

AGENDA
TOWN OF EDISTO BEACH
APRIL 09, 2015
PUBLIC HEARING
5:55 P.M.
REGULAR TOWN COUNCIL MEETING
6:00 P.M.

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Minutes**
 - A. Regular Council Meeting Minutes, March 12, 2015
- IV. Proclamations and Presentations**
 - A. Starfish Award – Cathy Price
- V. Old Business**
 - A. First Reading of Ordinance No. 2015-07 to Amend Sections 66-78(b), 66-78(c), 66-78 (d) and Section 66-9 of the Town’s Code Related to Solid Waste Management
 - B. Second Reading of Ordinance No. 2015-04 to Amend the FY2014-15 Budget
 - C. Award of Bid 2015-01 Garbage Container Roll-Back Services
- VI. New Business/Appearances**
 - A. Ice Machine
 - B. Special Event Application Edisto Belles Beach Walk
 - C. Special Event Application Whatsoever Circle of Kings Daughters and Sons Edisto Day Bazaar
 - D. Special Event Application Edisto Beach Fire Department Annual Fish Fry
 - E. Fire Truck 2013-05 Change Orders
 - F. Work Authorization No. 5 with URS for the Hydraulic Evaluation for the Edisto Beach Wastewater Collection System at a cost not to exceed \$15,720
 - G. Resolution 2015-R08 designating April 2015 as Fair Housing Month
 - H. Civic Center Guidelines and Fees
 - I. Resolution 2015-R10 Opposing H3490, A House Bill to Cap Business License Fees
 - J. Award of RFQ 2015-02 Town of Edisto Beach Water System Improvement Project
 - K. Proclamation 2015-P11 Claiming April 2015 as Zero Tolerance of Litter Month
- VII. Committee Vacancies**
 - A. Construction Board of Adjustments and Appeals – 1 vacancy
 - B. The Image and Design of Edisto (TIDE) Committee- 1 vacancy
 - C. Planning Commission – 2 vacancies
- VIII. Planning Commission**
 - A. 101 Jungle Road-Delta Constructors on Behalf of Smugglers Attic owner Delana I. Rast-Deck Addition
 - B. 114-J Jungle Road-Delana I. Rast – Sugartime Expansion
 - C. First Reading of Ordinance No. 2015-09 to Amend Chapter 62, Amend Chapter 71 and Amend Chapter 86 of the Town’s Code of Ordinances as Recommended by the Planning Commission Pursuant to an Extensive Study and Re-Write Initiative
- IX. Departmental Reports and Committee Updates**
- X. Public Comment Period**
- XI. Executive Session - Personnel**
- XII. Adjournment**

TOWN OF EDISTO BEACH

AN ORDINANCE

**TO AMEND SECTION 66-78(b), 66-78(c), 66-78 (d) and SECTION 66-9 OF THE TOWN'S
CODE RELATED TO SOLID WASTE MANAGEMENT.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in Council duly assembled that amends Sections 66-78(b), 66-78 (c), 66-78 (d) and Section 66-9 of the Town's Code as follows:

(b) Residential collection shall be made from curbside or the property line nearest the street. Where there may be a problem in the placement of the authorized residential containers, they shall be located as indicated by the administrator. Owners of properties or producers subject to garbage collection, shall place container(s) at curbside no more than 12 hours before the scheduled collection. Within 12 hours after the regularly schedule garbage pickup, owners of properties or producers shall be responsible for removing authorized residential containers from the property line and placing the containers underneath the premises or next to the premises to be located out of public view as best as possible. If the resident or producer is not available to take authorized residential containers out or bring them back in according to the schedule, garbage and trash can be taken by the resident or producer to the town's convenience station. The authorized containers shall not be overfilled to the point where they cannot be completely closed and no garbage or trash shall be placed outside of authorized residential containers. Any excess garbage or trash shall be taken by the resident or producer to the convenience station.

(c) The convenience station is open 24 hours a day, seven days a week and accepts household trash, yard trash and recycling. E-waste, paint and other hazardous materials are not accepted at this site.

