

## City Council

6:00 p.m., Tuesday, January 22, 2019

The regular meeting of City Council was called to order at 6:00 p.m., Tuesday, January 22, 2019 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, and South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, Smith and Ward, Mayor Carroll, Interim Administrator Fragoso, Attorney Copeland and Clerk Copeland; a quorum of Council 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. After a brief invocation and the Pledge of Allegiance, Clerk Copeland called the roll.

### 2. Election of Mayor ProTem

Councilmember Buckhannon nominated Councilmember Rice, and Mayor Carroll seconded. Councilmember Ferencz nominated Councilmember Bell, and Councilmember Smith second. Councilmember Bell nominated Councilmember Ferencz, and Mayor Carroll seconded.

Councilmember Rice was elected Mayor ProTem on a vote of 5 to 4.

### 3. Reading of the Journal of Previous Meetings

**MOTION:** Councilmember Rice moved to approve the minutes of the Special Meeting of November 13, 2018, the regular meeting of November 27, 2018 and the Special Meeting of December 4, 2018 as submitted; Councilmember Smith seconded and the motion PASSED UNANIMOUSLY.

### 4. Citizens' Comments

Janet Rose, 2501 Cameron Boulevard, stated that she has lived on the island since 1993 and is experiencing flooding at her home and in the street whenever the City receives a heavy rainfall. She believes that the flooding is the direct result of a large house being built next door with a pool. The property owners tore down a JC Long house to construct this large house and they brought in a lot of fill before they started construction. The water now drains away from his property onto the neighboring properties and into the street; she developed a petition that was signed by one hundred (100) people on the street and mailed it to Director Kerr. She stated that, when she spoke with Director Kerr, he told her that the plans included a drainage plan that added a swale to the side of his house; in addition, he told her that he does not have enforcement powers to if the plan is not followed. Ms. Rose informed the Committee that she has been trying to contact SCDOT about hooking her French drains to the manhole at the end of the street. She stated that she did not think it was fair that someone can build up and "cause a tremendous amount of flooding that never existed before without some requirement by the Isle of Palms that they submit a drainage plan to guarantee that there is no flooding of neighboring properties."

Dave Bruner, Forest Trail, stated that he and his wife have been residents since 1992. They are "empty-nesters" and decided several months ago to earn some extra money by renting out a portion of their home to island guests. They went to the Building Department to get the paperwork and to make the necessary modifications to their home to accommodate renters. In reading the fine print as they were getting the rental license to make them legal, they learned that the City

prohibits anyone from renting out only a part of the home. He explained that he and his wife thought that renting only a part of their home while they were in residence would be preferable since they could monitor their guests. He noted that both the City of Charleston and Mount Pleasant allow the resident to remain in the home while renting out a portion of it. He asked that City Council re-think this policy.

Bob Miller, 3 Fairway Village Lane, stated that he was member of the IOP Coyote Control Coalition and that the mission of the Coalition was to raise awareness of the coyotes that inhabit the island. He introduced Jillian Kerber who has a recording that residents need to hear.

Jillian Kerber, 11 Hidden Green Lane, stated that she and her husband live on the fairway of the 5<sup>th</sup> hole of the Links Course. She described a couple of unnerving experiences she has had with coyotes; the minutes of January 10<sup>th</sup> Public Safety Committee includes more detailed information than appears here. She reported seeing a group of deer running on the fairway, and the last one (1) was trying to escape a coyote that already had her by the tail. When walking her dogs later in the day, she saw a deer with its stomach ripped open and partially eaten in a neighbor's backyard. The second incident occurred one (1) evening when she was alone; she heard yipping, barking, yelping and howling emanating from the back of her house. She got her cell phone and was able to record a few seconds of what she was hearing inside her home, which she played for Council. She called the Police Department and spoke with Officer King who was very kind, but told her again that the Department could not help her. She spoke with the Department of Natural Resources (DNR) to learn more about what she could do; she was told that she could hire a trapper who would set traps on her property, but that DNR's stance was to let the coyotes live among us. When she spoke with Dave Kynoski of the Wild Dunes Community Association, he told her that they had ceded all control for coyote management to the City. Her last action was to speak with a master trapper who quoted her nine hundred ninety-five dollars (\$995) a week for private trapping. He told her that, unless the traps were set near a den (possibly near the T-box of the 5<sup>th</sup> hole), private trapping would not be successful, and he recommended using the services for a period of two (2) weeks. The trapper stated that the owner of the business would be happy to attend a Council meeting to provide a different perspective.

Doug Phillip Johnson, 200 Palm Boulevard, wanted to provide his thoughts about item 1 under the Ways and Means Committee report, Consideration of a request from the East Cooper Land Trust to apply for the City's allocation of Greenbelt Funds for the Exchange Club's public kayak dock project. He stated that he and his wife were long-time members of the Exchange Club and his wife was a past president of the group. He stated that he has seen a fundamental shift in the Exchange Club in the past five to seven (5 – 7) years; he noted that he possessed a copy of the original foundation of the Exchange Club through The Beach Company that stated in its corporation "it is to benefit the community and society." A secondary council has been formed, and the money raised from the raffle at the marina did not go to the Exchange Club, but to this secondary organization to build a dock, a float and bulkhead. He remarked that traffic was an issue in that section of Palm Boulevard at 2<sup>nd</sup> Avenue; he frequently sees cars pulled over for speeding. He also noted the parking issues when the Exchange Club holds one (1) of its events like the oyster roast; he said that he has concerns were about traffic, parking, and the environmental impact. He opined that the one hundred four thousand dollars (\$104,000) of City Green Belt money could be better applied elsewhere on the island.

## **5. Reports from Standing Committees**

### **A. Ways and Means Committee**

From the Ways and Means Committee meeting of January 15, 2019, Councilmember Ward stated that he was elected Chair for a second year. Through December 31, 2018, revenue was at thirty-eight percent (38%) of budget, and expenditures were at thirty-five percent (35%) of budget. The ending fund balance at December 31, 2018 was approximately twenty-two million two hundred thousand dollars (\$22,200,000). With a target of fifty percent (50%), General Fund Revenue was at twenty-nine percent (29%) of budget, and General Fund Expenditures were at forty-two percent (42%) of budget. The cash on-hand for all funds was approximately seventeen million three hundred thousand dollars (\$17,300,000). Although overtime is expected to exceed budget by approximately eighty thousand dollars (\$80,000), General Fund expenditures are expected to be within budget; approximately forty-five thousand dollars (\$45,000) of the overtime is attributed to Hurricane Florence, and the City hopes to be reimbursed by seventy-five percent (75%) by FEMA.

Looking ahead to Item 2, Councilmember Ward asked that, in the future, in addition to noting two point two percent (2.2%), the dollar amount be included as well. He did note that on page 79 of the packet, the annual amount was clearly stated as one hundred thirty-five thousand eight hundred sixty-one dollars (\$135,861), or one point two (1.2%), of General Fund expenditures as budgeted.

1. **Consideration of a request from the East Cooper Land Trust to apply for the City's allocation of Greenbelt Funds for the Exchange Club's public kayak dock project**

Mayor Carroll stated that the request would not be made at this meeting; Interim Administrator Fragoso reported that they have asked that the request be postponed until a later date.

2. **Consideration of FY19 cost of living adjustment of 2.2% for City employees**

**MOTION:** Councilmember Rice moved to honor the 2.2% COLA approved in the FY19 budget; Councilmember Moye seconded.

**AMENDMENT:** Councilmember Ferencz amended the motion to distribute the FY19 budgeted COLA among employees making less than the "living wage" of \$53,000; Councilmember Bell seconded.

Councilmember Bell sought to clarify this issue because he thought there was a lot of confusion after the Ways and Means Committee meeting. For the record, he asked that, as other cities do, to make public employee salaries and applicable overtime; he opined that having this information would give the residents more understanding of what the discussion is. He stated that Council was receiving a certain degree of criticism for suggesting that Council may increase property taxes, but this COLA will total more than two hundred eight thousand dollars (\$208,000) once fringes, taxes and retirement are added. He said that he values the City's employees and that a level of salary needed to be adjusted, but he was not comfortable with giving the COLA to the twelve (12) employees making more than eighty thousand dollars (\$80,000) a year or the four (4) employees whose combined salary and overtime were over one hundred thousand dollars (\$100,000+). He opined that the police officers making forty-five thousand dollars (\$45,000) or firefighters making thirty-seven thousand dollars (\$37,000) needed and would appreciate the COLA far more than the employee making eighty thousand or one hundred thousand dollars (\$80,000 - \$100,000). He stated that the way of thinking in the City should change to be more responsible to both the employees and residents.

Council Kinghorn stated that one (1) thing he has learned in his three (3) years on Council was that change does not come easy. He stated that Council was considering a property tax increase before looking at measures to drive down costs. Referring to the amount of overtime, he reiterated the fact that the City routinely holds more than one hundred (100) meetings as year; these meetings require staff time in preparation, time to attend the meetings and time to carry out the directions from the meetings. He was convinced that Council could initiate reforms that would reduce the number of meetings and the loss of staff time; he also urged Council to look at new revenue sources before considering a tax increase.

Councilmember Moye agreed with many other Councilmembers that major budget reform was necessary, and meetings have been scheduled for Council to determine what that reform would look like. Noting the large percentage of the budget that is attributed to payroll, he thought that employee wage increases was a key issue. He stated that he would continue to support the FY19 COLA because it was budgeted and employees were told that the COLA would be two point two percent (2.2%). His support was an attempt to avoid an adverse impact to employee morale which could result in the loss of key employees; he agreed that the City must take care of those who are not at “the livable wage” of fifty-three thousand dollars (\$53,000). For FY19, he advocated that the COLA budgeted should be paid to employees across-the-board.

On the other hand, Councilmember Ferencz opined that the Council should do something different now. The budget approval occurred in May of 2017 before Council was given the information regarding the cost of the proposed drainage project in addition to an estimated four million dollars (\$4,000,000) in remediation costs for the Public Safety Building and an unknown amount for dock rehabilitation at the marina. She stated that, if Council had that information in May 2017, it would not have approved the wage increase proposed for FY19, and possibly, a new policy would have been established then. She wanted to stop doing things like the City always has and to do something different now to address “the gap that has been created over the years because of the across the board” payment of the COLA and to take care of those employees who are making below “the livable wage.”

Councilmember Rice called for the vote.

