



City Council

6:00 p.m., Tuesday, March 28, 2023

Council Chambers

1207 Palm Boulevard

Isle of Palms, South Carolina

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. **Citizen's Comments** – All comments will have a time limit of three (3) minutes. Public Comments submitted via online form [Pgs. 3-31]
3. **Special Presentations** – Recognition of Captain Swain's graduation from the FBI Academy
4. **Approval of previous meetings' minutes**
 - a. Special City Council Executive Session – February 28, 2023 [Pgs. 32]
 - b. City Council Meeting – February 28, 2023 [Pgs. 33-48]
 - c. Special City Council Workshop – March 14, 2023 [Pgs. 49-54]
 - d. Special City Council FY24 Budget Workshop – March 21, 2023 [Pgs.55-58]
 - e. Committee meeting minutes [Pgs. 59-73]
5. **Old Business**
 - a. Consideration of changes to Short-Term Rental application requirements [Pgs. 74-77]
 - b. Discussion of paramedic program [Pgs.78]
6. **New Business**
 - a. Approval of Short-Term Rental Coordinator position [Pgs. 79-80]
 - b. Consideration of proposal from Coast Architects in an amount ranging between \$60,000 - 90,000 for the design and development of construction documents to install elevator at the marina restaurant [Pgs.81-87]
 - c. Consideration of installing an appreciation plaque at the Recreation Center honoring Norma Jean, former Recreation Director
 - d. Consideration of 2023 surfing application from Monica Becerra, Share the Stoke [Pgs. 88-89]
 - e. Discussion of having residents speak first during Citizen's Comments



- f. Consideration of City sponsoring and co-hosting MLK reception with YWCA of Greater Charleston, Explore Charleston and Wild Dunes Resort [Pg. 90]
- g. Consideration of approval of notice of intent to purchase Caterpillar front loader for Public Works in FY24 [8-month lead time] [Pgs. 91-93]

7. Boards and Commissions Report

- a. Board of Zoning Appeals – minutes attached [Pgs. 94-98]
- b. Planning Commission – minutes attached [Pgs. 99-100]
- c. Accommodations Tax Advisory Committee – minutes attached [Pgs. 101-103]
- d. Environmental Advisory Committee – minutes attached [Pgs. 104-107]

8. Ordinances, Resolutions and Petitions

a. Second Reading

Ordinance 2023-01 to provide regulations for dogs biting, chasing or attacking [Pgs. 108-109]

b. First Reading

- i. Ordinance 2023-03 – To require lawn commercial services to remove yard debris from residential and rental properties [Pgs. 110-111]
- ii. Ordinance 2023-04 – To increase from two to four the number of resident parking decals that may be issued to non-resident property owners [Pgs. 112-113]

c. Resolutions and Petitions

Resolution 2023-02 to support adoption H.3620 Clementa C. Pinckney Hate Crime Act [Pgs. 114-118]

- 9. Executive Session** – If needed. Council may take action on matters discussed in Executive Session upon returning from Executive Session.

10. Adjournment

Date Submitted	Name	Address	Comments for Council Meeting	Meeting This Comment is Intended For:
3/13/2023 2:45 AM	Christine Donavan	31 26th Ave., Isle of Palms, South Carolina 29451	<p>Please see the attached research about STR impact on crime in a community. https://news.northeastern.edu/2021/07/16/when-airbnbs-increase-in-a-neighborhood-so-does-crime-heres-why/?utm_source=External+News%40Northeastern+Audience&utm_campaign=fd7d44c385-EMAIL_CAMPAIGN_2021_07_19_01_01&utm_medium=email&utm_term=0_73fbbd3f61-fd7d44c385-278815307#_ga=2.56701101.603603575.1678675257-658620406.1678675257</p> <p>It is important that we set a cap on our STR licenses.</p>	Public Safety Committee

3/5/2023 9:45 PM	Joseph Powers	3800 Cameron Blvd., Isle of Palms, South Carolina 29451	<p>3802 and 3804 Cameron Blvd Variance Request</p> <p>As homeowners directly adjacent to this variance request, we have several concerns and questions.</p> <ul style="list-style-type: none"> • Our greatest concern is that this property will function as a Resort if Zoning approves the variance request. Already, the 3802 & 3804 lots have been used for very large outdoor social events, with food trucks parked on site and DJ's. (The outdoor space appears to be rented out in conjunction with the house across the street, 3805 Cameron.) The overall site plan includes a very large house (how many bedrooms?), a large swimming pool, a pickle ball court, a dedicated horse shoe game area and a very large social-gathering fire pit area. Even if the homeowners have lots of friends they like to socialize with, the multiple outdoor amenities are of a scale beyond a quiet residential neighborhood – and are unavailable on any other lot(s) we're aware of on Isle of Palms including ocean front. It doesn't matter to us whether it's owner occupied or rented; it would create a continuous resort atmosphere and unalterably affect our residential block. • Zoning rules in SR-2 essentially allow room for one major recreational accessory: either a pool or (in this case) a pickle ball court. And, setback rules only allow them to be in the rear yard behind a structure. We believe those rules are to protect and shield the surrounding neighborhood from too much noisy activity. Why not ask the applicants to chose either a pool or a pickle ball court behind the new house they're proposing, like the rest of the neighborhood? <p>Specific questions not clear within the Variance Request</p> <ul style="list-style-type: none"> • Parking: With two lots, how much parking would be allowed in total? 	Board of Zoning Appeals
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3/5/2023 8:31 PM	Mrs. Phillip L Warburton	3909 Cameron Blvd., Isle of Palms, South Carolina 29451	<p>Recently my husband and I found a notice of a hearing on a variance for 3802 Cameron Blvd. Once we investigated a bit, we decided to file our opinion on this matter. We are owners of 3909 Cameron and do not rent to anyone. This is our second home. We are residents of Roswell, GA, but have been enjoying our home here for over 10 years; we are locals!</p> <p>The first issue for us is listed in the #1 and #2 comments of the application. Extraordinary and exceptional conditions in our opinion do not apply because the lands in question are now two vacant lots which previously did have homes on them fitting within the lot sizes. The remark that the new house does not fit only suggests that the house isn't and never was designed to fit within the allotted lot size. Thus the owner never considered to build a smaller home within the lot bounds. These remarks only appear to disguise the issue and advance the answer they find convenient, not necessarily within rules.</p> <p>Perhaps another location with a larger lot such as ones on Sullivan's Island would allow for all that is being planned.</p> <p>In addition Mr. Goforth states without evidence that there would not be substantial detriment to adjacent property or to the public good. None of us can predict the future or know how this would evolve.</p> <p>The last comment is that there is no proof that this variance will provide a long term benefit by constructing only one home. Wouldn't the taxes on two homes though smaller be more preferable to the city coffers especially in residential areas? Some owners want smaller lots to fit different needs. These two lots seem to fit that profile. If the</p>	Board of Zoning Appeals
2/28/2023 10:50 PM	Stacey Swisher Harnetty	41 Ocean Point Drive, Isle of Palms, South Carolina 29451	Please do not roll back any of the five ordinances, especially the fifth on development.	City Council

2/28/2023 10:41 PM	Mrs. Stanley Reahard	3002 Palm Blvd., IOP, South Carolina 29541	<p>Implement a Rental Registration Fee or increase Base License/Permit Fee to generate revenue to cover additional personnel: STR Compliance Coordinator, Finance Analyst and additional Code Enforcement Officer</p> <ul style="list-style-type: none"> o Current fee: Base Rate - \$350 plus \$4.60 per \$1,000 of reported income o A \$200 increase to the base fee would generate approximately \$360K additional revenue annually. <p>Almost double what it is now? What benefit do beach front owners get for this increase? Why are we being penalized when day-trippers park all over the street in front of our houses and damage the landscaping?</p> <ul style="list-style-type: none"> ▪ FY23 FTE costs - \$95,600 ▪ Rentalscape annual cost - \$42,000 o Fee increases could go into effect in 2024 ahead of renewal deadline (April 1st) • Limit occupancy of newly constructed or substantially reconstructed homes <p>This would seem to be the homeowners prerogative.</p> <ul style="list-style-type: none"> • Require minimum night stays – year-round or seasonal <p>AGAIN This would seem to be the homeowners prerogative</p>	City Council
2/28/2023 10:33 PM	Jennifer Meier	8 Morgan's Cove Court, Isle of Palms, South Carolina 29541	<p>My husband and I own an home in IOP and are not in support of any rollback of the 5 ordinances, especially #5 that stops any further development in Wild Dunes. Thank you for listening to our opinions and thank you for your service!</p>	City Council

2/28/2023 10:23 PM	M.D. Clifton W Straughn	5-A Mariners Walk, Wild Dunes, Isle of Palms, South Carolina 29451	I am not supporting ANY ROLLBACK of the ordinances, especially. #5.	City Council
2/28/2023 10:13 PM	Susan/Matt Breckheimer	2 Waterway Island Drive, Isle of Palms, South Carolina 29451	<p>This is meant for the Special Council meeting tonight, February 28, 2023.</p> <p>We are NOT supporting any rollback of any of the 5 ordinances, especially #5, which stops any further development within Wild Dunes. Please listen to your constituents. We TRUST you support us/them.</p> <p>Many thanks, Sue and Matt Breckheimer</p>	City Council
2/28/2023 9:41 PM	Mark Phlieger	18, Waterway Island Dr, Isle Of Palms, South Carolina 29451	<p>We do not support any roll back of the 5 ordinances.</p> <p>Mark and Judy Phlieger IOP residents since 2010.</p>	City Council
2/28/2023 9:15 PM	Mrs Margaret Comfort	3 Ocean Point Dr, Isle of Palms, South Carolina 29451	My husband and I do not support any rollback of the five ordinances, especially number 5 any further development in Wild Dunes. IOP is overcrowded currently. Further development will destroy this beautiful island!	City Council
2/28/2023 9:13 PM	Mr Roger M Bean	# 53 Fairway Dunes Lane, Isle of Palms, South Carolina 29451	for consideration at the meeting on February 28, 2023, I oppose any roll back of the 5 ordinances, especially # 5, that stopped further development in Wild Dunes	City Council
2/28/2023 8:51 PM	Faye Davis	12 Oyster Row, IOP, South Carolina 29451	We sincerely hope the Council will hold firm to retain the 5 Zoning Ordinances approved recently by Council, particularly #5 which does not allow further development in Wild Dunes. Please do not let Dart/Lowe negotiate, mediate, or threaten Council members in order to alter the Ordinance as passed. Wild Dunes is dense enough. Thank you for your consideration. Faye and Mike Davis	City Council

2/28/2023 8:45 PM	Mr Barry Fenwick	11 Sandcrab court, Isle of palms, South Carolina 29451	I strongly reject the notion of rolling back any of the ordnances.	City Council
2/28/2023 8:37 PM	Louie W Blanton	104 Plantation Dr, Spartanburg, South Carolina 29302	I do not support any rollback of the 5 ordinances.	City Council
2/28/2023 7:47 PM	Mrs Mary K Keuch	7 Summer Dunes Lane, Isle of Palms, South Carolina 29451	I am not supportive of any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council
2/28/2023 7:45 PM	Mr Randolph W Keuch	7 Summer DSunes Lane, Isle of Palms, South Carolina 29451	I am not supportive of any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council
2/28/2023 7:40 PM	Annette Whitmer	1706 Dunes Blvd., Isle of Palms, South Carolina 29451	I do not support any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes...regarding special council meeting on 2.28.	City Council

2/28/2023 7:37 PM	Jim SMITHERMAN	122 Sparrow Drive, Isle of Palms, South Carolina 29451	<p>Mr. Mayor, Council members, I ask that you vote tonight in support of the third alternative proposal to limit short term rentals (STRs) of non-resident dwellings to 33% (excluding front beach). To me this is a fair and balanced approach to curtail the growth of STRs to maintain property rights and protect long-term resident's quality of life. Few of us are happy with the growth over which we have no control in the Charleston metro area. We see more traffic, noise, trash and reduced public safety (e.g., traffic snarls leaving the beach during rainstorms). If STRs growth goes unchecked, this challenge will only get worse at a faster pace. We need controls on the books now, especially as talks at the State level aim to eliminate home rule again and stop cities like IOP from instituting rental controls all together.</p> <p>I am a former rental property owner on the IOP and appreciate the worry owners have of losing rental rights. I bought my first home on Palm Boulevard in 2004. The realtor from whom I bought the house took those proceeds and other money and built 3400 Palm Blvd. It's an 11 bedroom, 11 bath house built strictly for rental. As I recall, it was marketed as the "Wedding House" and it attracted large groups. It was common to see 8-10 cars out front and at times buses. Even today I see 8-10 trash cans and recycle bins out front. During the run up in property values before the 2008 crash, other large rental homes were built. The terms "mini hotel" was often used to describe them. As folks got alarmed, the city council instituted limits on occupancy (2 guests per bedroom plus 2 more, as I recall), to curtail the huge numbers of guests seen in some of these houses.</p> <p>I think few people foresaw this growth in high occupancy rental properties. It caught people by surprise. Today, we cannot say that we are unaware of STR growth. It's here now. We see national companies and investment groups looking to increase their rental portfolios on the</p>	City Council
2/28/2023 7:00 PM	mr William R Cobb	421 Overlook Ct, Spartanburg, South Carolina 29301-1253	<p>I am the managing partner of ShipWatch D123. I do not support repeal, changes, or any rollback of the 5 recent ordinances involving Wild Duens, especially #5, which stops any further development in Wild Dunes.</p>	City Council

2/28/2023 6:49 PM	Kathleen Dolaman	1 beachwood east, Isle of palms, South Carolina 29451	Stop the greedy overdevelopment. Dart/Lowe's does not care about you or us.	City Council
2/28/2023 6:39 PM	Joseph Hall	5802 Palmetto Drive, B410, Isle of Palms, South Carolina 29451	This is for the special council meeting on 2/28/23. I am not supporting any rollback of the 5 ordinances, especially #5 which stops any further development in Wild Dunes.	City Council
2/28/2023 6:39 PM	Leigh Ann Byrd	5804 Palmetto Drive, A109, Residences at Sweetgrass, Isle of Palms, South Carolina 29451	My comment is for the special council meeting on February 28, 2023: "I am NOT supporting any rollback of the 5 ordinances, especially #5 that stopped ANY further development in Wild Dunes!" Leigh Ann Byrd, owner A109	City Council
2/28/2023 6:28 PM	Mrs Paula Kutcher	9 Ocean Point Drive, Isle of Palms, South Carolina 29451	I strongly encourage all Council members and particularly those that have shown reluctance to advance even the most lenient cap on STRs, to endorse and vote to adopt Plan III as probed by Councilman Pierce. Council has already taken a gross misstep by rejecting the imposition of a temporary Moratorium that would have provided Council sufficient time to study "the numbers", in the detail some members insist is necessary, without further jeopardizing the balance homeowners seek and have been promised. Failure to impose a reasonable cap on STRs now is a clear dereliction of duty, and will leave IOP vulnerable, as the only municipality in the Greater Charleston area without a reasonable plan to limit STRs. We elected you because you promised to represent we the people. Now is the time you must honor that commitment. You must listen to your constituents, those that live here and have voted for you. Lobbyists don't vote, and they come and go. Elections have consequences.	City Council

2/28/2023 6:04 PM	Caryn Overbey	2-F Mariner's Walk, Isle of Palms, South Carolina 29451	I want to tell the council that I do not support any rollback of the 5 ordinances, especially #5 that stops further development in Wild Dunes. Thank you.	City Council
2/28/2023 5:44 PM	Ted and Nancy Humble	48 Morgans Cove Dr, IOP, North Carolina 28803	We are not supportive of any rollback on the 5 ordinances especially #5. Please keep the new ordinances in place! Comments for special council meeting 2/28	City Council
2/28/2023 5:07 PM	Nancy Bell	511 Rainsong Road, Dalton, Georgia 30720	I do not support any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes. Please protect Wild Dunes by acting accordingly at the special council meeting on 2.28. Thank you.	City Council

2/28/2023 5:04 PM	Mr. Ronald W. Lamberth	9000 Palmetto Drive. A-301, Isle Of Palms, South Carolina 29451	<p>While I agree that the zoning ordinances restricting certain development in Isle of Palms (and specifically Wild Dunes) should remain in place, I am concerned about the nature and extent of the discussion regarding the caps on licenses for short-term rentals. In theory, this sounds like a reasonable solution to control overuse of the Island and its infrastructure. However, certain properties lend themselves to short-term rental use over residential and part-time residential use because of their location and the way they were developed in the 1980's. Some discussion has centered around allowing those that hold these licenses to retain them without being subject to any cap. However, there will likely be some restriction on transferring the licenses to unrelated owners in the future. Included in the discussion has been the concept of creating certain zones for which the STR license cap would not apply. These zones include numerous multi-family properties that have been on the Island for years and primarily contain units that have been held for short-term rentals since they were constructed. I encourage the council to allow the STR licenses for these multi-family units to remain in place, even for future owners, in order to preserve the investment value of these properties.</p>	City Council
2/28/2023 4:47 PM	Wayne Hurt	127 Ridgewood Dr., Waterloo, South Carolina 29384	Please do not roll back the 5 ordinances. none of them all of them especially 5	City Council
2/28/2023 4:46 PM	Melanie M Eckles	17 Dune Ridge Lane, Isle Of Palms, South Carolina 29451	<p>RE: Special council meeting on 2/28/23</p> <p>This is to express my concern for the future of our island and ask that you not support any rollback of the five ordinances.</p> <p>Thank you.</p>	City Council

2/28/2023 4:45 PM	Tim Mulroy	55 beach club Villa, Isle of Palms, South Carolina 29451	I do not support any rollback of the 5 ordinances recently passed. especially #5 that stopped any further development in Wild Dunes.	City Council
2/28/2023 4:41 PM	Thomas W Eckles	17 Dune Ridge Lane, Isle Of Palms, South Carolina 29451	Regarding the City Council meeting on February 28, 2023, I am appreciative of the five ordinances enacted several months ago and do not want to see them repealed. Ordinance #5 is extremely important for safety and preservation. Thank you, Tom Eckles	City Council
2/28/2023 4:26 PM	Lisa Short	16 Hidden Green Lane, Isle of Palms, South Carolina 29451	For special council mtg 2/28/23 - I urge council to uphold the recently passed ordinances related to STR and property use on IOP. ESPECIALLY important to me as a 12 year resident of wild dunes is ordinance #5. I DO NOT feel WD can accommodate even more density than we currently have. The new hotel has greatly increased traffic congestion in our neighborhood and also on the island as a whole. I almost missed a wedding on Goldbug last may due to clogged traffic on palm blvd - despite leaving an hour and a half early! The Hotel combined with expanded STR will make this situation much worse! I fear for those in need of emergency assistance, especially during peak season. Thank you for your service to IOP and for considering my views. - Lisa Short 843-697-3240	City Council

2/28/2023 4:20 PM	Ms Sally J Kuhn	4 Shad Row, Isle of Palms, South Carolina 29451	Please stay strong and fight the lawsuit started by Lowe's/Hyatt calling for the repeal of previous past ordinances governing over building. I own my home in Wild Dunes and it is not a rental. Our Island is facing crowding, traffic issues, and pollution which have been compounded by Wild Dunes Resort. High density housing, vrbos, need to be curtailed for our residents. The ordinances passed help preserve the quality of life that drew me here in 2005.	City Council
2/28/2023 4:11 PM	Gwen Chianella	16 Commons Ct, Isle Of Palms, South Carolina 29451	I do not support any rollback of the 5 ordinances especially #5. No further development within Wild Dunes should be permitted. Neither the island nor Wild Dunes have the infrastructure to support such development. Our island community in the summer months is very crowded. Adding more properties and rentals would only make it unsafe as well as unlivable in the summer. Please keep the ordinances as they stand.	City Council
2/28/2023 4:01 PM	Mark Zukaitis	66Grand Pavilion, IOP, South Carolina 29451	I support the current stance of the City Council's ordinances the limit further development on IOP, particularly ordinance # 5 that affects Wild Dunes. I do not support changing your stance on the ordinances. Nor do I support bullying tactics by developers who favor rescinding said ordinances. Thank you Mark Zukaitis	City Council

2/28/2023 3:50 PM	ROGERS FAMILY INVESTMENT LLC (WILLIAM M ROGERS)	19 WATERWAY ISLAND DR, 18 Yavht Harbor Ct, ISLE OF PALMS, South Carolina 29451	<p>As an owner since 1995 IOP has grown by leaps and bounds. So has Mt Pleasant! The #1 problem right now is the connector. This is a life and death situation. Last May it took over 1 hour to drive from my home (19 Waterway) to Code del Pesce. The longest time every in 26 years. If I needed EMS for any life-threatening situation, you most likely would die before help could get to you or you could get off the island.</p> <p>Solutions:</p> <p>#1 four lanes on bridge for driving, two each way. 3 ft for bike and walking! One side only!</p> <p>#2 turn lane added to Palm Blvd ASAP, only parallel parking on west side.</p> <p>#3 parking garage added to both city lots to 5 levels or water tower height. More than cover reduced parking on Palm Blvd.</p> <p>#4 Request state build new beach on Capers and or Bull Island. No homes. State is only going to grow and this is much needed!</p> <p>#5 Add golf cart lanes for carts n bikes on Palm n Waterway Blvd.</p>	City Council
2/28/2023 3:48 PM	Sara Degroot	31 Pelican Reach, Isle of Palms, South Carolina 29451	Please do not roll back the 5 ordinances previously passed.	City Council
2/28/2023 3:48 PM	Dr Jean Chapman	1218, Basnett Dr, Milton, Georgia 30004	I and my family are not supporting any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council

2/28/2023 3:42 PM	Mr. Wayne Westmoreland	23 Waterway Island Drive, Isle of Palms, South Carolina 29451	Regarding the special council meeting on Feb 28th. I am a full-time resident in Wild Dunes and I am concerned about the city getting embroiled in a lawsuit that will waste money. I urge City Council to try to balance my neighbors' desires to halt development in IOP with property owner's rights. If any person (or company) buys a piece of property with an understanding that the rules are one way and then the rules get changed, there should be a pretty strong reason for that change, not just because of fears that may be unfounded. Compromise is not a four-letter word.	City Council
2/28/2023 3:42 PM	Marcia Clark	18 Hidden Green Lane, Isle of Palms, South Carolina 29451	I am writing to support the council in your steadfast position to not go back on the recently passed 5 ordinances for no new development. Please stay strong and hold your ground especially as Lowe/Dart think they are bigger than us. We are IOP strong and will not be bullied. Thank you.	City Council
2/28/2023 3:41 PM	Rodger Morrison	14 Yacht Harbor Court, IOP, South Carolina 29451	We are NOT supporting any roll backs of 5 ordinances especially #5, further, we would not support the nomination of ANYONE associated with Dart/Lowe particularly Ms Haack.	City Council
2/28/2023 3:38 PM	Mrs Sandi Schofield	1 Ocean Point, Isle of Palms, South Carolina 29451	We are NOT supporting any rollback of the 5 ordinances, especially #5 on continued development of Isle of Palms. We do not want Dart/Lowes to continue to overdevelop Isle of Palms/Wild Dunes. Please stop overdevelopment and preserve what is left of the natural beauty and open space on Isle of Palms. This comment is especially for the special council meeting on Feb 28.	City Council
2/28/2023 3:09 PM	PB Slater 3 Barbaruolo	54 Grand Pavilion, Isle of Palms, South Carolina 29451	I do not support any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council

2/28/2023 3:08 PM	Geraldine Barbaruolo	47 Twin Oaks, Isle of Palms, South Carolina 29451	I do not support any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council
2/28/2023 3:06 PM	Perry Barbaruolo	29 Yacht Harbor Court, Isle of Palms, South Carolina 29451	I do not support any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council

2/28/2023 2:23 PM	Steve and Carly David	709 Palm Blvd, Isle of Palms, South Carolina 29451	<p>To: IOP City Council Members From: Steve and Carly David, 709 Palm Blvd. Re: STRL and Family Transfers/grandfathered properties</p> <p>This whole STR situation is complicated, and the more we know the more complicated it gets. What is capped? What is not? Which residents are protected...which are not? We have read what we could get our hands on, and still, we are in murky waters. There aren't many full-time residents on the island who own 6% properties with a short-term rental license, but there are a few; we have been blessed to own and manage a beach house at 817 Ocean Blvd. for the past 30 years. This has involved many hectic Saturdays (for us and our sons) over that time period where we worked diligently to develop a retirement for us and to create an investment that we could pass on to our family. Our sons have been an intricate part of the process.</p> <p>Because more and more people are coming to the Southeast, we realize that there has to be a plan for the future of the rental community; however, that plan should protect all of us that already are here and who have contributed many, many tax dollars to this island over the years.</p> <p>In a handout dated January 23, 2023 the STRL proposals for discussion have only the words "consideration to be evaluated" for family transfers/Grandfathered properties." We don't know how anyone owning property here can make a decision about a cap ordinance that is so vague. After putting in 30 years of blood, sweat, and tears (and money) with our piece of real estate on Ocean, we hope you will consider as part of your final percentages a similar ordinance that Kiawah Island has established in their caps: "STR Licenses do not run</p>	City Council
2/28/2023 1:58 PM	Mr. S. J. DeBorde	Yacht Harbor Court, Isle of Palms, South Carolina 29451	<p>Please do not support any rollback of the 5 WD STR PRD ordinances, especially #5 that stopped any further development in Wild Dunes.</p>	Board of Zoning Appeals

2/28/2023 1:54 PM	Mr. S. J. DeBorde	Yacht Harbor Court, Isle of Palms, South Carolina 29451	Please do not support any rollback of the 5 WD STR PRD ordinances, especially #5 that stopped any further development in Wild Dunes.	Board of Zoning Appeals
2/28/2023 3:40 AM	Mrs Janie Curtis	24 Oyster Row, Isle of Palms, South Carolina 29451	I am not supporting any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council
2/28/2023 1:08 AM	Mr Ralph Edward Knupp	34 Seagrass Ln, Isle of Palms, South Carolina 29451	I support the 5 ordinances limiting future development previously approved by the Town Council and trust that the Council will stand by its decision to approved these ordinances, rather than entering into negotiations to relax the scope and intent of these ordinances. In addition, I am hopeful that the Council's deliberation about STR caps will result in appropriate permanent caps on STR licenses, not simply a temporary moritorium. While I am not an expert on such matters, it seems that the town's infrastructure, including - without limitation - roads, electricity, water, waste management, and public safety services (police, fire and emergency response) cannot accomodate further uncontrolled development of STR's and Resort Hotels. Infrastucture limits are a fact of life. Infrastructure does not have unlimited ability to support unlimited development. It would be useful if the Council could report on the current capacity of our infrastructure services. This should inform the deliberation on appropriate limitations for STRs and other development.	City Council

2/27/2023 11:36 PM	S Hays	5 Conch Court, Isle of Palms, South Carolina 29451	I live along Palm Blvd. in the sessions leading up to the building of hotel, I asked the Lowes rep about the impact on Palm Blvd. The rep blew me off....not a big issue. Absentee str landlords don't sit in the traffic, tolerate the noise or the lack of safety and concern for our neighborhoods. This morning I was behind a SUV with NY plates that ran 2 stop signs, was driving 45 on Palm and 70 on the connector. I would contend that Palm Blvd is the barometer of all the issues re increased development on the island. I therefore strongly support the 5 WD PRD ordinances, particularly 5.	City Council
2/27/2023 11:18 PM	Lori Bredder	31 Fairway Oaks Lane, Isle Of Palms, South Carolina 29451-2832	We are residents of IOP and wholeheartedly endorse a cap on STRs. Our roads and emergency services are already strained and cannot handle any more visitors. In addition, the Dart/Lowe group only pay lip service to our community for it is evident their only objective is maximizing profit.	City Council
2/27/2023 11:17 PM	MD Norman Einstein	47 pelican reach, Isle of palms, South Carolina 29541	I have owned my home in Wild Dunes since 1989 and it is now my primary residence. Over the years, I have become increasingly concerned about the continued commercial development by the resort/Lowe-Dart. To your credit, the IOP town council recently passed zoning ordinances which severely limits further commercial development. I urge all town council members to keep these ordinances in place, and not succumb to the pressure and threats put forth by Lowe/Dart. Isle of Palms should not become a smaller version of Myrtle Beach!	City Council

2/27/2023 11:01 PM	Dr. Mark Glass-Royal	44 Ocean Point Drive, Isle of Palms, South Carolina 29451	<p>These comments are for the special council meeting on 2/28/23. I have been a property owner on Isle of Palms since 2007. While my family are very partial to our secluded location in Ocean Point inside the gates of Wild Dunes, the rest of the island has undergone tremendous changes since 2007--many of them highly detrimental to quality of life on the island. I am making it known here that I do NOT support rolling back any of the 5 WD PRD ordinances. Unless we live like hermits in our homes, getting around the island, especially during the summer months, has become an exercise that must be planned with near-military precision to avoid getting tied up in untenable traffic delays--and that is to say nothing about getting on and off the island, which is an equally difficult exercise. We came to IOP to get away, live a peaceful life away from the stresses of more crowded locales. I, as a homeowner, should be able to enjoy the benefits of the island without many of the tremendous hassles caused by uncontrolled STRs and unrestrained development. I respect that STR revenue is important to IOP, but it must be balanced with quality-of-life issues and that is exactly what the already-passed ordinances achieve. Please do not bend to the strong-arm tactics of DART/Wild Dunes, who in NO WAY represent the interests of homeowners and who have lied about their intentions every step of the way, while trying to cloak their plans in some altruistic garb that benefits the island as a whole. The only benefit they care about is their own bottom line, at any cost.</p>	City Council
2/27/2023 10:56 PM	Ronald Bergeron	14 Twin Oaks Lane, Isle of Palms, South Carolina 29451	I/we do not support any rollback of the 5 ordinances pertaining to short-term rental caps passed by the IOP Council at the end of 2022.	City Council

2/27/2023 10:45 PM	mr Raymond Jenkins	8 Oyster Row, Isle of Palms, South Carolina 29451	I support reasonable STR caps. Also NO negotiations with DART/LOWE in regards to their lawsuit with IOP and the 5 WD PRD Ordinances.	City Council
2/27/2023 10:41 PM	Darrell Henry	5 Lake Village Lane, IOP, South Carolina 29451	For the special council meeting on 2/28. I support the roll back of the STR restriction ordinances recently put into place on IOP. These are unfair and reduce property values on the island. A small, but vocal group, are pushing these changes on the rest of us. Please repeal the new STR ordinances.	City Council
2/27/2023 10:35 PM	Heather Witheford	43 Morgans Cove Dr, IOP, South Carolina 29451	We do not support any rollback of the 5 ordinances. Additionally, we want IOP to follow other communities and place a limit on STRs.	City Council
2/27/2023 10:31 PM	Kathy Lubin	20 Oyster Row, Isle of Palms, South Carolina 29451	I do not support any rollback of the five ordinances. Our beautiful island can NOT afford to tip the delicate balance with ANY MORE DEVELOPMENT anywhere on the island. Especially NOT in Wild Dunes. We are oversubscribed and Lowe/Dart/Hyatt have not kept their promises of being a good neighbor and have violated almost every public commitment relative to parking, noise and development. Please stand your ground.	City Council
2/27/2023 10:25 PM	Mr Barry Smith	11 Bechwood W, Isle of Palms, South Carolina 29451	For the Feb 28th Special Council: As permanent resident of IOP I am not supporting any rollback of the 5 ordinances, especially #5 that stopped any further development in Wild Dunes.	City Council

2/27/2023 7:39 PM	Cindy Iarussi	2700 Waterway Blvd, Isle Of Palms, South Carolina 29451	<p>Dear Council Members:</p> <p>We are writing again to express our deep concerns regarding allowing an unlimited number of STR's on our island. To put it simply, we believe that business should be conducted in a business district, and not be allowed to disrupt residential neighborhoods.</p> <p>There is no denying that the number of STR's has certainly increased over the years and our island home is at capacity. While we realize it's not just the STR's that threaten our residential communities, limiting the number of STR's is something we CAN control, along with capping future development in WD (thank you so much for your support in passing all five ordinances!).</p> <p>We are in favor of "Alternative 3", since it provides the best balance between rentals (commercial interests), and residential communities, while preserving full time resident property rights. Please vote to approve Alternative 3 to preserve/protect our residential communities and the island charm that draws so many here.</p> <p>Thank you all for your willingness to serve our community. Please use your leadership and power to protect our our residential way of life here on IOP.</p> <p>Respectfully, Peter & Cindy Iarussi</p>	City Council
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2/27/2023 2:37 PM	Elizabeth Wingfield Jackson	515 Ocean Blvd, Isle of Palms, South Carolina 29451	<p>To our city servants, Thank you so much for your work and concern for our community! Our family is thankful to be hanging on to an old family house here since 1941 and we have lived here full time for 14 years. We enjoy and appreciate the IoP Rec. Our children and I have loved playing tennis with Coach Corinne for many years and we are extremely fortunate to have such a talented, excellent, kind tennis pro who is dedicated to our facility.</p> <p>The addition of pickle ball courts is welcome, but it would only be fair to keep the tennis courts dedicated to tennis as there will be two dedicated pickle ball courts. It is helpful and important for the pickle ball lines to be removed from BOTH tennis courts when the pickle ball courts are completed. Also the transportable pickle ball nets should be removed from the tennis courts instead of being left on the side all the time.</p> <p>Thank you for your attention and concern and help, Elizabeth</p>	Recreation Committee
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2/27/2023 1:12 AM	Mrs Terri A Haack	Wild Dunes Resort, 5757 Palm Blvd, Isle of Palms, South Carolina 29451	<p>City Council Members, thank you for your service. Respectfully, I have several questions regarding the minutes and information package that you are reviewing at your council meeting on 2/28/23. First, 'public safety committee meeting' pages #71, #72, #73 are not attributed to anyone, is this the official work of the city council committee members or was this submitted by a concerned resident? It's important to clarify the author of these remarks.</p> <p>Regarding the proposed Ordinance 9-2-5 "noise" page 84, please consider the following:</p> <p>Page #86 c #2: 70 dB for commercially zoned properties, yet on page 89 #5 Front Beach (GC-2) is allowed 85 dB (why the double standard for commercially zoned areas?) Not wanting to impact front beach, yet, a higher level dB for commercially zoned areas in IOP is appropriate (please see page #93, according to NOSH (National Institute for Occupational Safety and Health) and the Noise Infographic attached, recommended Exposure limit is 85 dB. Commercially zoned areas should be allowed at least 75-80 dB. Also, on page #90 c. Only 15 hours per year for special events is very limiting, equating to only approx. 3 to 4 events per year. This is impractical for a resort generating significant accommodations taxes for the city, and for groups already contracted for 2023 for events on the SGI pool deck. The resort recommends 8 - 10 events per year, particularly in 2023, as contracted groups and weddings may be force to cancel. Thank you for the opportunity to submit these comments and for your consideration.</p>	City Council
2/27/2023 12:18 AM	Paul Wessels	1385 Classic Court, # 350, Mt Pleasant, South Carolina 29466	Please remove pickle ball lines from tennis courts	Recreation Committee

2/26/2023 8:06 PM	Beatrice and Dana Love	9 Sand Dollar Dr, Isle of Palms, South Carolina 29451	<p>Again we ask you to cap STR Island wide, except for front beach. We must return to 30/30/30 to maintain the family quality of our Island. We must be a Residential Island, not a rented Island..</p> <p>The connector is fine as is. Leave it alone. One side for bikers and walker presents a real safety problem for bikers wanting to left turn north.</p> <p>Please pass a noise ordinance that can hold up in a court of law.</p>	City Council
2/25/2023 11:49 AM	Courtney Byrd	208 Forest Trail, Isle of Palms, South Carolina 29451	<p>Please kindly remove pickle ball lines from the tennis courts now that we will have a designated pickle ball court. Having 2 distinct options (tennis courts and pickle ball courts) vs multiuse courts will ensure that the tennis courts can be available for residents. Thank you!!</p>	Recreation Committee
2/25/2023 11:44 AM	Kim Parker	5 Morgan's Cove Court, Isle of Palms, South Carolina 29451	<p>Thank you for adding two pickleball courts at the IOP rec center. These will be a benefit to the community. And once they are complete I would like to request that the pickleball lines are removed from both tennis courts, as well as that the transportable pickleball nets are removed from both the tennis courts. For those of us who play tennis, the additional pickleball lines and the nets are a big distraction. Once the dedicated pickleball courts are complete, the equitable and fair solution seems to be to return the tennis courts to tennis use only. Thank you.</p>	Recreation Committee

2/24/2023 3:11 PM	Jennifer Bitting	15 27th Ave, ISLE OF PALMS, South Carolina 29451	<p>Good morning, I would like the recreation committee to strongly consider removing the pickleball lines from BOTH tennis courts at the IOP Recreation Center once the new pickleball courts are complete. I would also like to see the transportable pickleball nets removed from the tennis courts once the pickleball courts are operable. In all fairness, the dedicated pickleball courts can only support the game of pickleball. Therefore, the tennis courts should only be dedicated to tennis. Both tennis and pickleball are very popular sports on our island and both sports should have equal availability which I assume was the intent of building the pickleball courts. Thank you for your time and strong consideration.</p>	Recreation Committee
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Elizabeth Campsen's Comments:

Our unchecked rental pool is growing. Year to year, month to month and as we see tonight, week to week. It's the reason the issue was sent to planning in 2021, it's the reason a cap was recommended in 2022 and it's the reason council needs to act in 2023. In 2021, Councilmember Mr. Streetman stated that if IOP didn't move to identify trends and protect itself while our neighbors did, we would suffer adverse consequences. He was right. Since that time, surrounding communities are locking down and, as predicted, we are impacted. During the last meeting a slide was shown pointing to local communities with greater limitations than ours. Here is what that map actually looks like.

A lot of lip service is given to a resident first platform, with some claiming the platform *always* existed and they always supported it. I challenge you to explain then how it is we find ourselves with an all-time high number of rental licenses while our residentially occupied units dropped from 50% to 36? Resident first means the foundation of any discussion is, first and foremost, the preservation of our residential community and that trend line is not good from a residential perspective.

I hear how "new people" are trying to change things. How supporting reasonable zoning is creating a pseudo HOA. How capping rentals will "change the look and feel of the island forever". I'm particularly offended by the suggestion that speaking truth to facts and numbers is "injecting divisive rhetoric" while at the same time letters are being mailed to us literally using the words "death", "disability" "disease" and "disaster", yet providing no objective data at all. I wholeheartedly support those dreaded new people who are trying to protect not just this community, but the Lowcountry as a whole. Historic Charleston Foundation, Lowcountry Open Land Trust, and Save Folly's Future are all trying to PREVENT further change to our local landscape and preserve the status quo. Your inaction in the name of fighting change brings with it real consequences that actually **will** change the look and feel of the island forever, negatively. You are holding the door wide open as investment driven rental owners infiltrate and undermine the integrity of our neighborhoods.

I don't know one resident opposed to an unlimited number of rentals in our commercial districts, a full-time residents' right to rent short term for 72 days, or anyone's right to rent monthly, quarterly or annually – ALL we ask is that you recognize our residential districts are NOT commercial zones and should be protected from an UNLIMITED number of short term rentals. Period. We aren't eliminating the use, or changing the current landscape and our revenue won't be reduced by setting an upper limit. Our neighborhoods should be protected from the continued intrusion of 365 day a year commercial investment rentals, and you should take the necessary steps to safeguard them.

The top priority of our strategic plan is managing pressures from population growth in surrounding areas. What pressures do you imagine IOP will feel if we allow surrounding communities to push their rental population growth into our jurisdiction – because that industry

isn't going away – it is only growing in funding, organization and purpose. We need forward looking, strategic thinkers to stand up for the residents living in this community, not those making a living off of it. That's who we thought we elected. Don't sell us out.

Comments of Terri Haack:

Isle of Palms City Council Meeting Workshop STR 1/23/2023
Wild Dunes Resort Statement on Short Term Rentals

My name is Terri Haack, and I represent Lowe and Dart Interests, the owners of Wild Dunes Resort. My thoughts reflect the sentiments of many individuals who actively utilize their Short-Term Rentals within the gates of Wild Dunes.

- Late last year, the overwhelming majority of attendees at the city-sponsored listening sessions spoke out against a cap or moratorium on Short-Term Rentals. We appreciate that the council did not move forward in passing a moratorium, and want to reiterate our support for short-term rentals, particularly within the gates of Wild Dunes.
- Several decades ago, Wild Dunes was envisioned as a community with permanent residences, second home residences and short-term rental properties. Short-term rentals have been a part of the fabric of the Isle of Palms' community for more than 50 years. Wild Dunes Vacation Rentals has been here for decades and is just one of several vacation rental companies on the island. Our guests return year over year based on the unique character of this incredible destination community and we are committed to continuing our role and making Isle of Palms a great place to visit and live.
- Wild Dunes Resort provides professionally managed onsite service for over 300 homeowners with an onsite support staff. If issues arise, we have staff available, ongoing maintenance and housekeeping programs to ensure homes maintain the quiet enjoyment of the community.
- We strongly support property rights, homeowners and professionally managed short-term rentals and because of this, we oppose a moratorium on short term rental licenses, particularly within the gates of the Wild Dunes Community.
- We were strongly against the five ordinances that were quickly passed last month, which changed underlying zoning and stripped away property rights. We were concerned that those changes could set a dangerous precedent for the removal of property rights for homeowners. These ordinances have not even been in effect for 90 days, and already new restrictions are being introduced. We fear a quickly enacted moratorium only further reduces property rights.
- Wild Dunes Resort is willing to assist and help provide effective and reasonable solutions that encourage a welcoming community to visitors and an enjoyable home for full-time residents.

Comments of Georgia Roane:

I am strongly in favor of a limit on new short term rental licenses.

I would like to talk about the workshops held in 2022 regarding short term rentals, since it seems that quite a bit of weight is being given to these meetings. As someone who attended one of these workshops, I felt that the format caused the information gathered to be completely flawed.

First of all, we were told that STR's have remained stable at approximately 30%, varying only slightly from year to year. The truth is that STR's have increased. The STR percentage is now 39%, with 34% being investor owned and 5% resident owned.

We were not told that we were going to be the last remaining community in the region without a limit on STR's. Sullivan's, Mt. Pleasant, Charleston, James Island, Kiawah, Myrtle Beach, all have restrictions on STR's, and Folly Beach is about to vote in restrictions.

We were not told that there has been a significant increase in requests for new STR licenses over the past 6 months.

We were told to come to an agreement or consensus at each table, rather than allowing each person to have their opinion recorded. Since there was not an agreement on STR's, noise was the issue that residents came to agreement on. Also many non-residents and non-voters attended these workshops.

The voters are now aware that STR's have increased significantly; that new license applications have increased significantly; that large investment groups are buying these properties, not individuals. And the voters are particularly aware that we are the only beach community in the entire region without a limit on STR's.

The Barrier Island Preservation Association was formed prior to the last election. The candidates endorsed by this organization won the election, and they campaigned with a promise to protect the quality of life for the residents – "To preserve the barrier island".

If we are the only beach community along the SC coast without a limit on STR's, we will be overrun by investment groups looking for rental properties. This is simply common sense. You don't need a workshop or a consultant to tell you this. It is already happening.

If you ran on a campaign to protect the quality of life here, then you should vote to protect what we have. It's not going to reflect well on this City Council and Mayor, if the IOP is the only community in the region without restrictions on STR's, because the voters are going to demand a referendum.

Thank you for serving on City Council and for all of your hard work on this issue.



SPECIAL CITY COUNCIL MEETING
5:00pm, Tuesday, February 28, 2023
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 Hahn, Bogosian, Ward, Streetman, Anderson, Popson, Miars, Pierce (via Zoom), and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, City Attorney McQuillin

2. Purpose – Executive Session

MOTION: Council Member Ward made a motion to go into Executive Session in accordance with SC Code Section 30-4-70(a)(2) to receive a legal update and advice on the following cases:

- a. City of IOP et al v. Online short-term rental businesses
- b. Charleston Area Public Beach Access & Parking Group v. City of Isle of Palms
- c. City of Isle of Palms v. Jonathan Jams Gandolfo/Case

Council Member Streetman seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at 5:01pm

City Council returned from Executive Session at 5:50pm. Mayor Pounds said no decisions were made.

4. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting was adjourned at 5:59pm.

Respectfully submitted,

Nicole DeNeane
 City Clerk



CITY COUNCIL MEETING
6:00pm, Tuesday, February 28, 2023
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 Hahn, Bogosian, Ward, Streetman, Anderson, Popson, Miars, Pierce (via Zoom), and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, City Attorney McQuillin, various department heads

MOTION: Mayor Pounds made a motion to suspend the rules of order to reorder the agenda to allow the LOWVELO presentation to be heard ahead of Citizen's Comments. Council Member Hahn seconded the motion. The motion passed unanimously.

2. Special Presentations

Consideration of request for City sponsored status from LOWVELO for fundraising bike ride on November 4, 2023

Debbie Bordeau of LOWVELO came before City Council seeking City-sponsored event status for the LOWVELO fundraising bike ride on November 4, 2023. Council Member Streetman spoke highly of the event.

MOTION: Council Member Ward made a motion to approve the event as a City-sponsored event. Council Member Streetman seconded the motion. The motion passed unanimously.

3. Citizens' Comments

Glenda Nemes spoke about the Attorney General's 2022 opinion on DMOs. She said the City needs more decision-making power over the 30% funds. She shared several CVB publications where the Isle of Palms is mentioned but a few times. She believes IOP should follow the "Folly model" for the formation of a DMO and City Council should look into it.

Polly Judson said that hundreds of LLCs listed as owners of short-term rentals are locals and not "greedy corporations." She is unsure where property owners like her fall into the current short-term rental models being offered. She expressed concern about big houses taking over smaller houses and changing the character of a neighborhood. She believes the increase in short-term rental licenses was the "Toilet Paper Effect," where everyone got one so they were not left out.

Bev Miller said she is bothered by references to data that says caps are not needed. She believes the data being used to make decisions about short-term rentals is incomplete and inaccurate. She said residents are asking for a balanced decision based on real data.

Hallie Pfeiffer believes there is no way to predict the market and would like to see a cap put in place. She believes a cap to be a precautionary measure and insurance policy. She noted that municipalities all over the country are enacting such guardrails.

Sandra Brotherton would like to see STR licenses limited. She shared that recent water quality testing on the backend of the island indicated extremely polluted water. She spoke about the maps that show the growth of short-term rentals on the island over the years and about why she likes the plan set forth by Council Member Pierce. She also said she feels the people who signed the petition did so without proper information.

Brian Duffy's comments are attached to these minutes.

Steven Goodwin said STRs are 25% of South Carolina's \$24billion tourism industry. He spoke about Folly Beach's efforts to limit STRs. He said that noise and trash concerns can be managed through ordinances. He believes a cap has unpredictable consequences and would like City Council to vote no to a cap.

Michael Baily spoke against STR bans and moratoriums. He believes the City has an issue with daytrippers, not an STR issue. He said the biggest winner in a moratorium would be Wild Dunes. He encouraged Council to deal with the daytripper concerns.

MOTION: Council Member Streetman made a motion to increase the amount of time for Citizen's Comments. Council Member Hahn seconded the motion. The motion passed unanimously.

Al Clouse said the most recent draft of the noise ordinance is discriminatory and narcissistic. He would like to have commercial properties such as the Sweetgrass Inn carved out of the "traditionally identified commercial property" designation. He said 70 decibels is too high. He does not understand why speakers are not allowed in parks but are permitted in neighborhoods. He said the EPA recommends the maximum outdoor noise level be 55 decibels and indoors at 45 decibels. He encouraged Council members to review the minutes of the January 25 and February 14 Public Safety Committee meetings.

Laura Lovins said the issue of caps is a very dividing issue. She asked why all voices are not being heard and compromise being considered. She believes enforcement will not solve the problems and that the growth of STRs is a problem. She would like to have City Council put Council Member Pierce's plan into place and build resiliency into the plan for the future.

Randy Bell said the data being used to make the STR decision is flawed. He said the "lack of thoughtful debate" on the various proposals is "stunning." He said the community is organized and believes the issue will likely go to a referendum if the Council does not act on STRs.

Tony Santiago said there needs to be a “reasonable policy” put in place to control STRs. He believes Wild Dunes will use it against the City if they do not enact a cap on STRs. He does not want Mayor Pounds to negotiate with Wild Dunes.

Shelly Myles spoke about her family’s need to rent their house out. She acknowledged there are problems with STRs but believes workable solutions can be found.

Tom Schmidt said this process has gone on too long and the workshop process was a “problem.” He spoke about Council Member Pierce’s plans.

4. Approval of previous meetings’ minutes

- A. Special City Council STR Workshop – January 23, 2023**
- B. Special City Council Executive Session – January 24, 2023**
- C. City Council – January 24, 2023**
- D. Special City Council STR Workshop – February 6, 2023**
- E. Special City Council Workshop – February 13, 2023**

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

5. Old Business

A. Discussion of IOP Connector alternatives

Council Member Ward said the Public Safety Committee voted 2-1 in favor of Option 3. Mayor Pounds said SCDOT’s public comment period closed on February 17. He expects the traffic consultants at the March meeting to talk about the findings.

Council Member Anderson spoke about her preference for Option 5. Her comments are attached to these minutes.

Council Member Streetman spoke in favor of Option 5. He noted that it is not only the Isle of Palms that will be involved in the final decision. Council Member Bogosian also spoke in support of Option 5 and asked if Council needed to take immediate action to notify SCDOT of their preference.

Administrator Fragoso said they have asked the consultants to review the data from the public comment period that recently ended. They will bring their findings to City Council. She noted that Mt. Pleasant will need to go through the same process of discernment.

Council Member Hahn pointed out that his preference for Option 3 came with a caveat that side railings and protective barriers must be added to the Connector to make it safe for pedestrians and bicyclists. He said that the City’s former and current fire and police chiefs all prefer having a center emergency lane. He said the City needs to work with Mt. Pleasant as SCDOT cannot do anything to the Connector without the approval of both municipalities.

Council Member Ward said he likes Option 3 based on input from the first responders. He is in favor of a center emergency lane.

Council Member Miars said she prefers Option 5 and believes Mt. Pleasant would be happier with two lanes coming off the island.

Council Member Popson expressed his preference for Option 3 and would like to see an emergency lane on the Connector. He said Mt. Pleasant would need to agree with Option 5 to get the road changed on the other side of the Connector.

Council Member Pierce expressed his preference for Option 5.

Chief Cornett said he can work with either option. He said that Option 3 gives them the ability to maneuver around a collision and Option 5 gets traffic off the island. He expressed concern about managing a collision in the inbound lane. He stated that a reversible lane is not manageable every weekend and added that response time has not suffered.

Chief Oliverius also confirmed that response time has not suffered. He said the fire department can work with any option, adding that an emergency lane was helpful in the past.

Administrator Fragoso said she will communicate to Secretary Hall that the Council is reviewing the options and public comment at this time.

B. Discussion of proposed changes to the noise ordinance

Administrator Fragoso said this is the first time the full City Council has seen the draft noise ordinance. This draft has been reviewed by the City Attorney. She added that this will go back to Public Safety for further review.

She then highlighted the differences between the current noise ordinance and this draft, noting that the addition of specific decibel levels facilitates enforcement efforts. Council Member Hahn pointed out that the Public Safety Committee has looked at several decibel level charts and is unsure which one is the best one to use. He suggested picking a number and testing its effectiveness.

Council Member Ward said the Front Beach area and the areas surrounding the Sweetgrass Inn are two very different areas and should be treated as such. People moving to the Front Beach knew what to expect from such a space. But those who bought near the Sweetgrass Inn had done so long before it was built, and the noise was not a consideration of their purchase. He does not believe there needs to be any adjustment to the noise levels in the Front Beach area. He would like a meeting with a representative from the Sweetgrass Inn and interested residents at the next Public Safety Committee meeting.

Council Member Anderson said the Committee has looked at ordinances from many different communities. She said the majority of municipalities set the decibel limit at 60 decibels during the day in residential areas and 55 decibels at night. She agreed that the Front Beach area and the Sweetgrass Inn need to be treated differently.

Administrator Fragoso pointed out that the suggested nighttime decibel level across the island is 55 decibels. The draft ordinance also includes a provision allowing entities like the Sweetgrass

Inn to petition City Council for exemptions to the noise ordinance for a certain number of hours or days per year. She also reviewed the penalties section of the ordinance.

She said, “My recommendation would be once we get a draft finalized that the City Council enacts something for a short period of time, maybe 6 months, 9 months, to allow us to see how it works and then be able to come back with some recommendations and adjustments based on what we are seeing on the field.”

C. Discussion and consideration of alternatives for regulating short-term rentals

Director Kerr reviewed the alternatives for the regulation of short-term rentals, noting that all options use Charleston County property tax records for the number of dwelling units. Council members attempted to clarify what it is that would be capped – single-family residences or the entire island.

Council Member Miars said, “I think the most effective thing to do would be to say what percent, typically when we talk of percents it means the percentage of blank. So you have to fill in that blank in order to make this make sense. You cannot just say 33%, 40%, 100% of what. You have to define the pie, and if the pie changes, the percentage changes. So the first one is 35% of single-family. If that is what we want, that is understanding that the multi-family dwelling units are not part of that percentage. So the equation is 35% of single-family plus 100%, if possible, of multi-family. If you really want to get down to the math of this, that is your equation for [Alternative] 1 and your equation for [Alternative] 1a would be 35% of all dwellings.”

Council Member Bogosian said he disagrees with the assumption “that the condos were built for short-term rentals.” He said many residents live in condominiums and doesn’t think that when the condos were built that they were built for the sole purpose of short-term rentals. He said, “The problem that I have with this is regardless we represent all island residents. To suggest that we are going to exclude part of those...these short-term rentals don’t impact just those people that live in the condos. They impact the whole island, so we have to take into consideration who we represent and not start to carve up and carve out for various and sundry reasons. I think it is a mistake on our part to do that.”

Director Kerr agreed that each alternative excludes some portion of the “housing stock.” He said Alternative 1a excludes condos. Alternatives 2 and 3 exclude everything in the Front Beach Commercial District.

Administrator Fragoso clarified, “Alternative 2 makes no distinction between properties that are 4% and those that are 6%. That distinction will show in Alternative 3. But the main difference between 2 and 3 is that you are just taking all dwelling units outside of the commercial district and limiting short-term rental licenses regardless whether they are issued to a property that is at 4% tax rate or a 6% tax rate.”

Alternative 4 is the original recommendation from the Planning Commission. Director Kerr noted that the cap proposed for two of the zones has already been exceeded. Council members

Bogosian and Pierce said that the Planning Commission's plan is now dated based on the numbers and would need to be revisited.

Administrator Fragoso said, "For the record, we are handing out one of the pages that was included in the packet that shows the breakdown of Alternative 4 which assumed the Planning Commission's model. Just updating the numbers. There are no assumptions on a cap there. It is just an updated number of where we are today compared to where Planning Commission's numbers were in 2020."

Director Kerr said of the Planning Commission's plan, "Their primary objective, and Councilman Pierce talked about it, was it was to basically lock in different areas at close to their current levels. They felt like there was a mass migration, kind of around the island, across the island, and they wanted to lock those percentages pretty much close to what they were at the time. The point has definitely been made that we are at a much, we have a lot more licenses today than we did then, but I think that logic of kind of locking different neighborhoods in at different densities probably still holds the same water for the Planning Commission that it did at that time. Again, that would be for them to say, not me."

Council Member Anderson believes that only a small percentage of short-term rental licenses are held by residents. Council Member Miars pointed out that no cap means that everyone dwelling on the island could have get a short-term rental license.

Council Member Hahn said that would assume everyone would go get a short-term rental license. He said, "It could also assume that nobody will. The trend over the last 12 years has been going down and not up, and if we are trying to (INAUDIBLE)...that is the truth (INAUDIBLE) But if we are going to talk about factual issues, let's talk facts, and let's not say well the fantasy is that every unit on the island would be a short-term rental because that is not realistic. It is not realistic that there will never be any short-term rentals on the island. Of course not. But let's talk about the facts and let's talk about the trends that we have over the last 12 years."

Council members Pierce and Bogosian offered further clarity about the alternatives. Council Member Bogosian believes Alternative 3 as a "reasonable place to start" by putting "a reasonable cap on only 6%, leaves out 4%. Full-time residents are excluded, and it offers some kind of transferability proposal for heirs. I think it keeps a historical balance across the island of what we have always said is a third rentals, third second homes, and third full time residents."

MOTION: Council Member Bogosian made a motion to approve Alternative 3. Council Member Anderson seconded the motion.

Council Member Ward said, "It seems like to me this is a monster that has just been created. It does not seem like to me that it will ever end. It just feeds upon itself. I have been here a while, over three decades, but I don't remember this a few years ago, this being such a horrible discovery that we got this big problem. We did not have all these rental license applications until within the past year. That is just really clear to me, and a lot of people, they do not come to meetings. They stay at home. They have made an observation. They say it seems like to me it

just perpetuates itself. What is really scary to me is when I hear talk like this is a reasonable place to start. So what is next? More restrictions until we don't have any property rights left at all. I don't have a short-term rental, never will have one. I have just got my own little JC Long house on Hartnett Boulevard, and I am not associated with any of that. I think it is just a matter of we just started our own hysteria in my mind. This was not a problem a few years ago."

Council Member Streetman said he does not want to see caps put in place. He believes the City will be picking winners and losers by doing so. He believes controls can be put in place to monitor the situation with rental licenses.

Council Member Miars said she would like to discuss the matter further with the City Attorney in Executive Session before voting on the matter. Council Member Bogosian withdrew his motion until after Executive Session, and Council Member Anderson withdrew her second.

6. New Business

A. Approval of an amount not to exceed \$18,000 for the purchase of AED Defibrillators [FY23 Muni ATAX, Fire Department, Non-Capital Tools & Equipment]

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

B. Approval of replacement of 2010 Ford F-150 for Fire Department in the amount of \$46,614 State contract pricing [FY23, Muni ATAX, Fire Department, Capital Outlay, \$45,000]

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

C. Approval of replacement of 2014 Ford F-150 for Fire Department in the amount of \$46,614 State contract pricing {FY23, Hospitality Tax, Fire Department, Capital Outlay, \$42,000}

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

D. Approval of emergency replacement of Police Department patrol vehicle 502 [FY23 Budget, Capital Projects, Police Department, Capital Outlay]

Administrator Fragoso said this vehicle was involved in a collision and needs to be replaced as the backup patrol car when others are unavailable.

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

E. Approval of proposal from Davis & Floyd in the amount of \$7,000 to design an emergency beach access path through the Charleston County Park [FY23 Budget, Beach Maintenance and Preservation, Capital Outlay]

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

F. Approval of proposal from Rentalscape in the amount of \$42,000 for short-term rental managing compliance software [FY23 Budget, General Fund, Building, IT Equipment, Software & Services]

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

Director Kerr said Rentalscape will run parallel to Granicus for two months to allow staff to work both programs to see which best suits the needs of the City. A final selection will be made at the end of a two-month trial period. The \$42,000 price is for the basic Rentalscape program. Modules may need to be purchased at a later date.

VOTE: The motion passed unanimously.

G. Approval of temporary parking agreement with Islander 71 for the use of the shared parking lot at the IOP marina

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

Administrator Fragoso said: “The Memorandum of Understanding essentially memorializes the topics we talked about at the workshop that would be in place just for this season. Remember we are trying to gather data that would yield a good final plan for that entire part of the property along the intercoastal. In coordination with the restaurant, we would like to reconfigure the entire side of that marina, have the City have its own dedicated parking area. The restaurant would have their own dedicated parking area, and we would be going away from this shared concept, which has, as you know, proven to be really problematic and difficult to manage. So our goal would be to have this temporary plan in place that will yield additional residential only parking space in that section of the marina and it would also provide resident only parking in that lot just for those residents who have a decal. So this would be again to take us through the season to allow us to get some more data and ultimately come up with a comprehensive and separate parking plan for both for longer terms.”

VOTE: The motion passed unanimously.

H. Approval of increase hourly rate for Beach Services Officers to \$18

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

I. Consideration of changing budgeted part-time seasonal code enforcement position to a full-time position

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

J. Consideration of 2023 surfing applications: Shane Granigan, Isla Surf School and Kyle Busey, Carolina Salt, LLC

Administrator Fragoso said that these are the first two applications they have received this year. All instructors from last year have been contacted. Based on the locations selected by these two applicants, Administrator Fragoso recommends that any other applicants must choose locations away from these two (at 6th and 9th avenues). Council Member Pierce said it would be better for the lesson locations to be spread out to easily accommodate needed parking.

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

K. Discussion and consideration of alternatives for the 30% ATAX: options for DMO and potential projects to pursue for alternative uses

City Attorney McQuillin spoke about the Attorney General's opinion about the formation of DMOs: "As everyone knows, the City uses the Charleston Area Convention and Visitors Bureau as its DMO. We have one currently that exists. That is our designated management organization. The issue, I heard it come up in public comment, but it's been raised before too about whether the City could create its own DMO. This issue actually came up, as the Mayor mentioned, with the previous entity that our firm represents, and that was prior to this Attorney General opinion that was issued on May 31, 2022. But our law firm's reading of the statute and talking with tax lawyers, we basically advised them that we didn't think that was wise based on the way the statute is currently worded. Of course, you can go to your legislators and try to get a change to State law, but as the statute is currently worded, we viewed that as problematic, and it was also costly to set up the 501(c)(3), fund, figure out how to organize it. Kiawah has also more recently discussed this issue, and ultimately opted not to create their own DMO as well. The only entity that I am aware of that has done it is Folly Beach, which was mentioned tonight in public comments. So going into this Attorney General opinion, this was requested by the Chairman of the Tourism Expenditure Review Committee, which a lot of folks refer to as the TERC. That is the State committee that has oversight authority over the Accommodations Tax. So he writes, Attorney General Alan Wilson and asks for an opinion. And the issue in that opinion was whether a municipality or county can create a non-profit organization pursuant to Section 6-4-10. You informed us that a local government wants to replace the Visitor and Convention Bureau that has been managing and directing the expenditure of its local accommodation tax for tourism promotion. So they basically go through the statute, go through law. The statute for the audience says the municipality or the county shall select one or more organizations such as the Chamber of Commerce, Visitor Convention Bureau or regional tourism commission which has an existing ongoing tourist promotion program. If no organization exists, the municipality or county shall create an organization. And so based on that language and analyzing the case law, the conclusion of the Attorney General's office was, and this is a quote based on this language, it is clear that the legislature intended for a municipality or county to choose an existing organization that meets the eligibility requirements of the statute to manage and direct the expenditure of its tourism promotion funds. A local government is only authorized to create an organization when one does not already exist. And in the conclusion section, again, they say a local government is

only authorized to create an organization when one does not already exist. And so, I think based on the plain language of the statute, as well as this attorney general opinion, I think our hands are sort of tied there. The other thing I will point out, too, is the 30% funds that we are talking about that go to these DMOs, the statute is very clear. It says 30% of the balance must be allocated to a special fund and used only for advertising and promotion of tourism. And so I think there has been some misunderstanding. Look we could get this money and use it to build restaurants and do this kind of stuff. That is not what the statute currently allows though.”

Council Member Streetman said that it is clear what can be done with the 30% funds and suggested more exploration into what else can be done with the 65% funds. He said that the ATAX Committee seems to be more open to the IOP-specific ideas from the CVB.

Council Member Ward asked Council Member Streetman what he thinks about the minimal mentions the Isle of Palms receives in CVB publications. Council Member Streetman said the island is not mentioned in numerous publications, but it is the regional marketing of Charleston that brings people here.

Mayor Pounds said Council’s focus should be on lobbying to have the 30% lowered or capped. Council Member Anderson said she believes the new Tourism Coordinator will help direct the CVB’s promotional efforts for the island.

Mayor Pounds mentioned that a legislative sponsor would be needed for the City to request a one-time budget proviso to use a portion of the 30% funds for a tourism infrastructure project. The City’s lobbyist is not sure their request will make it into this year’s budget. Council Member Anderson pointed out that it is the City’s money and they are only requesting a reallocation of the use of their funds. She suggested a project from the Drainage Master Plan.

Administrator Fragoso said, “It is spending the State ATAX that is collected on the island, but the State law as it is written today requires that to be spent on only tourism promotion. But that is why there is path to get an amendment to the budget that would give you greater flexibility to use it for a different thing. Without at, as you all heard, we are limited in what we can use that money for.”

MOTION: Council Member Bogosian made a motion to send Option 3 (the island-wide walkability and constructions of multiuse paths, sidewalk, and crosswalks with a cost of approximately \$400,000) to the City’s lobbyist for a one-time proviso in the FY24 budget cycle. Council Member Hahn seconded the motion.

Administrator Fragoso said, “The recommendation starts with just a study, some engineers that look at the walkability on the island and then from that study then we can pick what we could potentially construct with that allocation.”

Mayor Pounds said he hopes the City’s lobbyist will be at their March meeting.

VOTE: The motion passed unanimously.

7. **Boards and Commissions Report**

- A. **Board of Zoning Appeals** – minutes attached
- B. **Planning Commission** – minutes attached
- C. **Accommodations Tax Advisory Board** – minutes attached
- D. **Environmental Advisory Committee** – minutes attached

8. **Ordinances, Resolutions, and Petitions**

- A. **Second Reading** – none
- B. **First Reading**

i. **Ordinance 2023-01 to provide regulations for dogs biting, chasing, or attacking**

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

Administrator Fragoso said this ordinance will return to the Public Safety Committee.

ii. **Ordinance 2023-02 to prohibit e-bikes and other motorized vehicles on the beach**

MOTION: Council Member Ward made a motion to defer this ordinance back to the Public Safety Committee for more study. Council Member Popson seconded the motion. The motion passed unanimously.

C. **Resolutions and Petitions**

- i. **Proclamation 2023-01 to celebrate March as National Red Cross Month**

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

ii. **Resolution 2023-01 authorizing consumption of beer and wine at the Front Beach Fest on March 4, 2023**

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

9. **Executive Session**

MOTION: Council Member Ward made a motion to move into Executive Session in accordance with SC Code Section 30-4-70(a)(2) to receive legal advice related to the noise ordinance and short-term rental regulations. Council Member Streetman seconded the motion. The motion passed unanimously.

City Council moved into Executive Session at 9:09pm.

City Council returned from Executive Session at 9:38pm. Mayor Pounds said no decisions were made.

MOTION: Council Member Streetman made a motion “that we go with alternative 5, no caps but continue to increase enforcement efforts and monitor trends and metrics at least semi-annually.” Council Member Popson seconded the motion.

Council Member Streetman said, “I just think for me, and I have said along, I am not against caps per se. I think at some point we may see on this island, if we got some sort of real runaway investment issues going on, that we might want to put the brakes on and do something different. But all along I have been in favor of us monitoring this situation, putting a method, an apparatus in place that we have talked about where we have someone that is helping us with this, helping us analyze the trends that are going on, and make a decision thoughtfully as we go along, one that can be changed at a moment’s notice if it has to but keeps us on top of the situation where short-term rentals are headed, and if we see a problem, then we can react to it. This particular issue I know is divisive. I know we have lot of people that are for caps, a lot of people that are against caps, but what I cannot get beyond personally is that I think we are doing things that if we install caps right now that could potentially affect people’s property rights negatively, affect their lives, affect their children and grandchildren’s lives, and I am just not in favor of us going in and putting a cap in immediately, but I am in favor of us giving the matter a lot of study, ongoing study as we go forward.”

Council Member Anderson said, “I am favor of the cap because I think we have run out of time. There is a tipping point that we will come to on the island where our short-term rentals will outweigh the permanent community, and we will set the tone for the island. We will be an island of renters with some residents rather than an island of residents with some renters. So I think that we need to slow this process down. If we put a cap on we can always take it off. My feeling is that our property values will not go down because usually shortages mean that things to up in value. That we no longer have a free market operation because of circumstances beyond our control. It is going on everywhere around us off the island. So I firmly believe that we need a cap. If we put a cap on and we see that it is not necessary, that all of these short-term rental licenses that popped this past year go away, we can take the cap off. But it is harder to do. We are not going to be able to keep control of the situation too much longer. If we don’t cap now, then we may not have another chance to be able to do it.”

Council Member Miars said, “I have listened to all of the people and I really appreciate who has come and spoken. And I feel like the two biggest issues that are against caps are issues that we can address through a reasoned cap and that is allow 4% people to rent and that is not just for the 72 days, but allowing, if you have a 4% property tax that you can apply for a short-term rental and you can keep it for the three years. I feel like that would solve the problem of a lot of people who say they want to go travel or they want to do, they need to move off the island for a little while, and there are a lot of options there. I think that would be beneficial to a lot of people. And then just letting 4% people get short-term rentals. So many people have also talked about why are we going to change. Why do we need to change? Well, change is the one that is inevitable. Our world has changed around us. This is not something, we are the last place that has gotten a cap. Mt. Pleasant allows like 400 short-term rental licenses. That happened, Jimmy asked earlier today. Why are we doing this today? This was not a problem 30 years ago. Well because nobody

had a problem with it 30 years ago. There was no such thing as VRBO 30 years ago. The world has changed. Change is constant, and we have to be willing to change with it. We cannot just hide our heads in the sand. One other thing that I would like to say people that talk about property rights. I mean we have more restrictions on our property than, go look at the ordinances. It is page after page after page of already restrictions. I cannot own a business in my house. I have a guy down the street who just had to apply for a zoning appeal in order to have to use his office as a place to run his painting business. We cannot do just anything we want with our houses. So the property rights thing is a little bit of a bumper stick quote, I think. I think we are going to regret this if we don't do it."

Council Member Ward said, "I think this whole thing has been self-inflicted. I agree with Rusty. We need to (INAUDIBLE) we can. But I would be curious to see what happens in the next 6 months, see if the rental licenses trend down. I would be very surprised if they trend up."

Council Member Miars said, "I would like to say one thing about what Mr. Ward just said, and that is the fact that if they do trend up, right now, we have been looking at some caps that are roughly a third of the island, and they are giving some headroom so that people can still get short-term rental licenses. If they do continue to trend up like they are, then we will not have that headroom anymore."

VOTE: **A vote was taken as follows:**

Ayes: Hahn, Ward, Streetman, Popson, Pounds

Nays: Bogosian, Miars, Anderson, Pierce

The motion passed.

Mayor Pounds, referring to a sheet in the meeting packet, said there are some things that staff has been working on regarding next steps in the short-term rental monitoring process including staffing and enforcement which will be discussed at the next workshop.

12. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting was adjourned at 9:48pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Brian Duffy

Good evening council. Tonight, I'm about data and due diligence. For more than sixty days we have been hearing from some of you, over and over again, about 600+ do nothing petitioners, which seems to have informed your action or is it inaction. So, I went looking for this petition and found it on the City website and doing my due diligence, all I can say is Wow! My interest was piqued, and the website was checked for the December 6 council meeting minutes but they are unavailable. So it was off to December 6 meeting video to find out where the do nothing petition number came from and I found it. Upon petition submittal, council was told "uh, we are still validating our online petition numbers but I do have some". That's a Red flag! Continuing to peel back the onion, I contacted the County Board of Elections, the responsible party for any petition validation, and asked does the County accept online petitions and the answer was no. So now what? 60 days plus from submittal, anticipating addendums to the do nothing petition, I checked and found none. So, I have to ask, why are some of you so attached to the number of do nothing signatures? I have my thoughts but first the analysis of the do nothing petition, these are the data: 232 unique signatories, 10 were not residents, 50 without birthdates and 13 with no address. From a board of elections perspective, that is only 222 possibly valid signatures. Obviously, not the number that was repeated over and over again. All it took was a little due diligence and data examination. My original question remains, why the attachment to the do nothing number but now I have to ask why no due diligence on your part. Ronald Reagan even said "trust but verify". As for my thoughts I think I will keep them to myself because as a grown-up I choose to manage my emotions and let the data and due diligence speak for themselves.

Notes for the Connector study
2/12/2023
Updated 2/18/2023; 2/28/2023
Jan Anderson

It seems that every issue comes round to traffic. Short term rentals cause traffic; Rezone Wild Dunes because of traffic; our quality of life is affected by traffic. We have a chance to dramatically improve traffic conditions on this island and if we don't take it we will be worse off because of our choice.

Traffic and safety- they are two sides of the same coin and I am here today to say that we can have it both. For those who don't know, I am a professional traffic engineer with 40 years of experience serving municipalities throughout the East and I can speak authoritatively about ways to fix the connector. Some people seem to think we just have to live with traffic congestion for the benefit of safety BUT there is a LOT we can do to improve both and it starts with adopting Option 5 for the connector.

I would like to clarify a few misconceptions about the connector and safety.

- 1) The connector is one of the safest thoroughfares in the state with fewer than 20 incidents in a year. Only about five per year involve any injury at all. You are more likely to have a crash on any other Principal Arterial on which you travel than on the connector.
- 2) Any fatality on the connector happened while the center median was in place and could not be prevented by the presence of the center lane.
- 3) There are two important factors to consider in evaluating the efficacy of the center lane. One is about emergency access and the other is traffic safety and control. ALL of the options proposed by SCDOT are safe for pedestrians, motorists and bicyclists alike but all entail some degree of risk and safety is all about risk. But there is one plan that is both safe AND reduces traffic congestion more than the others- Option 5 with two lanes exiting the island.
- 4) With the traffic increasing to over 20,000 vehicles per day, I know that we are approaching capacity on the connector. So one of my priorities is to increase capacity and avoid gridlock. But we must do that safely. So I asked Fire Chief Oliverius if response times had increased since the center lane was removed and he told me there had been no

significant difference. Then I asked Chief Cornett if his officers could manage a reversible lane on the bridge and he admitted that we would need additional manpower for that. So, it appears to me that the best way to improve traffic conditions safely is to add a second travel lane off of the island to improve the worst condition.

- 5) It should be noted that the more congested a road, the higher the accident rate. So by reducing congestion we are increasing safety.
- 6) By reducing travel times on the Connector we are also improving response times for emergency vehicles especially for vehicles exiting the island on summer afternoons.
- 7) We are also investigating stationing an emergency vehicle on the island during peak periods which would effectively cut response times in half.
- 8) Remember this is the first phase of a multi-phase project that will also reconfigure nearby intersections and retime signals to further improve traffic flow.

I ran on a platform to fix traffic and if you give me a chance I promise that I can do that if you only give us a chance.



SPECIAL CITY COUNCIL MEETING -- WORKSHOP

5:00pm, Tuesday, March 14, 2023

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 Hahn, Bogosian, Anderson, Ward, Streetman, Popson
(via Zoom), Miars, Pierce, and Mayor Pounds

Staff Present: Director Kerr, various department heads

2. Citizens' Comments – none

3. Special Presentations – none

4. Dashboard of City Operations

Director Kerr noted there is one vacancy in each department in addition to the need for BSOs. He highlighted some upcoming events including the Yard Sale (3/25), Easter Egg Hunt (4/7), Coffee with the Mayor (4/1), and Music in the Park (5/6).

Chief Cornett explained the differences in the way livability calls for service are recorded in the monthly reports. He stated that the Code Enforcement Officer gets a lot of direct calls and emails that are not recorded as part of these reports.

5. Department Reports – in the meeting packet

6. Strategic Plan Policy Initiatives and Priorities

A. Livability

Discussion of short-term rental related policies and regulations to address livability

Director Kerr reviewed a list of policies and regulations developed by staff for City Council to consider with regards to short-term rentals. These offerings are divided among administrative actions, fee-related options, and policy changes. He noted that some of these options have been evaluated by the Planning Commission in the past and shared the reasoning behind why they were implemented previously.

Chief Cornett spoke to the limited resources he has to enforcing a limit on parking at rentals as well as the enforcement of a minimum nights' stay.

Discussion ensued about the fire safety checklist that recently went to short-term rental owners and property managers. Director Kerr said it was a joint decision of the Building Department and the Fire Department to add it to this year's renewal application. Chief Oliverius stated that the larger rental companies will need more time to implement these recommendations. He said the recommendations are based on best practices and the City wants to help business owners protect their investments, but he also does not have the personnel to enforce it at this time. The checklist effort has been paused for now, awaiting more input from rental agencies and owners.

Mayor Pounds would like the list of recommendations to be remanded to the Planning Commission for review and recommendation, adding that he does not like the suggestion to involve the Board of Zoning Appeals in the short-term rental process. Council Member Bogosian said he did not think the Planning Commission should be concerned with the financial recommendations on the list.

B. Environmental – none

C. Public Services

i. Discussion of paramedic program

Chief Oliverius gave a presentation to the City Council about three options and their respective costs for implementing a paramedic program within the City. The first two options require the addition of personnel (7 or 6 people, respectively) and the third option is to hire a third party ambulance service. He said the Fire Department will be putting out a community survey in conjunction with the College of Charleston “as we develop our strategic plan in getting the feedback from our stakeholders so we do it in a measured way.”

Chief Oliverius shared that all paramedics would also be firefighters, and he is currently the only paramedic in the department. He also stated that paramedic services are not part of the aid agreements and that the options suggesting additional personnel do not include the capability of transporting patients off the island to a hospital.

He explained the need for 12 personnel per shift, noting that number significantly reduces the amount of unbudgeted overtime.

Council Member Ward thanked Chief Oliverius for his work on this idea and believes it merits consideration by the Council. He said the Public Safety Committee will continue to work on it. Council Member Streetman pointed out the challenges of using a third party ambulance service including the island being uncovered when they are off island and the lack of a chain of command with those employees.

Mayor Pounds said that the FY24 budget cannot absorb any of the costs without a tax increase or a shift in funding. It will be discussed more at next week's budget workshop.

ii. Discussion of requiring law commercial services to remove yard debris from residential/rental properties

Council Member Popson said he brought this up to the Public Services & Facilities Committee after noticing large and numerous piles of yard debris around the island. He does not want to enact an ordinance that cannot be enforced, but he said the additional work in removing this debris is taxing on Public Works' staff, equipment, and fuel costs.

Chief Cornett said that he has spoken with the Code Enforcement Officer who feels confident he can enforce this ordinance and or any changes made to it. He has stopped and encouraged contractors to remove their debris when they are done working. He is working with Director Pitts on enforcing all parts of the ordinance already in place.

Council Member Streetman said he would be concerned that stronger enforcement of debris removal would limit the contractors wanting to work on the island. Chief Cornett said that such an ordinance was implemented at his previous department and he did not see a difference in the number of contractors working there, but he believes additional costs were passed onto customers.

Director Kerr said a draft ordinance will be ready for First Reading at the March 28 meeting.

iii. Discussion of increasing from two (2) to four (4) the number of resident parking decals that may be issued to non-resident property owners

Council Member Ward said the Public Safety Committee recommends increasing the number of resident parking decals issued to non-resident property owners from two to four. Director Kerr said a draft ordinance will be ready for First Reading at the March 28 meeting.

iv. Discussion of hiring a parking vendor for the island and reconfiguring paid parking

Director Kerr said that staff still needs to complete a cost-benefit analysis on the hiring of a parking vendor for the island to determine if there is a cost savings. Mayor Pounds said that using a third party vendor for parking will allow the BSOs to focus more on beach-related ordinances.

Chief Cornett said he is very much in favor of outsourcing parking, knowing that it works well in other municipalities since parking enforcement is the only function of the vendor. Staff is working on the scope of work for such an option now.

Council Member Ward would like the matter referred back to the Public Safety Committee for more work and analysis.

Council Member Hahn would like to see paid parking along Palm Boulevard and free parking at the municipal lot to encourage more people to park in the commercial district and more turnover on Palm Boulevard. Council Member Anderson believes the idea needs further study but would like to postpone any study or action until the adjudication of the lawsuit with beach access parking group.

Mayor Pounds said SCDOT and the traffic consultants will be at the March 28 meeting to discuss Palm Boulevard and the citizen feedback about the IOP Connector reconfigurations.

D. Personnel

Discussion of approval of Short-Term Rental Coordinator position

Director Kerr said this job description has come through the Administration Committee. The job will be part of the building department. Staff is asking for approval of the position and to begin the hiring process ahead of FY24. They do not anticipate a large impact on the FY23 budget if hired before the fiscal year ends.

E. Other items for discussion

i. Discussion of proposal from Coast Architects in an amount ranging between \$60,000-\$90,000 for the design and development of construction documents to install elevator at the marina restaurant

Director Kerr said this proposal is for two phases: one, a due diligence assessment to determine the best elevator option and best location for the elevator, and two, the design of the project. The wide range of cost is as a result of the elevator selected for installation. Based on the design fees, he believes the final cost could exceed \$600,000.

Council Member Bogosian expressed concern about the excessive cost for the design of installing something “that seems out of reason in terms of cost.”

Director Kerr reminded Council that addressing the feasibility of the elevator was a commitment made by the previous Council who also voted to use tourism funds to pay for its installation.

Council Member Streetman related a story from the recent Beach Advocates Meeting where two attendees could not get to the top level of Islander 71 for a cocktail hour. Director Kerr pointed out that the top floor of the restaurant does not have to be ADA compliant.

Council Member Popson supports the due diligence part of the process but believes the cost of the construction drawing to be excessive.

Council continued to discuss whether or not previous research into an elevator confirmed its feasibility.

ii. Discussion regarding an appreciation plaque at the Recreation Center honoring Norma Jean Page, former Recreation Director

Council Member Streetman said a group of residents brought this idea to the Public Services & Facilities Committee, who supports the idea as well. It will come before City Council for a vote at the March 28 meeting.

iii. Discussion of having residents speak first during Citizen’s Comments

Council Member Pierce said he would like to see a clear demarcation of speakers, prioritizing residents over non-residents.

City Clerk DeNeane said that current City code states that people must provide their name, address, and topic when signing up to speak, but it does not require that residents be put ahead non-residents. Speaking at Citizen's Comments is handled on a first come, first served basis.

Council Member Streetman wants all who sign up to speak. Council Member Hahn believes there is an advantage to speaking last. Mayor Pounds believes it works fine the way it is done now.

City Clerk DeNeane said she will look into how other municipalities handle the matter of ordering their citizen speakers.

iv. **Discussion of adopting resolution to support adoption of H.3620 Clementa C. Pinckney Hate Crime Act**

Council Member Ward said the Public Safety Committee recommends this to the full Council for approval. Mayor Pounds noted it is headed for full approval at the State level.

7. **Financial Review**

Financial Statements and Project Worksheets

Director Suggs said all expenditures and revenues are right where they need to be at this time of year (~67%). The City has \$37 million in cash deposits, \$20.6 million of which is restricted.

The tourism schedules continue to show strong performance and do not look that different from last month's report.

The Phase 3 Drainage Project worksheet showed a few payouts and a \$1 million balance. The first payout has been made from the Marina Improvement worksheet for construction at the bulkhead.

8. **Procurement**

Discussion of approval of notice of intent to purchase Caterpillar front loader for Public Works in FY24 [8-month lead time]

Staff is asking for approval of the FY24 expense now so that a notice of intent to purchase can be issued.

9. **Capital Projects Update**

A. **Phase 3 Drainage – Outfalls at 30th, 36th, and 41st Avenues**

Director Kerr said the work at 30th Avenue is nearly complete. The box culvert needed at 36th Avenue is part of a supply chain issue, which could result in road closure in June. Should that become the case, work will be delayed until the end of August.

The City is still waiting for the permit from the Army Corps of Engineers for the 41st Avenue project.

B. Comprehensive Drainage Masterplan

Director Kerr reported that staff has met with the new Davis & Floyd team members working on the Drainage Master Plan. They are refining the draft of the final report, but still need to review the development standards. The final report is expected to be in front of City Council in a few months.

C. Overhead to Underground Conversion at 21st Avenue

Dominion Energy should be done with their part of the project this week. Director Kerr is unsure how long it will take Comcast to come out and complete their portion of the project.

D. Pickle Ball Court Construction and Basketball Courts Rehab

The fencing around the courts is being done now. One court will be striped exclusively for tennis.

E. Public Dock Rehabilitation and “T” dock improvements

Director Kerr said a meeting is being set between the City and the marina tenants to discuss ideas for the improvements at the T-dock. He also reported that work being done by the marina operator is going well and he expects the parking lot configuration to happen soon.

The public dock rehabilitation project is in the permitting phase.

F. Marina Bulkhead and Boardwalk

Director Kerr said this project will be done when work on the electrical components is complete.

10. Legislative Report

11. Miscellaneous

The City Council will hold a Budget Workshop on the FY24 budget in Council Chambers on Tuesday, March 21, 2023 at 3pm.

12. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting adjourned at 7:39pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Special City Council Meeting
Budget Workshop #1
3:00pm, Tuesday, March 21, 2023
Council Chambers
1207 Palm Boulevard, Isle of Palms, SC**

MINUTES

1. Call to Order

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

Staff Present: Administrator Fragoso, Director Kerr, Treasurer Suggs, various City Department heads and staff

2. Citizens' Comments -- none

3. Purpose – Discussion of the FY24 Budget

Mayor Pounds reviewed the budget assumptions for FY24 including: tourism funds assumes 90% of the last 12 months; recognizing \$1,085,000 of ARPA funds for public dock renovation; 95% staffing rate in the Police Department; 2.5% merit and/or step-based wage adjustments effective 1/1/24; fuel prices of \$3.75/gallon marine grade unleaded and \$4/gallon diesel; staff headcount increased by 4; transfer of \$1,305,000 from tourism funds, and \$1,145,000 transfer from General Fund to the Capital projects fund.

The Mayor reviewed a summary of revenues by fund showing Actual FY22, Budget FY23, Forecast FY23, Budget FY24, and the increase from the FY23 budget, indicating there is a \$2.5 million increase from Budget FY23 to Budget FY24. For the next draft of the budget, Council Member Pierce asked this chart include “a column to show the increase and decrease from the current 12 months.”

The City is anticipating a need for a financial analyst, and a portion of that salary is included in the budget. The need for that position will be determined after the new Finance Director is in place.

A brief discussion ensued about the anticipated increase in assessed property values in the fall. Mayor Pounds said, “If the assessed value goes up, we are going to adjust our millage to keep it flat, all things being equal.”

Council also discussed the development of sinking funds for City properties versus the 1% of building value included in the budget. The 1% of building value monies are used for the one-off types of maintenance that happen throughout the year. Administrator Fragoso reminded Council

that the work of the Assistant Director of Public Works focuses on facilities maintenance and that he follows a regular schedule of maintenance for each City property.

Council Member Bogosian expressed concern about the numbers related to personnel costs. Treasurer Suggs said she would run the numbers again, but pointed out that some employees at the high ends of their pay scales have or will be retiring and their replacements will not be paid as much. Administrator Fragoso said the personnel costs include 3.5 new employees but does not include any new Fire Department personnel.

Key budget initiatives include completion of the 36th Avenue outfall project; \$29,000 for the permitting of the outfall project at 41st Avenue; smaller drainage projects identified by the Comprehensive Drainage Plan; public dock renovation and greenspace at the Marina; marina dredging design and permitting; T-dock repairs/improvements; permitting for future shoal management and beach renourishment project, beach access paths boardwalks & footbridges, along with numerous initiatives discussed by the Public Services & Facilities, Public Safety, and Administration committees. Administrator Fragoso highlighted some new projects and changes from FY23 including work at the Breach Inlet boat ramp, new software in HR, Public Works, Recreation, and the Fire Department, and the addition of a Medsafe pharmaceutical dropbox at the Police Department.

Administrator Fragoso said she has asked Kirby Marshall of ATM to re-evaluate the proposal for the improvements that need to be made at the T-dock. City Council had approved an amount not to exceed \$400,000, but she believes it can be done for less than that.

Mayor Pounds added that another initiative needing to be considered is the reconfiguration of City Hall. Administrator Fragoso said, “My recommendation would be that we follow the same process we did with the Public Safety renovation where we had a design-build team. So we issue an RFP, get a design-build team in place. They work on the design together with the contractor, and then we don’t have to rebid to get a contractor. We have already done that at the beginning of the process. It is much more efficient, and that would allow us to start construction potentially earlier.” Work on City Hall would not need to be restricted to working in the off season. Mayor Pounds said he hoped to have more definitive numbers in the second draft of the budget.

Administrator Fragoso said she has asked Dominion Energy to review the projected costs of previously identified undergrounding projects within the City. She will bring those updates to the Public Services & Facilities Committee for review.

Council Member Pierce would like to see a placeholder in the budget for software to track the number of dwelling units on the island. Council Member Ward would like funds added to the budget to increase the amps of power to the Magnolia & Palmetto rooms in the Recreation Center. Administrator Fragoso said she would add that cost to the A/V upgrade scheduled for that building.

Council Member Pierce suggested reviewing franchise fee amounts to see if they could be increased. Administrator Fragoso said that some of those fees are already maxed out, but she will review fees in other municipalities to see if they are competitive.

Council Member Bogosian asked about sending out RFPs for the City's insurance. Treasurer Suggs said the City's insurance comes through MASC and they have not profit motivation in their premiums. If the State's insurance pool is overfunded, the City receives a refund.

Mayor Pounds said the Martin Luther King, Jr. event will be added to the City's ATAX budget in the next draft. He shared that there has been a lot of pushback on the idea to request a one-time budget proviso to fund a special project. He said, "We had meetings with ExploreCharleston. They are certainly willing to put in their budget the walkability study, for lack of a better term, and also a tourism management study through College of Charleston. They would help us develop some strategy around tourism management. So those two items they are putting in their budget, the 30% bucket for next fiscal year. So we kind of get to the same spot, just a different path, if you will."

Council members reviewed the cost options of adding a paramedic program. Chief Oliverius said he would supply Council members with a breakdown of emergency medical calls for residents and non-residents. Mayor Pounds said the paramedic program needs more input from the community before adding it to the budget. Community listening sessions will be held at the Recreation Center.

Mayor Pounds reviewed some options with regards to the millage rate and its effect on the FY24 budget. Administrator Fragoso said that potential increases in fees related to short-term rentals along with projected decreases in the Fire Department overtime budget could help fund the addition of the paramedic program.

Treasurer Suggs said she could recast the budget using additional funds from ATAX and review the projections, which she noted could be too conservative. Council Member Bogosian said he would like to see the budget recast without a millage increase. He believes the paramedic program is worth pursuing.

Treasurer Suggs said, "This budget assumes there is over a million dollars of excess revenues to transfer to the Capital Projects fund. So you could lessen that number and cover this [expenses related the paramedic program]. But then you have to think about what are the down-the-road consequences of not funding the Capital Projects Fund to that high a level. But then again, every year, we seem to end up a little bit better than we thought, so that money goes into the Capital Projects Fund, so there are a couple of different ways to skin this cat."

Council Member Bogosian would like to see the next draft of the budget include the paramedic program without a millage increase.

Administrator Fragoso said the parking management analysis is based on feedback from one parking management company. The City would still hire some BSOs but would not need the full contingent of 10. Not included in these estimates is the amount of staff time (outside of the police department) dedicated to parking ticket-related issues. Council Member Ward spoke in favor of the addition of such a program.

Mayor Pounds reviewed the proposed increase to short-term rental license fees. Director Kerr expressed his preference for an increase to the base fee for short-term rental licenses as it would

reduce the number of transactions Building Department staff would have to initiate. This fee increase will be included in the next draft of the budget.

Director Suggs reviewed the work to be done for the next draft of the budget: add 12-month actual to the revenue slide, check the FY24 payroll budget because it seems low; add \$30,000 Recreation grant for the outdoor fitness court; move the \$1 million City Hall construction estimate into FY24; add \$35,000 to the Building Fund department in the IT line for software related to property management; adding \$10,000 to the Recreation AV line for an increase in amps; add \$10,000 in State ATAX for an additional event; reduce parking revenue by approximately \$50,000 to assume outsourced parking management in the second half of the fiscal year; add \$200 per short-term rental license into revenues; and look at assumptions in revenues in the General Fund.

The next draft of the budget will be reviewed at the City Council Workshop in April.

4. Adjournment

Council Member Ward made a motion to adjourn and Council Member Streetman seconded the motion. The meeting was adjourned at 5:08pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Public Safety Committee Meeting
3:00pm, Monday, March 6, 2023
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 Hahn, Ward, and Anderson

Staff Present: Administrator Fragoso, Director Kerr, Chief Cornett, Chief Oliverius

2. Approval of Previous Meetings Minutes – February 14, 2023

Council Member Hahn made a motion to approve the minutes of the February 14, 2023 meeting, and Council Member Anderson seconded the motion. The motion passed unanimously.

Council Member Anderson asked that information added to the minutes that is provided by outside sources be appropriately marked.

3. Citizen's Comments

Geoffrey Forqurean said he uses his one-wheel on the beach to assist in the delivery of meals to island residents. He said it is hard to be reckless on them and the top speed is 12mph. He would like to see those who behave recklessly on motorized vehicles on the beach be ticketed.

MOTION: Council Member Ward made a motion to suspend the rules of order to allow for the discussion about E-bikes to be moved to the beginning of Old Business. Council Member Hahn seconded the motion. The motion passed unanimously.

4. Old Business

A. Discussion of proposed ordinance to prohibit e-bikes on the beach

Council Member Ward said he would like more time to study this issue. He does not intend to propose anything to City Council about this topic. He shared some of the research he has done to this point and reviewed some of the local and state rules about motorized vehicles. Council Member Anderson stated that Wild Dunes has some restrictions related to motorized vehicles.

Council Member Hahn expressed concern about “slicing the tomato very thin” meaning that all motorized vehicles should be banned or none. Chief Cornett pointed out that electric bikes and one-wheelers are not in the State law.

B. Discussion of changes to the noise ordinance

Administrator Fragoso said the current draft of the noise ordinance has a 60-decibel level limit for residential areas and 70 decibels for commercial establishments during the day. There is a provision to request a special exemption for a maximum of 85 decibels in GC2 during the day.

Council Member Ward invited Al Clouse, Wild Dunes resident, and Terri Haack of Lowes/Dart to see if a compromise on noise could be reached.

Mr. Clouse submitted his comments, and they are attached to these minutes.

Ms. Haack reported that the first part of a sound study was completed at the resort in February to understand how sound resonates from the Sweetgrass Inn out into the neighborhood. A preliminary report will be available next week, and the results will be shared with the City. The sound engineers will return at Easter and in the summer to measure the noise again. She pointed out that the Sweetgrass Inn area has always been zoned commercial. She said the resort is committed to finding ways to mitigate the noise. They have attempted to monitor all situations Mr. Clouse has brought to their attention. She asked for 75 decibels for commercial establishments to be put back in the draft noise ordinance. She also asked that the special exemption parameters allow for a number of days or events rather than a number of hours per year. She said meeting planners are aware of the City's noise ordinance. Ms. Haack indicated the resort will continue to work with the Clouses on the noise concerns.

Ms. Haack noted that changes to the noise ordinance will affect the whole island. She said, "It is not about us. Although I will say to Al and Roxie one more time, I will do whatever is necessary within the confines of allowing a Sweetgrass Inn to operate as a hotel. It is a hotel with a large resort pool that separates the hotel from the Clouse's house."

Council Member Ward acknowledged what has been done by the resort to date and appreciated their efforts.

Director Kerr confirmed that the area on which the Sweetgrass Inn stands has always been identified as commercial and the inn is listed as one of the allowable uses. Areas classified as GC1 include the Marina, Breach Inlet, and the commercial district up to the Front Beach. GC2 is the Front Beach area, and GC3 is a mixed-use block by Acme.

Administrator Fragoso expressed concern about lowering the daytime decibel level to lower than 60 due to the requests the Police Department would receive about enforcing it. The 70/75 decibel level was suggested by the City Attorney who has previously worked cases regarding noise.

MOTION: Council Member Hahn made a motion to postpone further discussion about the noise ordinance until the Committee can review the initial sound study results. Council Member Ward seconded the motion.

Discussion ensued about adjusting the decibel level in commercial areas to 75 decibels. Council Member Hahn would like 75 decibels in the commercial district to be noted in the draft ordinance.

Administrator Fragoso further clarified, “So 70 [decibels] was, do you all recall at the last meeting we saw a different version that only included one maximum decibel reading for the entire island, no distinction between residential and commercial, that is where the 70 came from. So we were going to combine them, but I think we heard from you all that you like the distinction between the two. So I think we could go back to 60 and 75 and revise that.”

VOTE: The motion passed unanimously.

C. Update on request to reduce the speed limit at Oak Harbor Boulevard

Chief Cornett said, “I reached out to our contacts over at the Department of Transportation to see what they would be looking for. And the responses we got from them that because Oak Harbor is only a .02 mile long road, it does not meet the minimum threshold to post signs, and that they had just reduced the speed limit for the entire city for 25, which is the lowest that they would move the speed limit to. Basically, they said they would not entertain that if we requested it.”

D. Update on request to install a 4-way stop at Waterway Boulevard and 29th Avenue

Chief Cornett said it will need a study first and SCDOT would conduct the study. However, “they did ask us that before we ask them to do a study that the number one thing that they are looking at is the number of vehicles utilizing both roadways are equal or fairly equal in number. And if that is not the case, keep that in mind before we formally request them to do a study.”

Administrator Fragoso said there is no status update about the stop sign at 25th Avenue. “We do know that it was included as part of the recommendations in the Connector study that they finalized a couple weeks ago. I have a meeting with DOT staff next week, I believe, to go over the report, and I will get an update on when the installation of that four-way stop at that location should be expected.”

She also reported “the current road closure and the road work at 30th Avenue and Waterway is expected to be completed by the end of this week, so weather permitting, everything goes according to plan, the contractor will be putting some asphalt down on the road on Thursday and the road should be opened by Friday.”

E. Discussion of paramedic proposal

Chief Oliverius presented three options for the addition of paramedic services to the Isle of Palms, including contracting with an outside ambulance service or the direct hire of firefighters/paramedics, either 10 additional or 7 additional personnel. He detailed the costs for each option. Any option will provide faster delivery of medication and advance life support services, but hospital transport will still need to be done via an ambulance.

At this time, only three current personnel have expressed interest in becoming paramedics. There needs to be 2 paramedics per shift for the program to be sustainable.

Administrator Fragoso said she has questions about the long-term sustainability of such a program and would like more time for study before moving forward with this discussion.

5. New Business

A. Discussion of resident parking decals for part-time resident owners

Administrator Fragoso said they have received several requests from property owners who are not full-time residents but eligible to receive a resident parking decal to increase the number of parking decals they can be allocated. Staff is recommending increasing the permitted decals from 2 to 4. She noted “a concern that people who just have property here will get decals for everybody and their family.”

MOTION: Council Member Ward made a motion to recommend to full Council that the number of decals given to non-resident property owners be increased from 2 to 4. Council Member Hahn seconded the motion.

Administrator Fragoso said, “For the record and for some context, each resident has the ability to get a visitor parking pass, a booklet with 15 passes. Those passes can be reused. It used to be that you could only use a pass per day. Those passes can be reused, so I think we have facilitated the usage of that visitor parking pass to facilitate again those folks that live off island.”

VOTE: The motion passed unanimously.

B. Discussion of parking regulations related to short-term rentals

Council Member Anderson asked that this discussion topic be postponed until the April meeting.

C. Discussion and consideration of hiring a parking vendor for the island and reconfiguring paid parking

Council Member Hahn would like to see stronger enforcement of parking violations. He would like to charge for parking on Palm Boulevard and allow for free parking in the City parking lot to move more people to the commercial district.

Administrator Fragoso said they have received a parking proposal from one vendor. She believes the technology exists to implement such a plan without having to add kiosks. She also believes there are benefits to increased efficiency by outsourcing the parking to a third party vendor. A cost/benefit analysis needs to be completed to evaluate if there are any savings to implementing such a program within the city.

D. Consideration of resolution to support adoption of H.3620 Clementa C. Pinckney Hate Crime Act

MOTION: Council Member Ward made a motion to support the adoption of the Clementa C. Pinckney Hate Crime Bill and to recommend it to full Council. Council Member Anderson seconded the motion.

Council Member Hahn said he would like to read a copy of the bill before it goes to City Council. Chief Cornett said he has spoken to other police chiefs about this bill. He said, “We are one of only two states in the United States that do not have a hate crime bill. We are in favor and we support it from the law enforcement association side.”

E. Discussion of draft operational budget for Police and Fire

Administrator Fragoso reviewed the changes from the prior year's police budget including the addition of a second code enforcement office, 2.5% merit increase pool, reduction of fuel costs, firearms replacement, installation of a medicine dropbox, increased employee training, the addition of two pooper scooper stations on Waterway Boulevard, processing fees for credit card transactions related to Text-to-Park, two misting fans for personnel and special events, and a second speed radar sign.

Changes and additions to the Fire Department budget include additional desktop computers, laptops and tablets for increased efficiency in training, chairs for the watch rooms, additional uniforms, increased employee training, replacement of a truck, a provision for bunker gear, and mobile radios.

Council Member Ward encouraged committee members to study the budget so they can be knowledgeable about it at the budget workshop.

6. Miscellaneous Business

Council Member Ward asked for an update on the mutual and auto-aid agreements. Chief Oliverius said they responded to 25 calls in Mt. Pleasant in January and that Mt. Pleasant also responded to calls on IOP. The number of calls IOP responded to in Mt. Pleasant during February increased to 38 because that department is down one ladder truck. Of the 38 calls, 28 were cancelled en route.

Council Member Hahn asked if the auto aid agreement could be changed "so that we always have coverage on the island."

Chief Oliverius responded, "This is what we are going to do here in the next two weeks, as soon as we get some stuff worked out with dispatch. It just takes a little bit of time. So we always have coverage with that unit that is at Station 2, other than that one instance that I mentioned. So what we want to do is build in some resiliency and redundancy, and we are going to move to a different response model later this month. And what we are going to do is put an EMT basic or 2 EMT basics, one EMT basic and one EMR, but we will typically have 2 EMT basics on squad. So we will run that as a medical response vehicle to get our numbers to help support the need for paramedic...But what it will do is if the ladder truck here at Station 1 is dispatched to Mt. Pleasant, to Mr. Hahn's point, we will have always a unit here that will not get pulled automatic aid to Station 1. Station 2 is so far out they have not been dispatched over at the same time as Station 1 to where we had nobody left. So that will build in some resiliency and redundancy. The second thing it will do is I think it will give us the data and show how it will help with response times and efficiency because it is a much smaller apparatus, much smaller vehicle, and we can get to those medical calls and keep our other units available for the fire calls, the water rescue calls."

The next meeting of the Public Safety Committee will be Tuesday, April 4, 2023 at 10:00am.

7. **Adjournment**

Council Member Hahn made a motion to adjourn, and Council Member Anderson seconded the motion. The meeting was adjourned at 5:32pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Submitted by A/C/Case 3/6/23

PUBLIC SAFETY MEETING 3/6/23

We purchased our lot in the Grand Pavilion in 1988..... Executed a residential construction contract in March of 2017..... Pulling permits in June 2017..... Receiving a CO from Mr. Kerr on December 31, 2018 (which we are still grateful he was working that day)..... Moving in on January 23, 2019.

During the above timeline, we had no knowledge of a new neighbor, who would be building in our neighborhood, until around June 2018. This is when we met Dan Battista (Lowe) who wanted to tour our house, which was under construction. We gladly welcomed Mr. Battista in, giving him "the twenty dollar tour". I believe it is fair to say, we were proud of our home. At this time our house was totally framed and "closed in". As we arrived on top of our crows nest, when Mr. Battista pointed NE and stated "this is where we are going to build a new hotel".

To say we were surprised would be an understatement.

We had already contracted for all of our selections; requiring large financial deposits.

We were more than "a little bit pregnant".

We moved forward, honoring our contractual commitments. We believed Lowe, based on our past experience (Boardwalk Inn) **would be a good neighbor**. Yes, a hotel would bring additional pedestrian foot traffic from the hotel, traversing Path 58 to the ocean. After all, how bad could it be?

As the hotel opened, we became unpleasantly surprised regarding the egregious operations of the Sweetgrass Inn. And, as we became vocal regarding the situation, things only got worse. We could not understand why the hotel (Lowe) would be converted into a "Theme Park"! How could our, or any neighbor, behave in such a way? A Commercial Property located in a Residential neighborhood!

Our new neighbor egregiously continued violating the IOP Noise Ordinance, day and night, which was not being enforced by the IOP Police. Somewhere along the way, the resort had convinced the administration I was unreasonable. Subsequently we discovered, Lowe married a new partner.....Dart.

Our new neighbor's behavior is: **An Annoyance; Nuisance and Health Hazard** to our neighborhood. Which we believe was not a signature Lowe property.

Since April 18, 2022, we have expressed our position to PSC and City Council (all on record) arguably at every meeting. We have demonstrated how our new neighbor has destroyed our **livability** on IOP.

Our neighbors **Land Use** has resulted into **Land Abuse**. Clearly no place for Mr. Rogers.

We have tirelessly proposed for the new noise ordinance to include three (3) classifications: **Commercial; Commercial Properties located in Residential areas; Residential**

We contend this is a fundamental common sense approach as a result of the geography. For some reason, our administrators, are averse to our approach. Their approach is "one size fits all".

We have, ad nauseam, pointed out the NIH, EPA and WHO statistics regarding permanent hearing loss. EPA's **maximum indoor noise level of 45 dBA's and maximum outdoor noise level of 55 dBA's**. Key word: **MAXIMUM**.

We have explained, "we are not the Windjammer"!

We have pointed out **NASCAR's 2023 Rules** require mufflers on short tracks and road courses.

We have illustrated how the Sweetgrass Inn's design is **detrimental to our health and well being**.

Proposed Noise Ordinance; **Section (h) Permits for additional amplification** : A full page describing how the fox is going to guard the hen house; **allowing 85 dBA's**. An administrative nightmare. No bonding requirements. **No verbiage regarding the resident's rights, remedies or recourse**. Arguably acceptable for a Commercial Property, however, not a Commercial Property located in a residential neighborhood. **Section (h) is unconscionable**.

RECOMMENDATIONS

**The Sweetgrass Inn be carved out of "Commercial Properties".
Said Inn be placed in a noise zone noted as "Commercial
Properties located in Residential Communities"**

**Designation noise standards: 50 dBA's; 10:00 AM to 10:00 PM. 45
dBA's; 10:00 PM to 10:00 AM. Seven days a week.**

**Measurements: Amplified Music/Sound—10 foot from the source
of the noise.**

Crowd noise—Areas generally larger than 30 feet in diameter are to be measured inside at the center of the circumference. Less than 30 feet in diameter are to be measured 10 foot from the source; in direct alignment with the complainant.

Enforcement: In any one (1) calendar month period; first offense a warning; second offense \$1000; third offense \$5000; fourth offense license suspension for one (1) year.

Reasoning:

- a). Sweetgrass Inn is surrounded by a dense number of residential homes. It is not located in a typical "commercial area".
 - b). The design and site location of said Inn places a number of residents in harms way, not of their choosing, as a result of the noise being intentionally emitted directly towards said residents.
 - c). We contend the occupancy rate in the pool area is not in compliance with state standards; compounding the noise situation.
 - d). The lack of Police Enforcement has given the Sweetgrass Inn a sense of entitlement, all at the expense of IOP Residents. Time for said residents to be treated fairly. Question: How many warning tickets would we be allocated if we drove down Palm Blvd at 50 mph?
 - e). **Not the Windjammer.** Windjammer: Commercial Property located in a Commercial District. Noise from said Windjammer is of short duration (not all day and night). Windjammer is an Icon; **we do not recommend any changes which would have a negative impact on said Icon.** If people want to continue to pay admission to hear loud music (which is detrimental to their health), their decision.
- Keep in mind, residences which have been constructed in close proximity to said Windjammer, are all located in a defined **commercial area**. Said property owners were aware of said zoning prior to construction.
- f). Sweetgrass Inn was not invited into our neighborhood.
 - g). We believe we are entitled to hear the ocean and the birds, unencumbered by the noise at the Sweetgrass Inn; as we were prior to their construction.
 - h). We respectfully request the above measures are in place before high season commences. After two (2) years we do not deserve to hear any more nuisances.

i). Unfortunately, historically, the Sweetgrass has demonstrated the **inability to police their facility**. A dependency on complaints which drives the process.

j). In two (2) years, reporting said Noise Nuisance to the Police over (40) times, only resulting in Five (5) citations, all November 4, 2022 (The Concert from Hell); an extremely low Citation/Complaint ratio.....a red flag.

k). September 28, 2022 and December 30, 2022 we exposed IOP Police have a conflict of interest when monitoring events at Sweetgrass.

COMPARABLE COMMUNITIES

Columbia, SC (a college town)	55 dBA's; 6:00 AM to 11:00 PM
(Commercial and Residential)	50 dBA's; 11:00 PM to 6:00 AM
Mt. Pleasant, SC (current proposal)	60 dBA's; 8:00 AM to 9:00 PM
(Commercial and Residential).	55 dBA's; 9:00 PM to 8:00 AM
	Saturday and National Holidays: 10:00PM



**Administration Committee Meeting
8:30am, Tuesday, March 7, 2023
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, Pierce, and Streetman

Staff Present: Administrator Fragoso, Director Kerr, HR Officer Ladd

2. Citizen's Comments -- none

3. Approval of Previous Meeting's Minutes – February 9, 2023

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

4. Old Business

Review of Job Description for Short-Term Rental Coordinator position

Administrator Fragoso said the job description has been redrafted and a requirement of 3 years of experience added. This draft was also written assuming there would be no caps to rental licenses, but "other duties as assigned" would cover any additional work if caps were implemented. She would like to begin recruiting for the position before the start of FY24 in hopes of hiring someone before then. The impact on the current budget will be brought to the Council workshop on March 14.

MOTION: Council Member Pierce made a motion to recommend to City Council the filling of this position prior to FY24. Council Member Streetman seconded the motion. The motion passed unanimously.

5. New Business

A. Discussion of draft FY24 operational budget for General Government

Administrator Fragoso reviewed the FY24 operational budget for General Government. The budget assumes the addition of the PR Coordinator position with a transfer in from the 30% ATAX funds to cover the CVB's portion of salary. She noted that FY23 included a 6-month overlap with a new Finance Director that will not be used in full and the replacement for the AP position will not be filled at the same high rate.

Council Member Pierce said he would like to see a headcount schedule for positions, noting a 44% increase in salaries from FY22 to FY24. Administrator Fragoso said she would add a column for FY23 forecast to the next draft of the budget.

Software additions will include onboarding for HR and for public engagement. Other budget considerations include employee training, funding for grant writing services, traffic engineer consulting services as needed, initiatives from the Environmental Advisory Committee including the glass recycling and food composting programs, funding for the City's lobbyist, the employee appreciate event, holiday party, and other employee engagement events, a placeholder for hurricane costs ahead of a storm, legal services based on current actual expenses, and 2.5% merit increase pool.

Administrator Fragoso pointed out that the \$50,000 provision for ATAX sponsorships has been left in the budget despite the change in which those sponsorships are approved. She anticipates that only a small portion of the \$50,000 will be used at the beginning of the fiscal year, but wants to keep the remaining monies available for the ATAX to award should there be other requests.

The budget for the Building Department includes the addition of the short-term rental coordinator position, new permitting and licensing software, short-term rental compliance software, and 2.5% merit increase pool.

Council Member Pierce asked that streets signs be attended to as some are falling, missing, and or are obstructed by vegetation. Administrator Fragoso said she will get an update on the signs that have been ordered. She added that Livability and Public Works have worked on tending to the signs.

6. Miscellaneous Business

MOTION: Council Member Pierce made a motion to add discussion about public comment to the agenda. Council Member Bogosian seconded the motion. A vote was taken as follows:

Ayes: Pierce, Bogosian

Nays: Streetman

The motion passed.

Council Member Pierce would like staff to look at prioritizing residents speaking at public comment periods over non-residents. Administrator Fragoso said that currently speakers are called on a first come, first served basis. She will review how other communities handle non-resident speakers and bring the discussion to the City Council workshop.

Council Member Streetman said the reason for his nay vote on the motion was because he would like to have the discussion with the full Council. He said he has no problem with prioritizing speakers by residency, but he does not want to keep anyone out.

The issue will be discussed at the workshop on March 14.

The next meeting of the Administration Committee will be Tuesday, March 7, 2023 at 8:30am.

7. **Adjournment**

Council Member Pierce made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting was adjourned at 9:20am.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Public Services & Facilities Committee Meeting
1:00pm, Tuesday, March 7, 2023
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 Streetman and Popson (via Zoom)

Absent: Council Member Miars

Staff Present: Administrator Fragoso, Director Kerr, Director Pitts, Assistant Director Asero, Director Ferrell

2. Approval of Previous Meeting's Minutes – February 14, 2023

Council Member Popson made a motion to approve the minutes of the February 14, 2023 meeting. Council Member Streetman seconded the motion. The motion passed unanimously.

3. Citizen's Comments

Mimi Wood came before the Committee with a petition of signatures requesting the City place a plaque at the Recreation Center recognizing Norma Jean Page's 25 years of service to the City. She said she would be happy to research options for such a plaque.

4. Old Business -- none

5. New Business

A. Discussion regarding an appreciation plaque at the Recreation Center honoring Norma Jean Page, former Recreation Director

Council Member Streetman thanked Ms. Wood for her efforts. The suggestion will be added to the next City Council Workshop agenda.

B. Discussion of yard debris and contractor landscaping debris

Council Member Popson pointed out the piles of yard debris left by contractors and wondered what could be done to lessen this burden on Public Works.

Administrator Fragoso said that City code does not require contractors to haul their trash off the island and doing so would require a change to the code. She said codifying such a requirement would require enforcement and the code enforcement officer would have to prove that a contractor left the debris.

Director Pitts said excess yard debris is a common problem in the spring and fall. He said the smaller debris piles don't create as much of an efficiency problem as the large piles do. Council Member Streetman asked if enacting an ordinance would create problems like higher prices or contractors not wanting to work on the island if they are required to haul the debris away. Director Pitts responded that every municipality has this issue and that contractors know when they should remove their debris. He said it would be better to enforce contractor business licenses.

Administrator Fragoso will add this discussion to the next workshop agenda and research what other municipalities do about this situation.

C. Discussion of draft FY24 operational budget for Public Works, Recreation, Front Beach, Beach, and Marina

Administrator Fragoso reviewed the additions and changes to the Public Works FY24 operational budget including a reduction in salaries due to a retirement, 2.5% merit increase pool, IT equipment for City Works Maintenance Management software for drainage, equipment for the Stormwater Foreman and support for the JetVac, an increase in temporary labor costs to help with beach debris pickup, surveying equipment for drainage maintenance, and an increase in the City-wide landscaping contract for enhanced landscaping.

The purchase of the new Caterpillar trash loader will be added to the Workshop agenda as there is an 8-month lead time on such purchases. The purchase needs to be approved before the budget is ratified in order to issue a Notice of Intent to the contractor.

Administrator Fragoso then reviewed the additions and changes to the Recreation FY24 operation budget including a reduction in salaries due to a retirement and hirings at lower rates, 2.5% merit increase pool, and an increase in fees based on actual.

Most of the big projects included in the Marina Enterprise Fund are re-budgeted from FY23 as discussed last month. Also included are monies for legal expenses to do a forensic audit of marina tenants if needed.

Administrator Fragoso said the entire draft budget will be posted on the City's website ahead of the next workshop.

4. Miscellaneous Business

The next meeting of the Public Services & Facilities Committee will be Tuesday, April 4, 2023 at 1pm.

5. Adjournment

Council Member Popson made a motion to adjourn and Council Member Streetman seconded the motion. The meeting was adjourned at 1:56pm.

Respectfully submitted,
Nicole DeNeane
City Clerk

City of Isle of Palms, SC Short Term Rental Regulations

Things to Consider:

City Council

1. Implement a Rental Registration Fee or increase Base Rate fee to generate revenue to cover additional personnel: STR Compliance Coordinator, Finance Analyst and additional Code Enforcement Officer
 - Current fee: Base Rate - \$350 plus \$4.60 per \$1,000 of reported income
 - A \$200 increase to the base rate would generate approximately \$360K additional revenue annually.
 - FY24 FTE costs - \$96,769
 - Rentalscape annual cost - \$42,000-\$62,000
 - Fee increases could go into effect in 2024 ahead of renewal deadline (April 1st)
2. Revamp STR application process and require applicants to submit:
 - fire safety checklist signed by property owner
 - copy of Schedule E Form 1040 to verify gross receipts (Require Schedule C Form 1040 for regular business licenses)
 - documentation to verify state and local accommodations payments
 - homeowners' insurance showing personal liability and that policy is active

Planning Commission

3. Limit occupancy of newly constructed or substantially reconstructed homes
4. Require minimum night stays – year-round or seasonal
5. Amend parking requirements to incentivize less vehicles and more carpooling
6. Require STR listings to include STR license number
7. Require new STR applicants to be considered for a special exemption by BOZA

City of Isle of Palms
STR license fees by reported income

	\$ 25,000	\$ 75,000	\$ 100,000	\$ 125,000	\$ 150,000	\$ 175,000	\$ 225,000	\$ 300,000	\$ 400,000	\$ 500,000	\$ 600,000
Isle of Palms											
Current: Base Rate: \$350 for first \$2K of income + \$4.60 per \$1,000 of income over \$2K	\$ 456	\$ 686	\$ 801	\$ 916	\$ 1,031	\$ 1,146	\$ 1,376	\$ 1,721	\$ 2,181	\$ 2,641	\$ 3,101
Proposed: Base Rate: \$550 for first \$2K of income + \$4.60 per \$1,000 of reported income over \$2K	\$ 656	\$ 886	\$ 1,001	\$ 1,116	\$ 1,231	\$ 1,346	\$ 1,576	\$ 1,921	\$ 2,381	\$ 2,841	\$ 3,301

Folly Beach

Base Rate: \$245 for first \$2K of income + \$2.75 per \$1K of income over \$2K	\$ 308	\$ 446	\$ 515	\$ 583	\$ 652	\$ 721	\$ 858	\$ 1,065	\$ 1,340	\$ 1,615	\$ 1,890
Rental Registration Fee: \$17.50 per \$1K reported income	\$ 438	\$ 1,313	\$ 1,750	\$ 2,188	\$ 2,625	\$ 3,063	\$ 3,938	\$ 5,250	\$ 7,000	\$ 8,750	\$ 10,500
Total	\$ 746	\$ 1,758	\$ 2,265	\$ 2,771	\$ 3,277	\$ 3,783	\$ 4,796	\$ 6,315	\$ 8,340	\$ 10,365	\$ 12,390

City of Charleston

Base Rate: \$64 +\$3.90 per \$1K of reported income	\$ 162	\$ 357	\$ 454	\$ 552	\$ 649	\$ 747	\$ 942	\$ 1,234	\$ 1,624	\$ 2,014	\$ 2,404
Rental Registration Fee: \$304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82	\$ 304.82
Total	\$ 466	\$ 661	\$ 759	\$ 856	\$ 954	\$ 1,051	\$ 1,246	\$ 1,539	\$ 1,929	\$ 2,319	\$ 2,709

Sullivan's Island

Base Rate - \$1K + \$9 per \$1K of reported income	\$ 1,225	\$ 1,675	\$ 1,900	\$ 2,125	\$ 2,350	\$ 2,575	\$ 3,025	\$ 3,700	\$ 4,600	\$ 5,500	\$ 6,400
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Kiawah Island

Base Rate: \$85 + \$3.05 per \$1K of reported income	\$ 161	\$ 314	\$ 390	\$ 466	\$ 543	\$ 619	\$ 771	\$ 1,000	\$ 1,305	\$ 1,610	\$ 1,915
Rental Registration Fee: R1:\$500, R2-R3: \$200	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Total	\$ 661	\$ 814	\$ 890	\$ 966	\$ 1,043	\$ 1,119	\$ 1,271	\$ 1,500	\$ 1,805	\$ 2,110	\$ 2,415



**City of Isle of Palms
Short-Term Rental Fire Safety Criteria
Acknowledgment Form**

Property Owner(s) Name(s): _____

Rental Property Address: _____

Phone Number: _____ Email Address: _____

A. Required Fire Safety Criteria Items

1. A required fire extinguisher shall be a minimum size of 2A:10B:C. Extinguisher shall be serviced and tagged, or purchased and bought receipt kept for record every 6 (six) years. Top of the extinguisher shall be no higher than 60" from the floor and mounted in a conspicuous (seen) location where they will have ready access and be immediately available. *South Carolina Fire Code Section 906.*
2. Required working smoke alarms shall be provided in each bedroom, in hallways outside all sleeping spaces, and one on each floor, also making sure alarms are mounted away from the kitchen. *SC Code 5-25-1310; 2021 South Carolina Residential Code Section R314; South Carolina Fire Code 1103.8*
3. Required carbon monoxide detectors shall be located on each floor close to bedrooms, close to gas appliances, close to working fireplaces or gas heaters, and close to the entrance door of an attached garage (not in a garage). *2021 South Carolina Residential Code R315; South Carolina Fire Code 1103.9.*
4. Required dwelling's (House) street address designation shall be posted in a conspicuous (seen from the street) location. Numbers and/or letters shall be 4 inches in height, or greater. *2021 South Carolina Residential Code R319.*

*Follow manufacturer's instructions on installation location. * _____

Initial

B. Recommended Fire Safety Criteria Items

The following items are recommended for home fire prevention and safety:

1. Storage be maintained in an orderly fashion and not of an excessive nature; thereby, presenting no fire or safety hazard.
2. Fire evacuation plans be prepared and posted on all inside bedroom doors.
3. It is recommended that all stairways, walking surfaces, and handrails are in good condition (free from trip hazards, damage, and instability).
4. There be at least one operable window (not painted shut or fastened so it cannot be opened other than the original lock) or door exiting to the exterior be provided for each bedroom to be used for emergency escape and/or rescue.

5. Exit doors are easily accessible and unobstructed. The door should open without excessive effort and open to the full position.
6. Exit doors are able to be unlocked/unlatched from the inside with a single action (no keys) so occupants can exit the building/dwelling (house) without delay.
7. Exit pathways be clear of storage or objects that restrict normal exit width (about 36 inches).
8. Stairwells (to include areas under the stairs) are free of combustible (things that can burn) item storage.
9. The common emergency exit path, if applicable, is marked by exit signs and emergency lighting (multi-occupant buildings only).
10. Extension cords are only to be used on a temporary basis. Such cords are only approved for portable items, not including microwaves, refrigerators, heaters, computers, toasters, or toaster ovens as these should be plugged straight into an outlet. When using power strips, they should have a built-in circuit breaker and should never be plugged into another power strip. Additionally, extension cords should never function as permanent wiring.
11. Circuit breaker panels should not have any open circuits (missing breakers, uncovered breaker spaces). All circuits should be clearly labeled, and circuit breaker panel doors remain closed and latched.
12. All electrical junction boxes, outlets, and light switches have plate covers and are secured in place.
13. A clear access area always be maintained around the circuit breaker panel (minimum: 30" wide x 36" deep x 78" high).
14. Fuel burning systems be vented to the outside and have flue/piping that is in place and free of gaps or holes.
15. Solid fuel burning (wood) systems during regular use, be cleaned, and inspected annually by a certified chimney sweep.
16. Spacing of not fewer than 36 inches be maintained between combustible materials and any heating system or appliance.
17. Dwelling's (houses) that have a fire alarm system or a fire sprinkler system be inspected by a servicing company to ensure those systems are in operable condition every year.

Initial

The required fire safety criteria are included in the South Carolina Residential, Building, and Fire Codes. By signing below, property owner acknowledges that I have read the required and recommended Short-term Rental Fire Safety Criteria outlined above, and that the short-term rental property requirements will be in compliance with these required criteria's within 90 days of the signature date.

Signature of Property Owner

Date

City of Isle of Palms
Estimate of Paramedic Unit

Current Firefighter Fully Loaded Cost	76,810.54
Add 15% for Paramedic (incl fica, retire)	11,521.58
Add 2 sets of bunker gear	6,000.00
Add uniforms	2,000.00
	<u>96,332.12</u>

Option 1 - Direct Hire

	#	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Employee	6	552,000	574,080	597,043	620,925	645,762	671,592
Uniforms & Gear	6	48,000	2,000	2,000	2,000	2,000	2,000
Equipment	1	150,000					180,000
Supplies & Incidentals	1	20,000	20,000	20,000	20,000	20,000	20,000
Total		<u>770,000</u>	<u>596,080</u>	<u>619,043</u>	<u>642,925</u>	<u>667,762</u>	<u>873,592</u>

Option 2 - Outsource

	#	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
ALS Quick Response							
Vehicle	1	350,400	364,416	378,993	394,152	409,918	426,315
ALS Ambulance	1	410,640	427,066	444,148	461,914	480,391	499,606
Total		<u>761,040</u>	<u>791,482</u>	<u>823,141</u>	<u>856,066</u>	<u>890,309</u>	<u>925,922</u>

Notes

Personnel costs and outsource option assumes 4% increase every year.



Position Description

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

Job Title:	Short Term Rental Coordinator
-------------------	--------------------------------------

Department: Building/Planning/Engineer

Pay Grade: 114

FLSA Status: Non-Exempt

JOB SUMMARY

Short-term Rental Coordinator is responsible for communicating, problem solving, and coordinating activities related to short-term rental approval, compliance and enforcement. The position interfaces with the public, livability and code enforcement officers, general government, and third-party short-term rental administrators, as well as various departments that are involved in these processes.

ESSENTIAL JOB FUNCTIONS:

- Maintain current working knowledge of state and local laws related to land use, licensing and short-term rentals;
- Identify, accept, verify compliant addressing, and maintain a list of local residences that are approved and licensed short-term rental residences;
- Maintain records of short-term rental license issued and ongoing status, keep management fully apprised of status;
- Coordinate receipt of short-term rental applications, review, approval, and compliance;
Coordinate enforcement efforts of non-compliant properties;
- Review and verify reported local and state accommodations tax payments;
- Monitor short-term rental advertising for compliance with approved occupancy;
- Participate in and support other departmental efforts;
- Attend public meetings, assist other planning staff as appropriate; and
- Perform any other related duties as required or assigned.

MINIMUM REQUIREMENTS TO PERFORM WORK:

- Bachelor's degree in planning, urban studies public administration or related field and at least 3 years of experience;
- Or equivalent combination of education and experience; and
- Valid SC Driver's License.

Knowledge, Skills and Abilities:

- Knowledge of government office practices and services and general knowledge of the short-term rental program, planning and zoning;
- Skill in the use of oral and written communication;
- Skill in data processing;
- Skill in being well organized;
- Skills in using monitoring software;
- Ability to operate a motor vehicle;
- Ability to manage multiple tasks in a detailed and effective manner; and
- Ability to represent the Town in a professional and tactful manner when meeting and working with Town employees, officials, and the public.

PHYSICAL DEMANDS:

This position does not require strenuous or stressful physical demands as the position is primarily sedentary. However, employees in sedentary positions are still expected to occasionally exert force through lifting, carrying, pulling, or pushing objects during the course of employment, usually no more than 10 pounds. The applicant should generally have the ability to sit, stand, balance, bend, use hands, feet and arms for the purpose of speaking, talking, moving and interacting with others. In addition, this position will be required to do site inspections and applicants will need to be able to physically handle the site inspections. Applicants with physical limitations are still encouraged to apply and the city will consider reasonable accommodation to see if the applicant can still perform the job.

WORK ENVIRONMENT:

Work is typically performed in an indoor environment.

The City of Isle of Palms has the right to revise this position description at any time, and does not represent in any way a contract of employment.

Employee Signature

Date

Supervisor (or HR) Signature

Date



PROPOSAL FOR ARCHITECTURAL & ENGINEERING SERVICES FOR IOP Islander 71 Due Diligence Assessment

Presented to



Presented by:

Coast Architects, Inc.
671 St. Andrews Blvd
Charleston, SC 29407
843.763.7064

February 28, 2023

<p><u>Project Manager:</u> Douglas Kerr Deputy City Administrator Director of Building, Planning, & Licensing 1207 Palm Blvd. Isle of Palms, SC 29451 O 843.886.9912</p>	<p><u>Summary of Proposed Fees:</u></p> <p style="text-align: center;">Lump Sum Fixed Fee: Lump-sum Fixed Fee of \$19,270.00</p>
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I. PROJECT DESCRIPTION:

- A. General: The project goal is to improve ADA accessibility with the addition of an elevator (Limited Use known as a LULA, or full commercial) and associated changes to the existing structure, site, and building systems. The current building is an elevated 2-story building currently operating as a restaurant.
- B. Description of Services: **Coast Architects, Inc. (COAST)** will provide due diligence pre-design services to determine the feasibility and proposed location of an elevator shaft from an architectural, structural, building system, site, and code compliance standpoint and to offer alternatives if any are deemed to be preferred. The assessment will also provide information and recommendations for the type and size of elevator.
- C. Pre-design Services: This study will determine the feasibility of adding an elevator to the existing restaurant. The feasibility report provided as the deliverable for this project will not include final design and engineering services nor construction documents.

II. **PROFESSIONAL SERVICES TO BE PROVIDED:**

Architecture:	Coast Architects, Inc.
Civil Engineering:	McCormick & Associates
Structural Engineering:	Cranston Engineering
Mechanical, Plumbing, and Fire Protection:	MECA, Inc.
Electrical:	GWA, Inc.
Existing Building Scan:	QRC, LLC.

III. **EXISTING CONDITIONS ASSESSMENT**

- A. Field Verification: **COAST** will visit the site to document the existing visible conditions as follows:
 1. Observe and photograph the existing building conditions, related site conditions, and building systems.
 2. **COAST** will utilize LiDAR technology to digitally scan the building to develop a digital point cloud file and virtual building tour.
 3. A Building Information Model (BIM) in REVIT format illustrating the existing building floor plans and elevations
- B. Building Structure and Systems: **COAST** will document existing site, building structure, as well as electrical, mechanical, and plumbing systems that would be impacted by the elevator addition.
- C. Existing Conditions Drawings: **COAST** will use the information obtained from the field verification to create an electronic BIM model and drawings necessary to determine the feasibility, type, size, configuration, and code compliance for the addition of an elevator, shaft, and associated equipment room.
- D. Building Code Assessment: **COAST** will review the building for compliance with current building code to identify what considerations may need to be made for the elevator addition.

IV. **FEASIBILITY ASSESMENT:**

- A. Space Planning: **COAST** will review the space requirements for a new elevator elevator and recommend the optimal size, type and location of the new elevator as well as it's impact on existing building function, structure, and code compliance.
- B. Building Systems: **COAST** will assess the status of existing building electrical, mechanical, and plumbing systems and their ability to support a new elevator.

- C. Cost Estimate: **COAST** will provide a preliminary order of magnitude estimate for the proposed elevator addition.
- D. Final Feasibility Report: **COAST** will prepare the final report, and summary of the facility assessment in printed and electronic format (PDF).

V. **FEES & SCHEDULE:**

- A. Proposed Fee: **COAST** will provide Feasibility Assessment Services as described herein as follows:

Lump-sum Fixed Fee of \$19,270.00

- B. Standard Hourly Rates:

Principal	\$250/hour
Architect	\$205/hour
Project Manager	\$220/hour
CADD Tech/Intern	\$105/hour

- C. Invoicing: **COAST** will invoice at the end of each month that work has been performed. The invoice will be based on the percentage of completion of the work listed in this proposal.
- D. Additional Services: Include services not described under Project Description, Existing Conditions, and Feasibility Assessment Services in this proposal. Additional services will only be provided upon written approval from the **Owner** and will be invoiced on an hourly basis using the standard hourly rates listed above.

OTHER TERMS AND CONDITIONS:

- A. Payments: **COAST** will invoice the **Owner** monthly for services rendered. Payments are due and payable 30 days from the date of the invoice. Amounts unpaid more than 30 days after the invoice date shall be considered delinquent. If payment is not received within 60 days of the invoice date, **COAST** reserves the right to stop work until the account is paid in full. **COAST** will not release final documents without a minimum payment of either: 50% of the total fee, or the current outstanding balance if previous invoices total less than 50% of the total fee.
- B. Termination: Either party may terminate this agreement by giving not less than 7 days' written notice to the other party. **COAST** shall be compensated by the **Owner** for services performed prior to termination, together with reimbursable expenses.
- C. Changed Conditions: If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to **COAST** are revealed, to the extent that affect the scope of services, compensation, schedule, allocation of risks or other material terms of this Agreement, **COAST** may call for renegotiation of appropriate portions of this Agreement.
- D. Proposal Time Limitation: This unexecuted proposal is valid for a period of 90 days from the proposal date shown above.
- E. Agreement Time Limitation: Upon execution by both parties, this proposal shall serve

at the agreement between **Owner** and **Architect**. If the basic services described in this Agreement are not completed within 180 calendar days of the execution of this document, through no fault of the architect, **COAST** may call for renegotiation of appropriate portions of this Agreement.

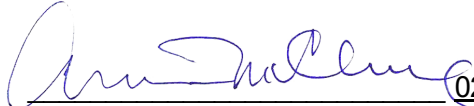
END OF PROPOSAL

If approved by both parties, this proposal will serve as the form of agreement between Architect and Owner.

I agree to the above:

OWNER: Douglas Kerr
 City of Isle of Palms

Date

 02.28.2023

ARCHITECT: Arnie McClure
 Coast Architects, Inc **Date**

From: luke@coastarchitects.net
To: [Douglas Kerr](#)
Cc: [Desiree Fragoso](#); arnie@coastarchitects.net
Subject: RE: [EXTERNAL] RE: IOP Islander 71 Elevator Addition Due Diligence Proposal
Date: Monday, March 6, 2023 11:42:49 AM

[EXTERNAL]

Hey Douglas,

I talked this over with Arnie and we think the next design phase (after this due diligence phase) could range from \$40,000-\$70,000 to bring this project to full construction documents. I know that's a big range, but so much depends on what the existing building systems and structural arrangement is.

Luke Morris

Coast Architects, Inc.

843.763.7064

From: Douglas Kerr <dkerr@iop.net>
Sent: Wednesday, March 1, 2023 3:56 PM
To: luke@coastarchitects.net
Cc: Desiree Fragoso <desireef@iop.net>; arnie@coastarchitects.net
Subject: RE: [EXTERNAL] RE: IOP Islander 71 Elevator Addition Due Diligence Proposal

Understood. Yes, I think a potential range of services of the second phase of your work based on the different options would be great.

Thanks, Douglas

Douglas Kerr
 Deputy City Administrator
 City of Isle of Palms
 P.O. Drawer 508
 Isle of Palms, SC 29451
 (p) 843-886-9912
 (f) 843-886-8005

*** WARNING *** All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

From: luke@coastarchitects.net <luke@coastarchitects.net>
Sent: Wednesday, March 1, 2023 3:45 PM
To: Douglas Kerr <dkerr@iop.net>
Cc: Desiree Fragoso <desireef@iop.net>; arnie@coastarchitects.net

Subject: RE: [EXTERNAL] RE: IOP Islander 71 Elevator Addition Due Diligence Proposal

[EXTERNAL]

Hey Douglas,

This project is a bit challenging to do that for due to how technical it is. The following considerations make developing a fee proposal for complete design difficult:

- The structure of the existing building for the proposed location is unknown.
- The electrical nature of the existing building is unknown.
- The City is unsure of whether a LULA lift or a complete elevator is preferred (our due diligence would be a period where both could be explored, specifically from a structural and electrical standpoint).

Each of these considerations could drastically change the scope of the project, so if a fee proposal was given for a complete design, our consultants and we would need to ere on the side of worst-case scenario. By splitting this due diligence period out, it would allow for us to give the City a better proposal for the complete design.

If you would like to discuss further, we can set up a call. We also understand if you need an understanding of when complete design costs may be, which we can provide a possible range if that is what you are looking for? Just let us know.

Thanks!

Luke Morris
Coast Architects, Inc.
843.763.7064

From: Douglas Kerr <dkerr@iop.net>
Sent: Wednesday, March 1, 2023 3:28 PM
To: luke@coastarchitects.net
Cc: Desiree Fragoso <desireef@iop.net>; arnie@coastarchitects.net
Subject: RE: [EXTERNAL] RE: IOP Islander 71 Elevator Addition Due Diligence Proposal

Luke- we were wanting a fee proposal for a complete design. Is this possible? I am thinking that what you have scoped here would be appropriate first steps, but we are wanting to know what it takes to get full bid documents.

Thanks, Douglas

Douglas Kerr
Deputy City Administrator

City of Isle of Palms
P.O. Drawer 508
Isle of Palms, SC 29451
(p) 843-886-9912
(f) 843-886-8005

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From: luke@coastarchitects.net <luke@coastarchitects.net>
Sent: Wednesday, March 1, 2023 3:22 PM
To: Douglas Kerr <dkerr@iop.net>
Cc: Desiree Fragoso <desireef@iop.net>; arnie@coastarchitects.net
Subject: [EXTERNAL] RE: IOP Islander 71 Elevator Addition Due Diligence Proposal

[EXTERNAL]

Hey Douglas,

I got a bounceback email when I sent this yesterday and just wanted to make sure you received it.

Best,

Luke Morris
Coast Architects, Inc.
[843.763.7064](tel:843.763.7064)

From: luke@coastarchitects.net <luke@coastarchitects.net>
Sent: Tuesday, February 28, 2023 11:54 AM
To: 'Douglas Kerr' <dkerr@iop.net>
Cc: 'Desiree Fragoso' <desireef@iop.net>; 'arnie@coastarchitects.net' <arnie@coastarchitects.net>
Subject: IOP Islander 71 Elevator Addition Due Diligence Proposal

Hey Douglas,

Attached is our proposal for the Due Diligence work for the Elevator Addition at Islander 71. Please call if you have any questions.

Best,

Luke Morris
Coast Architects, Inc.
[843.763.7064](tel:843.763.7064)

Application for Commercial Surf Instruction - 2023

Name

Monica Becerra

Phone

(843) 973-0078

Email

mbecerra18921@gmail.com

Business Name

Share the Stoke

Business License Address

304 Fleming Rd, Charleston, South Carolina 29412

Location where lessons will be provided

25th, 27th or 30th street

I certify that I have completed an application for a business license through the City of Isle of Palms Building Department.

Yes

Copy of CPR Certification

Red Cross Certificate MERGE for Achievement Assignment_SD-32100602 (1).pdf

Copy of First Aid Certification

Red Cross Certificate MERGE for Achievement
Assignment_SD-32100602 (1).pdf

Copy of Lifeguard Certification

Red Cross Certificate MERGE for Achievement
Assignment_SD-34306921 (1).pdf

Copy of Insurance Policy showing minimum coverage of at least \$1,000,000 and naming the City of Isle of Palms as an additional insured

A-SP-SI-23-01-18-267866 (1).zip

I have read, understood, and agree to abide by the stipulations listed below:

(a) Area where surf lessons are allowed shall be dictated by the current boundary restrictions stated in the City Ordinances.

(b) At least one instructor attending each lesson must be lifeguard, CPR, and first aid certified, with current certifications on file with the city. There must be a first aid kit on site.

(c) Each surf instructor provider must carry liability insurance of at least \$1,000,000 that names the City of Isle of Palms as an additional insured.

(d) Surf instructions shall be limited to groups of four (4) or fewer students and at least one (1) instructor, with a maximum of twelve (12) students and three (3) instructors per day per provider.

(e) Surf instruction shall not exceed more than two (2) hours per day per provider.

(f) Surf instruction providers may not advertise on the beach. All signs, merchandise or other article that violate Article 7-SIGNS of the City's ordinances are prohibited.

(g) Surf instruction providers may not solicit for students on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge parking lot.

(h) Surf instruction providers must indicate on the application the location where the lessons will be provided.

(i) Surf instruction providers shall execute an indemnification agreement to be submitted with the application.

(j) Failure to adhere to these standards will result in automatic revocation of permission to conduct surfing instruction on the beach by City Council.

(k) City Council shall have the authority to limit the number of permissions issued for commercial surfing instruction on the beach.

(l) Permission shall be granted for one (1) year which may be renewed annually upon application.

Signature

A handwritten signature in black ink, appearing to be 'MS' followed by a long horizontal stroke.

Date

3/23/2023

3/15/2023
 PROPOSAL FOR MLK VIP RECEPTION ON IOP
 Jan Anderson

We are proposing that IOP co-host with the YWCA of Greater Charleston, Charleston Area Visitors Bureau, and Wild Dunes Resort a reception for VIP's attending the 2024 Charleston Area Martin Luther King Celebration. The reception is scheduled for Wednesday, January 10, 2024, the evening before their professional breakfast. Sponsors would be similar to those who participated in 2023: Google, Dominion Energy, Publix Supermarkets, Select Health, T-Mobil, Sonepar USA, Clemson University, and Comcast as well as many local businesses. In addition, many local and state officials would be in town for the breakfast and are likely to attend.

The Wild Dunes Resort has committed to providing the Sweetgrass Inn rooftop ballroom and YWCA will be responsible for food and beverage. The Charleston Area Visitors Bureau has embraced the event and we are working with Helen Hill to determine their level of support.

We are hoping that IOP would contribute as well, possibly with ATAX funds. As the International African American Museum becomes a significant attraction, it is likely that MLK weekend will become a destination event for Charleston and our hosting the corporate/donor reception will uniquely situate the Resort and Isle of Palms as the place to stay for the MLK Holiday (increasing hotel occupancy during the slowest time of the year).

Since we are in the early stages of development, the event details below may change as we proceed but here are the details so far.

Date: Wednesday 1/10/2024
 Time: 6:30-8:30 pm
 Format: Reception with heavy hors d'oeuvres
 Size: 100-150 people
 Location: Wild Dunes Resort
 Hosts: YWCA of Greater Charleston
 City of Isle of Palms (potential)
 Charleston Area Visitors Bureau and
 Wild Dunes Resort
 Contact: LaVanda Brown | Executive Director YWCA
 O: [843.722.1644](tel:843.722.1644) D: [843.266.7568](tel:843.266.7568)
 E: lbrown@ywcagc.org

The YWCA's mission of Eliminating Racism and Empowering Women and our participation in the MLK Celebration will create good will and reinforce our Strategic Plan's mission to be a family-friendly community.

The YWCA's Annual Report and last year's MLK program can be found on their website ywcagc.org. We will gladly provide any additional information you need to make this happen.

Thank you again for your consideration of this important event.

Jan Anderson
 Isle of Palms City Council



February 7, 2023

City of Isle of Palms
Mr. Robert Asero
Isle of Palms, SC

Dear Mr. Asero,

We would like to thank you for your interest in our company and our products, and are pleased to provide the following budget figure for your consideration.

One (1) New CAT Model: 914 Wheel Loader with all standard equipment in addition to the additional specifications listed below:

We wish to thank you for the opportunity of quoting on your equipment needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely,

Ross Carr
Machine Sales Representative

MACHINE SPECIFICATIONS**Description**

914 WHEEL LOADER
ENGINE
POWERTRAIN, HI RIMPULL, 24MPH
CAB, DELUXE, SINGLE BRAKE
SEAT, DELUXE
HEATER AND AIR CONDITIONER
RIDE CONTROL
SEAT BELT, RETRACTABLE 2"
LIGHTS, ROADING, RH DIP, LED
FAN, DEMAND
FENDERS
HYDRAULICS, 3V/1L, STD LIFT
COUPLER, STD LIFT, IT
COUNTERWEIGHT, 1973 LBS
ALARM, BACK-UP
CAMERA, REAR VIEW
PRODUCT LINK, CELLULAR, PL243
TIRES, 17.5 R25, MX, L2 XTLA
BUCKET-GP, 2.0 YD3, IT, BOCE

Machine Pricing

Caterpillar 914 Wheel Loader (List Price)	\$232,614.00
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SC State Contract # 4400018718 (-25%)	(\$58,153.50)
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Additional Blanchard Machinery Discount	(\$3,500.00)
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	\$170,960.50
--	--------------

Additional Dealer Charges

*36 Month/3,000 Hour Premier Warranty	\$2,764.00
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*PDI	\$780.00
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*Tink 720 Claw <i>*includes hoses</i>	\$21,144.00
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South Carolina Sales Tax	\$500.00
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Total	\$196,148.50
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***Prices/payments do not include South Carolina sales tax, insurance, or documentation fees. Scheduled-Oil-Sampling (SOS) is required during all warranty periods. Blanchard Machinery is responsible for travel time and mileage for warranty repairs during the first 6 months.*



BOARD OF ZONING APPEALS
4:30pm, Tuesday, March 7, 2023
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to order

Present: Brian Abel, Elizabeth Campsen, Ted McKnight, Arnold Karig, Glenn Thornburg, and, Director Kerr, Zoning Director Simms

2. Election of Chair and Vice Chair

MOTION: Mr. Karig nominated Ms. Campsen as Chair of the Board of Zoning Appeals, and Mr. Thornburg seconded the motion. There being no other nominations, a vote was taken with all in favor.

MOTION: Mr. McKnight nominated Mr. Thornburg as Vice Chair of the Board of Zoning Appeals, and Mr. Abel seconded the motion. There being no other nominations, a vote was taken with all in favor.

3. Approval of Previous Meeting's Minutes

MOTION: Mr. McKnight made a motion to approve the minutes of the February 7, 2023 meeting, and Mr. Thornburg seconded the motion. The minutes passed unanimously.

3. Swearing in of applicants

Ms. Campsen swore in the applicants.

4. Home Occupations

A. 3102 Cameron Boulevard

Zoning Director Simms said that the applicant, Robin Johnson, is requesting a special exception to allow for the establishment of a home office for her work as a stand-up comedian. The house will be used for office work and no business-related traffic will be coming to the house. There will be no employees working there other than those living in the home. Work-related materials will be stored at the home. Ms. Johnson said there will be no outward signs of a business and nothing will be happening that her neighbors will hear from the home.

MOTION: Ms. Campsen made a motion to approve, and Mr. McKnight seconded the motion. The motion passed unanimously.

B. 715 Carolina Boulevard

Zoning Director Simms said that the applicant, Jason Cox, is requesting a special exception to allow for the establishment of a lawncare business at his home. The house will be used for office work and no business-related traffic will be coming to the house. There will be no employees working there other than those living in the home. Mr. Cox said there is no signage indicating a business on his vehicle or trailer. He does store business-related equipment on the trailer. Board members would like the trailer and equipment to be stored in the garage out of sight.

MOTION: Mr. McKnight made a motion to approve the application on the condition that the trailer and all equipment be stored inside the garage and not visible to the public. Additionally, the property owner's approval must be secured before a business license can be issued. Ms. Campsen seconded the motion. The motion passed unanimously.

5. Variance Request – 3802 and 3804 Cameron Boulevard

Director Kerr said the request is for the construction of an accessory structure, specifically a pickleball court on a separate lot from the principle structure. The SR2 zone allows for an accessory use such as a pickleball court. However, Director Kerr said, “In the definition of an accessory use there was a requirement that the two be on the same property. In this case, the two properties are adjacent to one another, but there is a property line dividing the two, so it is two separate properties. The applicant states that the condition specific to this piece of property is not exclusive to this piece of property and not unique, but the applicant claims that the width and size of the lot effectively restrict the ability to construct a house and a pickleball court. The applicant claims that the pickleball court will be maintained in tandem with the house and not alter the character of the zoning district by granting this variance.”

Director Kerr reviewed the definition of “accessory building or use” from Section 5-4-2 of the City Code and reviewed the criteria for approval from Section 5-4-5(b) of the City Code, noting that all need to exist in order for the Board of Zoning Appeals to grant the variance.

He added, “One other provision that I would just point out is that below that the ordinance explains that the fact that property may be used utilized more profitably if a variance were granted shall not be considered as a ground for a variance and a claim of unnecessary hardship cannot be based on conditions created by the applicant, and a claim of unnecessary hardship cannot be based on financial hardship of the applicant.”

He indicated that one lot will be developed in full compliance with the zoning ordinance. The request is for a variance for an accessory use on 3804 Cameron Boulevard. Director Kerr said the ordinance prohibits this request, but a variance request is the vehicle by which it can be allowed. All four criteria in Section 5-4-5(b) must be met. Director Kerr added, “They (the property owners) are making the case that they feel like their property is unique and it is restricting or causing them a hardship restricting the use of that property, and therefore, they feel like they are entitled to this relief in the form of a variance.”

Mr. Cy Goforth, representing the owners as their builder/architect, said the owners would like to construct a house on one lot and use the adjacent lot for a pickleball court without abandoning

the property line between the lots. The court will be maintained with the overall property. There will be a fence around the property. They would prefer to not combine the lots.

He said, "If we combine the two lots the setbacks front and rear increase by 5' which would eliminate the ability to build a house. The house would have to be compressed."

Mr. Goforth said that combining the lots and designing a different house would "completely eliminate the possibility of ever building on 3804 because once that [property] line would be crossed, you would create something you could not reverse without tearing down the home."

Mr. Abel expressed concern about the noise a pickleball court creates, especially in relation to how close the property is to other properties. He believes it would be a detriment to the neighbors. Ms. Campsen agreed with the noise concern.

Director Kerr said about accessory uses being behind a house, "The code specifically says that it cannot be in the side yard. It cannot be in the front yard or the side yard. If you look at the definition of a side yard, it is the space between the side of your building and the side property line. Matt and I analyzed this in responding to Cy that...because there is a property line here, this is technically his side yard, the area between the side of the house and the side of the property line." He added that if the property line were abandoned, they would have to reconfigure the house on the lot. He stated that there are several other pickleball courts built on the island.

Discussion ensued as to where a court could be located if the property line were abandoned.

Mr. Goforth said the intent is to construct the home, pool, and pickleball court altogether. The owners are willing to deed restrict the properties so they remain together unless the pickleball court is abandoned. He said a smaller home could be built on 3804. He said the unusual hardship is the small size of the lot.

Mr. McKnight said the house and the court can be built on the same lot and that the desire to build a bigger house creates the unnecessary hardship.

Ms. Campsen said, "There is hardship and then there is unnecessary hardship, and that is a level above. And when it rises to the point where you effectively are prohibited from building anything at all, that is where a variance comes in. If it is so restrictive and limited and so either strangely configured or you have some really unique element to it that makes it so that you cannot build on it were not it for the issuance of a variance, that is what we are here for. We are not here, in my opinion, to grant variances for an accessory use of a pickleball court or anything really." She does not believe the request as currently submitted meets any of the four elements that are needed to grant a variance.

Mr. McKnight agreed. Mr. Karig also agreed, stating, "Just look at number 3 of the conditions, and you have to meet all four (INAUDIBLE). It just says because of these conditions, the application of the ordinance for resolution for a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property. And it does not unreasonably restrict the utilization of the property. The property can be used."

Mr. Goforth said that the house could be reconfigured such that the house, the pool, and the pickleball court could be constructed on the same lot. To which Mr. McKnight said that if that is case, then no unnecessary hardship exists.

Mr. Powers spoke out against the addition of the pickleball court. His submitted online comments, similar to his spoken comments to the Board are included here: “Our greatest concern is that this property will function as a Resort if Zoning approves the variance request. Already, the 3802 & 3804 lots have been used for very large outdoor social events, with food trucks parked on site and DJ’s. (The outdoor space appears to be rented out in conjunction with the house across the street, 3805 Cameron.) The overall site plan includes a very large house (how many bedrooms?), a large swimming pool, a pickle ball court, a dedicated horseshoe game area and a very large social-gathering fire pit area. Even if the homeowners have lots of friends they like to socialize with, the multiple outdoor amenities are of a scale beyond a quiet residential neighborhood – and are unavailable on any other lot(s) we’re aware of on Isle of Palms including ocean front. It doesn’t matter to us whether it’s owner occupied or rented; it would create a continuous resort atmosphere and unalterably affect our residential block. Zoning rules in SR-2 essentially allow room for one major recreational accessory: either a pool or (in this case) a pickle ball court. And, setback rules only allow them to be in the rear yard behind a structure. We believe those rules are to protect and shield the surrounding neighborhood from too much noisy activity. Why not ask the applicants to choose either a pool or a pickle ball court behind the new house they’re proposing, like the rest of the neighborhood? Specific questions not clear within the Variance Request: Parking: With two lots, how much parking would be allowed in total? Where would it be? It appears there would be plenty of space for 6-8 cars to park in front of the proposed lawn area on 3804. Lighting: Lighting is not shown on the plan for any of the exterior areas. What are those plans? Would the proposed courts be lit to allow play until 10PM? Fences: “54” high aluminum fencing” is indicated upper right on the schematic, but its perimeter is not clear. The proposed court does not appear to be fenced in separately. Wouldn’t it need to be? And is 54” sufficiently high to prevent balls from flying into neighboring properties? Access: What would be in place to prevent people from accessing the outdoor areas of the property at 3804 Cameron, especially the pickle ball court area? We have concerns that when/if the house is unoccupied, word among the pickle ball community would spread of an available court on Cameron Blvd. In sum, we respectfully request that the Board of Zoning Appeals deny the applicant’s request to build a pickle ball court on the lot associated with 3804 Cameron.

MOTION: Ms. Campsen made a motion to that Appeal # 23-06 be denied on the basis that there are no extraordinary or exceptional conditions pertaining to this particular piece of property. The property is able to be reasonably utilized without the issuance of a variance and the nature of the accessory use requested would be a detriment to the adjacent properties and harm the character of the district. Mr. Karig seconded the motion.

Mr. McKnight asked Director Kerr, “The last thing about being a detriment to the other neighborhoods, the fact that the Isle of Palms has said that pickleball courts are okay, is that something that we can consider or not?”

Director Kerr said, “There is no explicit prohibition on pickleball. I think that the point has been brought up that they are noisy. They could very well fall out of compliance with the noise ordinance, so I don’t think there is an issue with saying that in your judgements, it could be a detriment to the neighborhood.”

VOTE: A vote was taken with all in favor.

Board members continued to discuss the allowance of pickleball courts and the noise they create. Director Kerr pointed out that the noise is a public safety concern. Should it become a problem, it may ultimately end up with the Planning Commission as change in zoning. He also noted that the City itself owns pickleball courts.

6. Miscellaneous Business

7. Adjournment

Mr. Abel made a motion to adjourn and Ms. Campsen seconded the motion. The meeting was adjourned at 5:29pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Planning Commission Meeting
4:30pm, Wednesday, March 8, 2023
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Sue Nagelski, Sandy Stone, Ron Denton, David Cohen, Steve Corney, Jeffrey Rubin

Absent: Marty Brown

Staff present: Director Kerr, Zoning Administrator Simms

2. Approval of minutes

Mr. Stone made a motion to approve the minutes of the February 8, 2023 regular meeting. Ms. Nagelski seconded the motion. The motion passed unanimously.

3. New Business

A. Discussion of the Comprehensive Plan

Director Kerr said he has received comments from the Commissioners and the Recreation Director regarding the Cultural Resources element and has integrated those into the new draft. He reviewed the changes.

He pointed to the redline of the entire Comprehensive Plan in the meeting packet. He would like the next draft to be a clean draft without the redlines so that changes can be made from that version moving forward. He said that more work needs to be done on the Priority Investment element and appendices need to be updated. He would like the Commissioners to review the entire plan and send comments to him or Director Simms prior to the next meeting.

B. Discussion of Sea Level Rise Adaptation Plan – RFP Review

Director Kerr said he would like to have the Planning Commission review the RFP applications for the Sea Level Rise Adaptation Plan and interview the candidates to then make a recommendation to City Council. The RFP does not include a price for the project. Once a recommendation is made, the staff will negotiate the project price.

Mr. Corney asked if this is something that Davis & Floyd could do, and Director Kerr said he does not think they do plans such as this, but perhaps they will respond to the RFP.

Discussion ensued about the details of the RFP. Commissioner then briefly discussed beach monitoring and dredging for the next beach renourishment project.

4. Old Business – Short-Term Rental Update

Director Kerr shared that at the recent City Council meeting, Council reviewed several options regarding the regulation of short-term rentals. Several Council members seemed to prefer one option resulting in a cap, but the majority of Council voted for no caps. It is anticipated that a group of citizens will eventually petition the city for a referendum on the matter.

Mr. Corney commended City staff for their presentation and getting the data out to the public, but he is disappointed in the outcome.

Director Kerr said there will likely be a staff position added to better monitor short-term rental activity. He also hopes the new STR tracking software will track active and non-active licenses more closely as well as track active licenses across multiple rental platforms.

5. Adjournment

The next meeting of the Planning Commission will be Wednesday, April 12, 2023 at 4:30pm.

Mr. Corney made a motion to adjourn, and Mr. Cohen seconded the motion. The meeting was adjourned at approximately 5:37pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



ACCOMMODATIONS TAX ADVISORY COMMITTEE

11:00am, Tuesday, March 7, 2023

1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. **Call to order**

Present: Doug Truslow, Ray Burns, Barb Bergwerf, Rebecca Kovalich, Chrissy Lorenz

Absent: Chas Akers, Gloria Clarke

Staff Present: Administrator Fragoso

2. **Approval of previous meeting's minutes – February 14, 2023**

Ms. Bergwerf made a motion to approve the minutes of the February 14, 2023 meeting, and Ms. Lorenz seconded the motion. The motion passed unanimously.

3. **Old Business**

Update from the CVB

Ms. Catherine Doughty of Charleston Visitor's Bureau reported on the VRBO campaign executed on behalf of the Isle of Palms. She said that VRBO told her, "Since COVID, this is the largest percentage they have seen of a 90-day booking window for units that were booked."

She said people are making decisions further out. The most popular length of stay was 3-5 days followed by 6-9 days. Over 2900 room nights were booked resulting in \$2.7 million in revenue. The average daily rate was \$2,387.15.

The CVB would like to spend \$25,000 on the next 6-week campaign beginning this week. After some discussion, 25% of the campaign will be directed towards bookings in the current quarter and 75% towards later in the year. Ad images will include families and multi-person groupings.

Ms. Doughty also gave a social media metrics review. She shared pictures from a photography project recently undertaken on behalf of IOP hotels and IOP-related images in Explore CHS publications.

4. **Financial Statements**

Treasurer Suggs said the ATAX fund balance is \$4 million. The first two quarterly payments from State ATAX have been received. These payments are used in planning the FY24 budget.

She reviewed the operating expenditures to date.

5. New Business

A. Discussion of draft FY24 State ATAX Budget

Treasurer Suggs reviewed the items in the FY24 State ATAX Budget. Administrator Fragoso suggested keeping the \$50,000 for sponsorships in the budget for the Committee to consider other applications or to develop other initiatives. After some discussion, the Committee agreed to keep the \$50,000 in the FY24 budget.

Committee members discussed some ideas for additions to the ATAX budget including several regarding beautification around the island.

B. Discussion and consideration of applications received for State ATAX funding

MOTION: Mr. Truslow made a motion to approve the application from the VFW in the amount of \$5,000. Ms. Bergwerf seconded the motion. The motion passed unanimously.

MOTION: Mr. Truslow made a motion to defer the approval of the Make-a-Wish Foundation application until after their upcoming event to allow them to provide room booking information to the Committee. Ms. Lorenz seconded the motion.

Mr. Truslow expressed concern that this is a new request from this organization and they have no history of the success of the event for which they are requesting funding. Administrator Fragoso pointed out that many of the requests made of the Committee are forward looking.

Ms. Bergwerf asked if a precedent was being created by asking new groups or events to provide data they do not have. Of the Make-A-Wish Foundation, she said, "Obviously it is a reputable organization who had done a lot of planning, and I think their reputation precedes them for us to give them \$5000. But, again, if we don't, anyone who comes in with a new event can't get the money. It's like a Catch-22. They can't get the money because they have no experience. They cannot get the experience because they cannot get the money. Just a thought."

Administrator Fragoso said, "That is why when we started discussing revising the guidelines for the application, one of the suggestions I made was to include a requirement for a final report so that you can show at the end of the year, whether it is a new or recurring, existing event or initiative, how the fund were used. That is the way we do that. You have a report and if you met the requirements of the application then you can have the money. If not, then you would have to refund it to the City or not be considered in the future. But I agree. It would be something to think about if you are creating an expectation if there is a degree of information that an event or organization may not be able to provide for their first year's event."

Mr. Truslow withdrew his motion and Ms. Lorenz withdrew her second. Data from the Make-A-Wish Foundation's March event will be reviewed at the next ATAX Committee meeting prior to the approval of the FY24 ATAX budget. A vote on their application will take place at that meeting.

4. **Adjournment**

The ATAX Committee will meet on Tuesday, May 10, 2023 at 11am.

Mr. Truslow made a motion to adjourn, and Ms. Lorenz seconded the motion. The meeting was adjourned at 12:10pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



ENVIRONMENTAL ADVISORY COMMITTEE

4:00pm, Thursday, March 9, 2023

1207 Palm Boulevard, Isle of Palms, SC

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

MINUTES

1. Call to order

Present: Deb Faires, Linda Plunkett, Doug Hatler, Mary Pringle, Sandra Brotherton, Jonathan Knoche, Belvin Olasov, Council Member Bogosian

Absent: Jordan Burrell

Staff Present: Director Kerr, Zoning Administrator Simms

2. Approval of previous meeting's minutes

MOTION: Dr. Brotherton made a motion to approve the minutes of the February 9, 2023 meeting, and Ms. Pringle seconded the motion.

Ms. Pringle corrected the spelling of Laura Russ to Lauren Rust.

Dr. Plunkett asked for further explanation of Litter goal 3 to be added to the minutes.

VOTE: The amended minutes passed unanimously.

3. Citizens' Comments -- none

4. Presentation on the Charleston County Greenhouse Gas Audit

Arielle Gerstein, Charleston County's Director of Sustainability, gave a presentation on the County's most recent Greenhouse Gas Audit. The timeframe studied for this audit was 2018 and 2020 and focused on outputs of carbon dioxide, methane, and nitrous oxide. The audit studied outputs from Charleston County, Charleston County government operations, and all municipalities within Charleston County.

Key findings of the audit at a county level showed an 18% decrease in greenhouse gas emissions, a 3% increase in county government emissions, and a 16-35% decrease across municipalities between 2018 and 2020. The Isle of Palms showed a 15% decrease in total greenhouse gas emissions during that same time period.

Charleston County has just begun meeting with consultants and forming committees to formulate climate action plans.

5. Presentation from the IOP Cleanup Crew

Susan Hill Smith, co-founder of the IOP Cleanup Crew, provided a detailed review of the activities of the Cleanup Crew from the past year including the volume of trash removed from the beach. She said they conducted 45 litter sweeps last year, more than the previous year, and expanded the area they cleanup. She shared that 60,000 items were removed from the beach and 44,000 items were removed from roads, parking lots, etc. Approximately 45 people volunteer at the Monday evening beach sweeps. Of note, Howard Hogue “Beach Santa” was responsible for the pickup of 36% of the litter cleanup.

She mentioned they will follow a similar schedule in 2023 and expect a lot of participation. The group is looking to become a 501(c)(3) this year and will further develop their conservation station at the Front Beach. She spoke about several partnerships with local groups including the Charleston County Public Library and the IOP Police Department. The Cleanup Crew would like to work with local businesses about best practices when it comes to good environmental habits.

Ms. Smith gave an extensive list of recommendations that the Environmental Advisory Committee could work on in tandem with the City government.

Linda Roe, Conservation Programs Coordinator for the South Carolina Aquarium, gave a detailed review of the makeup of the litter collected from the beaches and roadways on the island in 2022. 21% of all litter on the beach and 44% of all litter in roadways and parking lots were smoking-related items. 9% of collected litter is plastic litter, such as Styrofoam, straws, and retail bags.

Ms. Roe also detailed recommendations of action for the Committee to consider.

Mr. Howard “Beach Santa” Hogue spoke about his many litter sweeps he conducts between his home and the Isle of Palms. He said one sweep on Ocean Boulevard on February 25, 2023 yielded 241 cigarette butts, all of which, he said, would end up in the water if not picked up and properly discarded. Ms. Smith said there has been a 25% decrease in cigarette trash since the implementation of the smoking ban on the beach.

Director Kerr said he would speak to Chief Cornett about the enforcement of the smoking ban.

MOTION: Mr. Hatler made a motion to adjust the agenda to allow for discussion of beach signage and the Sea Level Rise Adaptation Plan RFP and to defer the remainder until the next meeting. Mr. Olasov seconded the motion. The motion passed unanimously.

6. Old Business

Update on signs regarding beach rules

Ms. Pringle stated the text on the signs discussed by Lauren Rust of the Lowcountry Marine Mammal Network last month must be approved by NOAA since they are providing the signs. Ms. Rust said that she does not believe text about shore birds could be added to the sign since they are not federally protected. She said that OCRM has not been involved in the placement of

other signs. A firm commitment and installation date is needed. The Committee must make a decision about this offer for free signs by the end of March.

Ms. Smith said the signage would not fit in the plans for the expansion of the Conservation Station. She mentioned that the new Marina operator seemed very interested in the signage.

Director Kerr said the City is involved in a “constant push and pull” about the volume of signs across the island. He said, “I do feel like this sign is contrary to a years-long effort to reduce visual clutter. Additionally, I think we already have this group’s sign at the Breach Inlet.” He believes this sign is at odds with the cohesive look of island-wide signage the City is trying to achieve.

Dr. Plunkett agreed on the visual clutter aspect of Director Kerr’s thoughts as did Mr. Hatler and Dr. Knoche. She also mentioned that the need to approve the sign now feels rushed.

The Committee agreed to not move forward with this offer of free signage at this time.

7. New Business

Review of Sea Level Rise Adaptation Plan RFP

Director Kerr said, “This is a project in the City’s budget to do this year. It is also a goal included in the City’s draft of the Comprehensive Plan.” He expects that the group chosen to do the plan will want to come speak with this Committee as part of their report preparation process.

He added, “It would be a high-level plan of these are your community’s vulnerabilities. We think it is primarily in our infrastructure that as we deal with rising tides, it is going to heavily impact our infrastructure. So we would expect that the plan would have goals, strategies, and projects to address that.”

The Planning Commission will interview the respondents, grade their responses, and then make a recommendation to City Council.

Mr. Hatler would like to see the identification of the risk for each vulnerability (the likelihood of an occurrence and the consequence if it happened) noted in the report. This type of risk assessment will help the City prioritize projects and funding for such.

Dr. Brotherton suggested a word change to quantitative from qualitative on the first page of the RFP.

The City is in contact with the Sea Grant Consortium about companies that do such work.

8. Miscellaneous Business

Mr. Olasov shared that Mt. Pleasant Town Council will be voting on the formation of a Green Commission at their next meeting. He thought it would be helpful for Committee members to share the work of this committee with the Council ahead of their Monday vote.

The next meeting of the Environmental Advisory Committee will be Thursday, April 13, 2023 at 4pm. Presentations on PFAS and an update on the glass recycling will be postponed until the

May meeting. The April agenda will consist of the remainder of this agenda's Old Business and the takeaways from the Beach Advocates meeting.

9. **Adjournment**

Dr. Plunkett made a motion to adjourn, and Dr. Knoche seconded the motion. The meeting was adjourned at 5:47pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2023-

AN ORDINANCE AMENDING TITLE 6, HEALTH AND SANITATION, CHAPTER 2, ANIMALS, ARTICLE B, DOGS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE REGULATIONS FOR DOGS BITING, CHASING OR OTHERWISE ATTACKING AND TO PROVIDE FOR CIVIL AND OTHER PENALTIES.

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 Article B, “Dogs,” is hereby amended by adding a new Section 6-2-18 titled “Dogs biting, chasing or otherwise attacking” to state as follows:

(a) It shall be unlawful for any owner of or any person harboring any dog in the city to permit or allow such dog to bite, chase or otherwise attack any person or domestic animal.

(b) This section does not apply if, at the time the person or domestic animal is bitten, chased, or otherwise attacked, the person or domestic animal who was bitten, chased, or otherwise attacked provoked or harassed the dog and the provocation was the proximate cause of the bite, chase or attack.

(c) Violation of this article is a misdemeanor punishable pursuant to section 1-3-66.

(d) A dog that attacks a human being or another domestic animal may be ordered destroyed when in the court's judgment the dangerous dog represents a continuing threat of serious harm to human beings or other domestic animals. In the event the court finds a person guilty of violating this section and orders the dog be destroyed, the person found guilty shall pay all expenses necessitated by the destruction of the dog.

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 _____, 2023.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading:

Public Hearing:

Second Reading:

Ratification:

ORDINANCE 2023-03

AN ORDINANCE AMENDING TITLE 3, PUBLIC WORKS, CHAPTER 2, SOLID WASTE OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE REGULATIONS TO REQUIRE LAWN COMMERCIAL SERVICES TO REMOVE YARD DEBRIS FROM RESIDENTIAL AND COMMERCIAL PROPERTIES.

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 Title 3, Chapter 2, Section 3-2-5 “Trash Collections”, subsection (d) is hereby amended in its entirety and replacing it to state as follows:

“Sec. 3-2-5. Trash Collection.

(d) Logs, limbs, brush, and like materials shall be placed at the curb in front of the property in the following manner:

(1) Length of material shall not exceed four feet.

(2) Diameter of material shall not exceed four inches.

(3) The City will only collect materials as listed in this category which are generated **by the resident for** routine landscape maintenance on developed lots. Debris generated by grading or clearing of undeveloped property shall be disposed of by the party generating such debris.

(4) When placed at the curbside for collection, materials shall not obstruct access to water meters, stormwater collection boxes, sewer manhole covers, or fire hydrants.

(5) No garbage shall be mixed with the items listed in this category.

(6) No plastic bags shall be used for the disposal of any items listed in this category.

(7) **Lawn commercial services must take all yard debris with them that is removed from residential or rental properties. Lawn commercial services must not leave their debris removal behind on site.**

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 _____, 2023.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading:

Public Hearing:

Second Reading:

Ratification:

ORDINANCE 2023-04

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2 STOPPING, STANDING AND PARKING VEHICLES, ARTICLE B RESIDENT PARKING DISTRICT OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO INCREASE THE NUMBER OF RESIDENT PARKING PERMITS ISSUED TO PART-TIME RESIDENT OWNERS.

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 Title 8, Chapter 2, Article B, Section 8-2-24 “Issuance of resident parking permits; annual renewal” is hereby amended in its entirety and replacing it to state as follows:

“Sec. 8-2-24. Issuance of resident parking permits; annual renewal.

Every resident may register an owned vehicle with the Police Department by presenting proof of residency or payment of property taxes, vehicle registration with the South Carolina Department of Motor Vehicles (SCDMV), or other appropriate documentation as may be required by the Police Department. Upon registration with the Police Department, resident owners or resident renters shall be issued a resident parking permit for any vehicle that is registered to the resident's address or for any other owned vehicle approved by the Police Department. **Part-time resident owners shall be issued a maximum of four (4) resident parking permits for any owned vehicle approved by the Police Department.** Resident parking permits shall be displayed in a manner prescribed by the Police Department. Registration with the Police Department shall be required annually. Resident parking permits shall not be renewed until all unpaid parking fines have been paid or otherwise satisfied.”

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 3. 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 _____, 2023.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading:

Public Hearing:

Second Reading:

Ratification:



**RESOLUTION
2023-02**

**OF THE CITY COUNCIL OF THE ISLE OF PALMS, SOUTH CAROLINA,
ENCOURAGING THE SOUTH CAROLINA GENERAL ASSEMBLY TO ADOPT
H.3620, "CLEMENTA C. PINCKNEY HATE CRIME ACT"**

WHEREAS, according to the Federal Bureau of Investigations, in 2019 hate crimes across the United States hit a 16 year high and less than half of hate crimes are reported to the police; and

WHEREAS, South Carolina is one of only two states in the United States that does not have any laws on hate crimes; and

WHEREAS, H.3620 is currently being considered by the House Judiciary Committee; and

WHEREAS, H.3620 provides penalties for a person convicted of a crime with the intent to assault, intimidate, or threaten a person because of his race, religion, color, sex, age, national origin, sexual orientation, or homelessness; and

WHEREAS, City Council desires to promote the safe and quiet enjoyment of all residents and visitors; and

WHEREAS, in order to protect the health, safety, and welfare of the citizens and visitors of the City of Isle of Palms, City Council desires to authorize the Mayor to express to the South Carolina General Assembly, the City of Isle of Palms' support for H.3620, "Clementa C. Pinckney Hate Crime Act."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ISLE OF PALMS CITY COUNCIL THAT:

The City Council of the City of Isle of Palms hereby authorizes the Mayor to express its support for H.3620, "Clementa C. Pinckney Hate Crime Act."

**THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION,
SIGNED, SEALED AND DELIVERED AS OF THIS _____ DAY OF
_____, 2023.**

Phillip Pounds, Mayor

ATTEST:

Nicole DeNeane, City Clerk

1 AMENDED
2 April 7, 2021

3 4 H. 3620

5
6 Introduced by Reps. Gilliard, W. Newton, Bernstein, Hyde, Simrill,
7 Rutherford, Lucas, Dillard, Erickson, Hart, Kimmons, Pope,
8 Stavrinakis, Thigpen, Wheeler, Alexander, Kirby, Henegan,
9 Pendarvis, Herbkersman, Collins, McDaniel, Ott, Cobb-Hunter,
10 R. Williams, Murray, Brawley, Govan, Henderson-Myers, Carter,
11 Rose, Tedder, J.L. Johnson, Wetmore, Weeks, Matthews, Rivers,
12 Anderson, Jefferson, Garvin, Hosey and Clyburn

13
14 S. Printed 4/7/21--H. [SEC 4/8/21 2:27 PM]
15 Read the first time January 12, 2021.

16 17 18 STATEMENT OF ESTIMATED FISCAL IMPACT

19 **Explanation of Fiscal Impact**

20 **Amended by House Judiciary on March 17, 2021**

21 **State Expenditure**

22 This bill creates the “Clementa C. Pinckney Hate Crimes Act,”
23 which requires an enhanced penalty for specific crimes committed
24 against a victim who was intentionally selected (in whole or in part)
25 by an offender because of the offender’s belief or perception
26 regarding the victim’s race, color, sex, gender, national origin,
27 sexual orientation, or physical or mental disability, regardless of
28 whether the offender’s belief or perception is correct. Offenses to
29 which the enhanced penalty may be applied include violent crimes
30 (Classes A through F felonies, and Classes A through C
31 misdemeanors) and assault by mob in the second degree. The
32 enhanced penalty will be added to the penalty for the underlying
33 offense and will consist of an additional fine of not more than
34 \$10,000 and an additional term of imprisonment of up to five years.

35 The prosecuting agency and the defense may present evidence
36 relevant to the determination of whether the defendant intentionally
37 selected the person against whom the offense was committed. The
38 court with competent jurisdiction over the underlying offense shall
39 instruct the trier of fact to find a special verdict as to whether the
40 defendant intentionally selected the victim, and the trier of fact must
41 determine beyond a reasonable doubt that the offense was indeed a
42 hate crime. The enhanced penalty does not apply unless the

[3620-1]

1 defendant was indicted (either separately or as a separate count in
2 the indictment for the underlying offense) for the hate crime and he
3 was found guilty of the underlying offense. According to the United
4 States Department of Justice, there were 68 hate crime incidents
5 reported in South Carolina in 2019.

6 **Judicial Department.** We anticipate this bill will have no
7 expenditure impact on the general fund, other funds, or federal
8 funds, as its purpose is to enhance the penalties for the offenders
9 convicted of existing offenses.

10 **Department of Corrections.** This bill provides penalty
11 enhancements for specific crimes committed against a person when
12 those crimes are motivated by the offender's discriminatory beliefs
13 or perceptions. We anticipate this bill may increase the length of
14 imprisonment for offenders who qualify for the enhanced penalty by
15 up to five years, thereby increasing the expenditures of the
16 Department of Corrections. However, due to the variability in the
17 number of such offenses that might occur in a given year, the
18 expenditure impact on the agency's general fund, other funds, or
19 federal funds of the Department of Corrections cannot be
20 determined.

21 **State Revenue**

22 This bill has the potential to increase general fund revenue from
23 fines, as well as other funds revenue of the Judicial Department and
24 any other applicable agency who would otherwise receive a
25 distribution from fine revenue for such an offense, due to the
26 increased fine for offenders who qualify for the enhanced penalty.
27 However, due to the variability in the number of such offenses that
28 might occur in a given year, the revenue impact cannot be
29 determined.

30
31 Frank A. Rainwater, Executive Director
32 Revenue and Fiscal Affairs Office
33

A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the "Clementa C. Pinckney Hate Crimes Act."

SECTION 2. Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Article 22

Penalty Enhancements for Certain Crimes

Section 16-3-2410.(A)(1) When a person commits a violent crime as defined in Section 16-1-60 or commits assault by mob in the second degree as defined in Section 16-3-210(C) and the trier of fact determines beyond a reasonable doubt that the offense was committed against a victim who was intentionally selected in whole or in part because of the person's belief or perception regarding the victim's race, color, religion, sex, gender, national origin, sexual orientation, or physical or mental disability, whether or not the

1 perception is correct, the person is subject to additional penalties as
2 provided in subsection (B).

3 (2) For purposes of this article, the definition of ‘sex’ shall
4 conform to the definition as set forth in the majority’s holding in
5 *Bostock v. Clayton County, Georgia*, 140 S.Ct. 1731 (2020).

6 (B) A person who violates the provisions of subsection (A) and
7 commits a violent crime as defined in Section 16-1-60 or commits
8 assault by mob in the second degree as defined in Section
9 16-3-210(C), upon conviction, is subject to an additional fine of not
10 more than ten thousand dollars and an additional term of
11 imprisonment of up to five years;

12 (C) The provisions of this section provide for the enhancement
13 of the penalties applicable to underlying offenses. The court shall
14 permit the prosecuting agency and the defense to present evidence
15 relevant to the determination of whether the defendant intentionally
16 selected the person against whom the offense is committed in whole
17 or in part because of the person’s belief or perception regarding one
18 or more of the factors provided in subsection (A), whether or not the
19 perception is correct. The court with competent jurisdiction over the
20 underlying offense shall instruct the trier of fact to find a special
21 verdict as to a violation of the provisions of this section.

22 (D) The additional penalties described in subsection (B) may not
23 be imposed unless the person was indicted, either separately or as a
24 separate count in the indictment for the underlying offense, for the
25 offense pursuant to this section committed against the victim who
26 was intentionally selected, in whole or in part, because of the
27 person’s belief or perception regarding one or more of the factors
28 provided in subsection (A), whether or not the perception is correct,
29 and the person was found guilty of the underlying offense.”

30
31 SECTION 3. This act takes effect upon approval by the Governor.

32 ----XX----