

CITY COUNCIL

6:00 p.m., Tuesday, February 26, 2019

The regular meeting of City Council was called to order at 6:00 p.m., Tuesday, February 26, 2019 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Smith and Ward, Mayor Carroll, Interim City Administrator Fragoso, Attorney Copeland and City Clerk Marie Copeland; a quorum of Council was present to conduct business. Councilmember Rice was absent.

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

2. Reading of the Journal of the Previous Meeting

MOTION: Councilmember Bell moved to approve the minutes of the regular meeting of January 22, 2019 as submitted; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Scott Pierce, #4 – 9th Avenue, addressed Council regarding more transparency regarding annual salaries of City employees, and he cited Folly Beach as an example; his written comments and the example he distributed are attached to the historical record of the meeting.

Barbara Harrington, 523 Carolina, spoke to Council to clarify the relationship between the Exchange Club and the IOP Community Corporation that was formed in 1961 to receive ownership of the property donated by J.C. Long where the Exchange Club is located today. The full text of her comments is attached to the historical record of the meeting.

Henry Hagerty, 106 Forest Trail, stated that he had emailed City Council members and commented that he was “upset by the flooding in the circle next to him for a couple of reasons.” He could not understand why anyone would think that replacing three (3) houses with five (5) houses on a street that already has flooding issues would not exacerbate the problem. He asked that, in the future, City Council serve as the Planning Commission rather than persons who were not elected by the residents of the island thereby giving residents the impression that their interests were being considered. He stated that “no structure was in place for a mandatory notification” or “for some codes to be given more weight than others.” He stated that the developer as a for-profit venture should set aside an amount of money to pay for solutions when the flooding problems increase.

Jamie Zazella, 104 Forest Trail, presented pictures of Forest Trail demonstrating the flooding that the street had with the high tides of last week. The full text of her comments is attached to the historical record of the meeting that include several recommendations for changes to the zoning regulations.

Margaret Mitchell, 25th Avenue, brought pictures of her grandchildren canoeing down 25th Avenue at Thanksgiving and noted that the flooding in it was common for the street. She said that she had to wear boots on February 19th to get her mail, and, on February 25th, her block was totally

underwater. The water was so deep that the ditch was overflowing and could not be located. When residents asked what caused flooding, they were always told it was due to high tides. She asked that something be done because the flooding was resulting in a loss of property, and every heavy rain brought with it a greater loss of land. Ms. Mitchell said that she has been given a list of what she can and cannot do using words like “permeable” and “impermeable.” She said that a friend living near Breach Inlet had told her that a check valve had been used to solve a similar problem with tidal waters and to allow rainwater to drain out. She concluded asking for the City’s help.

Brian Enright, 2902 Hartnett, told Council about an adjoining lot that was built up for new construction following the City’s regulations; today the lot is approximately one foot (1 ft.) higher than his property. All of the water from that lot now runs into his yard; his septic system has backed up twice requiring that the fields be redone. For him, the damage was done, but he did not want to see it happen to others. In addition, Mr. Enright expressed support for holding surf lessons on the beach assuming the instructor hold the proper credentials and are respectful of the beach by cleaning up at the end of the day.

Jeanie Murray, 233 Forest Trail, commented to the number of large homes on Forest Trail; when the statement was made that the integrity of Forest Trail was being changed, she felt that the integrity of the entire island has changed in the forty-three (43) years that she has been a resident. Until last year, she was able to get to the beach with water only ankle deep, but now the water is at the top of her thigh. She noted that flooding was not limited to Forest Trail but was all over the island. She suggested that the Beach Company’s triangular property on Palm Boulevard should be donated to the City for a statue of J.C. Long.

4. Reports from Standing Committees

A. Ways and Means Committee

From the meeting of February 19, Chair Ward reported that the Treasurer presented an expanded format for the monthly summary of financial information to make it more meaningful to Council and to the public; on the first page, forecasts for year-end balances and the forecasted amount above or below budget have been added. At January 31, 2019, fifty percent (50%) of the revenue budget has been collected, and fifty-three percent (53%) of the expenditure budget has been expended. Total cash in the bank was approximately seventeen million four hundred thousand dollars (\$17,400,000). Items of note were that Rental Business Licenses revenue has exceeded budget, and Business Licenses and the “All Other” category of revenue collections were strong. The first revenues from the Wild Dunes construction project began to flow into the City in February. At this time, the projected year-end new positive results is three hundred twenty-eight thousand dollars (\$328,000) resulting from unfilled job positions and lower than budgeted legal/professional fees and tuition reimbursement costs. Also new to the financial packet were pie charts showing the sources of the General Fund Revenue and Expenditure FY19 budgets. Pursuant to information gathering, Council and staff have been considering changes to the pay ranges for the Police Department to make the IOP Department more competitive with surrounding local governments.

1. Consideration of merit pool of 2.5% for FY20 Budget

MOTION: Councilmember Moye moved to approve a merit pool of 2.5% for the FY20 budget; Councilmember Buckhannon seconded.

Councilmember Bell stated that he would support the proposed merit pool if it would be focused on City's lower paid employees to bring them up to or near the mid-level of the pay range for the position, and not to be spread "like peanut butter" over all employees.

Councilmember Moye stated that the recommendation from the Personnel Committee was to apply this increase with the caveat and expectation that Council would work with department heads to establish a standardized merit process to create an objective range-based and merit-based process for determining the amounts to be paid.

Councilmember Ferencz added that the Personnel Committee was also looking into providing a new evaluation tool as well as a fairer use of the merit pool.

Councilmember Buckhannon said that he hoped that the new process would also recognize those employees who were going "above and beyond" what was expected of them.

VOTE: The motion PASSED UNANIMOUSLY.

2. Consideration of wage adjustments in the Police Department

MOTION: Mayor Carroll moved to approve the pay adjustments in the Police Department approved by the Ways and Means Committee; Councilmember Bell seconded.

Councilmember Buckhannon commented that a shortage of police officers existed across the state and the nation; in an effort to draw police, the City of North Charleston was offering one thousand dollar (\$1,000) bonuses to existing personnel who refer new officer(s) to the City and to the new hires as a signing bonus.

As Chair of the Personnel Committee, Councilmember Moye remarked that the primary reason for resigning cited by those officers who left was compensation. After gathering information on police wages from around the area, the wages paid by the Isle of Palms were one (1) of the two (2) lowest at approximately thirty-nine thousand two hundred fifty dollars (\$39,250) per year; the average was forty-two thousand two hundred seventy-one dollars (\$42,271) per year.

Interim Administrator Frago added the following details to the motion:

- To keep the same pay range for non-certified Police Officers;
- To add a pay range for Certified Officers (officers who have graduated from the Academy and the field training) starting at the average of \$42,009, a 7% increase;
- To increase the pay range for Sworn Officers below the position of Captain by 7% to match the Patrol Officer increase and to maintain parity between positions;
- To adjust current employees to new minimum if not already there;
- To adjust patrol officers and detectives with less than 10 years of service by 1.0% for each year of service; to adjust sworn Police Officers with less than 10 years of service by 0.50% for each year of service; and to increase all other sworn positions with more than 10 years of service by 0.25% per year of service to avoid salary compression.

To implement these changes would impact the FY19 budget by forty-three thousand four hundred eighty-four dollars (\$43,484), and that could be paid from the wage savings created by the vacancies that total approximately one hundred twenty-eight thousand two hundred dollars (\$128,222).

VOTE: The motion PASSED UNANIMOUSLY.

MOTION: Councilmember Ward moved to re-order the Agenda to address Item 8. D. Second Reading of Ordinance 2019-04; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

Speaking on behalf of the Public Works Committee, Councilmember Smith noted that this ordinance would expand the existing ban on single-use plastic bags to include polystyrene products, straws and stirrers; the Committee discussion also recommended including plastic cup lids and condiment packages. Since the meeting was inadvertently not taped, the addition of plastic lids and condiment packages were not reflected in the minutes; therefore, she suggested delaying Second Reading until the March Council meeting.

MOTION: Councilmember Ward moved to delay Second Reading on Ordinance 2019-04 until the March 2019 Council meeting; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

4. Reports from Standing Committees

A. Ways and Means Committee

- 3. Consideration of an award of a contract to Butler Chrysler Dodge Jeep in the amount of \$59,569.00 for two (2) Pickup Trucks (\$25,329.50 each) (PG. 25, In 120 – Muni ATAX, Public Works Capital Outlay - \$33,500 and Pg. 29, In 281 – State ATAX, Public Works Capital Outlay - \$33,500)**

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MOTION: Mayor Carroll moved to award a contract to Butler Chrysler Dodge Jeep as specified above; Councilmember Ward seconded.

Mayor Carroll noted that these vehicles were in the FY19 budget.

In addition, The Interim Administrator stated that one (1) truck would replace Director Pitts' truck that was deferred a couple of times, then recently was stolen and remains at Jones Ford being repaired. The second vehicle would be for the Assistant Public Works Director that will be hired in the coming months.

VOTE: The motion PASSED UNANIMOUSLY.

- 4. Consideration of increasing the annual NPDES stormwater fee to \$72**

MOTION: Mayor Carroll moved to increase the annual stormwater fee to \$72; Councilmember Bell seconded.

Councilmember Moye stated that, of the increased fees on the Agenda, he found the stormwater fee increase the most concerning because was a "effectively and truly a flat tax," meaning that the small homes on large lots that have a significantly lower impact than large homes with a pool and impervious driveway would all pay the same fee. Although the island has a significant drainage issue, which will require a very large sum of money to resolve, the fee should be weighted more heavily on those properties that contribute the most to the problem.

Councilmember Kinghorn commented that breaking out the properties would be difficult and the City would not raise the revenues it needs to combat the drainage issues.

Councilmember Smith recalled from the Ways and Means Committee meeting that for the City to undertake the task of classifying properties based on the square footage of impervious surface on each property would cost approximately three hundred sixty-six thousand dollars (\$366,000).

Mayor Carroll informed Council that the Planning Commission would be taking another look at lot coverage, pervious versus impervious and drainage. The Mayor stressed that the City must be proactive, must be resilient and must be receptive to what the Planning Commission brings forward for their consideration in the future. He noted that the City has hired an engineering firm that was studying the drainage outfalls in the center of the island and developing a plan for their improvement in getting water off the island.

VOTE: The motion PASSED on a vote of 5 to 3 with Councilmembers Buckhannon, Ferencz and Moye casting dissenting votes.

5. **Consideration of a Change Order from Jones & Frank in the amount of \$12,920.20 for hose reels for the underground storage tanks at the IOP Marina (Pg. 45, In 175 – IOP Marina, Capital Purchases, \$620,000 - 1/3 from Hospitality Tax and 2/3 from the Marina Fund)**

MOTION: Councilmember Ward moved to approve the change order from Jones & Frank in the amount of \$12,920.20 for hose reels for the UST at the IOP Marina; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

6. **Consideration of increasing residential rental license fees to a base rate of \$350 for revenues from \$0 to \$2,000 and the incremental fee of \$4.60 for each additional \$1,000 or fraction thereof**

MOTION: Mayor Carroll moved to approve the increases to the rental license fees as proposed; Councilmember Bell seconded.

Responding to Councilmember Ward, Interim Administrator Fragoso stated that if the increases go forward as stated, the City would receive an additional four hundred eighty-eight thousand dollars (\$488,000) in revenue.

Councilmember Bell stated that these rates have not changed since the ordinance went into effect in 2007, but he was certain that the rental rates charged by the property owner have increased.

AMENDMENT: Mayor Carroll moved to amend the motion for the base rate to be \$350 and the incremental rate to go to \$3 per \$1,000 or fraction of in excess of \$2,000; Councilmember Buckhannon seconded.

Councilmember Bell stated that the City has no problem spending money, but it has a difficult time raising revenue.

Councilmember Kinghorn agreed with Councilmember Bell and added that, in order to keep property taxes low, the Council should approve the increase as originally presented.

VOTE on the Amendment: The amendment **FAILED** on a vote of 3 to 5; Councilmembers Buckhannon, Ward and Mayor Carroll supported the amendment.

VOTE on the Original Motion: The motion **PASSED** on vote of 7 to 1 with Mayor Carroll casting the dissenting vote.

7. Consideration of standardizing the building permit fees to a \$50 base fee plus \$5 per 1,000 of project value

MOTION: Mayor Carroll moved to approve standardizing the building permit fees as stated above; Councilmember Bell seconded.

In Councilmember Buckhannon's opinion, the existing fees actually incentivized the construction of larger houses since they actually got the fee breaks. The Councilmember stated that he would like to go further to consider the amount of impervious surface along with the size of the house.

VOTE: The motion **PASSED UNANIMOUSLY.**

8. Consideration of increasing the Comcast franchise fee from 3% to 5%

MOTION: Councilmember Moye moved to approve the increase in the Comcast franchise fee to 5%; Councilmember Kinghorn seconded.

Councilmember Ward stated that he was opposed to all franchise fees because he saw them as "another backdoor tax."

Since the other cable television providers to the island were charging a five percent (5%) franchise fee, Councilmember Smith saw this as "a leveling of the playing field."

The Mayor voiced regret in supporting the increase to SCE&G franchise fees.

Vote: The motion **PASSED** on a vote of 5 to 3 with Councilmembers Buckhannon and Ward and Mayor Carroll casting dissenting votes.

B. Public Safety Committee

From the meeting of February 11, Councilmember Buckhannon reported that the meeting began with a discussion of implementing a pay-to-park system on Palm Boulevard; Interim Administrator Fragoso and Interim Chief Usry had a meeting with SCDOT in December 2018 to get an impression of their approval or disapproval of such a plan. After receiving a general "nod," they were told about the improvements to the right-of-way that would be required before any approval could be granted. The SCDOT regulations call for an improved surface, but they do not fully define what that would be; the investigation continues. Interim Chief Usry found an app called "Flowbird" that was compatible with the City's kiosks and was user-friendly should the City decide to go in that direction; the app would be free to the City, and it also tied into enforcement. Since the meetings on public transit to the island were after the Public Safety Committee meeting, Councilmember Buckhannon asked Councilmember Ward and the Interim Administrator to update Council.

Councilmember Ward stated that CARTA was looking for space in Mount Pleasant to use as a base for a park-n-ride system; sites being pursued include the DMV across the Connector, Town Centre/Sweetgrass and Seacoast Church.

Interim Administrator Fragoso informed that Committee that CHATS has approved funding for eight (8) vans to be used to transport passengers to and from Mount Pleasant; the service will be geared to serve, primarily, the food and beverage industry on the island, Wild Dunes and the marina businesses. The plan is to have the vans in service by Memorial Day.

On the subject of coyotes, trapping started again the beginning of February when ten (10) traps were deployed in areas where multiple sightings have been reported. Two (2) coyotes were trapped in the first few days the traps were placed.

The Committee discussed way the City could make the beach more handicap accessible to residents and visitors. The Interim Administrator has continued gather information on several individuals who could serve as an independent consultant to review the management practices in the Police Department. The Committee also discussed the City's having a Quick Response Vehicle (QRV); having a QRV "on the ready" on the island would eliminate the need for the fire equipment to go on every EMS call and would reduce the wear and tear on these vehicles. The Committee reviewed the FY20 operating budgets for the Fire and Police Departments; Councilmember Ward asked to see the total costs to the City for the July 4th fireworks display including overtime for those eligible.

The next Public Safety meeting will be at 9:00 a.m., Monday, March 4th in the Conference Room.

MOTION: 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)

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Mayor Carroll noted that the City's current radios were outdated and that Motorola was no longer making replacement parts for them. Additionally, Charleston County will be transitioning to encryption in the coming months, and, without the new radios, the public safety personnel would not be able to communicate with the Charleston County Consolidated Dispatch Center (CCCDC) or any of the local municipalities with whom the City has mutual aid agreements.

MOTION: Mayor Carroll moved to award a contract to Motorola for the budgeted expenditure of \$247,644.75 for replacement of radios for the Police Department as detailed above; Councilmember Ward seconded.

Councilmember Ward reminded Council that the City has been putting money in reserves for several years for this purchase.

Councilmember Ferencz noted that, since the resumes and interviews for a new Police Chief were now only weeks away, the radio replacements, costing a quarter of a million dollars (\$250,000) should be delayed until he/she was in place and could provide input.

AMENDMENT: Councilmember Ferencz moved to postpone the purchase of new radios until the new Police Chief was in place; Councilmember Ward seconded.

Interim Chief Usry stated that the radios were being purchased under State contract pricing that would expire on June 30, 2020; the County was planning to move to encryption in the coming twelve (12) months. As noted previously, if the Police Department does not have the new radios, it could not communicate with the CCCDC or other agencies with mutual aid agreements. In addition, if the radios were not purchased now, the City would lose the discount afforded by the State contract and the price would increase to approximately four hundred sixty-seven thousand dollars (\$467,000). When she spoke with the Charleston County Radio Shop director, the Interim Chief was told that Charleston County was concerned about the City's delays and were concerned about the City's ability to function once encryption was initiated. The Interim Chief commented that the staff of the Police Department has not figured out how it will communicate with other agencies and the CCCDC without the new radios.

Councilmember Bell remarked that the Department was currently understaffed and did not need the number of radios represented in this contract award. Interim Chief Usry reported that the Department has enough radios for police officers and BSOs, and the City would not have a surplus. She noted that to purchase them now would result in a savings of twelve thousand dollars (\$12,000) against the amount in the FY19 budget.

VOTE on the AMENDMENT: The amendment FAILED on a vote of 2 to 6 with Councilmembers Ferencz and Kinghorn voting to support it.

VOTE on Original Motion: The motion PASSED on a vote of 6 to 2 with Councilmembers Ferencz and Kinghorn casting the dissenting votes.

On the subject of initiating a pay-to-park system on Palm Boulevard, the Mayor understood that everyone, including residents, would be required to pay, and Councilmember Buckhannon confirmed that the Mayor was correct – no exemptions. Mayor Carroll said that some of the homes on Palm Boulevard did not have driveways and regularly parked their vehicles in the right-of-way; would they be required to pay if the City installed kiosks as part of a pay-to-park system. Councilmember Buckhannon stated that the Committee continued to investigate ways to stabilize the shoulders and to delineate spaces on Palm Boulevard; he directed attention to a sample product on the back wall that the City would test in a small area of Palm.

Councilmember Smith was still interested in knowing if SCDOT would allow the non-ocean side of Palm to be designated as "Resident Only Parking."

Interim Administrator Fragoso responded that the City has the authority to regulate parking in the right-of-way, but the City would need an assessment by a traffic engineer to check the feasibility and the impact on the area.

C. Public Works Committee

Reporting on the meeting of February 11th, Councilmember Smith stated that the Director's report for February had included several pieces of good news such as Eadie's has begun another contract year of cleaning the City's ditches as scheduled, and SCDOT will meet with City staff quarterly to be more systematic in addressing issues on the island. One (1) issue they will address in March is the drainage problem at Marginal Road and 41st Avenue. The balance of the infrastructure for Phase II Drainage has been installed and the landscaping should be complete by May. Residents from Tabby Lane presented a plan to the Committee to control the tidal flow onto the road, but learned that the City had certain requirements that must be met before any drainage work could be initiated. The Committee discussed the proposed ordinance expanding

the plastics ban that was sent back to the Committee; they also discussed the possibility of increasing the annual stormwater fee to seventy-two dollars (\$72). The Committee decided to defer further discussion of the IOP Water and Sewer Commission until they present their newly completed Master Plan. Deputy Director of Public Works for Charleston County Frank Pandullo attended the Committee to explain work to be done on the island to replace broken pipes in a section of Ocean Boulevard; the only cost the City would be responsible for would be the cost of materials totaling twenty-five thousand dollars (\$25,000). The funds would come from the City's stormwater funds being held by the County.

MOTION: Councilmember Kinghorn moved to approve up to \$25,000 in materials for the replacement of the cross-pipes in sections of Ocean Boulevard; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

The next Public Works Committee meeting will be at 9:00 a.m., Thursday, March 8, 2019.

Councilmember Kinghorn recalled that, at a previous Committee meeting, the members unanimously supported the goal to have the whole island on sewer by the year 2030.

Councilmember Ferencz asked whether Council had the authority to make that kind of command; she thought that the Water and Sewer Commission was completely in-charge of their projects. Any project they initiate in order to get sewer to the residents would be their project.

The Mayor stated that the Water and Sewer Commission was a stand-alone entity.

D. Recreation Committee

Reporting on the meeting of Monday February 4th, Councilmember Smith stated that Marshall DePass, an island resident who was active in the local surfing community, attended the meeting to learn the status of the franchise agreement that would allow for surfing lessons to be taught on the IOP Beach. He stated that Carolina Salt Surfing wanted to pursue the opportunity to offer surfing lesson on the beach in Wild Dunes, but they were not interested in offering any camps. Since this was a much wider discussion than franchise fees, Councilmember Smith wanted the topic to go back to the Committee before they made a recommendation to Council.

Since this was the second year that Carolina Salt Surfing has come to the Committee asking to provide surfing lessons in Wild Dunes, Councilmember Bell thought it was only fair to give them some idea of Council's opinions.

"Section 7-3-2 Commercial activities restrictions

No person shall sell or rent, or offer to sell or rent, any goods, merchandise or services, or solicit any trade or business, on the beach, beach accesses, public parking lots or the Breach Inlet Bridge, except pursuant to a franchises granted by City Council or pursuant to a City-sponsored activity or event.

Councilmember Bell noted that the City has businesses who transact their business off the beach, but deliver to the beach, chairs and umbrellas as examples. He continued that the State decided that Wild Dunes was private; therefore, did that mean that Wild Dunes was exempt from considerations outside the gate and other areas of the beach where the City did not want to see more commercialization of the beach? He opined that enough questions about this ordinance have

been raised that Council should have a legal opinion on the City's position relative to Wild Dunes of the other parts of the beach.

If Council wanted a legal opinion, Interim Administrator Fragoso stated that the discussions should occur in Executive Session, or it could be send back to the Recreation Committee for their consideration.

Councilmember Bell would be satisfied with a renewed discussion at the Recreation Committee meeting.

Proceeding with the report of the meeting, Councilmember Smith stated that upcoming events residents should calendar include the Front Beach Fest on Saturday, March 9th beginning at noon, the annual Yard Sale on Saturday, Match 30th, and the Easter Egg Hunt on Saturday, April 20th. Like other Committees, the Rec Committee reviewed the FY20 operating budget for the Rec Department.

The next Recreation Committee meeting will be on Monday, April 1st at 5:00 p.m. in the Conference Room.

Councilmember Ward asked if the Front Beach Fest was being advertised off of the island, and Recreation Director Page replied that it was. The Councilmember indicated that residents were nervous that an incident like the one (1) at Folly Beach last weekend could be repeated here.

Responding to Councilmember Moye's question about why the Committee did not have a recommendation to Council, Interim Administrator Fragoso recalled that she had suggested that they not make a recommendation until they knew Council's position on allowing commercial activity on the beach. She said that she would like direction from Council about reversing the City's position regarding commercial activity on the beach before the RFP was advertised and respondents submit their proposals.

Councilmember Moye stated that residents appear to be in favor of allowing surfing lessons on the beach, and he did not see a problem with issuing the RFP.

MOTION: Councilmember Moye moved to issue the RFP for surfing on the beach; Mayor Carroll seconded.

Councilmember Buckhannon suggested that a vote should be delayed until after the Executive Session; at which time, Councilmember Moye and Mayor Carroll withdrew the motion and second respectively.

MOTION: Councilmember Kinghorn moved to suspend the rules to discuss the item stated under Miscellaneous Business; Councilmember Bell seconded.

10. Miscellaneous Business

Discussion of request from the Exchange Club and the East Cooper Land Trust to apply for the City's \$100,000 allocation of Greenbelt Funds

MOTION: Mayor Carroll moved to approve an application for the \$100,000 in Greenbelt Funds by the Exchange Club and the east Cooper Land Trust.

With no second the motion failed.

Stating that he was not speaking for the Exchange Club, Councilmember Kinghorn asked why this item was on the Agenda; he was unaware of a request being made by them for this item to be on it.

Mayor Carroll stated that the same item was on the City Council Agenda in January, but no one attended the meeting to advocate for the activity.

In clarifying the matter, the Interim Administrator stated that, in December 2019, the East Cooper Land Trust approached the Mayor requesting that Council vote to allow them to apply for the City's current allocation of Greenbelt Funds totaling approximately one hundred thousand dollars (\$100,000). She communicated the request to all Councilmembers and added the request to the Agenda for the February Council meeting; at the last minute, the East Cooper Land Trust asked that the item be deferred until they ironed out some of the details. As of this date, Interim Administrator Fragoso has not heard from either the East Cooper Land Trust or the Exchange Club. The subject was on the Agenda for this Council meeting for the Mayor to get an indication from the balance of Council about what they thought should be done when the request was made again; she stated that the funds would be used toward the Exchange Club's dock project.

Since no decision was needed on the subject, the Mayor withdrew his motion.

In December, the Interim Administrator was given the impression that a decision was a matter of urgency.

According to the Interim Administrator, the available money today was one hundred three thousand dollars (\$103,000); one these funds were spent, the City could expect to receive about thirty-two thousand dollars (\$32,000) per year. The City could use the funds for the acquisition of green space, such as the Mayor Carmen R. Bunch Park, wetlands protection, historic and cultural preservation, etc. Beach communities have been given a bit more leeway in that they could also use the funds to place allowable improvements on land they currently own, such as boardwalks, foot bridges, unpaved roadways, unpaved small parking areas, etc.

The Exchange Club's dock project would likely be approved, but the City would have to approve their application for funds allocated to the City. If that were to happen, the funds would not be available for the City to use for another Greenbelt approved project.

Councilmember Bell was under the impression that the purpose of the Greenbelt funds was "to provide full public access, and he also thought that the dock planned by the Exchange Club would only be accessible to their membership.

Interim Administrator Fragoso stated that Greenbelt funds have been used in the past for projects with limited access. If the City were to allow the Exchange Club to have access to the Greenbelt funds, they would have certain requirements they would have to meet.

The Interim Administrator explained that the available funds were from the first allocation of the sales tax increase; future funds would come from the second increase. The funds from the first allocation would rollover into the next year and not lost to the City.

Councilmember Kinghorn alluded to the limited access for residents to the creek and marshlands behind the island without paying a fee. He suggested that, if the City partnered with the Exchange Club, it could ask what access would be provided for residents.

When Councilmember Ward asked how the proposed project was being received by the residents, Councilmember Kinghorn replied that the immediate neighbors were not enthusiastic about it. Councilmember Kinghorn opined that the decision should be made for the good of many; he stated that many island residents do not have do not have immediate water access, and an Exchange City dock, particularly for kayaking and paddle-boarding.

Councilmember Moye indicated that he supported having a dock at the Exchange Club, but, before he would be willing to invest City money into the project, he wanted to see other ways that these funds could be used for the betterment of the community.

E. Personnel Committee

From the meeting of March 11, Councilmember Moye reported that he was selected as Chair. Jim Raih addressed the Committee about the hiring process and about the position of HR Director. Under Old Business, the Committee received an update on the hiring process for the City Administrator, Chief of Police and Assistant Public Works Director; Mr. Mercer anticipates providing the Personnel Committee with a short list of candidates for the Chief of Police position that would include their resumes and his impressions from telephone interviews with them. Mr. Mercer assured HR Officer DeGroot that the materials would be sent to the City on Sunday.

Interim Administrator Fragoso reported that members of the Personnel Committee have received emails from Councilmembers indicating their desire to be more involved in this stage of the process. She has suggested that Council hold a Special Meeting in Executive Session to discuss the candidates' resumes, and, when the Personnel Committee meets to narrow the list to three to five (3 – 5), they will have the opinions of the balance of Council to know where they stand on each one (1).

With the Personnel Committee meeting on Tuesday morning and the resumes coming in on Sunday, the Interim Administrator was concerned that the Committee members would not have time to read and to digest the information before the meeting.

Councilmember Bell repeated what has been said in Council meetings in recent months that Council has generally lost confidence in The Mercer Group; they have not met deadlines on more than one (1) occasion.

Returning to the Committee report, Councilmember Moye stated that they discussed the merit pool increase for the FY2020 budget and the way that candidates have been selected to serve on boards and commissions. City staff continued to work on criteria and questions to be asked as well as term limits. The Committee discussed the need for a strategic plan and the suggestion was made that this might be a good project for an *ad hoc* committee. In addition to discussing the FY20 budget for General Government and the Building Department, the Committee reviewed the staff proposal for the pay adjustments in the Police Department. A discussion took place on establishing a Director of Human Resources position and, in the end, the decision was that the discourse should continue between the Chair of the Personnel Committee, the Mayor and Interim Administrator Fragoso.

The Personnel Committee will hold its next meeting at 8:30 a.m. Tuesday, April 2nd in the Conference Room.

F. Real Property Committee

Councilmember Bell recapped the meeting of February 6 noting that he was again elected Chair. The citizens who spoke all addressed the flooding problems and the planned subdivision Forest Trail. The assessment of the building housing Morgan Creek Grill should be available for the April meeting, and the responses to the RFP for the real estate consultant will be opened on Friday, March 8th. To this date, the removal/replacement of the underground storage tanks at the marina was on schedule, and ATM was working on the permit applications for the various regulating agencies. Director Kerr has not completed the list of certified arborists the Committee requested. The Committee also discussed various means of generating revenue, and they have been discussed and voted on in this meeting. Some discourse took place on the incorporation of the terminus of 41st Avenue, but after learning that it was a stringent process, the idea was abandoned for now. It could well come up again as the City reviews the respondents to the RFP for the lease of the marina restaurant. As other Committees had done, the Real Property Committee reviewed the FY20 budget for the Front Beach area, Beach Monitoring and Maintenance and the IOP Marina. When the number of vehicles at a rental property was discussed, the Chair surmised that the problem of too many cars at any one (1) property was an issue of a lack of enforcement. He reminded residents that, despite the construction, the marina store and Saltworks were open for business.

The Real Property Committee will hold its next meeting at 9:00 a.m., April 3rd in the Conference Room.

6. REPORTS FROM SPECIAL OR JOINT COMMITTEES – None

7. PETITIONS RECEIVED, REFERRED OR DISPOSED OF – None

8. BILLS ALREADY IN POSSESSION OF COUNCIL

A. Second Reading of ORDINANCE 2019-01 - AN ORDINANCE TO SELL A PORTION OF CITY-OWNED PROPERTY

MOTION: Councilmember Ward moved to waive the reading and to approve Ordinance 2019-01 for 2nd Reading; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

B. Second Reading of ORDINANCE 2019-02 – AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 4, OFFICERS AND DEPARTMENT, ARTICLE B, CITY ADMINISTRATOR

MOTION: Councilmember Buckhannon moved to waive the reading and to approve Ordinance 2019-02 for 2nd Reading; the motion PASSED UNANIMOUSLY.

C. Second Reading 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 2nd reading; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

9. Introduction of New Bills, Resolutions and Proclamations

10. Miscellaneous Business

Next Meeting Date: 6:00 p.m., Tuesday, April 23rd in Council Chambers

11. Executive Session

MOTION: Councilmember Buckhannon moved to go into Executive Session AT 8:15 p.m. to receive legal advice on franchise agreements; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

Upon returning to open session, Council may take action on matters discussed I Executive Session.

Upon returning to open session at 8:40 p.m., Mayor Carroll announced that Council did not vote or take any action while in Executive Session.

MOTION: Councilmember Moye moved to charge staff to issue an RFP for a single, exclusive franchise agreement for surfing lessons to take place in Wild Dunes; Councilmember Buckhannon seconded.

AMENDMENT: Councilmember Smith moved to amend the motion to include surf camp as an option in the RFP; Councilmember Kinghorn seconded.

VOTE on the Amendment: The amendment FAILED on a tie vote of 4 to 4 with Councilmembers Bell, Ferencz, Ward and Mayor Carroll casting the “nay” votes.

VOTE on the original MOTION: The motion PASSED on a vote of 6 to 2 with Councilmembers Ferencz and Ward cast the dissenting votes.

12. Conclusion/Adjournment

MOTION: Councilmember Buckhannon moved to adjourn the meeting at 8:45 p.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk