



**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, 32<sup>nd</sup> Avenue, and 41<sup>st</sup> 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 42<sup>nd</sup> 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 Moye 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 3<sup>rd</sup>-9<sup>th</sup> 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