

City Council
6:00pm, Tuesday, September 24, 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, Moyer, Rice, Smith, and Ward

Staff Present: Administrator Fragoso, City Attorney Copeland, Chief Cornett, Chief Graham, Director Pitts, HR Officer DeGroot

2. **Appointment and Administration of Oath to New Employees**

MOTION: Council Member Moyer made a motion to approve the administration of oath and Council member Bell seconded the motion. The motion passed unanimously.

Mayor Carroll administered the oath to new City employees Ian Mobley and Bobby Hunter of the Police Department and Chris Bako of the Recreation Department.

3. **Reading of the Journals of Previous Meetings**

MOTION: Council Member Ward made a motion to approve the minutes of the August 27, 2019 meeting, and Council Member Rice seconded the motion. The minutes were approved unanimously.

4. **Citizen's Comments**

Vermelle Simmons of the Census Bureau gave a presentation on the purpose and scope of the 2020 census. She noted the Census Bureau is hiring. The complete presentation and contact information is on the City's website.

John McMaster, 2801 Palm Boulevard, thanked City Council members for their hard work and due diligence in hiring new staff members. He spoke to Council about his concern for the numerous beach chairs left on the beach. He noticed that all but the blue chairs left behind on the beach receive the violation stickers. He would like to know why the blue chairs are not receiving violations for being left on the beach.

As an aside, Mayor Carroll noted that only two applications have been received for the Leola Hanbury Award. He encouraged citizens who have had positive interactions with a staff member to put in a nomination for the award.

5. **Reports from Standing Committees**

A. Ways and Means Committee

Council Member Ward gave the financial report as provided to the Ways & Means Committee on September 17.

1. Approval of the refurbishment of Tower 1002 in the amount of \$600,000

[FY20 Budget: Capital Projects - \$300,00; Muni ATAX - \$150,000; State ATAX - \$150,000]

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

2. Approval of replacement of four patrol vehicles

[FY20 Budget: Capital Projects - \$44,000; Muni ATAX - \$88,000; State ATAX - \$88,000]

Council Member Rice reiterated her preference for the less intimidating SUVs instead of the Ford F150s. In response, Chief Cornett said that the goal is to diversify the fleet and provide additional capabilities for patrol officers. Also, if the City considers instituting a marine unit in the future, the department will need “a vehicle on patrol that has the ability to pull those boats so we do not have to pull from other departments.” He stated the fleet will still be mostly SUVs, but the trucks will add diversity to the fleet. The purchase of these four trucks will be under the originally budgeted request for five SUVs.

MOTION: Council Member Ward made a motion to approve, and Council Member Bell seconded the motion. A vote was taken as follows:

Ayes: Buckhannon, Moye, Bell, Ferencz, Smith, Ward, Kinghorn, Carroll

Nays: Rice

The motion passed.

3. Consideration of the proposal from S&ME, Inc. in the amount of \$32,925 for the geotechnical investigation for the Isle of Palms Marina dock replacement project [FY20 Budget: Marina Fund \$147,000]

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

4. Approval of the FY20 Millage Rate

Council Member Ward noted the millage rate will be staying the same. There will be no tax increase.

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

5. Recommendation from the Accommodations Tax Advisory Committee for the City to sponsor Pure Theater in the amount of \$8,000

MOTION: Council Member Ward made a motion to suspend the rules of order to allow the applicant to speak to Council, and Council Member Rice seconded the motion. The motion passed unanimously.

Sharon Graci, Artistic Director of Pure Theater, described the project as a performance about the relationship between Osceola and his wife Morning Dew. The play will be held on Sullivan's Island in October.

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

6. Recommendation from the Accommodations Tax Advisory Committee for the City to sponsor the LOWVELO bike ride in the amount of \$5,000

Mayor Carroll said this bike ride is to benefit cancer research. Shannon Rice shared a story about Dr. Terry Day, a head and neck cancer specialist, who after speaking to IOPFD members about the LOWVELO bike ride and learning about the cancers that plague firefighters, offered to do research into the cancers faced by firefighters.

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

B. Public Safety Committee

Council Member Buckhannon reviewed the minutes of the September 16 meeting.

MOTION: Council Member Buckhannon made a motion to approve the mutual aid agreement with the Isle of Palms Police Department and the Charleston County Sheriff's Office, allowing IOP officer to help CCSO out of jurisdiction, if needed. The motion passed unanimously.

Chief Cornett stated that Sheriff Cannon asked for a signed resolution from City Council to accompany the signed mutual aid agreement. He also said this agreement will allow IOP officers to help with issues on Goat and Dewees islands once a boat becomes part of the fleet.

Council Member Buckhannon reported the Public Safety Committee discussed the enforcement of the proposed smoking ban and determined it to be something the Police Department could enforce. Administrator Fragoso stated the Public Works Committee will next review the draft ordinance. She also reported that there is support on the Sullivans Island Town Council for a similar ordinance.

C. Public Works Committee

Council Member Rice reviewed the minutes of the September 19 committee meeting. Both Council Member Rice and Mayor Carroll acknowledged the hard work done by the Public Works staff in removing the debris left by Hurricane Dorian.

D. Recreation Committee – no meeting in September

E. Personnel Committee

Council Member Moye reviewed the minutes of the September 16 regular meeting and briefly mentioned the actions of the two Special Meetings of the Personnel Committee on September 23. He stated that three of the five candidates interested in the vacancies were interviewed on September 23, and the remaining two will be interviewed on October 1. He also reiterated the Mayor’s request for additional nominations for the Leola Hanbury Award.

MOTION: Council Member Moye made a motion to approve the City Administrator Employment Agreement as written. Council Member Rice seconded the motion.

Council members then entered a lengthy conversation about the salary increases noted in the contract and how they differ from those for other City employees. Several Council members expressed concern about the long-term effects of large salary increases on the budgets while others noted the importance of paying competitive salaries to keep talented employees. Council Member Moye noted his appreciation for the productive debate on the issue.

A vote was taken as follows:

AYES: Ward, Smith, Buckhannon, Rice, Moye, Kinghorn, Carroll
NAYS: Bell, Ferencz

The motion passed.

Lastly, Council Member Moye indicated the Committee made no recommendations with regards to Ordinance 2019-17. They appreciate public comment and do not want citizens to think their speech is being prohibited.

F. Real Property Committee

Council Member Bell reviewed the minutes of the September 18 Committee meeting. He reported the Committee recommended a Special Meeting of City Council to discuss the proposals for the marina restaurant space. This meeting will be held Thursday, September 26 at 5pm.

When asked about the status of the lease for Tidal Wave Sports, Administrator Fragoso reported, “There are two separate permit applications, one with the Army Corps of Engineers and the other with OCRM. We have been going back and forth. The City submitted a letter requesting for a variance. That happened earlier this summer. They returned back and said that the City needed to go through their full permitting process. That full permitting process is what City Council engaged ATM to work on, which includes updating the operations and maintenance manual. We have since then went back to OCRM and the Army Corps and recently they stated there is an expedited process to

move the permit into the City's name. And then part of the operation will still have to go through the full permitting process. That will take about three months." Council Member Smith suggested a workshop to discuss the marina as a whole.

Of the upcoming meeting regarding proposed marina projects, Council Member Bell said, "Two of the bids are restaurant only. One of the bids is comprehensive in terms of the marina, so it's going to facilitate a much broader discussion than just the Morgan Creek Grill. Secondly, this OCRM process by definition requires a 30-day public commentary period. It's really hard to stage these conversations appropriately when we have moving pieces and parts. We have a lot of them right now. I think the first step that is the correct step is the meeting on Thursday."

Council Member Kinghorn said it is important the Council have a consensus of vision for the marina. Mayor Carroll agreed there needs to be a public forum on this issue as it will become the Council's legacy for many years to come.

6. Reports from City Officers, Boards, and Commissions

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

7. Reports from Special or Joint Committees – none

8. Petitions received, referred, or disposed of – none

9. Bills Already in Possession of Council

- A. Second Reading of Ordinance 2019-17** – An Ordinance to provide amendments and provide clarity to the rules of procedure during public meetings

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

Council Member Ferencz suggested speakers provide the subject of their comment prior to the meeting and keep it to those items on the current meeting's agenda. In response, Council Member Moye expressed concern about some topics, like the one presented by Mr. McMaster earlier in the evening, would never be on the agenda. Council Member Rice said Robert's Rules of Order address this issue and that these amendments are overreach. Mayor Carroll pointed out they are already outlined in the City code for meetings. When asked about following up on the concerns citizens bring before the Council, Administrator Fragoso said the signup sheet requesting an email will help staff respond to their comments better and faster.

MOTION: Mayor Carroll made a motion to amend the ordinance to allow for special presentations to be included in the Citizen's Comment period but would not count against the 30 minutes allowed for citizens to make comments. There being no second, the motion failed.

After further discussion on whether to City code for meetings needs to be amended, Mayor Carroll asked for a vote to approve Ordinance 2019-17 as written. A vote was taken as follows:

AYES: Buckhannon, Moye, Ferencz, Ward, Bell, Smith, Carroll
NAYS: Kinghorn, Rice

The motion passed Second Reading.

10. **Introduction of New Bills, Resolutions, and Proclamations** – none

11. **Miscellaneous Business**

Request for City-sponsored event status for Johnson & Johnson event in Wild Dunes to allow a small fireworks display (5 minutes in length) on November 2, 2019.

Kenda Sweet came before Council requesting City sponsorship for a small fireworks display at the Citadel Beach House on November 2. She has already spoken to Chief Graham about this request. Administrator Fragoso stated this will be a 5-minute fireworks display, a certificate of insurance has been provided, and the request has been validated by Chief Graham. She noted it should have been on the Public Safety Committee's agenda and was forgotten.

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

Administrator Fragoso noted the last time Johnson & Johnson made this request was in 2014, and Council has given permission for similar events in the past. Council Member Bell asked about the City's liability in sponsoring such events and believed this to be overreach for City-sponsored events. Ms. Sweet was asked if area residents had been notified, and she said she will do so once she has received approval for the event. A vote was taken as follows:

AYES: Kinghorn, Smith, Rice, Moye, Carroll
NAYS: Bell, Ward, Buckhannon, Ferencz

The motion passed.

12. **Executive Session** – none needed

13. **Adjournment**

The meeting was adjourned at 7:50pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

