

CITY COUNCIL

6:00 p.m., Tuesday, February 27, 2018

The regular meeting of City Council was called to order at 6:05 p.m., Tuesday, February 27, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, Smith and Ward, Mayor Carroll, City Administrator Tucker, Attorney Halversen, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business.

1. Mayor Carroll called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act. Following a brief invocation and the Pledge of Allegiance, Clerk Copeland called the roll.

2. Reading of the Journal of Previous Meetings

MOTION: Councilmember Ward moved to approve the minutes of the Special Meeting of January 16, 2018, the regular meeting of January 23, 2018, the Public Hearing of January 23, 2018 and the Special Meeting of January 23, 2018 as submitted; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Ed Gwilt, owner of 4 – 25th Avenue, recounted his unsuccessful dealings with the IOP Water and Sewer Commission and the City's Building and Licensing Department to get the permits for a grinder pump in order to proceed with constructing a new home. He asked that the City work with the Water and Sewer Commission so that he could get the necessary permits to begin construction. His written comments are attached to the historical record of the meeting.

Joe Settimio, 25 – 24th Avenue, told Council about a couple of recent instances of aggressive dogs at the Bark Park and on the beach; he asked that City Council require all non-resident dogs to have a license or permit and to have the owners sign a waiver that the dogs were not aggressive.

Patricia Ryan, 6 Forest Trail Court 1, described the City as "a sanctuary city for coyotes" and expressed her lack of confidence in the City's efforts in reducing the number of coyotes.

Beach Restoration Update – Steven Traynum, Coastal Science and Engineering

Mr. Traynum reported that the project was going well and has deposited one million cubic yards (1,000,000 cu. yds.) of sand on the beach to-date; the project should be complete in two (2) week if the weather holds and the dredger does not have mechanical breakdowns. He stated that the work has been completed on about five thousand (5,000) feet of beach and has approximately four thousand (4,000) feet remaining. The mud rollers that were deposited on the beach were gone for the most part; a crew was on the beach over the weekend removing them. Since the dredger has relocated to a different area of the borrow site, Mr. Traynum was confident that the problem would not resurface; he assured Council that any mud rollers still on the beach would naturally dissipate.

He also reported that several residents have asked why the project ends where it does, and he explained that, in designing the project, they looked at what areas of the beach had the most threat to structures and where the shoals and erosion were focused – for this project, that place was 57th Avenue. The majority of fill will go into the area that needs the most protection and where it will best serve the future of the beach. Mr. Traynum was most complimentary of Great Lakes Dock and Dredge, both the work they were doing and how unobtrusive they have been by leaving open as much of the beach as possible. At the end of the project, they will till the beach making it softer for the sea turtles, which was as requirement of the permit.

Responding to Councilmember Kinghorn's question on the status of FEMA funding, Administrator Tucker stated that she and Assistant Fragoso continue to reach out to FEMA two to three (2-3) times a week about the funding for the sand losses from Hurricane Irma. She noted that the application has reached the Consolidated Resource Center which is where the decisions were made. She also reported that the dredger has made the turn in the opposite direction, and, according to Mr. Traynum, the cost per cubic yard might increase as the days pass.

Councilmember Ward noted that currently seventeen million dollars (\$17,000,000) has been allocated to beach renourishment projects along the coast in the proposed State budget; he thought that the City needed do what was necessary to insure that the City got a share of those funds. He added that Representative Mike Sottile, former IOP Mayor, was on the House Ways and Means Committee and would assist the City as much as possible as would Senator Campsen.

Administrator Tucker took the opportunity to thank the Police Department for their work keeping beachgoers out of the construction zone.

