



CITY COUNCIL MEETING
6:00pm, Tuesday, June 23, 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 Streetman made a motion to approve the minutes of City Council Meeting held on May 26, 2020, the Public Hearing of May 29, 2020, and the Special City Council meeting of May 29, 2020. Council Member Bell 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 a proposal from Thomas & Hutton in the amount of \$18,900 for the conceptual study of the Waterway Boulevard path to evaluate the feasibility of elevating the path and provide options of probable cost.

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

ii. Approval of contract with Pleasant Places in the amount of \$70,500 for city-wide landscaping services.

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

iii. **Consideration of sponsorship request from the South Carolina Aquarium in the amount of \$10,000 for the 2020 Turtle Trek 5k sunset beach run to take place on Saturday, October 10, 2020**

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

Administrator Fragoso noted that the City has made this \$10,000 sponsorship for the past few years. However, due to changes in the budget, the ATAX Board will have only \$25,000 to award in sponsorships next year.

MOTION: Council Member Ward made a motion to amend the amount of the sponsorship from \$10,000 to \$7,500. Council Member Bell seconded the motion.

Council Member Smith said City Council should award the same amount recommended by the ATAX Board. Mayor Carroll noted the South Carolina Aquarium has been a great partner for the Isle of Palms for many years.

VOTE: A vote was taken as follows:

Ayes: Popson, Bell, Moye, Buckhannon, Ward

Nays: Streetman, Pounds, Smith, Carroll

The motion passed 5-4.

VOTE: The vote on the amended motion passed unanimously.

iv. **Consideration of a sponsorship request from the Carolina Coast Surf Club, Inc. in the amount of \$1,000 for advertising and promotion of tourism through Surfcam, including a link to the City of Isle of Palms website for beach access, parking, and traffic information**

MOTION: Council Member Pounds made a motion to approve, and Mayor Carroll seconded the motion.

MOTION: Council Member Ward made a motion to amend the amount of the sponsorship from \$1,000 to \$750. Council Member Moye seconded the motion.

Council Member Smith said City Council should be following the recommendations of the ATAX Board. Council Member Moye noted that there may be other sponsorships that the ATAX Board may not be able to provide funds to due to these budget changes. More monies can be awarded later if more funding becomes available. Administrator Fragoso noted this sponsorship supports a camera that surfers use, therefore reaching another demographic of people who visit the island. Council Member Pounds reported the Beach Reach application developed by the Council of Governments is now available.

VOTE: A vote on the amendment was taken as follows:

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

Nays: Smith

The motion passed 8-1.

VOTE: The vote on the amended motion passed unanimously.

B. Public Safety Committee

Council Member Buckhannon reviewed the minutes of the June 4, 2020 meeting. Council Member Smith asked the Public Safety Committee to look at eliminating the parallel parking spaces on the non-oceanside of Palm Boulevard before ordering new signs. Parking at the Recreation Center was also briefly discussed.

Council Member Buckhannon said the Committee is working towards having paid parking implemented by next March. Administrator Fragoso shared the project timeline with Council members. In order for the paid parking to be successfully implemented by then, she said that staff will need direction from City Council on locations of implementation, days and times of enforcement, parking rates, and the responsibility of road shoulder management. Council Member Buckhannon said the Public Safety Committee will have recommendations to make to City Council at next month's meeting. Council Member Bell cautioned about the associated expenses involved with paid parking. Administrator Fragoso said some of those are known and included in their revenue calculations, but she will continue to look into other costs.

C. Public Works Committee

Council Member Pounds reviewed the minutes of the June 4, 2020 meeting.

MOTION: Council Member Pounds made a motion to request the Planning Commission develop a plan and recommendation for the use of the City's Tree Fund. Council Member Smith seconded the motion.

Council Member Smith also said she would like to have the Planning Commission look into using some of those monies to promote rain gardens. Council Member Popson suggested the monies be used to grind the stumps left behind on Palm Boulevard. Administrator Fragoso reported she will be attending a meeting about Dominion Energy's tree trimming practices later this week.

VOTE: The motion passed unanimously.

D. Recreation Committee

Council Member Smith reviewed the minutes of the June 1, 2020 meeting. Director Page gave an update on the phased reopening of the Recreation Center. She also reported on her efforts to secure surfing instructors for the Recreation Department. Surfing instructors need to be certified in lifeguarding and water-safety instructions as well as CPR and first aid before they can be hired, and they will have to go through the same screening procedures as other City employees. MASC requires certified instructors in order to insure the program.

E. Personnel Committee

Council Member Moyer briefly reviewed the minutes of the June 8, 2020 meeting. Mayor Carroll noted that City Council must be prepared to move forward with the recommendations of the Wage & Compensation study.

F. Real Property Committee

Council Member Buckhannon reviewed the minutes of the June 10, 2020 meeting. Administrator Fragoso reported that the City's request for funding of a walkover and observation deck at 42nd Avenue has cleared the next approval, and she expects full approval by the end of July. She anticipates be able to increase the number of handicap parking spaces available at that site.

Administrator Fragoso also referenced the City's updated website noting that the site will now host a content page for the marina that will include a chronology and timeline of changes to the marina as well as all of the responses from the community forum regarding the marina in January. She reported there will be a full report of those responses next month.

Council Member Buckhannon suggested using the product offered by True Grid to stabilize the area of proposed handicapped parking at 42nd Avenue.

5. Reports from City Officers, Boards, and Commissions

- A. **Accommodations Tax Advisory Committee** – minutes attached
- 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 2020-03 – 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, 2020

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

9. Introduction of New Bills, Resolutions, and Proclamations

- A. **Ordinance 2020-04** – An ordinance to reduce the maximum occupancy at a short-term rental to twice the maximum overnight occupancy, not to exceed forty people

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

B. **Ordinance 2020-05** – an ordinance to add conditions for the suspension of rental business license, require an owner’s representative to be physically on site within one hour of receiving a complaint and conditions for the advertisement of rentals.

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

C. **Ordinance 2020-06** – an ordinance to include the use of consent agendas

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

Administrator Fragoso said this change to the City code will lead to more efficient meetings.

D. **Ordinance 2020-07** – an ordinance to correct the lot coverage limit reduction from 40% to 35% and to 30% for property on septic

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

E. **Emergency Ordinance 2020-09** – an emergency ordinance including measures to protect the citizens of the Isle of Palms from the COVID-19 pandemic and changes to parking enforcement regulations.

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

MOTION: Council Member Ward made a motion instructing City staff to begin work immediately on addressing the elimination of parking on the landside of Palm Boulevard between 20th and 41st Avenues, excepting the property owners and renters in that area. Council Member Bell seconded the motion.

Council members agreed the double and triple parking situation in that area is getting worse every weekend and is creating a safety hazard. Administrator Fragoso said, “Included in the emergency ordinance is an emergency amendment to the parking ordinance. It provides more clarity and the ability for police officers to clearly enforce the double parking. There have been some concerns about the language in the code about double parking in which officers would not be able to issue a ticket they cannot prosecute in court. So unless they witness the person double parking, they would not be able to issue that citation. So what we have presented to you all is a clear delineation of the space where parking would be available, which is between four feet off the road and fourteen feet.” That area will be marked off with spray paint.

VOTE: The motion passed unanimously.

Mayor Carroll read Section 8 of the proposed ordinance regarding requiring face masks in public places, and Administrator Fragoso said City Council would need to define “public places.” Council Member Streetman stated this is overreach and believes private businesses should be the ones to require face masks. Council Member Bell said it is mainly visitors that are not wearing masks. Council Member Pounds agreed it was overreach and commended the Folly Association

of Businesses for the actions they took to protect their employees and the public. Council Member Moye said that seatbelt legislation was also considered overreach at its inception and that the more we can do to stem the growth of the virus, the faster we can go back to normal. Council Member Smith agreed with Council Member Moye and said that the City should create the ordinances necessary to enforce social distancing and the wearing of masks. Council Member Popson said that the City should encourage people to wear masks but not mandate it. Mayor Carroll reported that many mayors in the state believe such an ordinance is hard for the police to enforce. Council Member Ward also stated this is overreach.

Administrator Fragoso reported that she reached out to the Harris Teeter corporate office, and they said they would not enforce a mask ordinance and would not turn anyone away not wearing a mask. She also said that no island businesses have signed up to receive the partial grant to participate in MUSC's Back-to-Business program.

MOTION: Council Member Smith made a motion to require masks be worn in grocery store and pharmacies on the island. Council Member Bell seconded the motion. A vote was taken as follows:

Ayes: Smith, Moye, Bell

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

The motion failed 3-6.

MOTION: Council Member Pounds made a motion to remove Section 8 from Ordinance 2020-09. Council Member Popson seconded the motion. A vote was taken as follows:

Ayes: Smith, Moye, Bell

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

The motion passed 6-3.

Council members discussed the other sections of the ordinance. Administrator Fragoso pointed out that this ordinance will extend the City's state of emergency which allows the City to continue to conduct virtual meetings. It also allows the City Administrator to cancel events and revoke special permits issued prior to the date on the ordinance. These measures would expire in 61 days. Council Member Buckhannon said the ordinance should also still allow for restaurants to have outdoor seating since they are only allowed to have 50% occupancy.

Administrator Fragoso noted the plastic ban waiver expires on July 8. Council Member Smith said this could be further discussed at the Public Works Committee as to how businesses should be noticed in advance of that change.

VOTE: The vote on the amended ordinance passed unanimously.

10. **Miscellaneous Business**

The next meeting will be Tuesday, July 28, 2020 at 6:00pm.

11. **Executive Session**

MOTION: Council Member Streetman made a motion to move into Executive Session in accordance with §30-4-70(a)(2) to receive legal advice regarding paid parking along Ocean Boulevard and short-term vacation rentals. Council Member Bell seconded the motion. The motion passed unanimously.

City Council moved into Executive Session at 8:24pm.

City Council returned from Executive Session at 8:47pm. Mayor Carroll reported that no decisions were made.

12. **Adjournment**

Council Member Moye made a motion to adjourn, and Council Member Smith seconded the motion. The meeting was adjourned at 8:47pm.

Respectfully submitted,

Nicole DeNeane
City Clerk