**VOTE on the AMENDMENT: The amendment FAILED on a vote of 2-7 with Councilmembers Bell and Ferencz casting the supporting votes.**

**VOTE on the ORIGINAL MOTION: The motion PASSED on a voter of 7 to 2 with Councilmembers Bell and Ferencz casting the dissenting votes.**

- 3. Award of a contract to Talbot Tennis/McGrath Industries in the amount of \$29,437 for the resurfacing of the tennis courts** (Pg. 23, ln 62 – Capital Projects, Recreation Department Maintenance - \$62,000)

**MOTION: Councilmember Smith moved to award a contract to Talbot Tennis/McGrath Industries in the amount of \$29,437 to re-surface the tennis courts; Councilmember Buckhannon seconded.**

Councilmember Bell said that the points were made at the Ways and Means Committee meeting about prioritization for residents and making investments that benefit the residents, and that work is underway by the Recreation Committee. He proposed that this award be postponed until

Council has a plan from the Recreation Committee that states how residents' use would be prioritized before spending money for the surrounding communities.

Councilmember Kinghorn reiterated that he would oppose this motion not because it did not have merit but because Items 2 – 6 total approximately four hundred thousand dollars (\$400,000) in expenses “while people on this dais are taking to the public but increasing property tax.” He repeated that the City needed “to look for new sources of revenue, tighten its belt and make prudent decisions.”

Mayor Carroll stated that discussions about tax increases come when taking about the major projects facing the City that will not happen this year, but the investigative work will take place. He noted that, even now, Council has no idea how much the remediation of the Public Safety Building will cost, and the other big project is the drainage Phase 3 project to improve three (3) critical outfalls. If the property tax increase does not come in the FY20 budget, it will come soon.

Councilmember Smith commented that the tennis courts were very popular among the residents. She reported that the original RFB was to replace the tennis courts but the bids submitted far exceeded the budget. This re-surfacing project will improve the courts for a period of five (5) years during what the money could be reserved for the replacement and possible addition of a court.

Councilmember Ward asked if Items 2 – 6 were approved last spring in the FY19 budget, and he was told that they were.

In Councilmember Rice's opinion, maintaining City property was the responsible thing to do; she reported that roots are coming up through the courts now making them unsafe. She repeated that the money was in the budget at sixty-two thousand dollars (\$62,000); re-surfacing the courts saves the City nearly forty thousand dollars (\$40,000).

Councilmember Buckhannon stated again that the courts need to be re-surfaced for safety reasons, and he recalled discussions that City properties have not been maintained as they should have been. He added that the Recreation Committee was looking into programs that would be resident-focused, but off-island participation was needed, for instance, in youth sports, they are needed to have enough participating to form leagues for competitive play.

Interim Administrator Fragoso noted that this project was being funded Municipal and State ATAX funds.

**VOTE: The motion PASSED on a vote of 7-2 with Councilmember Ferencz and Kinghorn dissenting.**

- 4. Award of a contract to ATM in the amount of \$21,000 for consulting services (assessment/development of scope of work, bidding and construction oversight) for the marina bulkhead coating/repainting project (pg. 36, In 56 – Marina Fund, Marina Operations, Maintenance and Service Contracts - \$176,000)**

**MOTION: Councilmember Bell moved to award a contract to ATM in the amount of \$21,000 for consulting services for the marina bulkhead coating/repainting project; Councilmember Buckhannon seconded.**

Kirby Marshall of ATM explained that the bulkhead at the IOP Marina along the Morgan Creek edge was constructed of steel sheet piles covered with cold tar epoxy; a portion of the bulkhead has corroded over time; rust is visible in the Intra-tidal zone. This contract would be to prepare the plan specifications, administer the bidding process and oversee construction, facilitate the repair and rehabilitation of the bulkhead to extend its useful life.

**VOTE: The motion PASSED on a vote of 7 to 2 with Councilmembers Ferenz and Kinghorn dissenting.**

5. **Award of a contract to Motorola for a budgeted expenditure of \$247,644.75 to replace 27 portable radios and 25 mobile radios (in cars) for the Police Department ( Pg. 22, In 32, Police Department Capital Outlay – \$130,000; pg. 25, In 109, Muni ATAX, PD Capital Outlay - \$65,000; pg. 28, In 263, State ATAX, PD Capital Outlay - \$65,000)**

**MOTION: Councilmember Buckhannon moved to award a contract to Motorola in the amount of \$247,644.75 for radios as detailed above for the Police Department; Councilmember Buckhannon seconded.**

Councilmember Ward informed the Committee that the City has been setting funds aside to be able to pay cash for these radios.

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Councilmember Moye stated that Councilmember Kinghorn made a sound recommendation at the Ways and Means Committee meeting to defer action on the radios and cars since Council will be evaluating the fleet of Police vehicles. The suggestion was to budget this and to charge staff with delaying further action until the budget meetings.

Councilmember Bell noted that the Police Department has a lot of cars; every patrol officer has an assigned car. He stated that, for an island seven (7) miles long and half (½) mile wide, three (3) officers are on duty if the sergeant was not at the station at any point in time. The City has twenty-six (26) patrol vehicles. Referring to Councilmember Moye's comments, Councilmember Bell asked whether the City was going to continue this practice or, possibly, give officers a car allowance so they would have a car they could do whatever they want including to drive to work. A full complement of vehicles would be at the PSB, and the City could reduce its fleet expense. He was clear that this was not a proposal, but such ideas needed to be thought through and analyzed. He stated that, every time the City buys a car, the thirty-eight thousand dollars (\$38,000) is not just the car, but the outfitting of the vehicle as well. He expressed a desire to discuss the size of the fleet, policies going forward, etc. before making a decision on the radios.

Councilmember Kinghorn remarked that about half of the island is a gated community that has gated communities inside which has its own security. He suggested that, in the visitor season when the population quadruples, the City could hire part-time seasonal officers to meet the needs that come with it, saving the City a lot of money.

Mayor Carroll asked that Councilmember Buckhannon, Chair of the Public Safety Committee, tell Council about the Motorola radios, their life span and the requirements for the radios.

Councilmember Buckhannon stated that the existing radios were “basically obsolete” and have been replaced with a new model with new features. He reported that Motorola was no longer supporting the model radios in the Police Department has, i.e. no longer making replacement parts; when a radio fails, it cannot be repaired. Charleston County Consolidated Dispatch (CCCD) is moving to encryption, a feature the new radios will have; without the newer model, the Police Department will not be able to communicate with the CCCD.

Councilmember Rice added that the City has mutual aid agreements with surrounding communities, but without the new radios, the IOP Police Department will not be able to hear those calls for assistance due to the encryption feature.

Although the order will be placed soon, Councilmember Buckhannon noted that the purchase would likely fall into FY20 since the City would not pay for the radios until they were delivered. He reiterated that the City was purchasing the radios on the Charleston County purchase order along with other local governments to get the discounted price and trade-in opportunity.

Since the Public Safety Committee will be looking at the organizational structure of the Police Department, the Interim Administrator suggested that the prudent action now might be to defer placing the order until those discussions take place. She acknowledged that she did not know how that would impact the Department as radios fail, how it would impact the ability to order at the reduced pricing or when CCCD was planning to implement the encryption feature.

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When Councilmember Bell asked if the radios could be replaced as they fail rather than a bulk purchase as proposed.

The Interim Administrator replied that she would need to discuss that with Interim Chief Usry since she has been the contact with Charleston County; she stated that if the purchase was deferred, the City could lose the trade-in and the reduced pricing on the Charleston County purchase order.

Councilmember Bell and Buckhannon withdrew the motion and second respectively, and action on the proposed purchase was deferred until the next meeting.

Councilmember Smith opined that it would be counter-productive to what was to be accomplished tonight if the re-purchase value of the existing radios could be lost, and the City has saved for the purchase and has the money to go forward.

**6. Award of a contract to Trident Construction in the amount of \$95,267 For Phase I of the Public Safety Building remediation**

**MOTION: Councilmember Bell moved to award a contract to Trident Construction in the amount of \$95,267 for Phase 1 of the remediation of the public Safety Building; Councilmember Ferencz seconded.**

Councilmember Ward recalled that the Real Property Committee selected two (2) contractors – Hill Construction and Trident Construction – from the companies that responded to the design/build RFP to respond to the RFP for the initial phase of work on the Public Safety Building (PSB).

Councilmember Ward stated that the vote in the Real Property Committee was two to one (2 to 1) in favor of Trident; he noted that both companies made excellent presentations and that it was clear that both companies would do a good job. He stated that, although both companies have experience with municipalities, Hill has rehabilitated several municipal buildings in the past couple of years.

Councilmember Ferencz said that she had voted for Trident because the City had a good working relationship with them when they constructed Fire Station 2, which was also a design/build project. She commented that they also have experience rehabilitating municipal buildings.

As the third member of the Real Property Committee, Councilmember Bell said that he also voted for Trident because their quote was one hundred thousand dollars (\$100,000) lower than Hill's. In this phase of work, Trident employees will take the original volume of hourly problems found by Hill Construction and go one (1) step further in that they will open the walls in some places to find the sources of the problems.

Councilmember Ward opined that the Committee was comparing “apples to oranges” in that the Hill proposal included more items and their overhead cost percentage was much lower than Trident's. He added that, after speaking with the Interim Administrator, they agreed that when the final invoice arrives the costs will be very close.

Interim Administrator Fragoso informed Council that, in their presentation, Trident stated that the overhead percentage was negotiable.

**VOTE: The motion PASSED on a vote of 7 to 2 with Councilmembers Kinghorn and Ward casting the dissenting votes**

**7. Consideration of an increase in fees for the municipal parking lots and Ocean Boulevard on-street parking.**

**MOTION: Councilmember Moyer moved to discuss increasing the parking fees in the municipal parking lots and on-street parking on Ocean Boulevard; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Mayor Carroll is an avid fan of College of Charleston basketball and he reported that the parking meters in Charleston are now two dollars (\$2) per hour with a two (2) hour minimum. Since basketball games take more than two (2) hours, he is waiting on his first ticket.

After Councilmember Kinghorn reviewed the history of the City's transition to automatization in the two (2) municipal parking lots, Councilmember Smith expressed her opinion that the City should continue to offer hourly rates in the municipal lots. She supported increased rates to avoid repeating the decline in revenue seen last year; she thought the best option would be to charge

two dollars (\$2) per hour in the lots, two dollars and a half (\$2.50) on the street and twelve dollars (\$12) for a full day in the parking lots. She recalled that Council chose to change to hourly parking last year in an effort to encourage people to visit Front Beach businesses and to encourage people to use the municipal lots rather than go to Palm Boulevard for free parking. The increase in the number of transactions to the kiosks demonstrate that the City was successful in meeting one (1) of its goals, more people choosing to park in the municipal lots.

According to Councilmember Kinghorn, hourly rates increase the amount of time spent by BSOs to enforce the parking regulations which would be much easier with a daily rate only in the lots. In addition, the people who park in the municipal lots were not supporting the Front Beach restaurants or businesses.

To truly enforce hourly parking in the municipal lots would require a BSO to be walking the lots continuously, but this was not where the BSOs were needed; they need to be on Ocean Boulevard, Palm Boulevard and 14<sup>th</sup> Avenue to keep traffic flowing.

Councilmember Rice thought that use of the municipal lots would be impacted if people cannot park for a couple of hours; people do not want to pay ten or fifteen dollars (\$10 – 15) to park when they would be there only as long as it took to have lunch.

Councilmember Smith referenced the schedule of various scenarios for Council to consider and noted that the hourly rates of two dollars (\$2) per hour in the lots and two and a half dollars (\$2.50) on the street proposed in Option 2 projected an additional four hundred ninety thousand dollars (\$490,000) in revenue. The schedule for Option 2 charging a daily rate of twelve dollars (\$12) per day during the week and fifteen dollars (\$15) on the weekends for the municipal lots and two and a half dollars (\$2.50) per hour on the street estimates an increase in revenue of approximately five hundred twenty thousand dollars (\$520,000). The daily rate surpasses the per hour rate by only thirty thousand dollars (\$30,000); she stated that the increase in revenue should cover the payroll expense for a BSO to be stationed in the parking lots all day.

The recommendation from staff was to charge a daily fee for parking in the lots; she noted that, on weekends, people come to the beach for all day or for several hours during the day, and turnover is very low. With a daily rate, Interim Chief Usry opined that the lots would have to be checked for enforcement a couple of times a day. For enforcement of a daily rate, the BSO only has to confirm that the vehicle has the stub from the kiosk on the dash, no more calculating hours.

Staff recommended that Council adopt Options 1 under the Daily Rate for the lots; the rates proposed are two dollars (\$2) on the street and ten dollars (\$10) per weekday and twelve dollars (\$12) per day on the weekends. She added that people will be allowed to park after 4:00 p.m. at the hourly rate.

**MOTION: Councilmember Kinghorn moved to adopt staff's recommendation of Option 1 for daily rates; Councilmember Bell seconded.**

Mayor Carroll said that the City was less than the County Park; their rate is twelve dollars (\$12) for weekdays and fifteen dollars (\$15) per day on Saturday and Sunday.

Councilmember Ward stated that he hoped this action was the end of the debate over parking rates in the lots; he said that the residents like clear direction and consistency from Council.

Councilmember Moye agreed with consistency, but, just as the cost of living increases, the parking fees should increase in a consistent manner.

**VOTE: The motion PASSED on a vote of 7 to 2 with Councilmembers Ferenz and Smith casting dissenting votes.**

**8. Consideration of an award of a contract to Carolina Professional Builders, LLC in the amount of \$129,475 for the repair and renovation of the Public Works Workshop**

**MOTION: Councilmember Ward moved to award a contract to Carolina Professional Builders LLC in the amount of \$129,475 for the repair and renovation of the Public Works Workshop; Councilmember Rice seconded.**

Councilmember Ward asked the Chair of the Public Works Committee to be more concise in the future with the description of the scope of work to be done.

Since the bid opening was on was on January 17<sup>th</sup>, this item could not be on the Ways and Means Agenda; some specifics on the scope of work include the replacement of the bay doors, replacement of the roof, and other maintenance issues identified in the Hill report.

**VOTE: The motion PASSED UNANIMOUSLY.**

**B. Public Safety Committee**

Councilmember Buckhannon noted that representatives from the Coyote Coalition attended the meeting and related the same message as tonight's comments. At the meeting of January 10<sup>th</sup>, The Committee received an update on the improvements to the Waterway Boulevard multi-use path; staff is working with Charleston County to get cost estimates for the project.

**Consideration of "Lowvelo," a benefit bike ride for cancer research as a City-sponsored event.**

The first item under New Business was a recommendation to allow the Lowvelo bike ride for cancer research to be designated as a City-sponsored event and to allow the bikers to traverse the island. The ride is scheduled for November 2, 2019; the bikers would come onto the island via the Breach Inlet Bridge, take 4<sup>th</sup> Avenue to Ocean Boulevard and exit the island over the IOP Connector.

**MOTION: Councilmember Buckhannon moved to designate the Lowvelo bike ride as a City-sponsored event; Mayor Carroll seconded.**

The bike ride will be a "rules of the road" ride, i.e. the bikers are to follow all of the traffic signs along the way.

The City's only involvement will be to station a police officer to the light at 14<sup>th</sup> and Palm Boulevard who will stop traffic briefly and sporadically to allow the bikers to go through without stopping for the light. Interim Chief Usry expressed confidence that this can provide the assistance requested without incurring any overtime for the Police Department.

The event will sponsor rides of twenty-five (25), fifty (50) and one hundred (100) miles.

Councilmember Moyer asked that the Public Safety Committee develop a process or protocol for people wishing to hold an event on the island.

When Councilmember Ferencz asked if this would be added to the list of approved annual events, the Interim Administrator answered that this would be a one-time event.

Councilmember Bell remarked that they will come through the island with or without the consent of the City.

**VOTE: The motion PASSED UNANIMOUSLY.**

Also in New Business, The Committee discussed the replacement of five (5) patrol vehicles as they reviewed the 10-Year Capital Plan for the Police Department. Interim Administrator Fragoso stated that the Interim Chief has decided that patrol vehicles could last another year, giving them a seven (7) year life cycle – extending the useful life by a year. The Police Department's organizational chart was also discussed, and those discussions will continue through the budget preparation. The Committee also talked about the impact of the COLA on the Fire and Police Departments, and they agreed that a new policy needed to be put in place beginning with the FY20 budget. The Committee discussed the 75-foot and 95-foot ladder trucks in the Fire Department; a new 75-foot truck is being manufactured. Chief Graham researched ways to extend the life of the 95-foot truck and not replace it; a new truck would cost between one million four hundred thousand dollars (\$1,400,000) and one million five hundred thousand dollars (\$1,500,000); the annual price increases have been four to seven percent (4% - 7%). Based on conversations and a site visit, E-1, the manufacturer of fire truck, believes that the truck is in good condition and would be a perfect candidate for their refurbishing process, which would cost approximately six hundred thousand dollars (\$600,000), less than half the cost of a new truck. The truck would be in Florida, at their manufacturing facility for about six (6) months and come back to the City looking new.

The Public Safety Committee will hold its next meeting at 10:00 a.m., Thursday, February 7, 2019 in the City Hall Conference Room.

Councilmember Kinghorn asked that the City Council re-order the Agenda go to the Real Property Committee report to allow those who were interested in the marina repairs would not be required to sit through three (3) more committee reports.

**MOTION: Councilmember Ward moved to suspend the rules of order to move Item 7, Real Property Committee at this time; Councilmember Moyer seconded and the motion PASSED UNANIMOUSLY.**

## 7. Real Property Committee

### **Consideration of 3 concepts for Phase I of the marina docks repair and replacement and becoming ADA compliant**

Councilmember Bell remarked that the Committee had a lively discussion around the three (3) conceptual drawings for the marina dock and repairs, and he reminded Council that they decided to move with the fuel dock repairs. Pending funding, these drawings show what the City can do.

Kirby Marshall of ATM placed large display boards with the three (3) concepts, and Councilmembers had 11x17 photocopies of the proposed layouts. He informed Council that the Real Property Committee was clear that they wanted the repairs and rehabilitation to mirror what is at the marina now but to make them ADA compliant. The concepts are attached to the historical record of the meeting, and they represent phased approaches. Mr. Marshall reported that, from observation and talks with the marina manager, the docks on Morgan Creek were all in bad condition and must be replaced. The consensus was that work should begin at the fuel dock because it looks to be in the worst condition. The slips behind the marina store would be widened to meet industry standards, and the pilings would be replaced meeting industry standards; one (1) of the ADA compliant gangways would also be located behind the store providing access to both the fuel dock and the other docks behind the store. The boat ramp would not be changed, and the Intracoastal docks would be shifted more into the Intracoastal Waterway and the pilings would be removed. ADA gangways would go to the Intracoastal pier and to the Tidal Wave dock. The cost of Concept 1 is seven hundred thirty-five thousand dollars (\$735,000).

Concept 2 is changed to provide more staging dock space at the boat ramp and to alleviate congestion in the boat ramp area by providing a separation between the boat ramp and a small area at the end of the dock going into Morgan Creek. Two (2) ADA gangways would be constructed in this area; one (1) will go to the transient dock, and one (1) would go to what is known as the Morgan Creek dock. Mr. Marshall noted that the transient dock in Concept 2 extended about thirty feet (30 ft.) more into Morgan Creek; he added that, when ATM was working with the City previously, he spoke to OCRM and the Corp of Engineers about extending the transient dock more into Morgan Creek and was told that it would generally not be a problem as long as the City did not get too aggressive. He noted that by increasing the space between the Morgan Creek dock and the transient dock boats would have more maneuverability.

In Concept 3, ATM has moved the transient dock in and reoriented the ADA gangway to be shore parallel as in Concept 2; by doing that the outer dock can be pulled back in foot ring of the marina and facilitate regulatory review. A downside to doing this was that it reduces the space between the two (2) docks to forty-one (41) feet making it more difficult to get boats on and out of that area; the existing distance is fifty-one (51) feet.

When Councilmember Ferencz asked why ATM had moved the dock into Morgan Creek, Mr. Marshall responded that was it gave additional dock space.

Councilmember Bell reiterated that nothing was going to happen at the marina for a while because the City has no money for this project, and he stated that discussions were fluid; he stated that the City might decide to do Phase 2 before Phase 1. He continued that the City owns the repair

of the docks, but it does not own rebuilding or renovating anything. He noted that the City must look at the City asset and the money available to spend for the best return for the residents and the marina.

Councilmember Ward asked where the City was in the process, what was the timeline, and where was the money going to come from?

According to Mr. Marshall, the next step would be to apply for permitting for the entire site; at this time, the permitting process is taking about year. Getting the permit does not mean that the City has to build the docks; the permits are good for five (5) years and can be extended for another five years. He added that changes to the plan submitted can take place but the City would not have to seek another permit; the current permit could be modified.

Commenting that the bond for the purchase of the marina would be paid off in February, Councilmember Ward suggested that the money previously spent on the bond should be set aside every year to pay for these repairs. With three hundred thousand dollars (\$300,000) to be saved each year, the City would amass one and half of a million dollars (\$1,500,000) in five (5) years.

Councilmember Bell reminded Council and the citizens that, under the existing lease the City does not benefit when business increases at the marina; the City gets a percentage of profit, not revenue, over a certain amount.

Councilmember Rice asked that Councilmember Bell refer to the marina tenants in a more positive manner because the citizens do want the businesses at the marina to be successful, and the residents need a safe, functioning marina. She stated that currently the docks were not safe, that the ramp should be made safer, and to do something about the parking lot.

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Councilmember Moye referred to Concept 3 and asked for an explanation for removing the finger piers.

Mr. Marshall stated that the management of Morgan Creek Grill and of the marina agreed that the configuration of the finger piers was more conducive to smaller, shorter boats than to longer vessels, and that the piers would be more useful as a side tie dock as shown. In the interim, the suggestion has been made to extend the finger piers to their full length.

Mr. Marshall added that another factor in the planning process was the condition of the docks; the Intracoastal docks were in good, useable shape having only been there about fifteen (15) years. The docks along Morgan Creek were beyond their useful life, and major repairs were executed on these docks on a regular basis. He stated that ATM's recommendation was that the Morgan Creek docks and utilities on the docks be replaced as soon as possible.

Interim Administrator Fragoso said that she and the Treasurer were researching ways to get the funding for this project. At this meeting, she was asking Council for direction on which concept they wanted ATM to submit with the permit application.

**MOTION: Councilmember Kinghorn moved for Council to support Concept 2 for the marina docks repair and rehabilitation; Councilmember Bell seconded.**

Councilmember Moyer asked for the cost of Concept 2, and he was told that the total cost would be two point nine-four million dollars (\$2,940,000).

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

Councilmember Bell continued with the Committee report stating that they agreed to seek the services of a real estate consultant to guide and advise the City through the bidding process for the restaurant lease. The conversation about Charleston County taking over the public restrooms continued, and staff was asked to open a discussion to determine if they have any interest. The Committee also discussed lot coverage as it relates to drainage; Councilmember Ferencz expressed concern that the larger homes being built on the island are covering the lots with more than forty percent (40%) of impervious surfaces. The Committee asked that Director Kerr go to certain addresses to verify that they have only a forty percent (40%) lot coverage and to report to the Committee next month.

As the City seeks new revenue sources, Councilmember Buckhannon thought that opportunities could be found in the Building Department, for instance, a graduated fee structure for building permits based on lot coverage.

Another issue addressed by the Committee was the need for a City arborist; Director Kerr was asked to compile a list of three (3) or so arborists to recommend to residents when they call to have a tree removed. The arborists on the list will be persons who are reputable and trustworthy; when they recommend that a tree be removed, they will have a legitimate and reliable reason.

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The next Real Property Committee will be at 9:00 a.m., February 5, 2019 in the Conference Room.

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

Reporting on the meeting of January 3<sup>rd</sup>, Councilmember Rice stated that she was elected Chair and Councilmember Smith was elected Vice Chair with the contingency that she would attend the meetings of the Commissioners for the IOP Water and Sewer Commission. After Director Pitts gave his monthly report for December and January, the discussion moved to the renovations planned for the Public Works Workshop and that the Personnel Committee was working to fill the Assistant Director of Public Works position. The work has been completed on Palm Boulevard for the Phase II Drainage Project as well as 50<sup>th</sup> Avenue; 51<sup>st</sup> Avenue will be completed by the end of the week and the project completion date will be the end of February. She reminded the Committee and residents present that the engineering for Phase II began in 2012. Work began yesterday on the removal and replacement of the underground storage tanks at the marina; the work is expected to take seven to eight (7 – 8) weeks. The Committee continues to try to get an example of the trashcans with lids. Director Pitts updated the Committee on several drainage ditches on the island. After Director Pitts marked the worst outfalls on the island and the areas of the worst drainage, Councilmember Kinghorn explained why combining the drainage and island-wide sewer should be addressed together. The Public Works Committee would like to request another joint meeting with the Water and Sewer Commissioners when their Master Plan has been completed. The Committee discussed and recommended the addition of plastic straws, stirrers and Styrofoam products to the single-use plastic bags ordinance. The meeting concluded with a

discussion of the items that have come forward for replacement in FY20 on the 10-Year Capital Plan for the Public Works Department.

The next Public Works Committee will be at 9:00 a.m., Monday, February 11<sup>th</sup> in the Conference Room.

Councilmember Kinghorn again addressed his deep concern about the need to integrate island-wide sewer with the drainage improvements; he said that he would like to see City Council to enact “the most stringent ordinances with regard to hooking up as soon as possible ...” and that every residence on the island should be on sewer by 2030.

#### **D. Recreation Committee**

Councilmember Buckhannon reported that, for the meeting of the Recreation Committee for January 8<sup>th</sup>, a group of guys primarily island residents want to reserve the gym to play full-court basketball on Saturday mornings, and that Director Page is working with them. Under New Business, the Committee discussed uses of the Recreation Center and access options; Director Page is checking out what other municipalities do to determine if opportunities for revenue generation exist. Councilmember Moyer’s opinion was that “there should not be any part of the Recreation Center that is not being used at any point in time.”

In giving the monthly report, Director Page stated that participation of children between the ages of five and six (5 – 6) has increased by twenty-two percent (22%).

Upcoming events are:

Doggie Day at the Rec	Saturday, February 9 <sup>th</sup>
The Front Beach Fest	Saturday, March 9 <sup>th</sup>
The IOP Yard Sale	Saturday, March 30 <sup>th</sup>

Brenda Rosenthal, a resident of the island expressed her desire to see the Rec Center become more of a Community Center, a spot where program participants could sit and have a cup of coffee or just chat if they so choose.

The Committee recommended the award of a contract to Taylor Tennis for re-surfacing the tennis courts which was approved earlier in the meeting.

Interim Administrator Frago reported that she and the City Attorney were making the final changes to the RFP for a franchise agreement for surfing lessons to be taught on the beach and it will be on-the-streets very soon.

This Committee also looked at the FY20 Capital budget for the Rec Department.

The Recreation Committee will hold its next meeting at 5:00 p.m., Monday, February 11<sup>th</sup> in the Conference Room.

#### **E. Personnel Committee**

At the meeting of January 7<sup>th</sup>, Councilmember Ferencz stated that Jim Raih, 3904 Cameron, stated that he expected the Interim Administrator to receive a good evaluation for Council; he, too, thought she has done a great job. After cautioning the overuse of Executive Sessions, he also complimented the new gym floor. The Committee again discussed *ad hoc* committees, and Councilmember Moye indicated that he was getting feedback from island residents who want to become more involved in the community. He stated that he did not want to dampen their enthusiasm of these people whose knowledge and expertise could benefit the City; he also does not want to discourage them because of changes needing to be made to the City Code. Since the State Code give the Mayor the authority to organize a task force to research or solve some issue on the island. A decision was made in the fall that some kind of criteria and/or qualifications should be developed for selecting members of boards and commissions, and the Committee would like to have this done before the process begins in the fall. Chair Ferencz stated that she had spoken with Jim Mercer of The Mercer Group the previous afternoon about any progress that has been made relative to the City's search for a City Administrator, Chief of Police and Assistant Director of Public Works. He stated that he has received greater interest in the Administrator and Police Chief positions than normal, but he has received no interest in the Assistant Director's position. Mr. Mercer was asked "to put the Police Chief's position on the fast track, which he agreed;" he said his goal would be to interview candidates by mid-February. He said that he has seventy-one (71) strong resumés for the Chief's position coming from Arizona to New York. At the February Personnel Committee meeting, the homework from Mercer was to generate a list of qualifications and makeup for outside resources to be on the interview committee. Councilmember Ferencz announced that the Interim Administrator had received a 'meets or exceeds expectations' on her evaluation. The Committee agreed that the City Code needed updating, but they would address those issues of particular interest first, for instance, qualifications for board and commissions and then the names and expectations of standing committees of Council.

The next meeting will be Monday, February 11<sup>th</sup> at 5:00 p. m., but in the future, they will meet on the first Tuesday of the month at 8:30 a.m.

The Committee then went into Executive Session to discuss personnel matters.

Councilmember Ferencz announced that the vacancies are 1 police chief, 4 patrol officers, 1 communications specialist, 1 animal control officer, 1 Assistant Director of Public Works for Facilities and Maintenance and 1 city administrator.

### **November Safety Sweepstakes**

Recreation Department – Joshua Key  
Fire Department – Shawn Hogan

Police Department – Anna Mitchel  
Public Works – Joseph Washington

### **December Safety Sweepstakes**

Building Department – William Seabrook  
Fire Department – J.T. Hall

Police Department – James Couche  
Public Works – Bernard Gouridine

Councilmember Smith was very interested in the *ad hoc* committees or task force, and she suggested that the City should have a “green” committee that could recommend proactive environmental measures that the City could take. She also stated that the cleanup crew was a grass roots group and not affiliated with the City in any way.

Since the Personnel Committee was considering a review of the City Code, Councilmember Kinghorn suggested that they consider the number of Councilmembers the City has; communities with much larger populations have Councils that have half the number of Councilmembers, four(4), plus the Mayor.

Councilmember Kinghorn also voiced his lack of confidence in the search firm hired by the City; he said that the resignations from the Police Chief and City Administrator were given to Council eight (8) months ago, and Council has not seen any resumes. In his opinion, the City should be advertising for these positions with the municipal association, the COG, ICMA, etc.

Councilmember Ferencz assured him that all of these entities have been sent the information to post the openings on their websites from coast to coast. She repeated that The Mercer Group has received seventy-one (71) strong resumes for the Chief of Police position and almost as many for the City Administrator position.

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

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

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**7. Reports from Special or Joint Committees** – none

**8. Petitions, Received, Referred or Disposed of** – none

**9. Bills Already in Possession of Council** – none

**10. Introduction of New Bills, Resolutions and Proclamations**

- A. **First Reading, by title only, of Ordinance 2019-01 – An Ordinance to sell a Portions of City-owned Property**

**MOTION:** Councilmember Ward moved to waive the reading and to approve Ordinance 2019-01 for First Reading; Mayor Carroll seconded and the motion **PASSED UNANIMOUSLY.**

- B. **First Reading, by title only, of Ordinance 2019-02 – An Ordinance Amending Title 1, Government and Administration, Chapter 4, Officers and Departments, Article B, City Administrator**

**MOTION:** Councilmember Ferencz moved to waive the reading and to approve Ordinance 2012-02 for First Reading; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

**C. First Reading, by title only, of Ordinance 2019-03 – An Ordinance Amending Title 2, Public Safety, Chapter 1, Police Protection**

**MOTION:** Councilmember Ward moved to waive the reading and to approve Ordinance 2019-03 for First Reading; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

**D. First Reading, by title only, of Ordinance 2019-04 – An Ordinance Amending Title 2, Public Works, of the City of Isle of Palms Code of Ordinances, Chapter 4, Single-Use Plastic Bags**

**MOTION:** Councilmember Ward moved to waive the reading and to approve Ordinance 2019-04 for First Reading; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

**11. Miscellaneous Business**

**2019 Safety Resolution**

**MOTION:** Councilmember Ward moved to waive the reading and to adopt the 2019 Safety Resolution; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

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**12. Executive Session – not needed**

**13. Adjournment**

**MOTION:** Councilmember Buckhannon moved to adjourn the meeting at 8:50 p.m.; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

**Respectfully submitted:**

**Marie Copeland  
City Clerk**