

Committee on Public Works & Utilities

January 23, 2023

A meeting of the Committee on Public Works & Utilities was held this date beginning at 5:05 p.m. over video conference call.

Notice of this meeting was sent to all local news media.

Present: Councilmember Waring, Chair, Mayor Tecklenburg, Councilmember Appel, Councilmember Bowden, and Councilmember Shahid.

Also Present: Jennifer Cook, Philip Clapper, Rick Jerue, Tom O'Brien, Matt Fountain, Matt Alltop, Melissa Cruthirds, Julia Copeland, Magalie Creech, and Mallary Scheer.

A. Invocation

The meeting was opened with an invocation provided by Councilmember Shahid .

B. Approval of Public Works and Utilities Committee Minutes

1. January 9, 2022

On a motion of Councilmember Shahid, seconded by Mayor Tecklenburg, the Committee voted unanimously to approve Item B1.

C. Request to Set a Public Hearing

1. Request to set a Public Hearing on a request to Close and Abandon a portion of Hanover Street.

Mr. O'Brien explained the Item. They would go through the due diligence process to see if abandoning that portion would be possible. They would set that public meeting at the second meeting in February. They would make their recommendation to Council at that meeting.

On a motion of Councilmember Shahid, seconded by Mayor Tecklenburg, the Committee voted unanimously to approve Item C1.

D. Old Business

None.

E. Acceptance and Dedication of Rights-of-Way and Easements

1. Authorization to notify SCDOT that the City intends to accept maintenance of 881 LF of concrete multi-use path along Folly Road (SC 171) starting at the Tatum Street intersection along the McLeod Plantation County Park to Country Club Drive and 566 LF of concrete sidewalk along Country Club Drive in conjunction with the TST Folly Road and Country Club Drive Multi -Use Path and Sidewalk Project.

Mr. O'Brien explained the Item. DOT had asked them to take over.

On a motion of Mayor Tecklenburg, seconded by Councilmember Bowden, the Committee voted unanimously to approve Item E1.

F. Temporary Encroachments Approved by the Department of Public Service (For Information Only)

- 1. 109 Bee Street- Install parking garage over existing drainage easement. This encroachment is permanent.**
- 2. 186 St. Phillips Street- Install two balconies over the right of way, one on Cannon Street and one on St. Phillips Street. This encroachment is permanent.**

Mr. O'Brien wanted to highlight that the first two were actually permanent encroachments, which they did not see very often. Action would be taken at Council the following night. He explained the Items. For Item F1, once the parking garage was built, he believed there was the potential for relocating the drainage line.

Mr. Fountain said that was correct.

Chair Waring asked for confirmation that F1 and F2 would come to Council.

Mr. O'Brien confirmed.

Mayor Tecklenburg asked what F2 was.

Mr. O'Brien explained the Item. There were balconies being constructed that would go over the right of way. They were at the proper height.

Mayor Tecklenburg asked which hotel it was.

Mr. O'Brien said it was at 186 St. Philip Street. He didn't know the name of the hotel.

Chair Waring asked how that had gotten approved.

Mr. O'Brien said it got BAR approval, and then they had to ask approval for the encroachment.

Chair Waring asked Legal Counsel if the City was liable if the balcony fell and hurt someone on City property.

Ms. Copeland jokingly asked Chair Waring why he asked her things like that.

There was laughter.

Ms. Copeland said she believed the first person listed as a defendant would be the hotel. However, the City would stand a chance to be pulled in, as well.

Chair Waring said they ought to share that with BAR.

Mr. O'Brien said he would speak with them about that.

Councilmember Bowden asked if there were other structures with similar encroachments.

Mr. O'Brien said there had been. It was rare, but there were exceptions.

Mayor Tecklenburg said years ago, it was a common process. He had looked up the site, and there was a really ugly-looking building that would be torn down, and it was built right up on the property line. The building that would replace it looked more like a Charleston single house with balconies on the side. He agreed with BAR's approval. He believed it was fine.

Councilmember Appel said he was contacted by the owner of the property. It was actually not a hotel, but a restaurant on the ground floor with two condo units above, which may be put to STR use, but it was not a big hotel. He said he had been involved in some cases where there were numerous examples of hangover balconies, and it was not too far afield from what they had been doing over the years. To achieve their aesthetic goals in the City, they had to be flexible.

Mr. O'Brien said when applicants signed these agreements, there was indemnity to the City and insurance was required.

On a motion of Councilmember Bowden, seconded by Mayor Tecklenburg, the Committee voted unanimously to approve Items F1 and F2.

3. 1442 Rivers Cotton Road- Install wooden fence in drainage easement. This encroachment is temporary.

4. 1554 Charming Nancy Road- Install wooden fence in drainage easement. This encroachment is temporary.

G. Public Service Department Update

1. Environmental Services Update

Mr. Alltop said garbage and trash were struggling for a little bit. Everything seemed to have been in order and back to normal. They had made huge gains. They were seeing more applicants now. They had made two offers for garbage driver, and two for trash driver. They hoped it was the start of a big push.

They would not be able to order a sweeper that year. The money didn't work. But they would put through three boom trucks and two new automated silo garbage trucks.

The ReCollect system's first kickoff meeting was the next day. They hoped to have that up and running within two or three months.

Chair Waring said the increase in the budget was beginning to show some effects with hiring. That was great. He asked how many people they were down.

Mr. Alltop said he needed three more in garbage, seven or eight in trash, and nine in street sweeping, though they had submitted two offers for street sweepers that day, and they had two new grounds custodians starting on the 6th.

Mayor Tecklenburg thanked Mr. Alltop and told him to keep it up.

H. Stormwater Management Department Update

1. Executive session pursuant to S.C. Code Ann. Sec. 30-4-70(a)(2) to received legal advice and consideration of request from stormwater staff to acquire properties from the Church Creek Flood Storage Project.

Chair Waring said before the executive session, he wanted to make sure there was an update on the DuWap Drainage System on the next agenda.

Mr. Fountain said he could do that.

Councilmember Appel said he had circulated an email after the last Council meeting requesting an update regarding Dominion tree trimming throughout the City to make sure they got a briefing. He asked to put that on the next agenda so that they could do a status check.

Mr. O'Brien said he would put that on the agenda. Jason Kronsberg had done a lot of work with Dominion on that, and he would be able to keep them updated.

Councilmember Shahid said he had had a discussion with Mr. Fountain on Lake Sandhurst, and he was meeting with the property owners on Thursday, and he wanted that on the agenda for next time.

Councilmember Bowden said AT&T was installing fiber optic cable, and he believed that the workers were doing the best they could, but they were causing "an absolute scene." They were cutting internet lines, and were messing with water lines. That affected people who were working from home. He knew some of that was unavoidable, but he was curious what their permitting process was like for that work and if there was anything the City could do regulation-wise, though he knew most of it was regulated by the state. He said a constituent of his had asserted that it was "very, very simple" to have someone on the site that could repair an internet cable that got cut. He wanted to know if there was anything they could do that could make it less than "an absolute nightmare."

Chair Waring apologized. When they had come to his neighborhood, they had been very proficient. They put the grass right back in.

Mr. O'Brien said that a lot of times what happened was that AT&T used different subcontractors, and some were very good, and some were not. They were out there with their inspectors staying on top of them, and they had had some others in the North Bridge area doing the same thing. They were trying to stay on top of them, and it helped when they got calls, because there were just two inspectors for the entire area of West Ashley. They sent someone over right away when they heard about that.

Councilmember Appel asked Councilmember Bowden to get with him off of Zoom. They had come through Byrnes Downs the previous year, and he had a good contact at AT&T that could help. He would be happy to share the contact information.

On a motion of Councilmember Shahid, seconded by Councilmember Bowden the Committee voted unanimously to approve Item H1.

On a motion of Councilmember Shahid, seconded by Councilmember Bowden, the Committee voted unanimously to come out of executive session.

Mayor Tecklenburg said one of his children's in-laws had interest in one of the properties, so he was going to recuse himself.

On a motion of Councilmember Bowden, seconded by Councilmember Shahid, the Committee voted unanimously to authorize staff to acquire the identified properties by all means up to and including eminent domain. Mayor Tecklenburg recused himself.

I. Miscellaneous Business

None.

The meeting was adjourned at 5:43 p.m.

Philip Clapper

Clerk of Council's Office