



SPECIAL CITY COUNCIL MEETING
6:00pm, Tuesday, November 10, 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 Buckhannon, Bell, Smith, Popson, Streetman, and Pounds, and Ward, Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Attorney Hinchey, Chief Cornett

Also present: Jon Chalfie, Dave and Chrissy Lorenz, Bryan Kitz

2. Public Comments

Mr. Stephen Slotchiver, 273 Forest Trail, spoke in favor of the IOP Families Group opening a restaurant at the Marina.

Ms. Linda-Marie Hamill, 117 Sparrow Drive, thanked Council for approving the lease for the new restaurant at the Marina.

Mr. Dan Slotchiver, 6805 Back Bay Drive, spoke in favor of the IOP Families Group opening a restaurant at the Marina and hopes City Council will vote in favor of the lease.

Ms. Katie Miars, 269 Forest Trail, is also looking forward to the new restaurant at the Marina. She said the more restaurants, the better.

Mr. Bill Barber, 29 31st Avenue, spoke out with concern about the RFP process, said the guaranteed rent is below market value and the City should be asking for a minimum guaranteed rent. He said several benefits, such as building repairs and lower food prices, are not mentioned in the agreement. He said other restaurants feel they are competing with the City government.

Mr. Mike Zimov, 2 Tabby Lane, spoke in favor of the lease as proposed and believes it is in the best interest of the City to have the property upgraded.

Mr. Gary Nestler, 17 22nd Avenue, spoke in favor of the IOP Families Group opening a restaurant at the Marina.

Ms. Julie Nestler, 17 22nd Avenue, spoke in favor of the IOP Families Group opening a restaurant at the Marina.

Mr. Michael Calder, 5 Shad Row, spoke in favor of the IOP Families Group opening a restaurant at the Marina.

Mr. Sam Williams, 11 44th Avenue, spoke in favor of the IOP Families Group opening a restaurant at the Marina.

Mr. Shevlin Howe, 278 Forest Trail, spoke in favor of the lease for the IOP Families Group and encouraged City Council to prevent further delays in the process.

Ms. Karen Joyce, 9 30th Avenue, spoke in favor of the IOP Families Group opening a restaurant at the Marina.

Mayor Carroll encouraged those who signed up to speak but were unable to do so because of the time limit to submit their comments in writing on the City's website. All emails received by the City regarding the Marina restaurant lease can be found on the City's website alongside the agenda for this meeting.

3. Purpose

A. Second Reading of Ordinance 2020-12 – An ordinance to enter into a commercial lease with Marker116, LLC

MOTION: Council Member Bell made a motion to approve the lease as presented. Council Member Pounds seconded the motion.

MOTION: Council Member Streetman made a motion to remove “(Marina Joint Ventures)” from the parking exhibit within the lease. Council Member Bell seconded the motion.

Council Member Streetman said he would like to see that changed to avoid confusion. Administrator Fragoso indicated that City Council has not yet made a decision if the parking spaces formerly encumbered by the previous water sports operation (now under the City's control) will be free spaces for residents to park.

Regarding the motion to amend, Administrator Fragoso pointed out there is a separate lease with Marina Joint Ventures that “indicates that parking management and the shared parking would be managed by the Marina Manager.” Making this amendment to the lease does not “change the fact that the Marina Manager currently per that lease has control” over the management of the parking. She further noted that this particular lease is not on the agenda for discussion.

She added, “Exhibit five makes the marina the one in charge and responsible for parking management on the Marina site, and also includes the share parking is managed and shared among all the tenants under the direction of the Marina Manager. So we want to make sure that the language from this lease is consistent with the current lease that the City has with the current stakeholder.” Striking the mention of Marina Joint Ventures from the parking exhibit “does not change the fact that the shared parking through a different lease is managed by the Marina Manager.”

Council Member Streetman said the Real Property Committee may need to look at this further.

VOTE: A vote was taken on the amendment and was passed unanimously.

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

B. Second Reading of Ordinance 2020-13 – Fifth amendment to commercial lease agreement with Marina Joint Ventures

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

Administrator Fragoso stated, “This is a very limited amendment to Exhibit Five of the existing Marina Joint Ventures agreement. It basically establishes the termination clause in the event the parking agreement that has been entered between the Marina restaurant folks and the Marina Manager for the exclusive use of employee parking, which he is responsible to provide. In the event that that is terminated, then the language and the existing lease would revert back to the way that it is now. That would help protect the restaurants from having employee parking in the event that this mutually agreeable agreement, for lack of a better word, is terminated. The Marina Manager would still be responsible for providing and accommodating employee parking on this site.”

VOTE: The motion passed unanimously.

C. Consideration of Emergency Ordinance 2020-14 to extend the State of Emergency, modify beach parking restrictions and extend other emergency provisions due to COVID-19

MOTION: Council Member Bell made a motion to defer consideration of Emergency Ordinance 2020-14 until next week’s City Council meeting. Council Member Streetman seconded the motion. The motion passed unanimously.

4. **Executive Session** -- none

5. **Adjournment**

Council Member Buckhannon made a motion to adjourn and Council Member Moye seconded the motion. The meeting was adjourned at 7:00pm.

Respectfully submitted,

Nicole DeNeane
City Clerk