4. Reports from Standing Committees

1. Ways and Means Committee

Councilmember Ward reported that several citizens made comments at the meeting of February 20, 2018; among the suggestions they made were to include adding an hourly rate to the kiosks in the municipal parking lots; eliminating vehicular parking on Ocean Boulevard between J.C. Long Boulevard and Pavilion Drive and turning those spaces into active loading/unloading spaces; and paying to park on Palm Boulevard. At the end of January 2018, General Fund revenues were approximately five million dollars (\$5,000,000), or forty-nine percent (49%) of budget, and General Fund expenditures were at fifty-two percent (52%) of budget with a seven (7) month target being fifty-eight percent (58%). Total revenues City-wide were approximately eleven million seven hundred thousand dollars (\$11,700,000) which constituted forty percent (40%) of the FY18 budget; total expenditures City-wide were approximately ten million three hundred thousand dollars (\$10,300,000), or thirty percent (30%) of budget. The Treasurer noted that cash balances continued to be strong, but they would begin to decrease as the City embarks on several large projects. The Municipal Accommodations Fee and the Beach Preservation Fee were two percent (2%) higher year-to-date in FY18 than for the same period in FY17. Hospitality Tax collections were five percent (5%) ahead of FY17, and the Treasurer opined that the City has a couple of late payers. The second quarter's State Accommodations Taxes have been received, and the City is running three percent (3%) ahead of FY17. No change has occurred in the collection from the Charleston County Accommodations Tax Pass-through. The first two (2) pay applications have been paid to Great Lakes Dock and Dredge totaling four million six hundred thousand dollars (\$4,600,000). The Front Beach restroom renovation project has twenty thousand dollars (\$20,000) surplus when comparing the budget to the contract, and the City has not received any construction pay applications to-date. Two (2) new schedules were introduced,

i.e. one (1) for the replacement of the underground fuel storage tanks at the Public Works site and the IOP Marina and two (2) was for the Marina Bulkhead Rehabilitation; the comparison between the project budget for the bulkhead and the contract shows a surplus in the budget of approximately seventy-six thousand dollars (\$76,000).

1. **Consideration of contract awards to Benson Ford Nissan in the amount of \$49,756 (\$24,878 x 2), state contract pricing, for two (2) 2018 Ford Interceptor Sedans** (Page 25, In 112 – Municipal Accommodations Tax Fund, Police Dept. Capital Outlay, \$64,000) **and an award in the amount of \$25,083, state contract pricing, for one (1) 2018 Ford Interceptor Sedan** (unmarked) (Page 28, In 278 – State Accommodations Tax Fund, Police Dept. Capital Outlay, \$32,000)

MOTION: Councilmember Moyer moved to approve the contract awards to Benson Ford for the vehicles described above; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

2. **Consideration of an agreement with The Palms Hotel for their guests and employees to park in the municipals parking lots**

Administrator Tucker explained that staff was seeking Council's approval to enter into the agreement with The Palms Hotel subject to some additional legal work, such as to include both parking lots A and B, to change the departure time to noon to accommodate the check-out time for guests, to report and pay fees by the seventh (7th) of the month, to add language that the hotel will insure that any kind of improper use of the tags or seasonal passes would not be the responsibility of the City and could be ticketed by the Police Department, to "beef-up" the assumption of risk language to make sure the City does not bear any responsibility for any misuse and to add the exhibit of Lot B.

3

MOTION: Councilmember Rice moved to approve the agreement between the City and The Palms Hotel for parking in the municipal lots subject to certain legal change or additions as noted above; Councilmember Bell seconded.

Councilmember Kinghorn asked if the agreement included an "out" for the City, and the Administrator responded that the City could terminate the agreement in sixty (60) days with or without notice.

Attorney Halversen added that the agreement was only for one (1) year and could be renewed with the approval of both parties.

VOTE: The motion PASSED UNANIMOUSLY.

3. **Consideration of a Change Order from Phillip Smith Contracting in the amount of \$27,671.00 relative to the public restrooms and the dune walkover** (pg. 47, In 142 – Capital Projects, Rehab Public Restrooms, State ATAX - \$372,000; Beach Preservation Fee - \$175,000; Plant a Palm/Aisle of Palms Fund - \$18,000 totaling \$565,000 with balance remaining of \$50,520)

MOTION: Councilmember Bell moved to approve the Change Order from Phillip Smith Contracting as stated above; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

The next meeting of the Ways and Means Committee will be at 5:00 p.m. on Tuesday, March 20th.

B. Public Safety Committee

From the meeting of February 5th, Councilmember Smith reported that the City considered a request to allow “Making Strides Against Breast Cancer Walk” as a City-sponsored event, but subsequent to the meeting, Assistant Frago received an email saying that the Cancer Society decided against holding the event on the island. The Committee discussed and approved establishing new construction work hours to 7:00 a.m. to 7:00 p.m. Monday through Friday, 8:00 a.m. to 4:00 p.m. on Saturday, and no work allowed on Sunday. Chief Graham told the Committee that the seventy-five foot (75 ft.) ladder truck needs major repairs that will require it to go to the manufacturer in Florida; the repairs have been estimated at approximately one hundred thousand dollars (\$100,000) and would take the truck out of service for nine to twelve (9-12) months. The Committee agreed that the best thing for the City to do was to replace the ladder truck and to defer the truck on the replacement schedule to FY19; the cost of a new truck is expected to be around eight hundred twenty-five thousand to eight hundred fifty thousand dollars (\$825,000 – 850,000). The string of vehicle break-ins continued in January; the majority of vehicles involved were left unlocked by the owners. Chief Buckhannon urged residents to be more vigilant about locking their homes and cars. The Committee also discussed adding bike paths to the island and parking on City-owned property. Councilmember Smith reviewed the coyote situation on the island and what the City has done, and continues to do, about them.

Councilmember Bell stated that City Council was not going to solve the coyote problem with traps and that Council needed to decide to approach the problem more seriously through a variety of techniques, including hunting.

4

Councilmember Smith responded to the idea of hunting saying that, although USDA Wildlife Services would, on occasion, allow hunting and killing coyotes, they do not recommend doing that. According to them, hunting in an urban area was very complicated, in part because of trespassing agreements that must be obtained.

The next Public Safety Committee will be at 4:00 p.m. on Monday, March 5th in the Conference Room.

C. Public Works Committee

Reporting on the meeting of February 1st, Councilmember Kinghorn stated that he was elected Chair and the Councilmember Rice was elected Vice Chair. In the monthly report generated by Director Pitts, volumes of garbage and yard debris remained relatively unchanged; he commented that the new financial software make the tracking of vehicle maintenance costs much less time consuming and more accurate. The Committee received an update on the drainage issues on 32nd Avenue, and, once the ownership of the easement was determined, the City has a plan to provide the residents a long-term solution. In the update on the Phase II Drainage project, the Committee was informed that the project should be completed in June. The Committee again discussed staffing issues in the Public Works Department, and, at a meeting on March 1, staff will present a specific proposal to meet the most immediate needs for inclusion in the FY19 budget. A discussion on changing the name of the Committee was discussed in light of the expanded scope of work that now falls to the Department; the Committee agreed on the Environment, Public Works and Infrastructure Committee as a better representation of what Public Works actually

does. Infrastructure was included based on the high priority of drainage on the island, and the environmental components related to both the citizens' impact on the environment as well as how external factors impact the environment and quality of life. As Chair of the Committee, he urged City Council to approve this action. A brief discussion occurred about the management of trash placed on the street that was not contained in any way and the need for public education in this regard. The Administrator advised the Committee that an unused and unnecessary drainage easement in Wild Dunes should be abandoned because they need the easement as they contemplate expansion. The City got the easement as part of the Phase I Drainage project, but, when the construction took place, the pipe was located in a difference place, and, since a portion of the Phase I infrastructure will be relocated at their expense, as part of the expansion, the City will be given the easement of that new location in Wild Dunes.

MOTION: Councilmember Rice moved to abandon the unnecessary easement in Wild Dunes; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

Councilmember Kinghorn stated that the Committee thought it was important that the City stay ahead of the expansion project in Wild Dunes so that the residents know what is happening and can adjust accordingly.

The Public Works Committee will hold its next meeting at 8:00 a.m., Thursday, March 1st in the Conferenced Room.

D. Recreation Committee

Reporting on the meeting of February 5th, Councilmember Buckhannon stated that he was elected Chair and that Councilmember Moye was elected Vice Chair. He said that retractable basketball goals will be installed in the gym in March, so it will be closed while the installation occurs; the Cardio Room will remain open. Popular events held in February were a Performance Workshop, Cupid's Card Shop and Doggie Day at the Rec, which is always a successful, fun event; upcoming events are the Front Beach Fest on Saturday, March 3rd from noon to 4:00 p.m.; the annual Easter Egg Hunt on Saturday, March 31st at 10 a.m.; and the annual Yard Sale on Saturday, April 14th.

The Committee also discussed possible changes for the 2018 Farmers' Market; Assistant Fragoso was to have a meeting with the volunteers who championed the events and will report on it at the next Recreation Committee meeting.

In addition, opening the Rec Center on Sunday afternoon was discussed; Director Page reported that the Rec Center had been open on Sundays afternoons in the past, and it was not successful due to staffing issues, availability and, possibly, seasonality. The Director was asked to compile her records about the usage of the Rec Center on Sundays for the March meeting.

The next meeting of the Recreation Committee will be Tuesday, March 6th at 8:30 a.m. in the Conference Room.

Since neither the Personnel Committee nor the Real Property Committee have elected a chair; Administrator Tucker gave those meeting reports.

E. Personnel Committee

The Administrator began her remarks with the current job openings in the City; at this time of year, the Police Department is looking for Beach Services Officers, and she urged those present to encourage young people to apply. The Fire Department is expecting to get a resignation, leaving a firefighter position open.

Reporting on the meeting of February 12th, Administrator Tucker stated that the first item of business was an update on the Personnel Handbook that has been undergoing legal review; staff has reviewed the changes made by the employment attorney and has made additional changes and updates. Human Resources Officer DeGroot will have a draft ready for the Committee to review at the next meeting. The 2018 Personal Goal for the City Administrator continued to be discussed; a change to the City's evaluation process was considered since the current trend is to evaluate employees more frequently, and not just annually; annual evaluations are not effective in modifying behavior. No decision has been made for the Administrator's annual goal. Changes to the City's education reimbursement program were discussed again; once final decisions are made, the changes will go before the full Council to approve. The City's Continuity Plan was talked about in terms of what positions the City should address immediately and positions to plan for in the future. One (1) area of concern was that, as the City was structured, the Chief of Police serves a dual function as the Police Chief and the IT Manager, which was less than ideal; decisions need to be made about how the City manages IT functions in the future. The Administrator also informed Council that the City will have the services of Bill Schupp for one (1) year, meaning the City must decide how it will manage that function as well.

The next Personnel Committee meeting will be at 4:00 p.m. on Monday, March 12th in the Conference Room.

F. Real Property Committee

6

From the meeting February 8th, Administrator Tucker stated that Chris Crolley of Coastal Expeditions, addressed the Committee about opening a dialogue for possibly becoming a tenant of the City; in addition, he voiced concerns about the marina plan that failed in the referendum and that would have relocated Tidal Wave Watersports next door to the operations of his kayak business. Carla Pope of Morgan Creek Grill (MCG) read a communication from Jay Clarke to the Committee regarding his desire to continue discussions about the restaurant lease and the restoration of some dockage dedicated to MCG. Tidal Wave Watersports asked to be kept informed about the City's actions relative to the property tax bill the City has received for the marina. Tidal Wave also announced that the safety and training manual they wrote with assistance from the Department of Natural Resources and the Coast Guard has been adopted by the Watersports Industry Association of America and Lloyds of London to use as a baseline for all training of watersports companies around the world. The Committee reviewed the terms of the agreement with The Palms Hotel, which was authorized and approved earlier in the meeting. The Committee was told that, due to the delivery delays, the underground storage tanks (UST) at Public Works would be installed this spring, but the tanks for the marina would not be installed until the fall when the season was over. Therefore, the funds remaining in the FY18 budget for the project will be re-budgeted to FY19. The Committee also discussed increased staffing in the municipal parking lots to manage the lots more like it was done at the County Park; the consensus of the Committee was that this should be part of the global discussion about parking. The Committee discussed Michael Fiem's concept for IOP Adventures, a plan to have a central location somewhere at Front Beach where people could book activities at the marina and elsewhere on the island and, possibly, have a shuttle to transport people. Director Kerr attended the meeting to explain the problems with the City Code that this venture would face, and the modifications that would have to be made to the Code if Council was supportive of his concept.

The opinion of the Committee was that Council would not be inclined at this time to entertain changes to the Code, making his idea unworkable for this beach season. Additionally, the Committee discussed beginning the permitting process for the replacement of the marina docks; Councilmember Bell moved to start that process and to reach out to ATM for a proposal for that purpose; that was done and the proposal went before the Ways and Means Committee where it did not get favorable action. This Committee also discussed the unattended Intracoastal Waterway docks; she recalled that the previous Council had taken the docks out of the Morgan Creek Grill lease. Since that action was taken, the docks have been unattended; in the course of the discussion, several alternatives were put forward for the docks. Since Jay Clarke was unable to attend the meeting due to illness, Carla Pope, Operations Manager at the restaurant, asked that the Committee delay making a decision until Mr. Clarke had an opportunity to speak, and they agreed.

The Real Property Committee will hold its next meeting at 4:00 p.m., Thursday, March 8th in the Conference Room.

- Consideration of Charleston County Property Tax notice for the Isle of Palms Marina

Council chose to delay this discussion until after the Executive Session at the end of the meeting.

5. Reports from City Officers, Boards and Commissions

- A. Accommodations Tax Advisory Committee** – no meeting in February
- B. Board of Zoning Appeals** – no meeting in February
- C. Planning Commission** – minutes attached

6. Reports from Special or Joint Committees – None

7. Petitions Received, Referred or Disposed of – None

8. Bills Already in Possession of Council

- A. Second Reading of Ordinance 2017-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 8, Flood Damage Prevention, of the City of Isle of Palms Code of Ordinances to Provide Definition for the Reference Datum to be used for the Base Flood Elevation Shown on the Flood Insurance Rate Maps (FIRM) and to Provide for a Minimum Elevation for Residential and Non-residential Construction**

Mayor Carroll recalled that several citizens spoke at the January Council meeting in opposition to this ordinance.

Councilmember Buckhannon stated that something he hears from residents frequently was that the island was losing its residential feel. Many homes on the island were built on a slab or just above ground, and all too frequently, these homes were purchased and razed to be replaced by a much larger, elevated rental property. Owners of the smaller homes have been limited by FEMA's fifty percent (50%) rule from making substantial renovations or additions to their homes. He said that he would prefer to defer action on this ordinance and look to the Building Department for some alternatives at the March meeting.

MOTION: Councilmember Ward moved to defer Second Reading of Ordinance 2017-07 until the March Council meeting and Councilmember Rice seconded.

Administrator Tucker proposed to look at what options the City might have for accomplishing the goal as stated by Councilmember Buckhannon by, possibly making changes in other sections of the code; if changes were to be made to the zoning section of the code, the ordinance would have to go back to the Planning Commission. The plan was to preserve this change and to look at other sections of the Code that might offer relief relative to the five-year (5 yr.) cumulative amount that a property owner can improve the homes to which Councilmember Buckhannon referred. At the next meeting, staff will present the proposed changes and an examination of the net effect of those changes for Council to determine which alternative to choose. The optimum would be to keep the fourteen foot (14 ft.) elevation for new construction and to make modifications elsewhere to achieve the goal. The Administrator explained that the reason the City employed the fifty percent (50%) rule, of the five-year (5 yr.) cumulative amount, was because having it in the Code gave the City points in the Community Rating System, which saved the resident money on their insurance premiums; today it does not gain many points for the City; therefore, it was not necessary for the City to keep it in the Code in that form.

VOTE: The motion PASSED UNANIMOUSLY.

- B. Second Reading of Ordinance 2017-08 – An Ordinance Amending Title 5, Planning and Development, Chapter 5, Land Development Regulations, of the City of Isle of Palms Code of Ordinances to Require that all Subdivisions of Lots be Connected to the Public Sewer System and to Require Certain Information Related to Sewer Connection for the Subdivision Approval Process.**
- C. Second Reading of Ordinance 2017-09 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, of the City of Isle of Palms Code of Ordinances to Provide That All New Construction or Substantial Improvements shall be Connected to a Public Sewer System Where a Public Sewer Line is Located Within One Hundred Fifty (150') feet and to Reduce the Lot Coverage Requirements and Floor Area Requirements for Lots with Septic Systems**
- D. Second Reading of Ordinance 2017-10 – An Ordinance Amending Title 6, Health and Sanitation, Chapter 1, General Provisions, Article D, Regulation of On-site Sewage Disposal Systems, of the City of Isle of Palms Code of Ordinances to Require Mandatory Connection to Public Sewer System Where Public Sewer Line is Available**

8

Mayor Carroll stated that each of the ordinances above relate to sewer, and he thought Council should defer them until such time as Council could meet jointly with the Planning Commission and the IOP Water and Sewer Company since it was a complicated subject for the Isle of Palms.

MOTION: Councilmember Ward moved to defer Second Reading of Ordinances 2017-08, 2017-09, and 2017-10; Councilmember Bell seconded.

Based on comments made at the beginning of the meeting, Councilmember Buckhannon said that he thought a joint meeting was a good idea because good communication between the Water and Sewer Commission and the City was lacking and needed to be improved.

Councilmember Kinghorn asked that these ordinances not be deferred for too long; it has been under study and review for about eighteen (18) months.

Councilmember Smith thanked the Planning Commission for their work on this complex issue, but, as a new Councilmember, she agreed that a broader discussion was needed.

VOTE: The motion PASSED UNANIMOUSLY.

9. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

- A. First Reading, by title only, of Ordinance 2018-02 – An Ordinance Amending Title 1, Government and Administration, Chapter 3, Procedures, Committees, Ordinances and Use of Code, Article B, Standing Committees, of the City of Isle of Palms Code of Ordinances to Change the Name of the Public Works Committee to Environmental, Public Works and Infrastructure Committee and to Include Review of Environmental and Infrastructure Matters Under the Described Duties of Such Committee.**

MOTION: Councilmember Rice moved to approve Ordinance 2018-02 for First Reading; Councilmember Buckhannon seconded.

Councilmember Ferencz stated that the impression she had gotten from previous discussions about an examination of the names and duties of standing committees was that it was to be a global matter, not one (1) committee at a time, and she thought the study should begin with the City Code. Her brief review of the Code earlier in the day found that the City was not doing everything the Code requires; for instance, the Code states that each committee shall meet every month, which was not happening.

Councilmember Kinghorn opined that changing the name and expanding the scope of the Public Works Committee was not mutually exclusive of the other standing committees doing the same thing, and the ordinance drafted by the City Attorney could serve as a model for the others.

Councilmember Ferencz suggested that changing the name of a committee could also change a committee's functionality; for example, infrastructure and environment were more than what the Public Works Committee did now. She suggested that the best way to address this issue was to look at what the City needed and to determine the City's committees based on those needs.

Councilmembers Rice and Buckhannon withdrew the original motion and second respectively.

MOTION: Councilmember Buckhannon moved to defer First Reading until all standing committees were reviewed for similar changes; Councilmember Ferencz seconded and the motion PASSED on a vote of 7 to 2 with Councilmembers Kinghorn and Ward casting the dissenting votes.

- B. First Reading, by title only, of Ordinance 2018-04 – An Ordinance Amending Title 9, Offenses, Chapter 2, Offenses Against Public Peace, Section 9-2-5, Noise, of the City of Isle of Palms Code of Ordinances to Change the Hours During Which Pile-drivers and Other Apparatus Attended with Loud or Disturbing Noises may be Operated and to Provide for Exceptions.**

MOTION: Councilmember Bell moved to approve Ordinance 2018-04 for First Reading; Councilmember Buckhannon seconded.

Councilmember Ward asked which holidays the ordinance was referring to; he commented that the only people who took Presidents' Day off were government workers and banks.

Attorney Halversen responded that the ordinance referred to legal holidays, but the language could be changed if Council wanted.

Councilmember Ward suggested that the City find out what holidays Wild Dunes prohibited construction work and mimic them in this ordinance.

Councilmember Smith thought that the motion passed by the Committee stated that Saturday work hours would be 8:00 a.m. to 6:00 p.m., but the ordinance states 4:00 p.m.

VOTE: The motion PASSED UNANIMOUSLY.

10. Miscellaneous Business

Consideration of appointment to City Council Standing Committees

Mayor Carroll stated that his election as Mayor left a vacancy on Council; therefore, two (2) standing committees have had temporary members. He thanked Councilmember Moyer and Ward for filling those positions for a couple of months.

MOTION: Mayor Carroll moved to appoint Councilmember Ferencz to the Real Property Committee; Councilmember Moyer seconded and the motion PASSED UNANIMOUSLY.

MOTION: Mayor Carroll moved to appoint Councilmember Ferencz to the Personnel Committee; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Discussion of Charleston County TST FY18 grant award received by the City on August 25, 2017 to construct a sidewalk on the western side of 28th Avenue connecting the Rec Center sidewalk to the sidewalk of Palm Boulevard

In his walks around the island, the Mayor said that he has not seen this street used frequently by walkers, and he wanted Council to consider not using the grant money for a 28th Avenue sidewalk.

MOTION: Mayor Carroll moved not to use the TST 2018 grant funds for a sidewalk on 28th Avenue; Councilmember Ward seconded.

Councilmember Rice stated that "anytime [IOP] can add a sidewalk, [the City] should be so grateful." She commented that the whole point to this was safety since the street goes directly to the Rec Center, and, if the City can make it safer for people going to and from the Rec, it should do so.

Administrator Tucker stated that, with both the Transportation Sales Tax (TST) and the County Transportation Committee (CTC) funding requests, staff approaches the Public Safety Committee, the Public Works Committee and City Council about what projects the City should

submit. One (1) project discussed was more sidewalks and better connectivity for pedestrians and cyclists which are high priority items for TST funding, and, for at least part of the year, pedestrians walked to the beach in the middle of the street on 28th Avenue. Before the application was submitted, a letter was sent to the residents living on both sides of the street; one (1) resident objected because he thought that walkers in the street kept vehicles' speed down. At this time, TST funds have been expended for the engineering that has been completed. The Administrator noted that the City continues to seek grant funds from this source, and, by accepting this award, some other municipality was denied funding; therefore, she was concerned that the City would not be looked upon favorably for future requests.

As a result of questioning by Councilmember Kinghorn, Chief Buckhannon stated that a sidewalk was always preferable in an area where recreation is occurring, and Director Page said that the Rec Department uses 28th Avenue often in the summer as they walk summer campers to and from the beach.

Administrator Tucker stated that the grant award was for one hundred forty thousand dollars (\$140,000).

Assistant Frago stated that the City submitted four (4) requests, three (3) of which were pedestrian related, and the 28th Avenue sidewalk was the project selected. The requests were submitted in priority listing and this sidewalk was number three (#3) on the list.

Mayor Carroll noted that he was told by a Charleston County Councilmember who said the City would not be penalized if it rejected the grant. The Mayor stated that he would prefer a safe path for pedestrians and cyclists to come off the Connector and onto the island.

Although he would have preferred to have existing sidewalks repaired, Councilmember Buckhannon thought that not accepting this grant would not look good to the County.

Councilmember Ward said that the majority of traffic he saw going to the Rec Center were on Cameron and on Hartnett and not on the side streets.

VOTE: The motion not to use the TST funding for the 28th Avenue sidewalk FAILED on a vote of 1 to 8 with Mayor Carroll casting the only aye vote.

Report on attendance at the Moultrie District 2 Constituent School Board Meeting

Councilmember Smith reported that the Constituent School Board was beginning consideration of re-zoning options that effect East Cooper Middle and High School; one (1) option has Isle of Palms' and Sullivan's Island's students routed back to Laing and to Wando, rather than the new Beckham High School. She did not get the impression that that option had a lot of traction, but it was still on the table, and the discussions would continue into the spring. Speaking as a parent she told the Board that she thought the IOP and Sullivan's Island kids should be kept together, and she asked that they consider the distance these parents have to drive to get to Laing and Wando.

Next Meeting Date: 6:00 p.m., Tuesday, March 27, 2018 in Council Chambers

Mayor Carroll again reminded those present that the Front Beach Street Fest would be Saturday, March 3rd from noon until 4:00 p.m. and to mark their calendars for the Hazardous Materials

Recycling and Shred Day will be Saturday, April 28th from 9:00 a.m. until noon in the large municipal parking lot.

11. **Executive Session** in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice concerning potential claims related to Wild Dunes drainage easement. Upon returning to open session, Council may take action on matters discussed in Executive Session.
- Resolved earlier in the meeting

Executive Session in accordance with S.C. Code Section 30-4-7(a)(2) to receive legal advice concerning potential claims related to Charleston County tax assessment of City property. Upon returning to open session, Council may take action on matters discussed in Executive Session.

--**Action Item:** Authorization for City Administrator and City Attorney to file a Notice of Objection and to take any other actions necessary for the City to appeal the Charleston County property tax assessment of City property.

MOTION: Councilmember Kinghorn moved to go into Executive Session in accordance with S.C. Code Section 30-4-7(a)(2) to receive legal advice concerning potential claims related to Charleston County tax assessment of City property; Councilmember Moye seconded and the motion **PASSED UNANIMOUSLY**.

City Council returned to open session at 8:23 p.m., and the Mayor stated that Council did not take a vote or any action in Executive Session.

12

MOTION: Mayor Carroll moved for the City Administrator and City Attorney to file a Notice of Objection and to take any other actions necessary for the City to appeal the Charleston County property tax assessment of City property; Councilmember Ward seconded and the motion **PASSED UNANIMOUSLY**.

12. **Adjournment/Conclusion**

MOTION: Councilmember Ward moved to adjourn the meeting at 8:25 p.m.; Councilmember Moye seconded and the motion **PASSED UNANIMOUSLY**.

Respectfully submitted:

Marie Copeland
City Clerk