



**CITY COUNCIL MEETING**  
**6:00pm, Tuesday, May 23, 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 (via phone),  
Anderson, Popson, Miars, Pierce, and Mayor Pounds

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

**2. Citizen's Comments**

Terri Haack, of Lowe's/Wild Dunes, believes the proposed noise ordinance will negatively affect the resort which will "likely affect the City's Accommodations Tax revenue, a vital source of financial support." She said the resort paid \$943,000 in accommodations taxes last year. She believes "the proposed ordinance seems rushed with speed to be more important than consensus." She asked Council to consider waiting until after the completion of the sound study they are having conducted is complete before passing the ordinance.

Al Clouse's submitted comments are attached to these minutes.

**3. Special Presentations**

Chief Oliverius recognized the efforts and achievements of Engineer Dave Micalizzi upon his completion of 25 years of service to the Isle of Palms.

**4. Approval of previous meetings' minutes**

- A. City Council Meeting – April 25, 2023**
- B. Special City Council Meeting – May 2, 2023**
- C. Special City Council Workshop – May 9, 2023**

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

**4. Old Business**

**Consideration of issuing a Request for Proposals for parking management services**

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

Administrator Fragoso said this RFP will go out with a due date of approximately 3 weeks from now and will require a mandatory pre-bid meeting. The responses will go to the Public Safety Committee for recommendation. Those businesses who have responded to other local RFPs (7-9 respondents) will be directly contacted.

**VOTE: A vote was taken with all in favor.**

**5. New Business**

**A. Consideration of recommendation from the Accommodations Tax Advisory Committee to approve the proposed FY24 budget from Explore Charleston for the expenditure of the 30% of State Accommodations tax revenue for tourism promotion**

Catherine Dority and Laurie Smith of the Charleston Visitor's Bureau gave an overview of their proposed FY24 budget for the Isle of Palms. Ms. Dority said there will be a greater emphasis next year on branding IOP in the digital realm so that results can be easily tracked. She shared some IOP-specific initiatives started in FY23 including websites, streaming advertising, paid display ads, the support of a staff position, and a very successful VRBO campaign.

Council Member Bogosian said he would like to see more of a focus on branding the island which he believes is "balance between visitors and residents." He would like to see the CVB "target families that stay longer and spend more money."

Council Member Hahn said, "I want to echo what John just said that everybody I talk to says we don't need more people now. We need more dollars per person, and that is part of the brand is to upscale what Isle of Palms is which has typically been known as a blue-collar beach." Ms. Dority responded that they can target high income households if that is the will of Council.

Council Member Pierce would like to have a report on the demographics of who is visiting the island in a few months. Ms. Dority said they could return after the completion of the second VRBO campaign at the end of the summer.

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

**B. Consideration of partnership with Law Enforcement Neighborhood Support (LENS) to establish paid internship program in the Police Department**

Administrator Fragoso said the Police Department has had interns in the past, but this year, the LENS program has offered to financially support that program with a donation to the City. Chief Cornett said prior interns have completed administrative tasks mostly. Their most recent intern helped in recruiting many of this year's BSOs.

Administrator Fragoso clarified that the LENS program received ATAX funds last year and they were used for police-related functions. They have reported those uses to the ATAX Committee

and no other requests for funding have been made to date. This partnership will be paid for from private donations to the organization.

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

**C. Consideration of 2023 surfing application from Brycen Marshall DePass, IOP Surf Lessons**

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

**D. Consideration of pursuing the design of the next underground utility lines projects at 14<sup>th</sup> Avenue and the end of 41<sup>st</sup> Avenue and IOP Marina**

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

**E. Consideration of recommendation from the Administration Committee to appoint Tim Ahmuty to the Planning Commission vacancy**

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

Council Member Ward asked why this candidate was chosen over the others. Council Member Bogosian said all were very highly qualified candidates, but “the Committee selected this individual based on his qualifications and especially his community service.” He said all candidates have been encouraged to reapply as there will be openings on the Planning Commission at the end of the year. Council Member Ward expressed his preference for another candidate.

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

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

Nays: Ward, Popson

**The motion passed 7-2.**

**F. Consideration of recommendation from the Administration Committee to appoint Chris Skipper as Associate Judge**

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

Administrator Fragoso said the RFP for the City Prosecutor’s position, the position left open by Mr. Skipper becoming Associate Judge, is due June 16. Mr. Skipper will remain as City Prosecutor until that position is filled.

**G. Consideration and approval of Police Department K-9 unit**

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

Mayor Pounds said the City has received donations to help offset the purchase of the K-9. Chief Cornett said this dog will play a critical role in keeping drugs and illegal guns off the streets. He will be able to track drugs and people.

Administrator Fragoso said they will be sending an officer to training with the dog on June 5. She is supportive of this program and is happy to see it implemented so quickly.

**VOTE:** A vote was taken with all in favor.

**H. Consideration of recommendation from the Administration Committee to award the Spirit of the Island Award to Ted Kinghorn and ACME Lowcountry Kitchen**

Mayor Pounds said both of these nominations were recommended unanimously by the Administration Committee.

**MOTION:** Council Member Pierce made a motion to approve the recommendation of Ted Kinghorn to be awarded the Spirit of the Island award, and Council Member Bogosian seconded the motion. The motion passed unanimously.

Council Member Hahn expressed concern about the financial transparency of the LENS program. Mayor Pounds responded that the organization has provided documentation on how the ATAX funds were spent to the ATAX Committee.

**VOTE:** A vote was taken with all in favor.

**MOTION:** Council Member Pierce made a motion to approve the recommendation of ACME Lowcountry Kitchen to be awarded the Spirit of the Island award, and Council Member Bogosian seconded the motion. The motion passed unanimously.

Several Council members spoke very highly of the civic efforts of the ACME Lowcountry Kitchen.

**6. Boards and Commissions Report**

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

**7. Ordinances, Resolutions, and Petitions**

**A. Second Reading**

- i. **Ordinance 2023-06 – to increase the short-term rental license base rate by \$100**

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

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

Nays: Ward, Popson

**The motion passed 7-2.**

ii. **Ordinance 2023-07 – to raise revenue and adopt a budget for the City of Isle of Palms, South Carolina, for the fiscal year beginning July 1, 2023 and ending June 30, 2024.**

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

**B. First Reading**

i. **Ordinance 2023-02 – to regulate e-bikes and battery assisted motorized skateboards on the beach**

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

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

Nays: Ward

**The motion passed 8-1.**

ii. **Ordinance 2023-08 – to adopt a new noise ordinance**

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

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

Nays: Ward, Popson

**The motion passed 7-2.**

iii. **Ordinance 2023-09 – to clarify position of City Attorney and to include provisions for the appointment of City Prosecutor**

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

iv. **Ordinance 2023-10 – to authorize the City to enter into an intergovernmental agreement related to the South Carolina Local Revenue Services, to participate in one or more local revenue service programs, to execute and to deliver one or more participant program supplements and other matters**

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

**C. Resolutions and Petitions**

**Proclamation 2023-02 – to proclaim May 20-26 as National Safe Boating Week**

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

**MOTION:** Council Member Pierce made a motion to suspend the rules of order to allow for comments about the noise ordinance. Council Member Miars seconded the motion. A vote was taken as follows:

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

Nays: Ward

**The motion passed 8-1.**

Council Member Hahn said, “All I wanted to say was with the noise ordinance is we struggled with this for a long time. I don’t believe, I don’t think other people on the Committee believe that it is perfect by any stretch of the imagination, but it is something that we have to put in place now and see how it goes. And I would urge not only Wild Dunes but all the residents as well to see how this works and let’s look at this again in the fall and see if it needs to be tweaked. It is my expectation that it very well may need to be.

Council Member Anderson said, “I would just like to say that I am hoping that we are just going to adopt this ordinance for six months and then come back and revisit it.”

The noise ordinance will be discussed further at the Public Safety Committee meeting and Council Workshop in June before coming back for Second Reading.

**8. Executive Session**

**9. Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Popson seconded the motion. The meeting was adjourned at 7:12pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

**City Council Meeting 5/23/23: Clouse Comments (Meeting No. 14 since 4/13/2022 regarding NOISE ORDINANCE; NUISANCE.**

Requesting for the **seventh** time (twice in writing) to provide us written assurances regarding enforcement of **§ 9-2-5 (b)(c)**. **“Amplified Music”** is “unlawful” and the core of this situation. Your silence is very telling.

**Lack of enforcement**, which was clearly exposed and demonstrated in the previous City Council (“CC”) meeting dated 5/9/23; providing us with our very own **“Who’s on First”**, has evolved into a legal nuisance by the **Hyatt Sweetgrass Inn; § 9-2-5 (i.)(1)(2); facilitated by the City**. We believe **Hyatt is #824 in Fortune 1000 Revenue Rank**.

**If anyone really wants an account of the events from “The Concert from Hell” held in November 2022, we will gladly prepare a notarized affidavit of said events.**

We respectfully requested, followed up by a written request, **Mrs. Jan Anderson recuse herself from all further discussions and issues regarding the noise ordinance as it relates to the City, Resort and Complainants**. We presented an array of **facts** which support our request. We are not aware of Mrs. Haack’s position, and we are certain she has one, regarding the above. Mrs. Haack is a board member of WDCA; Mr. Anderson, (Mrs. Anderson’s spouse) is President of WDCA. Mrs. Anderson clearly has a conflict of interest and we **demand immediate action** on her part. The **optics are negatively impacting the integrity of this Council**.

Unfortunately, throughout our negotiations with Mrs. Haack (starting in November 2022) she tragically experienced the death of her brother, and very recently, the death of her husband. Our hearts and prayers go out to her. We have treated her with dignity and respect throughout these very sad events. As we all know, there is nothing convenient about death. Again, Terri, God Bless you.

We recently sent an email to Mrs. Haack requesting a written response regarding a number of previous emails. Mrs. Haack’s response, to one such request, was actually comments regarding what Hyatt’s measures and actions are regarding the Noise Nuisance. Our sense is, either Mrs. Haack is hiding behind the Hyatt flag, or Hyatt is purportedly accountable for their actions; yet they are not.

On 4/17/23 we received an email from Mrs. Haack which we were unable to open the attachment. I contacted Mrs. Haack regarding being unable to open the file which was titled **“Revised Financial Proposal”**. Mrs. Haack responded her computer was “hacked” (no pun intended ) and do not open said file. Apparently, someone in cyberspace believes we are entitled to remuneration. We wonder what other information we may receive as a result of Mrs. Haack’s email being hacked.

In the past **fourteen (14) months**, we have provided the Council an array of **facts** which support our position. Some would say we have a dispute between the residents and the Hyatt Sweetgrass Inn. Hell Yes; it is a dispute! Please remember, the resort (Jeff Payne, Lowe and Rob Walker, Hyatt) **lied** to us regarding the amount of decibels (eighty (80)) they were allowed to emit. Said resort’s narcissistic attitude further contributed to a downward spiral. The City, not enforcing said noise ordinance, was an **accomplice to said spiral**. Our conclusion: based on common sense, someone in this room **generated a consensus** to not enforce said ordinance, as it relates to the Hyatt Sweetgrass Inn. How could we not conclude the obvious?

One of our complainants is Mrs. Williamson, 16 57th AVE. She has been an IOP resident, almost since the beginning of time; she is 92; her property is twenty (20) feet due south from the Hyatt Sweetgrass Inn; separated by the City Fire Lane. Now, I ask you; if Mrs. Williamson was your Mother, or Grandmother, what would your expectations be?

Respectfully, Mrs. Haack will tell you a number of changes which have been implemented to improve our livability. Unfortunately, they lack sustaining power. We would gladly give you a long list, however, our keys are pretty worn down due to the frequency we have previously provided. We are still having to listen to the resort's music, instead of our own, on our screen porch/porches. When watching a movie at 7:00 PM, while an event is being held at Hyatt Sweetgrass Inn, we are required to turn our volume up to extra high levels. They remove speakers, then turn up the volume of the remaining ones. They play amplified music at will. We still have difficulty sleeping due to various events/issues which go on after 9:00PM. Recently, Hyatt's own security team was unable to stop a disturbance at the hotel's back doors (after three (3) tries) at 11:00PM.

Our sense is, on almost every item implemented by the resort, the period at the end of a sentence transforms into a coma or semicolon.

**We did not design the hotel.**

We should not be a beneficiary of Lowe/Dart's (supposedly **seasoned commercial real estate experts**) egregious mistakes.

Respectfully, please do not pass the proposed noise ordinance in its current form. In the meantime, please enforce the one we have.

Respectfully,

Al and Roxie Clouse