

City Council
6:00 p.m., Tuesday, June 26, 2018
Council Chambers
1207 Palm Boulevard

AGENDA

1. INTRODUCTION OF MEETING and notification that members of the press and public were duly notified in accordance with the Freedom of Information Act.
A. Invocation B. Pledge of Allegiance C. Roll Call
4. **READING OF THE JOURNAL OF PREVIOUS MEETING**
Special Meeting of May 22, 2018
Public Hearing of May 22, 2018
Regular Meeting of May 22, 2018
Special Meeting of June 19, 2018
5. **CITIZENS' COMMENTS**
Seeking City Sponsored event status: Worrell 1000 Reunion Race, May 12-13, 2019, Chuck Barger, Sail Series Promotions, USA, Inc.
6. **REPORTS FROM STANDING COMMITTEES**
 - A. **Ways and Means Committee**
 1. Re-direction of \$1,000 contribution, included in the FY19 budget, to Lowcountry Community Chaplaincy
 2. Approval of sponsorship of the Surf-cam for the Carolina Coast Club, Inc. in the amount of \$1,000 from ATAX funds
 3. Approval of ATAX overages - \$259 for ATV and \$961 for the Easter Egg Hunt
 - B. **Public Safety Committee**
 - C. **Public Works Committee**
 - D. **Recreation Committee**
 - E. **Personnel Committee**
 1. Consideration of job description for Public Works Assistant Director of Maintenance and Facilities
 2. Recognition of Employee of the Month

May Safety Sweepstakes Winners

General Government – Amy Lee	Police Department – Pfc James Taylor
Fire Department – Chris Rouse	Public Works – Joe Ancrum

 - F. **Real Property Committee**- 6. **REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS**
 - A. **Accommodations Tax Advisory Committee** – minutes attached
 - B. **Board of Zoning Appeals** – no meeting in June
 - C. **Planning Commission** – minutes attachedDiscussion of RFP for the comprehensive redesign of drainage outfalls
- 7. **REPORTS FROM SPECIAL OR JOINT COMMITTEES** – None
- 8. **PETITIONS RECEIVED, REFERRED OR DISPOSED OF** – None

9. BILLS ALREADY IN POSSESSION OF COUNCIL

Second Reading of Ordinance 2018-05 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 2, Stopping, Standing and Parking of Vehicles, of the City of Isle of Palms Code of Ordinances to Require Parallel Parking and to Prohibit Double Parking on the Passenger Side of Vehicles on Palm Boulevard Between 21st Avenue and 40th Avenue; to Prohibit Boat Trailer Parking along the Rights-of-way of Waterway Boulevard; to Prohibit Exemption for Emergency, Law Enforcement and Other Public Service Vehicles Parking During the Performance of Official Duties or Public Service; and to Provide for Year-Round Enforcement of the Resident Parking Districts.

Second Reading of Ordinance 2018-09 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, Section 5-4-16, Temporary Uses, of the City of Isle of Palms Code of Ordinances to Allow Public Parking on Lots Located in SR-1, SR-2, LC and GC-1 Zoning Districts as a Temporary Use Subject to Certain Conditions

Second Reading of Ordinance 2018-10 – An Ordinance Amending Title 8, Motor Vehicles, Chapter 2, Stopping, Standing, and Parking of Vehicles of the City of Isle of Palms Code of Ordinances, to Prohibit Boat Trailer Parking on Waterway Boulevard; to Prohibit Boat Trailer Parking on 41st Avenue; and to Provide an Exception for Vehicles Displaying a Valid Resident Parking Permit to Park with Attached Boat Trailers Along the Rights-of-way of 41st Avenue from Waterway Boulevard to the Terminus of 41st Avenue Where Parking is not Otherwise Prohibited.

10. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

First Reading by title only, of Ordinance 2018-11 – AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 5, BUDGET, FINANCE AND TAXATION, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE CONSISTENCY WITH THE PROCUREMENT CODE RELATED TO APPROVAL OF APPROPRIATIONS AND EXPENDITURES.

First Reading, by title only, of Ordinance 2018-12 – AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 10, PURCHASING PROCEDURES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE NEW EXCEPTIONS FROM COMPETITIVE PROCUREMENT REQUIREMENTS AND TO DELETE REFERENCE TO THE STATE BUDGET AND CONTROL BOARD.

First Reading, by title only, of Ordinance 2018-13 – AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 1, GENERAL PROVISIONS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE A NEW DEFINITION FOR IMPERVIOUS SURFACE; TO DELETE REFERENCE TO “IMPERVIOUS MATERIAL” AND REPLACE IT WITH “IMPERVIOUS SURFACE;” AND TO PROVIDE ADDITIONAL REGULATIONS RELATED TO FILLING OR RE-COUNTOURING OF LOTS, GROUND ELEVATION, AND SITE CHANGES REQUIRING A STORMWATER MANAGEMENT PLAN.

Resolution to Establish the Leola Hanbury Award

11. MISCELLANEOUS BUSINESS

- A. Discussion regarding pursuit of a general permit for sand fencing island-wide
- B. Discussion of Carolina Salt Surf proposal

Next Meeting Date: 6:00 p.m., Tuesday, July 24, 2018 in Council Chambers

12. EXECUTIVE SESSION – if needed

13. CONCLUSION/ADJOURNMENT

Special City Council Meeting
5:30 p.m., Tuesday, May 22, 2018

A Special City Council meeting was called to order at 5:30 p.m., Tuesday, May 22, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. In attendance were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, Smith and Ward, Mayor Carroll, Administrator Tucker, Attorney Halversen, Assistant City Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business.

1. Mayor Carroll called the Special Meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Purpose**

Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice related to potential civil claims concerning violation of tree removal ordinance on property located at 408 Carolina Boulevard.

MOTION: Mayor Carroll moved to go into Executive Session at 5:30 p.m.; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

City Council returned to open session at 5:49 p.m., and the Mayor announced that Council had not taken a vote or any action while in Executive Session.

3. **Adjournment**

MOTION: Councilmember Kinghorn moved to adjourn the meeting at 5:50 p.m.; Council member Moye seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

City Council Public Hearing
5:35 p.m., Tuesday, May 22, 2018

A City Council Public Hearing was called to order at 5:52 p.m., Tuesday, May 22, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the hearing were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, Smith and Ward, Mayor Carroll, City Administrator Tucker, Assistant Administrator Fragoso, Attorney Halversen and City Clerk Copeland; a quorum was present to conduct business.

1. Mayor Carroll called the Public Hearing to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Purpose**

ORDINANCE 2018-06 - AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2018, AND ENDING JUNE 30, 2019.

Before going through key points in the budget, Administrator Tucker reported that the FY19 budget is balanced and does not contemplate a tax increase. She stated that she would review the highlights of the FY19 budget and then go over some additional item that Council could decide to include later in the meeting. On the revenue side, the City anticipates a small increase in the General Fund of two and a half percent (2.5%), and the tourism revenues are expected to remain stable or have a very small increase. For all City employees, provisions are in the budget for a two point two percent (2.2%) cost of living increase and a two percent (2%) merit pool. Future purchases for which funds will be set aside include sixty-one thousand dollars (\$61,000) for self-contained breathing apparatus for the Fire Department, five hundred thousand dollars (\$500,000) for new Fire Department rolling stock, one hundred thousand dollars (\$100,000) for garbage packers and loaders, seventy-five thousand dollars (\$75,000) to replace the infrastructure on Ocean Boulevard between 10th and 14th Avenues and one hundred fifty thousand dollars (\$150,000) for future maintenance for the marina. Projects that were budgeted for FY18, but will not be completed until FY19 and, therefore, must be re-budgeted are approximately two hundred three thousand dollars (\$203,000) for a Mack garbage packer, approximately one hundred seven thousand dollars (\$107,000) for a Mack flatbed truck and a planned deposit on a fire truck of two hundred thousand dollars (\$200,000). Projects that are underway but will not be completed in FY18 are approximately one point five million dollars (\$1,500,000) for the Phase II Drainage project that will be completed in FY19, six hundred twenty thousand dollars (\$620,000) for the replacement of the underground storage tanks (UST) at the marina, two hundred eighty thousand dollars (\$280,000) for the replacement of the USTs at the Public Works site, the completion of the payment for the replacement of the seventy-five foot (75 ft.) ladder truck and about a million dollars (\$1,000,000) worth of maintenance items identified for City-owned buildings identified in the Hill Buildings Assessment Report, the bulk of which relate to the Public Safety Building. From the Public Forums at the beginning of the year, certain new initiatives have been added to the FY19 budget, and they include fifty thousand dollars (\$50,000) for making the parking management plan year-round, parallel parking on Palm Boulevard and no trailer packing on Waterway Boulevard, four hundred thousand dollars (\$400,000) for engineering, design and permitting for three (2) of the outfalls at 30th, 36th and 41st Avenues, the addition of one (1) new position in the Public Works Department who will oversee the drainage improvements and buildings' maintenance. In the wake of recent storms, Council heard at the forums of the need for sewer service on the island, therefore, fifty thousand dollars (\$50,000) has been allocated to a

cooperative effort with the IOP Water and Sewer Commission to fund a study to learn what would be needed to sewer the entire island, what the price tag would be and mechanisms to provide funding for such an endeavor on a voluntary basis. Also in response to citizens' concerns, Council has put an additional ten thousand dollars (\$10,000) toward coyote management. Thirty-five thousand dollars (\$35,000) has been allocated for engineering to determine the best approach to phase the rehabilitation and/or replacement of the docks at the IOP Marina because they are in "very poor condition." Also at the Marina, sixty thousand dollars (\$60,000) has been assigned for the painting the bulkhead. Other items included in the FY19 budget are twelve hundred dollars (\$1,200) for resident parking at the County Park for the IOP Farmers' Market in the fall, sixty-two thousand dollars (\$62,000) to rehabilitate the gym floor, sixty-eight thousand dollars (\$68,000) to re-do the tennis courts, and ten thousand dollars (\$10,000) for part-time assistance at the Rec Center in order to open on Sunday afternoons beginning in the fall. After thoughtful deliberations, the Recreation Committee has recommended an increase in fees of twenty-five dollars (\$25) for youth basketball, soccer and baseball for non-residents and twenty-dollars (\$20) for Camp Summershine. A total of seventy-five thousand dollars (\$75,000) has been identified to hire a professional search firm to find the best fit and most qualified candidates for Chief of Police and City Administrator. Twenty-five thousand dollars (\$25,000) has been allocated for the design and engineering for improvements to the multi-use path on Waterway Boulevard, forty thousand dollars (\$40,000) to replace sections of the white fence around the municipal parking lot, and five thousand dollars (\$5,000) to partner for a traffic camera at 41st Avenue and Palm Boulevard. The City has several contracts for services that will be renewed or rebid in FY19; therefore, a cushion has been included for a possible price increase from new or existing contractors. These services are for the removal of trash and recycling from the beach and Front Beach and for an attendant for the public restrooms.

The Treasurer has also compiled a list of items/changes that have been discussed since the "gray" budget was prepared and are expected to receive Council approval, they are detailed on the attached sheet. The changes are the net increase to revenues of approximately three hundred forty-two thousand dollars (\$342,000); re-budgets from FY18 total five hundred ten thousand dollars (\$510,000); and the total net increase in expenditures of approximately one hundred nine thousand dollars (\$109,000).

3. Adjournment

There being no questions or comments from citizens, Mayor Carroll closed the Public Hearing at 6:14 p.m.

Respectfully submitted:

Marie Copeland
City Clerk

CITY COUNCIL

6:00 p.m., Tuesday, May 22, 2018

The regular meeting of City Council was called to order at 6:16 p.m., Tuesday, May 22, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice Smith and Ward, Mayor Carroll, Administrator Tucker, Assistant Administrator Fragoso, Attorney Halversen and Clerk Copeland; a quorum was present to conduct business.

1. Mayor Carroll called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act. Following a brief invocation and the Pledge of Allegiance, Clerk Copeland called the roll.

2. **Appointment and Administration of Oath to New Employee**

MOTION: Councilmember Rice moved to appoint Nicole Chapleau as a new firefighter for the City of Isle of Palms; Mayor Carroll seconded and the motion PASSED UNANIMOUSLY.

3. **Reading of the Journal of Previous Meeting**

MOTION: Councilmember Kinghorn moved to approve the minutes of the regular meeting of April 24, 2018 d submitted; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

4. **Citizens' Comments**

Presentation – New Hotel Development for Wild Dunes Resort by Dan Battista and Frank Fredericks

Director Kerr provided a brief history of the Wild Dunes Planned Development, how it has evolved over time, the impact of a new inn and how the City vies requests for planned development, today and historically. The Sea Pines Company approached the City in 1975 to create the Beach and Racquet Club Planned Residential Development (PRD), which is said to be the first planned development in the state. A PRD is an agreement between the City and the developer that is generally done in exchange for some flexibility and in return something for the City; although this is an old PRD, the Director believes it has served the City well. The document is approximately one hundred twenty (120) pages in length, and much of it is conceptual in nature, not a lot of steadfast rules. It speaks to what the aesthetics of the resort will be, the amenities to be included, etc.; however, there are some specific requirements that the City enforces as the zoning for that district. Some of the requirements that will impact this development are as follows:

- The maximum number of dwellings that can be constructed in Wild Dunes;
- The maximum number of inn units that can be developed;
- The maximum number of stories is five (5);
- The maximum height of the structure is to be eighty feet (80 ft.)

Wild Dunes currently has one hundred forty-seven (147) inn units, and the PRD allows for three hundred fifty (350) to be built, leaving two hundred three (203) yet to be built. In the document, exclusions to the count of the number of stories is the ground floor, which is to be used for parking, and the top floor that has an area equal to less than one-third ($\frac{1}{3}$) of the ground floor. In the PDD,

the height is measured from the finished grade to the average roof height of the top roof if the roof is pitched.

In addition to the requirements of the PRD, some provisions in the standard zoning code apply district-wide; Director Kerr explained that in situations where the zoning is district wide and the PRD does not address the topic specifically, those zoning provisions also apply to the PRD. Examples of district-wide provisions are the tree ordinance, the flood regulations, building codes, etc.

Over the course of the past year or two (2), the Building Department has been in discussions with the design team for the new hotel about the requirements, but a permit request has not yet been made because the plans have not been finalized. Director Kerr expressed confidence that, when the plans are submitted, all of the regulatory issues will have been vetted.

Frank Fredericks, the Managing Director of Wild Dunes Resort, and Dan Battista, Senior Vice President of Development in Charleston for Lowe Enterprises, approached the podium to provide details and drawings of the hotel plan. Mr. Battista initiated his comments by thanking Director Kerr and his staff for their assistance toward this project.

In the first slide, Mr. Battista pointed out the Boardwalk Inn that was developed by Lowe in 1998, The Village condominiums that were added in 2007 and the Sweetgrass Pavilion, the conference center, that was completed in 2006; the slide gave a bird's eye view of the resort and the location of the new hotel in relation to the resort's core. The new hotel will be built on a podium like The Villages with parking underneath.

Mr. Fredericks thanked Administrator Tucker for the coordination and completion of the beach renourishment project.

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Displaying a rendering of the hotel, Mr. Fredericks noted that it will have one hundred fifty (150) rooms; on the top, the hotel will have an enclosed function space specially designed to be a wedding space with an outdoor wedding ceremony venue looking out over the ocean. The hotel will have a full destination spa of approximately ten thousand square feet (10,000 sq. ft.) with fourteen (14) treatment rooms and an outdoor spa/garden; the pool area has also been expanded to include a kids' water feature with fountains, a second pool, two (2) hot tubs, and a covered, outdoor restaurant. According to Mr. Fredericks, the feature most impactful to the City will be an expanded entrance; the guard house has been moved more into the community to allow for more stacking. Next to that is an expanded two (2) lane entrance from Palm that grown into three (3) lanes where guests are greeted, providing three (3) lanes for stacking at the resort and not at 41st and Palm Boulevard. Operational changes remove the need for guests staying in homes or condominiums to check-in like at a traditional hotel; the guests are sent all of their credentials in advance to that they can enter and go directly to their accommodations.

The seventy (70) administrative personnel will move to offices on Daniel Island to reduce the congestion since their jobs do not require them to be on the island.

Responding to Mayor Carroll's concern that the location of the hotel will require the removal of some large trees, Mr. Battista stated that the resort adheres to the City's tree ordinance. He said that twelve (12) grand live oaks with a diameter at breast height of twenty to thirty-six (20 – 36) inches are in the footprint of the new development; six (6) will be left in place and the other six (6)

will be relocated. The landscape plan for the site will replace any trees displaced by the building footprint.

Councilmember Smith asked if they had measures beyond the new gate configuration and check-in policy to mitigate the impact of the additional traffic coming onto the island.

Other than moving the administrative personnel off the island, Mr. Fredericks explained that the hotel was designed primarily to be conference group business and that these guests do not typically rent a car but have shared transportation. He reported that the resort has arranged with the Citadel Beach House to allow the construction workers and summer seasonal employees to park in their lot.

When asked about the noise generated by the outdoor roof venue, Mr. Fredericks replied that the party space was indoors, only the ceremony would take place outside. He also commented that the resort abides by the City's noise ordinance.

Mr. Battista indicated that guests staying in the two hundred fifty (250) rental units managed by Wild Dunes and guests of the Boardwalk Inn and new hotel will be encouraged to use the new gate, which will eliminate a significant amount of traffic at the main gate.

Responding to Councilmember Rice's request for a general time line, Mr. Battista said that the plan was to raze the Administrative Building and relocate those employees before July 4th and that construction is to be completed by the late summer or fall of 2020.

Councilmember Buckhannon stated that he would like to see Wild Dunes reach out to the City to try to mitigate the extra traffic on Palm Boulevard to which they will contribute.

Mr. Battista responded that he would be happy to participate in that, and he introduced Jennifer Beale with Beale Engineering who has been involved in the planning and design having performed traffic studies with respect to the community and Wild Dunes.

Mr. Battista informed the Committee that the parking underneath the hotel would have one hundred thirty-nine (139) spaces and approximately thirty (30) other off-street spaces.

Kate Griman, 14-57th Avenue, stated that the new hotel was going to have a huge impact to her quality of life. She stated that large groups have held parties at the pool and the music has been very loud; she said that she can hear the numbers being called when the resort holds Bingo games. She added that a pump station would be next door to one (1) of her neighbors.

Bob Miller, 3 Fairway Village Lane and a member of the Coyote Coalition, stated that the Coyote Management Plan in the meeting packet on the City's website did not contain the edits suggested by the Coyote Coalition although the updated version was the one passed unanimously by the Public Safety Committee.

Rebecca Stephenson and Jessica Blaszczyk reminded Council that they had spearheaded the farmers' market in 2017 and thanked Council for the opportunity to do it again in 2018.

Doreen Olson, a resident of Wild Dunes, asked Mr. Battista and Mr. Fredericks if the back gate to the community would be open to residents once the construction begins.

He also introduced other members of the development team, Mike Manzinger who heads up the construction of the project, Sam Harris and Amy Hamrick. Mr. Manzinger stated that he had learned from the community informational meetings that traffic was a hot topic and that they had decided to keep one (1) lane open for in-coming traffic.

Deborah Thompson, 4 Grand Pavilion, voiced agreement with an earlier speaker that the new hotel was going to “have a huge impact on [her] life and [her] quality of life.” She posed two (2) issues for the Wild Dunes’ representatives, i.e. Were there plans for some type of sound barrier to lessen the noise from the complex for the residents? And she expressed concern about emergency vehicles leaving the resort because “seconds matter with an ambulance.”

Mr. Manzinger expressed confidence that, if there was an emergency, they could get the appropriate help to clear the entrances clear at both ends.

Rusty Williamson, 605 Carolina, commented on the Agenda item appointing Linda Tucker the City Administrator Emeritus and asked if a job description had been written for the position and what the job would entail, but all he had been told was that it was good for the City. He questioned the transparency of Council for this action.

Jim Smiley, 16 – 44th Avenue, also directed his comments to the “Wild Dunes’ people” saying that they appear to have put forth the effort to mitigate the traffic within the planned development, and he noted that he lives about two (2) blocks from the Citadel Beach House where construction personnel will be directed to park. He noted that the zoning for that area is SR-1, single family residential, and that the Citadel was a non-conforming use within that zoning district. All of the workers who will be parking at the Citadel Beach House must pass his home on Palm Boulevard; he stated that he was ‘concerned, disturbed, dismayed’ at what was being done to his life. He said that he has put up with noise at all times of the night from parking and events at the Beach House, and now more parking for construction workers, service workers and wedding personnel will be added and it did not feel like a good deal for him.

5. Reports from Standing Committees

A. Ways and Means Committee

From the regular meeting of May 15th, Councilmember Ward reported that the financial statement reviewed was through April 30, 2018; General Fund revenues were seventy-eight percent (78%) collected and General Fund expenditures were seventy-nine percent (79%) expended. Property Taxes revenue was slightly ahead for the same period in FY17, and the Treasurer expressed confidence that the budget would be met. She reported that all revenue sources, except Rental Licenses, Parking and All Other were ahead of revenues through ten (10) months of FY17. With the spending associated with the off-shore dredging project, cash balances have come down as was expected; total cash has gone down by approximately three million dollars (\$3,000,000).

The Chair, Treasurer Suggs and the City’s auditors are working on an agreed set of procedures for the marina businesses to follow to ensure the revenue and cost of sales are being presented correctly.

Year over year, Municipal Accommodations Taxes and Beach Preservation Fees are running three percent (3%) ahead of FY17. For the Charleston County Pass-through, the City was told to expect and budget for a decrease in FY18, but the City has been told to expect the amount to

increase in FY19 by approximately seventy thousand dollars (\$70,000). Hospitality Tax collections continue to be strong showing growth of five percent (5%) over FY17.

Report on recommendation from the Public Works Committee to approve a change order in the amount of \$9,073.98 for the relocation of a junction box to avoid conflict with power line (Pg. 45, In 100 – Phase II Drainage, Contingency, \$2,209,157)

Administrator Tucker noted that this expense was below the ten thousand dollars (\$10,000) toggle in the Procurement Code for which she has the authority to authorize and this was listed on the Agenda for reporting purposes only.

- A. Recommendation from the Public Safety Committee to award a contract in the amount of \$25,000 to Munnerlyn Pyrotechnics for the 2018 July 4th fireworks show (Pg. 28, In 268 – State ATAX, General Government, Programs/Sponsorships, \$35,000)**

MOTION: Councilmember Smith moved to award a contract to Munnerlyn Pyrotechnics in the amount of \$25,000 for the 2018 July 4th fireworks display; Councilmember Rice seconded and the motion **PASSED UNANIMOUSLY.**

- B. Report on emergency purchase from Technology Solutions in an amount not to exceed \$27,000 for replacement of the City Hall server experiencing interruptions in service (Pg. 22, In 27 – General Government Capital Outlay)**

MOTION: Councilmember Ward moved to approve the emergency purchase of \$27,000 from Technology Solutions for the replacement of the City Hall server; Councilmember Bell seconded and the motion **PASSED UNANIMOUSLY.**

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- C. Recommendation from the Recreation Committee to approve the 2018 Farmers' Market Budget**

MOTION: Councilmember Kinghorn moved to approve the 2018 Farmers' Market Budget as presented; Councilmember Moye seconded and the motion **PASSED UNANIMOUSLY.**

Councilmember Ward asked that the changes to the FY19 budget that the Administrator reviewed at the Public Hearing be posted to the City's website for public review. Additionally, Councilmember Ward reported that, in budget discussions, Council agreed to use a portion of Hospitality Taxes to provide a return on investment to the island's businesses who collect and pay them; the funds could be used for a future promotion as a show of the City's appreciation.

The next Ways and Means Committee meeting will be at 5:00 p.m., Tuesday, June 19, 2018.

B. Public Safety Committee

From the meeting of May 2, 2018, Councilmember Smith stated that the new Collarum coyote traps have not been deployed because they must be secured to something substantial so that the coyote cannot just pull it out of the ground when trapped. Interim Chief Usry reported that the Municipal Association, the City's liability insurance carrier, has confirmed that the City would be uninsured if it chose to go forward with that action. Wild Dunes has indicated that they would not

allow the City to hunt within the gates of the community. Interim Chief Usry said that the Coyote Coalition's edit suggestions have been included in the City's Coyote Management Plan that was in the meeting packet showing those edits in yellow. Councilmember Bell noted that the plan was listed as a living document so changes could be made in the future if the need presents itself.

MOTION: Councilmember Smith moved to adopt the edited version of the Coyote Management Plan; Councilmember Bell seconded.

After discussing the possibility of a coyote hunt and the entity that would authorize such,

AMENDMENT: Councilmember Kinghorn moved to amend the motion and to defer action on the Coyote Management Plan, and Councilmember Rice seconded; the amendment FAILED on a vote of 2 to 7 with Councilmember Kinghorn and Rice supporting it.

VOTE on ORIGINAL MOTION: The motion PASSED on a vote of 7 TO 2 with Councilmembers Kinghorn and Rice dissenting.

Interim Chief Usry stated that, before the season begins, she speaks with the Mount Pleasant Police Department about their posting an officer to direct traffic at the intersection of Rifle Range Road and the Connector on very busy weekends when the mass exodus begins. If they are too busy and do not have an available officer, one (1) of the two (2) off-duty County officers who assist with traffic on Saturdays and Sundays would be sent to that intersection since they have jurisdiction there. She noted that the County officers cannot enforce parking or the City's ordinances on the island, but they can assist with traffic control. Referencing the construction of a new hotel in Wild Dunes and its impact on traffic on Palm Boulevard, the Administrator stated that the City could order its own traffic study from 41st and Palm Boulevard to the entrance at Wild Dunes to find a mechanism to better manage the traffic, but whatever the results, she did not think the City would have a way of leveraging Wild Dunes to do any of the things that might be recommended. The City could order its own traffic study from 41st and Palm Boulevard to the entrance at Wild Dunes to find a better mechanism to better manage the traffic, but whatever the results, she did not think the City would have a way of leveraging Wild Dunes to do any of the things that might be recommended.

The micro-resurfacing of Palm Boulevard between 21st and 41st Avenues has been rescheduled to the week of June 11th due to weather delays. Free parking will be available in the municipal parking lot for the days the work is being done.

Assistant Fragoso reported that the City is in receipt of the first draft of the sign plan and that she is working on the corrections; the final sign plan will be submitted to SCDOT with the encroachment permit. Based on this information, the recommendation has been made to defer Second Reading of Ordinance 2018-05 until the corrections to the sign plan have been completed and the encroachment permit has been issued.

Councilmember Bell noted that the recommendation made at the last Council meeting was to allow resident boat trailer parking on 41st Avenue to Frank Sottile; he was assured by Administrator Tucker that 41st would be resident only parking with no distinction of trailer from car; the ordinance reserves the area on 41st to Frank Sottile for residents to park either cars or trailers. As such, the marina could only use 41st Avenue for overflow parking of residential vehicles which solves Councilmember Ward's issue.

The Committee unanimously approved recommendations for FY19 County Transportation Committee requests for funding.

MOTION: Councilmember Smith moved to request for the following projects in the priority stated, (1) reconfiguration of the intersection of 14th Avenue and the Connector and (2) regulation bike lanes on both sides of Palm from 21st to 57th Avenues; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Interim Chief Usry showed the Committee several options for placards to replace the current guest pass booklets given to residents and indicated that she would have additional and less costly samples at the next meeting.

Interim Chief Usry announced that the City of Isle of Palms was named the Safest City in South Carolina for its size and 48th in the Nation's Safest Cities; she attributes the success to the addition of two (2) officers, one (1) each in criminal investigations and livability, in last year's budget.

The next Public Safety Committee meeting will be held at 5:00 p.m., Monday, June 4th in the Conference Room.

C. Public Works Committee

At the meeting of May 7th, Director Pitts reported that, compared to the same month in 2017, garbage collections was relatively flat and yard debris was up. The highlight for the month was the Hazardous Materials Collection and Shred Day despite the fact that the shredder went down at 10:30 or 11:00 a.m.; the company has offered to reschedule a Shred Day at no charge to the City since they were unable to fulfill their obligation. The most expensive item in vehicle maintenance was the replacement of six (6) tires for three thousand dollars (\$3,000).

The Committee again discussed the drainage issues on 32nd Avenue and learned that the drainage easement belongs to Charleston County who will not commit the funds of one hundred fifty to two hundred thousand dollars (\$150,000 – \$200,000) to resolve the problem.

The Phase II Drainage project is going very well; David Stevens of Civil Site Environmental displayed a diagram of the conflict of the drainage line and a SCE&G junction box that was the subject of a change order that was discussed earlier. Assistant Fragoso said that the completion would be delayed a bit more than expected since the contractor has been asked not to work on the weekends through the summer; he has also been asked to staff-up when the project reaches Palm Boulevard, which might speed up the work.

Additional discussions included the support of the Public Safety Committee's recommendations for FY19 CTC funding requests and the job description for the Assistant Public Works Director for Maintenance and Facilities.

In conclusion, Councilmember Rice was very pleased to announce that weekly recycling will return to the island the week of June 13th and twice a week garbage collections will begin the week of Monday, June 4th.

The Public Works Committee will hold its next meeting at 9:00 a.m., Thursday, June 7th in the Conference Room.

D. Recreation Committee

At the meeting of May 7th, Director Page noted that the majority of children's programs and seniors' programs stop for the summer months because many residents travel since the children are out of school. In athletics, adult softball, 3 on 3 basketball, 6 vs 6 soccer and table tennis singles leagues are continuing, and, for the children, Fast Start, T-ball and machine pitch are continuing while youth baseball teams are having tournaments. The Keenagers had their last meeting before the summer break on May 2, and forty-one (41) seniors attended. Summer Camps begin Monday, June 11th, and all sections of Wee Camp and Camp Summershine have been filled. Music in the Park will be Saturday, May 5th from 1:00 p.m. to 4:00 p.m. on the grounds of the Rec Center; the 30th Annual Piccolo Spoleto Sand Sculpting Contest will be Saturday, June 9th at 9:00 a.m. on Front Beach; the IOP Beach Run is scheduled for Saturday, July 21st; and the 20th Annual Half Rubber Tournament will be Saturday, August 18th beginning at 8:00 a.m.

Councilmember Buckhannon reported that discussions related to full court basketball for adults will continue in the fall and that the Committee discussed and unanimously approved the 2018 Farmers' Market budgeted that included compensation of twelve hundred dollars (\$1,200) for the two (2) volunteer managers. With plans to open the gym on Sunday afternoons on a trial basis, the Committee discussed possible activities to take place.

The Recreation Committee will hold its next meeting at 5:00 p.m., Tuesday, June 5th in the Conference Room.

E. Personnel Committee

Councilmember Ferencz reported on the meetings of May 8th and noted that the Committee's planned study of the City Code on Standing Committees and the frequency of employee evaluations has been deferred to August to allow the Committee to focus on the City's recruitment of a Chief of Police and City Administrator. As the Committee discussed the FY19 budget and the decision to hire a search firm, they agreed that the amount of money originally allocated should be increased to seventy-five thousand dollars (\$75,000) to cover the full expense, including possible airfare and meet-and-greets for the candidates. Under New Business, the Committee discussed the recruitment process for hiring the City Administrator, Chief of Police and Assistant Public Works Director for Facilities and Maintenance to include methods of keeping citizens informed of progress, the engagement of appropriate standing committees and a proposed timeline. Human Resources Officer DeGroot provided the Committee members with proposals developed by five (5) search firms for the City; members were asked to study them and to be prepared to discuss their top two (2) firms with the goal of choosing two (2) to recommend to the Ways and Means Committee.

From the brief May 15th meeting, the Personnel Committee made the following recommendations:

MOTION: Councilmember Ferencz moved to appoint Assistant City Administrator Fragoso to be the Interim City Administrator with all of the duties and responsibilities as recorded in the City Administrator's job description, City procurement and City Codes effective June 1, 2018; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

MOTION: Councilmember Ferencz moved to appoint City Administrator Linda Tucker to be appointed City Administrator Emeritus effective June 1, 2018 through

October 8, 2018 and as such, she will remain an IOP employee, will work exclusively from home and complete special projects as assigned by Council on May 31st and from time to time thereafter; Councilmember Moyer seconded and the motion PASSED on a vote of 8 to 1 with Councilmember Ward dissenting.

The next regular meeting of the Personnel Committee will be at 5:00 p.m., Thursday, June 7th in the Conference Room.

Councilmember Ferencz announced the Safety Sweepstakes winners for April as Debbie Suggs in General Government, ACO Chris Enourato for the Police Department, David Micalizzi from the Fire Department and Charles Williams from Public Works,

Open positions currently are a part-time Animal Control Officer, one (1) BSO, Chief of Police and City Administrator.

E. Real Property Committee

Reporting on the meeting of May 10th, Councilmember Bell stated that a resident had asked the Committee for information on which marina leases renew in 2018 and the City's RFP process. Jay Clarke, owner of Morgan Creek Grill, stated that he wanted to forge an agreement with the other marina tenants on parking at the marina for this tourist season; Councilmember Bell indicated that the Committee would continue to work on parking issues at the marina. The Committee had a lengthy discussion about the property at 1100 Palm Boulevard; as the result of a recent survey, the new buyers found that a quarter to one-third of the structure was found to be in the right-of-way that is City owned property. The problem is that, if the property is to be developed or to change hands again, the owner(s) cannot get a clear title to the property as long as the building is situated in the public right-of-way. No action will be taken on this matter until the City receives legal advice from a real estate attorney.

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MOTION: Councilmember Bell moved for the City to hire a real estate attorney to advise the City on its options related to 11200 Palm; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Administrator Tucker directed Council's attention to the engagement letter for the services of Sid Boone, real estate attorney, and asked Council if they had any questions regarding the letter.

MOTION: Councilmember Bell moved to approve the engagement letter from Attorney Sid Boone; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

The Committee discussed alternative parking for marina employees; Councilmember Bell complimented the Administrator for her efforts in locating every possible alternative on the island, i.e. church parking lots, the Citadel Beach House, IOPWSC property next to the marina, etc. Councilmember Bell commented that the best option would be for the City to reach an agreement with the IOP Water and Sewer Commission for marina employees to park on their property next to the marina. A second good location would be the parking lot at the Citadel Beach House.

Additionally the Committee was told that the marina tenants have paid their share of the Charleston County Property Tax bill; the bulkhead rehabilitation has been completed; the Front Beach restroom renovations and boardwalk have also been completed. The Committee

considered having lids for the trash barrels on the beach so as not to attract animals, coyotes, to the beach; the complication to this issue was how to empty them with existing equipment. The Committee discussed at length the return on investment for the residents of the island derived from the IOP Marina and looked at how to balance the needs at the marina to drainage and other financial demands on the City. Despite the defeat of the referendum on marina improvements, the Committee and City Council acknowledged that in the short-term and long-term some investment must be made to address the safety concerns. Assistant Fragoso has been working on a RFP for an engineer to inspect the marina docks and to make recommendations on how the necessary work could be phased over several budget years.

The Real Property Committee will hold its next meeting at 4:00 p.m., Wednesday, June 6th in the Conference Room

Referring to Citizens' Comments, Councilmember Rice asked whether the Committee still was planning to send out an RFP relative to the marina restaurant, and Councilmember Bell replied that the Committee has not discussed the City's actions when the lease expires in 2020.

6. Reports from City Officers, Boards and Commissions

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

7. Reports from Special or Joint Committees – None

8. Petitions Received, Referred or Disposed of – None

9. Bills Already in Possession of Council

- A. Second Reading of Ordinance 2018-05 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 2, Stopping, Standing and Parking of Vehicles, of the City of Isle of Palms Code of Ordinances to Require Parallel Parking and to Prohibit Double Parking on the Passenger Side of Vehicles on Palm Boulevard Between 21st Avenue and 40th Avenue; to Prohibit Boat Trailer Parking along the Rights-of-way of Waterway Boulevard; to Prohibit Exemption for Emergency, Law Enforcement and Other Public Service Vehicles Parking During the Performance of Official Duties or Public Service; and to Provide for Year-Round Enforcement of the Resident Parking Districts.**

As noted earlier, the City did not have the encroachment permit from SCDOT; therefore, Second Reading of Ordinance 2018-05.

The Administrator stated that staff needed Council's input on a couple of matters relative to the sign plan for this ordinance; one issue was whether Waterway Boulevard between 20th and 21st Avenues should be included in this ordinance. The consensus of the Committee was that the area did not need to be addressed in the ordinance.

Councilmember Moyer informed Council that the Beach Company owns a boat ramp in that area and that the ramp is not open to the general public.

Councilmember Buckhannon repeated the fact that the City has an ordinance prohibiting trailer parking island wide for trailers in excess of twenty feet (20 ft.) in length; he opined that signage would be needed on 41st Avenue where residential trailer parking would be allowed.

The second item for consideration was the length of 41st Avenue that extends from Waterway into the marina site that is City-owned property and how Council wanted to designate it, i.e. marina parking, resident only parking, etc. for inclusion in the sign plan when submitted to SCDOT.

Based on parking discussions in the Real Property Committee, Councilmember Bell thought that the space should be resident only parking for vehicles with or without trailers. He also thought that, at a logical place along Waterway Boulevard, the car and trailer parking naturally stopped.

Interim Police Chief Usry stated that the logical cutoff point on Waterway would be Forest Trail.

Administrator Tucker reminded Council that the City could not submit its application for the encroachment permit until the sign plan was complete because it must accompany the application.

MOTION: Councilmember Bell moved that “no trailer parking on Waterway” end at Forest Trail; Councilmember Ward seconded.

Councilmember Buckhannon expressed his opinion that Waterway Boulevard should be “resident only” parking from 41st Avenue to Forest Trail.

VOTE: The motion PASSED on a vote of 7 to 2 with Councilmembers Rice and Buckhannon casting the dissenting votes.

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MOTION: Councilmember Bell moved that 41st Avenue from Frank Sottile to its end at the marina site be designated as resident only parking; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

MOTION: Councilmember Kinghorn moved to defer Second Reading of Ordinance 2018-05; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

B. Second Reading of Ordinance 2018-06 – An Ordinance to Raise Revenue and Adopt a Budget For the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 2018, and Ending June 30, 2019.

MOTION: Councilmember Rice moved to approve Ordinance 2018-06 for Second Reading and to waive the reading; Councilmember Buckhannon seconded.

AMENDMENT: Councilmember Ward moved to approve and incorporate the recommended additions and reductions to the FY19 budget explained in the Public Hearing; Councilmember Buckhannon seconded and the AMENDMENT PASSED UNANIMOUSLY.

VOTE on AMENDED MOTION: The Amended Motion PASSED UNANIMOUSLY.

- C. **Second Reading of Ordinance 2018-07 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 2, Stopping, Standing and Parking Vehicles, Article A, General Provisions, of the City of Isle of Palms Code of Ordinances to Provide Additional Regulations Related to Parking in Loading Zones; to Increase the Fine for Parking in Violation of Loading Zone Regulations to \$100.00; to Declare Certain Parked Vehicles as Nuisances and to Provide for the Immobilization and Impoundment of Certain Vehicles; to Provide Reference to State Law Related to Handicapped Parking; and to Amend Administrative Provisions Related to Deposit of Monies Collected From Pay Parking Fees and Penalties.**

MOTION: Councilmember Ward moved to waive the reading and to approve Ordinance 2018-07; Councilmember Bell seconded and the motion **PASSED UNANIMOUSLY.**

- D. **Second Reading of Ordinance 2018-08 – An Ordinance Authorizing the City Administrator of the City of Isle of Palms to Execute the Necessary Documents to Enter Into That Certain Third Amendment to Commercial Lease Agreement Between the City of Isle of Palms and Barrier Isles, LLC, Attached Hereto as Exhibit 1 and Incorporated Herein by Reference.**

MOTION: Mayor Carroll moved to waive the reading and to approve Ordinance 2018-08 for Second Reading; Councilmember Bell seconded and the motion **PASSED UNANIMOUSLY.**

10. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

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First Reading, by title only, of Ordinance 2018-09 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, Section 5-4-16, Temporary Uses, of the City of Isle of Palms Code of Ordinances to Allow Public Parking on Lots Located in SR-1, SR-2, LC and GC-1 Zoning Districts as a Temporary Use Subject to Certain Conditions

Motion: Councilmember Ward moved to approve, by title only, Ordinance 2018-09 for First Reading; Councilmember Bell seconded and the motion **PASSED UNANIMOUSLY.**

11. MISCELLANEOUS BUSINESS

Consideration of a Memorandum of Understanding between the City and the Isle of Palms Water and Sewer Commission to fund one-half of the expenses related to updating the IOPWSC Sewer Master Plan for the island.

Mayor Carroll noted that the proposal from Thomas and Hutton in the amount of thirty-eight thousand six hundred dollars (\$36,800) was included in the meeting packet; the City's share would be nineteen thousand three hundred dollars (\$19,300).

MOTION: Mayor Carroll moved to approve the Thomas and Hutton proposal; Councilmember Moye seconded.

Councilmember Rice voiced concern that language in the contract focused entirely on the IOP Water and Sewer Commission; no mention was made of meeting or reporting to the IOPO City Council.

Attorney Halversen stated that the contract would be between the IOP Water and Sewer Commission and Thomas and Hutton; the City was not a party to that contract. She noted that the City would get a copy of the results of the study.

Councilmember Ferencz shared Councilmember Rice's concerns; she pointed out that the documents have no mention of the partnership between the City and the Water and Seer Commission and that relations between the two (2) entities has not always been one of sharing information. She also understood that the Planning Commission was also to be involved, but the documents did not reference it at all.

Attorney Halversen said that the City was trying to expedite the paperwork because she was told that the Water and Sewer Commission was going to sign the Thomas and Hutton contract on Wednesday, May 23rd if the City was willing to pay half the cost. This Memorandum of Understanding expressly addresses the Thomas and Hutton contract; a second Memorandum of Understanding will be presented to the Planning Commission that addresses the other components of the partnership.

AMENDMENT #1: Councilmember Buckhannon moved to charge Attorney Halversen to work with the attorney for the Water and Sewer Commission to make the language more inclusive of the City in meetings and reporting; Councilmember Rice seconded.

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Councilmember Kinghorn suggested that the City use this agreement as leverage as it wants use of the IOPWSC property for marina employee parking.

Councilmember Bel; aid that he and the Mayor have a meeting scheduled with the Water and Sewer Commission on Thursday, May 24th.

AMENDMENT #2: Councilmember Kinghorn moved to enter into a good faith negotiation with the Water and Sewer Commission to implement a pilot program for marina employee parking at their facility beside the marina; Councilmember Bell seconded.

Councilmember Bell informed Council that the City has received a letter from the IOPWSC rejecting the City's request for marina employee parking Because of future planned expansion.

VOTE on AMENDMENT #2: The Amendment FAILED on a vote of 1 to 8 with Councilmember Kinghorn the single "aye" vote.

VOTE on AMENDMENT #1: The Amendment PASSED UNANIMOUSLY.

VOTE on AMENDED MOTION: The Amended Motion PASSED UNANIMOUSLY.

Twice a week garbage collection begins the week of June 4, 2018
Weekly recycling begins on Wednesday, June 13, 2018

Next Meeting Date: 6:00 p.m., Tuesday, June 26, 2018 in Council Chambers

12. Executive Session – not needed

13. ADJOURNMENT

MOTION: Councilmember Buckhannon moved to adjourn the meeting at 8:27 p.m.; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

Special City Council Meeting
4:30 p.m., Tuesday, June 19, 2018

A Special Meeting of City Council was called to order at 4:30 p.m., Tuesday, June 19, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. In attendance were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, Smith and Ward, Mayor Carroll, Interim City Administrator Fragoso, Attorney Halversen and Clerk Copeland; a quorum was present to conduct business.

1. Mayor Carroll called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Purposes**

A. First Reading, by title only, of Ordinance 2018-10 – AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, TO PROHIBIT BOAT TRAILER PARKING ON WATERWAY BOULEVARD; TO PROHIBIT BOAT TRAILER PARKING ON 41ST AVENUE; AND TO PROVIDE AN EXCEPTION FOR VEHICLES DISPLAYING A VALID RESIDENT PARKING PERMIT TO PARK WITH ATTACHED BOAT TRAILERS ALONG THE RIGHTS-OF-WAY OF 41ST AVENUE FROM WATERWAY BOULEVARD TO THE TERMINUS OF 41ST AVENUE WHERE PARKING IS NOT OTHERWISE PROHIBITED.

1

Interim Administrator Fragoso reported that this ordinance was drafted as a result of a discussion at the Public Safety Committee, and it applies to 41st Avenue between Waterway Boulevard and the end of the marina. This section of road is not under SCDOT's jurisdiction; therefore, Council is not required to wait until the parking changes in Ordinance 2018-05 are approved. Assuming that this ordinance passes Second Reading at next week's Council meeting, signage can be installed and the Police Department can enforce resident only parking.

MOTION: Councilmember Bell moved to approve Ordinance 2018-10 for First Reading, and Councilmember Kinghorn seconded.

Councilmember Rice said that she does not recall a discussion where this section of 41st would be resident only parking; she thought it was intended to be flexible parking for the marina.

Councilmember Moye said that, since residents would not be allowed to park trailers on Waterway, making this section of 41st additional resident only parking was a good alternative.

VOTE: The motion PASSED UNANIMOUSLY.

B. Consideration of proposed relocation of City's drainage easement over property owned by Wild Dunes LLC in the vicinity of The Village pool at Wild Dunes' expense and amendment to the Easement Agreement

Dave Stevens of Civil Site Environmental and Dan Battista, Senior Vice President of Development in Charleston were present for the meeting to explain the action being contemplated and to answer questions.

MOTION: Councilmember Bell moved to approve the relocation of the drainage easement and to amend the Easement Agreement; Councilmember Ward seconded.

Attorney Halversen stated that the original Easement Agreement was signed in 2011; in 2013 when the pool was built, the Amended and Re-stated Easement Agreement was executed. The language in this amendment addresses both temporary and permanent easements because they have different approval processes and different sources for the expense. For a temporary agreement, the City has agreed to assume the associated costs; for a permanent agreement, the party desirous of relocating the line would bear the costs. The agreement stated that movement of the temporary portion of the line "must be to a mutually beneficial location" and the City must give its okay; for the section that is permanent, the other party must give written consent for it to be moved. The easement in question has both permanent and temporary sections. Action to be taken at this meeting would agree that relocating the temporary easement is to a mutually beneficial location and Wild Dunes can move forward; for the permanent piece, Council would be giving its consent to relocate the easement.

According to Mr. Battista, the drainage easement is adjacent to the Palm Court pool, and it must be relocated because it is in the footprint of the new construction. With a large map of the area, he was able to show Council where it is located and where they want to move it; a copy of the map is attached to the historical records of the meeting.

When Councilmember Smith asked if the relocation had an upside or a downside, Mr. Stevens replied that the design would not make a difference in how the drainage works; he added that all of the pipes would be submerged. He noted that he has made it clear that the existing easement would not be abandoned until the new line was in the ground.

Councilmember Rice was assured that whatever was encountered underground that could be an obstacle would be the financial responsibility of Wild Dunes.

VOTE: The motion PASSED UNANIMOUSLY.

- C. Consideration of proposed reduction of City's 50-foot drainage easement along Palmetto Drive over property owned by Wild Dunes LLC

MOTION: Mayor Carroll moved to approve the reduction of the drainage easement along Palmetto Drive and over property owned by Wild Dunes; Councilmember Rice seconded.

Mr. Battista stated that Wild Dunes was asking to reduce the width of the easement to twenty feet (20 ft.) from fifty feet (50 ft.).

Councilmember Bell stated that his understanding of the reduction request was that, if Council chose not to approve it, the new hotel would have to be constructed thirty feet (30 ft.) closer to Palm Boulevard, and Mr. Battista agreed.

Councilmember Kinghorn asked if an assessment had been done relative to the impact of the new development on the drainage system.

Mr. Stevens responded that it would be the same as now based on the impervious areas Wild Dunes has.

Director Kerr told Council that, due to the size and commercial-nature of the project, it required additional permitting through the state Health Department, and they looked at the drainage system closely. At this time, Wild Dunes has all of the necessary permits and has been vetted through the appropriate state agencies.

Responding to the Mayor's question, Mr. Stevens said that reducing the easement to twenty feet (20 ft.) would be a little tight if future work was needed on the drainage system but it could be done. He informed Council that a twenty foot easement is normal and not out of the norm.

Councilmember Bell asked that the final paragraph in the document be explained to him; it says:

"The Easement may be modified in the future by WD to prevent proposed improvements intended to be constructed adjacent to the New Easement Area from encroaching into the New Easement Areas, and City agrees to cooperate with such amendment. "

Noting that she spoke with the Wild Dunes' attorney about this, Attorney Halversen said that the language was specifically for dealing with a small space, meaning that, if the building were to encroach in the easement by a few inches, the agreement could easily be amended so that, when the building is actually constructed and surveyed showing that minor encroachment, the City would agree that it was okay. Attorney Halversen said that the attorneys could work to make the language more specific.

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Councilmember Rice asked if the footprint of the new hotel could be reduced to eliminate the chance of encroaching into the easement; she stated that she did not understand why the hotel had not been designed to fit into the space they had.

Councilmember Bell said that he did not think the new hotel was providing sufficient parking, and he inquired if Wild Dunes has made arrangements for overflow parking outside of the resort, as is planned for the construction crews. He also stated that he was "very uncomfortable with any plan . . . that insinuates that a site is not large enough to accommodate what the site is to be used for."

The Mayor indicated that Council would hear more about parking at the Council meeting next week.

Mr. Battista said that he was not the person to answer parking questions and referred Council to Mr. Fredericks.

VOTE: The motion PASSED UNANIMOUSLY.

3. Executive Session – not needed

4. Adjournment

The Mayor declared that the meeting was concluded.
Respectfully submitted:

Marie Copeland
City Clerk

DRAFT

May 8, 2018

Chuck Bargeron
Research/Development
Sail Series Promotions USA, Inc. 501(c)(3) corporation ID#31954

Desiree Fragoso
Assistant City Administrator
Isle of Palms, SC.

Re: Worrell 1000 Reunion Race (May 2019)

Desiree,

Please find included my letter requesting to appear before the Public Safety Committee to discuss the sailing event, "Worrell 1000 Reunion Race" at their June 5th 2018 meeting for the permission/permit process needed for the use of beach front area by the Windjammer for landing and parking of these catamaran boats over night. I have also included a rough drawing of the beach location.

If you should feel that I have forgotten or over looked information or detail that would help my request and presentation, please let me know.

Thank you for your time and patience's to work with me as I move through this process.

A handwritten signature in cursive script that reads "Chuck Bargeron". The signature is fluid and stylized, with the first letters of the first and last names being capitalized and prominent.

Chuck Bargeron
Tybee Island, Ga.
912-507-9983 cell
tybeecat@bellsouth.net

To: The Public Safety Committee, Isle of Palms, SC.

Event Name: **The “WORRELL 1000 Reunion Race”.**

Event Date: **May 12 & 13, 2019 for Isle of Palms.**

Location: **Beachfront area of the Windjammer, 1008 Ocean Blvd.
Isle of Palms, SC.**

Dates and Time: **Arriving Sunday May 12, 2019 afternoon
Leaving Monday May 13, 2019 10am**

Description of Event: **THE WORRELL 1000 is a Beach Catamaran race along the east coast of the United States. Starting in Fort Lauderdale Beach, FL, May 6, 2019 and sailing through series checkpoint/locations and finishing in Virginia Beach, Va. May 18, 2019**

Organization: **WORRELL 1000, Organizing Authority, with members from, Sail Series Promotions USA, Inc. 501 (c) (3) Corporation ID#31954
The Worrell Group. Virginia Beach, Va.
We are fully insured and Certificate will be issued as needed.**

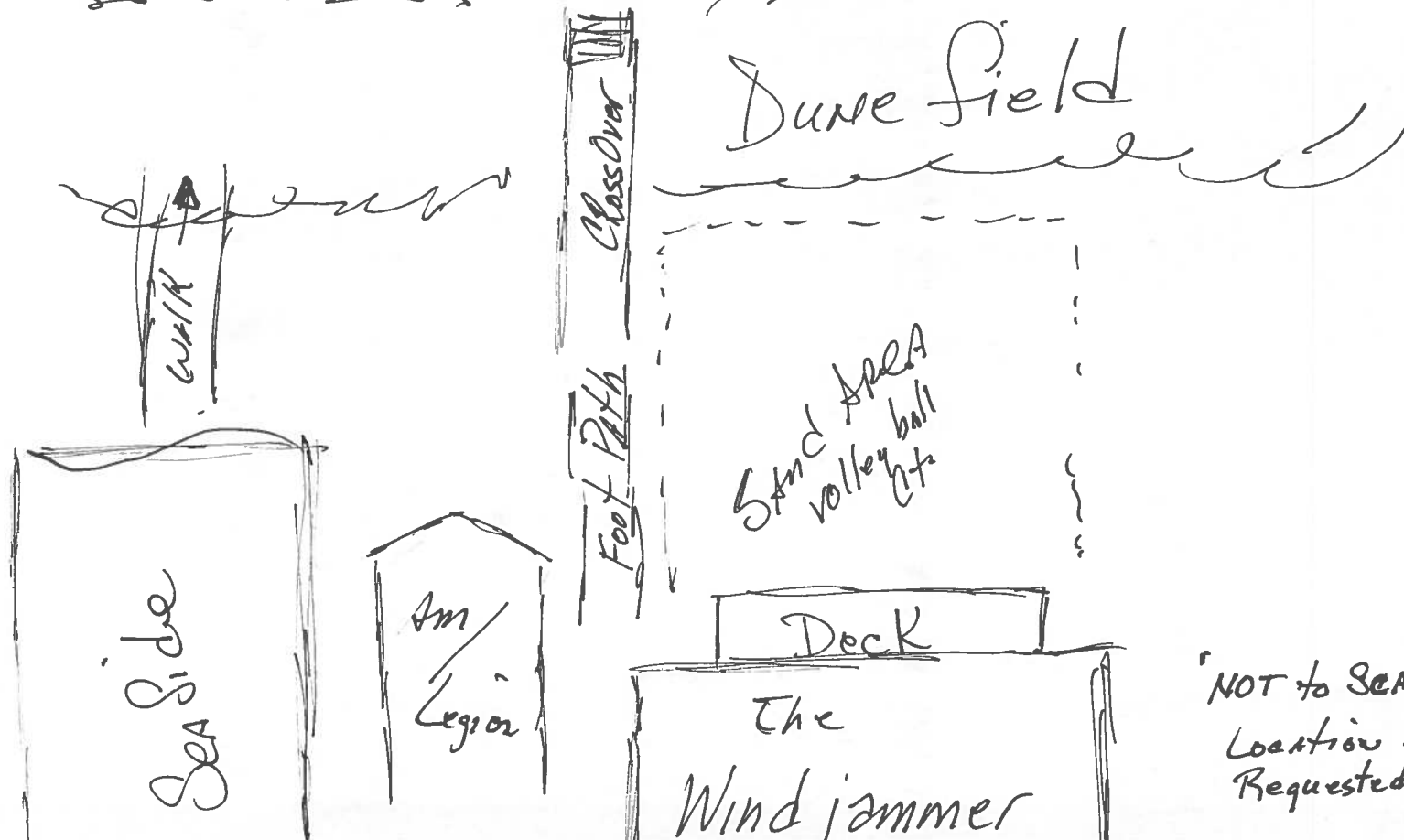
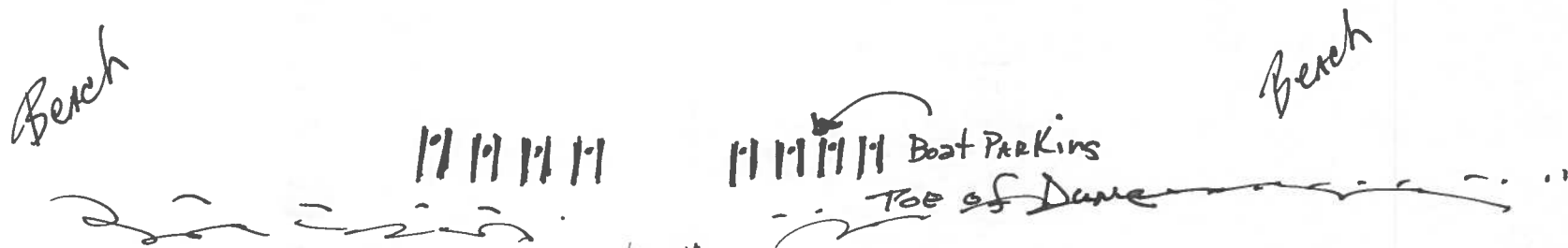
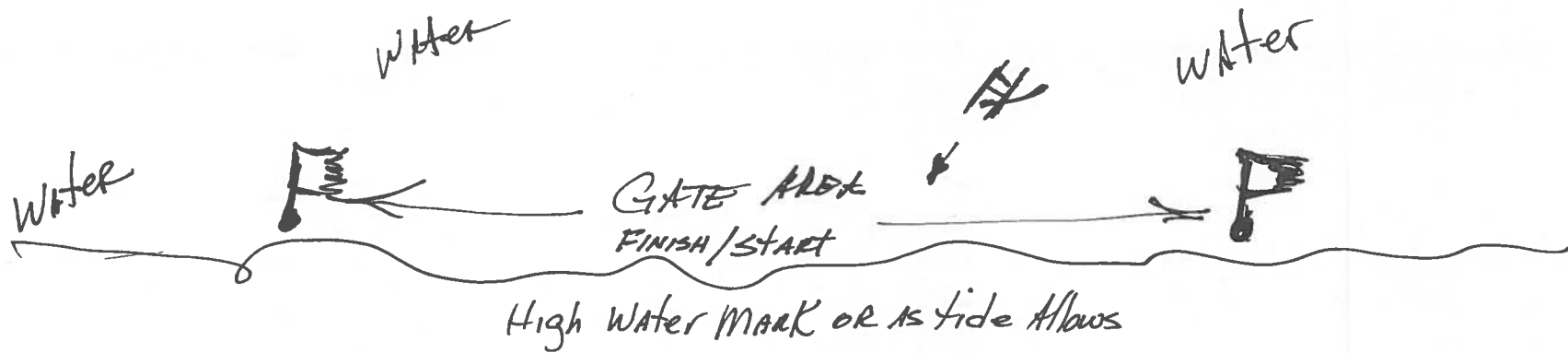
Event Coordinator: **Chuck Barger, Research & Development Director
104 13th St. Tybee Island, Ga. 31328**

Request: **We, the race committee are applying for a permission/permit for the dates listed above to bring the boats ashore through the surf where race officials will use flags creating a gate about ankle to knee deep at the waters edge for the boats to come through to be timed and recorded. As teams finish, the boats will be wheeled up beyond the high water mark and parked over night and personnel to stay at local accommodations in your area. The next morning before start time again flags will be along the waters edge as to make a starting line and at 10am all boats start for the next checkpoint/location beach.**

We are not requesting any of the following:

**NO fencing or barricades
NO closings of any streets or beach area
NO security/police
NO tents or canopies**

We are aware of the Turtle Nesting Season and all Rules/Regulations as required and wish to work with your local volunteers and officials to monitor and protect all nesting areas. All personnel associated with this event have a good working relationship with these groups from similar events on other beach locations along the east coast.



"NOT to SCALE"
Location Area
Requested

Ways and Means Committee
5:00 p.m., Tuesday, June 19, 2018

The regular meeting of the Ways and Means Committee was called to order at 5:00 p.m., Tuesday, Jun 19, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice and Smith, Chair Ward, Mayor Carroll, Interim Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business.

1. Chair Ward called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of Previous Month's Meetings**

MOTION: Councilmember Bell moved to approve the minutes of the regular meeting and Special Meeting held May 15, 2018 as submitted; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments**

Marshall Devass of 26th Avenue stated that he was present in support of Kyle Busey of Carolina Salt Surf Lessons and he confirmed that Council members received the email he sent earlier in the day; a copy of the communication is attached to the historical record of the meeting. He informed Council that Mr. Busey has had his business for seven years, and he now has a contract with Wild Dunes to provide surf lessons to their guests and operates his business from there. Mr. Devass stated that he operates the Eastern Surfing Association and has done so for ten (10) years.

Mr. Busey said that he operates his business to keep the integrity of the island and that he wants to stay in good graces and to cooperate with the City.

Director Kerr stated that the City Code does not allow any commercial activities on the beach; to operate the surf board rental and lessons, the business would have to be granted a franchise by the City or be identified as a City-sponsored event. He added that he assumes that they would like for the business to be allowed to operate on the beach under one (1) of the two (2) of the requirements.

When Chair Ward confirmed that the City has granted City-sponsored event status to the volleyball at The Wiindjammer, he asked Director Kerr how this request would be different, and the Director opined that the City-sponsored events typically a one-time activity. This business appears to be an on-going venture for some period of time; therefore, he thought that the franchise would be the best course of action.

Recalling the problems the City encountered several years ago with surf lessons, the issue was that by granting the franchise to one (1) meant that the City would be required to do the same for anyone wanting to operate on the beach. Ultimately, the lessons came under the purview of the Rec Department.

Chair Ward countered that the City tends to select certain food trucks for events it sponsors and he thought this situation was not different.

Councilmember Buckhannon pointed out that the Committee was discussing an issue that was not on the meeting Agenda; he suggested that it be referred to the Public Safety Committee or the Real Property Committee.

Chair Ward stated that the Public Safety Committee would add it to the agenda for the July meeting.

4. Financial Statements – Treasurer Suggs

A. Financial Statements

The financial statement under review is through May 31, 2018, the eleventh month in the fiscal year. For the new members of Council, she noted that the fiscal year would not be closed out on June 30th because the City will continue to get invoices for work done in FY18 and a large amount of money is received in July that represents FY18 revenue. For instance, the City will receive a substantial check from Comcast for their franchise fees, and the Municipal Association collects insurance brokers' fees that will be remitted to the City in July.

Currently, General Fund revenue is at eighty three percent (83%) of budget and expenditures are at eighty-six percent (86%) of budget; the target through eleven (11) months is ninety-two percent (92%). Looking at individual revenue sources, Property Taxes are nearly on budget, and the Treasurer is confident the full amount budgeted will be collected. Local Option Sales Taxes is at seventy-five percent (75%) of budget with three (3) months of collections yet to be paid. Business Licenses have already met budget and are twelve percent (12%) higher than budgeted. Building Permits is running twenty percent (20%) higher than budget. The prior two (2) sources of revenue are indicative of the economic activity on the island. For expenditures, all departments are at or within the target except Mayor/Council; the overage there is due to the number of Councilmembers who participate in the State Health Plan that were not budgeted for. She explained that the fuel line item in some of the larger departments is trending ahead of budget which is very unusual; she noted that the City did not budget higher fuel rates in the FY19 budget. Cash in the bank at May 31st was in excess of twelve million six hundred thousand dollars (\$12,600,000), and Treasurer Suggs stated that the City received one million eight hundred fifty-six thousand dollars (\$1,856,000) from FEMA in June related to the beach project that is not reflected here. According to the Treasurer, the City has not received the eight hundred thousand dollars (\$800,000) for Matthew.

Commenting on rental license collections that are flat or less than in FY17, Councilmember Bell questioned that homes that are rented through AirBnB and VRBO, et al., have all been identified and, therefore, are not paying for a rental license.

Treasurer Suggs said that she would dig into the rental license collections; she noted that, in the BS&A transition, some rental licenses were recorded as business licenses.

The Treasurer reported that, in June, the City received one hundred twenty-eight thousand dollars (\$128,000) as a one-time settlement related to on-line travel companies that were not paying for the appropriate business licenses. The auditors were here doing the preliminary work for the field work on the single audit which is a federally mandated audit of local governments who received over seven hundred fifty thousand (\$750,000) in federal funds; the beach renourishment project triggered that for the Isle of Palms.

B. Tourism Schedules

The City has received the June payments that were less than last year in Municipal Accommodations Fees; she wanted to see what the June numbers would be to determine if there are late payers in the mix. She noted that the fund is running two percent (2%) ahead of FY17. Since the Beach Preservations Fees mirror the Municipal Accommodations Tax, it too is running two percent (2%) ahead of FY17. For the Charleston County Accommodations Tax Pass-through was significantly reduced in FY18; the County has told the City it will receive more in FY19, and the budget reflects the amount of money to expect. Having received three of four (3 of 4) quarters collections from State Accommodations Taxes, the account is running four point one percent (4.1%) ahead of FY17. The Hospitality Tax collections are also running four percent (4%) ahead of FY17 despite the lower than expected collections from May; the Treasurer recalled that May was a very wet month, and she thought it might explain the lower tourism dollars. Local Option Sales Tax includes other economic activity on the island and the City's collections are five point four percent (5.4%) ahead of FY17.

Included in the meeting packet was a schedule the Treasurer keeps to reconcile the reports the kiosks generate with the bank deposits. There are cumulative differences that very closely agree with the first deposits of the next month, so there is no issue with cash collections. The important information she wanted Council to see was the impact of the decline of the lot revenues from last summer to this summer. She reminded Council that the rates last summer were eight dollars (\$8) during the week and ten dollars (\$10) on the weekends; Council changed the rate this summer to one dollars (\$1) per hour in the parking lots. The street kiosks remain a dollar and a half (\$1.50) per hour, and eleven (11) of the City's eighteen (18) kiosks are on the street. Treasurer Suggs voiced concern over the difference, but attributed it to the change in rates; offsetting some of the loss is the revenue from the hotel for parking for their guests.

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The schedule shows that street dollars are flat; those spaces fill up first and are always full

C. Projects Worksheets

The Treasurer stated that the Beach Restoration project has been completed and that the only piece of business left was reimbursing the Capital Projects Fund for money borrowed to make the final payment to Great Lakes Dock and Dredge. She commented that she planned to close out this worksheet. She was happy to announce that the City did not have to borrow one point two million dollars (\$1,200,000) as was anticipated and the City did not have to use as much of the Beach Preservation Fee Fund as planned.

The Phase II Drainage project is progressing and that the amount of money needed to complete the project would be paid from the project's contingency fund.

The renovation of the public restrooms and the construction of the new boardwalk have also been completed and was under-budget.

The bulkhead rehabilitation has also been completed and came in under-budget; funds have been included in the FY19 budget to paint the bulkhead

And the spending on the removal and replacement of the underground storage tanks has incurred only minor expense to-date.

5. Old Business – None

6. New Business

A. Recommendation from the Public Safety Committee to contribute \$1,000, included in the FY19 budget, to the Lowcountry Community Chaplaincy

Interim Administrator Fragoso stated that the recommendation came from Chief Graham and was the result the City trying to continue to support Ron Dewey, who left the Crisis Chaplaincy to for the Lowcountry Community Chaplaincy. Many of the City's employees have worked with Chaplain Dewey over the years and have built a relationship with him.

MOTIOIN: Councilmember Rice moved to contribute \$1,000 to the Lowcountry Community Chaplaincy; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

B. Recommendation from the ATAX Committee for the City to sponsor the Surf-cam for the Carolina Coast Surf Club, Inc. in the amount of \$1,000

Chair Ward noted that the City has sponsored the Surf-cam for the past four (4) years.

MOTION: Councilmember Moyer moved to sponsor the Surf-cam for the Carolina Coast Surf Club in the amount of \$1,000; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Jim Radley of the Surf Club thanked Council and the ATAX Committee for their support and stated that the money helps to keep the surf-cam operating.

C. Discussion of changes to the Procurement Code Ordinance 2018-11 – redline

Interim Administrator Fragoso stated that the changes proposed have been discussed at staff level, and she noted that some of these were included in an amendment presented earlier in the year that did not gain traction. Some changes are associated with the making the ordinance consistent with changes to the Procurement Ordinance last year, a section on expenditures by the Mayor and Administrator is to be removed, certain exceptions to the procurement ordinance are proposed that relate to repairs or replacement of faulty or defective workmanship, i.e. the work needed at the Public Safety Building. The exception proposed would mean that the City would not have to competitively bid for faulty work. Also changes are made to the language related to state contract, as well as adding a section about critical expenditures when the matter does not allow for the time needed for a bid, the purchase of the server for City Hall is a good example.

Councilmember Buckhannon asked who in the City would make the judgement about defective or faulty work, and Attorney Halversen reminded Council of the toggle established that triggers Council approval. She thought that Council would make the final decision and determine if they want to use this section of the code.

When asked by the Chair if the Committee was expected to vote on the changes at this meeting, Interim Administrator Fragoso responded that, if they agreed with the changes, an ordinance could be drafted for First Reading at the Council meeting next week.

MOTION: Councilmember Rice moved to introduce the changes described above for First Reading at the Council meeting of June 26; Chair Ward seconded and the motion PASSED UNANIMOUSLY.

D. Discussion of Changes in scope of work for the Boating Infrastructure Grant

Interim Administrator Fragoso reminded the Committee that the City learned earlier in the year that was successful in receiving a Boating Infrastructure Grant in the amount of approximately seventy thousand dollars (\$70,000), and it has been included in the FY19 budget as Grant Income. The scope of the grant was replacing the fuel docks, the fuel hut, fuel dispensers and the distribution lines from the underground storage tanks (UST) to the fuel dock. Before learning the outcome of the grant, the City contracted with Jones & Frank for the removal and replacement of the USTs at the marina; their engineer recommended that, when the USTs were replaced, the fuel dispensers should also be replaced. As a result, the City included the dispenser replacement in the scope of work for the UST removal/replacement. Although the grant has been awarded, the funds have not been obligated, and included in the scope of work submitted with the grant application was the replacement of the fuel dispenser and the distribution lines; the work is expected to be done in September. Since no work can be done until the grant funds are obligated, the City contacted SCDNR through ATM, on behalf of the City, to learn the City's options. They were advised that Council could remove the fuel hut and fuel docks from the grant and could move forward with the replacement of the USTs with the fuel dispensers; the subsequent yield to the City would be approximately forty thousand dollars (\$40,000) from the BIG grant. Although the City would lose thirty thousand dollars (\$30,000) in grant funds.

Chair Ward asked the Interim Administrator to produce a hard copy of this information to be distributed to the Councilmembers.

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Councilmember Kinghorn advised that the best option for the City would be to do all of the work in order to maximize the grant.

7. Miscellaneous Business

Net Meeting Date: 5:00 p.m., Tuesday, July 17, 2018

8. Executive Session – not needed

9. Adjournment

MOTION: Councilmember Bell moved to adjourn the meeting at 6:00 p.m.; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

Public Safety Committee
5:00 p.m., Monday, June 4, 2018

The regular meeting of the Public Safety Committee was held at 5:00 p.m., Monday, June 4, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmembers Bell and Ward, Chair Smith, Interim Administrator Fragoso, Fire Chief Graham, Interim Police Chief Usry and Clerk Copeland; a quorum was present to conduct business.

1. Chair Smith called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of Previous Meeting's Minutes**

MOTION: Councilmember Bell moved to approve the minutes of the meeting of May 2, 2018 as submitted; Chair Smith seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments**

Gary Nestler, 25-31st Avenue and a volunteer firefighter, commented that he had sent the Committee members an email about recognizing the City's Fire Department personnel in a special way; he said that they "have had a very tough time over the last several months." He reported that they have brought several people back from death which he described as a "quite a stressful situation." In addition, he wanted to commend the Police Department "for always being there." He said that the look on their faces when they have successfully revived someone is a sight the members of the Committee should see. He commented that he would like to see them "acknowledged for the great job they always do."

Mark Schreiber, 17 Sand Dune Lane and a sixteen (16) year resident of the island, stated that he was representing a group of residents who want a time when dogs can be off-leash on the beach in the evenings, possibly from 7:00 p.m. to 9:00 p.m. A copy of his comments is attached to the historical record of the meeting.

Christa Swindall, #1B Twelfth Avenue, addressed the Committee about pedestrian safety at the intersection of 14th Avenue and Palm Boulevard, and her comments are attached to the historical record of the meeting.

Dr. Alex Spiotta of 48th and Palm told the Committee that he practices in a very specialized field as a neurosurgeon and is one (1) of three (3) in the state. He stated that the traffic issues were more than an inconvenience for doctors responding to emergencies when seconds and minutes make a difference. He urged the Committee to brainstorm possible options to assist him and other doctors in getting off the island to the hospitals during the peak time of day that visitors were leaving the island.

Amy Evans, a resident of 26th Avenue, stated that she was opposed to allowing dogs to be off-leash in the summer months; her printed comments are attached to the historical record of the meeting.

**Request for City-sponsored Event Status – Worrell 1000 Reunion Race, May 12-13, 2019
Chuck Barger, Sail Series Promotions USA, Inc.**

The printed materials, including a drawing of a potential beach layout for the period of time the boats will be on the island, are attached to the historical record of the meeting.

Mr. Barger said that he has been involved with this one thousand (1,000) mile catamaran race from Fort Lauderdale, Florida to Virginia Beach, Virginia for twenty (20) years with a check point at the end of every day's race. He was seeking permission for the eighteen to twenty foot (18 – 20 ft.), two (2) person catamarans to land on the beach in front of the Windjammer on the Isle of Palms on Sunday, May 12, 2019 and to remain there for one (1) night; the race organizers would provide security for the boats overnight. The race will include no more than thirty (30) catamarans from the United States and across the world, including Australia, Europe and South Africa; the race officials and the support teams would want to park in the municipal parking lot overnight. He noted that the participants and officials are aware of the turtle nesting season and will cooperate with local volunteers to insure the monitoring and protection of the nests. He noted that the race is insured with two million dollars (\$2,000,000) of liability coverage, and the City could be designated as an "also insured" with a phone call.

MOTION: Councilmember Ward moved to approve the Worrell 1000 Reunion Race as a City-sponsored event on May 12-May 13, 2019; Councilmember Bell seconded.

Councilmember Ward commented that, depending on the weather, Mother's Day can be a busy day on the Beach and the parking lot fills up, but Mr. Barger stated that the dates could not be changed by even one (1) day.

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Since the race officials are speaking with The Palms hotel for housing on May 12th, the Chair informed Mr. Barger that the City has an arrangement with The Palms for parking in the municipal lot for its guests.

VOTE: The motion PASSED UNANIMOUSLY.

4. Old Business

A. Update on Managed Beach Parking Plan

Interim Administrator Fragoso informed the Committee that the City has received the revised sign plan and that, once it has been confirmed that the changes were made as directed, the plan will be attached to the encroachment permit request going to SCDOT. The encroachment permit submitted will include the following changes:

- No trailer parking on Waterway between 41st Avenue and the intersection with Forest Trail;
- The unregulated right-of-way at the terminus of 41st Avenue become "resident only" parking;
- Parallel parking on Palm Boulevard between 21st and 40th Avenues;
- "Resident only" parking on 41st Avenue to Frank Sottile Lane; and
- To enforce the managed beach parking plan year-round.

Councilmember Bell asked if the portion related to 41st Avenue across Waterway Boulevard going into the marina and not under SCDOT's jurisdiction could be separated from the other parts of

the encroachment permit request so that it could be signed as “resident only” parking. Interim Administrator Fragoso indicated that his request could be made in an amendment to the parking ordinance when it comes before Council for Second Reading or in a separate amendment.

B. Update of options for guest parking passes

Interim Police Chief Usry said she has investigated a hang-tag similar to the ones sold to realty agencies but made from a poster board type of paper; the cost for a purchase of five thousand (5,000) hang-tags was approximately three thousand eight hundred fifty dollars (\$3,850). The coupon books currently in use contain thirty (30) guest passes and cost one dollar seventy-seven cents (\$1.77); the City purchased seven hundred fifty (750) booklets last year.

Chair Smith was curious about how the Police Department would handle guest passes for a large group; she offered that they could either continue issuing the booklets or selling the hang-tags.

Interim Chief Usry asked why the City would use both methods of identifying guest vehicles. At present, each household receives one (1) free coupon booklet when a vehicle is given its residential parking sticker; to-date, the Department has distributed three hundred eleven (311) free booklets and sold one (1) booklet. The residents have become comfortable with the booklets, and they are easily visible to an officer riding by.

The Chair stated that she liked the hang-tag and that it should be the default when a resident gets his annual residential sticker, but the booklets would be available to those hosting a large group.

Interim Chief Usry noted that this change would require an ordinance amendment.

C. Update on micro-surfacing work on Palm Boulevard between 21st and 41st Avenues

Interim Administrator Fragoso has spoken with the contractor who told her that the work is scheduled to begin on Tuesday, June 12th. They will again distribute the door tags to residences along Palm Boulevard and employ the electronic message boards as well.

5. New Business

A. Discussion of City Ordinances regulating dog licenses and off-leash hours

According to Chair Smith, these subjects were brought to Council’s attention in the forums held earlier in the year, and the subject was on the Agenda to start the conversation; she did not anticipate the Committee making any decisions at this meeting.

Councilmember Bell stated that the Isle of Palms was the only beach community that did not require a dog license/tag, i.e. proof of inoculations, for dogs to be on the beach; the City advertises itself as “the most pet-friendly place on the planet.” He suggested that the City should address that issue first; he understood that the licensing of off-island dogs originally came up with regard to the Bark Park. He opined that the City needed to determine what its position was on off-island dogs before making any changes to the off-leash hours. He asked that the Chair segregate the two (2) issues going forward.

MOTION: Councilmember Bell moved to go forward with licensing and fees as proof of inoculation for all dogs on the beach or at the Bark Park at a dollar amount comparable to other local governments; Councilmember Ward seconded.

In reading the City Code included in the meeting packet, Chair Smith was amazed to find that the City does require that all dogs be licensed and does not distinguish resident from non-resident owners.

Interim Administrator Fragoso agreed that the sections of the Code were ambiguous and thought they should be studied more closely.

Interim Chief Usry stated that the Police Department interprets the ordinance to apply only to island residents.

Additionally, the Chair would like for the City to adopt an easily recognizable tag or collar that would make enforcement easier and more user-friendly for the dog owners. She also supported the adoption of a policy that would require off-island dog owners to pay more for the licenses than residents of the island. She stated that her goal was to have all of her recommendations implemented with the beginning of the new calendar year and for staff to come to the next meeting with ideas on the best way to accomplish it.

The Chair opined that an ordinance would be more easily enforced if it applied only to dogs off-leash either on the beach or at the Bark Park.

Interim Administrator Fragoso indicated that she would be more comfortable with changes if she had a legal opinion on the current ordinance to determine whether it applied to island residents or to anyone who might be within the limits of the island.

VOTE: The motion PASSED UNANIMOUSLY.

MOTION: Chair Smith moved to direct staff to research an easily identified collar or tag that would aid the Animal Control Officer in enforcement and recommendations on the amount to charge residents and non-residents for the collar or tag; Councilmember Bell seconded.

Noting that a dog license costs five dollars (\$5) today; he turned to Interim Chief Usry and asked about the cost of the collars if Council was to decide to go in that direction.

When the City looked into doing the same thing four or five (4 – 5) years ago, the cost per collar was between twenty-five and thirty dollars (\$25 -30) according to Interim Chief Usry.

Councilmember Ward recalled that the cost was the reason City Council did not go forward when this came before them several years ago.

Interim Administrator Fragoso cautioned the Committee that the FY19 budget has been adopted and no funds were identified for a change to dog collars and that the Police Department would need new infrastructure to accommodate it.

VOTE: The motion PASSED UNANIMOUSLY.

Chair Smith thought that a ground-swell was going through the island to have hours in the evening in the tourist season when dogs could be off-leash on the beach; some have suggested 7:00 p.m. to 9:00 p.m. She indicated that she understood both sides of the issue, and she looked to staff for their opinions.

Interim Chief Usry stated that sundown between now and September will be at approximately 8:30 p.m. She voiced the opinion that 9:00 p.m. was too late because visibility decreases and dogs tend to wander further from their owners making it difficult to maintain control of a dog. She added that, between the hours of 6:00 p.m. to 9:00 p.m., many people were drawn to the beach because it was cooler. It becomes a very busy time for the police officers.

Chair Smith concluded that was the logic behind no off-leash hours in the evenings in the season.

The Committee agreed not to pursue a change in off-leash hours for dogs at the current time.

Chair Smith proposed that Breach Inlet become a no dogs allowed section of the beach and to make the area a bird sanctuary.

B. Discussion of providing assistance for doctors on-call to get off the island when responding to emergencies

When researching this item on the Agenda, Interim Chief Usry found a section of State law that could possibly apply; it states

“Vehicles designated by the Commissioner of the Department of Health and Environmental Control when being used in the performance of law enforcement or emergency response duties”

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She was unsure if there was a sponsor hospital that would want to approach DHEC for emergency lights and siren for his vehicle. Due to the level of activity on the island between May 1 and September 30, Interim Chief Usry said that the Department might not be able to provide a doctor with a police escort across the Connector; she informed the Committee that providing an escort across the Connector carried with it a degree of liability because other cars pull out of the line of traffic and follow the vehicle being escorted.

Councilmember Bell asked the Interim Administrator to get a legal opinion on whether the City could advocate for Dr. Spiotta’s vehicle to be recognized as an emergency vehicle in light of his “emergency response duties.”

C. Discussion of adding emergency lights and siren for volunteer firefighters

Chief Graham reported that she contacted the City’s insurance carrier that strongly advised against adding emergency lights and sirens to volunteer fire fighters’ vehicles, but acknowledged that some communities do. In addition, the City would be liable if the volunteer or responding off-duty personnel were to be involved in an accident on his way home. She also commented that, if the City goes forward with this action, it could cost the City points in the safety audit. Since the City has never allowed lights and sirens on volunteer firefighter vehicles, the Chief stated that she would prefer having the full endorsement from the Public Safety Committee before going forward.

Referring to Dr. Spiotta’s request, the Chief indicated that she would advocate for a helicopter pickup if it were possible or an escort in a marked vehicle with lights and sirens.

Councilmember Bell asked that staff look into the additional insurance costs so the Committee could do a cost/benefit analysis to determine the value.

D. Discussion of the process for undertaking the Public Safety Building repairs

Chief Graham asked that the repairs to the building proceed as quickly as possible in accord with the procurement code, and, based on past experience, she asked that the City not accept the lowest bidder. She commented that two (2) companies were highly recommended by the City's attorneys; she stated that she has reached out to both, and one (1) has not returned her call and the second was very interested in the project. The interested company specializes in design, scope of work and the full complement of work for restoration.

Interim Administrator Fragoso stated that the City could approach the project with a Request for Qualifications (RFQ) or as a design/build project; in a design/build, the contractors work together to insure that the work is done according to specifications to achieve a positive and more efficient outcome.

Chief Graham noted that Fire Station 2 was a design/build project that was a positive experience for all involved. In a design/build project, each contractor holds the other accountable while working as a team toward a successful conclusion.

Chair Ward stated that several builders who live on the island are interested in the work and want to be given an equal opportunity for it.

Councilmember Bell also wanted the project to begin expeditiously and asked the following questions:

- What was needed to go out for bid?
- What was potentially an emergency?

Interim Administrator Fragoso indicated that the City has multiple approaches available, and she wanted to meet with Chief Graham to decide on what she thought would be the best method, i.e. the quickest, the most cost efficient, the most cost effective.

Councilmember Bell suggested that, once staff has the answers to those questions, the Public Safety Committee could hold a Special Meeting in an effort to get the project underway.

Chief Graham noted that she and the Interim Administrator might need assistance in writing the correct scope of work based on the reports the City has received on the building's issues.

After talking with the Chief, Councilmember Bell suggested that an air quality test be performed as soon as possible. Chief Graham has contacted a company in Summerville that could be qualified to run such a test, and she hoped to hear back from them tomorrow with a date when they would be available to come to the island.

E. Recommendation from the IOP Fire and Police Departments to use Lowcountry Community Chaplaincy for crisis/stress management

Chief Graham stated that the City's public safety departments have been using the Coastal Crisis Chaplaincy under the leadership of Chaplain Ron Dewey; Chaplain Dewey left the Crisis

Chaplaincy in February 2017. Included in the budget each year has been a one thousand dollar (\$1,000) contribution to the Crisis Chaplaincy. Chaplain Dewey started a new chaplaincy called the Low-country Community Chaplaincy in March 2017, and the Chief and Interim Chief Usry agree that following Chaplain Dewey, with whom employees are already comfortable and who has served the City's employees well, was the right move. As such, they recommended that the contribution be diverted to the Lowcountry Community Chaplaincy.

MOTION: Councilmember Ward moved to send the City's \$1,000 contribution to the Lowcountry Community Chaplaincy; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

F. Discussion of qualities, traits, characteristics, qualifications for the Chief of Police

At the May meeting, Chair Smith foreshadowed this discussion and asked that the members consider the subject for the June meeting as requested by the Personnel Committee.

Both Councilmembers Bell and Ward felt they were unqualified to define a Chief of Police; Councilmember Bell thought that this was out of sequence. He would prefer to start with a job description for the position before the Committee commented.

The Chair noted that the current and revised job description were included in the meeting packet, and she remarked that she had a few items, such as experience working with a coastal community, working in a beach town with a large influx of day-trippers and visitors, experience in disaster preparedness, response and recovery, strong communication skills, and success with CALEA accreditation.

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Councilmember Ward stated that he appreciated the Personnel Committee reaching out to the Public Safety Committee, but he thought that the "head-hunters" the City will hire would know what these things should be since that is all they do.

Councilmember Bell agreed that disaster preparedness was a key factor for the ideal candidate to possess; a question for the search firm would be "What makes a beach community different? Was it the influx of people for three (3) months?" He would prefer to see what the Personnel Committee produces and comment on that.

The Chair stated that the ideal candidate must be open and transparent in sharing public information.

G. Consideration of sharing the expense for placing a Resource Officer at the Sullivan's Island Elementary School with the Town of Sullivan's Island

Chair Smith stated that, since the Agenda was prepared, the Charleston County Sheriff's Office has offered to provide a Resource Officer for the Sullivan's Island school at their expense.

6. Highlights of Departmental Reports

Fire Department – Chief Graham

The report is available in its entirety on the City's website.

Chair Smith asked Chief Graham if she knew of a way to recognize an individual or a shift or the department as a whole that would be better than reporting on a particular event or an extraordinary act at City Council meetings.

Police Department – Interim Chief Usry

The report is available in its entirety on the City's website.

Councilmember Bell noted seeing several Charleston County officers on the island, and he asked why they were on the island on a non-holiday weekend and where in the budget was funding for them.

Interim Chief Usry replied that they were paid from the Municipal Accommodations Taxes that the City received from the County. She stated that two (2) Charleston off-duty officers were on the island on Saturdays and Sundays during the season, i.e. from some date in April through Labor Day, to assist with traffic control while IOP officers respond to service calls.

Answering Councilmember Ward's questions, Interim Chief Usry stated that the Department has twenty-two (22) sworn officers and that a shift was composed of one (1) sergeant and two (2) patrol officers and the City has four (4) squads. Criminal Investigations has two (4) officers with one (1) being trained as the Victim's Advocate because the current Advocate will be retiring soon, and Livability has two (2) officers. The Department has one (1) Captain over Support Services, one (1) captain supervising patrol, the Chief and one (1) officer per two (2) squads. The Beach Services Officers were not included in the count because they are not sworn personnel.

Chair Smith asked how traffic has been this year compared to last year and if any big issues had come up.

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The Interim Chief indicated that traffic was relatively the same, but the officers have become more adept at diverting the traffic sooner. She acknowledged that collisions have increased primarily because drivers are not paying attention and are following too closely.

7. Miscellaneous Business

Next Meeting Date: 5:00 p.m. Monday, July 2, 2018 in the Conference Room.

8. Executive Session – not needed

9. Adjourn

Councilmember Ward moved to adjourn the meeting at 7:00 p.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

PERSONNEL COMMITTEE
5:00 P.M., Thursday, June 7, 2018

The regular meeting of the Personnel Committee was called to order at 5:00 p.m., Thursday, June 7, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmembers Moyer and Rice, Chair Ferencz, Interim City Administrator Fragoso, Human Resources Officer, DeGroot and Clerk Copeland; a quorum was present to conduct business.

1. Chair Ferencz called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of Previous Meetings' Minutes**

MOTION: Councilmember Rice moved to approve the minutes of the regular meeting of May 10, 2018 and the Special Meeting of May 15, 2018 as submitted; Councilmember Moyer seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments** – None

4. **Old Business** – None

5. **New Business**

A. **Consideration of proposals from search firms**

The Chair's homework assignment for the Committee members was to study the five (5) proposals and to decide upon their top two (2).

Councilmember Rice announced that the top two (2) were Colin Baenziger & Associates and The Mercer Group; she chose them because they appear to have done many searches for towns the size of the Isle of Palms and the towns had characteristics similar to the Isle of Palms. In her review, she thought that one (1) of the firms was very Texas-focused; she thought that none of the firms was perfect but the two (2) firms she selected were firms with which she was most comfortable.

Councilmember Moyer said that he had trouble narrowing the group to two (2); he commented that he did not see clear differentiation between their qualifications and their processes. He had planned to call several of the cities each firm has assisted in hopes of learning something that would cause one (1) to stand out, but he ran out of time. He said that they had relatively detailed processes, but he thought too many of the questions were subjective, not clearly objective upfront screening interview processes. In his opinion, the firms were relying on the candidates' interview skills versus the interview processes; he was more interested in the process and technique rather than the individual. Based on the information provided, he thought the City would get the same level of service from each of them. No firm stood out to him as the obvious choice, but no firm gave him the feeling that they should be eliminated from the selection.

Chair Ferencz agreed that no firm stood out. The impression she got from the Novak proposal was that they were focused on a niche, i.e. women. The Mercer Group offered a very aggressive timeline of ninety to one hundred twenty (90 – 120) days, but she liked that they were based in

Atlanta; in addition, she liked their evaluation matrix. She was pleased to see that each company offered a satisfaction guarantee even if the first round of candidates do not meet the City's criteria; she noted that GovHR offered a twenty-four (24) month guarantee. Although we live in the age of technology, the firms offered the use of SKYPE for interviews, but she would prefer to see more personal attention. A draw to GovHR was that their interview team included people who have held the positions the City was looking to fill. She was struck to see that SGR has not worked with many small communities and appeared to be mostly electronic. Reviewing the proposal by Colin Baenziger brought up the question of the difference between a City Manager and a City Administrator.; she noted that they have placed many managers but few administrators. Chair Ferencz agreed with Councilmember Moya that the firms appear to have the same processes. If forced to make a decision today, she would select The Mercer Group.

HR Officer DeGroot explained that the City Manager would not need Councils approval or authorization to make decisions for the community; a City Administrator works under City Council and would be limited in what she could do without a formal approval from City Council.

In the course of her study, the Chair talked with Mayor Carroll about the possibility that the Committee could not decide at this meeting on the firms they thought would do the best job for the City and would recommend to the Ways and Means Committee. She reported that the Mayor had told her that the Committee should take its time and do the job right.

When the Chair suggested calling previous clients of certain firms, Councilmember Rice commented that she thought they would learn little since the local governments would likely not have experience with more than one on which to make comparisons.

Councilmember Moya stated that, rather than ask questions, the Committee members should develop several scenarios to which the references would respond according to their experience with the search firm, such as 'What was the firm's response when asked to provide something that was not in the scope of the agreement?'

2

Before continuing the discussion, Councilmember Moya asked for the Human Resources Officer's opinion of the firms and whether one (1) was particularly good or bad. Ms. DeGroot said that, when calling them initially, she was looking for responsiveness, customer service, and their ability to meet the City's needs; several were "pretty good" and a few were "excellent." She noted that recruiting and placing municipal professionals was all that they do and they all do it very similarly. When pressured to identify the few who were excellent, she named Novak, Mercer, SGR and GovHR; she added that she did not have much contact with Colin-Baenziger. She agreed that it was "a tough decision" especially because one (1) did not stand out as very good or very bad. In reviewing their materials, she noticed that GovHR has worked with Beaufort County so she reached out to them and spoke with the County Attorney and Interim HR person, and they had nothing but "fantastic things" to say about them.

Councilmember Moya again asked Ms. Degroot for her choice, and she said that, without looking at pricing, for her the decision would be between Mercer and GovHR.

Councilmember Rice explained that she has a hang-up in making a selection relative to the fact they will not find anyone who understands the Southern spirit, culture, etc. when recruiting across the Country for candidates.

Ms. DeGroot said that, once Council decides upon a firm, they will come here to learn about the City and its nuances that concern this Committee; she noted that the City has a diverse workforce,

and the person who is hired works with them and learns about the island.

Councilmember Moyer pointed out that two (2) Committee members and the HR Officer mentioned Mercer, which is also the lowest priced firm; therefore, the consensus of the Committee is that Mercer will do the job well based on their process and credentials alone, along with the lowest priced option.

The two (2) other search firms that the Committee discussed were GovHR and Coliin-Baenziger. Chair Ferencz suggested that each member of the Committee should take a firm and call past clients for references. Toward that end, she wanted the Committee to spend some time developing the questions/scenarios they would use to get the answers they want and asked Councilmember Moyer to take the lead.

Councilmember Moyer indicated that the first step was to determine what they would be looking for in a search firm; they agreed that customer service was primary and responsiveness. Having exemplified responsiveness in getting the City's business, would they maintain as responsive after winning the business. Another critical issue would be how well they understand the needs of the community; how well do they execute the plan set forth?

Councilmember Moyer thought the Committee should expect multiple rounds of candidates.

Chair Ferencz expanded that by asking if the entity had multiple rounds of candidates, and if they did, how did the search firm react to additional rounds? If there had been a miscommunication of the City's needs in some manner, what kind of change did they make with subsequent round of candidates? Was that done quickly?

The Chair said that she was interested in knowing how communicative the firm was during the recruiting and their initial interviews, i.e. progress reports.

Councilmember Rice said that her interest in Colin-Baenziger was seeing that they had worked with many smaller communities like the Isle of Palms.

Councilmember Moyer stated that the phone calls were to verify or confirm what the search firms say about themselves.

Another interest for Chair Ferencz was if they would have liked to see the search firm do something differently.

Based on the way he handles customer interviews, Councilmember Moyer said that he offers an open-ended area because he typically get a long of information in an unstructured discourse, for instance tell me how you felt the process went. From there, the questions can get more specific, for example:

- How long did the whole process take?
- How well did they identify the needs of the position and the needs of the City align with the first set of candidates sent to you?
- Was the first round of candidates satisfactory or were other rounds necessary?
- How responsive were they with your request for another round and what did they change about their process?
- How responsive were they with any additional requests made during the process?
- Did they provide frequent updates?

- Was there anything you would change about the process?

Chair Ferencz assigned Colin-Baenziger to Councilmember Moye, Mercer to Councilmember Rice, and she took GovHR, the Committee agreed that each would make three (3) inquiries. Councilmember Moye said that he would probably ask to speak to the Mayor when he makes these calls.

B. Consideration of characteristics/traits/qualities/qualifications of ideal candidate for City Administrator

Adjectives to describe ideal candidate for City Administrator:

- Organized;
- Able to prioritize;
- Communication skills, orally and in writing;
- Environmentalist;
- Future thinking;
- Motivational;
- Team builder;
- Tech savvy; and
- Thinks out of the box.

The Committee will finalize and rank the top four (4) the list at the July meeting.

C. Discussion of City Administrator Job Description

Since HR Officer Degroot has not drafted a revised job description for the City Administrator, the Committee also decided to hold the discussion until the July meeting.

4

D. Consideration of characteristics/traits/qualities/qualifications of the ideal candidate for Chief of Police

HR Officer DeGroot distributed a list of descriptive terms frequently used in job descriptions for the Chief of Police position; she asked the Committee members to highlight the ones they thought were the most important.

Chair Ferencz reported that she had received an email from Susan Smith, Chair of the Public Safety Committee, stating that, when she brought this Agenda item before the Committee for input, she was told that the task belonged to the Personnel Committee, but she did pass along her own list. Chair Ferencz reported that Councilmember Smith had posted a request on Facebook for residents to send her their list of things they want to see in a new chief; they sent in terms like a true leader, respected, has a handle on things at the peak of the season as well as the off-season with more attention to the residents during the off-season, a balance between summer and winter times, accustomed to beach policies and a new set of eyes.

Ms. DeGroot explained that the terms on the handout were compiled from multiple job descriptions she studied from throughout the state.

Chair Ferencz gave another homework assignment to the Committee members, i.e. to study the list and to come back in July. As they discussed prioritizing their choices, Councilmember Moye said that ranking them would help the search firm find the best candidate for the City,

acknowledging that all on the list were important. He thought that, if each member had a priority list of five (5), as a Committee, they could provide a list of ten (10).

Ms. DeGroot encouraged the members to feel free to add things they thought were necessary but were not on the list.

E. Review of proposed revised job description for the Chief of Police

Ms. DeGroot produced a draft revised job description for this position, and it was included in the meeting packet. The document has been reviewed and edited by Interim Chief Usry and City Administrator Emerita Tucker, and their edits/revisions are included in the packet document. Edits by Interim Administrator are not incorporated into the job description; therefore, the Committee would not be expected to approve it at this meeting.

Ms. DeGroot asked that the Committee fill the blank for how long the new chief would have to become certified in South Carolina, assuming that he/she is not a South Carolinian; when looking at other Chief of Police job descriptions, other local governments give six (6) months while others give one year (1 yr.). Since the certification training at the South Carolina Criminal Justice Academy is at least three (3) months, the Committee thought a year would be fair.

F. Approval of job description for Public Works Assistant Director for Maintenance and Facilities

Chair Ferencz noted that this job description has been approved by the Public Works Committee, and need the Personnel Committee's approval before going to Council for approval and adoption.

MOTION: Councilmember Rice moved to approve the description for the Public Works Assistant Director of Maintenance and Facilities as presented; Councilmember Moye seconded.

Councilmember Rice distributed Director Pitts' list of traits and qualities he wants to see in the person hired to fill this position, and it was distributed to the Committee members. Ms. DeGroot also distributed an expanded list of characteristics that includes the Director's list as well.

Responding to Councilmember Moye, the Chair said that the Committee has agreed to use the search firm for all three (3) positions, but they will only be asked to do the initial work so that all resumes will come to Director Pitts and HR Officer DeGroot.

Director Pitts asked what the procedure would be if a current IOP employee wanted to apply for the position, and the Chair stated that the person would apply through the search firm like the other candidates will.

6. Miscellaneous Business

Consideration of Patrol Officer Phillips as employee of the month

Interim Chief Usry recommended her for this recognition for her exceptional work on April 22nd that saved a female from jumping from the Connector; additionally she was compassionate once the woman was safe and her brother and paramedics arrived while doing a thorough investigation.

MOTION: Councilmember Moye moved to name Patrol Officer Phillips Employee of the Month; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Accompanying this recognition is a gift card to the store or restaurant of the officer's choice in the amount of thirty dollars (\$30.00).

Next Meeting Date: 10:30 a.m., Thursday, July 5, 2018

7. Executive Session – not needed

8. Adjourn

MOTION: Councilmember Moye moved to adjourn the meeting at 6:04 p.m.; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk



Isle of Palms Position Description

Position Title: **Public Works Assistant Director of Maintenance & Facilities**
Department: Public Works
Reports To: Public Works Director
Employment Status: Full -Time / Exempt
Date: July 2018

General Summary:

The Assistant Director of Maintenance and Facilities is a supervisory position assisting the Public Works Director with Public Works Administration, Engineering, Drainage, Stormwater, Underground Infrastructure and facilities maintenance. Supervisor has the responsibility for effective utilization of staff, temporary labor and contractors. The Supervisor performs technical and administrative duties and assists the Public Works Director with all aspects and duties related to the implementation and management of the City's *Stormwater Management, and National Pollutant Discharge Elimination System (NPDES) and the South Carolina Department of Health and Environmental Control (SCDHEC)*. Performs inspection services and assists on a wide range of City projects and contracts such as landscaping, drainage, storm water, buildings and other improvements. Assists with creating, coordinating and presenting educational materials and programs to citizens and City employees.

Essential Job Functions: *

- Responsible for performing technical and administrative duties in support of the City's Code, policies and procedures
- Performs general civil engineering work for projects
- Provides complex technical, administrative and other support to the Public Works Director as needed
- Employee must possess comprehensive knowledge of principles, practices and techniques of public works maintenance and construction. Must be well versed in the materials, supplies, tools and equipment used in the public works maintenance and repairs
- Reinforces OSHA regulation and safety initiatives. Conducts on-site investigations pertaining to accidents, injury, liability, or incidents
- Oversees, coordinates and performs maintenance, renovations, repairs and projects of City facilities including the scheduling of outside contractors to fix problems or emergencies as needed
- Conducts inspections of work-in-progress and ensures projects are completed in compliance with applicable codes, regulations and standards
- Assists in developing, presenting and administering operating budgets

- Maintains a current working knowledge of regulatory requirements related to Stormwater on National, Regional, State and City levels
- Receives information from City staff regarding operations and assists in managing and prioritizing needs
- Interacts and communicates effectively with the City Administrator, City Council members, Mayor, departmental supervisors and employees, co-workers, contractors, other government agencies, external organizations and the public
- Assists the Public Works Director in developing legal documents, ordinances, programs and department policies in conjunction with the proper legal consultation
- Represents the Department and Director during meetings and conferences
- Performs other duties as required and assigned

Knowledge, Skills and Abilities:

Knowledge of applicable federal, state and local rules and regulations;

Work requires the exercise of considerable judgment and initiative;

Knowledge of street drainage construction, repair and maintenance methods;

Knowledge of DHEC regulations regarding solid wastes, OSHA regulations, and their implementation;

Ability to plan, organize and supervise the activities of others;

Knowledge of city procurement procedures and practices;

Knowledge of applicable occupational hazards and safety procedures;

Skills in operating computers and office software;

Ability to manage multiple tasks in a detailed and accurate manner;

Knowledge of Engineering practices, principles, terminology and methods;

Ability to discern when information should be conveyed or retained;

Filing and organizational skills are of paramount importance;

Ability to communicate clearly and concisely, both orally and in writing; research and prepare complex engineering reports; review and check engineering designs; plans and studies;

Assists in developing programs, goals, budgets, training courses, and safety programs;

Must stay well-informed of current developments in the field by attending related classes, meetings and conferences;

Working knowledge of applicable OSHA, EPA, and DOT safety regulations;

Educational and Experience Qualifications:

Bachelor's degree in Civil Engineering or a closely related field and 5 years of experience in general municipal engineering, including 2 years of supervisory experience; or, an equivalent combination of education, training and experience.

Possession of a valid driver's license and the ability to obtain a Class B driver's license.

Possession or the ability to become a Class AB Underground Storage Tank (UST) Operator within 6 months.

This position must have the license and the ability to operate construction equipment and vehicles.

The job is considered Essential Personnel and will be required to work during and following natural disasters and emergency situations.

Physical Requirements:

Must have proficiency and be physically able to operate various types of machinery as related to the operation of public works construction and maintenance equipment.

Must have manual dexterity, full range of motion and the ability to perform vigorous physical activity including climbing, crawling, sitting, kneeling, standing, reaching, twisting, and bending.

Ability to lift fifty (50) pounds continuously in varying weather conditions.

Environmental exposures include daily exposure to extreme temperature, wetness and/or humidity.

Exposure to various industrial hazards may include but not limited to: chemical hazard and electrical hazards.

Skilled in written and oral communication.

***Disclaimer:** The above information has been designed to represent the general nature and level of work performed. It is not designed to contain or be interpreted as a comprehensive description of all duties, responsibilities and qualifications requires of employee assigned to this position.

I have read and accept the responsibilities outlined above.

Signature

Date

Printed name

**Isle of Palms Police
Department**

Memo

TO: Ptl. Phillips

FROM: Sgt. M.R. Storen *(MS)*

CC: Capt. K. Usry & Personnel File

DATE: April 25th, 2018

SUBJECT: Employee Recognition

*GREAT JOB ON
THE ACTIONS YOU
TOOK DURING
THIS INCIDENT.
CAPT. USRY*

Ptl Phillips, on April 22nd, 2018 you responded to a suspicious female on the Isle of Palms Connector. During that call you acted in a heroic manner that resulted in a female who needed mental help being saved and getting her the much needed help that she needed.

I was advised by CCSO Deputy Mizner that while you were on scene speaking with the victim, you maintained a constant visual watch on the victim while keeping a calm demeanor due to recognizing the possible situation that was evolving. As the victim decided to end her life by jumping over the edge of the barrier wall, you did not hesitate and reacted heroically by grabbing onto the victim and pulling her to safety. Once safe, you were compassionate and thorough with your investigation. You provided support to the victim's brother who arrived on scene and you stayed with the victim until she was committed.

This type of conduct is what we strive for each of the officers of this department to demonstrate on each call for service they go on, no matter how small or big the call is. After reviewing the body camera footage provided by Deputy Mizner of CCSO it is without doubt you were a hero that day and a life was saved by your selfless actions. You could have easily gone over the side of the bridge while attempting to save the victim, however your selfless bravery saved the life of another. I will be recommending you for employee of the year for your heroism and going above and beyond the call of duty. Keep up the great work!

-see attached

*CAN THIS GO TO
PERSONNEL COMMITTEE
FOR EMPLOYEE OF
THE MONTH? THIS IS
FOR HIS PERSONNEL
FILE.*

USRY

Real Property Committee
4:00 p.m., Wednesday, June 6, 2018

The regular meeting of the Real Property Committee was held at 4:00 p.m., Wednesday, June 6, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Ferencz and Ward, Chair Bell, Interim City Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business.

1. Chair Bell called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of Previous Meetings' Minutes**

MOTION: Councilmember Ward moved to approve the minutes of the regular meeting of May 10, 2018 and the Special Meeting May 22, 2018 as submitted; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments**

Elizabeth Campsen, 32 Intracoastal Court, addressed the Committee on Item B under New Business, the "Discussion of Ordinance 2018-09" and commented that she did not think that parking at Citadel Beach House could be done under the terms of non-conforming status in a residential neighborhood. Her understanding was that parking at the Citadel Beach House was restricted to guests of the venue or members of the Citadel family using the beach. The full text of her remarks is attached to the historical record of the meeting.

Arnold Karig, 5102 Palm Boulevard, indicated that he supported the comments made by Ms. Campsen about the encroachment of commercial operations into residential neighborhoods; he offered that the results of the last election was a clear indicator of how residents feel about the issue. He reported having attended many Council meetings where the issue of overflow parking encroaching into the neighborhoods was discussed, but a solution was not found. Recently he has heard about an ordinance that would facilitate pushing commercial activity into residential areas of the island, and he stated that he was "violently opposed" to its adoption. He opined that Wild Dunes should have the ability to accommodate the additional parking within the confines of the resort. He advocated to preserve the integrity of the SR-1 zoning for the neighborhoods.

MOTION: Councilmember Ward moved to re-order the Agenda to take up the discussion of Ordinance 2018-09 before Old Business; Chair Bell seconded and the motion PASSED UNANIMOUSLY.

MOTION: Chair Bell moved to add "Discussion of the Special Marina Operations meeting of May 22;" Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

4. **Comments from Marina Tenants**

Michael Fiem of Tidal Wave Watersports thought that possibly members of the Committee have seen evidence of a bike sharing program that operates in downtown Charleston. He reported that he has reached out to them, and they are very eager to make a presentation to the City. In addition to bicycles, they have a low voltage vehicle share program. He said that he was offering

this option to help with the parking issues on the island and asked if he could bring them to the next meeting.

Chair Bell said that he would be happy to add that to the Agenda for the next Committee meeting,

Mr. Fiem then asked the Committee's approval to construct a fence between his business and the adjacent Smith property; he stated that he would also like to re-do the green fence and to improve its appearance. He told the Committee that he would be spending his money and not seeking funding from the City.

The Chair commended Mr. Fiem for coming to the Committee on at least two (2) occasions with creative ideas to address problems.

Chris Crolley, owner of Coastal Expeditions, stated that he had been forwarded a document with the Morgan Creek Grill logo on it. He thought there were reasonable requests at the beginning of the document then he came to a paragraph dedicated to changes that should be made to the parking for his business. The letter he was referring to was a list of comments/recommendations presented to the Committee at the May 10th meeting and discussed at the May 22nd meeting; the comments relative to Coastal Expeditions are the following:

“Regarding Coastal Expeditions, we ask that the trailer be moved off its current location within the shared tenants parking area. We understand through conversations with the City that they were allowed 3 parking spaces which should amount to 16ft total width for the trailer and its operation. Their current footprint is 30ft wide. In addition we are told that they are out of compliance with the variance obtained from the city. Be reminded that MCG was never consulted or notified of the placement of the trailer.”

2

Chair Bell responded saying that he thought Mr. Berrigan, marina manager, should look at these businesses and weigh them in terms of their impact on the capacity of the site relative to the value that they bring in commercially.

Mr. Crolley stated that he felt unappreciated and under appreciated by this Council and he did not know why.

According to the Chair, Council and this Committee were working with a marina that was overcrowded and a marina the residents feel they have lost control of. He remarked that the Committee was working to find a balance, but the members feel that, despite the discussions, nothing has been accomplished.

Councilmember Ward said that the Committee would continue to work hard on trying to reconcile some of the problems, but they would expect to get cooperation and respect from the tenants in return.

Jay Clarke, owner of Morgan Creek Grill, came forward to rebut some of the statements Mr. Crolley said, and he confirmed that the letter Mr. Crolley referred to was the memo with bullet points discussed at the May 10th and May 22nd meetings. He stated that he had measured the trailer and pointed out that one (1) instance when Coastal Expeditions was out of compliance was when the trailer was not moved off the marina site for the winter.

6. New Business

B. Discussion of Ordinance 2018-09

MOTION: Councilmember Ward moved to discuss Ordinance 2018-09; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

Chair Bell explained that this ordinance had come as the result of Administrator Tucker's suggestion that the Committee look at all possible locations on the island where marina employees might park. He noted that the preferred location for employee parking was the Water and Sewer Commission's location on Waterway Boulevard, but it was not available due to Homeland Security issues. The drop-back location became the Citadel Beach House parking lot, and they responded to the Mayor's request to use it saying they would like to meet since they had already arranged with Wild Dunes to allow parking for the construction crews during the construction of the new hotel. The Chair reported that the Ordinance appeared on the May Council Agenda without coming before the Real Property Committee. He expressed agreement that Wild Dunes will experience overflow parking issues once the new hotel was constructed.

Councilmember Ward stated that he took the City's ordinances very seriously and that Council was dedicated to protect the ordinances and to hold them firmly in place and to remain steadfast. No changes at all and the City will be fine, but Council had to be vigilant. He concluded that, for the reasons stated, he would not support passage of this ordinance.

Chair Bell opined that the ordinance as presented might need more specificity prohibiting this use; he then asked for a legal opinion on it that would explain the changes needed and to then move it through the full Council.

Councilmember Ferencz stated that this ordinance had come as a result of looking for a place for marina employee parking; the Committee has learned that they do not have the authority to do that because the leases clearly state the marina employees will park on the marina property. She noted that the responsibility to make that happen fell to the marina manager.

Chair Bell stated that it was not the intent of the Real Property Committee to bring that ordinance forward, but the Committee did want to know how to make it more specific to prohibit incursion into the neighborhoods.

Interim Administrator Fragoso explained that, if the intent of the Committee was to allow marina employee off-site parking at the Citadel Beach House, Ordinance 2018-09 would need to be adopted in its present form. On the other hand, if the intention is to prohibit marina employee parking at the Citadel, a different amendment would be needed specifying the prohibition. This ordinance will not prohibit parking of the construction crews building the new hotel in Wild Dunes.

MOTION: Chair Bell moved to move forward to find the legality of making the zoning districts as defined in the City Code more specific; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

5. Old Business

A. Update on alternate Marina off-site parking for employees

Chair Bell stated that the best offer the City could make to the marina tenants was the City parking lot and a shuttle or use of the Public Works site; in general, any property without a residential

zoning code. He noted that the language in the lease with Marina Joint Ventures explicitly stated that all tenant employees were to have free parking on the marina site; therefore, the instruction from this meeting is that marina employees of all of the businesses have the right to park at the marina at no charge. It falls to the manager of the marina to determine where that parking will be; Chair Bell stated clearly that the Real Property Committee was not going to debate the marina parking problems they could not solve.

Additionally, Chair Bell was most unhappy when driving down 41st Avenue over the weekend to see that, in the area of 41st between Waterway to the rear exist to the marina, spaces were still being sold as if the area were under the control of the marina; he stated emphatically that it is not. The marina is not to be selling the City's public right-of-way as part of the marina property. The Chair also opined that the members of the Committee felt they were being ignored; the City is the landlord and the tenant of the public property that the City owns. He asked that this message be communicated to the marina manager that this area is public parking and expected to be approved by the full Council to become "resident only" parking.

Councilmember Ferencz questioned that the Committee's decision was being ignored because signage has not been installed; she recalled being told repeatedly that enforcement cannot occur without the proper signage.

In the meantime, the instruction to the marina manager was that parking for the commercial businesses was confined to the marina site.

In addition, Councilmember Ferencz commented that the Police Department would to be told to enforce the parking regulations in that area going forward.

Discussion of the Special Marina Operations Meeting of May 22nd

Moving to a discussion about the marina operations meeting of May 22nd, Chair Bell recalled that the Committee asked the marina manager to come forward with data, such as launch data resident versus non-resident and specific plans to deal with these problems. At this time, the Committee has not received a proposal addressing the problems that have been discussed since being sworn into office.

The Chair said that he was asking, through City administration, to review the leases with the sub-tenants to see if the City approved them and that each of them is required to have an IOP business license and has named the City as an "also insured" on their insurance. He stated that the information should be made available to City administration prior the next Real Property Committee meeting to know what businesses are operating out of the marina and knowing whether they are operating within the lease terms; he recalled that this request has been made previously.

The Committee asked that Interim Administrator Fragoso draft a letter to Mr. Berrigan, the marina manager, formally requesting the information and for the data to be delivered to City administration before the July meeting.

Councilmember Ferencz addressed the Committee's frustration that the marina manager has not given any indication that he is willing to study and operate within the limits of his lease with employee parking as one (1) example.

Chair Bell reported that he has asked Director Kerr for business license information as it relates to the sub-leases at the marina. According to a list provided to the Committee by the marina manager, he has nine (9) charter boat fishing operations under lease, and they face competition from non-leased charter operations. Again the Chair asked if the non-lease charters have business licenses and added that the Committee was not in favor of licensing more commercial businesses to operate out of the IOP Marina.

Responding to the Chair, Councilmember Ward said he wanted to see the business licenses issued by the City and copies of the sub-leases.

Chair Bell stated that other charters may advertise that they pick up at the IOP Marina, but do not have a lease agreement with the manager. Personally, he felt that a non-lease charter boat captain who wishes to operate out of the IOP Marina should not be allowed to do so.

The Chair then asked the Interim Administrator to investigate what steps must be taken to enact such a policy; he reported that he was in possession of a list of ten (10) additional charter businesses operating out of the marina, which brings the total number of businesses to twenty-nine (29). He questioned that these non-lease charters have purchased annual launch passes.

Councilmember Ferencz asked if the marina operator was aware of all of the things the Committee has asked for but has received no feedback. For instance, she asked if the marina operator has stopped selling annual launch passes to non-residents, and Mike Pickett, Dock Master at the marina, responded that it has been done. She then asked if non-resident launch fees have been increased, and Mr. Pickett replied that they have gone to twenty dollars (\$20). Her final question was where a resident can go to park for free at the marina.

The only location where a resident could park at no charge was the thirty (30) minute parking spots at the marina store.

Councilmember Ferencz remarked that, when residents look at the marina, they see a commercial entity where residents cannot find a place to park; therefore, the residents were not going to support improvements to the marina. With employee parking on-site, she pondered where parking would be located to meet the requirements of businesses like the deli and the restaurant.

5. Old Business

B. Update on RFP for Marina dock repair/replacement

Interim Administrator Frago reported that the RFP is on the City's website and was advertised in accordance to the City's Procurement Code. The deadline for questions is at 5:00 p.m. on Tuesday, June 12th, and bids will be opened at 2:00 p.m., Monday, June 25th. She stated that one (1) of the requirements of the RFP was for interested parties to make a site visit to the marina, and to-date, four (4) prospective bidders have completed their site visit or scheduled an appointment to do so.

C. Update on removal and replacement of underground storage tanks

Interim Administrator Frago reported that she has spoken with the contractor, and he plans to begin work at the Public Works site in the first week of July and work at the marina will begin October.

6. New Business

A. Consideration of engaging a real estate attorney

Chair Bell informed that Committee that the services of a real estate attorney for an issue not related to the marina has been engaged. He repeated comments made before becoming a Councilmember that the lease with the marina manager is “horrible” and full of subjectivity that could be interpreted to fit the position one was taking. He looked forward to getting sound legal advice about what Council could and could not do relative to the extended marina lease. In his opinion, the City owns enough property that it needs a real estate attorney.

7. Miscellaneous Business

Tenant rents report – Interim Administrator Fragoso told the Committee she would have the information for the Ways and Means Committee on June 19th.

Next Meeting Date: 4:00 p.m., Tuesday, July 3, 2018 in the City Hall Conference Room

8. Executive Session – not needed

9. Adjournment

**MOTION: Councilmember Ward moved to adjourn the meeting at 4:57 p.m.;
Chair Bell seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland
City Clerk

Accommodations Tax Advisory Committee

11:00 a.m., Wednesday, June 13, 2018

The regular meeting of the Accommodations Tax Advisory Committee was called to order at 11:00 a.m., Wednesday, June 13, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Malcolm Burgis, Susan Haynie, Margaret Miller, Julise Spell and Rusty Williamson, Chair Nelson, Interim City Administrator Fragoso, Treasurer Suggs and Clerk Copeland; a quorum was present to conduct business. Sally Leydic-Muhlig was absent.

1. Chair Nelson called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of Previous Meeting's Minutes**

MOTION: Ms. Miller moved to approve the minutes of the regular meeting of May 2, 2018 as submitted; Mr. Burgis seconded and the motion **PASSED UNANIMOUSLY.**

3. **Citizens' Comments – None**

4. **Financial Statements – Treasurer Suggs**

Treasurer Suggs reviewed the ATAX FY19 budget as adopted with the Committee; she noted that it has changed since the Committee looked at it in May. Revenues did not change; the changes to the expenditures are as follows:

• Police Department change to SUVs	+10,000
• Reduction to scope of work to the Public Works building	- 15,000
• Re-budget of PW flatbed truck	<u>+25,000</u>
Net Change	20,000

MOTION: Chair Nelson moved to approve the changes to the FY19 ATAX budget; Ms. Spell seconded and the motion **PASSED UNANIMOUSLY.**

The Balance Sheet through May 31, 2018 shows approximately one million eight hundred eighty thousand dollars (\$1,880,000) in the banks; the majority of the funds are invested with the Local Government Investment Pool that pays “a decent rate of interest.”

In reviewing expenditures, she stated that the renovations to the public restrooms have been completed and are now open; she encouraged the Committee members to check out the improvements and to see firsthand the dramatic change in their overall appearance. The City has paid the deposit for the July 4th fireworks display which will be put on by the same company that has done it for the past two (2) years and at approximately the same cost. The final expenses were paid for the Front Beach Fest and Music in the Park; the initial expenses for the Piccolo Spoleto Sand Sculpting Contest were also paid. The budgeted purchase of a bike rack was added to Mayor Carmen R. Bunch Park, and the Police Department made the budgeted purchase of a low speed vehicle which went over budget.

MOTION: Chair Nelson moved to approve the over-budget expenditures for the low speed vehicle in the amount of \$259 and the Easter Egg Hunt in the amount of (\$961); Ms. Spell seconded and the motion PASSED UNANIMOUSLY.

At the Rec Center, ATAX funds were used to purchase a Rock Duo climber and bike rack; for the Fire Department, ATAX funds were used to purchase four (4) mobile data terminals for the trucks; eight (8) on-street parking kiosks were purchased for the Police Department as budgeted; and the cost to renovate the public restrooms and construct the new boardwalk came from ATAX funds.

4. Old Business – None

5. New Business

A. Sponsorship of Carolina Coast Surf Club, Inc. SurfCam in the amount of \$1,000

Jim Radley noted that 2018 is the fourth year that the surf club has come before the ATAX Committee seeking for their website, which costs approximately four hundred dollars (\$400) a month to operate. In the past two (2) years, they have included in the surf reports a link to the traffic cameras and a list of the City's parking rules. He indicated that he was aware of the changes to the parking plan that were under consideration, and, once they were adopted, he would update their website to reflect them. As Hurricane Irma approached the City, their website had forty-two hundred (4,200) hits the day before the storm hit; the site normally gets about five hundred (500) hits per day.

2

MOTION: Ms. Haynie moved to approve the \$1,000 sponsorship to the Carolina Cost Surf Club; Ms. Spell seconded and the motion PASSED UNANIMOUSLY.

B. Sponsorship of City of Isle of Palms Magazine with an annual publication of 50,000 magazines in the amount of \$60,000

Bill Macchio thanked the Committee for allowing him to present to them again, and he commented that, when he presented previously, he learned that the City does not send any type of advertising materials to the various welcome centers in the state. He indicated that he would do an editorial on the renovated public restrooms in the next issue. He added that this magazine would not be a flip magazine; it would be dedicated exclusively to the Isle of Palms. His plan is to publish it near the end of the year and to include all of the events planned by the City for the coming year (2019); in addition, he plans to list all of the businesses on the island, as well as the parking regulations. He reminded the Committee that the IOP Magazine has been sanctioned to go into the welcome centers along with the Mount Pleasant magazine. The informational handout he distributed is attached to the historical record of the meeting; the first page of the handout explains the type of information included in the magazine and the various modes of distribution.

Responding to Chair Nelson, Mr. Macchio said that the advertising would be limited to businesses operating at the Isle of Palms and that he has been sanctioned to put his magazines in the nine (9) welcome centers in the state.

Mr. Macchio said that he has been told that twenty-nine million (29,000,000) pass through the welcome centers in a year.

Ms. Haynie suggested that half a page be dedicated to safety concerns here, such as, snakes do inhabit the island, do not swim more than eight hundred meters (800 meters) from shore, etc.

Mr. Williamson stated that he did not think the City needed to advertise for more people to come here because it was already full; he added that he would prefer to see the City spend sixty thousand dollars (\$60,000) in ATAX funds for beach maintenance and/or infrastructure.

Mr. Macchio contended that the magazine could generate more ATAX dollars for the City.

MOTION: Ms. Miller moved to approve \$60,000 to sponsor the Isle of Palms magazine; Mr. Burgis seconded, and the motion FAILED on a vote of 1 to 5 with only Mr. Burgis supporting the motion.

When Chair Nelson suggested that Mr. Macchio try to work through the Charleston Visitors Bureau (CVB), Interim Administrator Fragoso recalled that the Ways and Means Committee had made the same suggestions last year, but the CVB declined.

7. Miscellaneous Business

Next Meeting Date: 11:00 a.m., Wednesday, September 12th in Council Chambers

8. Adjournment

MOTION: Mr. Burgis moved to adjourn the meeting at 11:31 a.m.; Ms. Haynie seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

**MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
June 13, 2018**

The Isle of Palms Planning Commission met in the City Hall Conference Room, 1207 Palm Boulevard on June 13, 2018 at 4:30 p.m. Members attending included Ron Denton, Vince DiGangi, Richard Ferencz, Bill Mills, Phillip Pounds and Lisa Safford; the Director of Planning Douglas Kerr was present as well. Lewis Gregory was absent. Mr. Ferencz acknowledged that the press had been notified of the meeting, and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

PUBLIC COMMENTS

Ms. Ann Van Harlington, 100 block of Carolina Boulevard, reported that SCDOT has been working in her area cleaning out the drain boxes and the ditches, they have indicated that they would be doing more work next week, and a supervisor would be coming out to inspect the backflow valve. She voiced doubts about whether the existing valve can be used to resolve the issues of tidal water backflowing into the ditch. She added that there are two such valves, and she was not sure that the SCDOT was investigating the correct valve associated with her neighborhood's drainage system.

The Commission thanked Ms. Van Harlington for the update.

APPROVAL OF MINUTES

The next item on the agenda was the approval of the May 9, 2018 minutes. Mr. Mills made a motion to approve the minutes as submitted and Mr. DiGangi seconded the motion. The motion passed unanimously.

DISCUSSION OF STORMWATER REQUEST FOR PROPOSALS DRAFT

Mr. Kerr stated that, since their last regular meeting, he has prepared a draft request for proposals for the design, permitting, surveying and construction oversight for a comprehensive redesign of the drainage outfalls at 30th Avenue, 3605 Waterway Boulevard and 41st Avenue.

Mr. Kerr commented that, before the group got too far into the details of the draft, he wanted guidance on two over-arching questions; first is a request for proposals (RFP) the route to proceed instead of a request for qualifications (RFQ?; secondly, what should the stated design standard be: 10-year flood, 100-year flood, Hurricane Joaquin or Hurricane Irma?

The group discussed the advantages and disadvantages of the RFP and RFQ processes, and Mr. Kerr stated that he brought the question up because, in reviewing the documents with Charleston County, they indicated that they used the RFQ process instead of the RFP process. After discussion, the group generally agreed that they preferred the RFP process as they felt it would probably result in a more focused response and ultimately result in drainage relief coming quicker.

On the second issue of what the design standard should be, Mr. Kerr explained that in discussing the development of the request with David Stevens, Mr. Stevens expressed concern about how different firms would proceed. He thought that some firms would gravitate towards the simplest design because of the initial cost savings and the likelihood the City would proceed with the cheapest option. Mr. Stevens indicated that, in his design work for Phases I and II, the unwritten goal was to avoid any structural damage due to flooding during a major storm event like Hurricanes Irma and Joaquin, he said the project met this goal. Mr. Stevens indicated that meeting this goal would be even more challenging in the areas of this future project because the ground is lower and there are a lot of homes that are not elevated.

Mr. Kerr explained that, in discussing the different options and borrowing from Mr. Stevens' guidance on Phase I and II, the stated goal should be that the design would be to a level that would have kept flood waters associated with Hurricane Irma from damaging houses within the associated drainage basins. In subsequent conversations with the Charleston County and Isle of Palms' staff, he wondered if Hurricane Joaquin should be the standard, as it resulted in more home damage and the flooding was caused by rainfall, where most of the flooding associated with Irma was caused by an unusual surge and not rainfall.

After some discussions of the two storms, the group agreed that they wanted the objective to be based on the flooding associated with Joaquin, not Irma.

Mr. DiGangi thought the proposal should reference that the respondents should be "professional engineering firms" instead of "qualified civil engineers" and that instead of "consultant" the word "firm" should be used. The group agreed and Mr. Kerr indicated that he would make these changes.

Mr. Ferencz believed the scope of work should include identifying key performance indicators of the design and a time line of how the design and construction work should proceed. The group agreed with this, and Mr. Kerr indicated that he would include this.

Mr. DiGangi noted that there was a repetition in the list of disciplines the firm should possess, and he thought the list should include a hydrologist. The group agreed with this, and Mr. Kerr indicated that he would include this.

Mr. Ferencz thought the firm should be tasked with pursuing grant funding if it is available. Mr. Kerr stated that predicting the availability of grants was difficult and that typically this work was awarded as a change order. The proposal could include identifying grants and foreshadowing that the firm could be expected to enter into an agreement to pursue funding. The group agreed with this and Mr. Kerr indicated that he would include this.

Mr. Ferencz did not want the group to go in a direction or dedicate a lot of work to something that would not have City Council's support. He felt that the RFP should be reviewed and discussed by City Council prior to going out. Mr. Kerr stated that the project has been included in the upcoming budget indicating a show of support, but he agreed that it would be useful to keep them involved throughout the project. Director Kerr said that he would discuss how to best approach City Council with the City Hall staff and report back.

The group agreed with this strategy and agreed to review a more complete bid package at their next meeting.

DISCUSS LOT COVERAGE RECOMMENDATIONS

Mr. Kerr recalled that, at the last meeting, the Planning Commission agreed to review the impervious surface recommendations. A redline draft was in the packet, and the changes are as follows:

- the limit of how much fill can be brought in will be limited to one foot above the road instead of existing grade;
- the requirement to be 50% vegetated has been deleted and
- the language that was included for clarity when the septic ordinances were being considered has been eliminated.

The group reviewed the changes and Mr. Ferencz stated he thought the wording that defines "structures" as an "impervious material" was improper English. Mr. Kerr suggested that the word "material" be changed to "surface" throughout and the group agreed.

The group agreed that they were ready to move the recommendation forward to City Council. Mr. Kerr stated that a point has been made of having the Commission looking

at all changes prior to going to Council and asked if they wanted to review it a final time before sending forward a recommendation. The group agreed to do this via email.

Mr. Denton made a motion to recommend that City Council adopt the proposed amendments, and Mr. Pounds seconded the motion. The motion passed unanimously.

MISCELLANEOUS BUSINESS

Mr. Ferencz asked about the status of the Memo of Understanding (MOU) with the Water and Sewer Commission. Mr. Kerr answered that, as far as he knew, no work had been done on the main MOU, but that a smaller MOU had been entered into to allow for the hiring of Thomas and Hutton to update the plans to sewer the island and the City would participate in this project.

Mr. Mills asked if this would be one of Ms. Tucker's tasks in her role as City Administrator Emerita. Mr. Kerr answered yes.

ADJOURNMENT

With there being no further business, the meeting was adjourned at 5:55 p.m.

Respectfully submitted,
Richard Ferencz, Chairman

City of Isle of Palms, South Carolina
Request for Proposals 2018-02
Phase 3 Drainage Outfall Design and Permitting

In compliance with the City's Procurement Ordinance, the City of Isle of Palms, South Carolina is seeking proposals and probable costs for a comprehensive redesign of the drainage outfalls at 30th Avenue, 3605 Waterway Boulevard and 41st Avenue. The request will be bid and awarded pursuant to the City's procurement ordinance. The City reserves the right to reject any and all proposals and to waive irregularities.

Background

The drainage system within the City of Isle of Palms (City) evolved over time and was primarily installed in the 1960's by the Beach Company or the South Carolina Department of Transportation (SCDOT) as roads and neighborhoods were developed on the island. The system is compromised by a mix of open ditches and closed pipe systems and the system is owned and maintained by a mix of the City, Charleston County (County), and the SCDOT. Each entity has their own protocol for maintenance and the maintenance efforts are not always coordinated.

Additionally, portions of the island's drainage system are tidally influenced and within the permitting jurisdiction of the Ocean and Coastal Resource Management division of the South Carolina Department of Health & Environmental Control (OCRM) and historically maintenance has not been done in OCRM's jurisdiction to avoid compliance issues.

These factors have collectively led to a system that is underperforming and causing drainage and flooding issues within the neighborhoods of the island. During heavy rain events and extreme high tides, certain roads on the island are impassable, non-elevated houses are inundated, septic systems are compromised, and standing water is left in an unsanitary condition. During high tides, much of the drainage system is full and has little to no capacity to handle any rain water.

Objectives

The City is seeking the services of a professional engineering firm to design and oversee improvements to the three identified outfalls to include surveying, designing, permitting through all applicable agencies, developing bidding package, and overseeing construction. The work at the outfalls should achieve the following goals:

- Identify the appropriate area where the back of the island should be sealed from the intrusion of tidal waters from backing into the system;
- Design and permit drainage system outfall systems that will seal the tidal water out, while allowing stormwater to exit;
- Be designed and sized appropriately to provide for future drainage improvements within the basins associated with each of the three outfalls;
- Be designed to anticipate a reasonable expectation of sea level rise;
- Be designed to anticipate a reasonable expectation of increase in impervious surfacing on the island;
- Be designed to anticipate a high level of soil saturation before storms;
- The design should be to a level that would have kept flood waters associated with Hurricane Joaquin from damaging houses

Scope of Work

1. The chosen firm will be expected to collect and analyze whatever information or data is necessary to fully understand the quantity of stormwater each outfall will handle. This will include prior construction work, prior maintenance work, identifying problem areas, and any other information necessary to anticipate future infrastructure improvements within the drainage basins flowing through these outfalls.
2. The chosen firm will provide a survey of all ditches and drainage structures associated with the three outfalls from the Intracoastal Waterway to Waterway Boulevard to include at least 100 feet inland (southwest) from Waterway Boulevard. The survey must include all property line boundaries, wetlands, critical area delineations, utilities, topography to one-foot intervals, drainage structures, pipe inverts, and any other structures within the system.
3. Once the background data has been gathered and analyzed, the chosen firm will be expected to provide the City with several conceptual project alternatives, including cost, of different flood recurrence intervals including 10-year, 100-year storm and 500-year storm and different levels of stormwater velocity within the system. The expectation is that the chosen design would be to a level that would have kept flood waters associated with Hurricane Joaquin from damaging houses within the associated drainage basins. The firm should provide a list of key performance indicators and the expected performance of each alternative.
4. Once the City has reviewed the various concepts and identified the level of service the future work should provide, the chosen firm will be directed to develop a finalized engineering design to meet those objectives and provide the basis for bidding the construction of the improvements.
5. The chosen firm will be expected to secure permits through all applicable agencies including OCRM, US Army Corps of Engineers, Charleston County, SCDOT, and the City.
6. The chosen firm will be expected to provide final budget estimates to assist the City in assembling adequate funding to complete the improvement.
7. The chosen firm will be expected to help the City identify potential grant funding and be prepared to pursue grants for a fee to be negotiated on a per project basis.
8. The chosen firm will be expected to advise the City on whether or not the work could be prioritized to identify immediate smaller projects that could provide stormwater relief in the near term, while the City works to assemble the funding for costlier long term improvements.
9. The chosen firm will be expected to provide a proposed timeline for all work involved with the project.
10. The chosen firm will be expected to provide a complete bidding package that would allow the City to go through the procurement process and choose a qualified contractor to complete the work.

11. The chosen firm will be expected to provide a cost estimate for project administration, with the understanding that some construction could be years away and not contracted for until the time of construction.
12. The chosen firm will be expected to present findings of each stage of the project to at least three different City boards. The cost for presenting should be included in the proposal.

Qualifications

The firm and their team will demonstrate a minimum of five years of experience in the following disciplines:

- Land surveying
- Regulatory Permitting
- Civil engineering and designing
- Construction cost estimating
- Hydrology

The firms must provide at least three examples of projects of similar scale and complexity along with contact information associated with each project.

Depending on the performance of the selected firm on this project, the City may elect to extend the contract to include future tasks associated with the redevelopment.

Respondents must have or be able to procure an Isle of Palms Business License.

Questions may be submitted via email to dkerr@iop.net until 3:00 p.m. Eastern Standard Time, Thursday, July 18, 2018 after which time all questions will be answered on an addendum posted to the City's website at www.iop.net.

The deadline for submission is 10:00 a.m. Eastern Standard Time, Monday, August 1, 2018. Submissions must be received at 1207 Palm Boulevard, Isle of Palms, South Carolina 29451 in a sealed envelope, where they will be opened and read aloud. Sealed envelopes must be clearly marked RFP 2018-xx "Isle of Palms Drainage Phase 3; Outfall Design and Permitting" and include one (1) hard copy and one (1) electronic copy saved to a compact disc (CD). The City accepts no responsibility for electronic submissions, and it will be the responsibility of the proposers to verify receipt by the City.

PLANNING COMMISSION REVIEW FOR JUNE 13 SHOULD END HERE. BIDDING DETAILS, MAPS, AND AGREEMENT WILL BE ADDED PRIOR TO RELEASE

Proposal Process

Bid packets can be picked up at:

City of Isle of Palms City Hall
1207 Palm Boulevard
Isle of Palms, South Carolina 29451

Or www.iop.net

Mandatory Bid Meeting??

Proposals should be submitted to the following:

Douglas Kerr, Director of Planning
City of Isle of Palms
1207 Palm Boulevard
Post Office Box 508
Isle of Palms, South Carolina 29451

Proposals may be delivered by hand or by mail, but no proposal shall be considered which is not actually received by the City at the place, date and time appointed by the City and the City shall not be responsible for any failure, misdirection, delay or error resulting from the selection by any bidder of any particular means of delivery of bids.

Bidders acknowledge and agree that the City will not be liable for any costs, expenses, losses, damages (included damages for loss of anticipated profit) or liabilities incurred by the respondent or any member of the respondent's organization as a result of, or arising out of, submitting a bid, negotiating changes to such bid, or due to the City's acceptance or nonacceptance of the bid or the rejection of any and all bids. Respondents are responsible for submission of accurate, adequate and clear descriptions of the information requests. Neither issuance of the RFP, preparation and submission of a response, nor the subsequent receipt and evaluation of any response by the City of Isle of Palms will commit the City to award a contract to any respondent even if all the requirements in the RFP have been met.

Firms considering submission under this RFP will be expected to have read and be prepared to enter into the attached contract, which is a part of this RFP. The City of Isle of Palms reserves the right to reject any and all bids and to waive irregularities.

ORDINANCE 2018-05

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE PARALLEL PARKING AND TO PROHIBIT DOUBLE PARKING ON THE PASSENGER SIDE OF VEHICLES ON PALM BOULEVARD BETWEEN 21ST AVENUE AND 40TH AVENUE; TO PROVIDE A NEW DEFINITION FOR “RESIDENT PARKING DISTRICT;” TO PROVIDE EXEMPTIONS FOR EMERGENCY, LAW ENFORCEMENT AND OTHER PUBLIC SERVICE VEHICLES PARKED DURING THE PERFORMANCE OF OFFICIAL DUTIES OR PUBLIC SERVICE; TO REFERENCE DATE OF REVISED MANAGED BEACH PARKING SIGN PLAN; AND TO PROVIDE FOR YEAR-ROUND ENFORCEMENT OF THE RESIDENT PARKING DISTRICTS.

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 A, “General Provisions,” Section 8-2-2, “General prohibitions,” is hereby amended in Paragraph (1)(t) to state as follows:

- “(t) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:
- (a) Within four feet (4') of the pavement, except as otherwise posted;
 - (b) In any manner other than parallel parking in the direction of traffic;
and
 - (c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way.”

SECTION 2. That Article A, “General Provisions,” Section 8-2-2, “General prohibitions,” is hereby amended by adding a new Paragraph (3) to state as follows:

“(3) The prohibitions in this section shall not apply to emergency, law enforcement, or other public service vehicles, or to vehicles belonging to persons under contract with the City to perform a public service, when such vehicles are parked during the operator’s performance of official duties or public services for the City.”

SECTION 3. That Article B, “Resident Parking Districts,” Section 8-2-21, “Definitions,” is hereby amended to provide a new definition for “Resident parking district” to state as follows:

“*Resident parking district* shall mean an area in or immediately adjacent to a residential zoning district in which parking along the right-of-way of the street is limited during specified dates and times to vehicles displaying a resident parking permit or special permit as provided in this article.”

SECTION 4. That Article B, “Resident Parking Districts,” Section 8-2-23, “Dates and times of enforcement,” is hereby amended to state as follows:

“The provisions in this article will be in effect year-round between the hours of 9:00 a.m. and 6:00 p.m.”

SECTION 5. That Article B, “Resident Parking Districts,” Section 8-2-31, “Obedience to parking regulations,” is hereby amended in Paragraph (a)(16) to state as follows:

“(16) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:

- (a) Within four feet (4') of the pavement, except as otherwise posted;
- (b) In any manner other than parallel parking in the direction of traffic; and
- (c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way.”

SECTION 6. That Article B, “Resident Parking Districts,” Section 8-2-32, “Areas designated as resident parking districts,” is hereby amended to state as follows:

“The public rights-of-way designated by City Council as resident parking districts are depicted in green on Sheet Nos. 5-15 titled "Isle of Palms Parking Program Parking Zone Key Sheets" included in the document titled "Proposed Plans for City of Isle of Palms Various Roads in City of Isle of Palms Limits Managed Beach Parking Signing Plan" prepared by Stantec Consulting Services, Inc., dated June 13, 2018, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of the current Managed Beach Parking Signing Plan shall be posted on the City's official website.”

SECTION 7. That Article C, “Beach Parking,” Section 8-2-45, “Obedience to parking regulations,” is hereby amended in Paragraph (p) to state as follows:

“(p) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:

- (1) Within four feet (4') of the pavement, except as otherwise posted;
- (2) In any manner other than parallel parking in the direction of traffic; and
- (3) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way.”

SECTION 8. That Article C, “Beach Parking,” Section 8-2-46, “Areas designated as beach parking zones,” is hereby amended to state as follows:

“The public rights-of-way designated by City Council as beach parking zones are depicted in red on Sheet Nos. 5-15 titled "Isle of Palms Parking Program Parking Zone Key Sheets" included in the document titled "Proposed Plans for City of Isle of Palms Various Roads in City of Isle of Palms Limits Managed Beach Parking Signing Plan" prepared by Stantec Consulting Services, Inc., dated June 13, 2018, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of

the current Managed Beach Parking Signing Plan shall be posted on the City's official website.”

SECTION 9. 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 10. 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 11. 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 _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

ORDINANCE 2018-05

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE PARALLEL PARKING AND TO PROHIBIT DOUBLE PARKING ON THE PASSENGER SIDE OF VEHICLES ON PALM BOULEVARD BETWEEN 21ST AVENUE AND 40TH AVENUE; ~~TO PROHIBIT BOAT TRAILER PARKING ALONG THE RIGHTS OF WAY OF WATERWAY BOULEVARD; TO PROHIBIT NON RESIDENT BOAT TRAILER PARKING ALONG THE RIGHTS OF WAY OF 41ST AVENUE;~~ ~~TO PROVIDE A NEW DEFINITION FOR "RESIDENT PARKING DISTRICT;"~~ TO PROVIDE EXEMPTIONS FOR EMERGENCY, LAW ENFORCEMENT AND OTHER PUBLIC SERVICE VEHICLES PARKED DURING THE PERFORMANCE OF OFFICIAL DUTIES OR PUBLIC SERVICE; TO REFERENCE DATE OF REVISED MANAGED BEACH PARKING SIGN PLAN; AND TO PROVIDE FOR YEAR-ROUND ENFORCEMENT OF THE RESIDENT PARKING DISTRICTS.

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 A, "General Provisions," Section 8-2-2, "General prohibitions," is hereby amended in Paragraph (1)(t) to state as follows:

- "(t) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:
- (a) Within four feet (4') of the pavement, except as otherwise posted;
 - (b) In any manner other than parallel parking in the direction of traffic; and
 - (c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way."

~~SECTION 2. That Article A, "General Provisions," Section 8-2-2, "General prohibitions," is hereby amended in Paragraph (2) to state as follows:~~

~~"(2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:~~

~~(a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights of way of 41st Avenue from Waterway Boulevard to Frank Sottile Lane where parking is not otherwise prohibited."~~

SECTION 2. That Article A, "General Provisions," Section 8-2-2, "General prohibitions," is hereby amended by adding a new Paragraph (3) to state as follows:

Deleted: 3

“(3) The prohibitions in this section shall not apply to emergency, law enforcement, or other public service vehicles, or to vehicles belonging to persons under contract with the City to perform a public service, when such vehicles are parked during the operator’s performance of official duties or public services for the City.”

SECTION 3. That Article B, “Resident Parking Districts,” Section 8-2-21, “Definitions,” is hereby amended to provide a new definition for “Resident parking district” to state as follows:

“Resident parking district shall mean an area in or immediately adjacent to a residential zoning district in which parking along the right-of-way of the street is limited during specified dates and times to vehicles displaying a resident parking permit or special permit as provided in this article.”

SECTION 4. That Article B, “Resident Parking Districts,” Section 8-2-23, “Dates and times of enforcement,” is hereby amended to state as follows:

“The provisions in this article will be in effect year-round between the hours of 9:00 a.m. and 6:00 p.m.”

SECTION 5. That Article B, “Resident Parking Districts,” Section 8-2-31, “Obedience to parking regulations,” is hereby amended in Paragraph (a)(16) to state as follows:

“(16) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:

- (a) Within four feet (4') of the pavement, except as otherwise posted;
- (b) In any manner other than parallel parking in the direction of traffic; and
- (c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way.”

SECTION 6. That Article B, “Resident Parking Districts,” Section 8-2-31, “Obedience to parking regulations,” is hereby amended in Paragraph (c) to state as follows:

~~“(c) — Parking a truck or vehicle having an overall length of more than twenty feet (20') at any point, including trailers, is prohibited upon any street right of way in a resident parking district for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials, except that vehicles displaying a valid resident parking permit shall be permitted to park with attached boat trailers along the rights of way of 41st Avenue from Waterway Boulevard to Frank Sottile Lane where parking is not otherwise prohibited for access to the Isle of Palms Marina.”~~

SECTION 6. That Article B, “Resident Parking Districts,” Section 8-2-32, “Areas designated as resident parking districts,” is hereby amended to state as follows:

“The public rights-of-way designated by City Council as resident parking districts are depicted in green on Sheet Nos. ~~5-15~~ titled “Isle of Palms Parking Program Parking Zone Key Sheets” included in the document titled “~~Proposed~~ Plans for City of

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Isle of Palms Various Roads in City of Isle of Palms Limits Managed Beach Parking ~~Signing~~ Plan" prepared by Stantec Consulting Services, Inc., dated ~~June 13, 2018~~ ~~March 3, 2017~~, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of the current Managed Beach Parking ~~Signing~~ Plan shall be posted on the City's official website."

SECTION ~~7~~. That Article C, "Beach Parking," Section 8-2-45, "Obedience to parking regulations," is hereby amended in Paragraph (p) to state as follows:

"(p) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:

- (1) Within four feet (4') of the pavement, except as otherwise posted;
- (2) In any manner other than parallel parking in the direction of traffic; and
- (3) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way."

SECTION ~~7~~. That Article C, "Beach Parking," Section 8-2-46, "Areas designated as beach parking zones," is hereby amended to state as follows:

"The public rights-of-way designated by City Council as beach parking zones are depicted in red on Sheet Nos. ~~5-15~~ titled "Isle of Palms Parking Program Parking Zone Key Sheets" included in the document titled "~~Proposed~~ Plans for City of Isle of Palms Various Roads in City of Isle of Palms Limits Managed Beach Parking ~~Signing~~ Plan" prepared by Stantec Consulting Services, Inc., dated ~~June 13, 2018~~ ~~March 3, 2017~~, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of the current Managed Beach Parking ~~Signing~~ Plan shall be posted on the City's official website."

SECTION ~~9~~. 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 ~~10~~. 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 ~~11~~. 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 _____, 2018.

Jimmy Carroll, Mayor

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(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2018-

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 1, GENERAL PROVISIONS, SECTION 5-4-16, TEMPORARY USES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO ALLOW PUBLIC PARKING ON LOTS LOCATED IN SR-1, SR-2, LC AND GC-1 ZONING DISTRICTS AS A TEMPORARY USE SUBJECT TO CERTAIN CONDITIONS.

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 Paragraph (a) of Section 5-4-16, "Temporary uses," is hereby amended by adding a new subparagraph (4) to state as follows:

"4. Public parking on lots located in SR1, SR2, LC, and GC1 zoning districts, for a period not to exceed four (4) consecutive months, to provide off-site, overflow parking facilities when authorized by City Council to alleviate public safety concerns caused by parking congestion."

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 _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

Title 5 – Planning and Development
Chapter 4 – Zoning
Article 1 – General Provisions

Sec. 5-4-16. - Temporary uses.

- (a) The Zoning Administrator may issue temporary permits for the following uses:
- (1) Religious meetings in a temporary structure in GC zoning districts for a period not to exceed seven (7) consecutive days;
 - (2) Open lot sale of Christmas trees in the GC and LC zoning districts for a period not to exceed forty-five (45) consecutive days;
 - (3) Storage and office trailers for use as construction storage and Contractor's office during construction in any district, except in fully or substantially fully developed residential districts, for a period of twelve (12) consecutive months, provided that such office is placed on the property under construction;
 - (4) Public parking on lots located in SR1, SR2, LC, and GC1 zoning districts, for a period not to exceed four (4) consecutive months, to provide off-site, overflow parking facilities when authorized by City Council to alleviate public safety concerns caused by parking congestion.
- (b) Any person, company or organization to be permitted under this section to place a mobile home, storage or office trailer must agree by written letter delivered to the Zoning Administrator prior to issuance of the permit that in the event a named storm is identified by the national weather service with a projected path that includes the City, that the permittee will cause the temporary structure to be disconnected from all water, sewer and electrical connections and removed from the City limits upon the County Emergency Operations Center declaring the City under OPCON 2.

ORDINANCE 2018-10

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, TO PROHIBIT BOAT TRAILER PARKING ON WATERWAY BOULEVARD; TO PROHIBIT BOAT TRAILER PARKING ON 41ST AVENUE; AND TO PROVIDE AN EXCEPTION FOR VEHICLES DISPLAYING A VALID RESIDENT PARKING PERMIT TO PARK WITH ATTACHED BOAT TRAILERS ALONG THE RIGHTS-OF-WAY OF 41ST AVENUE FROM FRANK SOTTILE LANE TO THE TERMINUS OF 41ST AVENUE WHERE PARKING IS NOT OTHERWISE PROHIBITED.

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 A, "General Provisions," Section 8-2-2, "General prohibitions," is hereby amended by deleting Paragraph (2) in its entirety and replacing it with a new Paragraph (2) to state as follows:

"(2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:

(a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue from Frank Sottile Lane to the terminus of 41st Avenue where parking is not otherwise prohibited."

SECTION 2. That Article B, "Resident Parking Districts," Section 8-2-31, "Obedience to parking regulations," is hereby amended in Paragraph (c) to state as follows:

"(c) Parking a truck or vehicle having an overall length of more than twenty feet (20') at any point, including trailers, is prohibited upon any street right-of-way in a resident parking district for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials, except that vehicles displaying a valid resident parking permit shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue from Frank Sottile Lane to the terminus of 41st Avenue, where parking is not otherwise prohibited, for access to the Isle of Palms Marina."

SECTION 3. 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 4. 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 5. 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 _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

ORDINANCE 2018-10

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, TO PROHIBIT BOAT TRAILER PARKING ON WATERWAY BOULEVARD; TO PROHIBIT BOAT TRAILER PARKING ON 41ST AVENUE; AND TO PROVIDE AN EXCEPTION FOR VEHICLES DISPLAYING A VALID RESIDENT PARKING PERMIT TO PARK WITH ATTACHED BOAT TRAILERS ALONG THE RIGHTS-OF-WAY OF 41ST AVENUE FROM ~~FRANK SOTTILE LANE~~ TO THE TERMINUS OF 41ST AVENUE WHERE PARKING IS NOT OTHERWISE PROHIBITED.

Deleted: WATERWAY BOULEVARD

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 A, "General Provisions," Section 8-2-2, "General prohibitions," is hereby amended by deleting Paragraph (2) in its entirety and replacing it with a new Paragraph (2) to state as follows:

"(2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:

(a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue from ~~Frank Sottile Lane~~ to the terminus of 41st Avenue where parking is not otherwise prohibited."

Deleted: Waterway Boulevard

SECTION 2. That Article B, "Resident Parking Districts," Section 8-2-31, "Obedience to parking regulations," is hereby amended in Paragraph (c) to state as follows:

"(c) Parking a truck or vehicle having an overall length of more than twenty feet (20') at any point, including trailers, is prohibited upon any street right-of-way in a resident parking district for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials, except that vehicles displaying a valid resident parking permit shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue from ~~Frank Sottile Lane~~ to the terminus of 41st Avenue, where parking is not otherwise prohibited, for access to the Isle of Palms Marina."

Deleted: Waterway Boulevard

SECTION 3. 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 4. 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 5. 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 _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2018-11

AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 5, BUDGET, FINANCE AND TAXATION, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE CONSISTENCY WITH THE PROCUREMENT CODE RELATED TO APPROVAL OF APPROPRIATIONS AND EXPENDITURES.

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

SECTION 1. That Section 1-5-2, "Administration of budget; transfers of appropriations," is hereby amended to state as follows:

"The City Administrator shall administer the budget, being responsible to the City Council for same, and may authorize the transfer of appropriated funds within and between departments, in accordance with the purchasing procedures set forth in chapter 10 of this title, as necessary to achieve the goals of the budget."

SECTION 2. That Section 1-5-3, "Expenditures by Mayor or City Administrator," is hereby deleted and repealed in its entirety, and former Sections 1-5-4 through 1-5-7 shall be renumbered accordingly as Sections 1-5-3 through 1-5-6.

SECTION 3. 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 4. 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 5. 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 _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

ORDINANCE 2018-12

AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 10, PURCHASING PROCEDURES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE NEW EXCEPTIONS FROM COMPETITIVE PROCUREMENT REQUIREMENTS AND TO DELETE REFERENCE TO THE STATE BUDGET AND CONTROL BOARD.

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 Paragraph (b)(3) of Section 1-10-4, "Competitive procurement requirements; exceptions," is hereby amended by adding a new Paragraph (ix) to state as follows:

"(3) The following types of expenditures are exempt from the competitive procurement requirements of this section:

- (i) Utilities including gas, electric, water and sewer;
- (ii) Information technology;
- (iii) Maintenance and repairs to vehicles, machinery or equipment necessary in providing an essential City service;
- (iv) Maintenance or service contracts which are made with the manufacturer or authorized service agent;
- (v) Replacement parts of existing equipment supplied by the original equipment manufacturer or authorized dealer;
- (vi) Routine, recurring purchases (e.g., office supplies);
- (vii) Works of art and holiday decorations for public display;
- (viii) Competitive online bidding, including, but not limited to, reverse auctions;
- (ix) Corrective work necessary for repairing or replacing faulty or defective workmanship, design or materials, as determined by the Purchasing Agent."

SECTION 2. That Paragraph (b)(6) of Section 1-10-4, "Competitive procurement requirements; exceptions," is hereby amended to state as follows:

"(6) The Purchasing Agent may obtain goods and services from an awarded bidder in a competitive bidding process utilized within the preceding twelve (12) months by another political subdivision of the state for substantially the same goods or services when the Purchasing Agent has good reason to believe that the awarded bidder is the lowest qualified bidder at the time the City obtains such goods and services."

SECTION 3. That Paragraph (b) of Section 1-10-4, "Competitive procurement requirements; exceptions," is hereby amended by adding new Paragraphs (7) and (8) and by renumbering existing Paragraph (7) as Paragraph (9) to state as follows:

“(7) Competitive procurement shall not be required for goods and services purchased through a state contract awarded by the purchasing division of the State of South Carolina, or when an item that is equivalent or superior to a state contract item is purchased at a price equal to or less than the state contract price.

(8) An expenditure may be made without competitive procurement when it is determined by the Purchasing Agent that the expenditure is critical to the City and time does not permit for solicitation or resolicitation in accordance with the procedures set forth in this chapter. The Purchasing Agent shall set forth such determination and the basis therefor in a written statement submitted to City Council and entered in the minutes of Council.

(9) The approval requirements set forth in section 1-10-3 shall apply to the expenditures listed in each exception hereinabove; provided, however, that City Council approval shall not be required for emergency purchases pursuant to paragraph (b)(1) of this section.”

SECTION 4. That Section 1-10-16, “Cooperative and intergovernmental purchasing,” in Chapter 10, “Purchasing Procedures” is hereby amended to state as follows:

“The Purchasing Agent shall have the authority to join with other governmental units in cooperative purchasing plans and to enter into purchase contracts with other governmental units without the formality of publication and receiving competitive bids as otherwise required in this chapter when the best interest of the City would be served thereby.”

SECTION 5. 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 6. 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 7. 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 _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

ORDINANCE 2018-13

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 1, GENERAL PROVISIONS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE A NEW DEFINITION FOR IMPERVIOUS SURFACE; TO DELETE REFERENCE TO “IMPERVIOUS MATERIAL” AND REPLACE IT WITH “IMPERVIOUS SURFACE;” AND TO PROVIDE ADDITIONAL REGULATIONS RELATED TO FILLING OR RE-COUNTOURING OF LOTS, GROUND ELEVATION, AND SITE CHANGES REQUIRING A STORMWATER MANAGEMENT PLAN.

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 Paragraph (23) of Section 5-4-2, “Definitions,” is hereby deleted in its entirety and replaced with the following new Paragraph (23) to state as follows:

“(23) *Impervious surface* means any surface through which water cannot penetrate. Such surfaces include, but are not limited to, principal or accessory structures, porches and decks, either covered or of tongue and groove construction, concrete, asphalt, or similar substances. Any surface through which water can be easily absorbed or passed, at a minimum infiltration rate of 2.0 inches per hour, such as, but not limited to gravel, shell or crushed stone will be considered pervious.”

SECTION 2. That Paragraph (p) of Section 5-4-12, “Additional regulations,” is hereby deleted in its entirety and replaced with the following new Paragraph (p) to state as follows:

“(p) Adding fill or importation of materials of any type, or re-contouring of a lot’s existing contours, that increases a lot’s existing ground elevation more than one (1) foot above existing road and results or may result in elevating an existing or proposed structure is strictly prohibited.”

SECTION 3. That Section 5-4-12, “Additional regulations,” is hereby amended by adding the following new Paragraphs (q) and (r) to state as follows:

“(q) Any decrease in a lot’s existing ground elevation is strictly prohibited.

(r) No lot shall be graded or filled to an elevation that results in a change to the existing stormwater runoff for such lot without the Zoning Administrator’s prior approval of a stormwater management plan. The stormwater management plan shall include the stamp and signature of a duly licensed and qualified professional, all existing and proposed topographical features of the lot, existing and proposed drainage flow patterns, and a statement by the professional certifying that the filling or grading of the lot will not adversely impact the drainage of any adjacent properties, drainage systems or rights-of-way. The following site changes shall require the submittal of a stormwater management plan:

(1) Any new building construction, new impervious surface, or replacement of impervious surfaces, which cumulatively exceed six hundred and twenty-five (625) square feet in area (all development shall be cumulative over time when considering the square footage threshold for requiring a stormwater management plan);

(2) Adding fill or re-contouring of twenty (20) percent or more of the existing lot area in compliance with paragraph (p) of this section.

Additional submittal materials, design specifications and maintenance schedules may be requested at the discretion of the Zoning Administrator to ensure compliance with the Charleston County Stormwater Management Program.”

SECTION 4. That Paragraph 1(a) of Section 5-4-13, “Maximum lot coverage; floor area ratio requirements; additional setback requirements,” is hereby amended to state as follows:

“(a) Not more than forty percent (40%) of the area of a lot shall be covered by impervious surface, provided that this requirement shall not limit lot coverage to less than three thousand two hundred (3,200) square feet nor allow lot coverage to exceed seven thousand (7,000) square feet.”

SECTION 5. 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 6. 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 7. 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 _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS TO ESTABLISH THE LEOLA HANBURY AWARD

WHEREAS, Leola Hanbury was a former City Council member and beloved City resident who was dedicated to enhancing the quality of life for island residents and who was a friend of many employees of the City; and

WHEREAS, at the June 23, 2015 City Council Meeting, Ms. Hanbury made a special presentation announcing that she was establishing the "Employee of the Year Award" in the amount of \$500.00 of her personal funds, to recognize City employees for their outstanding public service; and

WHEREAS, Ms. Hanbury intended to continue funding such award on an annual basis until she passed away on February 16, 2017; and

WHEREAS, by her Last Will and Testament, Ms. Hanbury bequeathed a generous gift to the City of Isle of Palms to be used for such public and civic purposes as the City Council may decide.

NOW, THEREFORE, BE IT RESOLVED that City Council, in meeting duly assembled, hereby establishes the "Leola Hanbury Award" in Ms. Hanbury's honor, which shall be a monetary gift to be awarded to a City Employee who is chosen by City Council for his or her outstanding public service, on an annual basis or from time to time as determined by City Council, and hereby acknowledges and accepts Ms. Hanbury's generous bequest, which shall be kept in a separate investment account and used for the purposes herein stated.

**PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE
OF PALMS, SOUTH CAROLINA, ON THE _____ DAY OF _____, 2018.**

Jimmy Carroll, Mayor

Attest:

Marie B. Copeland, City Clerk