

## City Council

6:00 p.m., Tuesday, August 28, 2018

The regular meeting of City Council was called to order at 6:00 p.m., Tuesday, August 28, 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, Interim City Administrator Fragoso, Attorney Copeland and Clerk Copeland; a quorum was present to conduct business. Following a brief invocation and the Pledge of Allegiance, Clerk Copeland called the roll.

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.

### 2. Reading of the Journals of Previous Meeting

**MOTION: Councilmember Buckhannon moved to approve the minutes of the regular meeting of July 24, 2018 as submitted; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

### 3. Citizens' Comments

Christine Donovan, 31 – 26<sup>th</sup> Avenue, again spoke to Council about the way the parking regulations are being enforced on 26<sup>th</sup> Avenue. She referenced a situation when a visitor arrived late into the evening at a neighbor's home and went out the next morning to a ticket on his vehicle for obstructing traffic because his tires were not completely off the roadway; the ticket was written at 3:30 a.m. Ms. Donovan stated that little traffic is seen on 26<sup>th</sup> Avenue and certainly not at 3:30 in the morning. She said that "This is starting to feel like unreasonable harassment of the residents." She asked that Council "be very hesitant about enacting new laws and ordinances without careful thought and consideration to what is in the best interest of all the residents." The text of her comments are attached to the historical record of the meeting.

The resident at 3305 Hartnett stated that she has noticed more policing and more Beach Services Officers and that she hopes it is due to the season and is temporary. In her opinion, it has changed the feel of the island.

### 4. Reports from Standing Committees

#### A. Ways and Means Committee

Although the Ways and Means Committee did not meet in August, Councilmember Ward reviewed the highlights from the July 31, 2018 financial statements. Having completed the first month of the fiscal year, General Fund revenues were three percent (3%) of budget and General Fund expenditures were at six percent (6%) of budget. The cash balance in the General Fund was at approximately three million six hundred seventy thousand dollars (\$3,670,000), and total cash balanced totaled fifteen million seven hundred thousand dollars (\$15,700,000). In the tourism funds, Municipal Accommodations Taxes and the Beach Preservation Fee Fund increased by ten percent (10%) over FY17, and, over five years (5 yrs.) has increased thirty-two percent (32%). State ATAX was three point two percent (3.2%) greater than in FY17 and have increased by twenty-seven percent (27%) over five years (5 yrs.). The Charleston County ATAX Pass-through fund decreased by sixteen percent (16%) as the City was told to expect. In FY18,

Hospitality Taxes increased by five percent over FY17 and have increased by forty-two percent (42%) in five years (5 yrs.). On the Phase II Drainage Project, the City paid the ninth pay application to IPW Construction Group.

As Councilmember Ward moved into the business items that would have gone before the Ways and Means Committee, he asked that Council defer decisions on items that could be delayed until the September Ways and Means Committee meeting.

1. Consideration of an award of a contract to Applied Management Technology (ATM) in the amount of \$62,000 for the design, engineering and permitting of the marina docks rehabilitation (RFP 2018-01) (pg 36, ln 56 – marina Fund, Marina Operations, Maintenance and Service Contracts - \$250,000)

**MOTION: Councilmember Rice moved to award a contract to ATM in the amount of \$62,000 for the design, engineering, and permitting of the IOP Marina docks rehabilitation; Councilmember Bell seconded.**

Councilmember Bell reported that the City received three (3) proposals. One (1) company has done work for the City in the past that turned out to be less than satisfactory and required costly rehabilitation in the past year; the other company is in a state of transition as its owner died unexpectedly. The City has a history with ATM relative to the marina because it was the company who helped the City with the Marina Redevelopment and referendum in November 2017; they have an intimate knowledge of the IOP Marina and developed a good working relationship with the City. Councilmember Bell noted that, if some people on the island have a negative attitude toward ATM due to the referendum, ATM did only as they were instructed to do by the City and did it well. In addition, ATM was the lowest of the three (3) bids, and Councilmember Bell expressed full confidence that they would do a good job again.

**VOTE: The motion PASSED UNANIMOUSLY.**

2. Consideration of an award of a contract to Circle H Land Services, LLC. in the amount of \$16,610 for supplying, planting and fertilizing dune vegetation in areas of the City's recently restored beach (RFB-2018-05) (pg 230, ln 317 – Beach Preservation Fee Fund, Maintenance and Service Contracts - \$25,000)

**MOTION: Councilmember Rice moved to award a contract to Circle H Land, Services, LLC in the amount of \$16,610 for supplying, planting and fertilizing dune vegetation in areas of the City's recently restored beach; Councilmember Kinghorn seconded.**

Councilmember Rice stated that the plantings should occur sooner rather than later since the hurricane season was beginning to ramp up.

**VOTE: The motion PASSED UNANIMOUSLY.**

3. Consideration of using the metal detector for security at City Council meetings, including a security officer at a cost of \$200 for 4 hours

**Motion:** Councilmember Kinghorn moved to defer action on using the metal detector at City Council meetings until the September Ways and Means Committee meeting; Councilmember Moya seconded and the motion PASSED UNANIMOUSLY.

4. Consideration of an award of a sole source contract in the amount of \$25,585.69 to L3 Mobile-Vision for 5 in-car D camera systems (pg 28, In 265 – State ATAX Fund, Police Department, Capital Outlay – \$30,000)

**MOTION:** Councilmember Buckhannon moved to award a contract to L3 Mobile-Vision for 5 in-car camera systems; Councilmember Rice seconded.

Interim Administrator Fragoso informed Council that the Public Safety Committee unanimously supported the purchase of the camera systems and that the vendor was sole source in order to insure compatibility in the software and hardware.

**VOTE:** The motion PASSED UNANIMOUSLY.

5. Approval of an amount not to exceed \$20,000, state contract pricing, to Technology Solutions of Charleston (TSC) for the replacement of the City's computer network uninterrupted power supply located in the Public Safety Building and the services of an electrician for the removal and installation (pg 22, In 31 & 40 – Capital Projects Fund, split 50/50 between the Police and Fire Departments)

**MOTION:** Councilmember Rice moved to approve an amount not to exceed \$20,000 to TSC for the replacement of the City's computer network uninterrupted power supply and the services of an electrician for removal and installation; Councilmember Bell seconded.

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Councilmember Moya asked if staff has concerns about the electrical stability in the Public Safety Building and if that had been a consideration in purchasing the equipment.

The Interim Administrator stated that the purchase was recommended by the new IT company to insure that the City's network is protected and no data is lost; she stated that staff has not been told of any problems with the electrical system in the building relative to the installation of this system.

**VOTE:** The motion PASSED UNANIMOUSLY.

6. Consideration of an award of a contract to American Dock and Marie Construction in an amount not to exceed \$13,000 to replace damaged and missing floats under marina docks (pg 36, In 56 - Marina Fund, Marina Operations, Maintenance and Service Contracts - \$250,000)

**MOTION:** Councilmember Rice moved to award a contract to American Dock and Marina Construction in an amount not to exceed \$13,000 to replace damaged and missing floats under marina docks; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

7. Consideration of a sole source contract award to Hughes Motors for the purchase of one Mack flatbed truck at \$106,891 and one Mack garbage packer truck at \$203,917 (pg 22, In 53 – Capital Projects , Public Works Capital

Outlay, 1/3 flatbed at \$35,631 and 1/3 garbage truck at \$67,973; pg 25, ln 120 – Muni ATAX, Public Works Capital Outlay, 1/3 flatbed at \$35,630 and 1/3 of garbage truck at \$67,972; pg 29, ln 281 – State ATAX, Public Works Capital Outlay, 1/3 of flatbed at \$35,630 and 1/3 of garbage truck at \$67,972)

Interim Administrator Fragoso stated that the funds for these purchases were in the FY19 budget as a re-budget from FY18 because payment would be made at the time of delivery not when ordered. She added that, to confirm that the City got the best price for these trucks, staff contacted the company that works with other Mack truck dealers to retrofit the trucks into garbage packers; from that call, staff learned that South Carolina has only two (2) sources for the type of Mack truck the City needed, i.e. Hughes Motors with locations in Charleston and Florence and Shealy Truck Centers with locations in Columbia and Greenville. Typically their prices are very similar, but Hughes is a bit lower in many instances; there is also value to the City in having a local vendor for maintenance work. The Interim Administrator also stated that the Town of Mount Pleasant has recently put out a bid for a garbage truck for which they only received two (2) bids; the bid from Hughes was the lower of the two (2).

**MOTION: Councilmember Rice moved to award a contract to Hughes Motors for 1 Mack flatbed truck at \$106,891 and for 1 Mack garbage packer for \$203,917; Councilmember Ward seconded.**

Councilmember Bell opined that not going out for bid was a bad practice on purchases of this size; he could understand the argument of the value to be gained in dealing with a local vendor, but, without knowing the cost differential, he thought “rubber-stamping Hughes repetitively” was not the best move for the City. He stated that he was not opposed to the purchases, but he was opposed to the mechanisms employed to get to this point. He would prefer for this purchase to go back to the Ways and Means Committee for further discussion.

**VOTE: The motion PASSED on a vote of 8 to 1 with Councilmember Bell casting the dissenting vote.**

8. Consideration of the purchase of a beach cleaner and associated costs

**MOTION: Councilmember Kinghorn moved to defer discussion on the purchase of a beach cleaner until the September Ways and Means Committee meeting; Councilmember Smith seconded and the motion PASSED UNANIMOUSLY.**

9. Consideration of trailer rental for Fire Department personnel in preparation of the Public Safety Building repairs

**MOTION: Councilmember Bell moved to rent a trailer for Fire Department personnel in preparation for the Public Safety Building repairs; Councilmember Moyer seconded.**

Interim Administrator Fragoso stated that this item was placed on the Agenda to foreshadow the possible need for an alternate workplace, trailers, for the administrative staff of the Fire Department while the repairs are being made to the Public Safety Building (PSB). She said that Chief Graham requested earlier today that the personnel working on the second floor be moved

to a trailer as soon as possible; for some time, personnel have been complaining of eye irritation and respiratory issues which they believe are the result of poor air quality in the building. Recently, the City commissioned an indoor air quality assessment, and the report cited slightly elevated levels of carbon monoxide, which could cause eye irritations. The report does not identify a source, but the personnel believe that it is the diesel exhaust from the bay area. The report indicates that they did not find any mold contamination or evidence of an indoor source of mold growth. The Interim Administrator noted that cost of the trailer rental would be an unbudgeted expense. The personnel could be housed in existing City facilities for a short time, but staff has been told that the construction at the PSB would take twelve to fifteen (12 – 15) months. She and Chief Graham were seeking approval of an unbudgeted expense of up to fifteen thousand dollars (\$15,000) for the rental of a trailer office space for the administrative staff of the Fire Department; if approved, the trailer would be placed in the small municipal lot.

When Councilmember Kinghorn asked for the opinion of the Human Resources Officer, Ms. DeGroot said that she agrees that a trailer was a viable solution to deal with the problems of poor air quality that exist primarily on the 2<sup>nd</sup> floor of the PSB on the Fire Department side of the building and would provide them with a safe work environment.

Responding to Councilmember Ward, the Interim Administrator said that the rental expense could be paid from the budget for the repairs to the building which might cause some of these line items to go over budget. The Interim Administrator reported that the quote the City received was for approximately eleven thousand dollars (\$11,000); the request for up to fifteen thousand dollars (\$15,000) was in case the City has additional expenses related to the trailer installation such as setting up the utilities for the trailer. If the trailer were located in the small municipal lot, the trailer would not require a water hookup since they would have easy access to the Public Safety Building. Placing the trailer in the small lot would reduce the available parking by seven (7) spaces, but the City is heading into the slow season, and she does not think the loss of the seven (7) spaces would impact parking revenue.

Councilmember Rice recalled that, when the Fire Department was located in a trailer, that only one (1) type of trailer would meet the requirements; Chief Graham has evaluated the quote and the trailer would meet the standards.

**VOTE: The motion PASSED UNANIMOUSLY.**

Councilmember Ferencz commented on the parking revenue summary included in the meeting packet and questioned that Council should reconsider the decision to reduce the parking fee. She did not think the City could afford to lose one hundred thousand dollars (\$100,000).

Councilmember Ward noted that the summary was looking at only one (1) month, and parking revenue is sixteen percent (16%) of the budget. He stated that they would do an analysis of the years just ended and Council would revisit the parking lot fees over the winter.

## **B. Public Safety Committee**

Reporting on the meeting of August 15<sup>th</sup>, Councilmember Smith stated that Alice Bova, 403 Palm Boulevard, voiced her neighborhood's concerns over pedestrian safety at 5<sup>th</sup> Avenue and Palm Boulevard; the neighborhood is made up of young families with young children. One (1) neighbor

called SCDOT about having a crosswalk installed on Palm Boulevard at 5<sup>th</sup> Avenue, and she was told that a crosswalk would make crossing Palm more dangerous. Troy Hagemann, owner of Coastal Bus Line, spoke to the Committee about the possibility of his company providing a shuttle service from Mount Pleasant to the island on retrofitted school buses. The installation of signs relative to the parking changes made earlier in the year are expected to be installed by mid-October. The Police Department has produced a flyer explaining these changes and will have email blasts, a media blitz and post it to the websites for the Police Department and the City's website; the City will have a thirty (30) day warning period to allow people to become accustomed to the changes. The Committee discussed parking issues between 42<sup>nd</sup> and 57<sup>th</sup> Avenues where some people believe parking on the ocean side is allowed; "NO PARKING" signs will be installed Between 44<sup>th</sup> and 57<sup>th</sup> Avenues, and "NO PARKING" on both sides between 42<sup>nd</sup> and 44<sup>th</sup>. The Committee will recommend changes to the daily visitor parking passes to make them annual, multi-use passes identifying the address to which the visitor passes were assigned and to amend the ordinance to give residents two (2) free booklets a year.

Captain Swain was present and informed the Committee that the changes they were proposing to the visitor parking passes could be implemented. He added that the resident's address could be linked to the booklet(s) number(s) assigned to them and that removing the vehicle tag number would not be a concern for the Police Department.

**MOTION: Councilmember Smith moved to change the daily visitor parking pass to an annual multi-use pass showing the address the booklets are assigned to, to remove the license tag number from the visitor passes and to authorize an ordinance allowing residents two (2) free visitor parking pass booklets; Councilmember Bell seconded.**

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Councilmember Bell explained that the elimination of the tag number allows the resident to re-use the pass which is the goal, but the vehicle would only be allowed to park in the right-of-way at the address on the pass.

Interim Administrator Fragoso stated that the passage of this motion will serve as direction to her and the City Attorney to draft the necessary ordinance changes; the amendment will go before the Public Safety Committee for review.

**VOTE: The motion PASSED UNANIMOUSLY.**

Councilmember Ward, the City's representative on the CARTA Board gave the Committee an encouraging report that, after a meeting with the Executive Director of BCD Council of Governments (COG), he was told that, working with City staff, he thought a plan could be in place in sixty (60) days for a shuttle service from Mount Pleasant to the Isle of Palms.

The Interim Administrator stated that she has been in contact with the COG and learned that the first step will be data gathering from the stakeholders who would benefit the most from this initiative, particularly the hospitality and food and beverage industries. The City and the COG will hold a listening meeting in Council Chambers on September 19<sup>th</sup> at 9:30 a.m.; staff has reached out to the Front Beach businesses, the marina businesses, the Wild Dunes Resort and Lowe Wild Dunes to invite them to the meeting. The City and the COG are hoping to get a lot of useful information from the meeting.

The Committee decided to do an in-depth look at the parking and traffic issues facing the island as a whole at the October meeting that will be dedicated to that subject. Based on the request of Councilmember Buckhannon, the Committee looked into free parking for veterans at Front Beach, and, since it may create a burden to some veterans who do not purchase the license plate identifying them, the Committee decided not to take action on that issue. Based on State law, veterans who were awarded the Medal of Honor and the Purple Heart and disabled veterans whose vehicles display the disabled veteran identification are allowed to park for free at any pay-to-park location. The Committee unanimously approved a recommendation to begin using the City's metal detector at City Council meetings and to hire an individual who is trained on its use and the wand at a cost of two hundred dollars (\$200) for four (4) hours; Interim Police Chief Usry recommended that an off-duty City police officer also attend Council meetings in case he would be needed. From the Fire Department's monthly report, Councilmember Smith noted that the Fire Department responded to numerous calls in the month, including the fatal boating accident on Long Creek which required a multiple agency response. Chief Graham also informed the Committee that the young woman who was struck by lightning earlier in the summer is expected to make a "respectable" recovery. Both the Fire Department and Police Department reports are on the City's website in their entirety.

The Public Safety Committee will hold its next meeting on Wednesday, September 5<sup>th</sup> at 10:00 a.m. in City Council Chambers.

Councilmember Smith noted that Interim Chief of Police Usry made as presentation to the Committee, that was included in the meeting packet, relative to possible changes to the dog ordinances; for instance, the current ordinance has been interpreted by the IOP Police Department as pertaining to IOP residents only. The changes recommended by the Committee are as follows:

- All dogs, resident and non-resident, must have a written permit from the City,
- Fees for the permits and accompanying tags will be \$5 for residents and \$10 for non-residents to serve as proof of current rabies inoculation,
- The adoption of language in the City Code to require proof of current rabies inoculation.

**MOTION: Councilmember Smith moved to recommend to City Council the approval of the changes to the dog ordinances as stated above; Councilmember Bell seconded.**

Councilmember Bell opined that what should be an easy issue to deal with has become more complicated than necessary. He stated that all residents are expected to present proof of current rabies inoculation and to get their dogs registered with the City; the problems occur in the dog park where anyone can bring their dog and let it run off-leash and the IOP beach is considered a public park for non-residents. In surrounding communities, dogs are not allowed to run off-leash without adhering to local laws; the Committee concluded that non-residents dogs brought to the island to run off leash should also be required to adhere to local laws that require a City permit and accompanying tag. He emphasized that nothing about the dog ordinance changes for residents. The ordinance change would allow the Animal Control Officers to enforce the City law requiring all dogs to be registered providing them with an enforceability they currently do not have.

Stating that she has a different understanding on registering all dogs, Councilmember Ferencz stated that, if a dog has been registered with the City and should escape from a backyard or from its owner on the beach, the City can know to whom the dog belongs and can notify the owner.

Councilmember Smith stated that she also wanted to see the City move to a collar system; she thought that the collars would make it more compelling for compliance. She added that she thought that visiting dogs on leash should only be required to provide proof of a current rabies inoculation, rather than the City tag.

**Amendment: Councilmember Smith moved strike “all dogs, resident or non-resident” and to insert “all non-resident dogs legally off leash on the beach and the Bark Park and all resident dogs”, additionally insert “for all dogs to that come on the island” should be added to the end of the motion.**

This amendment is limited to non-resident dogs that come on the island that go to the Bark Park or the beach to run off-leash.

**MOTION: Councilmember Rice seconded the motion.**

Although worthy, Councilmember Rice thought it was unenforceable; to think that a dog owner is going to come to the island and go to the PSB to register a dog before going to the dog park or beach was unrealistic in her opinion.

Councilmember Moye opined that Council was looking at two (2) separate issues, i.e.

1. Was Council wanting for all dogs on the island to be treated equally? Does Council want everyone to have the same accountability?
2. How to enforce it?

