

City Council
6:00pm, Tuesday, August 27, 2019
Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. The invocation and the Pledge of Allegiance was followed by the roll call.

Present: Mayor Carroll, Council members Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, and Ward

Absent: Council Member Smith

Staff Present: Administrator Fragoso, City Attorney Copeland, Director Kerr, Director Page, Chief Cornett, HR Officer DeGroot

2. Reading of the Journals of Previous Meetings

Council Member Moye made a motion to approve the minutes of the previous meeting, and Council Member Buckhannon seconded the motion. The minutes were approved unanimously.

3. Citizen's Comments

Prior to Citizen's Comments, Mayor Carroll reviewed new parameters for this portion of the meeting as outlined in City code. He stated the meeting would allow for 30 minutes of citizen's comments and that citizens would need to sign up to speak prior to the start of the meeting.

Megan Smith, a civil engineer from Charleston County, gave a brief presentation on the plans for the sidewalk project slated for construction at the end of the Isle of Palms Connector. She said the purpose is to separate pedestrians and bicyclists from the traffic in that area. The project is being funded by the half-cent sales tax. Council Member Rice asked if the water feature in the park area could be turned into a water bottle refilling station, and Ms. Smith said that could not be part of the project. Administrator Fragoso said that she has reached out to the garden club about enhancing the Leola Hanbury Park.

Susan Page, 5 Forest Trail Court 1, spoke in support of 2019-16. She said this ordinance is not meant to act as an HOA but to focus on issues of extreme neglect like the one next door to her home. She expressed appreciation to the Public Safety Committee and Administrator Fragoso for their attention to this matter.

Bob Page, 5 Forest Trail Court 1, spoke in support of his wife's comments, adding a detailed description of the property next to them as an "eyesore" and a "hazard.". He also said this ordinance is not meant to police all work needing to be done on all houses throughout the island.

Robin Harris, who lives near Bob and Susan Page, said the house they speak of is a health hazard and unsafe. She is concerned teenagers might break in the house which could lead to further problems.

Brenda Rosenbaum, no address given, asked what authority is given to the City in the current ordinance regarding the conditions of homes.

4. Reports from Standing Committees

A. Ways & Means Committee

Council Member Ward reviewed the fund balances and tourism revenues as presented by Treasurer Suggs during the Ways & Means Committee meeting on August 20.

1. Approval of the FY19-20 CARTA proposed budget

Ms. Andrea Kozloski from CARTA came before the Council seeking their approval of their proposed budget. She spoke to CARTA's most recent major accomplishments, adding they continue to work on a Park & Ride in Mt. Pleasant for the hospitality workers that serve the Isle of Palms. Of the Park & Ride serving the downtown hospitality workers, Ms. Kozloski reported there has been a steady increase in the number of users, but parking lot revenue is down since riders can park on nearby side streets for free. She added the service of the Isle of Palms workers will be a vanpool service.

MOTION: Council Member Ward made a motion to approve the CARTA budget as presented, and Council Member Bell seconded the motion. The motion passed unanimously.

2. Approval of the Leola Hanbury Award in the amount of \$500

MOTION: Council Member Rice made a motion to approve, and Council Member Moye seconded the motion.

Mayor Carroll explained the impetus of the award. Council Member Moye said he hoped the amount of the award will increase in the future, and he hopes to engage other citizens to donate to the fund in acknowledgement of the work done by City staff.

VOTE: The motion passed unanimously.

3. Award of a contract to Thomas & Hutton in the amount of \$229,500 for the design and engineering of the Phase III Drainage project (drainage improvements to the 30th, 36th, and 41st Avenue outfalls) [Capital Projects, Public Works, CIP Phase 2 – 5 drainage - \$200,000, p. 17, ln. 50]

MOTION: Council Member Ward made a motion to approve, and Council Member Buckhannon seconded the motion. The motion passed unanimously.

4. Award of a contract to Thomas & Hutton in the amount of \$62,600 for the design and engineering of the small internal projects in the Phase III

Drainage project basin [Muni ATAX, Public Works, Drainage - \$500,000, pag. 18, ln. 56]

MOTION: Council Member Ward made a motion to approve and Council Member Moye seconded the motion. The motion passed unanimously.

5. **Award of a one-year contract to Host Compliance in the amount of \$13,500 for short-term rental compliance monitoring.**

MOTION: Council Member Bell made a motion to approve, and Council Member Rice seconded the motion.

Council Member Bell noted that some of the language in the contract is confusing and there is a significant price increase during the second year. Administrator Fragoso and Director Kerr explained the company is honoring the original price for the first year of the contract only and believes the software will more than pay for itself moving forward. Administrator Fragoso said that some of the language, including the automatic renewal language, will change, and Council will see the final contract. Director Kerr said staff will keep a tally of the monies collected to determine if the cost of the contract during the second year will still be beneficial to the City.

VOTE: The motion passed unanimously.

B. Public Safety Committee – no meeting in August

C. Public Works Committee

Council Member Rice reviewed the highlights of the August Public Works Committee meeting including a discussion about a smoking ban, the possible use of lidded trashcans, and the danger of plastic packing pellets (nurdles) to the environment. She noted the Committee would like to move forward on littering messaging, in particular the “Secure Your Load” message aimed at those with loose items in their truck beds that often end up on the shoulders of the Connector.

The next meeting is scheduled for Tuesday, September 5 at 8am.

D. Recreation Committee

Council Member Buckhannon reviewed the minutes of the August Recreation Committee meeting. Council Member Kinghorn asked about the availability of online registration for Recreation Department programs. Council Member Buckhannon reported that initiative will cost upwards of \$35,000 to start, adding that parents still have to come into the Recreation Department to show proof of age. He hoped that as technology changes the reality of online registration will become much less expensive to start up.

E. Personnel Committee

Council Member Moye reviewed the minutes of the August Personnel Committee meeting. Administrator Fragoso reported she had begun interviewing for the Assistant City Administrator position and hopes to have someone working by October.

MOTION: Council Member Moye made a motion to appoint Nicole DeNeane as the interim City Clerk for a 6-month trial period. Council Member Rice seconded the motion. The motion passed unanimously.

Council Member Ward asked that for reports from the CPA and the Employment Security Commission to make sure all the proper policies for contract employment are being followed.

Council Member Moye spoke about the vacancies on the Water & Sewer Commission and said the Committee will have recommendations for Council to consider next month. Interested peoples can apply online. He further reported that the Committee has asked City staff to prepare training guidelines for current and future City Council members. Finally, he noted that having an employment agreement with the City Administrator is a standard practice which protects the City and sets expectations.

F. Real Property Committee – no meeting in August

5. Reports from City Officers, Boards, and Commissions

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

6. Reports from Special or Joint Committees – none

7. Petitions Received, Referred or Disposed of – none

8. Bills already in possession of Council

- A. **Second Reading of Ordinance 2017-08** – An Ordinance to require that all subdivisions of lots be connected to the public sewer system and to require certain information related to sewer connection for the subdivision approval process.

MOTION: Council Member Ferencz made a motion to approve, and Council Member Bell seconded the motion. The motion passed unanimously.

- B. **Second Reading of Ordinance 2017-09** – An Ordinance to provide that all new construction or substantial improvements shall be connected to a public sewer system where a public sewer line is located within 150’ and to reduce the lot coverage requirements and floor area requirements for lots with septic systems.

MOTION: Council Member Ferencz made a motion to approve, and Council Member Rice seconded the motion.

Director Kerr said he believed there to be less than 100 properties that will be affected by this ordinance. He said a map of the sewer could not be obtained possibly due to Homeland Security concerns. He said the City and the Water and Sewer Commission are trying to create a map that will identify exactly which properties this ordinance will impact. Director Kerr spoke about the history and evolution of the 150' trigger. He further clarified that the ordinance applies to those properties with gravity-operated sewer pumps and grinder pumps.

VOTE: The motion passed unanimously.

- C. **Second Reading of Ordinance 2017-10** – An ordinance to require mandatory connection to public sewer system where public sewer line is available upon the sale or transfer of property.

MOTION: Council Member Ferencz made a motion to approve, and Council Member Rice seconded the motion.

Council Member Ward ask if this ordinance excluded properties being willed to heirs, and Mayor Carroll said yes. Director Kerr said this ordinance affects very few properties on the island and would require the property to tie into the sewer line when it is sold. He noted this ordinance becomes more important as expansions to the sewer system occur. Council Member Buckhannon expressed concern about forcing a homeowner to comply with the ordinance. Director Kerr said a complete changeover to sewer on the island could take 20-30 years, to which Council Member Kinghorn said, “Our citizens should be aware that there has been a report to the Water & Sewer Commission that they could do an implementation [of the sewer system] city-wide in eight years,” and he hoped future councils would be more aggressive with the process.

**VOTE: Ayes: Buckhannon, Ferencz, Kinghorn, Moye, Rice, Ward, Carroll
Nays: Bell**

The motion passed Second Reading.

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

- A. **First Reading of Ordinance 2019-16** – An Ordinance to amendments to ensure properties on the Isle of Palms are kept in a condition that is both safe to the public and maintains the character of the City.

Council Member Ward called for a point of order to request the rules be amended to discuss this ordinance during First Reading. Council Member Bell seconded the motion. The motion passed unanimously.

Council Member Ward said he did not believe this ordinance addresses the root problem and it is “overkill” in its current state. Council Member Bell agreed with his comments, adding that Council cannot arbitrarily determine “the character of the island.” He suggested it go back to the Public Safety Committee for further work. Administrator Fragoso and Director Kerr reviewed what interventions from the City the current

ordinance allows. Council Member Kinghorn said he appreciates the people coming forward to speak on this matter and does not want to see it dragged out.

MOTION: Council Member Bell made a motion to defer Ordinance 2019-16 to the Public Safety Committee, and Council Member Moye seconded the motion. The motion passed unanimously.

B. **First Reading by Title Only, of Ordinance 2019-17** – An Ordinance to provide amendments and provide clarity to the rules of procedure during public meetings.

MOTION: Council Member Ward made a motion to approve, and Council Member Bell seconded the motion.

Council Member Kinghorn asked why such an ordinance is needed to address an issue that is already handled in another ordinance. Mayor Carroll said it was meant to keep some speakers from taking too much time. Council Member Rice felt the 30 minutes was too arbitrary and may need to be increased based on the concerns before the Council. Administrator Fragoso stated that City Council could vote to increase the amount of time needed for Citizen's Comments should that become necessary. She also clarified that Citizen's Comments would not be a time to debate a topic, but Council members could ask clarifying questions to the speakers.

**VOTE: Ayes: Bell, Buckhannon, Ferencz, Moye, Rice, Ward, Carroll
Nays: Kinghorn**

The motion passed First Reading.

10. **Miscellaneous Business**

Next meeting date: 6:00pm, Tuesday, September 24, 2019, Council Chambers

11. **Conclusion/Adjournment**

Mayor Carroll reminded everyone of the Farmer's Market starting tomorrow afternoon and also of the live streaming of the Council meetings now available on YouTube.

Council Member Buckhannon made a motion to adjourn, and Council Member Moye seconded the motion. The meeting was adjourned at 7:26pm.

Respectfully submitted,

Nicole DeNeane
City Clerk