



City Council

6:00 p.m., Tuesday, January 26, 2021
Council Chambers
1207 Palm Boulevard, Isle of Palms, South
Carolina

Virtual Meeting Due to COVID-19 Pandemic:

The public may join the virtual meeting by clicking
here:

<https://www.youtube.com/user/cityofisleofpalms>

Public Comment:

All citizens who wish to speak during the meeting must email their first and last name, address and topic to rhanna@iop.net no later than **3:00 p.m. the business day before the meeting**. Citizens who sign up to speak will receive an email with instructions to join the meeting via Zoom. All verbal comments will have a time limit of three (3) minutes. Speakers must turn on their video and make sure that their actual name shows up as their Zoom identifier, and mute themselves after their comments.

Citizens may also provide public comment here:

<https://www.iop.net/public-comment-form>

Agenda

- 1. Introduction of meeting** and acknowledgement that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.
 - a. Invocation
 - b. Pledge of Allegiance
 - c. Roll Call
- 2. Election of Mayor Pro Tempore**
- 3. Citizens' Comments**
- 4. Consent Agenda**
 - a. Approval of Previous Meetings' Minutes
 - i. Regular Meeting – November 17, 2020
 - ii. Public Hearing – December 8, 2020
 - iii. Special Meeting – December 8, 2020
 - iv. Special Meeting – January 5, 2021
 - b. Approval of purchase of two (2) Dodge Durango AWD V6 Pursuit SUVs for the Police Department in the amount of \$30,540 each [FY21 Budget, Capital Projects Fund, Police Capital Outlay - \$41,000 and State Accommodations Tax Fund, Police Capital Outlay - \$41,000]
 - c. Approval of proposal from Insight Group to provide construction oversight

services during the IOP marina restaurant renovation in the amount of \$14,740
[FY21 Budget, Marina Fund, Professional Services - \$252,000]

5. Reports from Standing Committees

- a. **Ways and Means Committee**
- b. **Public Safety Committee**
- c. **Public Works Committee**
 - i. Approval of FY22 Transportation Sales Tax (TST) project requests: resurfacing the Waterway Boulevard multi-use path and Ocean Boulevard between 10th and 14th Avenue
 - ii. Discussion regarding the creation of Environmental Advisory Committee
- d. **Recreation Committee**
- e. **Personnel Committee**
- f. **Real Property Committee**

6. Reports from City Officers, Boards and Commissions

- a. **Accommodations Tax Advisory Committee** – no meeting
- b. **Board of Zoning Appeals** – minutes attached
- 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

Consideration of Ordinance 2020-16 An ordinance to allow for commercial surfing instruction on the beach

10. Introduction of New Bills, Resolutions and Proclamations - None

11. Miscellaneous Business

- a. Next meetings date: 6:00 p. m., Tuesday, February 23, 2021
- b. Update on Strategic Planning Process
- c. Update on consideration of changes to the 30% of State Accommodations Tax Revenue required for tourism promotion and advertisement currently managed by the Charleston Visitors Bureau

12. Executive Session – Executive session pursuant to Section 30-4-70 (a) (2) to receive legal update regarding the eviction proceedings against Tidal Wave Watersports. Upon returning to open session, Council may take action on matters

discussed in Executive Session.

13. Adjournment



CITY COUNCIL MEETING
6:00pm, Tuesday, November 17, 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, Smith, Buckhannon, and Mayor Carroll

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

Also present: Justin Kiddy, McKay Kiddy

2. Citizens' Comments – attached to these minutes

Citizen comments appear in full alongside this meeting's agenda on the City's website.

Mr. Justin Kiddy of McKay Kiddy gave a brief overview of the City's FY20 audited financial statements. The City has received a "clean" opinion for the year ending June 30, 2020. The City's assets exceed their liabilities by approximately \$33M. The City has a bond rating of Aa1. Mr. Kiddy said there are no proposed audit adjustments, no accounting issues, and no internal control issues. The City is in a good financial position as of June 30, 2020 according to Mr. Kiddy.

3. Consent Agenda

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

Approval of Previous Meetings' Minutes

- i. Regular Meeting – October 27, 2020
- ii. Special Meeting – November 3, 2020
- iii. Special Meeting – November 10, 2020

4. Reports from Standing Committees

A. Ways and Means Committee

Council Member Pounds briefly reviewed the financial statements for October. Year-to-date revenues are down approximately \$500,000 from this time, most of which is due to the effects of COVID-19. Expenditures are almost \$2M over what they were at this time last year, which is a

result of anticipated expenses related to the Public Safety Building Rehabilitation project and the refurbishment of the ladder truck.

Revenues from property tax, building permits, and rental license renewals exceed those from this same time last year. General Fund expenditures are below the prior year and the budget.

MOTION: Council Member Bell made a motion to approve all expenditures unanimously approved in the Ways & Means Committee meeting. Council Member Streetman seconded the motion. The motion passed unanimously.

i. **Consideration of recommendation from the Public Safety Committee for replacing the 2004 Engine 1002 Pumper Truck by purchasing demo truck in the amount of \$525,000 in FY22 instead of refurbishing existing truck at \$335,000 [FY21 Budget, Fire Department, Capital Projects, Hospitality Tax, State ATAX, \$300,000]**

ii. **Consideration of recommendation from the Public Safety Committee to award an amount not to exceed \$3,000 to restripe existing hotel 15-minute loading zone parking areas in Front Beach into paid parking spaces [FY21 Budget, Muni ATAX, Front Beach & Parking Management, Maintenance & Service Contracts, pg. 20, ln. 76]**

iii. **Consideration of award a contract to Gulfstream in the amount of \$614,985.07 for the small, but high-impact drainage projects at Sparrow Drive, Forest Trail, Cross Lane, 32nd Avenue, and 41st Avenue [FY21 Budget, Muni ATAX, Public Works, Drainage, \$500,00, pg. 18, ln. 58] & [NPDES Stormwater Fund, \$475,048]**

iv. **Consideration of award of a contract to VC3 in the amount of \$133,885 for city-wide information technology support and services [FY21 Budget, General Fund, General Government, Contracted Services, \$150,000, pg. 9, ln. 85]**

v. **Consideration of a change order to Salmon's Dredging in the amount of \$23,634 for the relocation of the former watersports dock outside of the encroachment area in accordance with directive from the US Army Corps of Engineers**

B. Public Safety Committee

Council Member Buckhannon reviewed the minutes of the November 9, 2020 meeting.

C. Public Works Committee

Council Member Pounds reviewed the minutes of the November 5, 2020 meeting. Council Member Smith encouraged everyone to listen to the presentation made by Thomas & Hutton during that meeting.

D. Recreation Committee

Council Member Smith reviewed the minutes of the November 2, 2020 meeting. Council members discussed the cancellation of the Holiday Street Festival due to the rising number of COVID cases. Some Council members believed the festival should be cancelled, expressing concern that it could become a super-spreader event. Some Council members said this decision should be made at the staff level.

MOTION: Council Member Ward made a motion to add the consideration of the Holiday Street Festival to the agenda. Council Member Popson seconded the motion. A vote was taken as follows:

Ayes: Ward, Popson, Buckhannon

Nays: Streetman, Bell, Moye, Smith, Pounds, Carroll

The motion failed.

E. Personnel Committee

Council Member Moye reviewed the minutes of the November 12, 2020 meeting. Additional meetings of the Personnel Committee will be scheduled prior to the December 8, 2020 Special City Council Meeting to interview candidates for the openings on boards and commissions.

F. Real Property Committee

Council Member Buckhannon reviewed the minutes of the November 4, 2020 meeting.

MOTION: Council Member Buckhannon made a motion to approve the redesign of the 42nd Avenue beach walkway. Council Member Pounds seconded the motion.

Administrator Fragoso said this idea has been discussed at length in committee and with area residents. She shared pictures of the proposed path materials, noting that clearing the path of accumulated sand will be part of the work done by the landscape contractors. The cost would be approximately \$75,000 including at 15% contingency and be paid for by Greenbelt funds. She said, "If changing the scope of this project is approved by the full body, we would be submitting a letter to the Greenbelt Program fund so that we could use the funds that were awarded to the City for the elevated boardwalk, which was \$100,000."

VOTE: The motion passed unanimously.

Regarding the green space now administered by the City at the Marina, Mayor Carroll said that an online suggestion box is on the City's website to take input from the public. Council Member Buckhannon shared a conceptual design for the area, pointing out a

walking path that would go around the perimeter of the property. Administrator Fragoso said that all stakeholders of the Marina have expressed approval of the conceptual designs. No final decisions have been made yet as to whether or not parking in that area will be free for residents.

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. Discussion of Ordinance 2020-10 – An ordinance to an amendment to §5-4-32 of the City’s Zoning Code to allow for sewer pump stations in the SR-1 single-residential district

Director Kerr reported that the Planning Commission had a Special Meeting to discuss criteria surrounding the proposed sewer lift stations in residential areas. In addition to making these requests reviewable by BOZA, they created 8 criteria the lift stations must meet in order to be approved. A Public Hearing about the change to the zoning code will be held prior to the City Council meeting on December 8. Council Member Bell expressed concern about making a broad change to the zoning code for something that needs to be approved on a case-by-case basis. Director Kerr said that State law requires that zoning changes be done on a uniform basis.

Council Member Buckhannon said, “We know we need to work towards sewerage the island. That falls on us to fill these BOZA position with the folks that we feel are going to make the best decisions for the island.”

B. Consideration of Ordinance 2020-11 – An ordinance to amend the Alarm Ordinance

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

9. Introduction of New Bills, Resolutions, and Proclamations

A. Consideration of Ordinance 2020-14 – An ordinance to allow for commercial surfing instruction on the beach

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

Asst. Administrator Hanna reported that he worked with Director Kerr, Chief Cornett, and Director Page about some changes to the ordinance that could allow surfing instruction on the beach while reducing the liability on the City. He pointed out two changes to the ordinance from the version presented in the packet: surfing instruction will be limited to groups of four or fewer students and one instructor, and instruction shall not exceed more than two hours per day per business license. The intent is to keep the lessons as unobtrusive as possible. Council Member Moye pointed out this is a pilot program with a sunset provision. City Council will have to renew the program next year. He added that providing a franchise option is the most hands-off approach of providing a highly requested service for the City and its residents.

Administrator Fragoso said, “What is being proposed is a very hands-off approach and treating it like the City treats any other business on the island. Right? The more control or requirements that the City requires of these vendors, the more liability and the more responsibility the City will have making sure that those certifications are legitimate.” That level of due diligence will be required of the business license holder and the consumer.

Council Member Popson expressed concern about the beach becoming the surfing instructor’s “office” and wonders how the program rules will be enforced.

VOTE: The motion passed unanimously.

B. Consideration of Ordinance 2020-15 – An ordinance to adopt the most recent Flood Insurance Rate Maps (FIRMs), create standards for new AO flood zones, and update existing language as required by SCDNR

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

Director Kerr explained this ordinance is necessary for the City to participate in the National Flood Insurance Program. The maps become effective on January 29, 2021. A link to the maps will appear on the City's website. Council Member Smith suggested more about the flood maps be put out on social media.

VOTE: The motion passed unanimously.

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

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

Upon ratification of the ordinance, it will be valid for 60 days. Administrator Fragoso clarified that ordinance 2020-14 includes extending the face mask requirement for indoor restaurants and retail, lifting parking restrictions on Palm Boulevard and the finger streets of 3rd-9th avenues, allowing City Council to continue to maintain virtual meetings, and authorizing the City Administrator to cancel or revoke any special permits through the timing of the emergency order.

She noted a change on item nine "which requires restaurants and businesses to comply with the governor's emergency order so that way we are not playing catch up when the governor makes any changes. It would just have a blanket statement that they have to comply to those orders."

MOTION: Council Member Buckhannon made a motion to amend the ordinance to allow restaurants to have outdoor seating and service for the length of the emergency ordinance. Council Member Ward seconded the motion. The motion passed unanimously.

VOTE: The vote on the ordinance as amended passed unanimously.

10. Miscellaneous Business

A. Discussion and consideration of renaming the Public Safety Building at 30 J.C. Long Boulevard to be the "Chief Ann M. Graham Public Safety Building"

MOTION: Council Member Ward made a motion to name the Public Safety Building at 30 J.C. Long Boulevard the "Chiefs Ann M. Graham and Thomas C. Buckhannon Public Safety Building" or some version thereof. Council Member Buckhannon seconded the motion. The motion passed unanimously.

B. Next meeting dates

Special Meeting: 6:00pm, Tuesday, December 8, 2020

Special Meeting: 6:00pm, Tuesday, January 5, 2021

Regular Meeting: 6:00pm, Tuesday, January 26, 2021

11. Adjournment

Council Member Pounds made a motion to adjourn, and Council Member Moye seconded the motion. The meeting was adjourned at 7:54pm.

Respectfully submitted,

Nicole DeNeane

City Clerk



PUBLIC HEARING
5:45pm, Tuesday, December 8, 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, various department heads

Others present: Chris Jordan, General Manager of the Water & Sewer Commission

2. Ordinance 2020-10 – An amendment to the City's Zoning Ordinance to allow sewer pump stations in the SR-1 single-residential district

Director Kerr explained this amendment will allow for sewer lift stations in SR-1 single-residential districts across the island. They will be allowed via a Special Exception approved by BOZA as long as they meet criteria set by the Planning Commission, including odor control, vegetative buffers, height limits, and other considerations.

Director Kerr said the staff of the Water & Sewer Commission was involved in the development of the criteria and is confident they can work within those parameters. This approval mechanism is just the first step needed to continue expanding the sewer system throughout the island.

General Manager Chris Jordan said that the proposed stations will be small, and they will make every attempt to have them blend in with the surrounding neighborhood.

3. Ordinance 2020-15 – An ordinance to adopt the most recent Flood Insurance Rate Maps (FIRMs), create standards for new AO flood zones, and update existing language as required by SCDNR

Director Kerr explained that the new flood maps go into effect on January 29, 2021, and the City must approve them to participate in the National Flood Insurance Program.

4. Adjournment

There being no public input on either ordinance, Council Member Pounds made a motion to adjourn, and Council Member Bell seconded the motion. The public hearing was adjourned at 6:05pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



SPECIAL CITY COUNCIL MEETING

6:00pm, Tuesday, December 8, 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 Mayor Carroll

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

Also present: Chris Jordan and Chairman Jay Leigh of the Water & Sewer Commission

2. Purpose

A. Consideration of a Proclamation Recognizing the Career and Contributions of Fire Chief Ann Marie Graham and Thanking Her for Thirty-Five Years of Service to the City of Isle of Palms, Congratulating Her on Her Retirement and Wishing Her Well in This New Chapter of Her Life.

Mayor Carroll read a proclamation recognizing the career and contributions of Fire Chief Ann Marie Graham.

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

B. Consideration of nominations and appointments to Standing Committees for 2021

Mayor Carroll made the following committee membership nominations for 2021:

Public Safety Committee: Council members Ward, Pounds, and Bell

Public Works Committee: Council members Streetman, Smith, and Ward

Recreation Committee: Council members Smith, Buckhannon, and Pounds

Personnel Committee: Council members Moye, Buckhannon, and Bell

Real Property Committee: Council members Popson, Streetman, and Moye

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

Council members will vote for Mayor Pro Tem and the Chair and Vice Chair of the Ways & Means Committee in January.

C. Consideration of nominations and appointments to CARTA Board of Directors

Mayor Carroll nominated Council Member Ward to the CARTA Board of Directors.

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

D. Consideration of nominations and appointments to Charleston Visitors Bureau

Mayor Carroll nominated Council Member Smith to the Charleston Visitors Bureau.

MOTION: Council Member Ward made a motion to nominate Council Member Moye to the Charleston Visitors Bureau. Council Member Bell seconded the motion.

Council Member Smith said she supports the nomination of Council Member Moye to the Charleston Visitors Bureau.

VOTE: The motion passed unanimously.

E. Consideration of nominations and appointment to the Charleston, Berkeley, Dorchester Council of Governments

Mayor Carroll nominated Council Member Pounds to COG.

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

F. Consideration of appointments to Boards and Commissions as recommended by the Personnel Committee

The Personnel Committee made the following recommendations for appointments:

David Cohen, Steven Corney, and Alexander (Sandy) Stone to the Planning Commission; Ray Burns, Julise Spell, and Douglas Truslow to the ATAX Board; and Brian Abel to the Board of Zoning Appeals.

MOTION: Council Member Streetman made a motion to approve the appointments of David Cohen, Steven Corney, and Sandy Stone to the Planning Commission. Council Member Bell seconded the motion. The motion passed unanimously.

MOTION: Council Member Moye made a motion to approve the appointments of Ray Burns, Julise Spell, and Douglas Truslow to the ATAX Board. Council Member Streetman seconded the motion. The motion passed unanimously.

MOTION: Council Member Moye made a motion to approve the appointment of Brian Abel to BOZA, and Council Member Streetman seconded the motion. The motion passed unanimously.

Council Member Moye noted the vast expertise of all the candidates that applied for openings on the boards and commissions. He thanked all who applied.

G. Consideration of appointments to City Attorney – James J. Hinchey

Mayor Carroll nominated James Hinchey as the City Attorney.

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

H. Consideration of Second Reading of Ordinance 2020-10 – An amendment to the City’s Zoning Ordinance to allow sewer pump stations in the SR-1 single-residential district

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

Council Member Bell and Mayor Carroll expressed concern about allowing sewer lift stations in residential areas. Director Kerr said it will be up to BOZA to determine the impact the lift stations have in the proposed areas.

Council Member Smith said she believes this ordinance will allow the Water & Sewer Commission to be more flexible in expanding sewer “by having a more blanket approach to the zoning rather than on” a case-by-case basis. Mayor Carroll noted that there are pump stations near the larger homes on Ocean Boulevard and they have not been affected by their presence.

VOTE: The motion passed unanimously.

I. Consideration of Second Reading of Ordinance 2020-15 – An ordinance to adopt the most recent Flood Insurance Rate Maps (FIRMs), create standards for new AO flood zones, and update existing language as required by SCDNR

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

J. Consideration of award of a contract in the amount of \$21,500 to Evergreen Solutions for a wage and compensation study

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

Council Member Moye noted this recommendation has been fully vetted by City staff who had done a fair amount of research. Administrator Fragoso said she believes Evergreen Solutions to have a good handle on the concerns of this area as they have already done similar studies in surrounding cities and counties.

Administrator Fragoso said that City Council’s involvement in the process will hopefully mitigate the concerns about implementation. She expressed confidence that data provided by Evergreen Solutions could be validated. She added, “Focusing on an implementation plan and prioritization of that implementation plan will be key.”

Both Council Member Moye and Administrator Fragoso noted that the City is likely to be closely aligned with wages and salaries as indicated by the lack of an employee retention issue among the staff. Council Member Streetman expressed the need to take the recommendations from this plan and weave it into the Strategic Planning Process.

VOTE: The motion passed unanimously.

4. Executive Session

MOTION: Council Member Streetman made a motion to move into Executive Session pursuant to §30-4-70(a)(2) to receive legal advice regarding the settlement proposal from Morgan Creek Grille and to receive a legal update regarding the eviction proceedings against Tidal Wave Watersports. The motion passed unanimously.

City Council moved into Executive Session at 6:46pm.

City Council returned from Executive Session at 7:38pm. Mayor Carroll said no decisions were made.

MOTION: Council Member Moye made a motion to advise City legal counsel to proceed with negotiations and accept the settlement as proposed with regards to Morgan Creek Grill. Council Member Streetman seconded the motion. The motion passed unanimously.

5. Adjournment

Council Member Buckhannon made a motion to adjourn and Council Member Moye seconded the motion. The meeting was adjourned at 7:40pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



SPECIAL CITY COUNCIL MEETING

6:00pm, Tuesday, January 5, 2021

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

2. Purpose

A. Announcement of Appointments to Standing Committees for 2021

Mayor Carroll announced the following appointments to the Standing Committees for 2021:

Public Safety: Council members Ward, Pounds, and Bell

Public Works: Council members Streetman, Smith, and Ward

Recreation: Council members Smith, Buckhannon, and Pounds

Personnel: Council members Moye, Buckhannon, and Bell

Real Property: Council members Popson, Streetman, and Moye

B. Announcement of appointment to CARTA Board of Directors

Mayor Carroll announced the appointment of Council Member Jimmy Ward to the CARTA Board of Directors.

C. Announcement of appointment to Charleston Visitors Bureau

Mayor Carroll announced the appointment of Council Member John Moye to the Charleston Visitors Bureau.

D. Announcement of appointment to the Charleston, Berkeley, Dorchester Council of Governments

Mayor Carroll announced the appointment of Council Member Philip Pounds to the Charleston, Berkeley, Dorchester Council of Governments.

E. Announcement of appointment to Boards and Commissions as recommended by the Personnel Committee

Mayor Carroll announced the following appointments as recommended by the Personnel Committee:

Planning Commission: David Cohen, Steven Corney, and Sandy Stone for two-year terms expiring 12/31/2022

Accommodations Tax Advisory Committee: Ray Burns, Julies Spell, and Douglas Truslow for three-year terms expiring 12/31/2023

Board of Zoning Appeals: Brian Abel for a three-year term expiring 12/31/2023.

F. Announcement of Appointment of City Attorney

Mayor Carroll announced the appointment of Jim Hinchey as the City Attorney.

G. Consideration of Emergency Ordinance 2021-01 – Emergency Ordinance to Extend and Alter the COVID-19 Response Protocol

MOTION: Council Member Ward made a motion to extend the emergency ordinance for 60 days. Council Member Moye seconded the motion.

Administrator Fragoso said this ordinance is the same as Ordinance 2020-14 as approved by City Council on November 17, 2020. This ordinance will extend the face covering requirement, the City's ability to continue holding virtual meetings, allow for outdoor dining, and require all restaurants and businesses to follow the Governor's orders.

Council Member Buckhannon asked when in-person meetings could be resumed. Council Member Streetman said while he is not opposed to in-person meetings, the live streaming for meetings in City Hall needs to be improved first. Mayor Carroll said it can be discussed, but social distancing requirements severely limits the number of citizens who could attend a meeting. He said a Special Meeting to discuss in-person meetings could be scheduled if need be.

VOTE: The motion passed unanimously.

4. Adjournment

Council Member Buckhannon made a motion to adjourn and Council Member Streetman seconded the motion. The meeting was adjourned at 6:14pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Ellicia Howard, Procurement Manager
Phone: (803) 737-0687
Email: ehoward@mmo.sc.gov

Materials Management Office
1201 Main Street, Suite 600
Columbia, South Carolina 29201

Page: 1
Date: 11/1/2020

LAW ENFORCEMENT VEHICLE INDEX

	Initial Contract Term	Contract Rollover Dates		Order Cut Off Date	Base Price
<u>LE-4 - Law Enforcement, Pursuit Rated Sedan, V8 RWD with Add Option to V6 AWD, Gas</u> 2021 Dodge Charger LDDE48 RWD V8 Pursuit	11/1/20 - 10/31/21	TBD	TBD	TBD	\$25,250.00
<u>LE-7 - Law Enforcement, Pursuit Rated, Mid-Size Utility Vehicle, V6 AWD with Add Option to V8 AWD, Gas</u> 2021 Dodge Durango AWD V6 Pursuit WDEE75	11/1/20 - 10/31/21	TBD	TBD	TBD	\$30,540.00
<u>LE-8 - Law Enforcement, Pursuit Rated, Full Size Utility Vehicle, RWD w/4x4 Add Option, Gas</u> Chevrolet Tahoe CC10706 9C1	11/1/20 - 10/31/21	TBD	TBD	TBD	\$34,478.00
<u>LE-9: Police Utility Intermediate - All Wheel Drive, Pursuit-Rated, Hybrid or FFV</u> Ford Police Interceptor Utility K8A	11/1/19 - 10/31/20	11/1/20 - 10/1/21		TBD	\$32,603.00

LE-7 - Law Enforcement, Pursuit Rated, Mid-Size Utility Vehicle, V6 AWD with Add Option to V8 AWD, Gas?

<u>Contract Number:</u>	4400024877	<u>Contractor:</u>	Performance CDJR
<u>Initial Contract Term:</u>	11/1/2020 - 10/31/2021	<u>Address:</u>	605 Warsaw HWY Clinton NC 28338
<u>Contract Rollover Dates:</u>	TBD TBD	<u>Vendor #:</u>	7000241847
<u>Order Cut Off Date:</u>	TBD	<u>Contact:</u>	Amy Hill
<u>Model:</u>	2021 Dodge Durango AWD V6 Pursuit WDEE75	<u>Email:</u>	ahill@ramclinton.com
<u>Commodity Code:</u>	07105	<u>Telephone:</u>	336-687-7964
<u>Delivery Days ARO:</u>	90-120	<u>Fax:</u>	

BASE PRICE **\$30,540.00**

*Click on the link above for an itemized listing of items included in the base price.

Optional Additions

<i>Anti-Theft Device (i.e. TREMCO or Computer Controlled Shift from Park Prevention)</i>	No Charge
<i>Engine Upgrade from V6 to V8</i>	\$2,632.00
<i>Full Wheel Covers</i>	\$306.00
<i>Interior Upgrade from Police Interior Package (center console added, full-vehicle cloth seating, carpet flooring)-Not street appearance-still has spotlight and standard wheels</i>	\$264.00

Optional Deductions

<i>Driver Side-Mounted Spotlight</i>	\$478.00
<i>Distance from Dealership to SFM Delivery Point</i>	\$12.00
<i>Header-Mounted Switch Controlled High Intensity Map Light (Law Enforcement Dome Light)</i>	Standard Equipment

Delivery Information

Distance from Dealership to SFM Delivery Point	12
Amount of Base Price Allocated to Delivery to SFM	\$18.00
Price Per Mile Contractor May Charge	\$1.50

[Return to Index](#)

January 12, 2021

City of Isle of Palms
P.O. Drawer 508
Isle of Palms, SC 29451



Attn: Mr. Douglas Kerr
Director of Building, Planning and Licensing
dkerr@iop.net

Re: Proposal for Construction Oversight
IOP Marina Rehabilitation
Isle of Palms, South Carolina
Insight Group Number: 21-0003

Dear Mr. Kerr:

Please see the attached budget estimate for construction oversight services during the IOP Marina Rehabilitation project in Isle of Palms, South Carolina.

Our construction consultant will be utilized on a part-time basis (5 hours per week) to provide construction oversight of the rehabilitation activities.

Should any of our assumptions be inconsistent, please let us know so that we can make any necessary changes to this proposal.

We appreciate the opportunity to be of service to the City of Isle of Palms on this project. If you have any questions concerning this report, please contact us.

Sincerely,
INSIGHT GROUP

A handwritten signature in black ink, appearing to read 'D.W. Ray'.

David W. Ray
Construction Consultant

A handwritten signature in black ink, appearing to read 'William R. Christopher'.

William R. Christopher, P.E.
Consultant



January 12, 2021

CONSTRUCTION MATERIALS TESTING SERVICES

Isle of Palms Marina
Isle of Palms, SC

Description	QTY	Unit	Unit Price (\$)	Total Cost (\$)
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Construction Oversight				
Construction Consultant - Preconstruction Meeting	4	hr	\$ 110.00	\$ 440.00
Construction Consultant - 5 hours per week	105	hr	\$ 110.00	\$ 11,550.00
Construction Consultant - Additional visits	25	hr	\$ 110.00	\$ 2,750.00
			Subtotal:	\$ 14,740.00

Total	\$14,740.00
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Inspector rates include field equipment necessary to perform the inspection task



**Ways & Means Committee Meeting
6:00pm, Tuesday, January 19, 2021
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 Pounds, Streetman, Popson, Bell, Buckhannon, Smith, Moyer, Ward, and Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Treasurer Suggs, various City Department heads

2. Election of Chair and Vice Chair

Council Member Popson nominated Council Member Ward as Chair of the Ways and Means Committee. Mayor Carroll seconded the nomination.

Council Member Moyer nominated Council Member Pounds as Chair of the Ways and Means Committee. Council Member Streetman seconded the motion.

Votes were taken as follows:

For Council Member Ward as Chair of the Ways and Means Committee:

Ayes: Popson, Ward, Buckhannon, Carroll

Nays: Bell, Pounds, Streetman, Smith, Moyer.

The motion failed.

For Council Member Pounds as Chair of the Ways and Means Committee:

Ayes: Bell, Popson, Pounds, Streetman, Smith, Moyer, Buckhannon

Nays: Ward, Carroll

The motion passed. Council Member Pounds was elected as Chair of the Ways & Means Committee.

Council Member Buckhannon nominated Council Member Ward as Vice Chair of the Ways & Means Committee. Council Member Popson seconded the motion. The motion passed unanimously. Council Member Ward was elected as Vice Chair of the Ways & Means Committee.

3. **Approval of previous meeting's minutes – November 18, 2020**

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

3. **Citizen's Comments -- none**

4. **Financial Statements – Treasurer Suggs**

Treasurer Suggs reviewed the financial reports with Committee members. She reports that 6 months into the fiscal year the City has fared well despite the COVID lockdowns and restrictions. She forecasts they will beat the budget in many areas. The capital projects fund will be under the expenditure budget by \$2.7M, with most of that being carryover for the Phase III drainage project since most of the work will happen next year.

She added, "There is no forecasted variance in the [tourism fund] budgets on the expenditure side. Digging down into the General Fund revenues, property taxes, local options sales taxes have been running well. We still have some big property tax checks to receive but there is no indication that they will be negatively impacted by COVID."

There could be some impact on business licenses when they renew in the Spring. Rental license revenue has come in over budget. While income from utilities and building permits have also beat the budget, parking revenues have seen a decline.

She reported significant overtime has been posted due to COVID-related illnesses and diagnoses, but the City has received \$72,000 from the CARES Act to help cover those costs. "Year-to-date, we are at 45% versus a target of 50 [percent]."

There is \$3.4M in cash and \$22M in the General Fund versus \$20M at this time last year.

Year-to-date revenues are only \$523,000 less than last year, with \$370,000 of that being the County ATAX pass-through.

Treasurer Suggs reviewed the tourism-related taxes. Municipal ATAX and State ATAX are both coming in over projections, while Hospitality taxes have seen a significant decline.

Some moving and final expenses are still posting on the Public Safety Rehabilitation Project worksheet. The project is expected to come in approximately \$600,000 under budget. There will also be approximately \$250,000 returned to the City from the builder's contingency.

Administrator Fragoso said there are punch list items being tended to by Trident Construction. A new plaque commemorating the updated work done on the Public Safety Building is ready to be placed on the building when all work is complete.

Only engineering-related expenses have been incurred on the Phase III Drainage project to date. Engineering-related expenses and one invoice from Salmon's Dredging have been incurred with regards the Marina Rehabilitation Project.

5. **Old Business –none**

6. New Business

A. In accordance with §1-10-3(c), report on expenditure of \$15,984 to Berkeley Heating and Air for the replacement of a 15-ton HVAC unit in the Recreation Center Gymnasium [FY21 Budget, Capital Projects Fund, Recreation, Capital Outlay - \$15,984]

Administrator Fragoso reported on the expense of replacing the HVAC unit in the Recreation Center Gymnasium. She said the budget had \$12,000 for this expense, but savings in other areas of the department budget will cover the difference. It was approved as an emergency expense.

B. Consideration of purchase of two (2) Dodge Durango AWS V6 Pursuit SUVs for the Police Department in the amount of \$30,540 each [FY21 Budget, Capital Projects Fund, Police Capital Outlay - \$41,000 and State Accommodations Tax Fund, Police Capital Outlay - \$41,000]

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

Administrator Fragoso said these cars are budgeted expenses and their purchase has been recommended by the Public Safety Committee. Chief Cornett said his goal is to move away from sedan-style vehicles and move to SUVs. He said this Dodge Durango will work better for longer in the beach environment. Even with all the upfitting and markings needed, the vehicle purchases will still come in under budget.

Chief Cornett reported that the vehicles are being treated with SaltAway when they come off the beach to help prolong their lives. He said the addition of another Polaris vehicle will keep the cars and SUVs off the beach. Council Member Buckhannon asked the Public Safety Committee to look into the possibility of adding a washout station to the Public Safety Building, similar to the one at Public Works.

VOTE: The motion passed unanimously.

C. Consideration of proposal from Insight Group to provide construction oversight services during the IOP marina restaurant renovation in the amount of \$14,740 [FY21 Budget, Marina Fund, Professional Services, \$252,000]

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

Administrator Fragoso shared the work done by the Insight Group on behalf of the City during the Public Safety Rehabilitation Project was very successful. She said this proposal reflects a similar number of work hours for the marina restaurant renovation. She said that exterior restaurant construction expected to begin mid-February and finish at the end of May with the interior construction finishing sometime in early July.

Administrator Fragoso said this expense was not spelled out in the project budget. It is suggested this expense come from Marina Fund Professional Services, which is currently over budget for legal expenses related to the ongoing litigation with the former watersports tenant and expenses associated with the development of the real estate contract. Despite this overage, staff

recommends the expenditure to protect the City's interest. Council members agreed it is a worthy and necessary expense.

VOTE: The motion passed unanimously.

D. Discussion of FY22 budget calendar, revenue forecast, and budget assumptions

Administrator Fragoso reviewed the proposed timeline for preparing, discussing, and approving the FY22 budget. Discussion ensued about the relevancy and ratio of revenue sources to the City.

Council Member Pounds reviewed several budget assumptions with Committee members. He said that while coastal communities have fared well despite COVID restrictions and lockdowns, he did not want the budget to assume any more than pre-COVID/FY19 levels. Council Member Ward agreed with this conservative budgeting approach. The proposed budget will include some assumptions regarding the new Wild Dunes hotel and the marina restaurant. Council Member Moye will report on any industry-related projections shared by the CVB at their upcoming meeting.

Mayor Carroll spoke to the need to address the tax assessment situation regarding the 2.3 acre property at the marina.

7. Miscellaneous Business

The next meeting of the Ways & Means Committee will be Tuesday, February 16, 2021 at 6pm.

8. Adjournment

Council Member Streetman made a motion to adjourn and Council Member Moye seconded the motion. The meeting was adjourned at 6:00pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



Public Safety Committee
3:00pm, Thursday, January 7, 2021
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 Bell, Pounds, and Ward

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Chief Cornett, Chief Hathaway

2. Election of Chair and Vice Chair

Council Member Pounds nominated Council Member Bell for Chair of the Public Safety Committee. There being no other nominations, the vote for Council Member Bell as Chair of the Public Safety Committee was unanimous.

Council Member Bell nominated Council Member Pounds for Vice Chair of the Public Safety Committee. There being no other nominations, the vote for Council Member Pounds as Vice Chair of the Public Safety Committee was unanimous.

3. Approval of previous meeting's minutes – November 9, 2020

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

4. Citizens' Comments -- none

5. Old Business

A. Update of pedestrian crosswalks and intersection safety

Administrator Fragoso reported, "The City has been working with Stantec and the Wild Dunes Resort with SCDOT's approval of installation of new crosswalks along this stretch [Palm Boulevard between 41st and 57th avenues]. Along this stretch there are five that have been permitted by SCDOT. We submitted the encroachment permit. They have been reviewed. They have been approved by the agency, and all those construction and design documents have been finalized. We are working with the Wild Dunes Resort on the construction of these. They have gracefully, and we are so grateful for their offer to cover the cost of the construction of these crosswalks." The goal is to have installation of the new crosswalks complete by the end of March, which is the expected opening of the hotel.

Chief Cornett will email a video to Committee members of the rapid rectangular flashing beacons. He reported that SCDOT receives complaints about their brightness at night when installed in residential areas. Installation costs approximately \$10-\$15,000 per crosswalk. He suggested it may be worth considering having a pair installed at the crosswalk near the shopping center.

B. Update on Front Beach Loading zones and parking

Chief Cornett said he has reached out to the company who said they could paint the newly designated loading zones for \$3,000. He said the signs will say, "Loading Zone Only, 8am-2pm," which will require no change to the City ordinance. Those loading zone spots will become regular parking spaces after 2pm. Five signs will be needed.

6. New Business

A. Consideration of purchase of two (2) Dodge Durango SWD V6 Pursuit SUVs for the Police Department in the amount of \$30,450 each [FY21 Budget, Capital Projects Fund, Police Capital Outlay - \$41,000 and State ATAX Fund, Police Capital Outlay - \$41,000]

Administrator Fragoso said these cars are budgeted expenses. Chief Cornett said his goal is to move away from sedan-style vehicles and move to SUVs. He said this Dodge Durango will work better in the beach environment. Even with all the upfitting and markings needed, the vehicle purchases will still come in under budget.

MOTION: Council Member Bell made a motion to approve the request as per Chief Cornett's description and recommend it to the Ways & Means Committee. Council Member Pounds seconded the motion. The motion passed unanimously.

7. Highlights of Departmental Reports

A. Fire Department – Battalion Chief/Training Officer Hathaway

Chief Hathaway reported there were 87 calls for service in December, which was a 43% increase over December 2019. However, year-to-date calls for service are down 14% from 2019. He reviewed the notable events and activities for December including the old ladder truck being traded in and Chief Graham's retirement.

B. Police Department – Chief Cornett

Chief Cornett shared the City received a grant of approximately \$70,000 that will go towards the costs of a beach patrol vehicle, a trailer to pull the beach patrol vehicles, and a mobile digital billboard sign "along with \$20,000 of overtime money for patrolling the beach during the COVID response."

He also reported that staff has begun receiving the COVID vaccine. One of the patrol vehicles is out of service and will cost too much to fix. This particular vehicle was not slated to be replaced until next year, so discussion on its replacement will happen in the near future. A boat that ran aground within Wild Dunes is being removed.

Chief Cornett stated there were 830 calls for service in December. The total number of calls for service in 2020 was 16,869, which is a 50% reduction from 2019. There were 62 incident reports taken in December, closing out the year with 1,043, which is about average. Significant incident increases could be found in DUI arrests and marijuana and narcotic-related charges. He also shared an analytical map of the island indicating locations of incidents.

8. Miscellaneous Business

The next meeting of the Public Safety Committee will be on Thursday, February 4, 2021 at 3pm.

9. Adjournment

Council Member Pounds made a motion to adjourn, and Council Member Bell seconded the motion. The motion passed unanimously. The meeting was adjourned at 3:28pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



PUBLIC WORKS COMMITTEE
4:30pm, Wednesday, January 6, 2021
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 Smith, Streetman, Ward

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Director Pitts, Asst. Director Asero, Director Kerr

2. Election of Chair and Vice Chair

Council Member Streetman nominated Council Member Ward for Chair of the Public Works Committee. There being no other nominations, the vote for Council Member Ward as Chair of the Public Works Committee was unanimous.

Council Member Ward nominated Council Member Streetman for Vice Chair of the Public Works Committee. There being no other nominations, the vote for Council Member Streetman as Vice Chair of the Public Works Committee was unanimous.

3. Approval of previous meeting's minutes – November 5, 2020

Council Member Streetman made a motion to approve the minutes of the November 5, 2020 meeting, and Council Member Smith seconded the motion. The motion passed unanimously.

4. Citizens' Comments -- none

5. Department Reports – Director Pitts and Assistant Director Asero

Director Pitts reported garbage collection for November and December was up “a good bit” from 2019. Vehicle maintenance costs were under budget for both November and December. Only \$27,000 of a budgeted \$90,000 has been spent through the first half of FY21.

Asst. Director Asero said the drainage installation at 23rd Avenue and Harnett Blvd. has been completed. He also reported on various other drainage-related projects including: the cleaning of the inlet/pipe at the municipal lot, drop inlets being uncovered at 41st & Frank Sottile Lane and at 3405 Harnett Blvd., and the scheduling of drainage repair at Driftwood Lane for January 25, 2021.

The condensation remediation work at the Public Works building has been completed. There was a final walk-through of the Public Safety building. Instruction on the new fire alarm system at

the Public Works Building was performed by the contractor. Fire inspection at the Public Works Building is in compliance and up to date.

Estimates for the brick paver aprons at the front beach are being collected. Heavy pruning and cleanup of the 14th Avenue beach access path has been completed. Staff is also reviewing the estimate for the mowing of the rights of way. The estimate is under budget. The acorn light at the 14th Avenue and the IOP Connector has been updated and replaced. PW staff conducted a citywide inventory of street signs to aid in determining what signs need replacing. Older police department radios have been reprogrammed for Public Works staff, so that all trucks have communication abilities.

Asst. Director Asero noted the orange fencing between 37th and 40th avenues can be taken down, but it first needs the approval of Chief Cornett.

6. Old Business

A. Update on Phase III Drainage Project and small internal projects

Asst. Administrator Hanna said the permits for the Phase III outfalls have been submitted through Thomas & Hutton. The critical area permit will be submitted before the end of the week. The City will submit a Letter of Permission or a Nationwide Permit to speed up the permitting process. In the submittal for SCDOT encroachment permits for all three outfalls, Thomas & Hutton has asked for the Forest Trail project to be reviewed first.

He continued, “On the subject of the small but high-impact internal projects, the Notice to Proceed has been issued for January 18, 2021. The substantial completion is set for May 18, 2021. Obviously, that is going to be weather permitting and a number of other things, and then final completion would be June 17, 2021.” These projects to be completed are at Forest Trail, Sparrow Drive, Cross Lane, 32nd Avenue, and 41st Avenue.

B. Discussion of Dominion Energy’s Non-Standard Service Fund and list of eligible projects

Administrator Fragoso stated that Dominion Energy has provided a list of and updated costs estimates for eligible projects. Staff is currently evaluating that list of projects. Representatives from Dominion Energy can participate in next month’s Public Works Committee meeting to provide more details about the estimates. She said, “We will be talking about how to prioritize these projects based on a couple of factors. Aesthetics, obviously cost, how accessible it is, how close it is to trees and susceptible to damage.”

C. Update on Memorandum of Understanding (MOU) between the City and Dominion Energy ahead of next tree-trimming cycle

Administrator Fragoso reported that Dominion Energy has submitted some suggested legal language for the MOU. She said the MOU “not only deals with communication to the community but also a process by which the community can be educated ahead of time knowing where the next tree trimming is expected to be and if there are any mitigating factors that we could take into consideration ahead of time.”

Council Member Smith said, “I would just encourage that we not let Dominion Energy set the ball in motion too much. We need to make sure that we are representing the community. They obviously are very skilled at handling municipalities as they do it all over. I think we need to again remember that they are a for-profit company and that they have a certain set of stakeholders that they need to speak to, and we need to make sure that we are representing ours.”

7. New Business

A. Request for Adjustment of Easement at 2305 Waterway Boulevard

Mr. Rick Roberts came before the Committee seeking final approval of his request to move drainage on his property at 2305 Waterway Boulevard. He had been granted conceptual approval prior to the COVID lockdowns, and now that the project has been reviewed by engineers and Charleston County Stormwater, he is seeking final approval.

Administrator Fragoso confirmed the project has been reviewed by Charleston County engineers who have determined that the storm water drainage will have no impact over this construction. Mr. Roberts could begin construction upon receipt of final approval from the Public Works Committee. She shared, “After the construction is completed, it would be inspected by Charleston County to ensure that the construction was done in accordance with the approved design and the design reviewed by Charleston County Stormwater. That is done by Charleston County, and then after that inspection is conducted, a final set of documents would be prepared and presented to City Council for final approval of the easement documents.”

She added, “I will also note there is a requirement that the contractor maintains a 20% maintenance guarantee for two years after the construction to mitigate or meet any potential failures or defects that would need to be handled.” Staff recommends the project for final approval.

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

B. Report of 2021 rate increase for trash pickup temporary staffing

Director Pitts reported that he received notice from Staff Zone of a rate increase for their contractor workers beginning in 2021. After speaking with other local temporary staffing companies, he has determined that the increase from Staff Zone is still less than the rates of the other staffing companies and will still be within the FY21 budget. Increases in that line item should be considered for FY22.

C. Discussion and Consideration of FY22 Transportation Sales Tax Eligible Projects

Administrator Fragoso reported that the two projects the City submitted earlier in the year for TST funding – resurfacing of Ocean Boulevard and resurfacing the Waterway Boulevard sidewalk – were denied. She suggests resubmitting their requests for those projects this year and asked Committee members if they had any other ideas for projects using those funds. The topic will remain on the agenda as potential projects are discussed.

D. Preliminary discussion regarding the creation of an Environmental Advisory Committee

Council Member Smith said this sort of committee is very common in municipalities across the country and she would like to see such a committee on the Isle of Palms. She said the Town of Cary, NC has a committee that would be a good model for the Isle of Palms. Council members Ward and Streetman agreed there is a lot of citizen expertise on the island that could be helpful on such a committee. The issue will be discussed further with the full City Council following the presentation of the Strategic Committee Survey results.

8. Miscellaneous Business

Council Member Ward would like to discuss the egress and ingress into the shopping center along the golf cart path at the next regular meeting. The next meeting of the Public Works Committee will be Wednesday, February 6, 2021 at 4:30pm.

8. Adjournment

Council Member Streetman made a motion to adjourn, and Council Member Smith seconded the motion. The meeting was adjourned at 5:20pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

PROJECT CHECKLIST
CHARLESTON COUNTY TRANSPORTATION SALES TAX PROGRAM
FY 2022 ANNUAL ALLOCATIONS PROJECTS

Providing as much of the following information as is known, or is applicable, will assist the Transportation Sales Tax Staff in completing the Objective Evaluation and Prioritization Process for each project requested. The Transportation Sales Tax staff acknowledges that not all requesting entities will have access to every item listed below, but accurate and complete information for as many of the items listed as possible will ensure that the benefits of each project are computed properly when all other projects within each category are evaluated.

GENERAL

Requesting Agency: _____

Project Name: _____

Allocation Category Requested:

___ Local Paving

___ Intersection Improvements

___ Pedestrian/Bike Enhancement

Description of Project:

Brief explanation of the need for the project:

Project Location (attach map showing location)

Name of Municipality (if applicable): _____

County Council District: _____

Road Name: _____

Second Road Name: _____
(if Intersection Improvement Project)

Specific Beginning point: _____
(Intersecting street name, specific landmark, distance to closest road, etc.)

Specific Ending point: _____
(Intersecting street name, specific landmark, distance to closest road, etc.)

TECHNICAL PROJECT INFORMATION

For Local Paving Projects-

Number of homes or businesses being served by the project: _____

Average Daily Traffic (VPD) using the road: _____

Does the road serve a school bus route? _____

Does project provide relief to a congested road? _____

Does the project tie to an artery? _____

Does the project tie to a local paved road? _____

Does the project impact significant right of way, known wetlands, grand trees, or
other resources? _____

For Intersection Improvements-

Total number of accidents at this intersection in the last five (5) years: _____

Is the project intended to improve: _____ Safety
_____ Capacity
_____ Access

Does the project impact significant right of way, known wetlands, grand trees, or
other resources? _____

For Pedestrian/Bike Enhancements-

Will the project tie to another similar facility? _____

Total number of accidents at this intersection in the last five (5) years: _____

What type of road will the project serve? _____ Artery
_____ Collector
_____ Neighborhood Street

How many schools are there within the project limits? _____

How many parks are there within the project limits? _____

Is transit present within the project limits? _____

Will the project connect to a Greenbelt? _____

ADDITIONAL PROJECT INFORMATION

If requesting more than one project, the total number of projects being requested: _____

Of the projects being requested, this project ranks as the number _____ priority.
(1 being the highest, 2 being the second highest, etc.)

If available, please provide any cost estimates that you may have prepared for the project for:

_____	Design Services
_____	Right of Way Acquisition
_____	Construction
_____	TOTAL

Please attach any documentation of public support for the project you may have.
Also, please provide the dates of such documentation of support.
(Letters of support, petition(s), resolution(s) by city or town council, etc.)

Environmental Advisory Committee Proposal

- Our council has previously discussed creating as a way to add focus to environmental issues and provide more opportunities for citizen engagement.
- There are many examples of environmental advisory councils, committees and commissions advising local governments across the country. The state of PA has 140 municipal environmental advisory councils operating as of 2020. I looked more closely at PA guidelines and the Town of Cary, NC, in coming up with a potential framework.
- This makes a great deal of sense for a community like Isle of Palms, given the rich natural setting surrounding us and our responsibilities for protecting it.
- Public Works has a variety of high-profile issues to consider – drainage, sewer expansion, undergrounding powerlines in addition to normal operations– that makes it difficult to fully address environmental issues, which can involve other areas beyond Public Work’s traditional scope.

Suggested Mission: To advise City Council on matters of environmental impact, protections, conservation and sustainability by exploring innovations, best practices & data around changes.

Environmental Advisory Committee may address matters as requested by City Council and its committees, and on its own accord take up issues and initiatives that fit within its mission, with regular reporting to the council.

Goals to include:

- Protecting the environment, endangered species and natural resources.
- Reducing litter and pollution.
- Energy conservation.
- Environmental messaging and branding to promote best practices.
- Supporting Isle of Palms as a strong environmental leader in SC and model for other coastal communities.
- Developing and supporting partnerships with related community groups.

6 meetings a year – every other month

Membership

- 7 members
- 3-year terms, staggered
- Selected by Personnel Committee - typically at the same time other citizen committee appointments are made at the end of the year. In this inaugural year, the application process and selections would ideally be completed by May or June.
- Consider including a member of Public Works Committee as a liaison non-voting member.
- Process would encourage applicants with related expertise and engagement - professional or volunteer.



**Recreation Committee Meeting
8:00am, Monday, January 4, 2021
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, Pounds, and Smith

Staff Present: Asst. Administrator Hanna, Director Page, Director Kerr

2. Election of Chair and Vice Chair

Council Member Pounds nominated Council Member Smith for Chair of the Recreation Committee. Council Member Buckhannon seconded the nomination. The vote was unanimous in favor of Council Member Smith as Chair of the Recreation Committee.

Council Member Pounds nominated Council Member Buckhannon for Vice Chair of the Recreation Committee. Council Member Smith seconded the nomination. The vote was unanimous in favor of Council Member Buckhannon as Vice Chair of the Recreation Committee.

3. Approval of the previous meeting's minutes – November 2, 2020

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

4. Citizens' Comments –

City Clerk DeNeane read one statement from Rebecca Raisman of Mt. Pleasant who wants the beach to be open to everyone. The text of her statement is on the City's website alongside the agenda for this meeting.

5. Departmental Reports – Director Page

Director Page reviewed classes currently running at the Recreation Center. Class size is limited in number, and some classes also offer Zoom participation.

Two hundred cards visited Santa Lane in December. Many families participated in the cookie workshop which was held over two days to allow for social distancing. Doggie Day at the Recreation Center will be held in February. There will be no Front Beach Fest this year, but staff is working on hosting an outdoor movie in the municipal parking lot. Plans are still being made for Easter festivities. The Yard Sale will be held on April 17 with a reduced number of tables.

Director Page also shared how staff is managing the cleanliness and disinfecting of the building during and in between classes. She also detailed the numerous steps being taken to prevent the spread of COVID during basketball practice and games.

6. Old Business

A. Discussion of outlook for classes and activities in the Spring – covered in the departmental report

B. Discussion of surfing instruction

Asst. Administrator Hanna gave an overview of the surfing instruction initiative to bring Council members Buckhannon and Pounds up to date. He and Director Page noted that the City will not be requesting any safety requirements or certifications as part of the business licensing process for surfing instructors as it increases the City's liability exposure. Notification of the availability to provide surfing instruction on the beach will be launched following Second Reading of the ordinance at the regular January City Council meeting. Director Page pointed out that this is a pilot program that will sunset at the end of the beach season, so changes to the program can be considered at that time. Council Member Smith asked Asst. Administrator Hanna to review the language of the ordinance to be sure it does not limit the number of instructors per class.

7. New Business -- none

8. Miscellaneous Business

The next meeting of the Recreation Committee will be on Monday, February 1, 2021 at 8am.

8. Adjournment

Council Member Buckhannon made a motion to adjourn, and Council Member Pounds seconded the motion. The meeting was adjourned at 8:32am.

Respectfully submitted,

Nicole DeNeane
City Clerk



Personnel Committee
9:00am, Tuesday, January 5, 2021
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 Bell, Buckhannon, and Moye

Staff Present: Administrator Fragoso, Asst. Administrator Hanna

2. Election of Chair and Vice Chair

Council Member Bell nominated Council Member Moye as Chair of the Personnel Committee. Council Member Buckhannon seconded the motion. The vote for Council Member Moye as Chair of the Personnel Committee was unanimous.

Council Member Buckhannon nominated Council Member Bell as Vice Chair of the Personnel Committee. Council Member Moye seconded the motion. The vote for Council Member Bell as Vice Chair the Personnel Committee was unanimous.

3. Approval of previous meeting's minutes – November 12, 2020 and November 24, 2020

MOTION: Council Member Bell made a motion to approve the minutes of the November 12 and November 24 meetings. Council Member Buckhannon seconded the motion. The motion passed unanimously.

4. Citizens' Comments – none

5. Old Business

A. Update on Wage and Compensation Analysis

Administrator Fragoso said the contract with Evergreen has been executed and there will be a kickoff meeting on January 7 to discuss goals, expectations, and work timelines.

B. Update on Fire Chief hiring process

Administrator Fragoso said that the 77 applications received for this position have been narrowed down to 10 candidates. Three days of interviews with members of the Personnel and Public Safety committees will be held next week. Council Member Moye indicated this search process is different from the processes for the City Administrator and Police Chief in that it is

being done entirely remotely. Due to the larger number of final candidates, there will likely be a second round of interviews with 2-3 remaining candidates.

6. **New Business**

7. **Miscellaneous Business**

The next meeting of the Personnel Committee will be Tuesday, February 2, 2021 at 9am.

8. **Executive Session**

MOTION: Council Member Moye made a motion to move into Executive Session in accordance with §30-4-70(a)(1) to discuss employment matters related to the search for a new Fire Chief. Council Member Bell seconded the motion. The motion passed unanimously.

The Committee moved into Executive Session at 9:09am.

The Committee returned from Executive Session at 9:47am. Council Member Moye reported that no decisions were made.

7. **Adjournment**

Council Member Buckhannon made a motion to adjourn, and Council Member Bell seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:47am.

Respectfully submitted,

Nicole DeNeane
City Clerk



REAL PROPERTY COMMITTEE

1:30pm, Monday, January 4, 2021

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 Moye, Popson, and Streetman

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Director Kerr

2. Election of Chair and Vice Chair

Council Member Moye nominated Council Member Streetman for Chair of the Real Property Committee. Council Member Popson seconded the nomination. The vote was unanimous for Council Member Streetman as Chair of the Real Property Committee.

Council Member Moye nominated Council Member Popson for Vice Chair of the Real Property Committee. Council Member Streetman seconded the nomination. The vote was unanimous for Council Member Popson as Chair of the Real Property Committee.

3. Approval of previous meeting's minutes – November 4, 2020

Council Member Popson made a motion to approve the minutes of the November 4, 2020 meeting and Council Member Moye seconded the motion. The minutes passed unanimously.

4. Citizens' Comments -- none

5. Marina Tenant Comments -- none

6. Old business

A. Update on marina rehabilitation project

Administrator Fragoso reported that the bulkhead cleaning is ongoing and going smoothly. They have been working around the tide schedule which has been challenging but also successful. She is reviewing a change order along with ATM which will credit the City \$37,000 for the specified joint sealant that is no longer being manufactured. The epoxy being applied has been determined to be sufficient, and the contractor is suggesting the resulting savings should be used for ongoing maintenance of the bulkhead.

ATM is reviewing the layout for the submittal to the dock manufacturer, who has indicated some delay in the delivery of the dock. An updated work schedule will be provided to the Committee and all stakeholders.

Administrator Fragoso also reported, “we have currently received a new pay application from Salmon’s Dredging that we are evaluating. We are also in the process of executing the boating infrastructure grants the City received for the components of the fuel hut and the fuel dock, roughly around \$60-70,00 that the City was awarded.” The contract is being reviewed by DNR and the City Attorney. The matching funds for this grant are already included in the project budget.

B. Update on proposed ADA-compliant dual-purpose beach boardwalk at 42nd Avenue

Administrator Fragoso gave a brief history of the project for the benefit of Council members Moye and Streetman. She reported the City has submitted a letter to the Greenbelt Fund for the new project. No response has been received to date, but that committee meets later this month. She also shared that she spoke with the Executive Director of the fund who does not anticipate there being an issue with approving the new scope of the project. The cost of the new project is approximately \$75,000, which includes installation and contingency. The budget for the original project was approximately \$130,000. Unused monies remain in the City’s greenbelt fund and can be used for additional beach access improvements. The revised project costs include the additional space to the side of the beach boardwalk for people to step out of the main pathway.

C. Discussion of conceptual designs of the proposed public dock and greenspace at the IOP Marina

Administrator Fragoso reported she has received feedback on the proposed project from the restaurant owners and will be following up with the Marina Manager for his feedback. Staff is also working on getting pricing for the design. Administrator Fragoso expressed thanks to citizens who provided input on the plan for the public dock and greenspace. Staff will be meeting with Kelly Messier soon to review the comments and see what changes she would propose based on the comments. A revised plan and the public comments will be presented to the Committee. Committee members thanked Kelly Messier for her design work.

6. New Business -- none

7. Miscellaneous Business

The next meeting of the Real Property Committee will be held on Monday, February 1, 2021 at 1:30pm.

8. Adjournment

Council Member Popson made a motion to adjourn and Council Member Moye seconded the motion. The meeting was adjourned at 1:54pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



BOARD OF ZONING APPEALS

4:30pm, Tuesday, January 5, 2021

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: Glenn Thornburg, Elizabeth Campsen, Arnold Karig, Carolyn Holscher, Brian Abel, and Douglas Kerr, Director of Planning

2. Election of Chair and Vice Chair

Mr. Karig nominated Elizabeth Campsen for Chair of the Board of Zoning Appeals. Ms. Holscher seconded the nomination. There being no other nominations, the vote for Ms. Campsen to be Chair of the Board of Zoning Appeals was unanimous.

Ms. Campsen nominated Glenn Thornburg for Vice Chair of the Board of Zoning Appeals. Mr. Karig seconded the nomination. There being no other nominations, the vote for Mr. Thornburg to be Vice Chair of the Board of Zoning Appeals was unanimous.

3. Approval of Previous Meeting's Minutes

Mr. Karig made a motion to approve the minutes of the July 7, 2020 meeting as presented, and Mr. Thornburg seconded the motion. The minutes were approved unanimously.

4. Swearing in of applicants

Ms. Campsen swore in Chris Jordan, Jay Leigh, Mark Yodice, Dave Lorenz, and Jon Bushnell. Director Kerr stated that he did not request the applicants for the home occupation requests to attend the meeting unless the need arose.

5. Home Occupations

A. 139 Sparrow Drive

Director Kerr said the applicant, Alice Tumage, is requesting a special exception to run a vacation rental management company from her home. There will be no employees and no exterior signage for the business. The home will be used for office work only. Ms. Tumage's husband already operates a home business in this location.

MOTION: Mr. Thornburg made a motion to approve the request, and Ms. Holscher seconded the motion. The motion passed unanimously.

B. 63 Twin Oaks Lane

Director Kerr said the applicant, Marion Martens, is requesting a special exception to run a second home and rental inspection business from her home. The home will be used for office work only, there will be no exterior signage. She will be inspecting rental homes as needed. There will be no employees.

MOTION: Ms. Holscher made a motion to approve the request, and Mr. Thornburg seconded the motion. The motion passed unanimously.

C. 106 Carolina Boulevard

Director Kerr said the applicant, Sean Cradock, is requesting a special exception to run a home office for a vacation rental management company. The home office will be used for office work only. There will be no employees or exterior signage.

MOTION: Mr. Thornburg made a motion to approve the request, and Ms. Holscher seconded the motion. The motion passed unanimously.

D. 9000 Palmetto Drive, Apt. 304D

Director Kerr said the applicant, Kate Matthews, is requesting a special exception to run a home office for a software coding and development business. There will be no employees and no exterior signage. The home office will be used for office work only.

MOTION: Ms. Campsen made a motion to approve the request, and Mr. Thornburg seconded the motion. The motion passed unanimously.

6. Special Exceptions

A. 624 Palm Boulevard

Director Kerr gave an overview of the zoning change request made by the Isle of Palms Water & Sewer Commission in order to purchase the lot at 624 Palm Boulevard as the site of a future sewer lift station. He reviewed the criteria necessary for approval from BOZA.

He then read a comment from Edward Park Williams, 701 Carolina Boulevard, who asked that the proposed location of the lift station on the property be reconsidered to a more neutral area further away from houses.

MOTION: Ms. Campsen made a motion to approve, and Ms. Holscher seconded the motion.

Mr. Leigh, Chairman of the Isle of Palms Water & Sewer Commission, said the lift station could be located anywhere on the property, and the current proposed location was chosen for safety and access reasons.

Board members considered the criteria needed for approval. Mr. Jordan, General Manager of the IOP Water & Sewer Commission, indicated this lift station would be approximately 6' in height

and surrounded by an 8' privacy fence. The required 10' vegetative buffer will need a break to allow for access.

There was extensive discussion about the future use of the remainder of the property and the importance of stipulating its use in the conditions for approval. Mr. Leigh stated that as a contingency of the sale nothing can be built on the property except for the lift station. The property is to be deed restricted for greenspace outside of the lift station. Proof of that deed restriction will need to be provided to the City. He also said that an additional beautification committee could be formed with the Water & Sewer Commission to deal with maintaining the property. He further suggested an advisory committee of City staff and members of the Garden Club could be helpful in deciding how to beautify the property. Mr. Leigh said it is the intent of the Water & Sewer Commission to keep the property better maintained than it is now.

Ms. Campsen made a motion to amend the approval with the condition that the residual space on the property become greenspace. Mr. Thornburg seconded the motion. The motion and second were later withdrawn so that all conditions could be added as one amendment.

Mr. Yodice, Engineer for Thomas & Hutton, indicated the location of the lift station could be moved on the property. He pointed out that future lift stations may not have that same amount of space allowing for such a relocation.

MOTION: Ms. Campsen made a motion to amend the approval to include the following conditions: any residual property not encumbered by the pump station or its footprint be deed restricted for public use or passive greenspace; the Water & Sewer Commission develop an interim maintenance and beautification plan from point of sale until the site is developed; and the location of the lift station is subject to relocation on that lot by the Water & Sewer Commission after consultation with the residential owners in the area. Mr. Thornburg seconded the motion. The motion to amend passed unanimously.

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

B. #80-41st Avenue

Director Kerr explained the request for an alteration to an existing special exception “that allows for the outdoor sales of food and drink at that property. In the City zoning code, food and drink is allowed to be sold outdoors in the GC-1 District only when the Board of Zoning Appeals approves it.” The request for alteration is being made “to allow them to transform a portion of the building that is currently indoor dining to become outdoor dining.” The area would become a covered outdoor porch. The four criteria required for a special exception, reviewed by Director Kerr, have been addressed in the application.

Regarding amplified music, Mr. Lorenz and Mr. Bushnell explained that there will be multiple speakers at lower volumes pointed in towards the restaurant. The music will be more ambient in nature, but sometimes may include a two-piece acoustic team on the weekends. Ms. Campsen pointed out the restaurant will need a noise control agreement with the City.

Mr. Dan Sweeney, architect for the restaurant, provided additional details about the design and structure of the outdoor porch area. Designs provided to the Board are schematic designs, and Mr. Sweeney does not expect any significant changes to them prior to construction.

Discussion ensued about the number of seats in the outdoor area.

MOTION: Mr. Thornburg made a motion to amend the approval to include the following stipulations: the restaurant and outdoor seating area must be in compliance with the City's noise ordinance and the noise ordinance agreement be entered into as quickly as possible; and to allow for seating up to 64 seats as long as it complies with existing applicable codes. Ms. Campsen seconded the motion. The amendment passed unanimously.

VOTE: The vote on the amended motion passed unanimously.

6. Miscellaneous Business

Board members welcomed Mr. Abel to the Board. Director Kerr indicated the annual legal briefing will need to be scheduled in the near future. Ms. Campsen said she would like to have the applicants for home occupations participate in future Zoom meetings.

7. Adjournment

Ms. Holscher made a motion to adjourn, and Mr. Thornburg seconded the motion. The meeting was adjourned at approximately 6:09pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



Planning Commission Meeting
4:30pm, Wednesday, January 13, 2021
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: Scott Pierce, Ron Denton, Steven Corney, David Cohen, Sandy Stone, Marty Brown, Lisa Safford, and Douglas Kerr, Director of Planning

2. Election of Chair and Vice Chair

Ms. Safford nominated Mr. Denton for Chair of the Planning Commission, and Mr. Pierce seconded the motion. There being no other nominations, the vote for Mr. Denton as Chair of the Planning Commission was unanimous.

Mr. Pierce nominated Ms. Safford for Vice Chair of the Planning Commission, and Ms. Safford declined the nomination.

Ms. Safford nominated Mr. Pierce for Vice Chair the Planning Commission, and Mr. Cohen seconded the nomination. There being no other nominations, the vote for Mr. Pierce as Vice Chair of the Planning Commission unanimous.

3. Approval of minutes

Mr. Pierce made a motion to approve the minutes of the December 9 regular meeting, and Ms. Safford seconded the motion. The motion passed unanimously.

4. New Business

Review of upcoming of RFP for drainage Master Plan

Director Kerr briefly reviewed the status of the upcoming drainage projects. Construction on the smaller internal project will begin at the end of the month. Phase III of the drainage project is expected to begin in a year.

He shared that City Council put money in the budget for a creation of a Master Plan for drainage and has requested the Planning Commission review the RFP, interview potential engineering candidates, and make a recommendation to the City Council. \$200,000 has been set aside in the budget for the completion of a Master Plan.

Director Kerr explained the RFP entails an analysis of the City's current drainage issues, identification of large and small projects that can be completed to mitigate those issues, and give the City a prioritized roadmap of those projects as well provide a cost/benefit analysis of the projects. He said the likely focus will be the area of the island from 30th Avenue to Breach Inlet. He expects the process of executing the RFP, reviewing the bid offers, and interviewing candidates to take approximately three months. Commissioners discussed runoff issues and said they would like to see that addressed in the Master Plan.

5. Old Business

Review of Economic Element of Comprehensive Plan

Director Kerr reviewed the Comprehensive Plan process for the newer members, noting that the previous Planning Commission had completed its review of three of its eight elements. Commissioners discussed the strategies and measures of success surrounding the economic goals of balancing the needs of residents and tourists with those of the environment; maintaining a sound tax base; and determining the impact of tourists on the island's revenue and cost structure. The remaining economic goals will be reviewed at the next regular meeting.

6. Miscellaneous Business

Director Kerr said he will reach out to the new Commission members to discuss orientation.

7. Adjournment

Mr. Cohen made a motion to adjourn and Mr. Brown seconded the motion. The meeting was adjourned at approximately 6:35pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2020-16

AN ORDINANCE AMENDING TITLE 7, LICENSING AND REGULATION, CHAPTER 3, BEACH AND MARINE RECREATION ACTIVITIES.

WHEREAS, the Isle of Palms Council is empowered with the authority to make substantive amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, The Isle of Palms Council believes it is necessary to limit commercial activity on the beach to preserve the quality of life for citizens and to preserve the environment and for the benefit of public safety for its residents and visitors;

WHEREAS, The Isle of Palms Council believes it is also beneficial to the community to provide access to safe, quality surfing instruction during the beach season;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 3, to allow for commercial surfing instruction within limits during the 2021 beach season.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED THAT TITLE 7, LICENSING AND REGULATION, CHAPTER 3, BEACH AND MARINE RECREATION ACTIVITIES, SHALL BE AMENDED TO READ AS FOLLOWS:

Sec. 7-3-20. - Commercial activities restricted.

No person shall sell or rent, or offer to sell or rent, any goods, merchandise, or services, or solicit any trade or business, on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge, except pursuant to a franchise granted by City Council, or pursuant to a City-sponsored activity or event.

Any commercial photographer or videographer who seeks to take photographs and/or shoot film or video in a professional capacity, must submit an application for a permit no later than fourteen (14) days prior to the shoot and satisfy the requirements to obtain such permit. The City may limit production of these activities at any time it believes it may create disruption on the beach or pose a health/safety risk to the public.

However, a commercial photographer who is not soliciting on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge, will not be required to obtain a permit to implement a prior contract to take still photographs on the beach for a fee. The use of the beach to take still photographs for a fee shall be limited to no more than one (1) hour on the beach per day for this activity.

Any commercial surf instructor with a valid City business license may provide surf lessons without a permit, until October 1, 2021, under the following conditions:

(a) Areas of surf instruction shall be dictated by the current boundary restrictions stated in the City Ordinances;

(b) Surf instructions shall be limited to groups of four (4) or fewer students and at least one instructor or less;

(c) Instruction shall not exceed more than two (2) hours per day per business license;

(d) Each instructor must have their own business license;

(e) All signs, merchandise or other articles that violate Article 7-SIGNS of the City's ordinances are prohibited; and

(f) Solicitation for students on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge is prohibited.

Additionally, a commercial surf instructor who is not soliciting on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge, will not be required to obtain a permit to implement a prior contract to instruct a group of not more than four people. The use of the beach shall be limited to no more than two (2) hours per day for each surf instructor. No signs, merchandise or other articles shall be displayed as dictated by Article 7.- SIGNS. This paragraph will stand until September 30, 2020. Effective On October 1, 2020, no commercial surf instruction will no longer be allowed on the beach.

(Code 1994, § 7-3-20; Ord. No. 1988-20, 9-14-1988; Ord. No. 2002-14, § 1, 10-22-2002; Ord. No. 2010-12, § 1, 9-28-2010; Ord. No. 2019-12, § 1, 7-23-2019)

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect on January 1, 2020.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2020

Jimmy Carroll, Mayor

(Seal)

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Attest:

Nicole DeNeane, City Clerk

First Reading:

Second Reading:

Ratification:

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- (c) Instruction shall not exceed more than two (2) hours per day per business license;
- (d) Each instructor must have their own business license;
- (e) All signs, merchandise or other articles that violate Article 7-SIGNS of the City's ordinances are prohibited; and

(e) Solicitation for students on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge is prohibited.

(Code 1994, § 7-3-20; Ord. No. 1988-20, 9-14-1988; Ord. No. 2002-14, § 1, 10-22-2002; Ord. No. 2010-12, § 1, 9-28-2010; Ord. No. 2019-12, § 1, 7-23-2019)

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SECTION 4. That this Ordinance take effect on January 1, 2020.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2020

Jimmy Carroll, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading:

Second Reading:

Ratification: