



**CITY COUNCIL MEETING**  
**6:00pm, Tuesday, February 22, 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, Asst. City Attorney McQuillin, various department heads

**2. Citizens' Comments**

Mr. Wallace Bonds, 406 Carolina Boulevard, spoke with concern about a City code that needs to be reviewed and possibly changed to prevent new home construction from causing drainage issues on a neighboring property. He would like City Council to look into it further.

Ms. Kathy Campbell, 10 20<sup>th</sup> Avenue, thanked the ATAX Committee for their work on how the City can develop its own DMO. She spoke with concern about the ATAX funds sent to the CVB with little metrics and oversight. She also voiced concern about the appointees to the Accommodations Task Force, specifically those individuals who do not live on the island or whose businesses create ATAX funds. She believes the appointees should include short-term rental owners and property managers.

**3. Consent Agenda**

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

**Approval of Previous Meeting's Minutes of January 25, 2022, 6pm**

**4. Reports from Standing Committees**

**A. Ways and Means Committee**

**i. Discussion and consideration of FY22 proposed expenditures by the Charleston Visitor's Bureau – presentation by Helen Hill, CEO of CVB**

Ms. Helen Hill, CEO of the Charleston Visitor's Bureau, gave an overview of the outcomes of the FY21 expenditures. She said the CVB team is focused on getting visitors to "make the decision to spend the night here at the highest possible rate."

They have hired Keydata to help beach communities review past activity and forecast for future activities. A special grant from the SC General Assembly helped the CVB aggressively market the area. The average daily rate was 30% higher and revenue was 45% higher in FY21.

In FY22, their goal is to provide more detailed metrics to the City. They will focus advertising the Isle of Palms during the off season and will work with Wild Dunes staff to bring in group business. They have begun work on an IOP-specific website that any IOP business can be a part of. She invited people to visit [exploreiop.com](http://exploreiop.com) and [discoveriop.com](http://discoveriop.com). She shared the budgeted amounts to be spent on media relations, visitor information support, and advertising.

The CVB cannot provide IOP-specific results from their marketing efforts as their marketing is regional in nature. Ms. Hill said the success of their marketing can be measured in the amount of ATAX monies collected by the City. She said less than 30% of their budget goes to overhead.

**MOTION:** Council Member Hahn made a motion to go into Executive Session to receive legal advice regarding the vote on the FY22 CVB budget. Council Member Miars seconded the motion.

Mayor Pounds said tonight's vote is on the FY22 budget, which is already eight months in.

Administrator Fragoso noted that City Attorney Halversen, who could not be present for tonight's meeting, is more prepared to provide legal advice on this question. She recommended waiting until the next meeting to take action on this item so they could have their questions answered by City Attorney Halversen. Council Member Hahn said he would like to have an Executive Session anyway so that their concerns can be discussed and the attorneys can come to the next meeting prepared with the answers. Council members Hahn and Miars withdrew their motion until the end of the meeting.

**ii. Approval of a contract to Munnerlyn Pyrotechnics for the 4<sup>th</sup> of July fireworks display [Strategic Plan Priority 3, Goal e; Priority 4, Goal b]**

Administrator Fragoso said she received two bids from one company: one for a 22-minute show (\$31,000) and one for a 27-minute show (\$35,000). \$35,000 is in the budget and covers the cost of the show and miscellaneous incidentals. The additional costs to the City, such as overtime, are covered in the budget. The fireworks expense is paid for by ATAX funds. She reported that Sullivan's Island is not doing fireworks on July 4<sup>th</sup>, but Mt. Pleasant will do a show at Patriot's Point.

**MOTION:** Council Member Streetman made a motion to approve a contract to Munnerlyn Pyrotechnics in the amount of \$35,000 for a 27-minute fireworks show on July 4<sup>th</sup>. Mayor Pounds seconded the motion. A vote was taken as follows:

Ayes: Anderson, Bogosian, Hahn, Miars, Popson, Streetman, Pounds

Nays: Ward

**The motion passed 7-1.**

Mayor Pounds continued with a review of the minutes from the February 15, 2022 Ways & Means Committee meeting. Revenues are significantly better than budgeted through the end of January at \$12.7M. The City is under budget on expenses, and numerous larger expenses have been moved to FY23 due to timing and supply chain issues. Local option sales tax and building permit revenues are 25 and 84% higher respectively than the previous year's budget.

The City currently has \$30M in cash, \$16M of which are restricted. He briefly reviewed the status of the Capital Projects.

**B. Public Safety Committee**

Council Member Streetman reviewed the minutes of the February 10 and 17, 2022 meetings. The February 10 Special Meeting was focused on the scope and status of the studies regarding the changes to the IOP Connector. Administrator Fragoso provided an update: "SCDOT and Secretary Hall continue to be committed to expanding the scope of the study to look at what you just described through the whole corridor and in the intersections. The ball is in our court to provide her with an updated scope based on the discussion of the Special Public Safety meeting. I had a call today with Jennifer Beall, the traffic engineer that we have hired to do that, and we discussed some of her suggestions and those will go to SCDOT. Ms. Hall has indicated that a change order will be drafted to include that. That will not be part of the first six-month study, which is mostly dedicated to the Connector and the recent modifications and whether or not there are alternatives that could achieve our goal of ensuring emergency access and certainly accommodating pedestrians and bicyclists as well. The kickoff meeting is scheduled for March 4<sup>th</sup>. It will be here at City Hall, and all of our partners are confirmed as well as SCDOT and the consultant from Maryland." This meeting will be staff only and focused on the study of the Connector.

**MOTION:** Council Member Streetman made a motion that the City send a letter to the SCDOT based on their violation of State statute 57-5-820 that the City had not agreed to the changes to the Connector and request the Connector be returned to its original striping until such time as an agreed-upon change to the Connector can be reached. Council Member Hahn seconded the motion.

Mayor Pounds said two such letters were sent to SCDOT on March 3 and 26, 2021. Administrator Fragoso said there was no formal response to those letters. However, the studies currently being discussed are as a result of those letters.

Council Member Hahn, who offered to draft such a letter, said, "My concern is they did not formally respond to the prior letters. We have a statute that, in my opinion, they have violated because they did not get our permission to make the changes to the Connector. We are now a year later, and we have traffic data that suggests that there's some correlation between the striping and the accidents. We've had double the number of accidents on the Connector than we have had in the past. Whether there is a direct correlation or not, I do not know the answer to that. I think it behooves us as a Council to put DOT on notice as to our position and ask them to return the striping...until such time as we can communicate with DOT and agree upon a change to the Connector that makes sense for everybody."

Council Member Bogosian expressed concern that such a letter could put everyone “back in their corners.” Council Member Hahn said the letter will not be presented to the Council until next month’s meeting, so it may not be needed depending on the outcome of the March 4<sup>th</sup> meeting.

Council Member Anderson would like to see the letter drafted and held in abeyance, adding that SCDOT is working in the City’s favor. She also said that while the number of traffic accidents did double, the accidents were related to traffic volume and distracted drivers, not the striping. She did not believe this number of accidents to be a “dire condition.”

Mayor Pounds agreed to the drafting of the letter but did not want anything done with the letter until after the next meeting.

Council Members Streetman and Hahn withdrew their original motion.

**MOTION: Council Member Streetman made a motion to draft a letter to the SCDOT, to be held in abeyance until the next City Council meeting, in regard to the disagreement with the changes to the Connector and request that it be returned to its original striping. Council Member Hahn seconded the motion. A vote was taken as follows:**

Ayes: Anderson, Bogosian, Hahn, Miars, Streetman, Ward, Pounds

Nays: Popson

**The motion passed 7-1.**

Council Member Streetman then reviewed the minutes of the regular Public Safety Committee meeting of February 17.

**MOTION: Council Member Streetman made a motion to discuss and approve the LOWVELO bike ride on Saturday, November 5, 2022 as a City-sponsored event. Mayor Pounds seconded the motion.**

Administrator Fragoso reported that staff has been speaking with LOWVELO staff making the necessary adjustments to the event to better accommodate the businesses at the Front Beach. She said the team has been focusing on including the business community more in the planning. She stated, “The placement of the fencing is going to be different than last year so that there is a sort of unfettered access between the festival and those businesses. I know they are really focusing on changing their approach and how they participate and work with the local business community. There are some concessions that are being made about their participation as a food vendor, and they’ve started one-on-one outreach sooner...they are putting together a group of local folks that will serve as a liaison with the business community.” The event will continue to be discussed at the quarterly meeting with the local business owners.

#### **C. Public Works Committee**

Council Member Ward reviewed the minutes of the February 3, 2022 meeting.

#### **D. Recreation Committee**

Council Member Popson reviewed the minutes of the February 7, 2022 meeting.

**E. Personnel Committee**

Council Member Bogosian reviewed the minutes of the February 8, 2022 meeting.

**MOTION: Council Member Bogosian made a motion to approve the Spirit of the Island Award criteria as presented. Council Member Ward seconded the motion. The motion passed unanimously.**

**F. Real Property Committee**

Council Member Streetman reviewed the minutes of the February 7, 2022 meeting.

Administrator Fragoso reported that the gate at the marina is open at sunrise and closed at sunset.

**5. Reports from City Officers, Boards, and Commissions**

- A. **Board of Zoning Appeals** – minutes attached
- B. **Planning Commission** – next meeting February 23, 2022
- C. **Accommodations Tax Advisory Committee** – no meeting in February
- D. **Environmental Advisory Committee** – minutes attached

Council Member Bogosian gave a brief review of the work of the Environmental Advisory Committee. The Committee has set four areas of focus and is developing 1-2 actionable items per area. “The focus will be on low-hanging fruit...things that can be done fairly quick without changes in ordinances or requiring significant funding.”

6. **Reports from Special or Joint Committees** – none

7. **Petitions Received, Referred or Disposed of** – none

8. **Bills already in Possession of Council** – none

**9. Introduction of New Bills, Resolutions, and Proclamations**

- A. **Resolution 2022-03** – authorizing the consumption of beer and wine on March 5, 2022 at the Front Beach Fest

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

- B. **Resolution 2022-04** – authorizing the Mayor and City Council to execute a Community Development Block Grant-Mitigation agreement between the City and the SC Office of Resilience to fund the constructions of the 41<sup>st</sup> Avenue Outfall Project

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

**C. Ordinance 2022-01 – an ordinance to change the method of nominating the candidates for and determining the results of nonpartisan elections and to change the location for filing statements of candidacy**

**MOTION: Council Member Streetman made a motion to review and discuss. Council Member Bogosian seconded the motion.**

**MOTION: Council Member Ward made a motion to amend to break the vote and discussion into two parts (the location of the filing as part one and determining the results of a non-partisan election as part two). Council Member Popson seconded the motion.**

**MOTION: Mayor Pounds made a motion to suspend the rules of order to allow for a discussion at First Reading. Council Member Hahn seconded the motion. The motion passed unanimously.**

Mayor Pounds explained that as the ordinance stands when a resident wants to file to run for office they had to do so at the Board of Elections on Leeds Avenue. This change to the ordinance would allow residents to file at City Hall for the convenience of the residents. Administrator Fragoso further explained that the City has historically received the filings and checks and taken them to Leeds Avenue on behalf of the candidates. She added, “This was challenged at the last election because the ordinance does not say that the City can accept the statements of candidacy even though they are not really technically being filed within the City. Our attorney said that it is not clear. There is really no issue. They’ve always filed with the county, but in order to clarify that and be able to continue to accept the filings here, we recommend this change so that it is not challenged in the future.”

With regards to determining the results of nonpartisan elections, Mayor Pounds said a candidate must have 50% plus one in order to win. The Board of Elections has asked the City to consider plurality as the option in determining election results. This is the option used in 65% of municipalities. The majority option often leads to runoff elections that create hardship on the voters and reduces voter turnout. Mayor Pounds said the issue will be referred back to the Committees for further discussion prior to City Council reviewing and approving it on Second Reading.

Council Member Popson spoke in favor of the majority method in determining the results. He asked if this change needed to be considered via referendum. Mayor Pounds said the Town of Mt. Pleasant made the change within their council. Council Member Streetman said he prefers the change to plurality as it is less confusing and less costly. Council Member Miars also believed plurality to be the better method since runoff elections lead to less voters making the final decision. Council Member Hahn expressed a concern about a scenario in which a lot of people are running for one position and wondered if a hybrid option exists.

**MOTION: Council Member Ward made a motion to postpone the discussion on both items to allow for more research on turnout percentages in runoff elections for the past six elections for City Council and Mayor as well as if there were municipalities that put the question to a referendum. Council Member Popson seconded the motion.**

Council Member Miars noted that it would be possible to pass this on First Reading and still gather the requested data before Second Reading. Council Member Hahn reiterated that he would like to know if there is a hybrid option to consider. Mayor Pounds said he is in favor of postponing to give everyone more time to think about the changes.

**VOTE: The motion passed unanimously.**

**10. Miscellaneous Business**

**A. Consideration of recommendation for appointments to the ATAX Task Force**

Mayor Pounds reviewed the previous City Council action that led to the creation of the ATAX Task Force, whose first meeting will be held on Thursday, February 24, 2022 at 9am.

**MOTION: Council Member Ward made a motion to appoint the following people to the ATAX Task Force: Council Member Streetman, Sam Parish, Melissa Simbana, Ray Burns, Randy Walker, Brett Jones, Curtis Kay, Katrina Limbach, and Sarah Vega. Council Member Han seconded the motion. The motion passed unanimously.**

Council Member Streetman said the task force will work to complete their assignment within the 6 months requested by the Mayor.

**B. Consideration of application for surf instructions permits for 2022**

- i. Salt Marsh Surf – Philip Antman**
- ii. Sol Surfers Surf Camp – Kai P. Dillon**

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

Administrator Fragoso said that all three surf instructors who participated in the program last summer were notified, and only two responded. She said she is considering adding an application deadline for next year. This application is good for one year.

**VOTE: The motion passed unanimously.**

**C. Discussion of strategies to increase efficiencies of Council and governance**

Mayor Pounds explained that Council began a discussion at the retreat in January about creating more efficiencies in how the City government works. The discussion centered around using workshops instead of the committee structure, noting that the City hosted 140 meetings last year, all of which require significant time and preparation by the City Administrator and department heads.

He said, “All I am putting forth is looking at a different way to approach our duties, create efficiencies for Council and staff and ensure Council’s focus is at a policy-making level and not day-to-day operations...One option would involve having one workshop a month as opposed to all our committee meetings where we would have discussion on topics but not take any votes. We would obviously need to design the workshop agenda in a way that the right level of information is provided for Council to ensure we are meeting our strategic plan, our staff has the

resources to get their jobs done, and our residents are receiving the level of services they deserve.”

According to MASC, about 80% of municipalities across the state operate in this fashion. He asked for some consensus from Council members so that he and the City Administrator could continue research into what the workshop process would look like in the City. He suggested that the City ordinance codifying the committee structure could be suspended for a period of time to “test drive the workshop schedule” to see if it creates the efficiencies they want.

Council members Hahn, Miars, Bogosian, Streetman, and Anderson spoke in favor of trying the workshop option. Council members Popson and Ward stated their preference for the committee structure.

**D. Next meeting – Regular Meeting, 6:00pm, Tuesday, March 22, 2022**

**11. Executive Session**

**MOTION: Council Member Ward made a motion in accordance with §30-4-70 (a)(2) to move into Executive Session to receive legal advice regarding the Accommodations Tax conversation from earlier in the meeting. Council Member Hahn seconded the motion. The motion passed unanimously.**

City Council moved into Executive Session at 8:01pm.

City Council returned from Executive Session at 8:30pm. Mayor Pounds said no decisions were made.

**MOTION: Council Member Hahn made a motion to postpone the discussion and vote about the approval of the CVB budget for FY22 pending advice from legal counsel. The motion passed unanimously.**

**12. Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Bogosian seconded the motion. The meeting was adjourned 8:31pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk