



City Council

6:00 p.m., Tuesday, May 24, 2022
Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

Public Comment:

All citizens who wish to speak during the meeting must email their first and last name, address, and topic to Nicole DeNeane at nicoled@iop.net no later than **3:00 p.m. the business day before the meeting**. Citizens may also provide public comment here: <https://www.iop.net/public-comment-form>

Agenda

1. **Introduction of meeting** and acknowledgement that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.
 - a. Invocation
 - b. Pledge of Allegiance
 - c. Roll Call
2. **Citizens' Comments** – All comments will have a time limit of three (3) minutes. Special Presentation from Ashley Kellahan, MASC's Field Services Manager – Training Session for Council
3. **Consent Agenda**
Approval of Previous Meetings' Minutes – Regular Meeting – 6:00 p.m., April 26, 2022
4. **Reports from Standing Committees**
 - a. **Ways and Means Committee**
 - b. **Public Safety Committee**
Consideration of Mutual Aid Agreement with National Park Service
 - c. **Public Works Committee**
 - d. **Recreation Committee** – no meeting in May
 - e. **Personnel Committee**
 - i. Consideration of recommendation of nomination for Spirit of the Island Award
 - ii. Discussion of having a referendum in the November 2022 general election to ask citizens if they want to reduce the size Council from 9 to 7 members
 - iii. Consideration of appointments to the Accommodation Tax Advisory Committee and Planning Commission
 - f. **Real Property Committee**
Consideration of noise control agreement with Marker 116, LLC
5. **Reports from City Officers, Boards and Commissions**
 - a. **Board of Zoning Appeals** – minutes attached



- b. **Planning Commission** – minutes attached
Update on recommendations for regulating short-term rentals
 - c. **Accommodations Tax Advisory Committee** – no meeting in May
 - d. **Environmental Advisory Committee** – no meeting in May
- 6. Reports from Special or Joint Committees**
Accommodations Taskforce – minutes attached
- 7. Petitions Received, Referred or Disposed of** – None
- 8. Bills Already in Possession of Council** – None
- a. **Ordinance 2022 – 01** – An ordinance to raise revenue and adopt a budget for the City of Isle of Palms, South Carolina for the fiscal year beginning July 1, 2022, and ending June 30, 2023
 - b. **Ordinance 2022 – 02** – An ordinance to temporarily suspend all regular meetings of standing committees and replace with workshop meetings from July 1, 2022 until December 31, 2022
- 9. Introduction of New Bills, Resolutions and Proclamations**
Ordinance 2022-03 – An ordinance to extend the temporary suspension of enforcement of the plastic ban for businesses impacted by supply chain issues.
- 10. Miscellaneous Business** - Next meeting: 6:00 p.m., Tuesday, June 28, 2022.
- 11. Executive Session**
Executive Session pursuant to S.C. Code §30-4-70(a)(2) for the discussion of negotiations incident to proposed contractual arrangements related to the marina.
- 12. Adjournment**



CITY COUNCIL MEETING
6:00pm, Tuesday, April 26, 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. Swearing-in of new employee – Fire Chief Oliverius

City Clerk DeNeane swore in Craig Oliverius as the new Fire Chief for the City of Isle of Palms.

MOTION: Council Member Ward made a motion to suspend the rules of order and reorder the agenda to allow for the reading of Proclamation 2022-04 before all other business. Mayor Pounds seconded the motion. The motion passed unanimously.

3. Miscellaneous Business

G. Proclamation 2022-04 – to commemorate the 50th Anniversary of the Windjammer

Mayor Pounds read Proclamation 2022-04 recognizing Malcolm Burgis and Bobby and James Ross for their many years of work and dedication to the establishment.

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

4. Citizens' Comments

Mr. Stephen Traynum of Coastal Science & Engineering gave a presentation to City Council regarding the current state of the beach. His presentation and all monitoring reports can be found on the City's website. He gave an overview of beach nourishment projects from 1983-2018. He reviewed the monitoring areas and pointed out erosion "hot spots" along the island's shoreline. He said there has been more erosion in some areas than he would like to see but there have been gains south of 53rd Avenue.

The section of the report that looks at local sea level rise could be beneficial to any community resiliency projects.

He commended the City for putting money aside for beach preservation. He reported that the State is working on funding for public beaches, but the City will need to have shovel-ready projects in order to secure any of that funding. He suggested getting permits for beach renourishment now as they are good for five years. He anticipates the need for a large-scale project in 4-5 years.

Mr. Randy Bell, 22 41st Avenue, thanked the Council for their continued “passion” around the Marina. He said it has been disturbing to see the angst of Marker 116 with regards to the shared parking. He said one tenant has assumed control of the lot and it needs to be rectified. He would like to see the restaurant succeed.

Ms. Glenda Nemes, Cameron Boulevard, said she supports the comments made by Mr. Bell. She asked City Council to fill the open positions on the ATAX Committee with qualified people who will represent the needs of short-term rental owners. She added that the ATAX Committee had no input on the FY23 ATAX budget. She said the Committee has been met with obstructionism on the part of the City and they have failed to provide information after it has been requested. She expressed confusion about the formation of the Accommodations Task Force. She will be sending her full comments to the City Council.

Ms. Amy Scarella, 2801 Cameron Boulevard, expressed concern about the number of violations being committed by builders near her home. She has called the police and Director Kerr numerous times over a 10-day period and spoken to the Livability Officer. There appears to be no consequences to the builder. She would like for the statutes governing these types of behaviors to be revisited and revised. She proposed the City hire someone to supervise the builders across the island to make sure they are in compliance with City ordinances.

Ms. Kathy Campbell, 10 20th Avenue, said that the Mayor’s letter in the *Island Eye* dated April 8 is misleading. She believes the City can set up its own DMO as Folly Beach has done. She believes continuing to give the 30% funds to the CVB is an injustice. She asked that Council members vote “no” on the FY23 budget on the meeting agenda until the Accommodations Task Force has made its recommendations regarding where the 30% should be spent. She also said that eliminating the committee structure is not open and transparent. She would also like City Council to fix the parking situation at the marina to ensure free resident parking and adequate parking for the new restaurant.

Mr. Mike Campbell, 10 20th Avenue, spoke about the noise ordinance on the agenda. He believes this to be governmental overreach, adding that all other types of outdoor machinery could be targeted in the future. He said backpack leaf blowers are more efficient and keep employee costs low.

Ms. Brenda Rosenthal, 3013 Waterway Boulevard, said she believes the commercial leases at the Marina are being poorly managed. She has never paid for parking there and is not sure how that came about.

5. **Consent Agenda**

Mayor Pounds asked to remove the previous meeting's minutes from the Consent Agenda.

A. **Approval of Previous Meeting's Minutes: Regular Meeting – 6:00pm, March 22, 2022**

Mayor Pounds said that the person making the motion under item 4A needs to be corrected. He said that Council Member Hahn made the motion under Item 6B.

MOTION: Mayor Pounds made a motion to approve the minutes as amended. Council Member Hahn seconded the motion. All members voted to approve the amended minutes excepting Council Member Pierce who abstained from voting.

MOTION: Council Member Streetman made a motion to approve the remainder of the Consent Agenda. Council Member Anderson seconded the motion.

Council Member Ward asked why the Purvis Station Alerting System was not part of the renovation of the Public Safety Building. Administrator Fragoso replied it was not a building code requirement nor a deficiency. She said this need was brought to the City's attention by Chief Oliverius upon his review of the building. This addition will bring the City on par with the Town of Mt. Pleasant and the City of Charleston. She supports the expenditure.

B. **Consideration of approval of sole source purchase of Purvis Station Alerting System for Fire Station 1 & 2 in the amount not to exceed \$75,000** [FY22 Budget, Capital Projects Fund, Fire Department, Maintenance & Service Contracts, \$94,305, pg. 19, ln. 41] [Strategic Plan Priority 6, Goal a.]

C. **Discussion of recommendation from Recreation Committee that the City plan a celebration to commemorate the 75th anniversary of the City's incorporation instead of the 70th anniversary in 2023**

D. **Discussion and consideration of request for ATAX funding in the amount of \$10,000 for MUSC Hollings Cancer Center for Lowvelo Bike Ride at IOP on November 5, 2022** [FY22 Budget, State ATAX, General Government, Programs & Sponsorships, \$85,000, pgs. 31, ln 20] [Strategic Plan Priority 3, Goal e]

E. **Consideration of recommendation from the Public Works Committee to approve an amount not to exceed \$25,000 for intersection improvements on Ocean Boulevard and JC Long Boulevard to improve flow of traffic** [Strategic Plan Priority 1, Goal b] [FY22 Budget, State ATAX, Front Beach, Capital Outlay, \$70,000, pg. 33, ln. 72]

F. **Consideration of recommendation from the Public Works Committee to approve an amount not to exceed \$12,000 for pavement repairs at Palm Boulevard & 45th Avenue** [FY22 Budget, Capital Projects, Public Works, Drainage Contingency, \$100,000, pg. 21 ln. 56] [Strategic Plan Priority 5, Goal c]

G. **Consideration of recommendation from the Public Works Committee to approve an amount not to exceed \$76,000 for drainage/flooding mitigation improvements at the end of**

25th Avenue [Strategic Plan Priority 5, Goal c] [FY22 Budget, Capital Projects, Public Works, Drainage Contingency, \$100,000, pg. 21, ln. 56]

VOTE: The Consent Agenda passed unanimously.

6. Reports from Standing Committees

A. Ways and Means Committee

Mayor Pounds reviewed the minutes of April 19, 2022 Ways & Means Committee meeting. The City is on budget 75% of the way through the fiscal year. Just about all revenues are above budget. Expenses are 6% ahead of last year but inline with the budget. The City has \$30M in cash deposits and \$16.5M is restricted.

He gave a quick review of the status of the Capital Projects. Administrator Fragoso reported that the road closures for the work on the 30th and 36th avenues outfalls will be longer than originally projected. They are trying to find ways to mitigate the closure and minimize the inconvenience. However, these closures need to happen to get the work completed by the end of the year. An advisory will be sent to all the residents in the area.

Administrator Fragoso said she has also initiated conversations with the grant writer to amend the application to the State's Office of Resiliency for the 41st Avenue outfall work to include paving over the ditch to create more parking at the end of 41st Avenue.

She reported that the contract for the upgrade to the A/V equipment in Council Chambers has been signed. They anticipate installation by mid-summer. The better equipment should help with the closed captioning.

MOTION: Council Member Anderson made a motion to approve the purchase of an F-150 truck for the Fire Department in the amount of \$52,000. Council Member Streetman seconded the motion.

Administrator Fragoso noted the cost of the vehicle has gone up from \$44,000 since Council's original approval of the purchase back in November 2021. The difference will be made up from a line item that is under budget within the department.

VOTE: The motion passed unanimously.

B. Public Safety Committee

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

C. Public Works Committee

Council Member Ward reviewed the minutes of the April 6, 2022 meeting.

D. Recreation Committee

Council Member Popson reviewed the minutes of the April 11, 2022 meeting.

E. Personnel Committee

Council Member Bogosian said there was no April meeting of the Personnel Committee. At the May meeting, they will be addressing the vacancies on the ATAX Committee and other boards. He said, “I would like to remind everyone that the ATAX Committee by statute consists of seven members with the majority being from the hospitality industry on the island, at least two members need to be from the lodging industry, of which those two are currently filled by current ATAX Committee members, two from the hospitality industry, and two at-large, of which one is currently filled with a current ATAX member, and then one representing a cultural organization on the island. So we are looking for specific members to fill those vacancies that, again, are required by statute. So we are keeping the applications open until the end of the month. Please encourage anyone that fits any of those two, again, two members from hospitality, one at-large, and one representing a cultural organization, to apply for the ATAX Committee.” Applicants must be island residents. Those appointed can only serve on one board at a time.

MOTION: Council Member Bogosian made a motion to reappoint Douglas Kerr, Norma Jean Page, and Donnie Pitts to the Employee Grievance Committee. Council Member Hahn seconded the motion. The motion passed unanimously.

MOTION: Council Member Bogosian made a motion to appoint Council Member Pierce, replacing Mayor Pounds, to the Personnel Committee. Council Member Streetman seconded the motion. The motion passed unanimously.

F. Real Property Committee

Council Member Streetman reviewed the minutes of the April 11, 2022 meeting.

7. Reports from City Officers, Boards, and Commissions

- A. Board of Zoning Appeals** – minutes attached
- B. Planning Commission** – minutes attached

Director Kerr updated the Council on the work being done by the Planning Commission regarding short-term rentals on the island. He said that in addition to looking at a multitude of data about the island’s short-term rentals, the Commissioners also reviewed what other communities are doing with regards to short-term rentals. He said the general consensus of the Commission has been to follow what Kiawah Island has done which “has been to divide the island into similar areas, so kind of neighborhoods that seem to have characteristics unto themselves, try to find those neighborhoods and try to establish caps within those neighborhoods that will mirror what has historically been in that neighborhood.” He referred Council members to maps and data provided in the meeting packet. The Commission plans to have their recommendations to the City Council for their June meeting. Council Member Bogosian said he would like to see those recommendations come to the Council in May.

- C. Accommodations Tax Advisory Committee** – minutes attached
- D. Environmental Advisory Committee** – minutes attached

8. **Reports from Special or Joint Committees**

A. **Accommodations Taskforce** – minutes attached

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

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

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

A. **Ordinance 2022-01** – an ordinance to raise revenue and adopt a budget for the City of Isle of Palms, South Carolina for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

MOTION: Mayor Pounds made a motion to approve and discuss Ordinance 2022-01. Council Member Streetman seconded the motion.

Mayor Pounds said, “Our revenue number is about \$22.5M for our fiscal 23 budget, and our expenses are just under \$24M, so we will be taking from reserves, if you will, about \$1.5M for the fiscal 23 year. We are going to start FY23 with about \$30M in or just under \$31M actually in fund balances. We are projected to end FY23 with about \$29.3M in fund balances. So again, pretty healthy from a fund balance standpoint.”

Mayor Pounds reviewed the larger expenses in the budget, noting that there will be no millage increase this year. The City’s tax millage is 0.0233, which is the lowest among Folly Beach, Sullivan’s Island, and Mt. Pleasant.

Council Member Ward asked if the Council needed to be concerned about any regulatory issues with passing a budget without ATAX approval of the ATAX budget. Mayor Pounds said, “Just for clarity, in that particular line item of our budget against 30% of our projected State ATAX revenues, that particular line item we have worded and will approve in such a way that if our Task Force changes paths this year we will continue to use the DMO or if we are setting up a new DMO. It is giving us the ultimate flexibility to not have to amend our budget during the year or change anything in our budget. It will give us the flexibility to through the year whenever our Task Force comes back with a recommendation.”

Administrator Fragoso added, “There are essentially two items that the ATAX Committee is responsible for. One is making a recommendation on the 65% State ATAX fund, which is included in the FY23 budget. The Committee did review that, and actually rejected that budget that the City presented that you all have approved and worked on. They have already acted on that. Ultimately, it is your decision whether or not to pass the 65%. Their role regarding the 30%, we’ve verified again with TERC, and they are not required or responsible for making a recommendation to Council on the 30% budget from the CVB. Their responsibility, based on new guidelines, is to review. If the Committee now has a quorum and is able to meet, they can certainly review the budget for the 30%, but they are not required or responsible for making a recommendation to you all on that expenditure.”

VOTE: The motion passed unanimously.

B. Ordinance 2022-02 – an ordinance to temporarily suspend all regular meeting of standing committees and replace with workshop meetings from July 1, 2022 until December 31, 2022

MOTION: Mayor Pounds made a motion to approve and discuss. Council Member Streetman seconded the motion.

Mayor Pounds said, “The recommendation from the City Attorney was to put forth an ordinance change to suspend the current committee structure, Item C, which kind of goes hand-in-hand with this is the resolution to put the structure in place for the workshop along with a proposed agenda that you have seen before. The main item that we’ve added to the agenda based on your feedback and others is adding a citizen comment section to the workshop, which is always open to the public. Not closed doors, live streamed, minutes. Anybody can put any agenda item you want on that meeting or a Council meeting.”

Council Member Hahn verified that should the Council do nothing after this trial period the committee meeting structure would be in place. Mayor Pounds said he anticipates the workshops lasting 2-3 hours. The staff is currently working on a dashboard. The concept will continue to be refined, and it is anticipated that they will gain efficiencies in workflow. Special meetings, other boards, commissions and taskforces will exist as they already do. Administrator Fragoso said the meeting will be advertised as a Special Meeting/Workshop.

Council Member Streetman spoke in favor of the workshop structure as it will keep all Council members on the same page. Council Member Anderson said she believes it will focus Council on being more policy oriented.

VOTE: A vote was taken as follows:

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

Nays: Popson, Ward

The motion passed 6-2.

C. Resolution 2022-05 – a resolution to temporarily adopt additional rules of order and procedure for conducting workshop meetings in order to increase expediency for transaction of the City’s business

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

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

Nays: Popson, Ward

The motion passed 6-2.

D. Resolution 2202-06 – Safety Resolution

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

E. Proclamation 2022-02 – National Safe Boating Week

MOTION: Council Member Hahn made a motion to approve and waive the reading. Council Member Anderson seconded the motion. The motion passed unanimously.

F. Proclamation 2022-03 – Peace Officer Memorial Day

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

Flags will fly at half-staff on May 15 in recognition of Peace Officer Memorial Day.

11. Miscellaneous Business

A. Discussion of open letter from Council Member Hahn to Council and the importance of Home Rule

Council Member Hahn said, “My open letter and memorandum discussing the constitutionally guaranteed right of Home Rule is attached to the agenda. I cannot stress strongly enough the importance of this issue. The right of this body to govern this municipality has been guaranteed by our constitution through an amendment to the State Constitution in 1973. It took 20 years for that amendment to come about, and it was done to protect our way of government from being eroded by power-hungry politicians. Please read the materials provided to you. Ask questions so that you fully understand the importance of the constitution and the rule of law. What our legislature has done is not a question of interpreting legal jargon or parsing the meaning of words. Statute 57-5-845 is a clear, open and direct violation of constitution and the rule of law. This is not about parking; this is about the right of this duly-elected body to represent and govern this municipality. I have attended two separate meetings this week and was told in both meetings that our State legislators simply do not care about our constitution and the rule of law. That when out of the spotlight, our legislators laugh at the notion of upholding the constitution. They quite honestly believe they are above the constitution and the law. I am here to tell anyone that will listen that I am not above the constitution or the rule of law. I swore an oath, as did each one of us, to uphold the constitution, and I take that oath seriously. Each one of our state legislators as well as our governor took that same oath. They have chosen to turn their back on our constitution and the rule of law to pander to a small group of voters. I believe this council is better than that. I believe that this island is better than that. I urge this Council, even if we do it alone, to demand that our state legislators recognize, restore, and comply with the constitution and the rule of law in our state. To turn our backs on our way of government will change our democracy and way of life for generations to come. Again, I believe we are better than that. I urge this Council to take decisive action against all attempts by any group or individual to circumvent the constitution and rule of law that we are each sworn to uphold.”

Council Member Miars thanked Council Member Hahn for the information he provided. She said that she also heard the same comments about state legislators’ lack of respect for the constitution.

Council Member Streetman said he believes that S40 does violate the constitution since it treats four municipalities differently than the rest of the state. He said perhaps “some stronger action” does need to be taken in response.

Council Member Hahn asked if there was interest in the formation of a small task force of City Council members to look into the matter further and provide suggestions on where City Council could go from here.

Council Member Bogosian said that if the state has violated the constitution, the only recourse is a lawsuit against the State. He would like to hear from a third-party attorney, an expert in constitutional law, discuss a course of action for a legal case against the State.

MOTION: Council Member Bogosian made a motion for the staff to engage expert attorneys in constitutional law to have them provide a memo detailing the issue and what options the City has regarding a possible lawsuit against the State. Council Member Hahn seconded the motion.

Council Member Anderson suggested that maybe a class action lawsuit with the other municipalities targeted by S40 could be an option.

VOTE: The motion passed unanimously.

B. Discussion of including regulations regarding the use of leaf blowers in the noise ordinance revisions

Mayor Pounds said that Sullivan’s Island received a lot of resistance from the landscaping community about a similar ordinance.

Council Member Hahn said that Mt. Pleasant recently enacted a 55-decible level noise ordinance. He said something that he liked about the sample ordinance in the packet was that municipality put money aside to help mitigate the landscapers’ costs in replacing the gas-powered blowers.

Council Member Streetman said this proposal “does not work” for him. Council Member Bogosian said singling out leaf blowers could eventually lead to including other types of noisy equipment. Council Member Popson also said he did not agree with the proposal.

Council Member Anderson said it would not be a good idea to single out leaf blowers and believes this issue should be covered by the noise ordinance update. The issue will be taken up further by the Public Safety Committee.

C. Legislative Update

Mayor Pounds referred to the monthly report provided by the City’s lobbyist in the meeting packet. He mentioned a few bills that might have been pertinent to the island, but none of them made it out of committee. Council Member Ward said he believes this money is money well spent since they now have someone in Columbia reporting on things they need to know about.

Mayor Pounds agreed that the monies spent on the lobbyist and grant writer have been monies well spent on behalf of the taxpayers.

Mayor Pounds said that he and Council Member Pierce spoke about adding an effort to seek state funding “for initiatives to enhance the visitor experience and other initiatives.” Council Member Pierce said that 7% of FY23 is from grants. He would like to see the City more plugged into the State’s budgeting process “when the money seems to be flowing quite freely over the next couple of years.” He said it is important to get the City’s requests out to be considered for funding.

D. Discussion of enforcement of existing lease terms regarding overnight/long term parking

Mayor Pounds said, “The City has made known, based on feedback and conversations, has made known its stance to not allow overnight or long-term parking in the shared lot and that for the City to hang onto those 16 resident spots that we spent a fair amount of time talking about at Ways & Means last week. So once that was made known to the two marina tenants that really took the City out of that particular memorandum of understanding. So that MOU, memorandum of understanding has been executed by the two marina tenants. The City has its 16 spots. Just by way of a quick reminder. Around the restaurant, there will be 45-50 spots that will be free parking for restaurant use. There are about 14 golf cart spots along 41st right at the entrance to the marina. I think we will continue to chip away at this thing and have a lot more conversation around that.”

E. Discussion of review of marina parking management and potential replacement

This item will be discussed in Executive Session.

F. Next meeting – Regular Meeting, 6:00pm, Tuesday, May 24, 2022

12. Executive Session

MOTION: Council Member Ward made a motion in accordance with §30-4-70 (a)(2) for the discussion incident to proposed contractual arrangements related to the marina, and in accordance with §30-4-70 (a)(2) for the receipt of legal advice concerning potential claims related to the enforcement of existing lease terms and parking management at the marina, and in accordance with §30-4-70 (a)(2) for the receipt of legal advice concerning a proposed civil settlement from Jonathan Gandolfo related to the tree cutting case. Council Member Anderson seconded the motion. The motion passed unanimously.

City Council moved into Executive Session at 8:15pm.

City Council returned from Executive Session at 9:17pm. Mayor Pounds said no decisions were made.

Mayor Pounds stated, “We have received a letter requesting approval of assignment of the existing leases held by Marina Joint Ventures, Inc. and Marina Outpost, LLC with the City of Isle of Palms to Morgan Creek, LLC, which is the same ownership group that owns both

Bohicket Marina and Sea Breeze Marina. Any assignment of those leases would require the City's prior consent. Since we have just learned of this and received this request, we will start a due diligence process immediately with a new potential signing."

MOTION: Council Member Hahn made a motion to grant the City Administrator authority to settle the Gandolfo matter for the amount discussed in Executive Session and rejecting the current proposal. Council Member Miars seconded the motion. The motion passed unanimously.

13. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Hahn seconded the motion. The meeting was adjourned at 9:19pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Ways & Means Committee Meeting
5:00pm, Tuesday, May 17, 2022
1207 Palm Boulevard, Isle of Palms, SC 29451
and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Council members Hahn, Bogosian, Miars, Ward, Streetman, Popson, and Mayor Pounds

Absent: Council members Anderson and Pierce

Staff Present: Administrator Fragoso, Treasurer Suggs, various City Department heads

2. Approval of previous meeting's minutes

Council Member Streetman made a motion to approve the minutes of the April 19, 2022 regular meeting and Council Member Bogosian seconded the motion. The motion passed unanimously.

4. Citizen's Comments -- none

5. Financial Statements – Treasurer Suggs

Treasurer Suggs said there have been no new significant financial events since the last meeting. As of 4/30/22, the City has received \$18.8M in revenues and expended \$13.8M across all funds. General Fund revenues are about \$1.5M ahead of budget. Revenues for rental licenses, business licenses, and building permits have greatly surpassed the budget.

The budget did not account for the significant increase in business licenses as a result of the State's Business License Standardization Act. This increase will be unique to FY22.

Treasurer Suggs is "expecting about \$2.5M in revenues in excess of expenditures in the General Fund."

The City has spent approximately \$150,000 in fuel year to date in a budget of \$187,000. She said this line item might go over budget.

The City has \$31M in cash deposits.

Tourism revenues continue to be strong. The City received a payment for municipal ATAX funds today in the amount of \$82,759, which is significantly higher than the April 2021 payment which was around \$68,000. The City also received a portion of the County pass through of \$59,000.

Small payments to ATM were made out of the marina dock fund.

5. Capital Projects Report

A. Marina Restaurant Renovation

Administrator Fragoso said this project is complete. She waiting for the Insight Group to setup a meeting and final walk-through of the restaurant to ensure it has been built to specifications.

The restaurant opened last Saturday.

B. Marina Docks Rehabilitation

Administrator Fragoso said this project is also very near completion. She said, “Everything related to construction is complete. All systems are 100% functional. We have the potable water permit in hand, which was the final piece that we were waiting on so the marina operator could use the water for drinking.” The contractor is working on the as-builts, warranty package, and a maintenance plan. The two windows for the fuel hut are expected this week.

C. Phase III Drainage

Administrator Fragoso gave an overview of the work being done on the Phase III Drainage Project. A slide detailing all of the work done on this project can be seen in the YouTube recording of this meeting linked on the City’s website. Construction has begun on the 30th Avenue outfall.

She shared, “Today we had a meeting on site with Dominion Energy and Quality Enterprises. There is a power pole right at the corner of the ditch there that needs to be relocated and moved about four feet away from the ditch. We’ve received notice from the adjacent property owner who is not happy with that relocation.” They are working with the contractor and property owner to minimize the impact. “The goal would be to maintain that power pole and the guide wires within the easement and certainly not on private property.”

The temporary relocation of the pole will also take extensive coordination with Dominion Energy and Quality Enterprises so as to not disrupt power to customers.

Staff continues to talk with the contractor about ways to minimize the several week road closure that will be necessary in mid-July. She shared a map of the proposed detour. They would like to have it closed only while work is being done and find a way for it to be open on the weekends.

The grant writer has been engaged to develop an amendment to the application for the grant received from the SC Office of Resiliency for the 41st Avenue project to include the piping over of the 41st Avenue ditch to create additional parking.

D. Master Drainage Plan

Administrator Fragoso referred to the slide in the meeting packet detailing the work that has been completed on the Drainage Master Plan to date. Davis & Floyd are developing solutions for high priority areas and some of the low priority areas within the Phase 4 study area. They will also review the City’s ongoing drainage maintenance schedule and stormwater management policies

to provide input and recommendations. Davis & Floyd is “currently assessing and developing their recommendations for our capital plan on drainage. Next steps will be developing those cost estimates for the solutions in the high priority areas that will help the City identify the next small but high impact project to pursue in FY23. They will also help the City identify funding alternatives for the projects.

E. Overhead to Underground Conversion

Administrator Fragoso reported on a slight change to the estimate for this project that will result in a \$3500 increase in the City’s portion of the project. The project is still scheduled for the fall/winter of 2022.

6. **Old Business** -- none

7. **New Business** – none

8. **Miscellaneous Business**

The next regular meeting of the Ways & Means Committee will be Tuesday, June 21, 2022 at 5pm.

9. Adjournment

Council Member Ward made a motion to adjourn and Council Member Streetman seconded the motion. The meeting was adjourned at 5:19pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

City of Isle of Palms
Financial Summary as of April 30, 2022
(Dollars in Thousands)

	REVENUES			
	YTD Actual	Annual Budget	Remaining to Collect	YTD Actual as a % of Budget
General	\$ 11,078	\$ 11,799	\$ 721	94%
Capital Projects	1,981	1,291	(690)	153%
Muni Accom Tax	1,468	1,526	58	96%
Hospitality Tax	696	836	140	83%
State Accom Tax	2,016	2,146	130	94%
Beach Prserv Fee	1,072	1,275	203	84%
Marina	291	360	69	81%
Disaster Recovery	44	10	(34)	440%
All Other	189	171	(18)	110%
Total All Funds	\$ 18,835	\$ 19,414	\$ 579	97%

	EXPENDITURES			
	YTD Actual	Annual Budget	Remaining to Spend	YTD Actual as a % of Budget
	\$ 9,587	\$ 12,466	\$ 2,879	77%
	1,010	4,456	3,446	23%
	940	1,265	325	74%
	470	562	92	84%
	975	1,506	531	65%
	75	385	310	19%
	534	689	155	78%
	-	10	10	0%
	186	167	(19)	112%
	\$ 13,777	\$ 21,506	\$ 7,729	64%

General Fund Revenues					
	FY22 YTD Actual	FY22 Budget	% of FY22 Budget	FY21 YTD Actual	% of Prior YTD
Prop Tax	\$ 4,709	\$ 4,806	98%	\$ 4,597	102%
LO Sales Tax	674	895	75%	567	119%
Business Lic	1,736	1,421	122%	1,422	122%
Rental Lic	1,107	940	118%	909	122%
Other Lic	201	1,496	13%	193	104%
Build Pmts	889	450	198%	589	151%
From State	233	253	92%	168	0%
Parking	916	1,019	90%	802	114%
All Other	613	519	118%	576	106%
Total	\$ 11,078	\$ 11,799	94%	\$ 9,823	113%

General Fund Expenditures (YTD target = 83%)					
	FY22 YTD Actual	FY22 Budget	% of FY22 Budget	FY21 YTD Actual	% of Prior YTD
Mayor/Council	\$ 116	\$ 134	87%	\$ 108	107%
General Govt	1,640	2,145	76%	1,565	105%
Police	2,215	3,022	73%	2,131	104%
Fire	2,986	3,745	80%	2,753	108%
Public Works	1,174	1,502	78%	1,141	103%
Build & Lic	338	456	74%	334	101%
Recreation	839	1,090	77%	758	111%
Judicial	228	270	84%	206	111%
BSOs	51	102	50%	60	85%
Total	\$ 9,587	\$ 12,466	77%	\$ 9,056	106%

April 2022 Notes:

- All categories of YTD General Fund Revenues are running ahead of the prior year. As expected, the April deadline for Business and Rental License renewals drove strong revenues in these categories. As of April 30, these revenues were 22% and 18% ahead of budget, respectively. May should be another strong month for license revenues, as the usual late April payment backlog is processed by the Building Dept.
- The current forecast for General Fund revenues predicts the City will end the fiscal year with significantly higher revenues than expected. The FY22 budget was deliberately very conservative given the uncertainty related to the timing and extent of economic recovery post-pandemic.
- YTD General Fund operating expenses are running 6% ahead of the prior year but well within budget targets. There is currently no forecasted change in total General Fund budgeted expenditures.
- Total tourism revenues, consisting of all accommodations and hospitality taxes, are \$2 million ahead of this time last year. The forecast predicts year-end totals will be \$1.7 million ahead of the FY23 budget.
- The City has approximately \$31 million in cash deposits. Approximately \$3.8 million of this total represents unspent bond proceeds, \$1 million is unspent federal ARP funding and \$12 million is restricted for tourism related expenditures or beach preservation.

FY22 CAPITAL PROJECTS REPORT

MAY 2022



MARINA RESTAURANT – CONSTRUCTION UPDATE

Marina Restaurant Rehabilitation

- Construction complete
- Staff coordinating final walkthrough, inspection and report from Insight Group, third party construction management contractor hired by the City to oversee construction and compliance with permits.
- Restaurant opening week of May 9th

Marina Dock Rehabilitation

- Construction complete. All systems 100% functional
- SCDHEC permit for potable water system on hand
- 2 windows for hut expected this month
- As-builts and warranty package preparation underway

PHASE 3 DRAINAGE 30TH, 36TH & 41ST AVENUE OUTFALLS



30th & 36th Avenue:

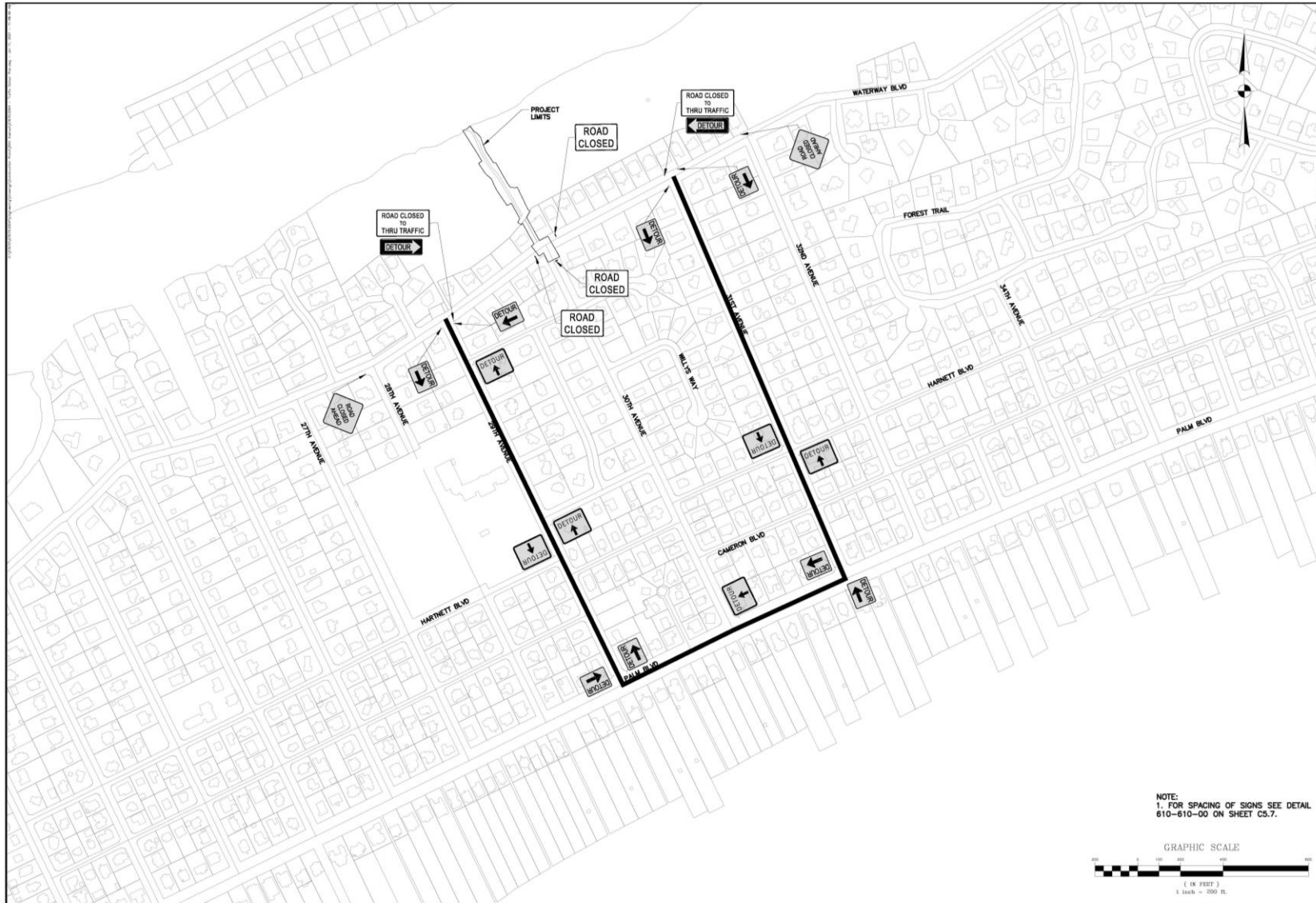
- Construction started at 30th Avenue
- Golf course portion of the work completed by June
- Waterway & 30th road closure mid/late July to end of August
- Waterway & 36th road closure late September - mid October

41st Avenue:

- Wetland permit (OCRM and USACE) still pending. City has conditional approval from OCRM. All other permits are contingent on the wetland permit.
- Project was put on public notice on April 14 until May 14.
- City received \$1.4M grant from the SC Office of Resilience from CDBG-MIT funds for construction.
 - City held kick-off meeting with Office of Resilience staff and Thomas & Hutton to determine next steps to get the project ready to go to bid once permits are in hand.



Phase 3 Drainage – 30th Outfall Construction Road Closure Detour





COMPREHENSIVE DRAINAGE MASTERPLAN

Work Complete to Date:

- Full inventory and assessment of existing drainage infrastructure for phase 4 study area.
- Water level monitoring stations installed near Ocean Boulevard, county park, and marina.
- Rainfall monitoring station installed at county park.
- Provided short-term maintenance recommendations based on field assessments for phase 4 study area.
- Completed existing conditions hydrologic and hydraulic assessments of phase 4 infrastructure for both extreme and typical storm events. This includes high intensity rain bombs as well as elevated tides from sea level rise.
- Developed preliminary solutions for high-priority areas within the phase 4 study area as identified through the existing conditions assessment and confirmed by city staff. High-priority areas are classified as those that experience more than 6 inches of flooding for more than 30 minutes.
- Identified preliminary solutions for low-priority areas within phase 4 study area.
- Reviewed island-wide ditch/channel maintenance program.

Next Steps:

- Develop cost estimates for preliminary solutions for high-priority areas.
- Continue evaluating alternatives for high-priority areas to find the most efficient and economical long-term solution.
- Continue evaluating options to solve flooding in low-priority areas.
- Identify funding options for all alternatives.
- Set up meeting and work with residential property owners to evaluate development standards in terms of stormwater management.
- Identify and consult with specialty contractors (e.g., stream restoration contractors) to develop long-term solution for island-wide canal/ditch/channel systems.



UNDERGROUND UTILITY CONVERSION – 21ST & PALM

- City received revised construction agreement. New regulation that requires DE to dispose mud created from boring activities increased cost estimate by \$7,000.
- Construction scheduled for fall/winter of 2022.



**Public Safety Committee
10:00am, Thursday, May 5, 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 Anderson, Hahn and Streetman

Staff Present: Chief Oliverus, Deputy Chief Hathaway, Lt. Forsyth, Fire Marshal Stafford

2. Approval of previous meeting's minutes

MOTION: Council Member Streetman made a motion to approve the minutes of April 13, 2022 and Council Member Hahn seconded the motion. The minutes passed unanimously.

3. Citizens' Comments -- none

4. Highlights of Departmental Reports

A. Fire Department – Chief Oliverus

Chief Oliverus gave an overview of department efforts in April. There is currently one vacancy which he anticipates being able to fill soon as they have had 15 applications for the position. Life-saving awards have been put in for the crew who rescued the surfboarder last month and the crew who saved a patient in cardiac arrest recently. He also spoke of the many opportunities members of the Fire Department had engaging with the community including numerous events at the Recreation Department.

Department personnel recently voted on updating the department patch. They are also currently trying out new daily uniforms. Cody Marlow was promoted to engineer. Engineer Chris Schwartz will be working on the department's social media presence. Chief Oliverus and Chief Cornett have discussed the possibility of sharing a public information office to maximize their social media efforts.

Department staff has been engaging with vendors and other departments regarding the upgrade to the fitness centers at the Public Safety Building and Fire Station 2. He also spoke about some recent training exercises in conjunction with area departments, Charleston County Parks & Recreation, and Charleston County Emergency Management.

Chief Rourke reached out to area departments regarding PPE and was referred to some gloves that are a better value and perform well.

He and Deputy Chief Hathaway have met with all City departments to understand their needs. Chief Oliverus will also continue to assess administrative operations to identify places to improve efficiency.

Committee members commended the Chief on his collaborative efforts within the City as well as among area fire departments.

B. Police Department – Lieutenant Forsyth

Lt. Forsyth highlighted the events of the police department in April including Coffee with a Cop, National Drug Take Back, a pinning ceremony, and the Easter activities at the Recreation Center.

There were 13 drug charges, 109 traffic citations, and 10 DUIs in April. Year to date there have been 13 marine calls for service. 37 of the traffic citations written were speeding violations. Lt. Forsyth attributes the large uptick in the number of speeding tickets to the increased volume of people on the island. He expects that those numbers will increase when they open staff vacancies are filled. There are still 3 officer vacancies, but they have an offer pending for a recent college graduate. There are still vacancies for BSOs, but he added that they are ahead of where they typically are this time of year with regards to hires.

5. Old Business

A. Update on study of the modification to the IOP Connector, to include assessment of alternative configurations to improve traffic flow, pedestrian and emergency access and expanded scope for corridor study [Strategic Plan Priority 1, Goal b]

Council Member Anderson reported she, Administrator Fragoso, and Jennifer Bihl met with SCDOT and CCPRC to discuss the City's issues with the ingress into the County Park. CCPRC will be testing an app this summer that would allow people to park and pay, but it likely will not be ready to use this summer. The parking rate structure was also discussed. Council Member Anderson remarked that CCPRC does not see the traffic issue as big a concern as the City does.

She said, "We did talk with them about what happens when the park is full and how traffic queues on the road. So one of the things we will be discussing hopefully with the Police Department here is to get some signage from SCDOT – no standing along 14th Avenue – and then enable the Police Department to actually enforce that by asking people to move on." This effort will include information about where other parking might be available.

Council Member Anderson reported that CCPRC did agree to put a variable messaging sign on the Mt. Pleasant side of the Connector that indicates when the parking at the County park is full.

The data collection phase of the IOP Connector study is now complete. The SCDOT consultant came up with some quick fixes including looking at the signal at Palm and the Connector. Going forward, the SCDOT consultant will present eight alternate configurations to the IOP Connector. Those alternatives will come back to the Committee to sort through and select the most feasible

options and then bring those options to the public for comment. Those options will be available sometime in July.

B. Update and discussion about potential changes to the noise ordinance

Lt. Forsyth said they are still collecting data from coastal communities to see what they are doing with regards to noise ordinances. They are also waiting for Mt. Pleasant to complete its trial of their new noise ordinance so they can review its effectiveness.

Council Member Anderson would like any proposed changes to address the hours of the day the noise ordinance will be enforced and a table of acceptable decibel levels for various types of noise. Lt. Forsyth noted that City of Charleston and Folly Beach do not use decibel levels in their noise ordinances “because there are so many variables with the decibel levels and the readings as well.”

Of the livability complaints made this year to date, only two have been for noise.

Chief Cornett and Lt. Forsyth will bring their recommendations back to the Committee.

C. Consideration of Mutual Aid Agreement with National Park Service

Lt. Forsyth said this is a standard mutual aid agreement.

MOTION: Council Member Hahn made a motion to recommend to City Council the approval of the Mutual Aid Agreement with the National Park Service. Council Member Anderson seconded the motion. The motion passed unanimously.

D. Discussion and consideration of adopting Chapter 1 of the International Fire Code

Fire Marshal Stafford explained to the Committee the need to adopt Chapter 1 of the International Fire Code into the City. He said Chapter 1 “establishes the limits of the code and it describes how the code is to be applied and enforced.” This adoption will just be updating the code and not making changes to the way things are currently being done.

MOTION: Council Member Anderson made a motion to recommend to City Council the adoption of Chapter 1 of the International Fire Code. Council Member Streetman seconded the motion. The motion passed unanimously.

E. Discussion regarding the division of transportation issues into different departments: traffic, roads, and transportation planning

Council Member Anderson said that parts of transportation concerns “seem to be siloed” in different departments and she would like to have a discussion “about this and start with what we know and that is for the police department next time to identify clearly what their responsibilities are with respect to the general, what I call transportation, what their duties are, what the requirements are, and any suggestions as to what we might be able to do better, to improve the way it’s handled in this City.”

She would like to include the Public Works department and the Real Property Committee in future discussions to “find out what their duties and responsibilities are and if there is overlap, how we can better do those activities so that we end up with the uniform process.”

6. New Business

7. Miscellaneous Business

The next regular meeting of the Public Safety Committee will be held on Thursday, June 2, 2022 at 10:00am.

8. Adjournment

Council Member Streetman made a motion to adjourn, and Council Member Anderson seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:57am.

Respectfully submitted,

Nicole DeNeane
City Clerk

**GENERAL AGREEMENT
BETWEEN**

**UNITED STATES DEPARTMENT OF INTERIOR
NATIONAL PARK SERVICE**

AND

**ISLE OF PALMS POLICE DEPARTMENT
Isle of Palms, South Carolina**

This General Agreement (Agreement) is entered into by and between the National Park Service (the NPS), acting on behalf of the Secretary of the U.S. Department of the Interior (Secretary) and through the Regional Director of the National Park Service overseeing Fort Sumter and Fort Moultrie National Historical Park (sometimes hereinafter referred to as the Park and includes all NPS areas administered by Fort Sumter and Moultrie NHP), and the Isle of Palms Police Department (Isle of Palms PD) in the State of South Carolina, acting through the Chief (the Chief) of Isle of Palms PD (sometimes hereinafter referred to as the City), (collectively, the parties) for the purpose of establishing the terms and conditions under which the parties will provide mutual law enforcement assistance in and around Fort Sumter and Fort Moultrie National Historical Park.

Article I. BACKGROUND AND OBJECTIVES

A. Background

1. The principle objective of this Agreement is to provide mutual aid, cooperative assistance, and emergency law enforcement assistance and protection in the Fort Sumter and Fort Moultrie National Historical Park, a unit of the National Park Service, and the surrounding area, with the Isle of Palms Police Department, South Carolina, to offer the people and resources of the area more efficient and effective law enforcement protection, and a safer working environment for officers of Isle of Palms PD and the commissioned law enforcement rangers of the Park.
2. The Secretary, acting through the NPS, administers the Park as a unit of the National Park System in accordance with Title 54 of the United States Code and the laws applicable generally to units of the National Park System.
3. This Agreement pertains to the portion of the Park located near Isle of Palms.
4. The NPS, acting on behalf of the Secretary, has primary law enforcement authority within the National Park System, and pursuant to 54 U.S.C. 102701 is expressly prohibited from delegating its law enforcement responsibilities to state or local governments.

5. The Chief has authority under South Carolina Code **§23.11.20 and §23.13.50** to administer and enforce the laws of the State of South Carolina within the city, including lands and waters within the Park.

B. Objectives

1. The parties desire to cooperate in law enforcement activities in and around the Park to reduce response time and cost to the public and to promote the welfare, safety, and enjoyment of park visitors and City residents. In achieving these mutual objectives and benefits the parties will establish a consistent and uniform application of enforcement through the most efficient utilization of resources where they exist and are in place, thereby eliminating unnecessary and/or conflicting duplication of effort and facilitating the respective missions and responsibilities of both parties.
2. The purpose of this Agreement is to establish the terms and conditions under which the parties will provide mutual law enforcement assistance in and near the Park.

Article II. AUTHORITIES

A. The National Park Service

1. The NPS has the responsibility to administer the Fort Sumter and Fort Moultrie National Historical Park (hereafter referred to as "FOSU" or "park"), unit of the National Park System, pursuant to the authority contained in the Act to Authorize the Establishment of the FOSU, Public Law 80-504; and

The NPS administers the Park as a unit of the National Park System in accordance with Title 54 of the United States Code and the laws applicable generally to units of the National Park System.

2. 54 U.S.C. 102701 authorizes the Secretary to cooperate, within the National Park System, with any State or political subdivision thereof in the enforcement of the laws or ordinances of that State or subdivision.
3. 54 U.S.C. 102711 authorizes the Secretary to render emergency rescue, fire fighting and cooperative law enforcement assistance to nearby agencies outside of the National Park System to facilitate the administration of the National Park System.
4. Concurrent Legislative Jurisdiction over lands and buildings administered by the NPS, including FOSU was ceded by the State of South Carolina, to the United States of America pursuant to Code of Laws of South Carolina 1976 Section **1-3-150**.

5. State powers are granted to Federal law enforcement officers (which include National Park Service Rangers) under **Section 23-1-212**, Code of Laws of South Carolina.
6. The activities of the NPS under this Agreement are subject to the requirements and restrictions articulated in the NPS Director's Order #9 and Reference Manual-9 in effect at the time of such activity.

B. Isle of Palms Police Department

1. The Chief has authority, in accordance with the provisions of South Carolina Code **§23.11.20 and §23.13.50**, to administer and enforce the laws of the State of South Carolina within the City, including lands and waters within the Park.
2. The South Carolina Mutual Aid Act, South Carolina Code of Laws **§25.1.450 (1)(b)**, authorizes the local law enforcement agencies to enter into mutual aid agreements with any law enforcement agency of the United States.
3. Concurrent Legislative Jurisdiction over lands and buildings administered by the NPS, including FOSU was ceded by the State of South Carolina, to the United States of America pursuant to Code of Laws of South Carolina 1976 Section **1-3-150**.

ARTICLE III. STATEMENT OF WORK

1. Responsibilities of the NPS

1. Inside the Park
 - a. The NPS has primary responsibility for maintaining law and order and the protection of persons, property and resources within the geographic boundaries of the Park through the enforcement of all applicable Federal laws and regulations (including assimilated State laws).
 - b. The NPS has primary responsibility for investigations and arrests for violations of all Federal laws in the absence of investigation by other Federal law enforcement agencies having jurisdiction.
 - c. The NPS has primary responsibility for the investigation of accidents and fatalities occurring to all persons in the Park except those injured or killed while acting within the scope of employment for the State of South Carolina or a political subdivision thereof.
 - d. The NPS shall notify the Chief, as soon as practicable under the circumstances, of any deaths (natural or otherwise) occurring in the Park.
 - e. The NPS shall notify Isle of Palms PD, as soon as practicable under the circumstances, if a State felony occurs within the Park. Upon such notice,

Isle of Palms PD may dispatch its investigative personnel to be briefed by NPS personnel and cooperate in the investigation with NPS or other Federal law enforcement personnel.

- f. The NPS shall notify the City Medical Examiner of fatalities occurring within the Park, and for notification of next of kin in death situations involving victims and/or family members, except in those cases where the victim(s) and/or family members are residents of Isle of Palms.

2. Outside the Park

- a. The situations for which the NPS is authorized under 54 U.S.C. 102711 to render emergency law enforcement assistance are the following:
 - 1) life or death incidents;
 - 2) accidents or incidents involving a serious injury or fatality;
 - 3) crime scenes involving the protection of human life;
 - 4) officer in trouble;
 - 5) threat(s) to public health or safety;
 - 6) incidents directly affecting park visitor safety or park resource protections;
 - 7) probable cause felonies and felonies committed in the presence of and observed by an NPS law enforcement ranger; and
 - 8) misdemeanors committed in the presence of an NPS law enforcement ranger that present an immediate threat to the public's health or safety.

Under the circumstances listed above, either (1) upon receiving an official request from Isle of Palms PD, or (2) without request if an NPS law enforcement ranger witnesses an unexpected emergency incident, the NPS will respond, in the spirit of mutual assistance, to emergency law enforcement incidents to the extent of available resources, with the understanding that limits on the response provided will vary depending upon the seriousness of the emergency, duration of incident, and distances involved.

- b. Under South Carolina Codes of Law, Section **23-1-212**, State powers for law enforcement authority are granted to Federal law enforcement officers. National Park Service Rangers are by definition included under this statute as Federal Law Enforcement Officers.

A Federal law enforcement officer is authorized to enforce criminal laws within the State when:

- 1) the Federal law enforcement officer is asked by the head of a State or local law enforcement agency or his designee to provide the agency temporary assistance and the request is within the scope of the State or local law enforcement agency's subject matter and territorial jurisdiction;
- 2) the Federal law enforcement officer is asked by a State or local law enforcement officer to provide him temporary assistance when the

- state or local law enforcement officer is acting within the scope of his subject matter and territorial jurisdiction; or
- 3) a felony or misdemeanor is committed in the Federal law enforcement officer's presence or under circumstances indicating a crime has been freshly committed.
 - 4) A Federal law enforcement officer acting pursuant to this section:
 - a) has the same powers as a South Carolina law enforcement officer;
 - b) is not an officer, employee, or agent of a state or local law enforcement agency;
 - c) cannot initiate or conduct an independent investigation into a violation of South Carolina law; and
 - d) is subject to the Federal Tort Claims Act."
- c. When the NPS is the first responder to an emergency outside the Park, it shall provide initial assessment, stabilization, and scene security, and where necessary, detention of witnesses and/or suspects. When officers of Isle of Palms PD arrive on scene, the NPS will relinquish control to Isle of Palms PD, but shall continue to provide assistance, consistent with this Agreement, if requested by Isle of Palms PD.
- d. The NPS shall notify Isle of Palms PD in a timely manner of any information known and/or received about or relating to crimes committed within Isle of Palms, outside the Park.
- e. Park Rangers providing law enforcement assistance to the City pursuant to this Agreement shall wear the official NPS uniform, or if approved by the NPS Chief Ranger or his or her designee, plain clothes. The Park Rangers shall remain under the authority and control of NPS supervisors and will be subject to the laws, regulations, and policies of the United States, including those of the NPS. The Park Rangers shall not receive any monetary compensation from any sources other than the NPS.

3. General

- a. Upon approval by the office of the United States Attorney and any other Federal law enforcement agency having jurisdiction and interest, the NPS shall notify the Chief prior to engaging in pre-planned undercover operations in Isle of Palms.
- b. Upon approval by the office of the United States Attorney and any other Federal law enforcement agency having jurisdiction and interest, the NPS shall notify the Isle of Palms PD prior to engaging in special operations, including the pre-planned execution of search and/or arrest warrants, conducted within the City, and shall coordinate such operations with Isle of Palms PD.

- c. To the extent authorized by law, the NPS shall honor any limitations placed upon information received from Isle of Palms PD concerning crimes committed outside of the Park.
- d. In processing requests from Isle of Palms PD to have Park Rangers testify in city, or State courts, the NPS will comply with Subpart H – Legal Process: Testimony by Employees and Production of Records, found in Title 43 of the Code of Federal Regulations.

B. Responsibilities of Isle of Palms PD

- 1. Isle of Palms PD shall notify the NPS in a timely manner of any information known and/or received about or relating to crimes committed within or against the Park, or threats/hazards presented against Park resources, property, visitors, or residents. Further, the Isle of Palms PD will advise the NPS in a timely manner of any law enforcement actions or activities, other than routine duties or operations, undertaken within the Park by Isle of Palms PD.
- 2. Isle of Palms PD shall assist the NPS in response to law enforcement incidents and emergencies occurring within the Park, contingent upon the availability of resources.
- 3. Isle of Palms PD shall notify the NPS prior to engaging in special operations, including the pre-planned execution of search and/or arrest warrants, conducted within the Park and will coordinate such operations with NPS law enforcement personnel.
- 4. To the extent authorized by law, Isle of Palms PD shall honor any limitations placed upon information received from the NPS concerning crimes committed within the Park.
- 5. The Chief shall allow NPS law enforcement rangers to use specified Isle of Palms PD radio frequencies for law enforcement and emergency services activities.
- 6. Isle of Palms PD shall allow NPS law enforcement rangers to use the services associated with the Investigative Units to the degree that the assistance provided by the Investigative Units does not interfere with their normal duties and functions as defined by Isle of Palms PD. Investigative Units include but are not limited to:
 - a. Air Support Unit
 - b. Crime Scene Unit
 - c. Crime Lab Unit
 - d. Major Crimes Unit
 - e. Narcotics Unit
 - f. Polygraph Unit
 - g. Property Crimes Unit
 - h. Special Victims Unit

i. Victims Assistance Unit

Park law enforcement rangers shall adhere to Isle of Palms PD policy and procedures when requesting and making use of the services provided by the Investigative Units so long as those policies and procedures do not conflict with DOI or NPS policies and procedures. In the event of such a conflict, the law enforcement ranger should immediately discontinue the use of such services.

7. Isle of Palms PD shall allow NPS law enforcement rangers to use the radio talk group to relay information through the dispatch service.

C. Joint Responsibilities and Understandings of the NPS and Isle of Palms PD

1. When incidents occurring within the Park attract media attention, news and information releases shall be coordinated between the NPS and Isle of Palms PD. All investigations of offenses occurring within the Park that meet State thresholds for felony categorization shall be credited in news releases generated by both agencies as being cooperatively and jointly undertaken by both the NPS and Isle of Palms PD, as well as any other entity or agency with significant involvement.
2. The NPS and Isle of Palms PD will provide mutual assistance upon request during public safety incidents, civil disturbances, or natural disasters occurring within or adjacent to the Park, to the extent of available resources and to the extent permitted by law and the terms of this Agreement.
3. The NPS and Isle of Palms PD will cooperate in planning for major events occurring within or adjacent to that portion of the Park located in Isle of Palms. Where it is anticipated that events staged within the Park will have significant impacts beyond Park boundaries and upon Isle of Palms PD, both agencies will cooperate in the establishment of a unified command structure for the incident.
4. Subject to availability of personnel and materials, the NPS and Isle of Palms PD will cooperate in training. Each party will pay applicable tuition and travel costs for training opportunities and is considered an operating expense to fulfill the requirements for the Agreement.
5. The NPS and Isle of Palms PD will share authorized radio frequencies to facilitate interagency communications and interoperability.
6. All responsibilities and/or authorities identified as belonging to either the Superintendent or the Chief may be delegated to and undertaken by authorized subordinates within their respective chains-of-command.
7. Nothing in this Agreement shall be construed as affecting or influencing the prosecutorial authorities, responsibilities, and prerogatives of either the U.S. Attorney General, the United States Attorney, the City Prosecutor, or the Attorney General for the State of South Carolina; nor shall anything in this Agreement be

construed as affecting or influencing the investigative and other law enforcement authorities, responsibilities, and prerogatives of any other Federal agency.

D. Law Enforcement Authority under South Carolina Law

1. Under South Carolina Codes of Law, Section **23-1-212**, State powers for law enforcement authority are granted to Federal law enforcement officers. National Park Service Rangers are by definition included under this statute as Federal Law Enforcement Officers.

A Federal law enforcement officer is authorized to enforce criminal laws within the State when:

- a) the Federal law enforcement officer is asked by the head of a state or local law enforcement agency or his designee to provide the agency temporary assistance and the request is within the scope of the state or local law enforcement agency's subject matter and territorial jurisdiction;
- b) the Federal law enforcement officer is asked by a state or local law enforcement officer to provide him temporary assistance when the state or local law enforcement officer is acting within the scope of his subject matter and territorial jurisdiction; or
- c) a felony or misdemeanor is committed in the federal law enforcement officer's presence or under circumstances indicating a crime has been freshly committed.

A Federal law enforcement officer acting pursuant to this section:

- a) has the same powers as a South Carolina law enforcement officer;
- b) is not an officer, employee, or agent of a state or local law enforcement agency;
- c) cannot initiate or conduct an independent investigation into a violation of South Carolina law; and
- d) is subject to the Federal Tort Claims Act."

2. When serving in the capacity of a Federal law enforcement officer with State granted law enforcement authority, the ranger will receive training from the State and/or City on related duties and authorities, including applicable State and City procedures and policies. The Ranger exercising State granted law enforcement authority will comply with State and City policies and standards that do not conflict with the Federal laws and policies.

ARTICLE IV. TERM OF AGREEMENT

This Agreement shall become effective upon the date of final execution and shall continue in force and effect until terminated by either party but shall not extend beyond five (5) years after the effective date, at which time it will be reviewed to determine if it should be renewed, modified, or allowed to expire.

ARTICLE V. COSTS, RESTITUTION, AND REIMBURSEMENT

Except as otherwise provided herein or as otherwise negotiated on a case-by-case basis, any expenses incurred by either party in satisfaction of this Agreement shall be borne by the party incurring such expenses.

ARTICLE VI. LIMITS OF LIABILITY

Duties and actions undertaken by NPS personnel pursuant to and in compliance with the terms of this Agreement shall be deemed as occurring within the scope of their federal employment; and duties and actions undertaken by Isle of Palms PD personnel pursuant to and in compliance with the terms of this Agreement shall be deemed as occurring within the scope of their employment. Neither the NPS nor the City assumes liability for duties and/or actions undertaken by personnel of the other unless such actions are undertaken at the direction of and under the direct supervision of the other.

This Agreement is subject to the laws, regulations and policies governing the NPS, and nothing contained herein shall be inconsistent with or contrary to the same.

ARTICLE VII. PROPERTY AND DISPOSITION

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other shall remain the property of the furnishing party. Any property furnished by the NPS to the City shall be used and disposed of as set forth in NPS Property Management Regulations.

ARTICLE VIII. PRIOR APPROVAL

See Article III – Statement of Work.

ARTICLE IX. REPORTS

Each party agrees to provide incident reports to the other party when such reports are needed, subject to any legal and policy constraints of the providing party. To the extent authorized by law, release of reports to third parties, including, for example, other cooperating agencies, may occur but shall be subject to prior review and approval by the providing agency.

ARTICLE X. MODIFICATION AND TERMINATION

- A. This Agreement may be amended only in writing and by mutual consent of the parties.
- B. Either party may terminate this Agreement with a ninety (90) day written notice to the other. In the event termination is proposed the parties will meet and attempt to resolve their differences, if any.

ARTICLE XI. OTHER AGREEMENTS

- A. Nothing in this Agreement shall prevent the NPS or Isle of Palms PD from entering into similar agreements with other parties or providers at such times and places as may be necessary to carry out the missions of the NPS or Isle of Palms PD.
- B. This Agreement supersedes all prior agreements between the NPS and Isle of Palms PD.

ARTICLE XII. REQUIRED CLAUSES

- A. In undertaking activities pursuant to this Agreement the parties will abide by the terms and requirements of *Executive Order 11246*; Title VI of the *Civil Rights Act of 1964*, as amended (78 Stat. 242; 42 U.S. C. 2000d et seq.); Title V, Section 504 of the *Rehabilitation Act of 1973*, as amended, (87 Stat. 394; 29 U.S.C. 794); the *Age Discrimination Act of 1975* (89 Stat. 729; 42 U.S.C. 6101 et seq.); and with all other federal laws and regulations prohibiting discrimination on grounds of race, color, sexual orientation, national origin, disabilities, religion, age or sex.
- B. No member or delegate to congress, or resident Commissioner, shall be admitted to any share or part of this Agreement or to any benefit that may arise there from, but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.
- C. Nothing in this Agreement shall be construed as requiring the NPS to expend in any fiscal year any sum in excess of funds appropriated by congress or allocated by the NPS for the purposes of the Agreement.

ARTICLE XIII. KEY OFFICIALS

A. The NPS

NPS Regional Director
South Atlantic Gulf Region - Region 2
100 Alabama Street. SW
Atlanta, GA 30303

Chief Ranger
Fort Sumter and Fort Moultrie National Historical Park
1214 Middle Street
Sullivan's Island, SC 29482

B. Isle of Palms PD

Chief of Police Department
30 J.C. Long Boulevard
Isle of Palms, South Carolina 29451

ARTICLE XIV. AUTHORIZING SIGNATURES

U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Chris Abbett

4/19/22

Date

Regional Director, Interior Region 2 National Park Service

Tim Sveum

4/19/22

Date

Timothy Sveum
Chief Ranger, Fort Sumter and Fort Moultrie NHP

Isle of Palms, SOUTH CAROLINA
Isle of Palms POLICE DEPARTMENT

Kevin Cornett
Chief, Isle of Palms Police Department

Date



PUBLIC WORKS COMMITTEE
3:30pm, Wednesday, May 4, 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 Bogosian, Hahn, and Ward

Staff Present: Administrator Fragoso, Director Kerr, Director Pitts, Asst. Director Asero

2. Approval of previous meeting's minutes – April 6, 2022

Council Member Hahn made a motion to approve the minutes of the April 6, 2022 meeting, and Council Member Bogosian seconded the motion. The motion passed unanimously.

3. Citizens' Comments -- none

4. Department Reports – Director Pitts and Assistant Director Asero

Director Pitts said garbage collection and yard debris collections are both down a bit for April. 42 tons of miscellaneous garbage was taken off the island. Vehicle maintenance was \$4,300 in April.

Asst. Director Asero gave the highlights of Public Works activities in April including ordering the valves for the project at 25th Avenue. He reported that the cost came in much lower than budgeted, for a savings of \$22,000. Facilities maintenance projects included the repair of the broken exterior sign at the Public Safety Building, A/C repair and replacement of ceiling tiles at the Public Works building, and the repair of Public Works washing station.

Work at the Front Beach focused on litter cleanup at the municipal lots. An extension of the irrigation was completed in municipal lot B for the new trees in that area. A Fill-A-Bag pole and cigarette urns were installed at the front beach and parking flags were installed on the kiosks.

An additional 100' of MobiMat was installed at 42nd Avenue. The MobiMat at 9th Avenue was removed and reinstalled. New cedar fencing was installed at the golf cart path at the Carmen R. Bunch Park.

The compactor pad and recycling area are being cleaned weekly now. Bait stations for the rat trips have been set around the perimeter of the area. Staff continues to work with Mr. Jones on the best alternatives for keeping the area cleaner and rodent free.

5. Old Business

A. Update on Phase III Drainage Project [Strategic Plan Priority 5, Goal c]

Director Kerr reported that the contractor for the project is onsite this week and work is proceeding as expected. He said they will be working on the golf course at 30th and Waterway Boulevard first. Staff is still negotiating with the contractor on ways to mitigate the effects of the road closures anticipated in the summer. The contractor has said the road closures could last up to six weeks.

He also reported that grant writers feel positive about the amendment being made to the funding request for the 41st Avenue outfall project to add the piping over of the ditch at Waterway Boulevard and 41st Avenue to create more parking. Modifying the permits will require a bit of additional expense. Staff anticipates the cost of piping over the ditch to cost approximately \$500,000 and will bring the proposals back to the Committee for consideration.

B. Update on the installation of improvements to golf cart path along Ocean Park Plaza and intersection improvements at Ocean Boulevard and JC Long Boulevard [Strategic Plan Priority 1, Goal b]

Director Kerr reported that contracts for these projects have been executed. They anticipate the work at Ocean Park Plaza to begin around May 14. A pre-construction meeting for the other improvements has been set up, but there is no start date for that project yet.

C. Discussion of request from The Dinghy to relocate existing compactor located at the Small Municipal Parking Lot

Director Kerr said staff is monitoring the effectiveness of a more rigorous cleaning regimen in this area to determine next steps. The exterminator recommended building a cinderblock wall to deter the rodents.

Director Pitts said Mr. Jones is supportive of the City's efforts to keep the area clean. He said moving the compactor forward 15-20' may help and result in the loss of only one parking space. More decisions will be made after time has passed to determine the success of current efforts.

Council Member Ward would like this item to be kept on the agenda for future updates.

6. New Business

A. Presentation of status update on Phase 4 Drainage Comprehensive Master Plan by Davis & Floyd

Representatives of Davis & Floyd gave an overview of the work that has been completed to date on the Master Drainage Plan as well as some conceptual highlights of options to enhance drainage in the areas most prone to flooding.

The survey of the City's drainage infrastructure is complete, and staff has possession of that. Three monitoring stations have been installed on the island to quantify existing conditions,

“looking at water level and rainfall and things that are going to contribute to flooding or exacerbate existing conditions.”

They have identified 8 high priority areas across the island where at least 6” of water remains standing for more than 30 minutes. They are looking at and pricing solutions for each of those areas.

The report will account for some level of sea level rise. The project is on schedule and is anticipated to be complete in the fall.

7. Miscellaneous Business

The next meeting of the Public Works Committee will be Wednesday, June 8, 2022 at 3:30pm.

8. Adjournment

Council Member Bogosian made a motion to adjourn, and Council Member Hahn seconded the motion. The meeting was adjourned at 4:15pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



Personnel Committee
9:00am, Tuesday, May 3, 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 Anderson, Pierce, and Bogosian

Staff Present: Director Kerr, HR Officer Ladd

2. Approval of previous meeting's minutes

MOTION: Council Member Anderson made a motion to approve the minutes of the March 8, 2022 meeting. Council Member Bogosian seconded the motion. The motion passed unanimously excepting Council Member Pierce who abstained from voting.

3. Citizens' Comments

Mr. Ted Kinghorn of the IOP Exchange Club said that the children of the City staff as well as children of the Isle of Palms are eligible to apply for the Exchange Club's Youth Scholarship Program. Eight awards totaling approximately \$25,000 are given away annually. More information can be found on the Exchange Club website. Mr. Kinghorn also detailed the service background of the person he would like to nominate for the Spirit of the Island Award. He did not mention the person's name as he would like for it to be a surprise.

Ms. Sarah Vega, 104 Sparrow Lane, said she would like the Committee to table the discussion about reducing the size of City Council until January 2023 when the City Council will have completed its trial period of the workshop structure. She would like to see how that plays out before moving forward with another change. She said voters should know how they will be governed before making a decision about how many people should be governing. She would like these questions answered: "What problem are you trying to solve by reducing the size of Council? Who decided that the size of our Council was a problem that needed to be addressed? Is it Council members? Voters that have spoken with you, City staff, or some combination? Why is reducing the size of Council from nine to seven a solution you feels best serves the public interest?" She said, "These are really critical questions because creating policy is about identifying a problem and coming up with a solution that does the greatest good for the greatest number of people." She believes more representation is better for the citizens and that reducing the size of Council is "a solution that is looking for a problem."

4. **Old Business**

5. **New Business**

A. **Consideration of applicants for vacancies on the Accommodations Tax Advisory Committee and the Planning Commission**

Council Member Bogosian explained the selection process. He said the four open positions on the ATAX Committee must be filled according to State statute. The Committee will meet in Executive Session to narrow down which of the 13 candidates to interview for ATAX and which of the four candidates to interview for Planning Commission. A Special Personnel Committee meeting will be held later in the month to conduct the interviews and make recommendations to City Council at its May meeting.

B. **Consideration of nomination for the Spirit of the Island Award**

Council Member Pierce spoke highly of the nominee for the Spirit of the Island Award. Council Member Anderson agreed the information included in the meeting packet and the endorsement of Mr. Kinghorn are impressive.

MOTION: Council Member Pierce made a motion to recommend to City Council to award the Spirit of the Island Award to Jim Thompson. Council Member Anderson seconded the motion. The motion passed unanimously.

C. **Discussion and consideration of reducing the size of Council from 9 to 7 members by referendum in November 2022 general election**

Administrator Fragoso gave a recent history of this initiative: "This was brought up by the previous Personnel Committee. They deliberated for a few months, and the Committee made a recommendation to City Council to take on the issue. City Council at a meeting did vote to have a referendum to reduce the size of Council. But then the next step would be to approve that via an ordinance that would require two readings. When the ordinance was then presented for First Reading that ordinance failed."

She reviewed the information included in the meeting packet and said a referendum could be initiated by City Council or by a citizen petition.

Council Member Bogosian said that if City Council were to approve the referendum being placed on the ballot it would then be up to the citizens to decide whether or not to reduce the size of Council. Council Member Anderson believes 7 is a good number for a community the size of Isle of Palms. Council Member Pierce said he heard both sides of the issue during his recent campaign. Including a referendum question on this November's ballot would be the best opportunity for the most people to voice their opinion since it is a midterm election this fall. He believed there would be enough time between any action taken by City Council and the election for citizens to become well informed on the issue.

Administrator Fragoso said there are many options on how to make the reduction and City Council can make that final decision. She noted that City staff cannot provide opinions or recommendations on the matter.

In order for the question to be on the November ballot, City Council would need to pass two readings of an ordinance so the question could be delivered to the Charleston County Board of Elections by mid-August.

The Committee will present this discussion as part of its report at the May meeting and bring Council's direction back to its June meeting for further development, if need be. Council Member Bogosian said that if Council decides to move forward with placing the question on the ballot, the Committee will need to make a recommendation about whether or not the outcome of the question is binding and how to phase in the reduction in size. The draft ordinance will be part of the City Council meeting packet and can be adjusted during the discussion.

6. Miscellaneous Business

The Personnel Committee will hold a Special Meeting on Monday, May 23, 2022 at 1pm to interview candidates for the openings on ATAX and Planning Commission. The next regular meeting of the Personnel Committee will be on Tuesday, June 7, 2022 at 9:00am.

7. Executive Session

MOTION: Council Member Anderson made a motion to move into Executive Session in accordance with SC Code §30-4-70(a)(1) to discuss personnel matters as it relates to the filling of the vacancies on the ATAX Committee and Planning Commission. Council Member Pierce seconded the motion. The motion passed unanimously.

The Personnel Committee moved into Executive Session at 9:29am.

The Personnel Committee returned from Executive Session at 10:20am. Council Member Bogosian said no votes were taken.

Council Member Bogosian reported that the Personnel Committee will interview Bobby Ross for the Hospitality opening on the ATAX Committee, Ben Marks and Barb Bergwerf for the Cultural/Arts opening on the ATAX Committee, and Tony Jones, Chas Akers, and Rebecca Kovalich for the At-large opening on the ATAX Committee.

Council Member Bogosian said that the Personnel Committee will interview Jeffrey Rubin and Alex Skatell for the opening on the Planning Commission.

Interviews will take place at the Special Meeting of the Personnel Committee on Monday, May 23, 2022 at 1pm. Additional applications for the Hospitality opening on the ATAX will be accepted through the end of May.

8. Adjournment

Council Member Anderson made a motion to adjourn, and Council Member Pierce seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:22am.

Respectfully submitted,

Nicole DeNeane
City Clerk



Spirit of the Island Award

The Spirit of the Island Award is a prestigious award that recognizes an individual or an organization who have made significant contributions to the life and wellbeing of the Isle of Palms. This award will recognize an individual or organization's remarkable single achievement or community service and volunteerism.

Nomination Application

Date of Submission: 4/27/2022

Nominee Information

Full Name: Jim Thompson

Name as it is to appear on Award: Jim Thompson

Street Address: _____ City, State, Zip: _____

Phone Number: _____ Email: _____

Nominator's Information

Full Name: Ted Kinghorn

Organization Name: Isle of Palms Exchange Club

Address: _____ City, State, Zip: _____

Phone Number: _____ E-mail: kinghorn.ted@gmail.com

Please include the Biographical Summary and Letters of Recommendation with the application.

All applications will be reviewed by a nomination committee made up by the Mayor and the Personnel Committee. The Personnel Committee will make the recommendation to City Council to issue the award.

Spirit of The Island Award

Jim Thompson, one of the City's leading citizens is nominated for this award for his unselfish service to the Isle of Palms Exchange Club. It is through the Club's long service to the island that Jim has lent his talents, leadership, time and generosity to support the Four Pillars of Exchange: *Prevention of Child Abuse; *Americanism; *Youth Programs and * Community.

Jim Thompson has supported and worked tirelessly with many of the local groups that help prevent child abuse, such as, HALOS, Windward Farms. Contributions over \$1 million dollars have resulted from the IOP Connector Run, which Jim has happily assisted and been a sponsor.

Jim is a Founding Sponsor of the Law Enforcement Neighborhood Support (LENS) program dedicated to assisting our First Responders, Citizens and Visitors special needs.

He is an outstanding example of what one individual can do to improve the lives of those who have served our military, children and families in need, tangible support for a highly valued community facility and improving the quality of life for others.

April 8, 2022

Dear Jim,

What a treat to have this honor of contributing a note to your Treasure Box! While I have not seen you in recent months, you remain a special person in my life since our days of working together on the Fort Sumter Trust.

I will remember meeting you on a Trust Harbor cruise shortly after I arrived in Charleston in 2012. As Richard and I got to know you that night, we were struck by your warm manner, that twinkle in your eye, and your passion and love of history. We knew we had found a kindred spirit in Jim Thompson!

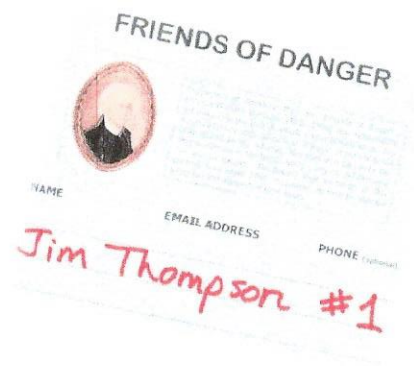
What a leader you have been in making the Trust a vital organization in support of the Compelling mission of the Fort Sumter, Fort Moultrie, and Charles Pinckney Parks. As

our leader you understood early on the critical role that these National Treasures could play in illuminating the challenges and incredible opportunities our Country has faced. Whether it was a special lecture, light show, a restored Cannon, or a boat house exhibit, you always inspired us to aim higher and to renew our commitment to the belief that knowledge of our history will transform lives and ensure the future of our Democracy. And that is why, when I was asked to assume a leadership role with the Trust, I conditioned it on having you serve at my side to mentor me.

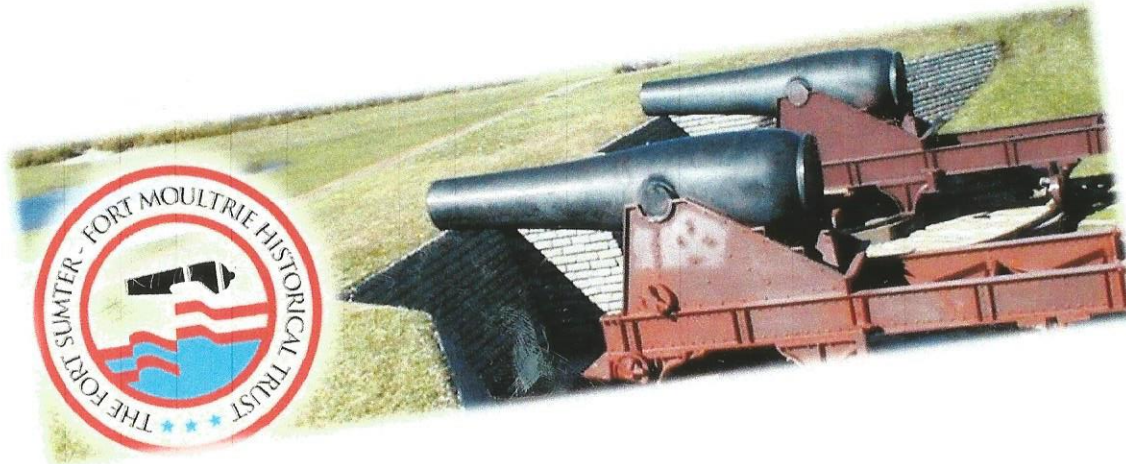
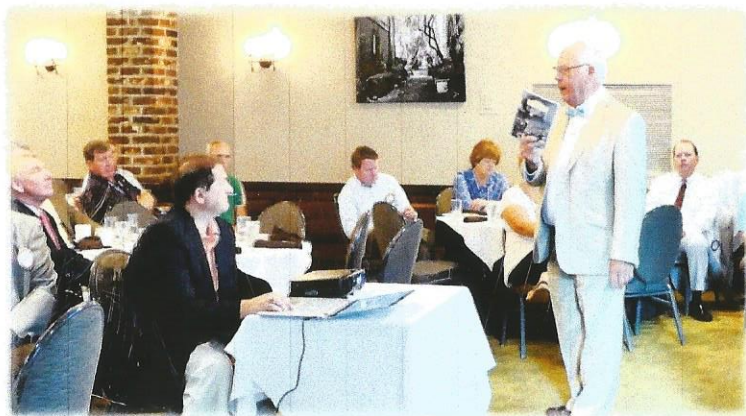
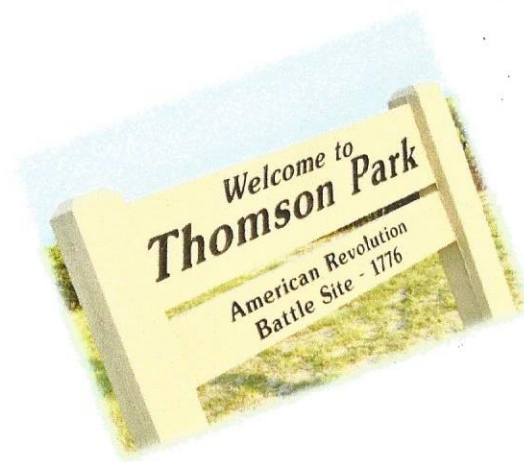
Jim, congratulations on your well deserved recognition. And thank you for your friendship. It has enriched my life beyond measure.

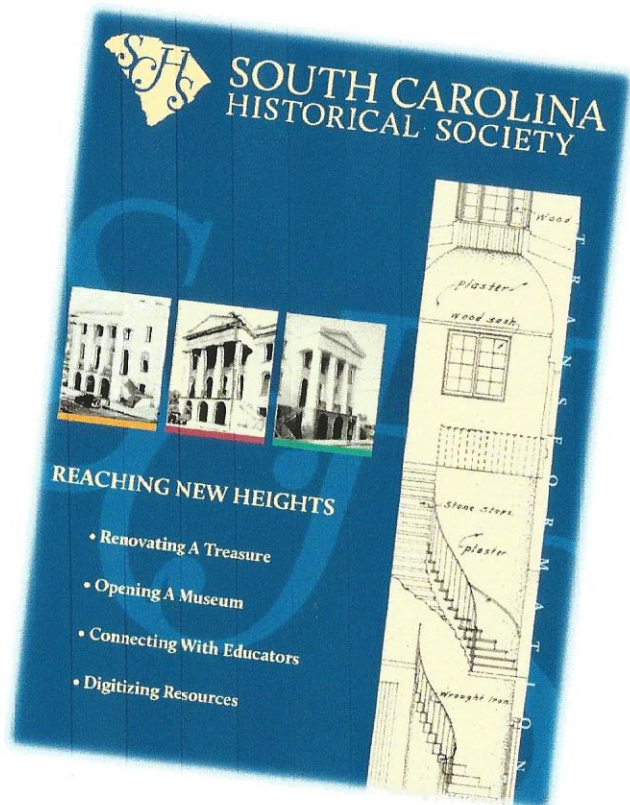
Fondly,

Belinda Gergel



Fond Memories of Service & Friendship





Saltmarsh Society
 EDISTO ISLAND OPEN LAND TRUST



Doug MacIntyre



REAL PROPERTY COMMITTEE

1:30pm, Monday, May 9, 2022

1207 Palm Boulevard, Isle of Palms, SC 29451

and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Miars, Popson and Streetman

Staff Present: Administrator Fragoso, Director Kerr

2. Approval of previous meeting's minutes – April 11, 2022

MOTION: Council Member Popson made a motion to approve the minutes of the April 11, 2022 meeting and Council Member Miars seconded the motion. The motion passed unanimously.

3. Citizens' Comments

Mr. Matthew Leaird, speaking on behalf of VFW Post 3137, came before the Committee to thank them for the recent donation via the ATAX Committee. The \$15,000 of ATAX funds was used to build a permeable brick walkway and courtyard at the VFW. The project cost approximately \$60,000. There will be a grand opening celebration on Saturday, May 14 at 11am.

4. Marina Tenant Comments -- none

5. Old business

A. Update on marina dock rehabilitation project

Administrator Fragoso said this is nearly complete. Everything has been installed and tested. They are awaiting the final paperwork and permit for the potable water system from DHEC. It is functional and has been tested. They are also waiting for a final inspection of the pump out station by the Water & Sewer Commission. It, too, is fully functional. Two windows for the fuel hut will be installed upon receipt. Closeout procedures for this project are in process and it will likely not appear on the next agenda.

The as-builts are in process and will be delivered upon completion.

B. Update on marina restaurant renovation by Marker 116, LLC

Administrator Fragoso said this project is also done. Construction is complete and they are scheduling a final walkthrough with the Insight Group to ensure the property has been built

according to the plans submitted to the City. Committee members said residents seem excited about the opening.

C. Update on the proposed public dock and greenspace at the IOP Marina

Administrator Fragoso said construction for this project will begin after the season ends. The City has executed the contract with Davis & Floyd for the assessment of the bulkhead. She reported that there have been many people taking advantage of the dock. She shared the webpages on the City's website advertising the "Isle of Palms Explorer Series" the City is doing in conjunction with Coastal Expeditions. The schedule and details of each offering as well as the ability to sign up for those outings are on the City's website.

Committee members discussed the request for two handicap-designated spots at the public dock. Administrator Fragoso said the Police Department will look in their sign inventory for appropriate signage and will order some if they don't have any. Council Member Miars expressed concern that the spots would not be fully ADA-compliant and wondered if that put the City at risk for liability should someone get hurt. Director Kerr said the spots could be designated as handicap but did not have to be fully ADA-compliant until improvement work was done on the parking lot. Staff will create signage indicating the spots are reserved for handicap parking but are not yet fully compliant. The spots will be compliant following the work to the dock and greenspace area set for the fall.

D. Update on ADA beach access improvements

Administrator Fragoso reported the Greenbelt Funding Board has approved the beach access path at 34A along with two handicap spots along Palm Boulevard. This is a cost sharing project between the City and the Greenbelt Funds. The next step is to issue an RFP, secure a contractor, and then issue a Notice to Proceed for the fall.

The beach wheelchair program continues to be very popular. The program will be included in the advertising for the CARTA Beach Shuttle which will begin on Memorial Day weekend.

E. Consideration of Noise Control Agreement with Marker 116, LLC

Administrator Fragoso presented the changes to the noise control agreement proposed by Marker 116, LLC. Of note is that they are requesting for all three conditions be met rather than any one condition before they are expected to adjust the noise level of any amplified music. She said this change elevates the threshold of when action must be taken on their part. She noted that there are more outdoor spaces and speakers than Morgan Creek Grille had, therefore creating more opportunities for noise concerns. She reminded the Committee that in the restaurant planning process Marker 116 had said they were only going to have acoustic music.

Changes to the agreement have to be approved by City Council. The proposed changes are on the City's website for residents to review and provide their input.

MOTION: Council Member Streetman made a motion to present both the original noise agreement and the proposed changes to City Council for full consideration. Council Member Popson seconded the motion. The motion passed unanimously.

6. **New Business -- none**

7. **Miscellaneous Business**

The next meeting of the Real Property Committee will be held on Monday, June 6, 2022 at 1:30pm.

8. **Adjournment**

Council Member Poposon made a motion to adjourn and Council Member Miars seconded the motion. The meeting was adjourned at 2:08pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

NOISE CONTROL AGREEMENT

WHEREAS, on February 23, 2016, the City amended Section 9-2-5(a)(3) of the City's Code of Ordinances to exempt City-owned property subject to a commercial lease and a noise control agreement or permit from the prohibition on amplifiers and loudspeakers being operated at outdoor public places owned or under the control of the City; and

WHEREAS, Tenant is currently operating under a commercial lease with the City dated November 12, 2020; and

WHEREAS, Tenant desires to provide live entertainment to its restaurant patrons on the outdoor public grounds immediately surrounding the Tenant's Restaurant, including musicians who use amplifiers; and

WHEREAS, Tenant will ~~install~~maintain improvements to the property to significantly reduce the sound emanating from the amplifiers into the adjacent residential neighborhoods; and

WHEREAS, the City wishes to allow the use of amplified music at the Tenant's Restaurant subject to certain conditions which will protect the residents in adjacent neighborhoods from unreasonably loud or disturbing noise.

THEREFORE, in consideration of the premises and the mutual covenants and conditions set forth in this Agreement, the parties hereto agree as follows:

1. The City hereby agrees and grants permission for Tenant to use, maintain or operate

loudspeakers, amplifiers or other mechanical or electrical devices for increasing the volume of sound upon the outdoor public grounds immediately surrounding the Tenant's restaurant, subject to the following conditions:

A. Tenant agrees to at all times comply with the provisions of the City's noise ordinance, as may be amended from time to time; and pursuant to Section 9-2-5 of the City's noise ordinance, the ability for Tenant to play amplified music coming from the Tenant's Restaurant which is leased to the Tenant by the City shall be subject to the exemption provide for in the ordinance and subject to the terms of this Agreement;

B. Tenant agrees to employ sufficient noise abatement measures to ensure that the amplified sound is not in violation of the City's noise ordinance and cannot be heard inside residences in the adjacent neighborhoods;

C. Tenant agrees to immediately lower amplified sound levels when it determines or is informed that sounds levels are too high. Tenant will be on notice that sound levels are too high if any of the following situations occur:

- i. Amplified music can be heard inside residences in adjacent neighborhoods; and
- ii. At lease three (3) different rResidents living in three (3) separate residences adjacent to the Tenant's Restaurant have made complaints to the Tenant or the City Police Department; and
- iii. City Police Officers have notified Tenant of the complaints.

D. Tenant will provide the City with the name and phone number of the manager who is responsible for noise compliance. If the minimum of three (3) residents in three (3) separate and distinct residences contact this person, he/she will immediately determine whether

sound levels are too high, and if so, immediately lower sound levels as needed to comply with this Agreement and the City's noise ordinance. As used in this paragraph, "immediately" shall mean within thirty (30) minutes of the receipt of a noise complaint or being advised by the City of a noise complaint. If Tenant receives more than three (3) notices from the City or ~~policy~~Police Department in a month, ~~t~~The Tenant, after complying with the above requirements, shall, in addition, have thirty (30) days to provide the City with a written plan which will cure sound level problems by establishing and assuring lower levels, adding additional sound abating materials, and/or developing policies to ensure ongoing compliance with this Agreement.

2. In the event that Tenant continuously and repeatedly violates any one of the conditions set forth herein, and the City determines that Tenant is not taking sufficient action to cure, the City may, in its reasonable sole discretion, determines that Tenant is not taking action to cure, the City may within its reasonable discretion immediately terminate this Agreement.

IN WITNESS WHEREOF, the parties hereto, by and through their undersigned agents, have executed this Agreement as of the date stated above.

WITNESS:

The City of Isle of Palms, S.C.

By: _____

Title: _____

Marker116, LLC

By: _____

Title: _____



BOARD OF ZONING APPEALS
4:30pm, Tuesday, May 3, 2022
1207 Palm Boulevard, Isle of Palms, SC
MINUTES

1. Call to order

Present: Brian Abel, Elizabeth Campsen, Arnold Karig, and Douglas Kerr, Director of Planning

Absent: Glenn Thornburg, Ted McKnight

2. Approval of Previous Meeting's Minutes

MOTION: Mr. Karig made a motion to approve the minutes of the April 5, 2022 meeting, and Mr. Abel seconded the motion. The minutes passed unanimously.

3. Swearing in of applicants

Ms. Campsen swore in the applicant.

4. Home Occupations

A. 8 Lake Village Lane

Director Kerr said the applicant, Robert Ballard, is requesting a special exception to allow for the establishment of "a consulting business at this house, and he provides consulting services to non-profit organizations in the areas of management, leadership, mentoring, coaching, and board governance." There will be only office work happening in the home and no exterior evidence of a business.

MOTION: Ms. Campsen made a motion to approve the request as submitted. Mr. Abel seconded the motion. The motion passed unanimously.

5. Miscellaneous Business -- none

6. Adjournment

Mr. Karig made a motion to adjourn and Mr. Abel seconded the motion. The meeting was adjourned at 4:35pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Planning Commission Meeting
4:30pm, Wednesday, May 11, 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: Steve Corney, Ron Denton, David Cohen, Marty Brown, Sue Nagelski, Sandy Stone, and Douglas Kerr, Director of Planning

2. Approval of minutes

Mr. Corney made a motion to approve the minutes of the April 20, 2022 regular meeting. Mr. Cohen seconded the motion. The motion passed unanimously.

3. New Business

Discuss and consider short-term rental recommendations of implementing a cap

Director Kerr reviewed a redline version of the ordinance Kiawah Island has put in place to implement rental caps in certain areas of the island. The draft suggests differing caps in different zones, the inability to transfer rental licenses upon the sale of property if the cap in that area has been met, the requirement to show proof of rental income, and establishing caps 20% higher than the actual number of licenses in each zone.

Mr. Corney pointed out that the zones on the map were created to sort data and not meant to be regulatory in any way. He said that Kiawah Island kept their existing zones and applied caps rather than create a new overlay.

Commissioners discussed the pros and cons of caps in different zones and if a 20% cap was too high. They agreed that a cap of 10% higher than the number of rental licenses in each zone would be appropriate. The cap will apply to zones 3, 5, 9, and the portion of 6 north of Palm Boulevard. They also agreed that a rental license should convey with the property when sold.

The next draft of the ordinance will also include an occupancy cap of 8 people maximum in newly constructed short-term rental homes in areas with caps.

While not part of the ordinance, the Commissioners agreed an annual review of short-term rental data should be done to evaluate the effect of the caps and any changes in the makeup of the locations of short-term rentals.

Following another review of the proposed ordinance by the Planning Commission, Director Kerr said there will be a joint meeting in June between the Planning Commission and City Council

where the Commissioners can discuss the process and data that has brought them to these recommendations.

4. Old Business

A. Discuss alternatives uses of front beach commercial parking lot

Director Kerr reported that PRT said the deed restriction on the municipal parking lot could be transferred to another City property as long as the City could show the same level of recreational utility. Director Kerr suggested that the deed restriction could be placed on the property where the Recreation Center sits.

Commissioners discussed alternate uses and the impact of additional traffic and loss of parking revenues should the lot be used for something other than parking. Seasonal and mixed lot uses were considered.

Commissioners agreed that the best alternative would be upgraded landscaping and open-air sheds similar to Mt. Pleasant's Farmer's Market area. Using some of the tree fund monies to plant trees and create a park-like atmosphere at the back of the lot was also suggested. The idea will be relayed back to the Real Property Committee and engage landscape designers to make a plan for the area.

B. Discuss Transportation Element of Comprehensive Plan Update

Director Kerr said he will have a revised draft of the Transportation Element available for the Commissioners to review at their June meeting.

5. Miscellaneous Business

The election of a new Vice Chair (upon the election of former Vice Chair Scott Pierce to City Council) will be held at the next meeting.

6. Adjournment

Mr. Stone made a motion to adjourn, and Mr. Corney seconded the motion. The meeting was adjourned at approximately 6:41pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

City of Isle of Palms, SC
Summary of Recommendations from the Planning Commission
Short Term Rental Regulations
5-11-22 Draft

At their May 11th meeting, the Planning Commission refined a working draft of a recommendation to establish a cap on the number of short-term rentals in the parts of the island that currently have low levels of rentals. The following are key considerations:

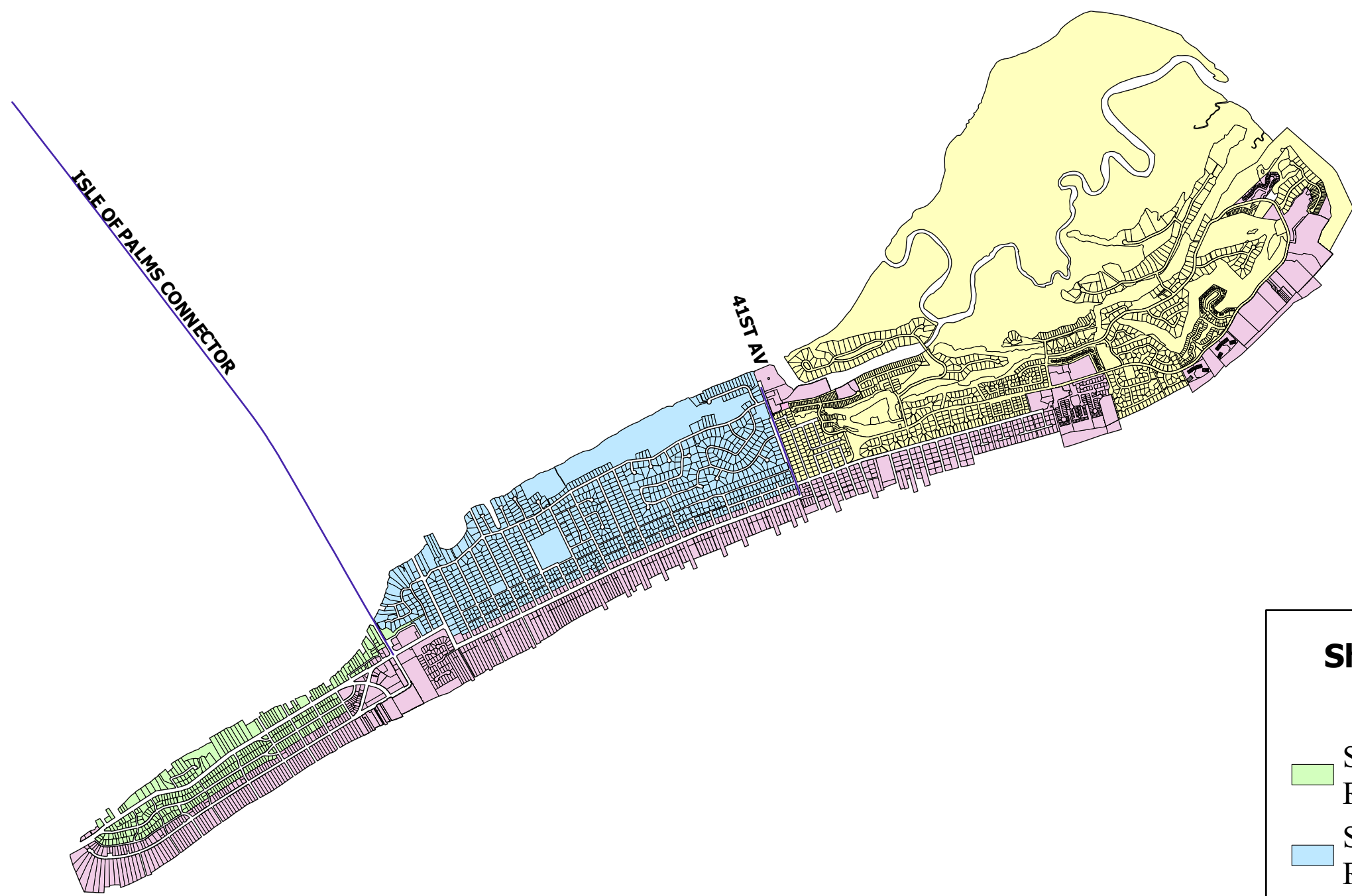
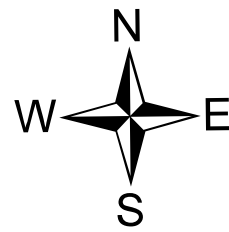
- The program would exempt areas with more than 25% of the properties already in the short-term rental market. The exempted, uncapped areas would include Ocean Boulevard, Palm Boulevard between 21st and 41st Avenue, ocean side of Palm Boulevard between 41st and 57th Avenues, Palmetto Boulevard, all commercial properties, and all multifamily properties (condominiums).
- Each zone would be established as depicted on the attached map.
- The cap or total number of rental licenses allowed in each zone would be set 10% higher than the actual number of 2021 licenses.
- The number of licenses that would be allowed in each zone is:
 - o Zone 1 - 92 rentals
 - o Zone 2 - 153 rentals
 - o Zone 3 - 240 rentals

* These numbers will be refined based on changes to the zone boundaries discussed at the May 11th Planning Commission meeting.

- When a zone reaches its cap, a waiting list would be established and licenses would be issued on a first-come, first-serve basis.
- Property owners holding a license would have preference to renew their annual license.
- Rental licenses would be transferable when properties are sold.
- Licenses may be revoked for properties that are not being actively marketed or rented. This would protect against properties artificially taking space within the cap.
- In the zones controlled by caps, the maximum occupancy of newly constructed homes may be limited to eight (8) people, instead of the current limit of twelve (12) people.

City of Isle of Palms

Short-Term Rental Zones Map



Short-Term Rental Zones

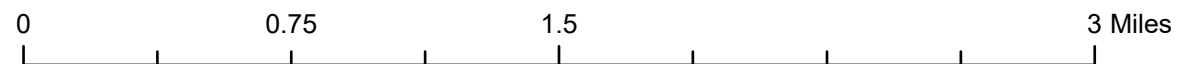
Short-Term Rental Zone 1

Short-Term Rental Zone 2

Short-Term Rental Zone 3

IOP Parcels

No Cap Zone





**Accommodations Task Force Meeting
9:00am, Thursday, May 12, 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: Rusty Streetman, Sam Parris, Sarah Vega, Curtis Kay, Ray Burns

Absent: Melissa Simbana, Randy Walker, Bret Jones

Staff Present: Administrator Fragoso, Director Kerr

2. Approval of Previous Meeting's Minutes – April 21, 2022

MOTION: Ms. Vega made a motion to approve the minutes of the April 21, 2022 meeting, and Ms. Limbach seconded the motion. The motion passed unanimously.

3. Citizen's Comments

Glenda Nemes, member of the ATAX Committee, stated that the recommendation from the ATAX Committee to City Council was for the City to form its own DMO similar to Folly Beach and give the same amount of money to the CVB that Folly does. She detailed the research done by the ATAX Committee that brought them to that conclusion.

Doug Truslow, member of the ATAX Committee, said that any path forward needs a contract with metrics, oversight, and accountability. He said the City of Isle of Palms gives more money to the CVB and gets less advertising. He spoke highly of Mr. Burn's leadership and knowledge on the topic.

Robert Smith, owner and operator of Charleston.com and The Chart Group, said that his company develops content focused on tourism. He said they understand the analytics of the IOP tourist and would like to be a resource of information for the City.

4. Brainstorming session to define success based on stated goal and discussion of ideas and recommendations for the management of the 30% for tourism promotion

Council Member Streetman asked Administrator Fragoso to review the handout that detailed the suggestions from the previous meeting of what success looks like with regards to the City working with a DMO. When discussing a contract with the CVB, Administrator Fragoso reported that Charleston County's contract with the CVB is a boilerplate document that references State law. It does not include any specific performance metrics. Mr. Burns said the City needs to see more specific IOP-related financial reporting when it comes to the expense of

the 30%. Council Member Streetman pointed out that the CVB has been more open to IOP-specific activities including a website for all island business owners, whether or not they are members of the CVB. He also noted that in a weekly recap email from the CVB the Isle of Palms does not get a lot of mention considering the amount of money they receive from the City's ATAX funds.

Administrator Fragoso said the City has always followed State law when it comes to the spending of the 30%. Many have asked for more flexibility from the State on how those funds are spent. She said, "The way that the City has always interpreted that section, it's very, very clear that it is to be spent on tourism promotion and advertisement, not on other tourism-related expenditures, which is what is available to the City with the 65%, the other 65, which we currently use to support City operations with police, fire, and public works, which as everybody knows, are severely impacted during the summer months because of tourism activity and visitation. Therefore, I think that the energy and the advocacy should be focused on advocating in the General Assembly for changing the language in State law that would give more flexibility to in the expenditure of the 30%. But in the meantime, we have to operate within the existing bounds of State law and follow that section.

She also shared that Mayor Pounds has spoken to the City's lobbyist in Columbia about this advocacy. He has also reached out to mayors from other beach communities to develop a coalition of municipalities that would support this effort.

Ms. Vega said that in her conversations with residents about ATAX expenditures they find it hard to "wrap their minds around the indirect benefits" of supporting public safety efforts instead of something the entire community can enjoy. Task Force members would like to see some of that money used for City events like parades and concerts.

Administrator Fragoso said that when this section of the law was created no one could have foreseen the amount of money it was going to generate. She said, "It is something that has to be managed and maintained. You have to kind of feed the beast so that you can continue to enjoy the revenues that the City receives from tourism activity that help offset a lot of the cost that the City would otherwise have to essentially pay for using property tax revenues. I think that is a very important point that the City has been able to mitigate that by using the tourism funds this way."

Any change to the way the 30% is used will have to come through a change to State law.

Council Member Streetman noted that in 2002, the City contributed just over \$200,000 to the CVB and this year the contribution will exceed \$800,000, which is a testament to the CVB's success in promoting the Charleston area.

Administrator Fragoso reminded the Task Force that Little Dog Agency and Folly Beach measure the success of their advertising by the growth of their ATAX dollars as well as in the number of mentions it receives in the press. She said the question is whether or not the City can maintain or do better by having their own DMO.

Mr. Kay would like to see the City have its own DMO to control its “own destiny” and not be happy with the CVB just giving the City its own website.

Task Force members discussed how residents could be more involved in deciding how ATAX funds are spent. Surveys were mentioned, but Mr. Burns said the creation of the DMO oversight board would create that input due to the appointment of residents to that board.

Task Force members also suggested the addition of a staff member to act as the liaison between the DMO board and the City to create an avenue of more collaboration.

Administrator Fragoso said that advertising of the off-season concerns some residents as it could extend the busy season. Mr. Parris said the focus of off-season advertising should be on weddings and conferences in an attempt to bring in a different clientele.

With regards to supporting tourism management while preserving and maintaining residential quality of life, Administrator Fragoso said, “I think that in order to support tourism management, the City has to establish or have in place infrastructure to support tourism activity whether that is more City resources to support that.”

Mr. Parris said, “I think this starts with the vision of our strategic goals and then that will flow down to the DMO. We need to define how that DMO is managed to a certain degree, the City in working with close collaboration with whatever DMO we choose...We really need a dedicated manager of the DMO...I think there needs to be some sort of point person managing that relationship.”

Ms. Vega said, “I think we all know that residents benefit greatly from ATAX funding and we also incur some challenges or problems as a result of all those tourists coming. I think that this ties back to number three [More flexibility in the use of the 30% ATAX] with trying to get a reduction in that percentage and giving us more flexibility to have messaging that addresses some of those problems that residents talk about often. Trash on the beach, for instance, or people struggling to find a parking space. If we have greater flexibility in how we are able to spend ATAX funding then it allows us to tie those two pieces together and really address some of the concerns that residents have and make sure that we’re reinvesting that money and trying to create a viable solution.”

The Task Force briefly discussed whether or not the newly formed Chamber of Commerce could be considered for the City’s DMO. Administrator Fragoso said that State law allows for a local Chamber of Commerce to act as a City’s DMO, but City Council will have their own opinions on the matter.

5. Discussion of what additional data/research/information is needed

Mr. Burns asked for an update on where the ATAX money is generated on the island. He was interested in how much is generated by Wild Dunes. He noted that if taxes from online travel companies have remained flat, the increase in ATAX monies must be coming from Wild Dunes.

The Isle of Palms Chamber of Commerce will make a presentation at the next Task Force meeting.

Administrator Fragoso said she will seek clarity on whether or not a staff member acting as liaison between the DMO and the City can be paid with ATAX funds.

6. Miscellaneous Business

The next regular meeting of the Accommodations Task Force will be on Tuesday, May 24, 2022 at 9:00am.

Council

7. Adjournment

Mr. Kay made a motion to adjourn, and Mr. Parris seconded the motion. The meeting was adjourned at approximately 10:34am.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2022-01

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, AND ENDING JUNE 30, 2023.

WHEREAS, Subsection 3 of Section 5-7-260 of the South Carolina Code of Laws, 1976, as amended, requires that a municipal council shall act by ordinance to levy taxes and adopt a budget pursuant to public notice;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Isle of Palms, South Carolina, in council duly assembled, that the following provisions are hereby adopted and enacted:

Section 1. The prepared budget and estimated revenue for the payment of the same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof dated _____, is attached hereto.

Section 2. The City Administrator shall administer the budget and may authorize the transfer of appropriated funds within departments as necessary to achieve the goals of the budget as established by City Council.

Section 3. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining portions thereof.

Section 4. This ordinance shall become effective immediately upon its ratification by City Council.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 2022.

Phillip Pounds, Mayor

City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2022-02

AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE B, STANDING COMMITTEES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO TEMPORARILY SUSPEND ALL REGULAR MEETINGS OF STANDING COMMITTEES FROM JULY 1, 2022 THROUGH DECEMBER 31, 2022.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 1-3-36, "Committee meetings," Paragraph (a), "Regular meetings," is hereby temporarily suspended from July 1, 2022 through December 31, 2022.

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2022.

Phillip Pounds, Mayor

(Seal)
Attest:

Nicole DeNeane, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

ORDINANCE 2022-03

AN ORDINANCE TO EXTEND THE TEMPORARY SUSPENSION OF ENFORCEMENT OF TITLE 3, PUBLIC WORKS, CHAPTER 4, ENVIRONMENTALLY ACCEPTABLE PACKAGING AND PRODUCTS, **SECTION 3-4-6(a), PROHIBITED SALES AND USES**, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, FOR BUSINESSES AFFECTED BY GLOBAL SUPPLY CHAIN ISSUES DUE TO THE COVID-19 PANDEMIC.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That enforcement of **Section 3-4-6(a), Prohibited sales and uses of** Chapter 4, Environmentally Acceptable Packaging and Products, of Title 3, Public Works, of the City of Isle of Palms Code of Ordinances, is hereby temporarily suspended for a period of **XXX (X)** months for businesses affected by global supply chain issues due to the Covid-19 pandemic.

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance shall become effective immediately upon ratification and shall expire on _____, 20____.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS,
ON THE _____ DAY OF _____, 2022.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____