



CITY COUNCIL MEETING
6:00pm, Tuesday, January 25, 2022
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, Miars, Ward, Anderson, Bogosian, Hahn, and Mayor Pounds

Staff Present: Administrator Fragoso, City Attorney Halversen, various department heads

2. Election of Mayor Pro Tem

MOTION: Council Member Popson nominated Council Member Ward as Mayor Pro Tem. Council Member Ward seconded the motion.

MOTION: Council Member Bogosian nominated Council Member Streetman as Mayor Pro Tem. Council Member Hahn seconded the motion.

There being no other nominations, a vote was taken for Council Member Ward as Mayor Pro Tem as follow:

Ayes: Popson, Ward

Nays: Anderson, Bogosian, Hahn, Miars, Streetman, Pounds

A vote was taken for Council Member Streetman as Mayor Pro Tem with all in favor. Council Member Streetman was elected Mayor Pro Tem of City Council.

3. Citizens' Comments

Mr. Ted Kinghorn of Isle of Palms, spoke on behalf of the Law Enforcement Neighborhood Support program (LENS) who is requesting \$5,000 of ATAX funds to support their efforts to Police Department requests from visitors seeking hardship assistance. The mission of LENS is to strengthen the community and its visitors' experience with IOP Public Safety.

Prior to voting on the Consent Agenda, Mayor Pounds gave an overview of the City Council retreat held at the beginning of the month.

4. Consent Agenda

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

- A. **Approval of Previous Meeting's Minutes**
 - i. **Regular Meeting – 6pm, November 17, 2021**
 - ii. **Special Meeting – 6pm, December 7, 2021**
 - iii. **Special Meeting Municipal Inauguration – 6pm, January 4, 2022**
 - iv. **Special Meeting Council Retreat – 1pm, January 5, 2022 and 8am, January 6, 2022**
- B. **Approval of tasks 1, 2.1, 2.2, and 3.1 of ATM Proposal (dated November 19, 2021) in the amount of \$57,500 for the design and engineering of permitted improvements, including ADA gangway, of new public dock and “T” dock along the Intracoastal Waterway [FY22 Budget, Marina Fund, \$150,000 to convert public dock and greenspace]**
- C. **Approval of purchasing an additional set of protective clothing for firefighters to be offset, in part, by sale of surplus property in the amount of \$132,000 [Expenditure to be included in FY23 budget]**
- D. **Approval of an amount not to exceed \$65,000 for AV improvements for Council Chambers [FY22 Budget, Capital Projects Fund, General Government, \$65,000]**

4. **Reports from Standing Committees**

A. **Ways and Means Committee**

Mayor Pounds reviewed the minutes of the January 18, 2022 Ways & Means Committee meeting. As of 12/31/2021, the City has received just over \$10M in revenues and has spent just under \$8M. All revenues, except for property taxes, which is normal for this time in the fiscal year, are over budget and all expenditures are under budget. General Fund expenses are running 3% ahead of last year but remain inline with the budget. The City has approximately \$29M in cash reserves of which \$12 is unrestricted.

He gave a brief Capital Project overview. Administrator Fragoso added that staff met with Wild Dunes who has agreed to a shifting of the schedule for the work on the 30th and 36th avenues outfalls. Work at the golf course will begin in May followed by the road closure and installation of the culvert. She said Wild Dunes has “been very gracious and understanding that the contractor is having trouble securing materials.” The projects are slated to be completed by the end of the year.

Mayor Pounds reported that the City applied for a grant through the State’s Office of Resiliency for the work at the 41st Avenue outfall and Waterway Boulevard. They have been awarded \$1.4M of a \$2M ask. Administrator Fragoso thanked City Council for their financial support in the hiring of a grant writer whose work was key in this award.

Consideration of request from the Law Enforcement Neighborhood Support Program for ATAX funding in the amount of \$5,000 [FY22 Budget State Accommodations Tax Fund, Programs and Sponsorships, \$50,000, pg. 31, ln. 20. Advisory Committee recommended an award of \$2,500]

MOTION: Council Member Ward made a motion to approve an award of \$5,000 of ATAX funds to the Law Enforcement Neighborhood Support Program. Council Member Streetman seconded the motion.

Administrator Fragoso said that there is currently \$24,000 remaining in the ATAX discretionary funds. She noted there are a few annual events that she anticipates will be seeking funding prior to the end of the fiscal year.

Council Member Ward withdrew his original motion to approve \$5,000 in funding support and Council Member Streetman withdrew his second.

MOTION: Council Member Streetman made a motion to approve an award of \$10,000 of ATAX funds to the Law Enforcement Neighborhood Support Program. Council Member Popson seconded the motion.

Council Member Bogosian said the ATAX Committee had expressed concern that these monies be used towards assisting tourists only. Administrator Fragoso said the LENS program would have to provide an accounting to the ATAX Committee to ensure the funds were used only to assist tourists.

Council Member Miars asked how this increased donation would affect the other donations anticipated by LENS.

MOTION: Council Member Ward made a motion to suspend the rules of order to allow for further comment from Mr. Kinghorn. Council Member Streetman seconded the motion. The motion passed unanimously.

Mr. Kinghorn said, "It would be our hope that no matter what the City contributes we will do our best efforts to leverage that as much as possible, and thus far, the public has been very supportive." He said that after this first year they will have a better idea of the demand for the services and resources of the Police Department.

Council Member Hahn asked about the inclusion of the Fire Department in these efforts and how it "squares with tourism-related issues." To which Mr. Kinghorn answered, "Number one, we would expect that all the funds we allocate indirectly will support tourism. The guests that come onto the island as you know are significant and it's greater throughout the year. Every time that one could say that we have a retention of a police officer or a fire officer for that matter helps us in the summertime when new beach officers out there, and we are supporting them for a saving of a visitor or a resident."

With regards to the Fire Department, he said that anyone in Public Safety who identifies a special need of a tourist in trouble, "they should just make a request to the Police Chief, and if he feels it has merit, then submit it to us. So I don't see limiting it. I see it much more broader and especially if you support the funding request that has been amended and offered and if we continue to have success in our own donor development."

Council Member Bogosian offered a friendly amendment to the motion to add a reference to ensure that the use of these funds adhere to Section 6-4-10 of the State ATAX law. Council Members Streetman and Popson approve the friendly amendment.

MOTION: Council Member Anderson made a motion to amend the original motion to award \$2,500 to LENS.

There being no second, the motion failed.

VOTE: The motion to award \$10,000 of ATAX funds to the Law Enforcement Neighborhood Support Program while maintaining adherence to Section 6-4-10 of the ATAX law passed unanimously.

B. Public Safety Committee

Council Member Anderson reviewed the minutes of the January 13, 2022 meeting.

C. Public Works Committee

Council Member Ward reviewed the minutes of the January 12, 2022 meeting.

D. Recreation Committee

Council Member Popson reviewed the minutes of the January 10, 2022 meeting.

E. Personnel Committee

Council Member Bogosian reviewed the minutes of the January 11, 2022 meeting. Council Member Ward noted that the Spirit of the Island Award is intended for a group or an individual. Administrator Fragoso said the criteria will be broad enough to allow consideration for a group or individual.

F. Real Property Committee

Council Member Streetman reviewed the minutes of the January 10, 2022 meeting. In addition, he noted that the electrical issue at the Marina docks has been handled and there are currently 16 resident-only parking spaces available at the Marina.

Discussion and consideration of request from Market 116 for City sponsored event status between 11:30 a.m. – 10:00 p.m. on February 25, 26, 27 and March 4, 5, 6, 11, 12, 13, 18, 19, and 20th to have a food truck at their leased properties.

MOTION: Council Member Streetman made a motion to discuss and consider the request from Marker 116. Council Member Hahn seconded the motion.

Council Member Hahn said that while he is sympathetic to the delays Marker 116 is experiencing, he is concern that allowing for this exception will open the City up to further considerations for food trucks. Administrator Fragoso noted there is a section of the ordinance that allows for exceptions for City-sponsored events. She added that Marker 116 is still considering the options of what they can and may do with regards to a food truck.

Director Kerr spoke to City Council's original intent of the ordinance. He is not concerned that if approved there will be additional requests for food trucks on the island. He also said that Marker 116 has made this request now because the next City Council meeting is not until right before they may need the truck.

MOTION: Council Member Bogosian made a motion to postpone consideration of the request until the February Council meeting in order to get more clarity about Marker 116's needs. Council Member Anderson seconded the motion.

Council Member Miars said that were it not for COVID the restaurant would not be in this situation and feels that there is room in the ordinance to allow for an exception without subjecting the City to further food truck requests. Director Kerr noted that Marker 116 does have permission to conduct the outdoor sale and service of food. They would provide outdoor restroom facilities during this time.

VOTE: The motion passed unanimously.

5. Reports from City Officers, Boards, and Commissions

- A. **Accommodations Tax Advisory Committee – minutes attached**
 - i. **Recommendation to City Council to evaluate and determine various alternatives to the currently selected marketing organization (meeting on October 27, 2021)**
 - ii. **Recommendation to reject the FY22 budget as presented by the Charleston Area Convention and Visitor's Bureau (meeting on November 16, 2021)**
 - iii. **Recommendation to City Council to set aside the tourism promotion dollars in a separate account until City approve the allocation of funds as set forth by the DMO (meeting on November 16, 2021)**

Mayor Pounds briefly reviewed City Council's request to the ATAX Committee to review possible alternatives to the City's arrangement with the Charleston Visitors Bureau acting as the City's direct marketing organization. He thanked the ATAX Committee for their research. Based on three recommendations from the ATAX Committee, Mayor Pounds said, "I would like to recommend that we form a task force to study and provide a go-forward business model with specific recommendations to City Council to review. These recommendations should include: are there alternative uses for this 30%, should we revamp our current relationship with CVB, should we look at establishing our own DMO and use some of these funds for IOP-specific tourism promotion, essentially establish a business model for how we use these funds going forward, stay with the CVB, some combination of marketing organizations, or a different approach altogether. I would suggest this task force be led by Rusty Streetman as our CVB rep and include members as follows: President of the newly-formed IOP Chamber of Commerce, a representative from Wild Dunes, a representative from The Palms Hotel, the Chair of the ATAX Committee, a representative from a rental management company, a representative from the food and beverage industry, a resident who owns rental properties, and any other Council members wishing to join."

MOTION: Mayor Pounds made a motion “to establish a task force consisting of the members as outlined above asking them to come back in no later than 6 months with a go-forward business model for our 30% ATAX funds.” City Council will vote on task force membership at the February City Council meeting. Council Member Ward seconded the motion.

Administrator Fragoso will make the initial contacts with possible members of the task force.

VOTE: The motion passed unanimously.

- B. **Board of Zoning Appeals** – no January meeting
- C. **Planning Commission** – minutes attached
- D. **Environmental Advisory Committee** – 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. **Ordinance 2021-16** – an ordinance to include restrictions of viscous or dangerous dogs

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

Chief Cornett said this new ordinance will give police officer the tools they need to deal with both dogs off the leash and dog bites or attacks.

VOTE: The motion passed unanimously.

- 9. **Introduction of New Bills, Resolutions, and Proclamations**
- A. **Resolution 2022-01** – Authorizing a request to South Carolina Department of Transportation to Reduce the Speed Limit to 25 Miles per Hour on all Secondary Roads Within the City of Isle of Palms Unless Otherwise Posted

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

Council Member Anderson said this is a good idea and falls within traffic engineering standards.

VOTE: The motion passed unanimously.

- B. **Resolution 2022-02** – Opposing Bill H4547 Which Would Limit Local Governments’ Ability to Regulate Short-Term Rentals.

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

Mayor Pounds noted that this bill is not yet on the House floor, but the intent is to get ahead of it. Administrator Fragoso said that there seems to be broad support for similar resolutions from neighboring island communities.

VOTE: The motion passed unanimously.

10. Miscellaneous Business

A. Adoption of Strategic Plan 2022-2027

Mayor Pounds said future meeting agendas will be tied back to the goals and strategies of the Strategic Plan to “ensure we stay focused and on task to accomplish our agreed upon goals.”

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

B. The next regular meeting of the City Council will be Tuesday, February 22, 2022 at 6pm.

12. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Popson seconded the motion. The meeting was adjourned at 7:15pm.

Respectfully submitted,

Nicole DeNeane
City Clerk