



CITY COUNCIL MEETING
6:00pm, Tuesday, March 23, 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 Popson, Streetman, Moye, Ward, Bell, Pounds, Smith, Buckhannon, and Mayor Carroll

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

2. Citizens' Comments

Glenda Nemes, IOP resident, requested an analysis of parking-related costs “that includes all the local government services.” She would also like to see traffic studies completed. She expressed concern about SCDOT living “up to their legal obligations to maintain our roads and easements.” Ms. Nemes also spoke about the changes SCDOT recently made to the IOP Connector without any prior study. She would like to see a written affirmation from SCDOT that the City has the right to change from angled parking if it does not work as proposed or doesn’t meet the City’s safety needs and the right to change parking charges to defray the City’s parking-related costs.

Blair Hahn handed out information to Council regarding a traffic safety engineer. He came before Council “to address the conscious disregard to the safety of all individuals” with regards to the changes made to the IOP Connector by the SCDOT. He urged City Council “to take the appropriate steps to fight this disregard for the safety of all that travel the connector by immediately engaging appropriate traffic safety experts that are not influenced by the politics of South Carolina.”

Ted McKnight, speaking via Zoom, said the state government should stay out of local issues. He also spoke with concern about the changes made to the Connector by SCDOT. He said some of the federal monies SCDOT recently received should be used to widen Palm Boulevard. He said City Council should be discussing much needed changes to Palm Boulevard that include drainage for those areas where ponding occurs on the road surface, a paved berm between the roadway and the bike lane, a paved 5’ wide bike lane, a paved 4’ wide walkway, and individually improved designated parking spots “all the while maintaining our beautiful palm trees and also allowing for other such things as mailboxes, fire hydrants, street signs, and street lights.”

Beverly Miller came before Council to discuss concerns about S40 and H4028. She believes S40 undermines the principles of local governance. She said one clause of S40 “effectively transfers

decision making from the City to the Department of Transportation.” She is also concerned about the parking changes being made to Palm Boulevard and that any future decisions about parking on the island will be made by SCDOT without any input from stakeholders. A component of S40 that would mandate free parking along state highways on barrier islands is competing with H4028 which reaffirms current law that parking management belongs to the cities. She asked City Council to “pass a resolution opposing Senate Bill 40 and introduce and pass a resolution in support of House Bill 4028 to send the message to the legislature that this city believes in the preservation of local governance granted to all cities.”

Gary Nestler came before Council to express his concerns about the lack of transparency in the fire chief selection process. He believes the lack of a fire chief causes a public safety threat. He believes the process has been “peppered with demoralizing political commentary that has now negatively impacted the lifelong careers of our fire and public safety personnel and even made their relationship with our City Administrator quite tenuous.” He thanked Council Member Smith for visiting with fire personnel recently. He spoke highly of Battalion Chief Jason Smith and would like for him to be Fire Chief.

Morgan Harris also expressed her concerns about the changes to the IOP Connector by SCDOT. She quoted Senator Chip Campsen who recently sent a letter to SCDOT Secretary Hall, “the median of the Isle of Palms Connector is essential to ensure the safe travel of emergency vehicles to and from the island and revising the median will increase the frequency and duration of traffic jams and reduce response times for emergency vehicles.” She did not like that the changes were made without consultation from the City. She believes the new striping pattern puts bikers and walkers at more risk.

Kendra Stewart, Bob O’Neill, and Chelsea Dietrich of the Riley Center gave a brief overview of the results of the community survey conducted in December 2020 and January 2021. She said the 53% response rate to the survey represented about 15% of the island population. She said the highest satisfaction scores were for services provided by the Fire, Public Works, and Public Safety departments. Lowest satisfaction scores were for traffic flow and stormwater runoff. The survey showed a strong agreement on the top priorities of Council and the citizens. It was suggested that a survey like this should be done every two years.

The next steps in the Strategic Planning Process are for the department heads to complete their work on the strategies associated with the goals identified by City Council and the survey. Once that work is complete, it will be presented to Council and will be incorporated into the budget upon approval.

3. Consent Agenda

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

A. Approval of Previous Meetings’ Minutes

- i. Regular Meeting – February 23, 2021

ii. Special Meeting – March 12, 2021

B. Consideration of pursuing the following Dominion Non-Standard Service Fund eligible projects in FY22 (50%-50% cost share):

IOP Marina – overhead to underground conversion (estimate \$150,000-\$250,000)

21st Avenue – overhead to underground conversion (estimate \$30,000-\$80,000)

14th Avenue – overhead to underground conversion (estimate \$40,000-\$80,000)

4. Reports from Standing Committees

A. Ways and Means Committee

Council Member Pounds briefly reviewed the minutes of the March 16, 2021 meeting and the financial statements through February 28, 2021. Revenues to date are just under \$15M. He said revenues are “pretty good” considering the City did not receive the County pass-through of the Accommodations tax. However, that deficit has been offset by “strong municipal and State accommodation tax revenues.” Expenditures are just over \$12M for the year, largely due to some expenses being moved into FY22. Forecasts predict that revenues will exceed expenditures by approximately \$400,000 by June 30, 2021.

B. Public Safety Committee

Council Member Bell reviewed the minutes of the March 4, 2021 meeting.

i. Consideration of recommendation to change Front Beach loading zone times from 8am-2pm to 8am-5pm

MOTION: Council Member Bell made a motion to change the Front Beach loading zone times from 8am-2pm to 8am-5pm. Council Member Pounds seconded the motion.

Chief Cornett said the time change will allow for parking for hotel check-ins in the late afternoon.

VOTE: The motion passed unanimously.

ii. Discussion and consideration of implementing angle parking along the land side of Palm Boulevard between 22nd and 40th avenues

MOTION: Council Member Bell made a motion to approve angled parking long the land side of Palm Boulevard. Council Member Pounds seconded the motion.

Administrator Fragoso reported that City staff has been working with SCDOT to create this new parking plan for angled parking which they believe will be safer. The space allotted for angled parking allows for cars to back out of the space without backing into traffic and also creates space for cars to pull over when emergency vehicles need to pass through. SCDOT will be installing parking stops to delineate the parking spaces and also prevent people from driving on the sidewalks to exit their spots. Angled parking also eliminates the ability of drivers to create double and triple parking situations. Seventy-seven new parking spaces will be created with this plan. The remainder of the 2015 Managed Beach Parking Plan remains in place.

Administrator Fragoso reported that SCDOT intends to implement this plan in short order so that it is in place by Memorial Day weekend. She noted that this new parking arrangement will eliminate the need for so many different signs along Palm Boulevard. SCDOT will pay for the parking stops and is open to cost sharing the extra lawn care expenses involved in maintaining the grass around the parking stops. Chief Cornett agreed that angled parking does address many of the safety concerns in that area.

Council members expressed their thanks to Administrator Fragoso and the staff for their continued collaborative work with SCDOT in an effort to create a safe environment for citizens and visitors.

Administrator Fragoso said she could not speak to whether or not golf carts would be permitted to drive in the space between the parking stops and the sidewalk, adding there are more issues to address with regards to this change. A modified ordinance will be presented to City Council shortly.

VOTE: The motion passed unanimously.

Regarding the parking along Palm Boulevard from 46th-53rd avenues, Administrator Fragoso reported the police department will be installing signage in that area to indicate the 4' off pavement rule. Conversations have been initiated with SCDOT to discuss drainage improvements along the edge of the parking spaces. It will be important to address the drainage ditch while maintaining the parking spaces there in a safe way.

C. Public Works Committee

Council Member Ward reviewed the minutes of the March 3, 2021 meeting.

D. Recreation Committee

Council Member Smith reviewed the minutes of the March 1, 2021 meeting. Upcoming important dates include 3/29 for the summer camp lottery, 4/3 for a boating education class, 4/4 for the Easter Egg Drop, 4/5-9 for Spring Break Soccer Camp, 4/12 for the pickleball registration deadline, 4/17 for the Yard Sale, and 5/1 for a socially distanced Music and Movie in the Park.

E. Personnel Committee

Council Member Moye reviewed the minutes of the March 3, 2021 meeting. He summarized the Fire Chief selection process to date and deferred further conversation of the matter until Executive Session.

F. Real Property Committee

Council Member Streetman reviewed the minutes of the March 1, 2021 meeting.

Administrator Fragoso reported the first shipment of the dock has arrived and the next shipment is expected the first or second week of April. Work on the bulkhead is expected to be complete by the end of April, and work on the fuel hut design continues.

She also reported that additional structural issues have been uncovered at the restaurant that will cause a delay in their projected opening dates. The restaurant received approval from BOZA earlier in the month for changes to an outdoor seating area, and they continue to work with the Marina Manager on the parking.

5. Reports from City Officers, Boards, and Commissions

- A. **Accommodations Tax Advisory Committee** – minutes attached
- B. **Board of Zoning Appeals** – minutes attached
- 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. **Consideration of Ordinance 2020-23 – an ordinance amending Title 4, Public Utilities, Chapter 4, Commissioners of Public Works to change the method of election from petition to filing fee**

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

9. Introduction of New Bills, Resolutions, and Proclamations

10. Miscellaneous Business

- A. **The next Regular Meeting of the City Council will be on Tuesday, April 27, 2021 at 6pm.**

- B. **Discussion and consideration of formally opposing the restriping of the Isle of Palms Connector by SCDOT**

MOTION: Council Member Bell made a motion to approve discussion on the topic, and Council Member Streetman seconded the motion.

Council members expressed many of the same concerns about the restriping as mentioned by citizens earlier in the meeting.

MOTION: Mayor Carroll made a motion to write another letter to SCDOT opposing the restriping of the Isle of Palms Connector, requesting the data used to make that decision, and asking for more community involvement in the process. Council Member Bell seconded the motion.

Administrator Fragoso noted that the work on the Connector is not yet complete. More markings are being added. She said that staff is vigilantly monitoring activity on the connector. She said the recent changes did not contribute to any longer response time to a recent accident scene.

MOTION: Council Member Bell made a motion to amend requesting SCDOT pause all work “on the restriping of the Connector until such time we have complete discussions and ample data and comply with South Carolina law regarding the restriping and community involvement.” Council Member Streetman seconded the motion.

Council Member Pounds said the delay in completing the striping will only cause more confusion. Administrator Fragoso said she will inquire as to the cost of the restriping. Council Member Moye supported Mr. Hahn’s idea of a traffic study.

VOTE: A vote on the amendment to request a pause on the restriping work was taken as follows:

Ayes: Streetman, Bell

Nays: Moye, Ward, Popson, Buckhannon, Smith, Pounds, Carroll

The motion failed.

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

C. Discussion and consideration of reducing the size of Council and presenting proposal via referendum

MOTION: Mayor Carroll made a motion to reduce the size of City Council from 9 members to 7 members. Council Member Bell seconded the motion.

Mayor Carroll noted that should the issue pass via referendum this fall it would go into effect in the 2023 election cycle. Administrator Fragoso reviewed the process and timeline by which such a question could appear on the ballot in the fall. “It requires two readings of an ordinance for the referendum question to be presented. So the First Reading of the question would come before Council in June. July, it is ratified, and the referendum ordinance would include the question that is going to be presented to the community in a referendum in November. So the deadline to provide the question as approved by the ordinance to Charleston County [Board of Elections] would be in early August.” Notification would need be placed in the newspaper 60 days in advance to be ready for the municipal elections in the first week of November. A decision would need to be made by City Council no later than the end of May in order to have First Reading in June.

Council members Pounds and Streetman spoke in support of the change in Council size. Council Member Smith expressed some concerns about limiting the amount of citizen engagement and would like to see City Council continue to create more opportunities for engagement. She noted a lot of work has been done since she joined City Council. Council Member Popson agreed there is no reason to change something that works well.

Council Member Buckhannon expressed concern that a reduced Council size would create the need for Council members to be on more committees. Council Member Pounds said the committee structure would be revisited if the size of Council were reduced.

VOTE: A vote was taken as follows:

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

The motion passed 5-4.

D. Consideration of approval of commercial surf instruction application for Kyle Busey and Philip Antman

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

Administrator Fragoso said the applications have been reviewed for completeness. Council Member Smith noted this approval is not an endorsement of either instructor, only that they have met the City's requirements and they understand the rules and regulations surrounding surfing instruction on the beach. She reminded Council this is a pilot program that will sunset in mid-October.

VOTE: The motion passed unanimously.

11. Executive Session

MOTION: Council Member Streetman made a motion to go into Executive Session in accordance with §30-4-70(a)(1) to discuss employment and personnel matters related to the search for a new Fire Chief, in accordance with §30-4-70(a)(2) to receive legal advice regarding eviction proceedings against Tidal Wave Watersports, and in accordance with §30-4-70(a)(2) to receive legal advice regarding SCDOT actions on restriping of the Isle of Palms Connector and parking. Council Member Bell seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at 8:13pm.

City Council returned from Executive Session at approximately 9:45pm. Mayor Carroll said no decisions were made.

MOTION: Council Member Moye made a motion for the City Administrator to proceed with the implementation of the plan recommended by the retained expert and the City Administrator herself to retain Chief Cornett in his current temporary position and appoint two deputy chiefs to the Fire Department. Council Member Pounds seconded the motion. A vote was taken as follows:

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

The motion passed 5-4.

MOTION: Council Member Bell made a motion to have outside counsel proceed initiating legal action against Tidal Wave and its principles. Council Member Streetman seconded the motion. The motion passed unanimously.

No further action was taken with regards to SCDOT.

13. Adjournment

Council Member Pounds made a motion to adjourn, and Council Member Popson seconded the motion. The meeting was adjourned at 9:48pm.

Respectfully submitted,

Nicole DeNeane
City Clerk