He did not think enforcement was included in the motion, but he thought that the collar system, used on Sullivan’s Island, was the easiest method for enforcement.

Councilmember Buckhannon was of the opinion that the only ordinance change needed was the requirement for current rabies inoculation in the City Code so that the Animal Control Officer could issue tickets to offenders. He thought that off-islanders should not be required to get an IOP permit and tag; they simply need to have proof of current inoculation.

Councilmember Bell said that the intent was for dogs at the Bark Park and dogs off-leash at the beach potentially causing a threat to have the current rabies inoculation, and the only way to do that was through the recommended language in the motion. He stated that the Police Department and Interim Administrator had well vetted the subject.

Councilmember Smith noted that the gist of the motion was focused on off-leash dogs and not every dog that comes on the island.

Relative to the amendment, Interim Administrator Fragoso noted that, in conversation with Interim Chief of Police Usry, she learned that it is not only off-leash dogs that pose a threat; the City has experienced instances where someone approached a dog on leash and become the victim of an

incident. It, therefore, would present an enforcement challenge if the ordinance only addressed off-leash dogs.

**VOTE on Amendment: The amendment FAILED on a vote of 1 to 8 with only Councilmember Smith voting her support.**

**Vote on Motion: The motion PASSED on a vote of 5 to 4 with Councilmembers Ward, Rice, Buckhannon and Moye dissenting.**

### **C. Public Works Committee**

Reporting on the meeting of August 1, Councilmember Rice stated that Jim Raih made some “very thoughtful comments” about the anticipated Assistant Public Works Director and tents on the beach. Katrina Limbach of Isle of Palms Beach Chair Company addressed the Committee on tents on the beach and stated that she was researching options for tent rentals that could reduce the number of tents left on the beach. The Committee discussed the need to have water fountains where people could fill their water bottles. Since the meeting was being held on the first day of the month, Director Pitts has not received the tonnage volumes from the County and was busy pumping water off 46<sup>th</sup>, 50<sup>th</sup>, 51<sup>st</sup> and 52<sup>nd</sup> Avenues. The anticipated completion date for the Phase II Drainage Project is mid-November; delays were due to the heavy rains and the relocation of a drainage box and line down 46<sup>th</sup> Avenue to avoid other utilities. Management of the Citadel Beach House is working with the engineer to tie into the system, but the City has not heard anything conclusive from the residents of 47<sup>th</sup> and 48<sup>th</sup> Avenues about their tying into the system. On the installation of the underground storage tank at the Public Works site, the canopies will be installed within the month, and DHEC will be performing tests on the tank. John Garrels, who is planning to buy Bill Schupp’s trash and recycling removal business, will be working alongside Mr. Schupp in the coming weeks and will come back to the Committee with his decision. Under New Business, the Committee discussed several problem ditches on the island and a beach cleaning machine which was referred to the Ways and Means Committee.

The next meeting of the Public Works Committee will be at 9:00 a.m., Thursday, September 6<sup>th</sup>.

### **D. Recreation Committee**

From the meeting of August 7<sup>th</sup>, Councilmember Buckhannon stated that Jim Raih said that the Rec Department was doing “a great job.” Director Page commented that the Rec Department was transitioning to the fall programs that will begin in September. Upcoming events include the Community Wellness Fair on September 21<sup>st</sup>, the IOP Connector run on Saturday, October 6<sup>th</sup>, Ghostly Tide Tails on October 19<sup>th</sup>, the Halloween Carnival on October 31<sup>st</sup> and concluding with the Holiday Street Festival on December 1<sup>st</sup>. The Committee discussed how to make the registration for summer camps easier for parents, and they decided to hold the registration on a Saturday and to start at noon. Other topics of discussion were the IOP Farmers’ Market that begins on Thursday, September 6<sup>th</sup> and continues through the month of October and the opening of the Rec Center on Sundays beginning September 9<sup>th</sup>.

The next meeting of the Recreation Committee has been scheduled for 9:00 a.m., Tuesday, October 9<sup>th</sup>.

**E. Personnel Committee – no meeting in August**

Councilmember Ferencz told City Council that Jim Mercer of The Mercer Group, the search company the City has contracted with, will be on the island gathering information for marketing materials; while here, he will also talk with Department Heads, City Council members and staff. She also wants to create a timeline for the website so that residents will know where the City is in the process and to have sessions for residents to see and talk with the top candidates.

The next Personnel Committee will be at 5:00 p.m., September 6<sup>th</sup> in the Conference Room.

The only job vacancy in the City was for the Chief of Police position.

Safety Sweepstakes winners for August were Laura McLellan in General Government, Curtis Helm in the Fire Department, Melissa Dawson in the Police Department and Russell Roper in the Public Works Department.

**F. Real Property Committee**

From the meeting of August 6<sup>th</sup>, Councilmember Bell reported that Michael Fiem again told the Committee about the Resident Appreciation Day Tidal Wave Water Sports will hold on Saturday, September 8<sup>th</sup>; residents will have an opportunity to participate in any activity Tidal Wave offers at no charge. Donations received will go to the Shawn Jenkins Children's Hospital. In the discussion around ATM's contract award, Councilmember Ferencz asked that they look at the marina with "fresh" eyes and to focus on ADA compliance. The City is still working through the issues surrounding 1100 Palm, but the City plans to give him the necessary documentation so that he can get clear title to the property. Relative to marina operations, Councilmember Bell thanked the marina tenants for their cooperation in supplying the City with the documents requested. Councilmember Bell added that it was going to be very difficult to explain to residents the City's investment without being able to tell them what that investment would do for them; he noted that the Councilmembers elected in November told the voters that future decisions about the marina would be based on residents. The Committee also discussed unlicensed businesses operating at the marina without a lease with the City or the marina manager; the intent was to learn if these businesses created the same level of liability as those tenants with leases with the City of the marina manager and whether they should be required to carry the same level of insurance as other leases and sub-leases. The problem has two solutions – these businesses could enter into a lease with the marina manager or the City; under either scenario, the businesses would be required to carry the level of insurance as required by the City of its other lessees. Interim Administrator Fragoso reported that all tenants were current with their rent.

The next Real Property Committee meeting will be at 4:00 p.m., Wednesday, September 5<sup>th</sup> in the Conference Room.

**5. Reports from City Officers, Boards and Commissions**

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

Mayor Carroll stated that the Planning Commission was working on a Memorandum of Understanding with between the IOP Water and Sewer Commission and the City of Isle of Palms' properties not on sewer.

6. **REPORTS FROM SPECIAL OR JOINT COMMITTEES – None**
7. **PETITIONS RECEIVED, REFERRED OR DISPOSED OF – None**
8. **BILLS ALREADY IN POSSESSION OF COUNCIL**

**Second Reading of Ordinance 2018-13 – AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 1, GENERAL PROVISIONS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE A NEW DEFINITION FOR IMPERVIOUS SURFACE; TO DELETE REFERENCE TO “IMPERVIOUS MATERIAL” AND REPLACE IT WITH “IMPERVIOUS SURFACE;” AND TO PROVIDE ADDITIONAL REGULATIONS RELATED TO FILLING OR RE-COUNTOURING OF LOTS, GROUND ELEVATION, AND SITE CHANGES REQUIRING A STORMWATER MANAGEMENT PLAN.**

**MOTION: Mayor Carroll moved to waive the reading and to approve Ordinance 2018-13 for Second Reading; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

9. **Introduction of New Bills, Resolutions and Proclamations – None**
10. **Miscellaneous Business – None**

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Next Meeting Date: 6:00 p.m., Tuesday, September 25<sup>th</sup> in Council Chambers

11. **Executive Session – not needed**
12. **Conclusion/Adjournment**

**MOTION: Councilmember Buckhannon moved to adjourn the meeting at 7:23 p.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk