as submitted. Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**

5. PUBLIC COMMENTS – Agenda Items (3 minutes.)

There were no public comments on agenda items.

6. COMMUNICATIONS.

Proclamation #14-89, Girl Scout Week, March 9th – 15th, 2014.

Mayor Samples issued Proclamation #14-89 proclaiming March 9th through 15th, 2014 as Girl Scout Week in the Town of Surfside Beach. Various troops were represented to receive the proclamation.

A. Department Reports.

i. Fire.

Chief Cimini presented the written report, a copy of which is on file. There were a total of 39 fire, rescue, emergency, medical, and Winter Storm PAX calls during February. There were a total of 87 calls for assistance in February 2014 compared to 40 in February 2013. Volunteer and career personnel dedicated 177.5 hours to training and 297 hours responding to calls.

57 **ii. Planning, Building & Zoning.**
58

59 Ms. Morris presented the written report, a copy of which is on file. Staff issued 113 building
60 permits and 24 business licenses in January. Staff continues to receive plans for new construction and
61 renovations. Work continues on several nuisance violations within the town; property cleanups and code
62 violations. The planning commission held its regularly scheduled meeting on March 4, 2014. After
63 discussion and hearing public comments about the docks yet again, the commission agreed 4:2 to the
64 following: "Planning Commission appreciates receiving some of the requested information, but we remain
65 unable to make a responsible recommendation for or against approval of this ordinance. Communications
66 from MASC indicate that the town's insurance coverage does not extend to "unlawful use of bodies of
67 water" when such use violates any federal, state or municipal law or regulation." Planning Commission
68 needs to understand what constitutes "unlawful use." FEMA and US Army Corps of Engineers are the
69 sources of the engineering information required by FEMA and Corp of Engineers; we are no further along
70 in obtaining those opinions. An additional issue for planning commission is the letter from Horry County.
71 The town administrator represented this letter to council as saying "there would be *no impact* to the 30/70
72 agreement." We do not agree with this interpretation. The letter says "... we do not see where it would
73 impact ... " Therefore, we are not satisfied with this alleged assurance from Horry County." Ms. Morris said
74 that staff continues work on the flood plain management and the Community Rating System.
75

76 Mayor Samples said the credits on the Community Rating System were very important and affect
77 everyone that pays flood insurance.
78

79 **iii. Police**
80

81 Captain Miller presented the written report, a copy of which is on file. February 2014 statistics
82 show a 10-percent decrease in calls for service from last month, 1015 calls versus 909 calls. Arrest and
83 Citation data comparing February 2013 to February 2014 showed a 17-percent increase, 186 compared
84 to 218. Officers completed on-line training to maintain certifications. Sergeant Sliker and Corporal Brode
85 attended the Reid Technique of Interviews and Interrogations February 4th through 6th in Myrtle Beach.
86 Several other officers attended specialized training classes in taser and use of force as set out in the
87 report. The second session of the Citizens Police Academy graduated on March 6th. Many positive
88 comments were received, as well as some critiques that will enhance the third session. A letter of thanks
89 was received from a citizen that experienced motor vehicle problems during a family issue who was
90 helped by Corporal King and Officer Butler.
91

92 Mr. Stevens said he went to the Citizens Police Academy. He learned a lot about the
93 department. It was one of the best things he ever did, and he highly recommended it to every town
94 citizen. He also challenged the councilmembers to attend.
95

96 Mayor Samples said he failed to recognize the Town Council candidates at the beginning of the
97 meeting as was customary, and asked them to introduce themselves. Candidates present at the meeting
98 were (listed in alphabetical order by last name): Sandra Elliott, Beth Kohlmann, Ralph Magliette, Rod
99 Smith, and David Pellegrino.
100

101 **B. Administrator's Report – Update on Current Events.**
102

103 Ms. Fellner reporting the following:
104

- 105 • Regarding the increase in parking rates there was a misunderstanding between the town and the
106 vendor regarding when the increase should go into effect so for the first 10 days we were
107 charging at the higher rate of \$1.25 per hour. All the meters, pay stations and park mobile were,
108 however, changed back to the \$1 rate yesterday. Of course, if anyone requests a partial refund
109 we will honor that. Since our gross parking revenue from March 1 – 10 was \$2,780.94 our
110 maximum exposure for return would be \$556.19 of that sum.
111

112 Mr. Johnson asked how that happened. Ms. Fellner explained Mr. Kish from Lanier attended the
113 council meeting when council approved increasing the rate. He did not know the fee had to be approved
114 by ordinance, and proceeded to implement the increase. She failed to advise him of such, as it did not
115 occur to her that Lanier would implement the increase automatically. Mr. Johnson believed the town
116 should have an expectation that Lanier staff would know the law, and did not believe this was solely a
117 town error.
118

119 Mayor Samples said Mr. Johnson's point was well taken. Pursuant to state law adopted in 2008,
120 any time there is an increase to a fee or the addition of a new fee, a public hearing is required. Ms.
121 Fellner said there will be a public hearing at the March 25th Town Council meeting to hear comments from
122 the public about the proposed rate increase.
123

- 124 • The Planning Commission met on March 4th to consider the matter of docks and has asked that
125 their response to Town Council regarding this matter be read publically in its entirety to council.
126 Ms. Fellner read it verbatim. "Planning Commission appreciates receiving some of the requested
127 information, but we remain unable to make a responsible recommendation for or against approval
128 of this ordinance. Communications from MASC indicate that the town's insurance coverage does
129 not extend to 'unlawful use of bodies of water' ... 'when such use violates any federal, state or
130 municipal law or regulation.' Planning Commission needs to understand what constitutes
131 'unlawful use.' FEMA and US Army Corps of Engineers are the sources of federal opinion on
132 unlawful use. Because Town Council failed to authorize the expense of the engineering
133 information required by FEMA and the Army Corp of Engineers, we are no further along in
134 obtaining those opinions." An additional issue for planning commission is the letter from Horry
135 County. The town administrator represented this letter to council as saying "there would be *no*
136 *impact* to the 30/70 agreement." We do not agree with this interpretation. The letter says "... we
137 *do not see* where it would impact ..." Therefore, we are not satisfied with this alleged assurance
138 from Horry County."
139
- 140 • Council previously asked for a list of pending litigation to share with the public. Currently the town
141 has:
142

143 **In Federal Court:** *Sono-Irish vs. Town of Surfside Beach, et al.*

144 **In the South Carolina Court of Appeals:**

145 *Sifonious, et al. vs. Town of Surfside*, which has been in the appeal process since September
146 2013.

147 *Donevant vs. Town of Surfside Beach*, which has been in the appeal process since February
148 2014.
149

150 The appeal process usually takes an average of 18 months.
151

- 152 • The 50th Anniversary magazine copy is nearing completion, the printer has ordered the paper and
153 we are still on schedule and expect delivery to be the first week of April. Total distribution has yet
154 to be decided, but approximately 15,000 copies will be going to those who placed ads and to the
155 local realty companies and hotels. Possibly 6,500 inserted in the Herald, if they will agree, and
156 10,000 out of market to the welcome and visitor centers, if there are racks available. It will also
157 be available at town hall and to all website inquirers, at all local events, in the library, on the pier
158 at pier outfitters and the surf diner and in the two major grocery stores during July and August
159 (while supplies last.)
160
- 161 • Staff had to rebid the 3rd Avenue South Channel Bank Restoration as no bids were received. The
162 new open date is Friday, April 4th at 10 AM.
163
164
165
166

- The bid for the “no parking except with permit” signs was posted on the town website and sent to SCBO (South Carolina Business Opportunities) for publication. The open date for that bid is also Friday, April 4th but at 11 AM.
- Ms. Fellner brought to council's attention that approval of the wording changes for permit parking areas makes the signs a restrictive sign rather than a permissive sign, which means they would have to be red and white rather than green and white. The wording was changed from “Permit Parking Only” to “No Parking except with Permit.”

Mayor Samples asked if that was the desire of council. Mr. Smith and Ms. Dodge said yes. Mr. Johnson said no. It was unclear whether other members were in favor or against. Mayor Samples said the signs would be what they had to be.

- The parking rules brochure was updated to reflect the new changes and we would like to insert it in the next town newsletter. Meanwhile, it will be posted on the website and inserted into the business license letters. In addition, our parking ambassadors will have it available to distribute to the public. Copies will also be made available to our local hotels and realty companies. This will be done after the public hearing, and if second reading is passed on March 25th.
- We are working on the database for all residents and property owners in the permit parking areas to explain the change. We will mail some of the letters with the sanitation bills and some with the business license renewal letters. It's a process of pulling the data from both of the lists, stripping out the concatenation of the street names and excess data, then resorting, de-duping, and mail merging what's left. We are hoping to be able to mail the letters out between the last week in March and the first week in April.
- Ms. Fellner announced that there will be a public hearing before the next regularly scheduled council meeting on March 25th at 6:30 p.m. regarding the hourly parking rate increase and daily and weekly discounted rates for the public. Merchant validation, daily and weekly rates were approved last year, but those rates were not codified.

Mayor Samples asked if a public hearing was required to expand the parking restrictions. Ms. Fellner said no, but she would verify with the town attorney.

- Lastly, County Councilman Paul Price wanted to be here tonight, but was at the Horry County Council meeting in Conway. In any event, he wanted to present a recreation fund check to the town in the amount of \$11,707, and he hopes you will excuse his absence.

Mayor Samples asked Ms. Fellner to express thanks on behalf of the town, and the members wished he could attend.

Mr. Johnson asked what the funds were for. Ms. Fellner said recreation. Mr. Johnson said in previous years the town received \$16,000. Ms. Fellner said the amount reduced every year.

7. BUSINESS.

Second Reading of Ordinance #14-0773 to amend 2013-2014 Municipal Budget Expenditures, Administrator Fellner.

Ms. Fellner presented the ordinance saying that first reading was adopted at the February 25th meeting, and that second reading was populated with the accommodations tax dollar amounts that were approved at that reading. Net Changes to the budget for Fiscal Year 2013-2014 are:

- **GENERAL FUND** **\$ 64,103 – increase fund balance**
- **HOSPITALITY FUND** **\$ 4,460 – increase expenditures**

- 222 ○ **PIER FUND** \$ 2,460 – increase fund balance
- 223 ○ **SANITATION FUND** \$107,175 – increase fund balance
- 224 ○ **ACCOMMODATIONS FUND** \$152,000 – increase expenditures

225
226 Mr. Smith moved to approve second reading of Ordinance #14-0773. Ms. Dodge seconded.

227
228 Mr. Smith moved to amend his motion to include approval of the pier fund capital expenses of
229 \$30,962. Ms. Dodge seconded. Mayor Samples, and Councilmembers Dodge, Kohlmann, Smith and
230 Stevens voted in favor. Mayor Pro Tempore Mabry and Councilmember Johnson voted against.
231 **MOTION to AMEND CARRIED.**

232
233 Mr. Stevens asked if the increase to sanitation revenue was primarily due to the rate increase.
234 Ms. Fellner said yes.

235
236 Mayor Samples, and Councilmembers Dodge, Kohlmann, Smith and Stevens voted in favor.
237 Mayor Pro Tempore Mabry and Councilmember Johnson voted against. **MOTION CARRIED as**
238 **AMENDED.**

239
240 **8. DISCUSSION – Any matters of concern or information to be discussed by Town**
241 **Council.**

242
243 **A. Stormwater Committee Recommendations regarding Nuisance Geese, Administrator**
244 **Fellner.**

245
246 Ms. Fellner reported that at the last two stormwater committee meetings the members address
247 the necessary steps to deal with the management of the resident Canadian Geese population. At the last
248 meeting a motion was made and adopted to recommend to town council specific changes to the existing
249 ordinance. Their proposed changes are to Sections 3-51 and 3-53, respectively. The town attorney had
250 an alternate suggestion to add in Section 3-51, paragraph one, sentence two, the words “except pursuant
251 to state or federal law” at the end of the sentence. The attorney feels this would achieve the same
252 objectives and local ordinance would not have to be changed when or if changes were made to the state
253 or federal law.

254
255 Mr. Smith liked the attorney’s recommendation, but was concerned that unless the state and
256 federal laws were known, it would not be clear that water fowl could be harassed. He suggested adding
257 “except water fowl, which may harassed and except pursuant to state or federal law.” He was afraid it
258 was not clear that the geese could be harassed. Ms. Fellner said the state might determine that too many
259 people were harassing geese, then the town would have to change its code. Just using “pursuant to state
260 and federal law” there would be no need to keep changing the ordinance. Mr. Smith asked how the
261 police and public would know it was allowable to harass the Canadian Geese. Ms. Fellner said the police
262 would know, because the ordinance would be adopted and she would give the police clear instructions.
263 Mr. Smith asked if the information could be published in the newsletter. Ms. Fellner said certainly, and
264 the links for the permits would be on the town website. Permits are issued to individuals and they are
265 allowed to addle the eggs. One link is to a You Tube video about all the proper procedures to discourage
266 nuisance water fowl and the other is to the permitting site. Mr. Smith asked that clear communication be
267 used so the public would know the right procedures.

268
269 Mayor Samples asked whether additions to the website would be consistent with state and
270 federal law. Ms. Fellner said yes. Mayor Samples whatever action the town took in this regard, he
271 wanted to operate with the parameters of the law.

272
273 Ms. Kohlmann said the second line of Section 3-51 Bird Sanctuary says “and every citizen is to
274 conserve bird life through care and feeding.” It would be confusing, because there was an ordinance
275 saying the birds could not be fed; Sections 3-51 and 3-53, which addresses harassing water fowl, conflict.
276 She believed the stormwater committee’s recommendation should be considered. She explained she

277 could not support the attorney's recommendation, because she believed it would cause more
278 controversy.
279

280 Mayor Samples asked if the attorney reviewed this. Ms. Fellner said, yes. She, the town clerk,
281 and the attorney discussed the matter by telephone. Mayor Samples did not want it construed that bird
282 feeders were being outlawed.
283

284 Mr. Stevens concurred with Ms. Kohlmann.
285

286 Ms. Fellner said the conflicting portion was Section 3-53(b). Mayor Samples said he remembered
287 the ordinance well, because for the record, "I voted against it when it was adopted." After some additional
288 discussion, it was decided that the matter would be sent to the attorney again for review and a
289 recommendation and be placed on the March 25th meeting agenda for additional discussion.
290

291 **B. Any matters of concern or information to be discussed by Town Council.**
292

293 There were no other matters to be discussed by Town Council.
294

295 **9. PUBLIC COMMENTS – General Comments (5 minutes.)**
296

297 "Good to be back. John Ard, 612 Cypress Drive, Surfside. First off, I want to say just like I told
298 the Mayor it's good to be back with y'all again. It's been a long time, and a long road, but I'm certainly
299 glad to be back. I've got a lot of people I need to thank tonight, if you don't mind. As all of you know, on
300 the night of August 28th, 2013 I got in a bad golf cart wreck. Ended up in the hospital for quite a while with
301 broke [sic] leg, broke foot, broke shoulder and all that good stuff, and I'd like to thank each and every one
302 of you tonight. There's just too many to try and name all of you. But, I'd like to thank each and every one
303 of you tonight for prayers, the phone calls, the visits, all of the food baskets, the candy baskets, even and
304 all that stuff, so thank you one and all, and I do want to thank the fire department, the EMS, and the police
305 department for their assistance in aiding me that night, and I want to tell you one thing right now, I, I didn't
306 know what was going on; didn't know anything about it till later on. We certainly got a good bunch of
307 people here; a good bunch, and it's like I've always said before this town has some of the best people in
308 the world in it, and we need to keep it that way, and I intend to help see it kept that way. Now, having
309 said that and everything, I do have a little something I'd like to say tonight. As you all know, April 8th we
310 have an election coming up. We have quite a few candidates running this year for council seats, three
311 council seats, and as most of you probably know when this town comes about and all, you have a whole
312 bunch of things said, and the fur starts to fly as the old saying goes. The comments about one to the
313 other of the people that's running and everything, and what I would like to suggest is this, Before you
314 make a comment or you try and put somebody down, check your sources, and check and make
315 absolutely certain that you know what you're talking about, because if you don't, I will promise you this, in
316 the long run, it's gonna come back to bite you, and we have some mighty fine people that's running, and
317 this town needs good people up there, and there's a whole bunch of things going on while I've been away
318 from here and all that I certainly do not approve of. I don't like to see people getting talked down to or
319 anything like that, or somebody thinking they're a whole lot better than any councilmember, the mayor, or
320 any citizen in this room. So make sure what you're talking about, and don't think you're better than
321 somebody else when you don't know that your own self, and you probably aren't. That's all I have to say
322 tonight, but good luck to each and every one of you, and thank you."
323

324 "Ralph Magliette, 104 Harbor Lights. My comments are brief and they're very good comments,
325 and they're about, the first one is about the, the library. We have a new reference librarian in the library,
326 and we're gonna be bringing back some senior programs, and it was too late to add them, so I will just tell
327 you if you are interested in these programs, please see the library and sign up. The first one is
328 computers for beginners. It's gonna be Wednesday, March 19th from four to five p.m. There's also a new
329 program called social networking on your own computer. That's gonna be Thursday, March 20th from ten
330 till 11 a.m. Also through a small grant there's gonna be an actual live musical program at the library on
331 Wednesday the 26th, which is the normal senior activity day, and music is gonna be provided live by Lloyd

332 Kaplan from the Aristocrats followed by two p.m. there's gonna be a travelling in place and there'll be a
333 travel agent there to talk about the Czech Republic and Poland. The other thing, which is, which we've
334 been working on for a long time with the South Strand Senior Center is after a long and prolonged,
335 difficult time, the Senior Center has gotten some brand new renovations. We had brand new floors put in,
336 and brand new lights put in. It looks a thousand percent better. We love to have new people join the
337 library [sic.] It's \$20 a year. We encourage people join, I'm sorry to join the Surfside Senior Center.
338 Again, if you came there and you'd just take a look at it, you would see how beautiful it is now with the
339 new floors, the new lights. There's all new programs being done, so I would encourage people to use the
340 resources we have. Please support the library and the Senior Center. Thank you."

341
342 "My name is Mary Jo Doggett, and my husband and I live at 121 North Pinewood Drive. Our
343 back yard backs up to Dogwood, and I don't, I'd like someone to explain to me about these parking
344 permits and these signs that are gonna go up. We've never had a problem with people parking behind
345 us, except on the 4th of July, and I mean, this town has become a meter town. You know, we're money
346 hungry. We get all this money from the beach people to park, and we've never had a problem on our
347 street before. I mean, we're paying this money to get these signs made, and to put there, and how is it
348 gonna affect me as a property owner. If I have family come and they've all parked in my yard, however, I
349 have to have someone park behind there, are you going to tell me that I have to a permit on that person's
350 car to park in my back yard? I don't understand. Someone explain to me why we are having all these no
351 parking, parking permit things? I mean, we have a rental house across the street from us. It can hold six
352 families. They, they park where they can, but occasionally, they park behind there. Are you giving
353 permits out to these realtors so that when they come they can give it to them so they can have a one
354 week parking in these areas? I mean, can anybody answer my questions?" Mayor Samples said the
355 normal rules of order do not allow council to respond during public comments, but there will be
356 opportunities to comment during council comments. Ms. Doggett: "Okay, this is the first time I've ever
357 done this, but I thank you for hearing me, and I will be back on March the 25th. Thank you."

358
359 "Hello, Mr. Mayor, good evening. My name is Rosie Hastings, and I live on Hollywood. I have a
360 question in regard to the signs for parking. Are they gonna be printed before the election? Is the town
361 gonna pay for..." Mayor Samples interrupted and said again that rules of order did not allow council to
362 answer questions during public comments. Ms. Hastings: "Okay, but it wouldn't it make more sense not
363 to do that until the election so that the people who voted for the parking meters, we can vote them all out,
364 and the people who do not want this; it's an embarrassment. I have another question in regard to email,
365 who collects all the emails; negative responses, and maybe if we can get an answer to that, and the cost
366 of the signs. Thank you."

367
368 "David Pellegrino, 419 2nd Avenue North. The a, as far as I said last week [sic] Surfside is a great
369 place to live, especially with this weather; been outside. We had a nice BBQ festival this Saturday. The
370 weather was great; a lot of people. Obviously, I'm campaigning, so I'm talking to a lot of people, and the
371 incumbents running are also doing, and I did get some feedback and I'm concerned about it and I just
372 wanna give you guys the feedback I am getting. Several people I talked to got tickets while at the BBQ
373 festival. Some were residents; some were from outside. This is a festival where we want to invite people
374 to come; want to invite people to see how great Surfside is, and we, they were out in force; the ticket, the
375 ticket, the Lanier guys were out in force, and they gave tickets. They gave \$20 tickets, and you think
376 those people are gonna come back next time? I'd say no. I talked to hundreds of people and parking is a
377 big issue. Parking is a big issue right now as you guys well know. I've talk to businesses. I talk to
378 residents. I talk to second home owners. Haven't talked to tourists, because they're not here yet, but I'm
379 sure they feel the same. No one likes what we're doing with the parking meters, so why are we doing it?
380 I mean there's other ways to get revenues. We can focus on building up our business district on 17.
381 There's a bunch of empty, empty units out there. We can focus on a hundred different things. Why, and I
382 know I just want to hear your comments. I know you can't answer, but why are we focusing on something
383 that's hurting all of our customers, our residents, our second homeowners, our tourists, and our
384 businesses? Why, why? I can't comprehend it. I cannot comprehend it. So that's, that's my concern,
385 and I'd say 99-percent of the people I talk to are against the meters, so I don't know what's (**applause)."
386

387 "I'm Ron Saunders. I live at 313 6th Avenue South. Maybe I can shed a little light on why. You
388 see, if you're a resident of this town, and you live here, you have a parking..." Mayor Samples asked Mr.
389 Saunders to address his comments to Town Council. Mr. Saunders: "Okay, You have a sticker that you
390 can put on your car that allows you to park anywhere free, anytime, or a golf cart, or any vehicle you own,
391 you can park for free. If you're a tourist you are by ordinance, the people who have that house that rent
392 the facility, are required to have enough parking places for each bedroom. If they have violated that
393 ordinance, then there's not enough parking places. So I hope that shed a little light on it. I hope you
394 understand that if you live here, you can park free anywhere, any time. It shouldn't be a problem. And
395 also tourists have parking provided for them all the time. There's a place for every tourist to park and if
396 that owner of that facility has not done the things he's supposed to do by ordinance that needs to be
397 investigated also."

398
399 Ms. Kohlmann asked Mayor Samples to call regular order; there was a commotion in the
400 audience.

401
402 Mayor Samples called for regular order and asked the audience to keep it civil.

403
404 **10. COUNCIL COMMENTS.**
405

406 Mr. Smith: "I like the parking meters, and I think they help control the parking on Ocean
407 Boulevard. I think it was successful last year. If you notice, there were not as many cars parked illegally.
408 When they parked, they were parked in a legal spot; not near someone's driveway, which prevented them
409 from seeing when they backed out. So, I'm just gonna come out front and tell you I like the parking
410 meters. Thank you."

411
412 Ms. Mabry: "Yes, I would like to address a few people that stood up about the parking signs and
413 the parking meters. I didn't vote for the amended budget tonight, because it had the meters and the signs
414 in it. I also brought up last meeting about shutting down the meters during festivals. There are some that
415 think that this is a wonderful idea. We had all agreed to revisit it this year. To me, it's a dismal failure.
416 The cost analysis is not worth the meters being on the boulevard, in my opinion. So, you know, all I can
417 say is I, you know, I oppose it at every, every way I can. I think that there is a way to do it, and
418 remember, we're talking ten weeks out of the year maximum. You knew where you were moving when
419 you moved here. This was always been [sic] a resort. We didn't change it after you got here. So, you
420 know, we're inconvenienced for a little bit, but they're also paying our bills. So, I'm gonna live with some
421 inconvenience. That's just the way I see it, and thank everybody for coming up and sharing their ideas."
422

423 Ms. Dodge: "I like the parking meters. I will support them. Also, I appreciate the remarks from
424 people in the audience. It helps us; positive and negative remarks. We try to do the best we can,
425 sometimes we succeed and sometimes we don't. Hope you'll be a little bit careful about criticism,
426 because we do try our best."
427

428 Mr. Stevens: "First, I want to say that if you are a town resident, I want you to look at this round
429 circle up here (*pointing to town seal*), it says Surfside Beach. If you're a Surfside resident, (**) you live
430 here year round, or you're a property owner that owns a rental piece, rental property down here and you
431 live out of state, wherever it might be, that sticker entitles you to park anywhere, any parking meter, any
432 place that under our proposed law parking by a permit, and you can park there for free. That's, that's the
433 law, I mean if we pass it. That is [sic] the facts. So it doesn't hurt the residents. The other thing that Mr.
434 Sanders [sic] mentioned is that when you build a house, you're supposed to have one parking space per
435 bedroom. That's the facts; that's the zoning law. I didn't make those laws; the zoning laws make 'em
436 [sic], and those, those, a house that has six bedrooms is supposed to have six parking spaces. So if you
437 have a rental house, and you've got six bedrooms, you're supposed to have six vehicles can park there
438 [sic]. Now six vehicles, depending on the car, can hold anywhere from two to eight, ten people,
439 depending on if it's a van or whatever. So that's a lot of people. If you have that, you're okay. But, if you
440 build that big three bedroom house and you made all your oth [sic], you went out and you converted some
441 of your places, your dens and living rooms, then you've basically, you violated law. You violated zoning

442 ordinance. That's a fact. So you basically violated law, and you went from a three, three parking spaces
443 to six parking spaces, okay. The fact is the way this parking got started was our administrator came up to
444 us a couple of years ago and said our parking program is broken. We're gonna, we gotta buy machines,
445 and then my colleague right here, Beth Kohlmann, pointed out that we had a pier parking lot the
446 machines were broken. One year we made \$7,264. The next year, the same month, we made \$8. We,
447 we basically hired a professional. Now, let me ask you a question. If you had to have heart surgery,
448 would you go to a general practitioner or a heart surgeon? You'd think the answer is pretty clear. You'd
449 go to the heart surgeon. We hired a professional parking company to handle our parking. Are they
450 perfect? No. Is this town, town everything happens in this town perfect? No. There's never no [sic] easy
451 answer, but we are doing the things we need to do. It's not about greed. It's about creating a revenue
452 stream for the town. If we create a revenue stream for the town, it doesn't hurt us. We took in, according
453 to Diana King, a \$139,000, almost a \$140,000, which I understand that's, if it's \$60,000 a mil, that's two
454 and a third mils that we took. That goes to the general fund to pay our bills. So we went from a broken
455 thing to something that is starting to work. Now, granted we got a public hearing. We still got time to take
456 this and use some of Ms. Mabry's suggestions, some of Ms. Kohlmann's suggestions. I'm sure Mr.
457 Johnson has some suggestions, so we got a lot of, we got us a lot things [sic]. Don't panic yet, because
458 it's not over. We haven't finished this. But hopefully we'll get this done in a nice way so it makes the
459 town a little money, which that relieves you on your taxes, and at the same time the people are still gonna
460 come here because they're tourists. They come here because we've got something and nobody else in
461 the state has. We have a beach, and we have the Atlantic Ocean. So they're gonna come here. So just
462 be patient with us and I think that we'll, we'll solve this, and I think that some of the other councilmembers
463 had some have some ideas, and I'm definitely gonna listen to 'em. Mr. Smith had some good ideas about
464 working some things out with I think; the lady right out here mentioned something about that. You've got
465 something coming up on that, so come to our meeting."

466
467 Mr. Johnson: "Thank you all for coming out tonight. I just want to briefly touch on the parking
468 situation. I did not vote for the parking meters. I've always been against them, and in the foreseeable
469 future, I will always, I will be against them. The problem I see, which no one has brought up is the fact
470 that it's pushing residents away from here and our businesses are suffering. You know, people say, you
471 know, yeah, we get this amount of money from the parking meters, but our businesses are suffering from
472 it, and, and you know, that's my opinion. I'm sure that you all have your opinions, as does the parking
473 committee, or else they wouldn't have suggested it. On a lighter note, I would like to thank everyone that
474 came to the BBQ festival. It was a very good success, and I would like to commend town staff and
475 Debbie Ellis for putting on a very nice event. Thank the good Lord that the weather cooperated. Thank
476 you again for coming out, and we'll see you next time. Thank you."

477
478 Ms. Kohlmann: "When I first got elected, I was schooled by some of the seasoned council
479 people up here, and I distinctly remember being told there's gonna come issues before us and you're
480 gonna have to vote on issues. You vote, and you leave it in the council chambers, and whether you vote
481 for or against something or anything, you need to support your council as a whole. The parking has been
482 a nightmare. I think we all agree on that. However, I think that this council has done something that no
483 council before has done. They actually took action on something that has been a problem in this town
484 forever. They didn't just say there's a problem, and if you, I see people shaking their heads. If you go
485 back and read the minutes, it's factual. It's there. It comes up repeatedly; parking. This town spent lots
486 of money on parking studies, if you look back over \$50,000. They're spending money on studies, but
487 they never took action. I'm not saying that what we did was perfect, because I know it was not, and then
488 when I hear people saying I'm against it. I'm against it; then make a motion. Give us something. If
489 you're not part of the solution you are part of the problem. Don't fight against each other. We're
490 supposed to be working together. So, I, I am sorry if I insult any of you, but I do speak from the hip [sic]
491 and I, I feel insulted that that's how this is coming about, and I hope, I would hope that the people of this
492 town are smart enough to not take one issue and vote people out. Look at the totality of what people do,
493 because if that's how you're gonna elect our officials throughout the, every kind of process, you're never
494 gonna have anybody elected, cause you can't tell me that you agree a hundred percent with any person
495 that's in an elected position. I don't care who you are, or who you're gonna say you represent, cause that
496 is just not true. You're not going to, and if you do, then somebody's not doing their job, cause you cannot

497 please all the people. But, what I would say is please, give your ideas. Just try. My door's always open.
498 People know that. If you have an idea, you need to tell people your idea, because without ideas it's just
499 us, and that's not a good thing sometimes, obviously. So, I welcome everybody and thank you, Mr. Ard,
500 for your comments. I appreciate them, and thank you, Chief, for the storm, all the work you all did, and
501 everybody have a nice evening."
502

503 Mayor Samples: "I'm gonna spend a little time on parking. First, I would encourage everybody to
504 read the minutes, which we approved tonight. Those are the February 25th minutes. They're available on
505 line. I think that those minutes will provide some better insight than what you heard so far tonight. The
506 public hearing that we're gonna have shouldn't have been a surprise to anybody. About; after we put
507 parking meters on Ocean Boulevard, doesn't it make sense that people are gonna park on the side
508 streets? Yes. Now, we're gonna restrict parking on the side streets. How far is that to walk? A former
509 councilmember mentioned years ago to me he wanted to eliminate parking on Ocean Boulevard, and I
510 told him then, you know, look at the City of Charleston. They've got parking problems. They've got nine
511 different zones. Is that the kind of mess that we want to create in the Town of Surfside Beach? I don't
512 think so. Again, the history is when we first put parking meters in the lots that are owned by the Town of
513 Surfside Beach that money the council at the time said was to build up money to purchase additional lots
514 to have parking lots, and I'm the only one who's been here that long, so I get the blame for all these past
515 council actions. Well, I can assure you, if you follow those actions we threw money, we spent money on
516 and overspent money on matters at a time when the economy turned south, and so we ran deficits. This
517 will be the first year, maybe, we don't know till we get to the end of the year, that we will have brought in
518 more money than we spent in six or seven years. That's what I ran on to be mayor. I got elected mayor,
519 and that's what I intend to do with respect to spending. But, the parking meters are a mistake. The public
520 safety issue, which was the genesis that led this council to set up meters on Ocean Boulevard could have
521 been handled differently, and was being handled differently, but we didn't give it time to even work. For
522 Mr. Stevens' benefit, and I apologize for mentioning you by name, but it was mentioned earlier that we
523 need to investigate these beach houses that may have not, the current code says one bedroom, one
524 parking space. Well, I sat on Town Council when we adopted that requirement back in 2004 or 2005.
525 Prior to that, the requirement we didn't have that requirement. Prior to that the requirement was one
526 bedroom [required] three-quarters of a parking space. So, it's unfair to say that it doesn't impact the
527 businesses the mini-hotels, the condominiums that existed there previously, and I think that if people
528 have lived here long enough understand that that was during the major part of the building boom. So,
529 many of those homes were legally built, but don't meet our current parking requirements, and we talk
530 about the revenue, a \$139 or a \$140 thousand that were generated in this year. That doesn't include the
531 amount of money that we spent last year purchasing the meters and the pay stations, because we spent
532 \$225,000 or more in addition, the real money that this town raises comes in from three places: it's the 6-
533 percent non-resident properties that pay \$1.8 million into us; the next one is hospitality tax, that's tourists,
534 that us, but it's tourists also, and after that, it's accommodations tax. So, if, we're fighting a losing battle
535 on this and yes, and I'm gonna say this, I counseled members before we embarked down this path.
536 Okay, but we are where we are, we are where we are [sic,] and frankly that's why we do have elections.
537 That's all I have to say."
538

539 **11. EXECUTIVE SESSION**

540 **Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements.**

541 Mr. Johnson moved to enter executive session at 7:50 p.m. Mr. Smith seconded. All voted in
542 favor. **MOTION CARRIED.**

543 Mr. Smith moved to reconvene regular session at 8:47 p.m. Mr. Johnson seconded. All voted in
544 favor. **MOTION CARRIED.**

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

Regular Town Council Meeting
March 11, 2014

551 Mr. Johnson moved to direct the town administrator to move forward with the contract with Judge
552 Arakas. Ms. Mabry seconded.

553
554 Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Johnson and Smith voted in
555 favor. Councilmembers Dodge, Kohlmann and Stevens voted against. **MOTION CARRIED.**
556

557 **12. ADJOURNMENT.**
558

559 Mr. Smith moved to adjourn the meeting at 8:49 p.m. Ms. Mabry seconded. All voted in favor.
560 **MOTION CARRIED.**

561 Prepared and submitted by,
562

563 _____
564 Debra E. Herrmann, CMC, Town Clerk
565

566 Approved: March 25, 2014
567

568 _____
569 Douglas F. Samples, Mayor
570

571 _____
572 Mary Beth Mabry, Mayor Pro Tempore
573

574 _____
575 Ann Dodge, Town Council
576

577 _____
578 Mark L. Johnson, Town Council
579

576 _____
577 Elizabeth A. Kohlmann, Town Council
578

580 _____
581 Roderick E. Smith, Town Council
582

578 _____
579 Randle M. Stevens, Town Council
580

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