(d) The Town may provide or contract for, but is not required to provide or contract for, a mandatory service to "roll-out" authorized residential containers to the curbside for household waste service and "roll-back" authorized residential containers after collection. The fee assessed to the residents will be based on the number of containers per dwelling. Residents may opt-out of the "roll-out/roll-back" service by signing a document agreeing to handle the roll-out/roll-back service themselves with the understanding that failing to meet the requirements will result in the resident's automatic re-enrollment in the service by the Town.

Sec. 66-9 Penalty for violation.

(a) A person who violates the provisions of this section shall be guilty of an infraction, punishable by a civil fine of not less than \$25.00 nor more than \$50.00.

- (b) In addition to the fines established by this section, three violations of this section by a resident or producer who has opted out of the mandatory roll-out/roll-back services, if provided by the Town, will result in suspension or revocation of the opt-out service and the resident or producer will be automatically re-enrolled in the mandatory roll-out/roll-back program by the Town.
- (c) Violation of this section is hereby declared to be a public nuisance, which may be abated by the Town provided by the law and the Town may take action to recover the costs of the nuisance abatement.
- (d) Each day of a continuing violation of this section shall be considered a separate and distinct infraction.

This ordinance shall take effect upon final reading.

Jane S. Darby, Mayor Pro Tem

First Reading: _____

ATTEST:

Final Reading: _____

Deborah Hargis, Municipal Clerk

Approved as to form: _____

**TOWN OF EDISTO BEACH
AN ORDINANCE
TO AMEND THE FY 2014-2015 TOWN BUDGET**

WHEREAS on June 12, 2014, Town Council adopted the budget for Fiscal Year 2014-15 totaling \$5,409,737 with revenues equaling expenditures; and

WHEREAS, Town administration has prepared an analysis and comparison of the adopted 2014-2015 Town Budget with current mid-year expenditures and briefed Town Council on the analysis and recommended amendments to the Budget to better conform to actual and proposed expenditures and revenues; and

WHEREAS, it is estimated more revenues will be received than previously estimated resulting in an increase in revenues of \$179,505 offset by an equal amount of expenditures; and

WHEREAS, Town Council believes it is in the best interest of the Town to amend the 2014-2015 Town Budget totaling \$5,589,242 per the recommendations.

BE IT ORDAINED by the governing body of the Town of Edisto Beach, in council duly assembled, and by the authority of the same:

1. The FY 2014-2015 Town of Edisto Beach Budget is hereby amended as set forth in the attached Exhibit A.

This ordinance shall be effect upon adoption.

TOWN OF EDISTO BEACH

By: _____
Jane S. Darby, Mayor Pro Tempore

ATTEST:

Deborah Hargis, Municipal Clerk

First Reading: March 12, 2015
Final Reading: _____

Approved as to form: _____

Fair Housing Resolution

WHEREAS, April 12, 2015 marks the 47th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights act of 1968, as amended, and the State of South Carolina enacted the South Carolina Fair Housing Law in 1989, that both support the policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

WHEREAS, the Town of Edisto Beach is committed, to addressing discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every citizen of their right to fair housing; and

WHEREAS, the Town of Edisto Beach rejects discrimination on the basis of race, religion, color, sex, national origin, disability and/or familial status in the sale, rental, or provision of other housing services; and

WHEREAS, the Town of Edisto Beach desires that all its citizens be afforded the opportunity to attain decent, safe and sound living environment;

NOW THEREFORE, be it resolved that the Town of Edisto Beach does hereby designate April 2015 as being Fair Housing Month and, the Town of Edisto Beach recognizes the policy supporting Fair Housing in encouraging all citizens to endorse Fair Housing opportunities for all not only during Fair Housing month but throughout the year.

SIGNED, SEALED AND ADOPTED BY Town Council this 9th day of April 2015.

Mayor Pro Tem Jane S. Darby

Patti Smyer

Susan Hornsby

Pete Anderson

Resolution Opposing H3490, A House Bill to Cap Business License Fees

WHEREAS, cities and towns in South Carolina provide critical services to residents, businesses and visitors; and

WHEREAS, businesses locate in cities and towns because of the core of commercial activity centered there; and

WHEREAS, this commercial activity is supported by town services including police services, fire services, and zoning services that cannot be paid for on an individual usage basis; and

WHEREAS, infrastructure and services to support commercial activity must be publicly funded if our towns are to maintain existing services and continue attracting private business investment and tourism to our cities, towns and state; and

WHEREAS, business license taxes account for 6.78 percent of the Town of Edisto Beach's General Fund; and

WHEREAS, H3490 is a House bill introduced February 3, 2015 that would cap business license taxes at \$100 per business; and

WHEREAS, H3490 would be catastrophic for cities and towns in reducing funding for police, fire, streetscaping and other services;

NOW THEREFORE, be it resolved that the Council of the Town of Edisto Beach affirms its opposition to H3490, a bill that cuts services to residents, businesses and visitors.

SIGNED, SEALED AND ADOPTED BY Town Council this 9th day of April 2015.

Mayor Pro Tem Jane S. Darby

Patti Smyer

Susan Hornsby

Pete Anderson

**Town of Edisto Beach
Zero Tolerance for Litter Month Proclamation**

Whereas, Edisto Beach has an abundance of natural resources including miles of pristine shoreline and marshes; and

Whereas, because litter detracts from commerce and real property values and can be a deterrent to tourism and economic development, residents of Edisto Beach must work together to keep our town litter-free; and

Whereas, South Carolina state agencies have joined together in a collaborative effort to address litter on our roadways; and

Whereas, littering is illegal and is a crime against nature as well as the residents of the Town of Edisto Beach and the Palmetto State; and

Whereas, South Carolina law enforcement agencies serve to protect our citizens through the enforcement of our laws, including those that address litter on our roads and in our community; and

Whereas, Zero Tolerance for Litter is a month-long enforcement campaign focusing on our state's litter laws.

BE IT THEREFORE PROCLAIMED that the Council of the Town of Edisto Beach affirms on this 9th day April, 2015 that April is Zero Tolerance for Litter Month.

SIGNED, SEALED AND ADOPTED BY Town Council this 9th day of April, 2015.

Mayor Pro Tem Jane S. Darby

Susan Hornsby

Pete Anderson

Patti Smyer

TOWN OF EDISTO BEACH

AN ORDINANCE TO AMEND CHAPTER 62, AMEND CHAPTER 71, AND AMEND CHAPTER 86 OF THE TOWN'S CODE OF ORDINANCES AS RECOMMENDED BY THE PLANNING COMMISSION PURSUANT TO AN EXTENSIVE STUDY AND RE-WRITE INITIATIVE

WHEREAS, after extensive study the Planning Commission of the Town of Edisto Beach has recommended to the Town Council that Chapter 62, amended and re-written as set forth in Exhibit A attached hereto, be adopted by Town Council; that Chapter 71, amended and re-written as set forth in Exhibit B attached hereto, be adopted by Town Council; and that Chapter 86, amended and re-written as set forth in Exhibit C attached hereto, be adopted by Town Council; and

WHEREAS, the Town Council believes it is in the best interest of the Town to enact the amendments and re-written chapters; and

WHEREAS, prior to the final reading of this ordinance a public hearing was held pursuant to the requirements of the S.C. Code of Laws.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that:

1. Chapter 62 of the Town's Code be amended in totality to read as set forth in Exhibit A attached to this ordinance;
2. Chapter 71 of the Town's Code be amended in totality to read as set forth in Exhibit B attached to this ordinance; and
3. Chapter 86 of the Town's Code be amended in totality to read as set forth in Exhibit C attached to this ordinance.

This ordinance shall take effect upon final reading.

Jane Darby, Mayor Pro Tem

ATTEST:

Deborah Hargis, Municipal Clerk

First Reading: _____
Public Hearing: _____
Final Reading: _____

Approved as to form: _____