



CITY COUNCIL MEETING
6:00pm, Tuesday, September 28, 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, City Attorney Halverson, various department heads

2. Citizens' Comments

Mrs. Julie Nestler, 17 22nd Avenue, spoke with concern about the dangers of the Fire Department being understaffed and under-equipped. She requested City Council to look more closely at the needs of the Fire Department.

Mr. Gary Nestler, 17 22nd Avenue, told council to listen to their constituents and to "stop the senseless practices of demoralizing citizens." He believes City Council should empower the Interim Fire Chief and the employees.

3. Consent Agenda

MOTION: Council Member Streetman made a motion to the Consent Agenda. Council Member Moye seconded the motion. The motion passed unanimously.

A. Approval of Previous Meetings' Minutes

- i. Regular Meeting – 6:00pm, July 27, 2021
- ii. Special Meeting – 5:30pm, September 21, 2021

B. Approval of FY22 millage rate at 0.0233 (no property tax increase).

C. Approval of an amount not to exceed \$10,000 for the purchase of beach wheelchairs to be available to residents and visitors at no cost on a first-come, first served basis

D. Approval of marine unit agreement with Charleston County Sheriff's Office

E. Approval of purchase of two patrol SUVs for the Police Department [FY22 Budget, Police Department, Capital Projects and State ATAX - \$123,000]

F. Approval of transition from .40 caliber pistols to 9mm caliber pistols [FY22 Budget, Police Department, General Fund, Non-capital tools & equipment - \$6,000 after trade-in]

4. **Reports from Standing Committees**

A. **Ways and Means Committee**

Council Member Pounds reviewed the minutes of the September 21, 2021 meeting. He reviewed the financial data through 8/31/2021, stating that revenues and expenses are inline with this time in the fiscal year except for rental license income due to the State's Business Standardization Act. He said the County Assessor's data shows an increased value of 2% of island properties.

MOTION: Council Member Pounds made a motion to approve an amount not to exceed \$25,000 to engage an executive recruitment firm to assist in the Fire Chief Hiring process. Council Member Bell seconded the motion.

Council Member Pounds said this expense is to support Administrator Fragoso in the due diligence required of hiring a new Fire Chief for the City. He said this is an unbudgeted expense but there are monies available in the General Fund to cover the expense. Both Mayor Carroll and Council Member Popson said they felt this was an unnecessary expense and would like to give the Interim Fire Chief the opportunity to provide his feedback on the Fire Department before moving forward.

VOTE: A vote was taken as follows:

Ayes: Pounds, Smith, Bell, Buckhannon, Moya, Streetman

Nays: Ward, Popson, Carroll

The motion passed 6-3.

Continuing with a review of the minutes of the Ways & Means Committee meeting, Council Member Pounds said more time is needed to complete the forecast of the long-term effects of the Wage & Compensation implementation on future budgets. Administrator Fragoso added that preliminary analysis of the forecast data had been completed just prior to the meeting and would be sent to Council members for review. She said, "Just like Council Member Pounds stated, the FY22 budget included \$300,000 for adjustments City-wide. Therefore, we have some money that has been forecasted out to sustain these adjustments. Based on our preliminary assessment, it looks like the City will be able to implement the recommendation that you, in last week's packet called Hybrid 2, which is the option that assumed a current penetration of all employees capped at midpoint and the step placement based on tenure for police and fire, which is what they have requested. In FY22, it is something that we will be able to implement without any impact to the budget. Forecasting it out, we are looking at approximately \$150,000 more than we are forecasting."

Administrator Fragoso also shared they will be meeting with Evergreen tomorrow, "and one of the things that I am looking at is ensuring the impact to our entry-level positions, particularly in Police and Fire, which is where we have the most turnover issues and recruitment issues. We may be in a position to do a little bit even more than just staying at market. If we can exceed that and redistribute some funds to be able to do that, I think that that would be consistent to the

philosophy that you all have discussed in the past of making sure that we take care of some of those positions first.”

Council members spoke in favor of maximizing the efforts of the wage and compensation study and to give the Police and Fire departments the tools they need to recruit and retain staff.

Council Member Pounds reminded Council members of the presentation given by Ray Burns, Chair of the ATAX Committee, at last week’s Committee meeting. Council members spoke in favor of Mr. Burns’ recommendation of dual DMOs and focusing advertising efforts on off-season rentals and activities.

Council Member Pounds shared that the charter docks at the Marina have been removed and the pump-out is now operational.

Administrator Fragoso reported that the General Assembly needs to reconvene before the funds from the American Rescue Plan can be distributed.

B. Public Safety Committee

Council Member Bell reviewed the minutes of the September 1, 2021 meeting. He said he would like to see additional speed data from the intersection on 41st Avenue with the new stop sign.

Regarding further study of the impact of the changes to the IOP Connector, Administrator Fragoso reported, “We have had follow-up conversations with SCDOT staff to try to articulate what the scope of work will be and provide the City an opportunity to verify that and ensure that when we answer what does success look like at the end of this study that it covers the topics and issues that are important for this community. Obviously, the main point will be studying and doing a comparative analysis of the existing conditions, the existing and new modifications, the previous ones, and any proposed new solutions.” She shared some ideas for modifications to the Connector being discussed at the staff level.

C. Public Works Committee

Council Member Ward reviewed the minutes of the September 1, 2021 meeting.

MOTION: Council Member Ward made a motion to appoint Council Member Smith as the City Council liaison of the Environmental Advisory Committee. Council Member Streetman seconded the motion. The motion passed unanimously.

Director Kerr explained the request for final approval of the drainage easement revision at 2305 Waterway Boulevard, “This is a relocation of a drainage easement that had historically run through the middle of the property. This owner took it upon themselves to relocate the pipe and the drainage easement on the edge of the property to make the middle of the property more usable. It has been through a fairly lengthy process of getting preliminary approval, then a technical review, and an engineering approval. They have now constructed it. That construction has been reviewed and inspected by Charleston County for technical compliance, and they are now at the finish line. We have basically everything we need with the exception of the

maintenance bond and a final plat that will be signed off on, and that will be the instrument that move the easement.”

MOTION: Council Member Ward made a motion to approve the final drainage easement revision at 2305 Waterway Boulevard. Council Member Moyer seconded the motion. The motion passed unanimously.

D. Recreation Committee

Council Member Smith reviewed the minutes of the September 13, 2021 meeting. Further analysis of the recently sunset ordinance permitting surfing lessons on the beach will be discussed at the October meeting. Council Member Moyer said that further action is needed by City Council for this program to continue. Council Member Bell said he would like to see such action taken by this Council.

E. Personnel Committee

Council Member Moyer reviewed the minutes of the September 17, 2021 meeting. He reported that a unanimous decision of the Personnel and Ways & Means committees awarded the Leola Hanbury Award to all full-time employees for their continued service throughout the pandemic. The financial awards were distributed at the recent annual employee appreciation event.

Council Member Moyer reported on the Committee’s support of Administrator Fragoso’s proposal to have Director Kerr act as Deputy Administrator and Building Director for the City. Administrator Fragoso added, “The dual role would allow us the opportunity to hire a Zoning Administrator who would be in charge of some more of the day-to-day duties that Douglas currently handles in between everything else. So I will be making a formal proposal with the Zoning Administrator job description to the Personnel Committee for approval and would appreciate everyone’s support.”

F. Real Property Committee

Council Member Streetman reviewed the minutes of the September 13, 2021 meeting. He reported that he, Administrator Fragoso, and Director Kerr met with Marker 116 to discuss the issue surrounding the elevator at the restaurant. He said they were able to see how the elevator would have compromised the ADA compliance of the men’s restroom. He would like to set up an on-site meeting of City Council, either as a group or individually, so everyone could better understand the concerns involved. He encouraged Council members to read the recent email from the contractor regarding elevator placement.

Council Member Bell spoke with concern about the shared parking at the Marina and the inability of residents to park there for free. He would like the Marina Manager to attend the next City Council meeting to publicly address this concern.

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 of August 23, 2021 meeting 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. **Ordinance 2021-12 – An ordinance to allow remote special meetings in the event of an emergency**

MOTION: Council Member Ward made a motion to approve and waive the reading, and Council Member Streetman seconded the motion.

Council Member Streetman noted this allowance is for exigent circumstances only.

VOTE: The motion passed unanimously.

9. Introduction of New Bills, Resolutions, and Proclamations

- A. **Proclamation to reaffirm the City’s commitment to work toward full ADA compliance and its goal to exceed the standard to go above and beyond to ensure that people with disabilities feel welcomed in our community**

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

- B. **Resolution designating an authorized representative and contact person for purposes of the American Rescue Plan act of 2021**

MOTION: Council Member Ward made a motion to approve Administrator Fragoso as the authorized representative and contact person for the American Rescue Plan act of 2021 and to waive the reading of the resolution. Council Member Streetman seconded the motion. The motion passed unanimously.

- C. **Resolution authorizing the consumption of beer and wine only and amplified music at the IOP Connector Run and Walk for the Child on October 2, 2021**

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

10. Miscellaneous Business

A. Discussion of establishing the Spirit of the Island Award to recognize a remarkable single achievement or action by a citizen of the island (a companion award to the Signal 30 Award)

Council Member Ward said, “I would like for City Council to consider establishing a way to recognize special individuals or groups by creating a new service award separate from the Signal 30 Award. This will be different and on another level. This award will be called the Spirit of the Island. It would be specifically established to recognize remarkable single achievement or actions by an individual or group’s community service or volunteerism on the island, similar to the State of South Carolina’s Silver Crescent Award. South Carolina’s highest civilian award is the Order of the Palmetto. The second highest award is the Silver Crescent. What I am proposing will reflect and assimilate in a similar way what the State is doing. The Signal 30 Award will remain the Isle of Palms highest award, while the Spirit of the Island will reflect the Silver Crescent.”

He later added, “I suggest the following for your consideration. Any citizen of the island will be able to nominate anyone to receive the Spirit of the Island Award by use of a portal on the City’s website. Winners should be infrequent and rare, thereby preserving the uniqueness and value of the award to be awarded. I propose the selection of the winners be decided by an independent panel. In other words, the selection committee consisting of three members. Most any island resident with a few exceptions can apply to be appointed to this committee. The members will be appointed by an affirmative vote of the majority of City Council members and will serve a term of four years. Members cannot be current Council members, the Mayor, or any members of current City boards and commissions. Winners will be recognized at a City Council meeting with an award presentation hosted by the mayor and a representative of from the selection committee.”

MOTION: Council Member Ward made a motion to establish the Spirit of the Island Award and have it referred to the Personnel Committee for implementation. Council Member Popson seconded the motion.

After further discussion, the motion and second were rescinded. The matter will be deferred to the Personnel Committee to detail the implementation of this award.

B. Discussion and confirmation of the City’s mission and vision per the Strategic Plan

Administrator Fragoso distributed the mission and vision statements as presented to City Council back in November 2020 at the start of the Strategic Planning process to give the opportunity to affirm these statements reflect the desires of the Council. Council Member Smith encouraged wording reflecting the City’s ongoing and leading commitment to the protection of the coastal environment.

C. The next meeting of the City Council will be Tuesday, October 6, 2021 at 6pm.

11. Executive Session

MOTION: Council Member Bell made a motion to move to Executive Session in accordance with SC Code §30-4-70(a)(2) to receive legal advice and legal update regarding the eviction proceedings against Tidal Wave Watersports. Council Member Streetman seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at 7:52pm.

City Council returned from Executive Session at 8:46pm. Mayor Carroll reported that no decisions were made.

MOTION: Council Member Moye made a motion to reject the proposal from Tidal Wave Water Sports and authorize counsel to proceed with negotiations. Council Member Smith seconded the motion. The motion passed unanimously.

12. Adjournment

Council Member Buckhannon made a motion to adjourn, and Council Member Pounds seconded the motion. The meeting was adjourned at 8:47pm.

Respectfully submitted,

Nicole DeNeane
City Clerk