



CITY COUNCIL MEETING
6:00pm, Tuesday, June 22 2021
1207 Palm Boulevard, Isle of Palms, SC and
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, various department heads

2. Citizens' Comments

Mr. Andrew Vega, 104 Sparrow Drive, thanked the Police and Fire Departments for their recent participation in the 317th Airlift Squadron's water survival training that took place on June 4, 2021. He spoke highly of their professionalism and thanked several members of both departments by name.

Mr. and Mrs. Jon Wright came before City Council to encourage them to continue to make the beach on the Isle of Palms more handicapped accessible. They both spoke of how much enjoyment they receive coming to the beach and would like to be able to get Mrs. Wright's wheelchair closer to the water via the MobiMats.

Mr. Riley Cates, an IOP resident, asked if anything could be done to better synchronize traffic coming off and on the island.

3. Consent Agenda

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

A. Approval of Previous Meetings' Minutes

- i. Regular Meeting – May 25, 2021
- ii. Special Meeting – May 26, 2021

B. Consideration of approval of the Axon body camera, in-car camera video software and data storage [State contract purchase, FY22 budget]

C. Consideration of recommendation from the ATAX Committee for funding in the amount of \$10,000 for the Turtle Trek 5K project.

D. Consideration of recommendation from the ATAX Committee of an application by Veterans of Foreign Wars Post 3137 for funding in the amount of \$12,000 for facilities maintenance

E. Consideration of providing free parking in the Municipal Parking Lots on Mondays from 5:00-8:00pm to members of the IOP Cleanup Crew who participate in the beach sweeps

4. Reports from Standing Committees

A. Ways and Means Committee

Council Member Pounds reviewed some financial highlights through May 31, 2021. Revenues are currently just over \$18M with a budget of just over \$18M. The forecast has the City finishing the year at approximately \$21.3M in revenues. This forecast does not include the County ATAX pass through or monies received via the American Rescue Act. Expenditures are currently at \$16.2M and are forecasted to end the year at just under \$20M. There is currently \$25.5M in cash deposits, of which \$6M is bond proceeds and \$8.3M is restricted tourism and beach preservation funds.

i. Consideration of proposals to extend Builder’s Rick insurance coverage for dock project in the amount of \$27,602.39

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

Council Member Pounds said this policy would include coverage for fire, theft, and anything not wind, flood, or named storm-related through December 1, 2021. Administrator Fragoso added the insurance covers the new docks during construction. Committee members generally agreed that while they may personally take the risk for that time period, they would like to protect the City’s assets at the Marina.

VOTE: A vote was taken as follows:

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

The motion passed 7-2.

B. Public Safety Committee

Council Member Bell reviewed the minutes of the June 10, 2021 meeting. Council Member Ward gave an update of ridership numbers on the CARTA Beach Shuttle – 95 riders the first weekend, 29 the second, 17 the third, and 39 riders on the fourth weekend. He noted the weather has not been favorable most summer weekends to date. He reported that he, along with Mayor Carroll and Administrator Fragoso, met with Ron Mitchum of CARTA to discuss options regarding the drop-off location due to the feedback received from residents in the area of 9th Avenue. Another meeting is scheduled for next week with Mr. Mitchum, Administrator Fragoso, and Chief Cornett. Several alternatives were discussed including using 10th Avenue, using the

parking lot entrance to the Seaside Inn, and the County Park parking lot should the County be able to alter their payment procedures. Administrator Fragoso said the City has formally requested that the County Park change its payment procedures such that patrons pay upon exiting the lot instead of entering. Council Member Bell noted there has been no discussion about what the definition of success looks like with regards to this initiative.

Council Member Bell noted that speeding concerns on side streets and in residential neighborhoods will be on the next Public Safety agenda.

C. Public Works Committee

i. Consideration of drainage easement and maintenance agreement with Lowe Wild Dunes regarding the Phase 3 Drainage Outfall Project

Director Kerr said, “This is the easement that crosses the Wild Dunes golf course on the intercoastal waterway side of Waterway Boulevard. There is an existing easement there. There is an existing ditch there, but over the years, the ditch has meandered outside of the easement. So we have been working with Wild Dunes to basically shape those easements as they should be shaped to house the drainage systems that is within those easements. We have worked through all those details with Wild Dunes and come to what we think, there is an existing easement, but there was no easement agreement. So part of this was coming up with an agreement that spells out who will maintain the system. If they break it, they do. If we break it, we do it.”

Administrator Fragoso added that agreement is required by the permitting agencies and will be part of the Critical Area permit application once signed. She thanked Lowe Wild Dunes for being so accommodating throughout this project.

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

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

D. Recreation Committee

While there was no Recreation Committee meeting in June, Council Member Smith reported that the first Farmer’s Market of the summer was a great success. She invited everyone to attend the next one on Thursday, July 15 from 4-7pm at the Recreation Center.

E. Personnel Committee

Council Member Moye reviewed the minutes of the June 9, 2021 regular meeting and the minutes of the June 21, 2022 Special Meeting.

MOTION: Council Member Moye made a motion to appoint Halverson & Halverson to the position of City Attorney and Haynesworth, Sinkler & Boyd to the position of Assistant City Attorney. Council Member Bell seconded the motion.

Council Member Pounds expressed the need to get back to anyone else who may have applied for either position and notify them of the outcome. Council Member Bell expressed the need for

an attorney like Mr. Halverson who has long-term history with the City, noting that he is currently involved in several active cases with them. Council Member Moye noted the billing packages offered by these firms will be more cost effective than the previous arrangements due to competitive guaranteed rates.

Council Member Ward said he would like to have each appointment voted on separately. Council Member Moye withdrew his original motion and Council Member Bell withdrew his second.

MOTION: Council Member Ward made a motion to appoint Halverson & Halverson to the position of City Attorney. Council Member Moye seconded the motion. A vote was taken as follows:

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

The motion passed 8-1.

MOTION: Council Member Moye made a motion to appoint Haynesworth, Sinkler, & Boyd to the position of Assistant City Attorney. Council Member Bell seconded the motion. The motion passed unanimously.

Council members spoke highly of Howard Hogue, aka “Beach Santa,” and the work he has done and continues to do with regards to litter on beaches and around the Lowcountry.

MOTION: Council Member Smith nominated Howard Hogue, aka “Beach Santa,” for the Signal 30 Award. Mayor Carroll seconded the motion. The motion passed unanimously.

MOTION: Council Member Moye made a motion to appoint Glenda Nemes to the ATAX Board. Council Member Bell seconded the motion. A vote was taken as follows:

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

The motion passed 8-1.

F. Real Property Committee

Council Member Streetman reviewed the minutes of the June 7, 2021 meeting. He noted that options for ADA accessibility will be discussed at the next Committee meeting. Director Kerr reported that legislation is going to be presented at the State level suggesting changes to the Beach Management Act that will allow for deeper access onto the beach for handicapped accessibility.

Regarding the pending litigation with the previous Marina tenant, Council Member Streetman reported, “There was a pre-trial conference this morning at Magistrate’s Court and the magistrate denied the defendant’s motion for a continuance, so the trial on the application for eviction will proceed on July 7, 2021. And also Judge Lynn, who is the magistrate, did grant the City’s motion

to dismiss counterclaims, and also he did not allow the defendant to amend, to add any new counterclaims. Therefore, there will be no counterclaims proceeding to trial.”

Council Member Ward expressed concern about the allowance of food trucks at the Marina. Administrator Fragoso said that no formal request has been received from the Marina restaurant asking to have a food truck in the lot during construction. Council Member Buckhannon noted that City-sanctioned events are usually one-time events.

Mayor Carroll would like to consider the City offering wide-wheeled beach wheelchairs. Administrator Fragoso said that the County Park has such chairs available for use. Council Member Streetman said that will also be discussed at the next Committee meeting.

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 2021-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Article 8, Flood Damage Prevention, Sections 5-4-152 through 5-4-171, of the City of Isle of Palms Code of Ordinance, to Chapter 4, Zoning, Article 2, District Regulations

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

9. Introduction of New Bills, Resolutions, and Proclamations

A. Ordinance 2021-08 – An Ordinance Amending Title 7, Licensing and Regulation, Chapter 1, Business Licenses, Article A, General Provisions, Section 7-1-3, 7-1-4, and Section 7-22-22, Classification and Rates, SIC 6513; NAICS 53111-Lessors of Residential Housing Units – Less than Ninety (90) Days

Director Kerr said this is a repeat of the bill approved at last month’s meeting due to a clerical error in dates.

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

B. Ordinance 2021-09 – An ordinance to present a non-binding referendum question to the citizens of the Isle of Palms concerning the wisdom of reducing the size of City Council

MOTION: Council Member Bell made a motion to approve, and Council Member Pounds seconded the motion. A vote was taken as follows:

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

The motion failed 4-5.

C. Ordinance 2021-10 – An ordinance to authorize the temporary use of new or additional space for outdoor dining services

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

D. Proclamation in Support of National Safe Boating Week

Mayor Carroll read the Proclamation in Support of National Safe Boating Week

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

10. Miscellaneous Business

A. Discussion and consideration of evaluating short-term rental regulation and trends

Council Member Pounds suggested this issue be remanded to the Planning Commission for further research and recommendations. Council Member Moyes said the scope of the project should be clearly defined, “Very specifically, the Planning Commission should be looking at livability issues and potentially caps on short-term rentals.” He also suggested putting a moratorium on short-term rentals in place while the Planning Commission completes their research. Administrator Fragoso said that a moratorium would require two readings and must have a specific outline as to why the City Council believes a moratorium is necessary. A concrete end date would also need to be included.

Council members would like to see this issue fast tracked through the Planning Commission.

Mayor Carroll said there is movement in the State House to block State monies from communities that limit short-term rentals. However, that proviso was removed. Council Member Streetman noted that how neighboring beach communities deal with this same issue could directly affect the short-term rental makeup on the Isle of Palms.

MOTION: Council Member Pounds made a motion to remand this issue to the Planning Commission for research and recommendations. The motion passed unanimously.

B. The next meeting of the City Council will be Tuesday, July 27, 2021 at 6pm.

11. Adjournment

Council Member Buckhannon made a motion to adjourn, and Council Member Moye seconded the motion. The meeting was adjourned at 7:52pm.

Respectfully submitted,

Nicole DeNeane
City Clerk