



CITY COUNCIL MEETING
6:00pm, Tuesday, October 26, 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 Halversen, various department heads

2. Citizens' Comments

Mr. Chris Kerr, CPA, of Veris, gave a brief presentation on the completed audit of FY21. He said the financial statements were presented fairly in all material respects, and the City has been given an unmodified or "clean" opinion. The City assets exceed their liabilities by \$37.7M. Total FY21 revenues of \$19.6M exceeded total expenses of \$15.3M. He said the City is "running fiscally responsible and managing money well." He reported there were no difficulties during the audit, there are good internal controls, and there are no internal control deficiencies. At the request of Council Member Ward, Mr. Kerr clarified the City's position with regards to pension liabilities.

Mr. Josh Hooser, 5 Sandpiper Court, said he would like to see Citizen's Comments last more than three minutes. He also encouraged City Council to thank the Fire Department for the money they have raised in connection with the Lowvelo Bike Ride.

3. Consent Agenda

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

A. Approval of Previous Meeting's Minutes – September 28, 2021, 6:00pm

4. Reports from Standing Committees

A. Ways and Means Committee

Council Member Pounds reviewed the minutes of the October 19, 2021 meeting. He said that in the first quarter of FY22, the City has taken in just under \$4M in revenues and spent approximately \$3.3M, which is expected. He reminded City Council that the City has received

\$1.1M from the American Rescue Plan. Those monies have been put into Capital Projects as grant monies received. The City has \$28M in cash reserves, \$14M of which is restricted.

Administrator Fragoso said that weather permitting the work at 41st Avenue should be complete this week.

B. Public Safety Committee

Council Member Bell reviewed the minutes of the October 7, 2021 meeting.

MOTION: Council Member Bell made a motion to direct staff to draft a resolution to formally request SCDOT to lower the speed limit to 25mph on all roads within the City unless otherwise posted. Council Member Ward seconded the motion. The motion passed unanimously.

Council Member Pounds noted this should help reduce “sign pollution.”

Council Member Ward would like the issue of child safety seats in golf carts on the Public Safety Committee meeting agenda for November.

C. Public Works Committee

Council Member Ward reviewed the minutes of the October 6, 2021 meeting.

D. Recreation Committee

Council Member Smith reviewed the minutes of the October 4, 2021 meeting.

E. Personnel Committee

Council Member Moye reviewed the minutes of the October 13, 2021 meeting.

Administrator Fragoso updated City Council on the Fire Chief hiring process: “The contract [with the search firm] has been executed and the City will begin the job assessment and organizational assessment process later this week and next which will include focus groups and meetings with members of the department and stakeholders as the first step.”

Administrator Fragoso said the job description for the Zoning Administrator position is being finalized this week.

F. Real Property Committee

Council Member Streetman reviewed the minutes of the October 4, 2021 meeting.

Director Kerr gave an update on the situation regarding the elevator at the Marina restaurant: “Jon Bushnell and I met with a representative from a company called Mobility Works. We looked pretty thoroughly around the building at various options to provide some kind of better access to the additional floors above the first floor. Things discussed included a chair lift that would be a lift that would go up a stairwell that would take somebody from the first floor up to the second floor. We looked at multiple different stairwells. There are three stairwells within the building. The judgement was made that the back stairwell would be the most appropriate. We

have just heard back today that the company that provides those lifts would be unavailable to provide an appropriate commercial grade lift which we think creates a problem with the LLR that licenses those things in commercial applications. So it is looking as though the chair lift is potentially undoable. The other option we discussed, and it was not really the preferred option by the tenants was a lift that would go on the exterior of the building that would be in a shaft. It would be kind of on the back side of the building on those decks and go between those decks. There were very close tolerances in terms of how that would work. The lifts max out at 14' in height. It is like 14'1" between those floors, so it is very close to not fitting, and really because it was not the preferred option at this point, I don't think it has been fully thought through in terms of whether or not that would work. So we are planning to meet again and circle back to that option. I think the staff feels like we are seeing the building progress. It is moving along. I think we know that they are planning on being finished in December. We are here in October. November is right around the corner. You just do not have a lot of time between now and their desired opening date to get this information and come to a consensus as to how you will want to handle the situation."

Director Kerr said more information may be available by November's Ways & Means Committee meeting. Administrator Fragoso added that regardless of what option is considered, it is unlikely it will be in place by the restaurant's opening.

Administrator Fragoso also shared that the noise control agreement with Marker 116, LLC is still being reviewed by their attorney. She added that she has not received any further word from OCRM about any changes to their code about the extension of MobiMats. Council Member Streetman said that Representative Bustos is engaged in and helping with this issue.

5. Reports from City Officers, Boards, and Commissions

- A. **Accommodations Tax Advisory Committee** – next meeting: October 27, 2021
- B. **Board of Zoning Appeals** – minutes attached
- C. **Planning Commission** – minutes attached
- D. **Environmental Advisory Committee** – minutes attached

Administrator Fragoso said the first meeting of the Environmental Advisory Committee went well. Members will return next month to prioritize three issues that they would like to begin working on. Council Member Smith noted that the valuable level of expertise among the Committee members.

- 6. Reports from Special or Joint Committees** – none
- 7. Petitions Received, Referred or Disposed of** – none
- 8. Bills already in Possession of Council**

9. Introduction of New Bills, Resolutions, and Proclamations

A. Ordinance 2021-13 – An ordinance to allow for year-round surfing instruction on the beach with certain restrictions

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

Council Member Smith shared a few items that may be changed to this ordinance prior to Second Reading. They will be discussed at November's Recreation Committee meeting.

B. Ordinance 2021-14 – An ordinance to provide for the standardization of the business license process

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

C. Ordinance 2021-15 – An ordinance to temporarily suspend enforcement of Title 3, Chapter 4, Environmentally Acceptable Packaging and Products for businesses affected by global supply chain issues due to the COVID-19 pandemic

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

Administrator Fragoso pointed out that there is no expiration date noted in the draft ordinance and it will need to be added upon Second Reading. Council Member Buckhannon said he will reach out the businesses to get their input before the next meeting.

D. Resolution authorizing the consumption of beer and wine only, amplified music, and street closure at the Lowvelo Bike Ride on Saturday, November 6, 2021

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

Administrator Fragoso said, "This event was approved earlier this year. The City is sponsoring it. They have requested a road closure to start Thursday morning just for the southbound lane, the landside lane of Ocean Boulevard between JC Long and 14th Avenue. We have prepared notices to all the businesses at Front Beach and the hotels and the property management companies just to make sure that everyone is aware that the road closure would begin Thursday morning at 7am and would end on Sunday at 11am. There is going to be foot traffic allowed along the area, and the northbound lane will be open. The parking spaces along that southbound lane will not be available. Those are going to be used for tents and the setup of the event."

Council Member Streetman, who serves on the Lowvelo Executive Committee, said that over 800 riders have signed up for the event. Mayor Carroll challenged staff and Council members to participate in the ride. Council Member Smith would like to see more social media presence about the event.

VOTE: The motion passed unanimously.

E. Resolution authorizing the discharge of weapons using blank ammunition and amplified noise at the Blessing of the Veteran and First Responders on Saturday, November 6, 2021

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

10. Miscellaneous Business

A. Discussion and consideration of the City commissioning a separate study to evaluate the modifications of the IOP Connector

Council Member Bell expressed concern about working with SCDOT following their recent public support of the Charleston Area Beach Parking group.

MOTION: Council Member Bell made a motion for the City to commission a separate study of the effects of the modifications to the IOP Connector. Mayor Carroll seconded the motion.

Council Member Moya said he believes what the residents of IOP and Mt. Pleasant want is “light traffic and a way to bike and walk across the bridge.” He said the study should be focused on facilitating a safe flow of traffic both ways for pedestrians, bikers, cars and emergency vehicles. He added, “The question is how do we move forward and potentially consider changes.” He believes a separate study is more about the speed of getting something done.

Administrator Fragoso reported that while City staff has met with SCDOT staff to discuss the scope of a shared study, they have not received any further feedback from SCDOT. She reminded Council that what they voted on at the time was for the City to hire an independent traffic engineer that would work with the City and SCDOT to provide feedback and technical oversight while making recommendations from a traffic engineer’s perspective. She said that engagement with an engineering firm has been done, but what the City does not have is an agreed upon scope of work from SCDOT.

Council Member Smith expressed concern about the optics of the City conducting a study on its own. Council Member Pounds agreed that having two reports and two different opinions would be problematic and would like to go forward with a joint study with SCDOT.

Mayor Carroll said SCDOT is not listening to the City and supports the motion.

VOTE: A vote was taken as follows:

Ayes: Bell, Buckhannon, Ward, Popson, Carroll

Nays: Pounds, Smith, Moya, Streetman

The motion passed 5-4.

MOTION: Council Member Ward made a motion to suspend the rules of order to share information about the recent CARTA Board meeting. Council Member Moya seconded the motion. The motion passed unanimously.

Council Member Ward stated that he told the CARTA Board the City interested in running the Beach Shuttle again next year. Mayor Haynie of Mt. Pleasant is also supportive of the shuttle.

Council Member Buckhannon, referring back to the veterans in Item 9E, said that the non-profit group, Vettes for Vets, is having an event on November 11 when they will surprise a veteran with a home remodeling. They will be on the island that weekend with 50-80 corvettes lined up on Ocean Boulevard as part of their fundraiser.

B. The next meeting of the City Council will be Tuesday, November 17, 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 7:42pm.

City Council returned from Executive Session at 7:59. Mayor Carroll reported that no decisions were made.

12. **Adjournment**

Council Member Buckhannon made a motion to adjourn, and Council Member Moye seconded the motion. The meeting was adjourned at 7:59pm.

Respectfully submitted,

Nicole DeNeane
City Clerk