

CITY COUNCIL

6:00 p.m., Tuesday, January 23, 2018

The regular City Council meeting was called to order at 6:05 p.m. Tuesday, January 23, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Kinghorn, Moye, Rice, Smith and Ward, Mayor Carroll, 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 by the Mayor and the Pledge of Allegiance, Clerk Copeland called the roll.

2. Election of Mayor ProTem

Councilmember Bell nominated Councilmember Ward to serve as Mayor ProTem, and Councilmember Moye seconded. With no other nominations, Councilmember Ward was unanimously elected Mayor ProTem.

3. Reading of the Journals of Previous Meetings

Regular Meeting of November 28, 2017

Special Meeting of December 5, 2017

Inauguration of January 2, 2018

Special Meeting of January 2, 2018

MOTION: Councilmember Ward moved to approve the minutes of the meetings listed above as submitted; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

4. Swearing-in of New Employees

MOTION: Councilmember Rice moved to accept Joshua Key, Weston Smith and Steve Helm as employees of the City of Isle of Palms; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

After swearing-in the young men named above, the Mayor welcomed each of them into the IOP family.

5. Citizens' Comments

Consideration of a request for a City-sponsored event by Magilla Entertainment to film an episode of HGTV's "Beach Front Bargain Hunt – Renovation" between February 10th and 13th and returning in subsequent months for short periods to follow-up on the progress of the renovations

Administrator Tucker stated that HGTV has again approached the City to film an episode of the series "Beach Front Bargain Hunt – Renovation." Some Councilmembers may remember that a team from HGTV was here in 2016 filming; the process was of low impact to the island, and the

City was very pleased with the end product. Ashton Golembo of Magilla Entertainment was on the phone to explain their project and to answer Council's questions.

Mr. Golembo stated that with him was the show's producer Gabby Levesque; Ms. Levesque explained that the first part of the show features the area and the couple looking at homes available for sale that need a bit of fixing up; they plan to film at different locations on the Isle of Palms, like local restaurants, and on Goat Island as well. The film crew will consist of seven (7) members using two (2) portable cameras and a portable audio mixer all transported in two (2) regular sized minivans. Ms. Levesque stated that the crew will be very unobtrusive and that they will work hard to avoid disturbing regular business and foot traffic. The tentative plan is to film on the island from February 10th through February 13th; due to the renovation aspect, they will be filming off and on at the selected residence for three or four (3-4) months, using a minimal crew of one to three (1-3) people.

When Mayor Carroll asked how many follow-up trips they expected to make, Ms. Levesque stated that their crews would be on the island two to three (2-3) additional times, depending on the size of the renovation, and those visits usually took one to three (1-3) days.

The Administrator noted that she had informed Mr. Golembo and Ms. Levesque that the only way to get to Boat Island was by boat and that she had also given them contact information for both Charleston County and Goat Island.

MOTION: Councilmember Kinghorn moved to approve HGTV filming an episode of "Beach Front Bargain Hunt – Renovation" on the island; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

Bob Miller of 3 Fairway Village Lane in Wild Dunes said that he represented a group of six (6) people who came together out of their concern over the coyote situation and that they decided to act as catalysts between the Wild Dunes Community Association (WDCA) and the City to get a more aggressive strategy to reduce the number of coyotes. He stated that they were committed to work with the WDCA and the City; they have two hundred sixty-eight (268) signatures of residents on a petition who support aggressively controlling the coyote population. His presence at tonight's meeting was to ask City Council to work closely with the WDCA with common goals and a coordinated approach. They would like to see the implementation of an aggressive trapping strategy across the entire island and the active engagement of the community to raise awareness and to educate both residents and visitors. He commented that he has not seen any advertising for the coyote forum planned for February 22nd; he wanted to get as many people to attend as possible. He stated that the group has a full position paper that he will distribute electronically tomorrow and that the group would make itself available at any time that Council might want to talk or otherwise engage them. One (1) of the positions they set forth was the use of soft, cold leg traps in a quantity that can make a meaningful reduction in the coyote population. Another recommendation was for trappers to meet with people who are out in the environment, such as the grounds keepers for the two (2) Wild Dunes' golf courses since they know where the coyotes run because they see them all of the time, as well as patrol officers who see them as they make rounds on the island at night. Due to the aggressiveness exhibited by the island's coyotes, he stated that co-existing was not a strategy; in his opinion, it is a strategy that has failed and allowed the coyote population and the aggressiveness to increase dramatically in the past two (2) years.

He stated that the group believes that, if left unchecked, the collective would be complicit if anyone, particularly a child, was to be attacked; if not complicit, it would be gut-wrenching to know that something could have been done to prevent it and it was not done.

Judy Gogol of 8 Summer Dunes Lane in Wild Dunes stated that she wanted to reiterate some of the things Mr. Miller had said; she recounted a discussion with a resident who lost her small dog to a coyote four (4) years ago, noting that the coyote problem started four (4) years ago. Over the years, the coyotes have gradually increased in numbers and become more aggressive toward humans. She stated that Justin Miklas, who ran for City Council in the last election, has developed software residents were using to report their coyote sightings directly to him; in November eight (8) sightings were reported and, in December, twenty-four (24) sightings were reported. She commented that more and more people were afraid to go outside or to walk their dogs because of the coyotes; indoor/outdoor cats have been forced to become inside cats only. Ms. Gogol recounted the story about a resident on 23rd Avenue whose forty-five pound (45 lbs.) dog was in the yard and began barking; she found that the dog was being chased and, ultimately, was bitten by a large coyote while the resident stood on her porch doing what she had been told would frighten the coyote away. She stated that she was glad that the City was going to have the coyote forum, but that the coyotes are now in their mating season and traps need to be out now, not later. She asked Council if it was willing to do something now in the prime trapping season with soft leg traps.

Adrienne Whaley, 4 West Green Pond, stated that she had sent Council an email and that she wanted to ready it into the record; it said the following:

“I would like Council to look at the construction work times. After living next door to construction now for 14 months and still going, the construction work time of 7 to 7, 7 days a week needs to be adjusted; our own island garbage trucks do not run until 8 a.m.; Delivery trucks arrive before 7 with supplies or dumpster relocation. When confronted, they state, “We don’t take things off the truck until 7.”

This has been an ongoing issue with Southern Lumber, whom we called personally, and nothing has changed. The 7 to 7 hours need to change, in my opinion, to 8 to 6. Last summer I did not sit by my pool one (1) time because of gawking workers, saws, hammers, drills, you name it. I also have a 7 year old son who I did not let play outside alone because I do not have background checks on the workers. I don’t think I should be firing up the grill for dinner when there is still an hour for workers, who always stay later than 7. So an 8 to 6 construction work day would be much more conducive to island life.

If Council would consider Sunday as a no construction day that would be great as well. It would be nice to have a 1 day break.

I also think there needs to be some teeth in the ordinance, i.e. a large fine, no work the next day, but I think it needs go to the builder, not the subcontracts because they are the ones who really need to police the subs and vendors.

I think those who would oppose this have not lived beside a construction site. The island would greatly improve if we went to an 8 to 6 day and only 6 days a work.”

Curtis Kendall, 21 – 42nd Avenue, started his comments with a thank you to Councilmember Ward for the golf cart path on Palm Boulevard between 21st Avenue and the shopping center. He stated that, when the weather got nice and he was able to open the windows of his home, the construction work on the rental behind him started. They have scaffolding all the way around the house and only work on Saturdays and Sundays; Monday through Friday nothing is going on. To Mr. Kendall, this means that the owner/worker crew/foreman know that the City's "ordinances are lenient" and that they are allowed to work on Saturdays and Sundays. He stated that no work being done during the week but only on the weekends means that he is not comfortable sitting on his back porch to read the Sunday paper and that they are abusing the system. He asked that Council do something about the situation. He added that, by working on the weekend, there is no one to investigate and he has learned that this particular home does not have a permit to build a deck on the roof.

Mayor Carroll thanked residents for sharing their comments with Council and encouraged everyone to attend the Citizens Forum on February 1st at the Recreation Center from 5:30 to 7:00 p.m. He stated that he and Council knew that the citizens were their bosses and that he and Council were anxious to hear what the citizens want to say. He also announced that the City would hold a Coyote Expo on February 22nd at the Rec Center.

Administrator Tucker noted that the Chair of the Public Safety Committee has consented to allow amendments to the noise ordinance to be put on the Agenda for the February meeting; therefore, some of the complaints voiced at this meeting will be discussed then. The meeting will be at 4:00 p.m. on Monday, February 5th. She also stated that the City is sending out messages on issues related to coyotes and upcoming meetings via electronic media; advertising will be forthcoming on the Coyote Expo and information has already been sent to the Wild Dunes Community Association.

Councilmember Bell stated that several residents had told him that they were not wired into the City electronically, and he suggested that the City needed to do more to inform citizens as to what meetings were going to be about along with the date and time of the meeting.

6. Reports from Standing Committees

A. Ways and Means Committee

Reporting on the meeting of January 16th, Councilmember Ward stated that Council reviewed the City's financial position at December 31, 2017, or half way through the fiscal year FY18. At that time, revenue collections were at twenty-eight percent (28%) of budget in the General Fund and overall expenditures were at forty-three percent (43%) of budget in the General Fund. The City had approximately twenty-five million dollars (\$25,000,000) in the bank with ten million dollars (\$10,000,000) earmarked for the beach restoration project currently underway. Municipal Accommodations Fees collected were in excess of sixty-four thousand dollars (\$64,000), compared to fifty-seven thousand dollars (\$57,000) for the same month last year, and are running three percent (3%) ahead year-to-date. The City has received only the first State Accommodations Tax payment, and it has already been reported on. The City has received one (1) check for the Charleston County Accommodations Tax Pass-through, but the Treasurer has been told to expect another check this year. Hospitality Taxes collected were slightly higher than

in FY17, and, year-to-date, collections are running seven percent (7%) ahead of FY17. The Beach Preservation Fee always mirrors the Municipal Accommodations Taxes. The Public Works Wash-down Project has been completed, and the City has paid the final pay application to Hitt Contracting. The Phase II Drainage Project is on schedule, and the Beach Restoration Project is underway. If the City obtains FEMA approval in a timely fashion, the sand loss from Hurricane Irma will be replaced in this project.

1. **Consideration of a contract award to Love Chevrolet in the amount of \$25,370, state contract pricing, for one (1) 2018 Chevrolet Silverado Extended Cab 4x4 to replace the animal control truck** (Page 22, ln 32 - Capital Projects Fund, Police Department Capital Outlay, \$30,000)

MOTION: Councilmember Kinghorn moved to award a contract to Love Chevrolet in the amount of \$25,370 for the replacement of the truck used by the Animal Control Officer and detailed above; Councilmember Bell seconded and the motion **PASSED UNANIMOUSLY**.

2. **Approval of up to \$5,000 for the placement of a Checkmate in-line flapper valve for 20th Avenue to the outfall** (Page 23, line 51 – Capital Projects Fund, Drainage Contingency, \$35,000)

MOTION: Councilmember Kinghorn moved to approve an amount not to exceed \$5,000 for the installation of an in-line flapper valve for 20th Avenue; Councilmember Rice seconded and the motion **PASSED UNANIMOUSLY**.

3. **Consideration of a contract award to Jones and Frank in the amount of \$809,591.66 for the removal and replacement of the underground storage tanks at the IOP Marina and the Public Works site, the canopy at the Public Works site and the dock fuel dispensers at the marina** (Page 45, line 90 – Public Works, 50% from Capital Projects, 25% each from MUNI ATAX and State ATAX, \$246,675; Page 45, line 91 – Replace fuel canopy, Capital Projects, \$30,000; Page 48, line 174 – Replace 4 USTs, 1/3 from Hospitality Tax, \$178,250, 2/3 from Marina Fund, \$356,500; Page 48, line 173 - Replace fuel dispensers on dock, Marina Fund, \$25,000)

MOTION: Councilmember Kinghorn moved to award a contract to Jones and Frank in the amount of \$809,591.66 for the work detailed above; Councilmember Bell seconded and the motion **PASSED UNANIMOUSLY**.

4. **Consideration of a sole source contract award to Petroleum Equipment Service in an amount not to exceed \$20,000 for the replacement of the monitoring system for the generator at the Public Safety Building** (50% each from PD and FD - Page 22, line 30 and 38 – Capital Projects, PD and FD Maintenance & Service, funds for repairs/maintenance per Hill Report)

MOTION: Councilmember Kinghorn moved to award a contract to Petroleum Equipment Service in an amount not to exceed \$20,000 to replace the fuel monitoring system to the generator at the Public Safety Building; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

5. **Recommendation for the award of a contract to Martin and Son Contracting, Inc. in the amount of \$250,000 for the IOP Marina bulkhead rehabilitation** (Page 48, line 175 – Marina Fund, Capital Purchases, 1/3 Marina Fund, 2/3 State ATAX, \$356,500)

MOTION: Councilmember Kinghorn moved to award a contract in the amount of \$250,000 to Martin and Son Contracting, Inc. for the bulkhead rehabilitation at the marina; Councilmember Rice seconded.

Responding to Councilmember Buckhannon's inquiry, Administrator Tucker stated that the City received three (3) bids for this project, and they were as follows:

Martin & Son Contracting, Inc.	\$250,000
Blutide Marina Construction	\$284,000
E&D Contracting Services, Inc.	\$810,000

The City's consultants, JMT, Inc., evaluated the bids and has recommended a contract award to the lowest bidder Martin & Son Contracting, Inc. in the amount of two hundred fifty thousand dollars (\$250,000).

Councilmember Bell pointed out that, during the campaign, he had stated that the City would continue to make improvements to the marina, and this was an example of a budgeted marina improvement as promised.

VOTE: The motion PASSED UNANIMOUSLY.

6. **Consideration of a proposal from The Palms Hotel for use of the municipal parking lot for parking for their guests and employees**

The Administrator reported that the members of Council and the Mayor received a parking proposal from the Palms Hotel less than ten (10) minutes before this meeting began and, therefore, has not had the time to read and study its content to take action on it. In addition, the Administrator has not had an opportunity to study the proposal to make a recommendation to Council on what action it should take.

Mayor Carroll stated that the City staff reached out to the management of The Palms Hotel many times through the weekend asking for this information so it could be included in the meeting's packet.

Councilmember Ward stated that the next Ways and Means meeting would be Tuesday, February 20th and again reminded those present about the Citizens Forum on February 1st.

B. Public Safety Committee

Councilmember Smith reported on the meeting held Tuesday, January 9th and stated that she was elected Chair and Councilmember Bell was elected Vice Chair. Chief Buckhannon reported sixty-three (63) encroachments in the right-of-way were identified in 2017 that needed to be removed; of that number, thirteen (13) remain. One or two (1 - 2) of these owners are working with the Department to determine how they can come into compliance with the City's ordinances and State law. For the few remaining, the City Prosecutor is preparing a letter with a citation of non-compliance. Chief Buckhannon stated that twenty-eight (28) overgrown lots were identified in 2017; currently the City is working with eight (8) property owners to get the lots cleared and one (1) of them has asked for more time to come into compliance. For those who choose not to comply, the City Prosecutor is again working on a letter that will include a citation of non-compliance. The Committee voted its approval of the Animal Control truck purchase and the new fuel monitoring system for the PSB generator. The installation of crosswalks on Waterway Boulevard was discussed as both a need and a way to possibly slow drivers. The announcement of SCDOT's plan to micro-surface Palm Boulevard between 21st and 41st Avenues in the near future, preferably not during spring break, was also made. Chief Graham reported that for the first time auditors came to the station to audit the Fire Department's spending of one percent (1%) funds, and everything was found to be in order. In 2017, personnel responded to eleven hundred twenty-five (1,125) calls and attended to four hundred eighty-eight (488) patients. Calls of interest in December were untangling a dolphin from a crab pot line, responding to a report of a structure fire caused by electrical issues with a dishwasher, and extinguishing a fire on the sixth hole of the Harbor Course. Twelve (12) fire inspections were done that identified that forty-three (43) violations.

From the Police Department report, Councilmember Smith reported that the island experienced a rash of break-ins in November and December; over the course of a couple of days in November, five (5) vehicles were broken into in the vicinity of 23rd Avenue, and several thefts from vehicles were reported between the 100 and 800 blocks of Ocean Boulevard. The majority of vehicles broken into were not secured. For the year of 2017, Communications Specialists took a total of fifty-nine thousand six hundred seven (59,607) calls. Coyote sightings reported were twenty-four (24) in November and thirty-three (33) in December; residents are encouraged to report sightings to the Police Department because they assist the trapper with the most effective areas to place traps. Councilmembers Bell and Chair Smith advocated for an expert to assist the City in getting a count of the coyotes on the island and to provide information about hotspots and habitats. Having met with representatives from DNR about coyotes, City staff is looking at ways to be more aggressive in controlling the coyote population and are planning the Coyote Expo for February 22nd.

The Committee discussed at length the issue of overnight parking, specifically non-vehicular parking, at the Recreation Center on 27th Avenue and other parking areas on City-owned properties. Chief Buckhannon informed the Committee that to have enforcement of no overnight parking would require an amendment to the parking ordinance and signage at each location.

MOTION: Councilmember Smith moved to have the City Attorney draft an amendment to the current parking ordinance about prohibiting non-vehicular, parking adjacent to City properties, with the exception of City-owned equipment and Councilmember Bell seconded.

Attorney Halversen asked whether the Committee wanted to prohibit non-vehicular parking day and night, and Councilmember Smith said the discussion was about overnight parking.

Councilmember Bell asked whether Council thought it was appropriate to have backhoes and boats, etc. parked at the Rec Center interfering with the resident's quality of life and interfering with the use of the Rec Center for recreational purposes. He added that he thought Council, as a whole, should decide how restrictive they want the prohibition to be.

Administrator Tucker explained that, in the meeting, the discussion morphed from the Rec Center to any City properties, and she pointed to the lot next door to City Hall where City equipment is occasionally parked overnight. She said that she wanted to make sure that, in crafting the ordinance, the City would not be in violation of its own ordinance.

Councilmember Rice asked if doing this would equate to spot zoning.

Councilmember Buckhannon opined that this ordinance was directed at him because his triplet sons have a boat and do, sometimes, park it across from their home in spaces at the Rec Center, and apparently his neighbors do not like it. He also stated that the City has ordinances in place to regulate this situation, but the enforcement of certain ordinances was the issue. He also agreed that it would be spot zoning; an amendment directed at specific spots when the problem might be island-wide. Despite the fact that 27th Avenue is a City-owned street, the City must manage it according to SCDOT regulations.

Councilmember Bell said that spot zoning was not the Committee's intention.

Councilmember Smith withdrew her motion, and Councilmember Bell withdrew his second.

The Committee also selected projects to submit to the Transportation Sales Tax (TST) Committee for funding.

MOTION: Councilmember Smith moved to submit the following two (2) projects to TST for funding consideration:

- **Intersection improvements to 14th Avenue and Palm Boulevard to direct cyclists and pedestrians through Leola Hanbury Park onto Palm Boulevard, and**
- **Regulation bike paths on both sides of Waterway Boulevard from 21st Avenue to 41st Avenue and regulation bike paths on both sides of Palm Boulevard between 21st Avenue and 57th Avenue.**

Councilmember Ward seconded.

Councilmember Moye stated that it was recommended to the Committee that they pursue these types of projects as they were more likely to receive funding than a request for drainage funding.

As an avid cyclist, Councilmember Kinghorn thanked the Public Safety Committee for these recommendations, but asked that, in the future, the Committee look island-wide for the connectivity of bike paths. He thought that ultimately, with strategically laid connections, the entire island could be interconnected with cycling/pedestrian paths.

VOTE: The motion PASSED UNANIMOUSLY.

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

Since the Public Works Committee, the Recreation Committee, the Personnel Committee, and the Real Property Committee delayed electing a chair, Administrator Tucker provided the reports.

C. Public Works Committee

From the meeting of January 11th, the Administrator reported that Bill Schupp had informed the Committee that he would continue to provide the beach garbage and recycling removal for the next year, but he was continuing the search for a potential buyer of his business. Director Pitts' monthly report did not contain anything out of the ordinary for November and December 2017. The Committee, with the assistance of David Stevens of Civil Site Environmental (CSE) has been working with a resident regarding the erosion of the drainage ditch serving 32nd Avenue; originally, the engineer, Mr. Stevens, was told that the ditch was under the jurisdiction of the Corp of Engineers and any improvements to the ditch would require a permit from the Corps, which normally is a long process. Since that meeting, Mr. Stevens has received a different opinion from the Corps, saying that the ditch is not jurisdictional wetlands and, therefore, forward movement on a resolution to the problem will not be impeded. The Committee was informed that the NPDES Wash-down Project has been completed and that progress continues to be made on the Phase II Drainage Project from 45th Avenue to 52nd Avenue. The Committee also voted to award the contract for removal/replacement of the underground storage tanks at the marina and the Public Works site to Martin and Sons Contracting. Discussions took place to bring the Committee up-to-date with subjects likely to be discussed in the visioning meeting and the budgeting process, such as the demands on the Public Works team have increased and have widened in scope, leading to the consideration of staffing possibilities for the department. The Committee discussed the name of the Committee, and a change to the Environment, Public Works and Infrastructure Committee was suggested, which led to a discussion of the necessity of an amendment to the City Code to change the name and to augment the duties of the Committee. Another issue discussed by the Committee was the drainage problem on 20th Avenue.

The next meeting will be held at 9:00 a.m., Thursday, February 1st in the City Hall Conference Room.

Councilmember Buckhannon, noticing that the status of the City compactor was on the Public Works' Agenda, asked what its life expectancy was; he said that he thought the way it was currently being utilized should be discussed by the Committee, as well as possibly relocating it farther away from the businesses.

D. Recreation Committee

Reporting on the meeting of January 10th, the Administrator stated that Director Page's report covered both November and December 2017, a time when the Rec Center and Rec personnel were extremely busy. For the new members of Council and of the Committee, the Director went into some depth in describing the programs and classes offered and how the Rec Center functions. The Administrator focused on an upcoming event, i.e. Doggie Day at the Rec is a hugely popular event that is scheduled for Saturday, February 10th; Dr. Jose will be on-hand giving vaccinations and micro-chipping the island's dog population, and officers from the IOP Police Department will be selling the annual City dog licenses. Spring events include the Front Beach Fest, featuring *The Tams*, to be held Saturday, March 3rd, the annual Easter Egg Hunt on Saturday, March 31st, and the annual Yard Sale on Saturday, April 14th.

The Recreation Committee will hold its next meeting at 8:30 a.m., Monday, February 5th in the City Hall Conference Room.

D. Personnel Committee

Along with a Part-time Animal Control person, the Police Department has begun the search for Beach Services Officers for the coming season. The Administrator announced that the Safety Sweepstakes winners were as follows:

November

Building Department – William Seabrook	Police – Sgt. Sharon Baldrick
Fire – Brian Bozman	Public Works – Russell Roper

December

Building Department – Rhonda Gibbons	Police – Anna Mitchel
Fire – Lynn Golden	Public Works – Willie Powell

From the Personnel Committee meeting of January 10th, the Administrator gave the Committee an overview of its activities over the course of a year accompanied by a timeline, such as the selection of recommendations to boards and commission. The Committee was told that staff is reviewing the draft of the revised Personnel Handbook from the City's employment attorney; a final draft will go before the Personnel Committee for approval and recommendation for adoption to City Council. The Committee also discussed the City's tuition reimbursement policy, which has been in place in its present form for a long time, to consider whether changes need to be made; the tuition reimbursement policies of other local municipalities will be reviewed and compared to the City's. According to the Human Resources Officer, Wynette DeGroot, the City currently has twelve (12) employees participating in the program. The Committee took up the discussion of the Continuity Plan, which was initiated in 2017 as the City Administrator's personal goal. The draft presented to the Committee needs additional work and refinement and a discussion ensued about the City Administrator's 2018 personal goal being that additional work and refinement, but a decision was delayed until after Council's visioning meeting and the determination of measurable goals. The Committee discussed and recommended the elimination of the floating holiday for employees and to make Veterans Day a permanent holiday; this action would not increase the number of employee holidays, but replace the floating holiday. The Administrator explained that, for the City, the floating holiday was not a day that each

individual employee could choose, but it was a day receiving the highest number of votes by employees from a list of possibilities.

MOTION: Councilmember Ward moved to eliminate the floating holiday and to replace it with Veterans Day; Councilmember Moye seconded.

Councilmember Kinghorn asked if the suggestion had come from department heads, and the Administrator stated that the suggestion had come from the City Clerk. As the person who assembled the list from which employees could choose, the clerk realized that, with the 2015 addition of Christmas Eve and Presidents Day to the list of annual City holidays, few holidays remained. The Administrator continued that, during the peak season which contains two (2) holidays, employees were discouraged from seeking time off, leaving the selection to be between Good Friday and Veterans Day. Good Friday is not a workable choice for the City because the day after is the annual Easter Egg Hunt.

Councilmember Kinghorn rephrased his question to ask if the department heads supported the change of having a set holiday versus the flexibility of choosing, and, as regards the motion on the floor, would department heads oppose it.

Councilmember Moye responded that, for several years running, employees have selected Veterans Day as the City's floating holiday; therefore, without speaking to department heads, the historical evidence would support a 'yes' to his question.

Councilmember Ward noted that the City tries to emulate the County in its selection of holidays, for instance, on Veterans Day, the County-operated landfill would not be open for the City to take its trash.

The Administrator added that residents assume that the City is closed whenever the County is closed; she stated that she did not know if there was opposition to this action, but that no one has spoken to her against it.

VOTE: The motion PASSED UNANIMOUSLY.

The Personnel Committee will hold its next meeting at 4:00 p.m., Monday, February 12th in the City Hall Conference Room.

F. Real Property Committee

Reporting on the Real Property Committee meeting of January 9th, the Administrator stated that Jay Clarke, owner of Morgan Creek Grill, brought to the Committee his request to re-negotiate a longer term lease for the restaurant and asked that they consider the City's funding of the replacement of the walk-in cooler, as well as assistance with some relief concerning the parking at the marina site. The Committee will address these issues in future meetings. Michael Fiem of TidalWave Watersports explained his concept for "Isle of Palms Adventures," some type of Front Beach location in the City parking lots or housed along with one of the local businesses where residents or visitors to the island could book other activities, particularly at the marina, along with free transportation between Front Beach and the marina. He stated that this was one (1) way to

alleviate some of the parking issues at the marina. In the meeting, Mr. Fiem was informed of the City's prohibition of outdoor sales of goods or services from any temporary or mobile location and that he would have to become a tenant of the City in one of the parking lots or persuade a local business to provide space for him in their establishment or have a permanent structure to operate this business. The discussions about the beach renourishment project focused on the two hundred eighty-one thousand cubic yards (281,000 cu. yds.) of sand lost to Hurricane Irma. In a Special Meeting, City Council acted to authorize City staff to pursue the replacement of that quantity of sand utilizing FEMA funds, if made available, and making accommodation for the source of funds for the City's local match. The Committee was also given the design for new beach access signs that are currently in production for the more heavily travelled accesses on the island, i.e. 5th, 8th, 9th, 21st, 25th, 28th, 42nd, the Sea Cabins and the public restrooms; these signs will be larger and consolidate messages from other signs that will be removed from the path. Discussions also occurred about financial arrangements between The Palms Hotel and the City for its guests and employees to park in the municipal parking lot. The meeting ended with a discussion about RV parking in the marina parking lot; this item came before the Committee as the result of complaints over the holidays about visitors paying to park their RV at the marina when visiting residents of Wild Dunes. The Committee received legal advice regarding this issue related to the marina lease.

Motion: Mayor Carroll moved to get a clear definition of a RV, a look at RV parking island-wide, and to decide how the City wants to regulate RV parking at the marina and elsewhere; Councilmember Bell seconded.

Councilmember Buckhannon asked whether the words "island-wide" and "elsewhere" were intended to refer to both private property and City property.

Councilmember Bell explained that the discussion was around City property and the use of City property and, particularly, at the marina; he noted that the Committee could not get a consensus on what constitutes a RV. The City attorney suggested that first the Committee define what it was talking about and then to address where.

Councilmember Kinghorn asked how one would distinguish visitors to the island who live on their boat at the marina from visitors to the island who live in their RV in the marina parking lot perhaps twenty yards (20 yds.) apart.

Councilmember Rice reminded Council that it had recently deliberated using the municipal parking lot for RV and/or boat storage in the off-season as a new revenue source; she said that Council had to be aware of unintended consequences.

Councilmember Bell stated that one (1) RV might be inconsequential, but allowing the practice to grow would be disruptive to other businesses at the marina and detrimental to the limited parking there.

VOTE: The motion PASSED UNANIMOUSLY.

The Committee will hold its next meeting at 4:00 p.m., Thursday, February 8th in the City Hall Conference Room.

7. **Reports from City Officers, Boards and Commissions**
 - A. **Accommodations Tax Advisory Committee** – no meeting in January
 - B. **Board of Zoning Appeals** – minutes attached
 - C. **Planning Commission** – minutes attached

Mayor Carroll urged Councilmembers to read the minutes from the Planning Commission for the information on drainage it contains.

8. **Reports from Special or Joint Committees** – None
9. **Petitions Received, Referred or Disposed of** – None
10. **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**

MOTION: Councilmember Ward moved to defer Second Reading of Ordinance 2017-07; Councilmember Bell seconded.

To Councilmember Ward's request to send the ordinance to the Planning Commission, Administrator Tucker noted that this ordinance and the others on the Agenda have come to City Council as recommendations from the Planning Commission after months of research, review and discussion; if the ordinances go back to the Planning Commission, Council should also send some guidance on what it wanted changed.

Councilmember Ward stated that he would prefer to have additional time to study these ordinances in light of citizens' comments during the Public Hearing.

Councilmember Kinghorn stated that Council should work to raise the bar not lower it.

Councilmember Bell stated that adopting Ordinance 2017-07 would serve to maintain the status quo; whereas the FEMA recommendation would lower the base flood elevation by a foot and would affect new construction and homes undergoing significant renovation. He indicated that he seconded the motion because he felt that citizens did not understand that the City's adopting the ordinance would not impact their individual flood insurance premiums.

Councilmember Smith voiced interest in knowing how other beach communities were reacting to the new flood maps.

Director Kerr returned to the podium and confirmed earlier statements that adopting Ordinance 2017-07 would not impact the flood insurance premiums for any residents of the Isle of Palms. In regard to what other communities are doing, the Director stated the City already is requiring

one (1) foot higher than the new FEMA standard, but other communities are already requiring two (2) feet and, by virtue of the maps coming out, some communities will be going to three (3) feet. He stated that, in most situations on the island, this ordinance represents a reduction from the requirement that the City currently has; however, it is going to be more restrictive than the FEMA maps are proposing. The Director reiterated that the fourteen (14) foot height requirement was specifically chosen because it was one (1) foot above the level that water reached in Hurricane Hugo.

When Councilmember Buckhannon asked what the benefit to the City was of the fourteen (14) foot elevation, Director Kerr stated that it was a measure to make the City more disaster resistant. With a minimum elevation of this height, the City's resources would spend less time after a storm event dealing with houses that have been knocked off their foundations.

Councilmember Kinghorn stated that Council's Number One responsibility to the citizens of the island was safety, and, in his opinion, all of these ordinance relate to the safety of the residents of the island.

Councilmembers Ward and Bell withdrew the motion and second respectively.

- 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 upon the Sale or Transfer of Property.**

The Mayor stated that Ordinances 2017-08, 09, and 10 refer to the sewer, and he thought they warranted further study.

MOTION: Mayor Carroll moved to defer action of Ordinances 2017-07, 08, 09 and 10 until the February Council meeting; Councilmember Buckhannon seconded.

Administrator Tucker stated that staff would like to send the three (3) sewer-related ordinances to the IOP Water and Sewer Commission; the City worked with them to craft the ordinances, but they have not seen the most recent changes. As a courtesy, the Administrator wanted to give the Water and Sewer Commission an opportunity to respond to them.

Councilmember Kinghorn asked that Council be informed about comments and/or changes they make.

VOTE: The motion PASSED UNANIMOUSLY.

11. Introduction of New Bills, Resolutions and Proclamations

Resolution for City to join Federal Court litigation to challenge seismic testing and drilling in the Atlantic Coastal waters

MOTION: Councilmember Bell moved to adopt the resolution; Councilmember Moye seconded.

Councilmember Ward asked for a summary of the contents of the resolution.

Mayor Carroll stated that the South Carolina Environmental Law Project, a non-profit group, is challenging in federal court permitting by the federal government of seismic testing and drilling in the Atlantic coastal waters, including off the South Carolina coast. The resolution is for the City to join other local municipalities who are participating in the litigation; the City will incur no expense if it chooses to participate. At this time, Charleston and Beaufort have signed on, and Folly Beach and Seabrook are addressing it tonight.

VOTE: The motion PASSED UNANIMOUSLY.

12. Miscellaneous Business

Mayor Carroll reminded those present of the Citizens Forum on February 1st at 5:30 p.m. at the Rec Center, Doggie Day at the Rec on Saturday, February 10th and the Polar Plunge for Special Olympics on Saturday, February 17th at the Windjammer.

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

13. Executive Session in accordance with S.C. Code Section 30-4-7(a)(2) to receive legal advice regarding potential claims related to the Rules of Order and Procedure which pertain to the conduct of Councilmembers, Council and Committee meetings.

MOTION: Councilmember Kinghorn moved to go into Executive Session at 8:00 p.m. to receive legal advice as stated above; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Council returned to regular session at 8:28 p.m., and Mayor Carroll stated that Council had not taken a vote or any action while in Executive Session.

14. Adjournment

MOTION: Councilmember Ward moved to adjourn the meeting at 8:29 p.m.; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk