



**CITY COUNCIL MEETING**  
**6:00pm, Tuesday, September 22, 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, Bell, Pounds, and Smith, and Mayor Carroll

Absent: Council Member Buckhannon

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

**2. Citizens' Comments – attached to these minutes**

City Clerk DeNeane read submitted comments into the record. They appear in full alongside this meeting's agenda on the City's website.

**3. Consent Agenda**

**MOTION: Council Member Streetman made a motion to approve the items on the Consent Agenda, and Council Member Moye seconded the motion. The motion passed unanimously.**

**A. Approval of Previous Meetings' Minutes**

- i. Public Hearing – August 25, 2020
- ii. Regular Meeting – August 25, 2020
- iii. Special Meeting – September 15, 2020

**B. Consideration of award of a contract to Nicholson Business Systems for the Records Management System in the amount of \$38,990 [FY21 Budget; Capital Projects Fund; Police Department; Capital Outlay, \$30,000, pg. 17, ln. 30]**

**C. Consideration of purchase of beach services 4WD pickup truck, State contract pricing in the amount of \$26,870 [FY21 Budget; Hospitality Tax Fund; Police Department; Capital Outlay, \$30,000, pg. 21, ln. 21]**

**4. Reports from Standing Committees**

**A. Ways and Means Committee**

Council Member Pounds briefly reviewed the financial statements for August, noting that revenues are in line for this time in the budget year. The majority of spending has occurred

outside of the General Fund for expenses due to the Public Safety Building Rehabilitation project. Revenues are running about 6% ahead of last year, and expenditures are flat compared to last year. The City currently has about \$19M in cash deposits with \$7.5M of that restricted.

**i. Discussion and consideration of 2020 reassessment and millage rollback**

Council Member Pounds reviewed assessment rates in neighboring communities as compared to the Isle of Palms, noting the City assessment rate is the lowest. He also reviewed three options for reassessment and the financial effect of each option on homeowners, businesses, and the City's revenues.

**MOTION: Council Member Pounds made a motion to choose Option A for the millage rollback. Council Member Bell seconded the motion.**

Council Member Bell noted that the City is "making this choice absent information from the County" and how it will handle any change to millage.

**VOTE: The motion passed unanimously.**

**ii. Consideration of award of a contract for Salmon's Dredging Corporation in the amount of \$4,304,008 for the marina dock rehabilitation project and bulkhead re-coating [FY21 Budget, Marina Fund, Debt Proceeds, \$3,209,000, pg. 29-30]**

Council Member Pounds reviewed the bid from Salmon's Dredging and detailed the alternate items that will be included in the project and which ones will not. The City will continue to negotiate the price of the fuel hut. The budgeted amount for the project was \$3.2M, but with the add-ons and bulkhead recoating the project costs are \$4.3M.

Council Member Pounds also shared a comparison of estimated project costs from the 2017 referendum, which came to approximately \$5.5M and did not include the costs of bulkhead recoating. Lastly, he shared a comparison of the debt service estimate and the costs over 15 years.

**MOTION: Council Member Pounds made a motion to accept and award a contract to Salmon's Dredging Corporation in the amount of \$4,304,008 for the Marina Dock Rehabilitation Project and bulkhead recoating. Council Member Bell seconded the motion.**

Council Member Ward noted that the project is \$1.1M over budget. Mayor Carroll noted that the original budgeted amount did not include the bulkhead recoating, and it something that needs to be done to protect the long-term health of the marina. Council Member Bell said this is the second time we have had the bulkhead recoating bid out, and the thought that the City could save money by completing that project with the marina rehabilitation did not come to fruition. He also said that the City has a responsibility to tend to the bulkheads now.

**VOTE: A vote was taken as follows:**

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

**The motion passed 7-1.**

**B. Public Safety Committee**

Council Member Ward reviewed the minutes of the September 14, 2020 meeting.

**MOTION: Council Member Ward made a motion to eliminate parking on the landside of Palm Boulevard between 22<sup>nd</sup> and 40<sup>th</sup> avenues due to public safety concerns. Council Member Pounds seconded the motion.**

Chief Graham said, “I think no matter what we do it is going to be safer if we reduce the traffic on Palm. The fire trucks will get down to a call one way or another. However, people crossing the road has always been dangerous, and ever since we did the parallel parking, I feel that that has increased the congestion and more delays in the traffic. People trying to wait for a spot, so anything we can do to reduce it one way or another the fire trucks will get to the call.

Chief Cornett said, “I think any time we could say that people were not crossing the road it would obviously be safer. However, the statistics would show from us that we have not had incidents involving unsafe practices there. Basically there has not been a collision that I could find that has resulted from somebody crossing the road inappropriately or vehicles traveling inappropriately.” He added that it would be nice to have more room alongside the road for vehicles to pull over to allow for emergency vehicles to pass safely.

Council Member Streetman noted that unless the shoulders along certain parts of Palm Boulevard are repaired, it will be hard for people to pull over. He believed limiting parking on Palm Boulevard is the right thing to do while still providing parking to visitors.

Council Member Moye asked if there could be more incremental changes to the parking considerations to see what works. He wondered if making this change on Palm Boulevard would cause more traffic with people attempting to park in less available spots. Chief Graham replied, “The ocean side, it is the same as it always will be. The landward side, we have seen a difference with the less traffic backing up, looking for a spot. Prior to eliminating parking on that side of the road, I would drive down on the weekends coming back from the marina. If someone saw a family going towards their car, the traffic would come to a complete standstill and the person first in line would be, they had waited it out regardless of how long it took so they got still got that spot.” Council Member Moye noted that the residents will also be unable to park along the landward side of Palm Boulevard.

Council Member Smith said that while there have been no incidents to date, there are numerous ways in which the area has its own safety concerns. She suggested revisiting allowing for parking on the landward side of Palm Boulevard after the whole area has been improved.

When asked about the possibility of designated golf cart parking along Palm Boulevard, Administrator Fragoso said, “I talked to the traffic engineer at Stantec who has been working with the City for many, many years, and mainly the concern that was expressed to that idea is confusion. It would just be confusing, and it would require a lot of signage to properly designate those areas as just only golf cart parking. All of these potential changes or recommendations

from Council have to go through SCDOT. And we also have concerns about trying to argue that it would be safe for golf cart parkers to cross the road whether or not they use the crosswalks that are currently in place, but not safe for vehicles and to guests using vehicles to cross the roads. I think that that would be difficult to be able to argue and just the concern that it would be confusing as people are driving down the road not understanding why golf cart parking can be allowed in certain sections of Palm and not particular vehicles. So that is part of the reason why we are not recommending that change from the staff's perspective."

Mayor Carroll noted that residents can park properly permitted golf carts along the residential streets off Palm Boulevard. Administrator Fragoso added, "We have been seeing potential increased traffic in the residential neighborhoods, and we are seeing beach parking migrate from the middle section of Palm Boulevard, which has historically been the beach parking area moving towards the other end of Palm Boulevard, which before May this year, last year, we had not seen a whole lot of beach traffic. I just want to make sure that folks understand that eliminating parking on the landside of Palm due to very valid public safety reasons may continue to increase traffic on the other area of Palm and potentially increase traffic down on Palm Boulevard as people are looking for vehicles." She also shared that they are working with the Flowbird app to allow for the identification of open parking spaces on the island.

Mayor Carroll asked Council Member Pounds to report back to COG that the Beach Reach app needs an additional page on the app allowing for police departments to update parking availability.

Administrator Fragoso added, "This will have to be included in the encroachment permit to SCDOT and approved by SCDOT. We have been waiting on this action and clarification from Council so that we get it included in the same permit about paid parking."

**VOTE: A vote was taken as follows:**

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

**The motion passed 7-1.**

**C. Public Works Committee**

Council Member Pounds reviewed the minutes of the September 3, 2020 meeting.

**D. Recreation Committee**

Council Member Smith reviewed the minutes of the September 14, 2020 meeting. Mayor Carroll thanked the Recreation Center staff for their working starting and maintaining a presence on Facebook.

**E. Personnel Committee**

Council Member Moye reviewed the minutes of the September 15, 2020 meeting. Administrator Fragoso shared that 3-4 staff members use the employee benefit of 100% tuition reimbursement each year.

**F. Real Property Committee**

Council Member Popson reviewed the minutes of the September 9, 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**

- A. **Amendment of Ordinance 2020-09 to increase the not-exceeding amount of the par amount of the general obligation bonds that may be issued from \$7,000,000 to \$8,000,000**

**MOTION: Council Member Bell made a motion to increase the not-exceeding amount on of the par amount of the general obligation bonds from \$7,000,000 to \$8,000,000. Council Member Streetman seconded the motion.**

Administrator Fragoso stated, “It is a GO bond. It is not a revenue bond. The debt issue for the marina is budgeted to be covered by tourism funds and rent revenue. The FY21 budget did include a slight millage increase to cover the debt service for the proposed Phase III Drainage.”

Regarding the drainage project, Administrator Fragoso added, “Right now, for the drainage project all we have is our estimates provided by our engineers. It is estimated at \$3.125M. Just like with the marina project, we estimated \$3.2M, and we saw bids come in higher than that. So I think by increasing the not-to-exceed amount to \$8M, it gives us some wiggle room to be somewhat flexible once those Phase III Drainage bids come back. We are in the process still of designing that project and going through the permitting that you all know takes time. So we do not have a concrete timeline yet on when we are going to be able to go to bid, but the original schedule has the City obtaining all permits by the end of this year, early next year. So we are hopeful that once permits are in place and we have all bid specifications we can prepare a bid package and go out for bid.”

Several Council members agreed that it is less disruptive to complete the bulkhead recoating project at the same time the marina is being rehabilitated.

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

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

**The motion passed 7-1.**

**B. Ordinance 2020-09 -- (GO BOND for the Construction of Phase 3 and Marina Dock & Bulkhead Project) An Ordinance to Provide for the Issuance and Sale of Not Exceeding Seven Million Dollars Aggregate Principal Amount (\$8,000,000) of General Obligation Bonds of the City of Isle of Palms, South Carolina, to Provide for the Issuance and Sale of General Obligation Bond Anticipation Notes in Anticipation of the Issuance of Said Bonds; to Prescribe the Purposes to Which the Proceeds of Such Borrowing Shall be Applied, to Provide for the Payment Thereof; and Other Matters Relating Thereto.**

**MOTION: Council Member Bell made a motion to approve Ordinance 2020-09 as amended. Council Member Streetman seconded the motion. A vote was taken as follows:**

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

**The motion passed 7-1.**

**D. Ordinance 2020-12 – Emergency Ordinance Declaring State of Emergency, Requiring the Use of Face Coverings, Limiting Parking on the Island, Live Entertainment after 10:00pm, and Occupancy in Bars and Restaurants Fifth (50%) and Other Measures to Protect the Life and Safety of the Citizens of Isle of Palms**

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

**MOTION: Council Member Ward made a motion to amend to allow for the time live entertainment to extend to 11:00pm as per State law. Council Member Popson seconded the motion. The motion passed unanimously.**

**VOTE: The vote on the motion as amended passed unanimously.**

Council members clarified that the grace period for the plastics ban is not being extended. Businesses experiencing hardships in reference to this ordinance can apply to the City for an exemption.

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

**Consideration of Reimbursement Resolution to Express the Intention of the City to Cause the City to be Reimbursed with the Proceeds of Tax-Exempt Obligations and Other Matters Related Thereto.**

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

Mayor Carroll explained, “We are going for an \$8M bond issue, but we have got some projects they are going to be working in advance, and they are going to need some money. So, this is something to give them permission to give money in advance of the money we are receiving.”

**VOTE: The motion passed unanimously.**

10. **Miscellaneous Business**

A. **Discussion and consideration regarding future use of the watersports dock at the IOP Marina to be used as a commercial dock and 10 parking spaces or as a public dock with greenspace and residential parking spaces.**

Mayor Carroll said, “In April of last year, City Council voted to not automatically renew two existing leases at the Marina, the Tidal Wave Water Sports and Morgan Creek Grill, that were expiring this year. Council is in the process of determining the best use for that area, whether to continue to lease for a commercial operation or turn it into a public dock with greenspace with free resident parking spaces. If Council decides that it wants that dock and parking places to be leased for a private commercial operation, then the City would have to pursue the same competitive bid Request for Proposal that we did for the restaurant site. The City of Isle of Palms has a very valuable asset – the City-owned Marina – and the Council intends to maximize its potential for the benefit of all members of our community. This is a unique opportunity for the City to do something special at the Marina, which will stand as this council’s legacy for years to come.

**MOTION: Council Member Moye made a motion to use the space as a public green space, parking, and dock. Council Member Streetman seconded the motion.**

Council Member Popson said, “I am unfortunately going to repeat myself. While I support a residents’ dock, I just do not think this dock is the best solution. We are in a non-harvest DHEC area, so you cannot fish. You are right. You have got the 41 outfall right there, so who is going to want to swim, and plus with all the boat traffic going by. Again, with the paddleboards and the kayaks with all the boat traffic going by, is it really a safe place to put these things in the water right there? And then just keep in mind off season the no-wake buoys are pulled up, so now everybody is coming through there full speed. So I just don’t know that this is the safest place. So we are talking about taking an income-producing dock and turning it into a cost-producing dock with the added liability. I would just like to ask other Council members to consider is there a way of finding another location for this possible public dock including trying to work out an exchange deal with the Exchange Club. Hamlin Creek would be so much safer, and lastly, I am sure we can find a way to find a safe location for the residents’ dock while trying to help a long-time business who has served our island residents well, or at least extend the lifeline of an RFP process.”

Council Member Moye said, “I will probably echo a few of my comments from last week as well, but the marina is a special place for the island, it is one of the few assets that we own, and it is the only access point that we, as City-owned, to the water. This is a small parcel of land that is frankly the only parcel that we will have control of until 2045, and if we want our residents to have a place where they can go to the marina without having to buy something, this is the only place that we can do that. For me, my position, I have been pretty clear about why I believe this is the case, and the conversations I have had with residents, and I believe in my heart of hearts that creating a public green space at the Marina is the best thing we can do as a City. And so, that is why I am supporting it. And I believe that the Mayor said it right. That this is a legacy that

future generations will look back on and greatly appreciate the decision that we made tonight if we do choose to support this to put in a public green space for our kids and grandkids to enjoy.”

Council Member Streetman said, “I have lived here since 1984, and I was here when we had the marina issue come up in 1998 and 1999, and I ended up voting for the City to purchase the property, and I did it basically sort of not in favor of City government getting involved in private industry, but I did not like the idea of seeing it so privatized down there and having a lot of condos that we had no access at all. I know we have the dock down there, but to Councilman Moyer’s comment, we have not had any real public access down there, and this is our opportunity now that this lease that has been decided to not be renewed over a year ago. It is not going to be extended. It is an opportunity to take that part of the space right there and to put some public green space in there.” He added, “I just do not think that we have the space there to do both. I think it has to be one or the other to live up to what I consider my campaign commitment which was to provide some public space or see that we had public space for the citizens that voted for me.”

Council Member Smith said, “We have had a lot of conversation about this in the community, but we actually have not fully discussed this issue I don’t believe by Council in terms of seriously talking about what is possible to use that dock for. There have been concerns brought up but not discussed as Council Member Popson suggested that. Members of the community have come to us and suggested this would be a good place for a launch for kayaking and paddle sports. I am not clear on that though. I feel like we are taking a vote prematurely before we fully have a discussion about what is really possible there, about concerns, about potential liability of using that as a kayak, paddle sport launch. Although I fully embrace the idea of promoting those activities, again, I do not know that this is the right sport for it. Our Rec Center Director, who has experience with water sports safety has brought up concerns. I just feel like it is premature to lock in without, while clearly the direction of this Council is to look seriously at how we can use it for green space, I would much prefer that we put this in the form of an exploration of these important topics.”

**MOTION: Council Member Smith made a motion to amend the original motion to “explore the use of the space as a public green space, park and dock.” There being no second, the motion failed.**

Mayor Carroll pointed out that the dock is currently being used as a space from which to launch kayaks and paddleboards.

Administrator Fragoso stated, “I wanted to address the questions about liability. We had that question as well that was vetted back in 2017 when the City presented the referendum plan which all of the iterations included a public dock in that space. We have since then reached out to our insurance company and confirmed through the Municipal Association of South Carolina, and they have confirmed that the City’s liability insurance would cover the use of that dock with our current coverage.”

Council Member Ward asked, “So if this motion goes to the green space tonight, and Tidal Wave’s lease is up September 30<sup>th</sup>, does the City move in October 1<sup>st</sup>, and what do we do about



security? Do we put up a gate? Will there be a lock on it? Will there be somebody there to monitor the activities on the dock? Will there be lighting at night? Will the facility be secured at night from people that might be up to no good? And if that is so, when is all this going to take place?”

**MOTION: Council Member Pounds called the question. Council Member Bell seconded the motion. A vote was taken as follows:**

Ayes: Streetman, Moye, Smith, Pounds, Carroll

Nays: Popson, Ward

**The motion passed 5-2.**

**VOTE: A vote on the original motion was taken as follows:**

Ayes: Streetman, Moye, Smith, Pounds, Carroll

Nays: Popson, Ward

**The motion passed 5-2.**

B. The next meeting of the City Council will be Tuesday, October 27, 2020 at 6:00pm.

#### 11. **Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Moye seconded the motion. The meeting was adjourned at 8:17pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk