



CITY COUNCIL MEETING
6:00pm, Tuesday, May 26, 2020
Virtual Meeting via Zoom call due to COVID-19 Pandemic
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Popson, Streetman, Moye, Ward, Buckhannon, Bell, Pounds, and Smith, and Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Treasurer Suggs, Attorney Copeland, various department heads

2. Readings of the Journals of Previous Meetings

MOTION: Council Member Bell made a motion to approve the minutes of City Council Meetings held on February 25, March 20, March 25, March 27, April 13, April 20, April 28, May 2, May 4, May 8, May 11, May 16, 2020. Council Member Pounds seconded the motion. The motion passed unanimously.

3. Citizens' Comments – attached to these minutes

4. Reports from Standing Committees

A. Ways and Means Committee

i. Approval of proposal in the amount of \$15,000 from The College of Charleston's The Riley Center for Livable Communities to assist the City in developing a Strategic Plan

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

ii. Approval of an expenditure in the amount of \$28,690.68 for Fire Department mobile radio upgrades

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

Chief Graham gave a brief overview of why the upgrades are necessary and how they will help the City and create efficiency in the department.

VOTE: The motion passed unanimously.

iii. **Consideration of rent abatement for MJV due to dock damage and UST project delay**

Treasurer Suggs reviewed the calculations used to generate the amounts for rent abatement. Council Member Bell expressed concern about the City being “in the abatement business.”

MOTION: Council Member Ward made a motion to approve the rent abatement for MJV due to dock damage and UST project delay in the amount of \$43,519. Council Member Buckhannon seconded the motion. The motion passed unanimously.

iv. **Approval of Police Department’s drone policy, Department of Justice grant application for a drone and approval of an amount not to exceed \$4,500 for the purchase of a drone if the City’s grant application is not successful.**

MOTION: Council Member Bell made a motion to approve the Police Department’s drone policy, their grant application to the Department of Justice for a drone, and approval of an amount not to exceed \$4,500 for the purchase of a drone if the City’s grant application is not successful. Council Member Streetman seconded the motion.

Chief Cornett said the drone can be used for monitoring social distancing as well as traffic updates, searching for missing children, assisting in water rescues and post-hurricane assessment. He added, “The carrying out of the Constitution and making sure we are in line with that is our utmost priority. It is not worth losing those constitutional rights to have something out here to look at these COVID-19 related issues. So the policy is very specific about making sure that if we are going into private property for any reason we have to have a search warrant just like we would if we were going in without a drone, with our body. Training is very specific about the laws, the Federal laws or state laws in the best practices from the International Association of Chiefs of Police. The model policy that you have was actually presented as a model policy by the Municipal Association of South Carolina which is our insurance company that would cover us if we had any incidents that took place from it. So I am comfortable with it. We have compared it to some local departments as well as the County Sheriff’s Department to make sure that we are within all the guidelines. But training is a must. We have set guidelines for training in the policy as well.”

VOTE: The motion passed unanimously.

v. **Consideration of a matching grant program to assist IOP businesses to participate in MUSC’s “Back to Business Program”**

Administrator Frago reported that only two local businesses participated in the recent webinar to learn about MUSC’s Back to Business Program. She said the Recreation Department received their assessment only today and are reviewing it. The proposed \$5000 grant monies for assisting interested businesses will come from ATAX money.

MOTION: Council Member Smith made a motion to fund the grant program with \$5,000 taken from ATAX monies and awarding 75% grants to interested businesses. Council Member Moye seconded the motion.

Council members expressed concern that not knowing how many businesses would be interested in participating in such program could lead to the \$5,000 running out very quickly. Administrator Fragoso has not yet heard if the CVB would be willing to match the City's grant.

MOTION: Council Member Moye made a motion to amend to award 50% grants to businesses at a \$500 cap per business. Council Member Bell seconded the motion.

Administrator Fragoso said that should be enough. Council Member Buckhannon expressed concern about not knowing how many businesses will use this grant, the necessity of going above and beyond CDC guidelines, and allocating government funds for private businesses. Administrator Fragoso said this program helps businesses interpret and implement the CDC guidelines.

MOTION: Council Member Moye called the question. Council Member Bell seconded the motion. The motion passed unanimously.

VOTE: A vote was taken on the amendment with all in favor.

VOTE: A vote was taken on the amended motion as follows:

Ayes: Popson, Pounds, Moye, Streetman, Bell, Ward, Smith, Carroll

Nays: Buckhannon

The motion passed 8-1.

vi. **Reconsideration of 4th of July Fireworks**

Council Member Pounds reminded Council members that the contract for the July 4th Fireworks display was approved at the February meeting. It had been suggested at a budget workshop they be cancelled in light of budget and social distancing concerns.

MOTION: Council Member Ward made a motion to cancel the fireworks display and to redirect those allocated funds of approximately \$35,000 "to be split evenly between all City employees as a one-time bonus in appreciation for their hard work during COVID-19." Council Member Popson seconded the motion.

MOTION: Council Member Bell made a motion amend by separating the two issues into separate votes. Council Member Pounds seconded the motion.

Council Member Pounds said he would be in favor of Administrator Fragoso and department heads allocating the funds at their discretion. Council Member Bell withdrew his motion and Council Member Pounds withdrew his second of the motion.

Council Member Moye expressed concern about it being called a bonus. Council Member Ward agreed to a friendly amendment to allow funds to be distributed as Hazard Adjustment/Pay at the discretion of the City Administrator and department heads.

VOTE: The motion passed unanimously.

vii. **Approval to join litigation involving short-term rental online businesses**

Administrator Fragoso explained, “If approved by City Council tonight, the City would join legal action with other local municipalities seeking to recover accommodations tax funds that some online short-term rental companies should be paying but have not been doing so historically. So this would only focus on litigation on the online platform such as AirBNB, HomeAway, VRBO, etc., not local hosts.” Council Member Bell indicated this is being handled on a contingency basis and no City funds are being spent.

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

viii. Consideration of portico design for the Public Safety building rehabilitation project

Administrator Fragoso said the Design Build team need City Council’s decision on the portico design of the Public Safety Building by June 1. The additional funds for the more expensive design (\$161,000) would be taken from the City’s contingency fund, which has not yet been tapped. The less expensive design is already included in the budget.

MOTION: Council Member Buckhannon made a motion to approve the less expensive design costing \$47,000. Council Member Bell seconded the motion.

Council Member Popson asked if there was any possibility of “dressing up” this option. Administrator Fragoso said she expects the Design Build team to present options that fit within the budget at their next meeting.

Mayor Carroll spoke in favor of the larger entrance design.

VOTE: A vote was taken as follows:

Ayes: Pounds, Streetman, Moye, Ward, Bell, Buckhannon, Smith, Popson

Nays: Carroll

The motion passed 8-1.

In addition to the above action items, Council Member Pounds reviewed other discussion items in the minutes including the ladder truck, parking rate increases, and the proposed reduction in size of City Council.

B. Public Safety Committee

Council Member Buckhannon reviewed the minutes of the May 13, 2020 meeting. Chief Cornett gave an update on the number and types of tickets that have been written since the checkpoint was lifted at the beginning of the month. He also reported that interviews for open Beach Service Officer positions continue.

C. Public Works Committee

Council Member Pounds reviewed the minutes of the May 13, 2020 meeting.

D. Recreation Committee

Council Member Smith reviewed the minutes of the May 13, 2020 meeting. Director Page gave an update on the phased reopening of the Recreation Center. In addition to what has already been happening for the past few weeks, Director Page said the Governor has allowed playgrounds to reopen on May 31. She said signage will be added in those areas indicating that the equipment is not disinfected at the advice of the manufacturer. She said summer camp will operate in rooms dedicated that program. The Governor has not yet okayed indoor basketball.

E. Personnel Committee

Consideration of recommendation from the Personnel Committee to appoint Scott Pierce and Marty Brown to fill the unexpired terms of the Planning Commission vacancies

MOTION: Council Member Moye made a motion to recommend Scott Pierce and Marty Brown to fill the unexpired terms of the Planning Commission vacancies. Council Member Streetman seconded the motion.

Administrator Frago indicated that both of these terms expire December 31, 2020. Council Member Moye reviewed the interview and selection process used by the Personnel Committee in their decision-making process.

VOTE: The motion passed unanimously.

F. Real Property Committee

Council Member Buckhannon reviewed the minutes of the May 14, 2020 meeting.

5. Reports from City Officers, Boards, and Commissions

- A. **Accommodations Tax Advisory Committee** – no meeting
- B. **Board of Zoning Appeals** – no meeting
- 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

Second Reading of Ordinance 2020-01 – An Ordinance that makes it unlawful to flee from a public safety officer under certain conditions

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

Chief Cornett reviewed the impetus for and reasoning behind the new ordinance.

VOTE: The motion passed unanimously.

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

Ordinance 2020-03 – An Ordinance to Raise Revenue and Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 2020 and ending June 30, 2021

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

10. **Miscellaneous Business**

A. The next meeting will be Tuesday, June 23, 2020 at 6:00pm.

B. **Discussion and consideration of requiring the public to wear face masks when going to essential businesses**

Administrator Fragoso noted the many requests from the public for City Council to pass a requirement to wear face masks in the grocery store. Attorney Copeland noted that the Governor has not made the wearing of face masks mandatory. Council members spoke in favor of the resolution.

MOTION: Council Member Moye made a motion to approve the face mask resolution. Council Member Bell seconded the motion.

MOTION: Council Member Smith made a motion in insert “indoor” in the fourth paragraph describing “public setting.” Mayor Carroll seconded the motion. A vote was taken as follows:

Ayes: Moye, Smith, Carroll

Nays: Pounds, Streetman, Bell, Ward, Buckhannon, Popson

The motion failed 3-6.

VOTE: A vote was taken on the original motion and it was passed unanimously.

11. **Executive Session**

MOTION: Council Member Pounds made a motion to move into Executive Session in accordance with §30-4-70(a)(2) to discuss negotiations incident to proposed contractual agreements related to the marina restaurant lease. Council Member Bell seconded the motion. The motion passed unanimously.

City Council moved into Executive Session at 8:13pm.

City Council returned from Executive Session at 8:54pm. Mayor Carroll reported that no decisions were made.

12. Adjournment

Council Member Buckhannon made a motion to adjourn, and Council Member Moye seconded the motion. The meeting was adjourned at 8:54pm.

Respectfully submitted,

Nicole DeNeane
City Clerk