



## City Council

6:00pm, Tuesday, February 24, 2026  
City Hall  
Council Chambers  
1207 Palm Boulevard, Isle of Palms, SC

### Public Comment:

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

### Agenda

1. **Call to Order** and acknowledgement that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.
  - a. Invocation
  - b. Pledge of Allegiance
  - c. Roll Call
2. **Presentations** - Spirit of the Island Award– Dudley Spangler
3. **Citizens' Comments** – Citizens must state their name and address. All comments will have a time limit of three (3) minutes.
4. **Approval of previous meetings' minutes**
  - a. City Council Meeting– January 29, 2026 (p3)
  - b. Special City Council Meeting– February 10, 2026 (p10)
  - c. Special City Council Meeting: Bid Appeal– February 10, 2026 (p15)
  - d. Citizens' Comments (p19)
5. **Old Business**
  - a. Discussion and consideration of beach renourishment
    - i. Borrowing vs. direct expenditure for project (p23)
    - ii. Update on request for bids ([bid documents](#))
    - iii. Escrow agreement with Wild Dunes Community Association (p30)
    - iv. Update on easement process (p41)
    - v. Update on USACE project
  - b. Update and discussion of the wage and compensation study (p47)
  - c. Discussion and consideration of Beach Ad Hoc Committee recommendations (p60)
  - d. Discussion of upcoming Town Hall meeting- March 26, 2026 at 5pm
6. **New Business**
  - a. Discussion and consideration of bid appeal order
  - b. Discussion and consideration of appointing a Council liaison to the Accommodations Tax Advisory Committee
  - c. Discussion and consideration of acceptance of patrol vehicle donation (p62)
  - d. Discussion and consideration of changes to tuition reimbursement policy (p63)



- e. Discussion and consideration of the purchase of turnout gear for \$29,707.87 from Safe Industries (FY26 budget includes \$53,100 from the Hospitality Tax Fund) (p66)

## **7. Boards and Commissions Reports**

- a. Council Committee reports (p69)
- b. Board of Zoning Appeals– minutes attached (p80)
- c. Planning Commission– minutes attached (p82)
- d. Accommodations Tax Advisory Committee– no meeting in February
- e. Environmental Advisory Committee– minutes attached (p84)
- f. Beach Preservation Committee- minutes attached (p87)

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

- a. Second Reading– none
- b. First Reading
  - i. Ordinance 2026-01– an ordinance creating a standing Ways and Means Committee (p90)
  - ii. Ordinance 2026-02– an ordinance to regulate residential lighting (p101)
  - iii. Ordinance 2026-03– an ordinance to establish decibel limits in the noise ordinance (p105)
- c. Resolutions and Proclamations– Resolution 2026-01 to authorize consumption of beer and wine at Front Beach Festival- March 7, 2026 (p110)

## **9. Executive Session**

In accordance with SC Code Section 30-4-70(a)(2), the City Council may enter into Executive Session to receive legal advice. Upon returning to open session, the Council may vote on any matter related to Executive Session.

## **10. Adjournment**



## **City Council**

6:00 p.m., Thursday, January 29, 2026  
City Hall Council Chambers  
1207 Palm Boulevard, Isle of Palms, SC

### **MINUTES**

#### **1. Call to Order**

Present: Council members Bogosian, Cohen, Carroll, Streetman, Miller, Ward, Miars (left at approximately 8:45pm), Pierce, Mayor Pounds

Staff Present: Administrator Kerr, Deputy Administrator Kuester, City Attorney McQuillin, various department heads

#### **2. Citizen's Comments**

Wendi Pasterik, Ocean Boulevard, shared some printed materials with Council members. She encouraged City Council to accept Foth/Olsen's proposal for beach alternatives analysis.

Sandra Brotherton's comments are attached to these minutes.

Julie Nestler, 22<sup>nd</sup> Avenue, asked City Council to examine the base pay structure for the Fire and Police departments. She said the current system discourages experienced Public Safety personnel to stay for a longer period of time. She would like to see the formation of a citizen Public Safety committee.

Cindi Solomon, 130 Ocean Boulevard, and Dan Slotchiver, Back Bay Drive, also advocated for Foth/Olsen to be selected for the beach alternatives analysis.

Andrew Schumacher, COO for WDCA, spoke with concern about the City's proposed funding cap on beach renourishment within Wild Dunes.

#### **3. Election of Mayor Pro Tem**

Council Member Ward nominated Council Member Streetman for Mayor Pro Tem. Council Member Bogosian nominated Council Member Pierce for Mayor Pro Tem.

Council members Carroll, Ward, Streetman, and Mayor Pounds voted in favor of Council Member Streetman.

Council members Pierce, Bogosian, Miller, Miars, and Cohen voted in favor of Council Member Pierce. Council Member Pierce was elected Mayor Pro Tem

#### **4. Presentations – Beach Renourishment Update, Stephen Traynum**

Mr. Stephen Traynum and Mr. Scott Finnish of CS&E shared an update on current beach conditions. That slide deck appears alongside the agenda on the City's website.

Mr. Traynum also shared details of the project scope for the upcoming beach renourishment project. Administrator Kerr said the City's budget accounts for higher amounts of sand than what is being proposed in the base bid for the project.

Council Member Pierce expressed concern about the "staying power" of the sand on the beach. Mr. Traynum replied, "We are seeing a lot of sand remaining in the system. We are scheduled to do our normal semiannual survey next week if the weather allows. So we will be able to quantify the actual volume that we're seeing compared to late August when our last survey was. What we did not see was Ahtna pump a lot of sand and that sand immediately move up the dry sand beach. We knew a lot of it was out in the low tide area. But I think what we are starting to see evidence with this wide dry sand beach between 2<sup>nd</sup> Avenue and up to about 6<sup>th</sup> Avenue, is that sand is just very slowly over time migrating up the profile, and you're seeing kind of a more gradual increase in the dry sand as opposed to one kind of initial surge of a kind of sandbar migrating on shore."

Mr. Traynum said the sand can be sampled. Finer sand can be moved into the dunes. The sand that will be pumped onshore during the renourishment will be coarser sand.

Council Member Bogosian asked if the current beneficial use projects are affecting Hamlin Creek and suggested hiring an expert to determine if that work is affecting the creek.

Council Member Bogosian suggested putting the larger quantities of sand in the bid. Mr. Traynum answered, "I don't know that there's much advantage to doing that in the bidding process. That's just giving the contractor a minimum quantity that they are confident that they know they're going to get for that end and for the mobilization effort they're going to have to do. It just gives the City flexibility to place as much as you want up to that permit amount in the end."

Mr. Traynum added that completing tracer studies and or a survey of Hamlin Creek can be included in their beach monitoring scope for a modest increase in their contract. He noted that inlet creeks, such as Hamlin Creek, are consistent problem areas along the coast.

Mr. Traynum shared that he has worked with US Fish and Wildlife and their programmatic biological opinion to adjust the construction windows for the upcoming project. He believes the construction could start in April/May and take up to 4 months, which is inside the construction windows acceptable to US Fish and Wildlife.

He anticipates releasing the bids on February 13 and a bid opening on March 18.

Administrator Kerr suggested that the issue with Hamlin Creek and potential use of the sand contained within would be a good project for the new Beach Preservation Committee to consider.

## **5. Approval of previous meetings' minutes**

**MOTION: Council Member Bogosian and Council Member Miller seconded the motion.**

- A. City Council Meeting – November 12, 2025
- B. Special City Council Meeting – December 9, 2025
- C. Municipal Inauguration – January 6, 2026

- D. Special City Council Meeting – January 6, 2026
- E. Special City Council Meeting – January 13, 2026

Council Member Streetman noted an error in the vote for the Council liaison to the Charleston Visitor’s Bureau for the minutes of the Special Meeting on January 6, 2026.

**VOTE: The minutes were approved as amended.**

**MOTION: Council Member Ward made a motion to suspend the rules of order and allow for the discussion of the beach alternatives analysis to be discussed at this point in the meeting. Council Member Bogosian seconded the motion. The motion passed unanimously.**

**6. New Business**

- F. Discussion and consideration of beach alternatives analysis proposals

**MOTION: Council Member Pierce made a motion to select Foth/Olsen to prepare a beach management alternatives analysis. Council Member Miars seconded the motion.**

Mayor Pounds reminded Council that they still need to discuss if they want hard structures on the beach.

Council members Bogosian, Miller, and Cohen spoke in favor of Foth/Olsen. Council Member Streetman spoke in favor of CS&E.

Administrator Kerr said this work does not affect or change the beach monitoring services or the management of the upcoming beach renourishment project that is currently handled by CS&E.

Mayor Pounds suggested having both companies complete the analysis and make decisions based on what they receive.

**VOTE: A vote was taken on the motion as follows:**

- Ayes: Cohen, Miars, Bogosian, Ward, Pierce, Carroll, Miller
- Nays: Streetman, Pounds

**The motion passed 7-2.**

**7. Old Business – none**

**8. New Business**

- A. Discussion and consideration of budget timeline and assumptions

Director Hamilton said she has met with department heads regarding their proposed FY27 capital schedules, which will be reviewed by their respective committees in February. She will discuss operational budgets with them next, and those will be reviewed by committees in March.

Director Hamilton reviewed the budget assumptions in the meeting packet.

Council Member Bogosian requested a “three-year runway” on building licenses and permits. He expressed concern about revenues remaining flat while expenses are increasing. He would like to challenge the staff to keep expenses flat.

Administrator Kerr noted that costs associated with the beach renourishment will go across FY26 and FY27.

Council Member Pierce expressed concern about not having enough time to work on the budget. Council Member Streetman noted the proposed budget timeline is the same timeline Council has used for several years, but additional meetings could be added, if necessary.

Administrator Kerr said the Public Services & Facilities Committee continues to work through the beach renourishment funding options.

Council Member Bogosian agreed an additional budget meeting may be needed as this is a non-typical budget year. He would like City Council to further refine the budget assumptions at the workshop on February 10.

**B. Discussion and consideration of cost sharing arrangement with the Wild Dunes Community Association for the upcoming beach renourishment project**

Administrator Kerr reviewed five proposed cost-sharing arrangements for the Wild Dunes portion of the beach renourishment project. The Public Services & Facilities Committee recommended scenario #5. Council Member Miars explained that scenario #5 shares the soft costs of the project between Wild Dunes and the City.

Administrator Kerr explained that the proposed cap of \$10 million on the City's portion of the project on the north end protects the City should the bids come in higher than anticipated. He added that the city's costs are based on budgetary placeholders and the lower amount of cubic yards in the base bid. Any agreement between the City and Wild Dunes will allow for "dialing down." He said, "I think in any situation, both groups, and it's what the agreement would say, both groups would have to agree to go above the kind of estimated numbers. We wouldn't want City Council to be on the hook for a limitless percentage cost of the project." The only way to complete a larger project is if the bids come in lower than anticipated.

Administrator Kerr said that staff is looking for City Council to "endorse a percentage breakdown with a cap that would then go into an agreement." That agreement would come back to City Council for consideration.

Council Member Bogosian asked City Attorney McQuillin for clarity regarding the use of public funds on private property.

City Attorney McQuillin said, "Beach renourishment is generally considered a public purpose, and there are plenty of cases. Bradens versus Folly Beach is the most recent case that the South Carolina Supreme Court issued where it recognized beach nourishment as a public purpose. It's whether it's on the south side of the beach or in Wild Dunes. We are still pushing sand onto people's private property, and so there is always going to be some sort of incidental private benefit. You're protecting someone's private property. That is why we are, in large part, why we are putting sand there. So I don't see any issue with it being in Wild Dunes."

Council Member Bogosian asked why the Committee selected scenario #5. Council Member Miars said scenarios #1 and 2 are not feasible, and out of scenarios #4 and 5, #5 seemed the fairest. Council Member Pierce would like to have the proposed percentage breakdown validated. Administrator Kerr briefly explained what data could be used to validate the

breakdown. Council Member Pierce would like further Council discussion about the breakdown at the workshop.

**MOTION: Council Member Pierce made a motion to move forward with the 47/53 breakdown suggested in cost sharing scenario #5, subject to validation, and a funding cap of \$10.5 million for the Wild Dunes portion of the project. Council Member Cohen seconded the motion. The motion passed unanimously.**

The proposed MOU will be reviewed at the upcoming Public Services & Facilities Committee meeting on February 9.

**C. Discussion and consideration of allocating up to \$500,000 to improve the marina parking lot and amend the lease agreement**

Administrator Kerr said the Public Services & Facilities Committee has been working with the restaurant operators to come up with a plan that would eliminate the need to share parking at the marina. He shared a visual of the proposed plan. He said the restaurant indicated they would not consider any lease amendments without a promise from the City to fund all the physical improvements to make this plan happen. The Committee ultimately made a recommendation that the City commit approximately \$500,000 to fund the improvements. With City Council's approval, the next step would be to amend the lease.

Council Member Miars added that Mr. Lorenz suggested he could take on the management of the project since he could possibly get lower costs.

Mayor Pounds asked if amending the lease would violate the original lease in any way. City Attorney McQuillin said, "This goes back to Bogosian's question, too, about using public funds for a private purpose. We're getting things out of this, additional parking spaces, trailer parking, a little park up there. So I do think there is a public benefit associated with us doing this work. The one thing we need to make clear though is if we are paying for these improvements ultimately under the lease, the going forward maintenance, at least particularly to their property under the lease, they're going to have to continue to do that. I don't want there to be any confusion that oh because the City is doing this, they are stuck with maintaining it. Because that was never the intent of --"

Council members Miars and Pierce said the restaurant agreed to that maintenance at their recent meeting.

**MOTION: Council Member Miars made a motion to allocate up to \$500,000 to improve the marina parking lot and amend the lease agreement. Council Member Pierce seconded the motion. The motion passed unanimously.**

**D. Discussion and consideration of the creation of a standing Finance Committee**

City Council engaged in a lengthy discussion about the possible formation of a standing Finance Committee. Council Member Pierce expressed his preference for a standing Finance Committee, adding that the City Council workshop does not allow for thorough discussion of financial issues. He would like more in-depth review of the City's finances and forecasting. He believes there needs to be more financial transparency.

Parameters such as how frequently such a Committee would meet and report out as well as whether or not the Committee should be a standing committee versus an ad hoc committee that would work on reporting were discussed.

**MOTION:** Council Member Pierce made a motion to create a standing Finance Committee. Council Member Miars seconded the motion.

City Attorney McQuillin said specifics about such a committee would need to be added to City Code. He said that most municipalities have a Ways & Means Committee made up of the entire City Council.

Discussion ensued about the possibility of eliminating the workshop and replacing it with a standing Finance Committee made up of all Council members.

**MOTION:** Council Member Pierce made a motion to amend the original motion to create a standing Finance Committee made up of all City Council members and eliminate the City Council workshop. Council Member Miars seconded the amendment. A vote on the amended motion was taken with all in favor.

**E. Discussion and consideration of State budget requests through lobbyist**

Referencing the pages in the meeting packet, Mayor Pounds said, “The first page was what we approved in November, which included revenue production ideas and the funding priorities based on feedback from our lobbyists. Next page was around taking our next fiscal year purchases that would fit into those categories” totaling approximately \$6.5 million. These purchases would include equipment for Public Safety, drainage, stormwater infrastructure, beach access paths, and some greenspace.

He suggested that the City request a portion of the State’s budget surplus for beach nourishment. Council Member Pierce suggested asking for \$20 million. Mayor Pounds asked that request be added to the page of budgetary requests.

**MOTION:** Council Member Bogosian made a motion to approve the list as amended. Council Member Ward seconded the motion. The motion passed unanimously.

**G. Discussion of future Charleston County Transportation Sales Tax project requests**

After a brief discussion, City Council would like to make two requests for the next round of TST funding: extending the Palm Boulevard sidewalk by the Exchange Club and the evaluation of bike paths as they connect to the Isle of Palms Connector.

**9. Committees, Boards, and Commissions Reports**

- a. Council Committees – Chair reports and minutes attached
- b. Board of Zoning Appeals – minutes attached
- c. Planning Commission – minutes attached
- d. Accommodations Tax Advisory Committee – minutes attached
- e. Environmental Advisory Committee – minutes attached

**10. Ordinance, Resolutions, and Petitions**

- a. **Second Reading -- none**
- b. **First Reading -- none**
- c. **Proclamations and Resolutions -- none**

**11. Executive Session**

**MOTION: Mayor Pounds made a motion to enter into Executive Session in accordance with SC Code Section 30-4-70(a)(2) to receive legal advice on current pending legal items and beach renourishment. Council Member Bogosian seconded the motion. The motion passed unanimously.**

City Council entered into Executive Session at 8:52pm.

City Council returned from Executive Session at 9:26pm.

Mayor Pounds said no decisions were made.

**MOTION: Mayor Pounds made a motion to forego securing permanent easements of for the upcoming beach renourishment project. Council Member Ward seconded the motion.**

Council Member Cohen would like to secure permanent easements. Administrator Kerr said if staff started working on securing easements tomorrow, it would like take up until the start of the project to secure them all. He did not believe they would be successful in securing easements from 100% of the property owners.

Discussion ensued as to what the project would look like without 100% of the easements.

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

Ayes: Streetman, Bogosian, Ward, Pounds

Nays: Cohen, Pierce, Carroll, Miller

**The motion failed.**

Further discussion about easements will be on the February 10 agenda.

**12. Adjournment**

Council Member Ward asked for consideration of the Spirit of the Island Award to be on the February Council meeting agenda.

Council Member Ward made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting was adjourned at 9:36pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**SPECIAL CITY COUNCIL MEETING  
5:00pm, Tuesday, February 10, 2026  
City Hall Council Chambers  
1207 Palm Boulevard, Isle of Palms, SC**

**MINUTES**

**1. Call to Order**

Present: Council members Streetman, Miller, Bogosian, Ward, Carroll, Pierce, Miars, Cohen, and Mayor Pounds

Staff Present: Administrator Kerr, Deputy Administrator Kuester, various department heads

**2. Citizens' Comments -- none**

**3. Special Presentations –Charleston County, Transportation Sales Tax Future Infrastructure Projects**

Alexander Owskiak, Capital Programs Manager, Charleston County Public Works, gave a presentation about the ½-cent sales tax and the need for continued support of the measure to allow the County to continue work on infrastructure projects. The tax will be on the ballot in November should it pass County Council. Mr. Osiak said that the list of projects funded by a renewed tax is fairly well set, but new projects can be added later.

**4. Dashboard of City Operations and Short-Term Rental Report**

Administrator Kerr reported that the HR Officer is retiring and an offer has been extended to a candidate. There are three openings for paramedics and one in the Police Department.

The Council engaged in a lengthy conversation with Administrator Kerr and Director Hamilton on the way short-term licenses are reported. An additional column will be added to the report to reflect hotel rooms.

**5. Departmental Reports**

**6. Financial Review**

**Financial Statements and project worksheets**

Director Hamilton provided a brief explanation of each of the City's funds for the benefit of the new Council members.

She said expenses are at \$14.8 million against a budget of \$30 million. She detailed projected overages and deferred expenses. She explained the monthly YTD statement as well as the cash and fund balances sheets, noting that \$51 million of the City's \$55 million is invested and earning interest at 3.9%.

Council Member Pierce requested an additional column explaining the reconciliation between the cash balances versus the fund balances. Director Hamilton will also provide a reconciliation of the Marina Fund to City Council.

Council Member Pierce would like to see the impact of large capital expenditures on later years. He said, "I want to see where our fund balances are projected, not just a month from now or 3 months from now but into the future." Director Hamilton said those balances can be shown 10 years out similar to what is presented during the budget cycle.

Administrator Kerr shared that the cost estimate for the project at Palm Boulevard from 38<sup>th</sup> to 41<sup>st</sup> Avenues has more than doubled than the placeholder in the budget. He said, "We need for you all to tell us how to treat that. The financial people cannot project that until you all make policy decisions on how to deal with that. The same is true for the beach."

Council Member Pierce said such decisions cannot be made until a review of the financial impacts can be seen over a longer period of time. He would like staff to provide the impacts of various scenarios.

Council Member Miars would like more explanation as to why borrowing money and or raising taxes may be necessary when the City has money in the bank. Director Hamilton is in the process of revising the future cash needs sheet to improve clarity and usability. She noted that City Council decides what the target balance is in each fund. Staff will provide information on borrowing and City Council will need to decide how to move forward.

Council Member Bogosian would like to see more forecasting. Director Hamilton pointed out the difficulty in forecasting is because much of the City's income comes in May and into the summer.

Director Hamilton reviewed the tourism schedules. Municipal ATAX and Beach Preservation Funds were 6% over last year. The City received \$396,000 from State ATAX, which is 3% higher than last year. The County pass-through was 8% higher than last year. Hospitality taxes are 1% less than last year and LOST is 5% higher than last year.

Council Member Pierce noted an errant number on the Waterway Boulevard project worksheet. Director Hamilton will review the sheet to reconcile the numbers.

## 7. Procurement

Administrator Kerr noted the list of reported budget expenditures in the packet, adding an emergency expenditure for work on the Public Works truck.

## 8. **Capital Projects Update**

Administrator Kerr stated a preconstruction meeting was held today with the Bastian Group for the next phase of the Waterway Boulevard project. A work schedule will be available shortly.

As mentioned earlier in the meeting, the estimate for Phase 4 Drainage (Palm Boulevard and 38<sup>th</sup>-41<sup>st</sup> avenues) came in at \$4.9 million. The City has received a \$1 million allocation for the State for this project. The City's State lobbyists are also working to secure funding for the project. Administrator Kerr said the project can be done in phases, capped, or delayed.

The lease amendments are underway for the marina parking lot. The Public Services & Facilities Committee is studying the marina dredging project and will make recommendations to City Council. The City has been issued permits for their portion of the project, but the surrounding property owners may not be ready to move forward for 1-2 years. Additionally, USACE is agreeable to receiving the City's sediment from the marina, but not that of the property owners.

Regarding beach maintenance and restoration, Administrator Kerr said, "We have on the agenda tonight the next kind of hurdle there. The next two hurdles to be addressed. Borrowing versus direct expenditure question that we have for the staff. And then we want to talk to the Council about the issue of acquiring easements."

He added Council will need to "talk through the bidding documents for that project and if we want to divide the two projects, the two ends based on a guess of success rate. We're facing a question there as to whether or not if we think we're going to be 100% successful and planning on doing the south end, we would want to include that in the bidding document as part of the base bid. If we think there's the possibility that we would not be successful in doing that, we would put the south end as a bid alternate and then see what our success rate is. I talked to Steven about whether or not he felt like that would have cost implications He says he doesn't think that it would. He thinks that the bid alternate would be the same price as what we're expecting."

## 9. **Old Business – none**

## 10. **New Business**

### A. **Discussion on wage and compensation study**

Administrator Kerr said staff has received an executive summary of the wage and compensation study. Evergreen is still waiting for data from three other municipalities, one of which is a municipality the City has lost employees to. The Administration Committee will meet with the Administration Committee in March and it will be on the March workshop agenda.

### B. **Discussion on beach nourishment financing: borrowing vs. direct expenditure**

Council reviewed financing options for borrowing \$5 million and \$10 million for 5, 7, and 10 years and the corresponding tax implications on property owners. The City will know shortly about whether or not they will receive a \$1.5 million grant from SCPRT.

Council Member Bogosian would like to see a matrix that shows “what is does to the fund balances at different levels including with and without a mil.”

Council Member Pierce asked for borrowing scenarios for 8 years for \$5 million and \$10 million with and without a millage increase.

Council Member Cohen offered some options using State and Municipal ATAX funds to borrow less money. Council Member Ward pointed out that the ATAX funds are used to fund numerous City functions.

Mayor Pounds asked to see a sheet showing future projects (drainage projects, the fire truck, etc.) that will be affecting the Capital Projects fund or some other fund balance.

### C. Discussion on beach renourishment easements

Administrator Kerr said to “avoid basically having the project shut down with injunctions or some other method, that probably the only reasonable path forward” is to secure easements from property owners on the south end of the island. Property owners are concerned about the placement of the designed sand dune. He said, “There is concern that Steven’s current drawings are showing the proposed dune being right on the backside of the escarpment. That escarpment in some places is very close to a pool. In some places, it’s far inland from the OCRM setback and baseline. And I think we’ve heard from residents concern over putting it that far landward of OCRM’s lines and that close to structures or pools.”

He explained they are trying to solve for the area closest to the inlet. He said, “We think the rest of the area is pretty manageable and we can kind of commit to putting the berm at BCM’s jurisdictional line without much issue. And I think the question for these parcels is would they be okay without the dune. We could just do the berm, add the sand. The dune, I think, is what is of concern with setting future jurisdictional lines. If you have a dune there, the thought is that the dune will be located by the BCM staff and become the new jurisdictional line. So maybe it’s such that if we don’t include a dune there, it would satisfy everybody.”

The City would like to secure easements from everyone affected by the renourishment. But City Council will need to decide what to do if they cannot get all easements in place before sand goes on the beach.

Council Member Pierce would like an updated aerial photo of the south end with the lines.

Administrator Kerr will share the agreement with Council if it is ready before the February 24 meeting. It will be a modified version of the previous easement document. He will provide an update at the next meeting.

Administrator Kerr added, “there’s some concern, too, about the change in volume that we can talk about.” Surveys are being done to document how much of that Army Corps sand is staying there” to “determine the quantities based on erosion rates and planned replenishment, kind of do the math backwards, and they’re going to develop an amount for the bid.”

**D. Discussion on setting date for March budget workshop**

The March Budget Workshop will be held on Wednesday, March 11 at 1pm in Council Chambers.

**E. Discussion on the formation of a standing Council Finance Committee**

Administrator Kerr referenced the proposed ordinance change establishing a Finance Committee in the packet. This text will get worked into an ordinance and will go through two readings. The first meeting of this new committee will be in April.

**F. Discussion on City Calendar for 2026**

Administrator Kerr said going forward if two people are present for a committee meeting, the meeting will be held or canceled rather than rescheduled to lessen impact on staff and the public.

**11. Legislative Report**

Mayor Pounds referenced the page in the meeting packet, stating that this is on the record as the City's request to the State lobbyists.

**12. Adjournment**

Council Member Ward made a motion to adjourn the meeting, and Council Member Carroll seconded the motion. The meeting was adjourned at 7:42pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**SPECIAL CITY COUNCIL MEETING – BID APPEAL**  
**4:00pm, Tuesday, February 10, 2026**  
**City Hall Council Chambers**  
**1207 Palm Boulevard, Isle of Palms, SC**

**MINUTES**

**1. Call to Order**

Present: Council members Streetman, Miller, Bogosian, Ward, Carroll, Pierce, Miars, Cohen, and Mayor Pounds

Staff Present: Administrator Kerr, Deputy Administrator Kuester,

**2. Bid Appeal**

Mayor Pounds explained the procedure and timing allotments for the hearing.

Administrator Kerr spoke on behalf of the City. He reviewed the criteria the City uses in making a selection in a bid process. He said one of the issues the City had with Quality Enterprises' bid on the Waterway Boulevard project was a lack of confidence in placeholder amounts for subcontractor work. The City's primary concern is their previous experience with Quality Enterprises. He gave a synopsis of this prior experience at the outfall projects at 30<sup>th</sup> Avenue and Forest Trails. The project was significantly delayed and is still in litigation with a property owner. The project ultimately used a lesser quality product than the City wanted to accept. There were over \$530,000 in change orders requested in addition to the \$140,000 difference in cost of the lesser quality valve used.

Administrator Kerr said, "If you were to aggregate all of the requests and liabilities still open to the City and paid by the City, it is approaching \$1.4 million in additional claims that came from that project. That excludes hundreds of hours of legal time and expense the City incurred. It excludes hundreds of hours of engineering time to look through the substitutions, the change orders, all of the documentation, and hundreds of hours of staff time. To say that it was a bad experience would be a gross understatement." For those reasons, the City deemed Quality Enterprises to be a not responsible bidder.

Administrator Kerr noted there are some aspects he cannot discuss as a result of the settlement agreement and an NDA.

When asked about the delayed work, Administrator Kerr said the work is completed, but still in litigation. The issues surrounding the delay included the City needing to delay the project because it was not complete enough to avoid the busy season.

There were also delays relating to the project design. “There was a fairly consistent and constant back and forth between Thomas & Hutton, the engineer on the project, and QE in terms of the project was a designated design. A large part of the design of the details of that project, the onus of handling that design was designated to the contractor and his subcontractor. That portion of the project was a real challenge for QE. There was a lot of placing blame on their subcontractor.”

Large boxes were to have been manufactured for the project. QE would tell the City that the subcontractor said they could not make the boxes as designed.

He added that some delays were blamed on supply chain issues, but this was well after those delays created by COVID. He did say that \$370,000 of the \$530,000 in change orders was awarded.

Mr. James Weatherholtz spoke on behalf of Quality Enterprises. Mr. Weatherholtz reviewed the events leading to the bid appeal hearing. He reviewed an email detailing change orders requested by QE on the prior project and explained why he thinks that does not deem them as non-responsible. He specifically mentioned Change Order #9 saying that Thomas & Hutton refused to help them with this order and it was not a frivolous claim.

He said, “This was a not a claim that was made to drive up the cost or to increase the contractor’s profit on this project. This was a good faith dispute and at times, probably a heated dispute between a contractor and an engineer about whether the design that was provided by the engineer was adequate for the contractor to build.”

In response to an email from Rick Karkowski of Thomas & Hutton, Mr. Weatherholtz said, “There is a comparison in the second half of Mr. Karkowski’s email where he is making a recommendation to the City about responsibility that compares this project to other projects. And I would say that is not a fair comparison. Those are apples to apples. I mean, some projects have claims. Some projects have change orders. Some don’t. Every now and then, you get a project that has what we would consider to be a pretty significant design error, and it just has to be addressed, and that is what Quality Enterprises did here.”

Mr. Weatherholtz spoke about Quality Enterprises’ 55 years in business. He would like the City to judge their bid on more than prior experience. He said the City needs to show good faith reasons for not accepting this bid. He believes that the City must have documentation supporting their claim that Quality Enterprises is a non-responsible bidder. He noted that the City paid less for the outfall project in question than expected, even with all the change orders.

Mr. Weatherholtz said he does not believe it is Quality Enterprises’ responsibility to determine whether or not a design will work.

In rebuttal, Administrator Kerr said that previous work can be part of a bid decision, and that QE’s prior work with the City played heavily into their decision.

Regarding the designated design, the design of the boxes was the responsibility of the contractor, and the City waited 1-2 years for them to design them. Mr. Rick Karkowski of Thomas & Hutton said that design error is a very serious accusation. A similar box of the same design is already in

place on the island. He added that there are similar requirements in the new contract that must be met by the contractor.

In rebuttal, Mr. Weatherholtz said he is not suggesting that Thomas & Hutton are not good at their job. He said the dispute was with who had responsibility for the design. He said he does not believe there is another box with the same specifications in place on the island.

Council Member Carroll asked whose responsibility it was to make sure QE could complete the project as requested and why did they not realize the size of the box was not going to work.

Mr. Weatherholtz responded, "Because they had not yet gone to the supplier to say here are the specifications that you have to build this to and gotten the answer it can't be done. And I think the longer answer to that question goes back to this issue of what information was provided on the drawings and whether or not the contractor under the bid documents has the responsibility of figuring out what we would call a design discrepancy in the plans. And the general rule on that is that contractors are not designers and they are not responsible for figuring out if there's a problem with something as designed. It is their job to build it as shown, and if it cannot be done, then you go back to the designer and you try to figure it out."

He added that the law does not require for all of that to be known at the time of the bid. There is a reasonable assumption that it can be done as the engineer designs the project. Quality Enterprises is taking the position that Thomas & Hutton has to provide the design, and Thomas & Hutton said it was up to QE to design.

Mr. Weatherholtz said the QE put round numbers on the work they would be doing themselves on the current bid.

### 3. Executive Session

**MOTION: Council Member Ward made a motion to go into Executive Session in accordance with SC Code Section 30-4-70(a)(2) to receive legal advice. Council Member Streetman seconded the motion. The motion passed unanimously.**

City Council entered into Executive Session at 4:47pm.

City Council returned from Executive Session at 5:07pm.

Mayor Pounds said no decisions had been made.

**MOTION: Council Member Pierce made a motion to deny the appeal based on the materials and the facts presented. Council Member Streetman seconded the motion. The motion passed unanimously.**

Mayor Pounds said, "As a result of that, within 20 days of this meeting, I, or a designate of the Mayor, will prepare a written decision including reasons for the action taken consistent with Council's decision. Council will vote on whether to approve this written decision at its next regular meeting, which is two weeks from tonight or a special called meeting. We will send a copy of the decision to the protestor."

4. **Adjournment**

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

Respectfully submitted,

Nicole DeNeane  
City Clerk

Randy Bell 22 41<sup>st</sup> Avenue

Citizen comments for 9/8/2025 IOP Council Workshop

Conflicts of Interest and required Recusal sourced from S.C. Code and the Municipal Association of S.C.

A key requirement of South Carolina's ethics laws is that public officials, members of public bodies and public employees must not use their offices in a way that provides themselves, members of their family, or businesses with which they are associated with financial gain.

To prevent officials from taking acts that benefit them financially, state law addresses situations where they must recuse themselves from voting on an issue, or even deliberating on an issue as represented in SC Code Section 8-13-700.

Yet, in the wrong venue, two members (Ward and Carroll) of the Administrative Committee with an orchestrated 2-1 vote introduced tonight's agenda item (9.a.iii) Discussion of license strikes being citations instead of founded complaints thus allowing Councilmember Carroll to blatantly violate S.C. state ethics law. For Ms. Carroll, owner of Carroll Realty, the discussion and subsequent vote could not be more clear. Mayoral "leadership" should not have placed this item on the agenda and zero debate should take place that includes Councilmember Carroll.

A reminder to Council, and particularly those advocating enforcement over numerical limitations on short-term rentals, you did finally take an appropriate step by passing the ordinance now unpopular with the "Family Vacation Rental Group" which Councilmember Carroll openly states she is representing, and "meets regularly to discuss these types of things..."

"*We're proposing*" is Councilmember Carroll's exact quote from the committee meeting. I'll repeat, "*We're proposing.....*" as clear representation of commercial interest, not the elected position on Council

Recusal from a vote involves several steps.

Step 1: Prepare a written statement.

The law requires them to make a written statement describing the matter requiring action and the nature of the conflict.

Step 2: Submit the statement by providing it to the Mayor as presiding officer

Step 3: Place into public record

Step 4: Avoid taking any further action.

Avoiding any official action means not voting and not deliberating. The member is not required to leave the meeting, but the SC Ethics Commission advises that members of public bodies who recuse themselves physically leave the room for the portion of the meeting concerning the conflict of interest to avoid any perception of undue influence.

### **Ethics Commission Sanctions**

- Public reprimand,

- A civil fine of up to **\$2,000 per violation**
- A cease-and-desist order

Should there be any confusion on this topic I would advise going into Executive Session for advice from the city attorney.

S.C. Code Section 8-13-700 is not optional, and all elected officials are required to comply

You may all recall Councilman Buchanan recused himself a few years back simply for owning one STR. As for any long-serving Council member, you should certainly know better than violating the ethics laws.

**Public Comments - January 29-February 20, 2026**

<b>Date Submitted</b>	<b>Name</b>	<b>Address</b>	<b>Comments for Council Meeting</b>	<b>Meeting This Comment is Intended For:</b>
2/9/2026	Mike Hornsby	210 Ocean Blvd, IOP, SC 29451	<p>Emergency reactive versus proactive policies continue to be a significant concern for the City of Isle of Palms. At present, the City appears to operate in a constant reactive emergency mode due to changing interpretations of its Beach Management Policy. This lack of consistency creates an environment in which no bid consultants, contractors, and the City Attorney are able to benefit financially, while the City Council expends considerable time and taxpayer money. I have observed this pattern for years.</p> <p>The City’s Beach Management Policy should be grounded in existing South Carolina Beach Management Laws, including clear distinctions between public versus private beach areas, and established private property laws. These regulations already define baseline and setback lines for managing primary dunes and should serve as the foundation for policy decisions. If private property owners choose to fill the landward gap on their own property using private funds, construct a swimming pool, or build a seawall, those actions should fall within their private property rights. Diverting into prolonged easement negotiations and unworkable ordinances only creates confusion, from which consultants, contractors, and legal counsel profit. More importantly, this approach exposes the City to unnecessary property disputes and potential negligence lawsuits. Every beach survey conducted by the City should include the state-mandated baseline and setback lines. In addition, the Beach Management Policy should clearly identify the root causes of erosion and assess future storm flooding and erosion risks. Current data—including AI-based modeling—indicates that subsidence is a major contributor to storm flooding, not only on Isle of Palms but also on the Charleston Peninsula. Critical questions remain unaddressed: What happens to displaced water when a seawall is constructed around the Charleston Peninsula? What is the cumulative impact of continued development on Isle of Palms? Where does the water go when new drainage systems rapidly divert water elsewhere? Any comprehensive beach management plan must be integrated with development policies and water redirection projects. Addressing these issues in isolation is ineffective and short-sighted. In my opinion, we have quite literally paved over paradise—replacing natural systems with resorts, condominiums, and parking lots—without fully accounting for the long-term consequences.</p>	City Council

**Public Comments - January 29-February 20, 2026**

1/29/2026 Mr. William  
Reeside

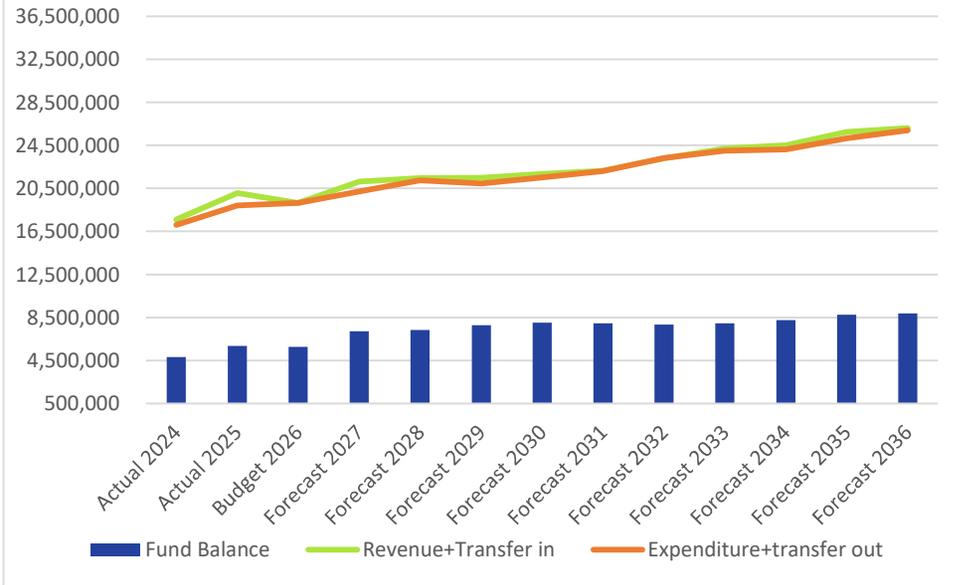
2403 Holmes  
Street, Edisto  
Island, South  
Carolina 29438-  
3408

My name is Bill Reeside, a resident of Edisto Beach, SC (Colleton County). I will likely be on the Libertarian ballot line in November to fill Nancy Mace’s Congressional seat. This election cycle is a great opportunity to break the “R/D” duopoly. I will reach out to council members individually and plan to attend IOP events to meet voters between now and November.

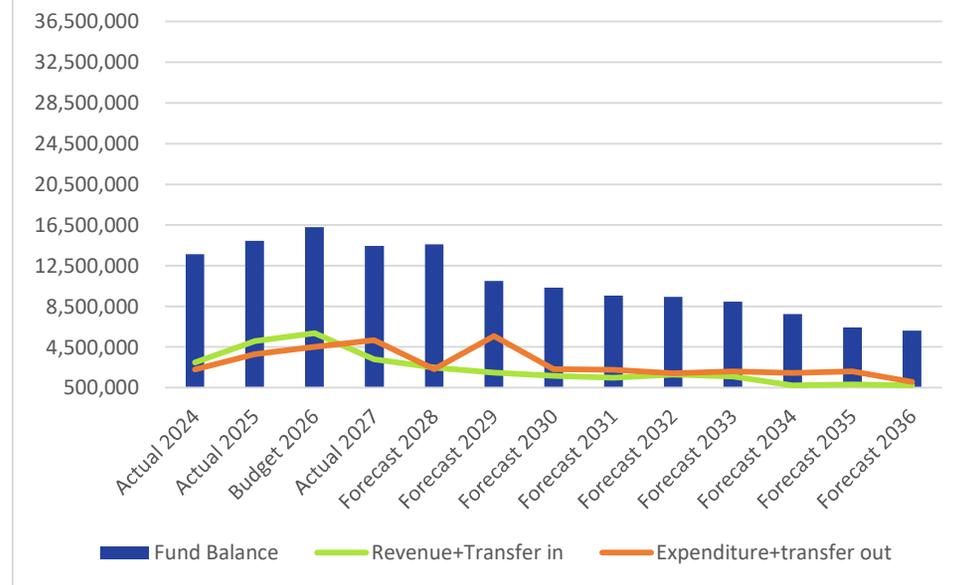
City Council

# IOP - HISTORICAL AND FORECASTED ENDING FUND BALANCES - CASH

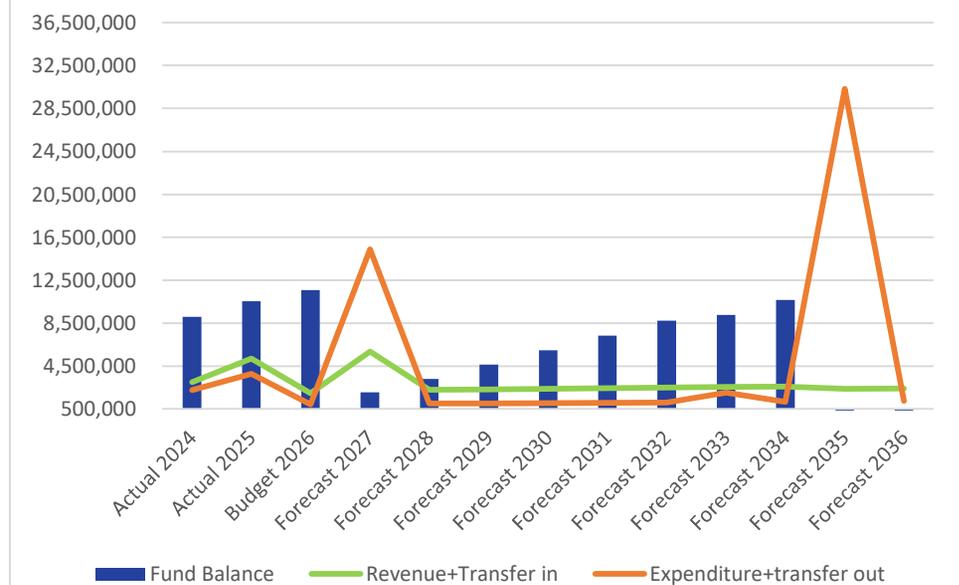
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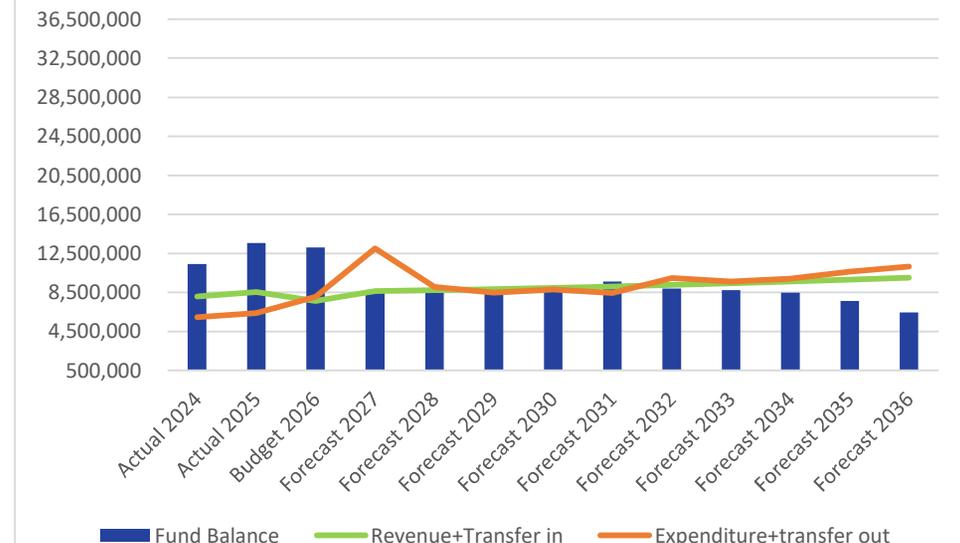
## CAPITAL PROJECTS FUND



## BEACH PRESERVATION FUND

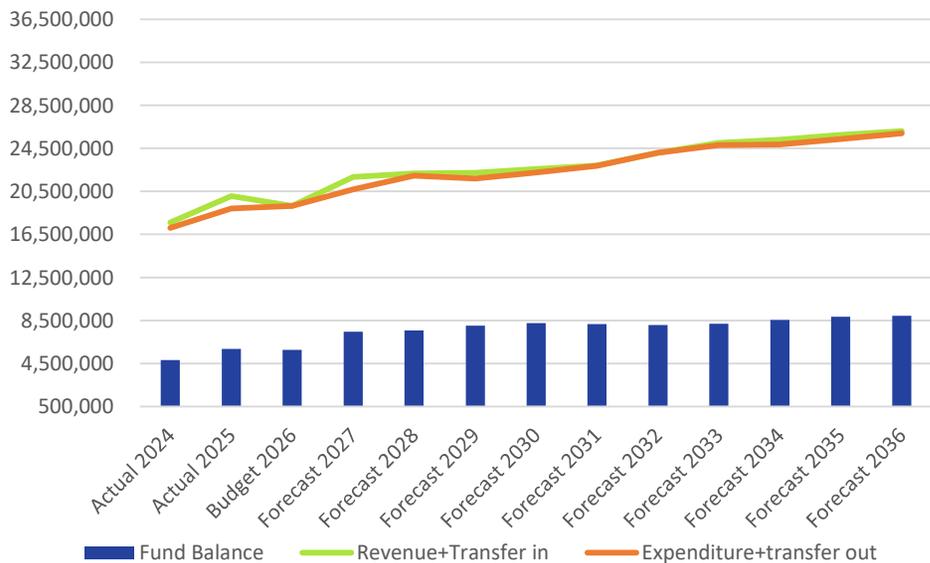


## TOURISM FUNDS MUNI & STATE ATAX + HOSPITALITY TAX

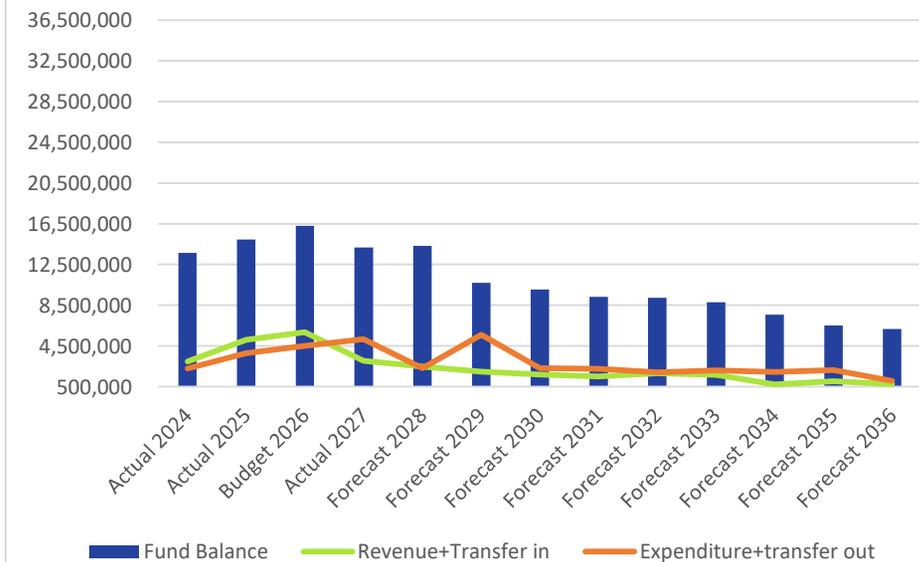


# IOP - HISTORICAL AND FORECASTED ENDING FUND BALANCES - \$5M - W/ MILLAGE

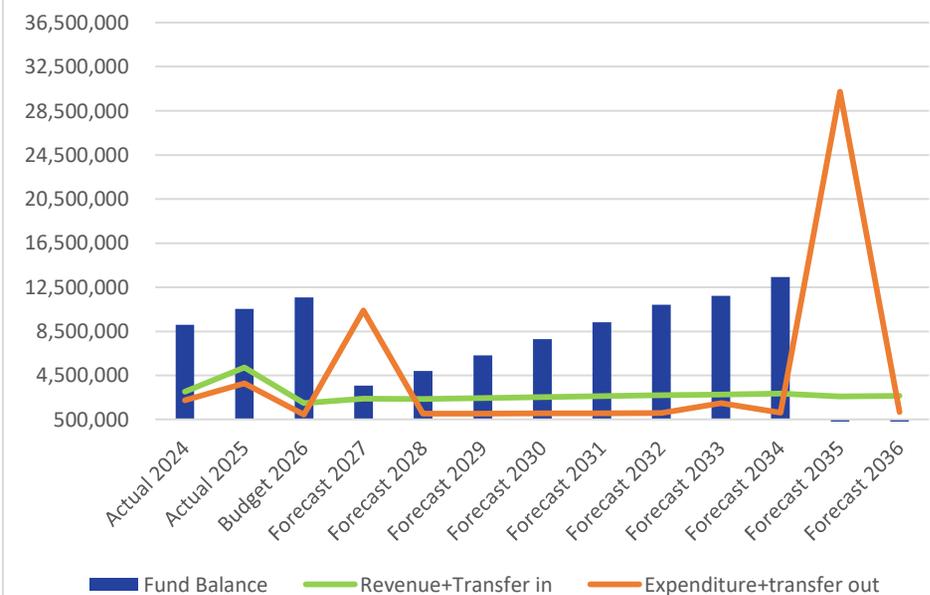
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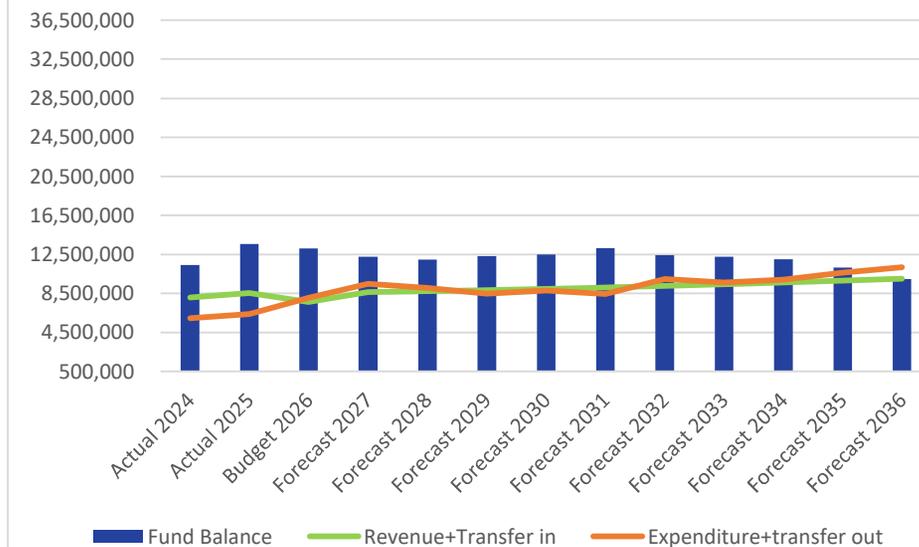
## CAPITAL PROJECTS FUND



## BEACH PRESERVATION FUND



## TOURISM FUNDS MUNI & STATE ATAX + HOSPITALITY TAX

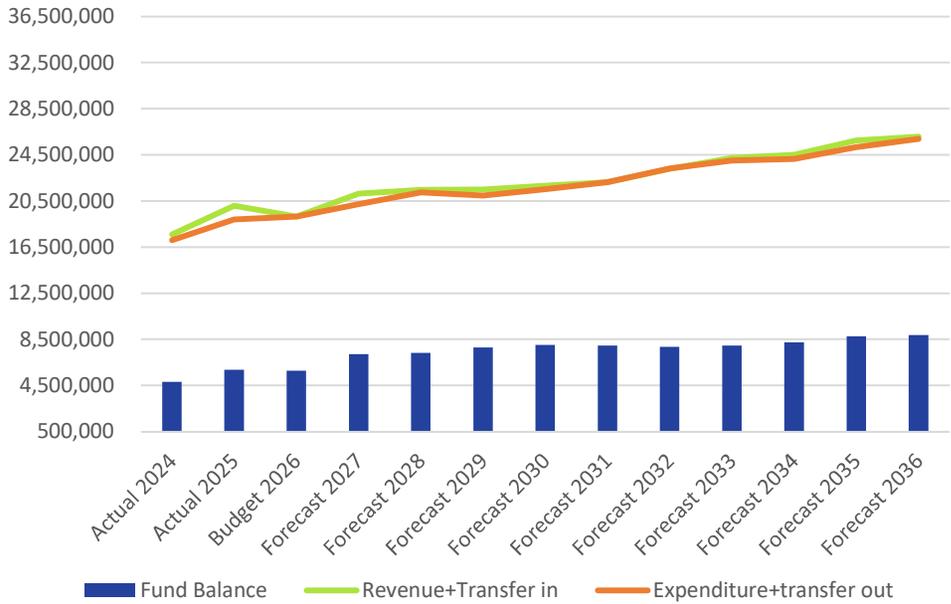


GO or Revenue Bond  
 Terms 8 years @ 4%  
 1 millage \$ 338,000  
 Millage needed per annual debt service 2.20 0.002197157 \$ 742,639.16  
 Per 1 million taxable value primary residence 4% 1,000,000 \$ 87.89  
 Estimated cost per \$1M for terms 8 \$ 703.09

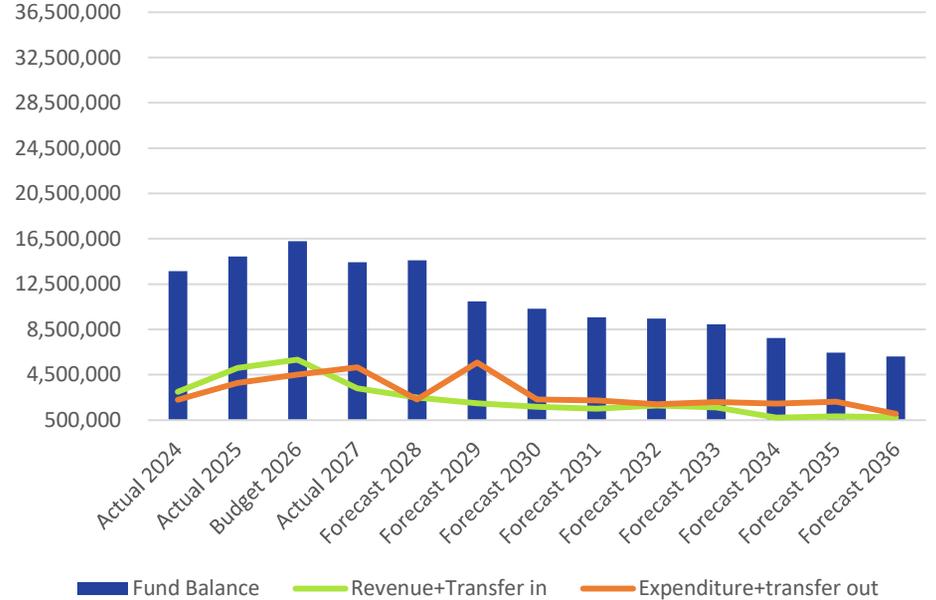
	Series 2026 - Large Offshore Beach Inlet			
	Principal	Interest	Debt Service	Balance
	5,000,000	941,113	5,941,113	
2024	-	-	-	-
2025	-	-	-	-
2026	-	-	-	5,000,000
2027	542,639	200,000	742,639	4,457,361
2028	564,345	178,294	742,639	3,893,016
2029	586,919	155,721	742,639	3,306,098
2030	610,395	132,244	742,639	2,695,702
2031	634,811	107,828	742,639	2,060,891
2032	660,204	82,436	742,639	1,400,688
2033	686,612	56,028	742,639	714,076
2034	714,076	28,563	742,639	-
2035	-	-	-	-
2036	-	-	-	-
2037	-	-	-	-

# IOP - HISTORICAL AND FORECASTED ENDING FUND BALANCES - \$5M

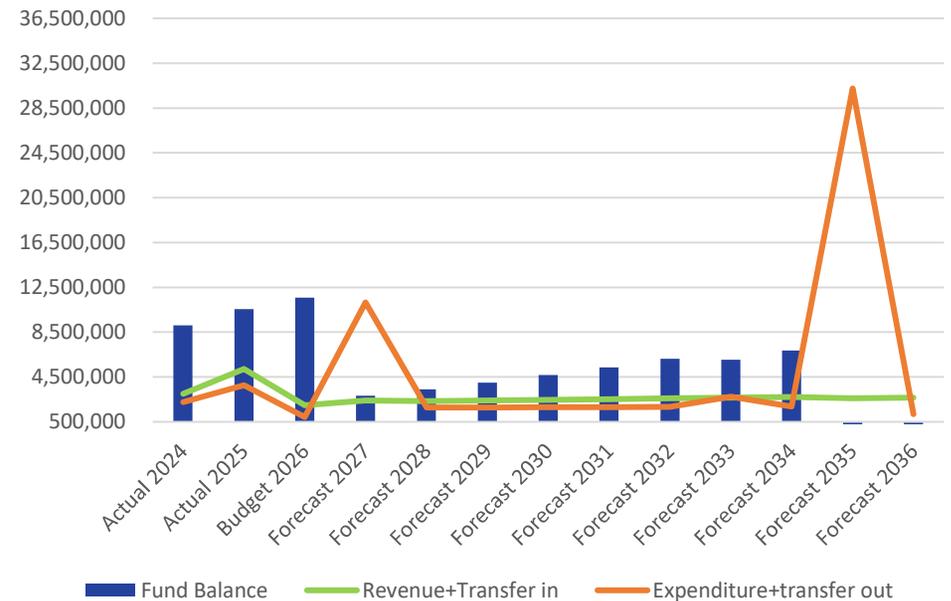
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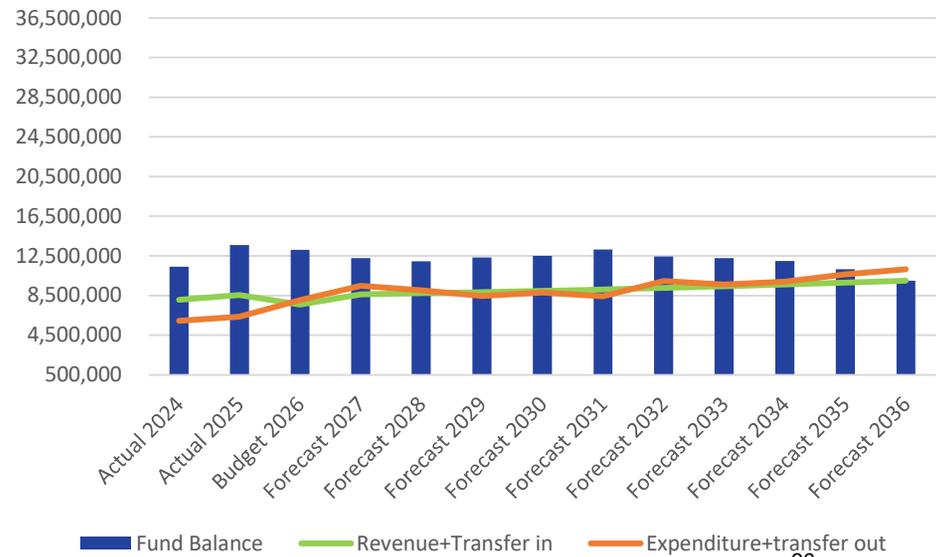
## CAPITAL PROJECTS FUND



## BEACH PRESERVATION FUND

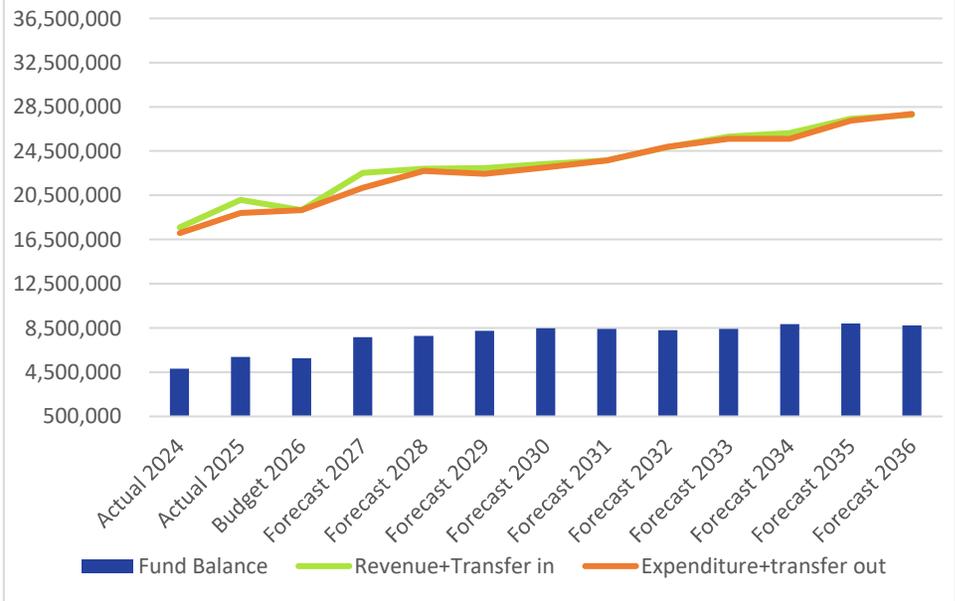


## TOURISM FUNDS MUNI & STATE ATAX + HOSPITALITY TAX

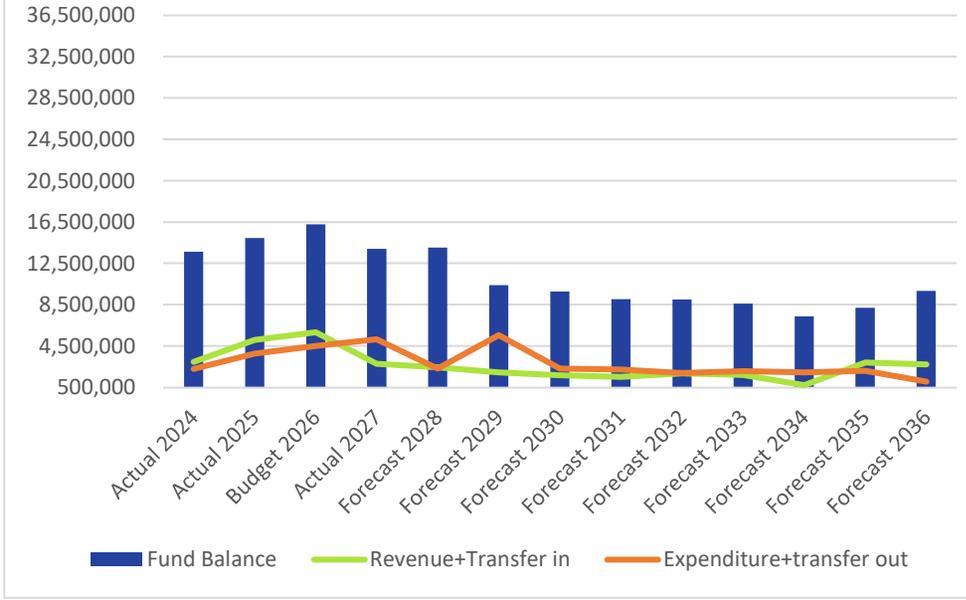


# IOP - HISTORICAL AND FORECASTED ENDING FUND BALANCES - \$10M W/ MILLAGE

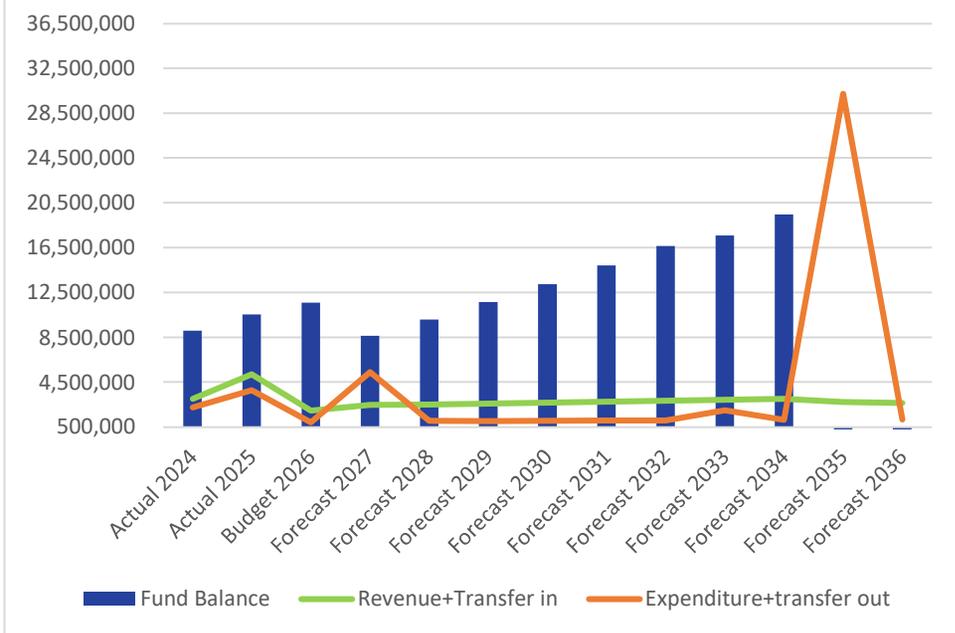
## GENERAL FUND



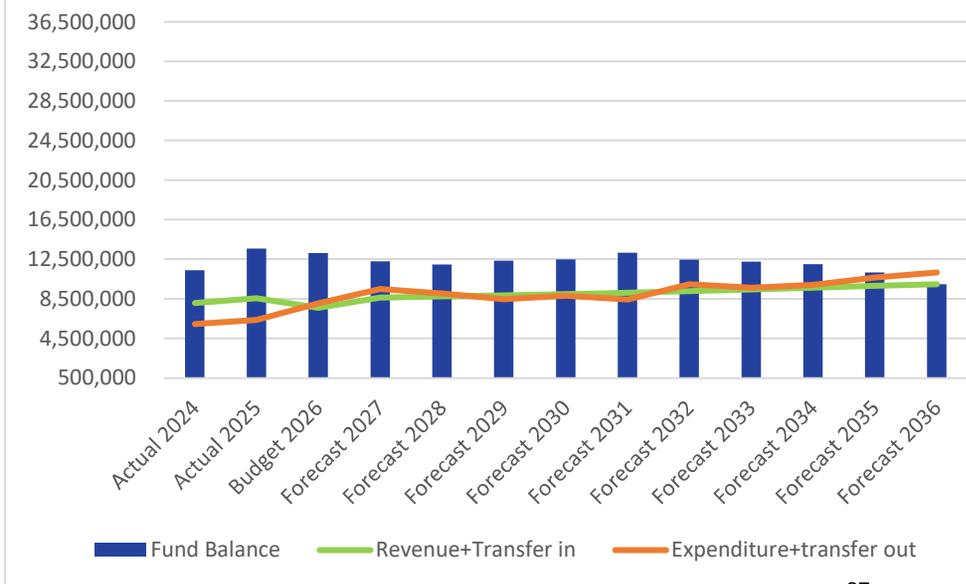
## CAPITAL PROJECTS FUND



## BEACH PRESERVATION FUND



## TOURISM FUNDS MUNI & STATE ATAX + HOSPITALITY TAX

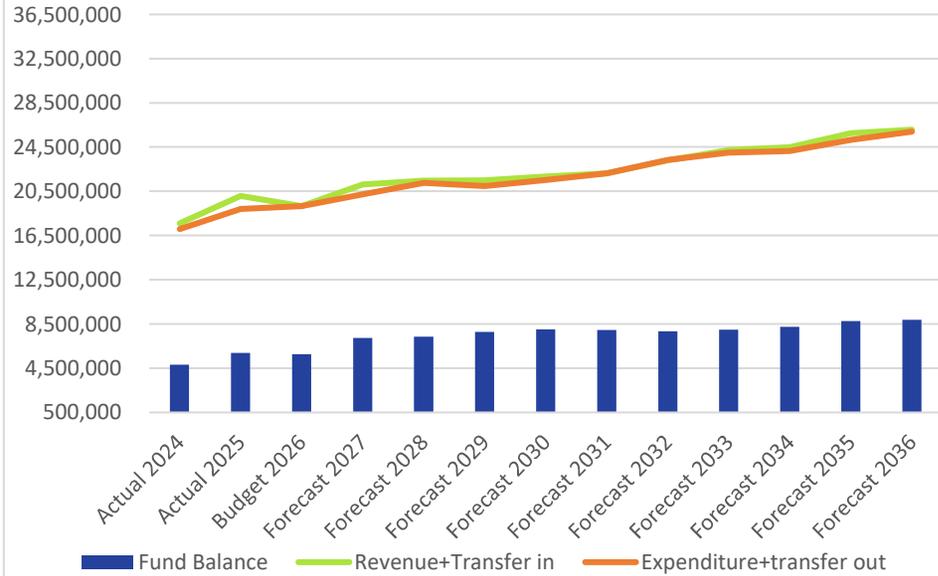


GO or Revenue Bond  
 Terms 8 years @ 4%  
 1 millage \$ 338,000  
 Millage needed per annual debt service 4.39 0.004394315 \$ 1,485,278.32  
 Per 1 million taxable value primary residence 4% 1,000,000 \$ 175.77  
 Estimated cost per \$1M for terms 8 \$ 1,406.18

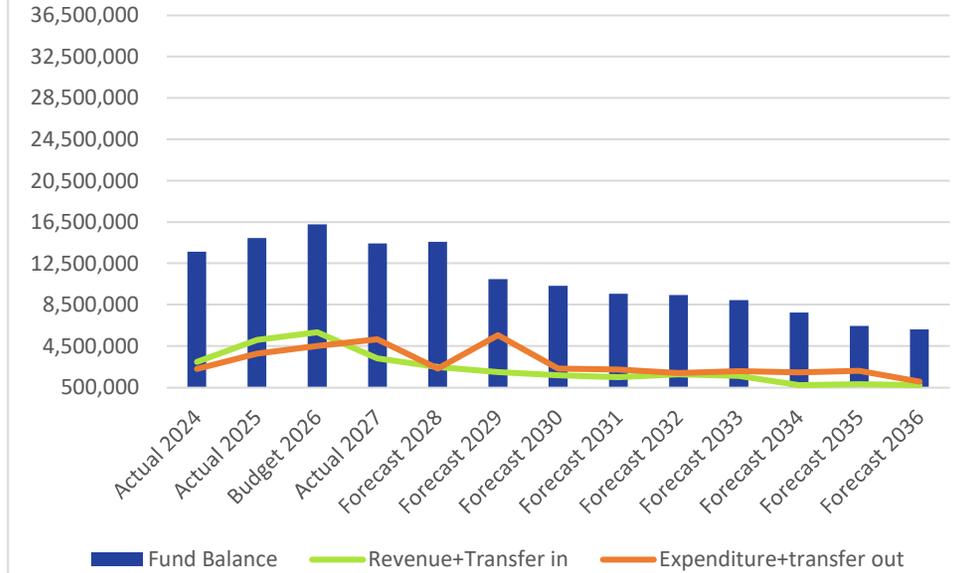
Series 2026 - Large Offshore Beach Project				
	Principal	Interest	Debt Service	Balance
	10,000,000	1,882,227	11,882,227	
2024	-	-	-	-
2025	-	-	-	-
2026	-	-	-	10,000,000
2027	1,085,278	400,000	1,485,278	8,914,722
2028	1,128,689	356,589	1,485,278	7,786,032
2029	1,173,837	311,441	1,485,278	6,612,195
2030	1,220,791	264,488	1,485,278	5,391,405
2031	1,269,622	215,656	1,485,278	4,121,783
2032	1,320,407	164,871	1,485,278	2,801,376
2033	1,373,223	112,055	1,485,278	1,428,152
2034	1,428,152	57,126	1,485,278	-
2035	-	-	-	-

# IOP - HISTORICAL AND FORECASTED ENDING FUND BALANCES - \$10M

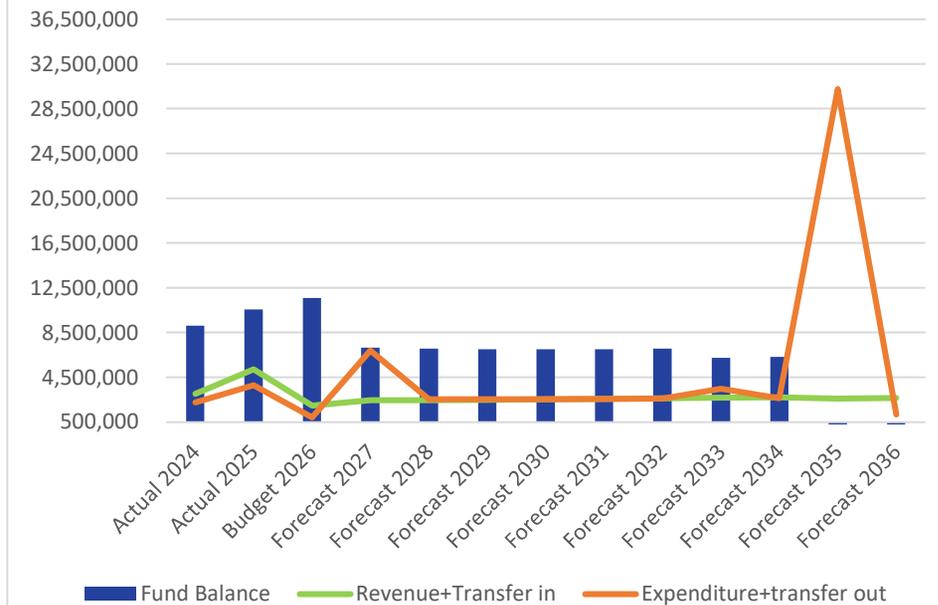
## GENERAL FUND



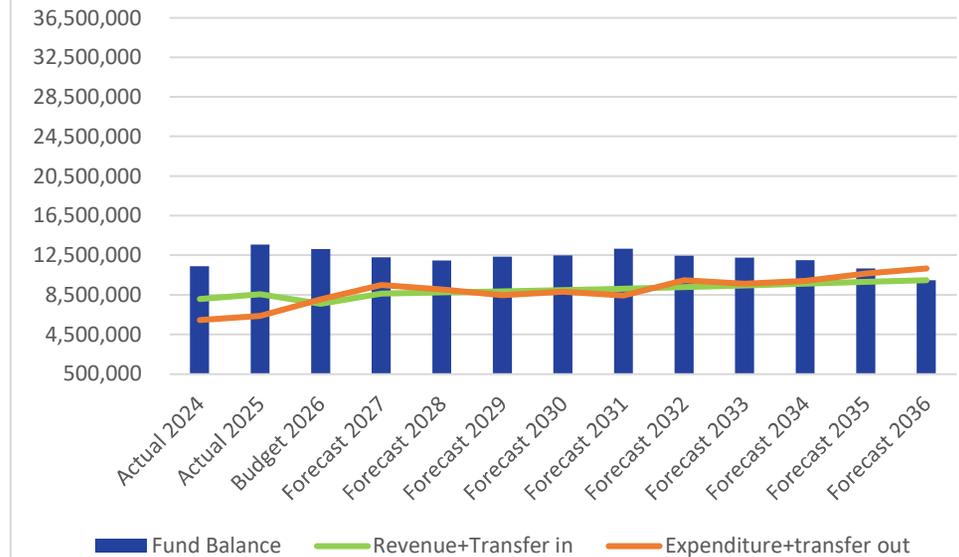
## CAPITAL PROJECTS FUND



## BEACH PRESERVATION FUND



## TOURISM FUNDS MUNI & STATE ATAX + HOSPITALITY TAX





WHEREAS, as a condition of the issuance of any state or federal permitting for the Restoration Project, all sandbags, previously placed in the affected areas by the City or Association's members, or others, must be removed by the entity who placed them, prior to the project's start, and all non-beach-compatible sand contained in any such bags must be removed from the beach and disposed of in a proper manner; and

WHEREAS, the City has funded and coordinated the work necessary for the issuance of the appropriate state and federal agency permits (the "Permits") to conduct the Restoration Project, and issuance of the Permits should occur soon.

NOW THEREFORE, in consideration of the premises and the mutual covenants and promises of the Parties hereto set forth in this Agreement, the Parties agree as follows:

1. CITY'S WORK.

- A. For purposes of this Agreement, the "City's Work" is defined as all activities allowed or required by the Permits for the Restoration Project within the vicinity of the beach within Reaches One and Two as depicted in Coastal Science Engineering ("the Engineer") plans dated February \_\_\_\_\_, 2026 (the "Plans") and attached herein as Exhibit 1, except as otherwise stated in this Agreement, including, but not limited to, off-shore dredging activities, all monitoring required by the Permits, all sand tilling required by the Permits, depositing dredged sand, and sea turtle protection and monitoring activities required by the Permits.
- B. For purposes of this Agreement, the City's Work does not include any work outside of Reaches One and Two. The City is working separately on Reach Three, but that work is excluded from this Agreement and no funds from the Association will be used for any work associated with Reach Three. (See sheet six of the Plans.)
- C. For purposes of this Agreement, the City's Work does not include the removal of sandbags placed by the City and some of the Association's members. This removal must happen as a condition of prior Emergency Orders issued to the City and because this condition predates this agreement, no funds from the Association will be used for the removal of sandbags.
- D. The City's Work does not include any inspections, engineering, repairs, or other costs regarding the condition, safety, or structural integrity of any building, either before, during, or after completion of the City's Work.
- E. The City's Work does not include the removal or disposal of any building debris, including, but not limited to, concrete, wood, glass, sheetrock, or pipes, which is located on or near the active beach.

2. ESTIMATED COSTS FOR THE CITY'S WORK.

- A. The cost for the City's Work under this Agreement is estimated by the City to be Twenty-Two Million and no/100 (\$22,000,000.00) Dollars. This is an estimate and the actual amount will fluctuate based on receiving bids on sand placement. The City's Work costs include but are not limited to all fees and costs incurred by City associated with: any additional permitting; dredging; engineering; consultants; legal; sand tilling required by the Permits; sea turtle protection and monitoring activities required by the Permits; and all other fees and costs incurred by the City in order to comply with the Permits and complete the City's Work.
- B. The City's contribution may be reduced by contributions toward the costs of the City's Work made by any other state, federal or local political subdivision. Such outside contributions would not reduce the Association's Contribution.
- C. The City shall not perform or complete the City's Work under the Permits unless and until the balance of the costs for the City's Work has been funded by the City's Contribution, the Association's Contribution, and state / federal sources; provided, however, that if both parties agree in writing, the City may execute a smaller-scale restoration project for less than the estimated cost referenced in Section 4(A) above if required by the Permits or if the City is unable to secure funding for the remaining balance of the costs from the Association, state and/or federal sources.
- D. The City agrees to maintain separate accounting records for the City's Work. All records of the City's Work shall be available for inspection by the Association at all reasonable times.

3. COST SHARING.

- A. Basis. The basis for the cost sharing between the City and The Association is the percentage of funds generated on the Island from Accommodations Taxes which in part, funds the City's Beach Preservation Fund. This percentage was determined by using the reported gross income for short term rental licenses and business licenses for the 2025 license year, not actual Accommodations Taxes collected. The Parties agree that this percentage in 2025 was 47% from the Association and 53% from the City and the schedule of reported revenues is attached to this Agreement as Exhibit 2.
- B. Sharing Percentages. In recognition of these contributions, the City will fund 47% of the total construction cost of the City's Work under this agreement, not exceeding Ten Million and five-hundred thousand no/100 (\$10,500,000.00) Dollars (the "City's Contribution"). The Association will fund 53% of the total construction cost of northern portion of the project, not exceeding Twelve Million and no/100 (\$12,000,000.00) Dollars (the "Association's Contribution").
- C. Additional Costs. The Association agrees to share in all additional costs related to the City's Work under this agreement including but not limited to mobilization, sand

placement, construction administration services, wildlife monitoring services, consulting, professional services, and other related expenses using the same calculation as described in Section 1(B). of this Agreement.

- D. City Exclusive Costs. The City will fund 100% of all project costs in Reach 3, located at the southern end of the Island, which is excluded from this Agreement. The cost of the work in Reach 3 will be calculated on a pro-rata basis by dividing the total cost of island-wide renourishment, including mobilization and soft costs, by the total volume of sand placed across all Reaches. An example of this calculation is provided herein as Exhibit 3.
- E. Change Orders. The City will not execute change orders for the construction project that change the cost or amount of sand placement without prior written approval from the Association.

4. ESCROW DEPOSIT TOWARD COSTS OF THE RESTORATION PROJECT.

- A. Association's Contribution. The Association agrees to deposit the full amount of the Association's Contribution in escrow with the City no later than 30 days from the date of receiving bids. TIME IS OF THE ESSENCE. This amount shall be placed in an interest-bearing bank account, and all accrued interest shall be credited to the Association's Contribution.
- B. Replenishment of Escrow Account. If at any time both parties agree in writing to expand the scope or scale of the Restoration Project and the amounts dictated by this agreement are insufficient, the City shall provide a written amendment to this Agreement and the Association agrees to replenish the escrow account with enough money to restore the deficit within thirty (30) days from the date of City's written notice (the "Replenishment Deposit"). TIME IS OF THE ESSENCE.
- C. Refund upon failure to make Initial Deposit or Replenishment Deposit. If the Association fails to make the initial escrow deposit of the Association's Contribution as set forth in paragraph (A) of this Section or any subsequent Replenishment Deposits as set forth in paragraph (B) of this Section, then the City has the right to terminate the City's Work without further notice and withdraw its application for the Permits or, if issued, surrender or transfer the Permits. In such case, the balance of the escrow deposit, if any, will be refunded to the Association ninety (90) days after all fees and costs already incurred in connection with the City's effort to execute the City's Work pursuant to this Agreement have been satisfied.

5. REFUND OF REMAINING BALANCE UPON COMPLETION OF RESTORATION PROJECT. Substantial Completion shall occur upon Engineer's written confirmation that all beach fill quantities included in the Base Bid and any awarded Alternates have been placed in accordance with the Contract Documents. Final Completion shall occur upon completion of all remaining Work, including final grading, demobilization, close-out

documentation, and Owner's formal acceptance of the Work following Engineer's recommendation for final payment for the project. If a refund is requested in writing by the Association within one (1) year after the completion date of the initial Restoration Project, the remaining balance of the Association's Contribution, if any, after all fees and costs incurred in connection with the Restoration Project have been satisfied, shall be refunded to the Association ninety (90) days after receipt of the written request. If all fees and costs incurred in connection with the Restoration Project have not been satisfied at the time of Association's written request, such refund shall be made ninety (90) days after satisfaction of the outstanding fees and costs. If the Association fails to make a written request within one (1) year after the completion date of the initial Restoration Project, the remaining balance of the Association's Contribution shall remain in the City's escrow account and be subsequently transferred to the City's Beach Preservation Fund and used in a manner that is in keeping with this funds purpose.

6. TIME PERIOD FOR COMPLETION OF RESTORATION PROJECT. The time period for completion of the Restoration Project shall be set forth in the Permits or any extensions or amendments thereto. If the City is unable, for any reason whatsoever, to perform or complete the Restoration Project by the expiration date of the Permits or any extensions or amendments thereto, the balance of the Association's Contribution remaining in escrow, if any, will be refunded to the Association ninety (90) days after all fees and costs incurred in connection with the City's effort to execute the City's Work prior to such expiration date have been satisfied, unless otherwise requested in writing by the Association.
7. CONSTRUCTION AND RESTORATION EASEMENTS.
  - A. The Association hereby grants to the City a temporary, general easement on, over and across real property owned or controlled by the Association adjacent to the Property Owners Beach House, to provide City and City's contractors, subcontractors, consultants, engineers, advisers, inspectors, employees and agents access to the fullest extent required by the City to complete the City's Work under the Permits including but not limited to ingress and egress, construction staging areas, Erosion Mitigation Activity areas, and access to water and electricity. If required or requested by the City, the Association agrees to grant the City a formal written easement for such activities which will be recorded in the Charleston County Register of Deeds Office.
  - B. The Association agrees to secure permanent easements from the owners adjacent and abutting to the City's Work prior to the commencement of the restoration project.
8. ADMINISTRATION OF THE CITY'S WORK. The City shall have sole authority and control over the City's Work under the Permits. The City, in consultation with its advisers, will negotiate and enter into all contracts which will delineate the exact scope and detail of the City's Work under the Permits.
9. PERMIT APPLICATIONS.

- A. Permits. Necessary Permits have been applied for and are nearing issuance prior to the execution of this Agreement.
- B. Additional Permits. Additional Permits are not anticipated and not addressed herein.

10. ACKNOWLEDGEMENT OF RISKS; RELEASE AND INDEMNIFICATION OF THE CITY.

- A. The Association understands and agrees that, due to the nature of the dynamics of storms, winds, currents and tides of the Atlantic Ocean, and the current severity of the erosion, there is no promise or guarantee from the City or any other person that the City's Work under the Permits will be successful in alleviating or eliminating erosion; continued, severe erosion may continue to occur because of natural causes during and after the administration of the Restoration Project per the Permits; a substantial portion or all of the sand placed on the beaches as part of the Restoration Project could be washed away by a major storm event or tide; and that the City's Work under the Permits and/or Additional Permits may be delayed, postponed or canceled because of permitting requirements, insufficient funding, acts of God, labor shortages, labor strikes, material shortages, or other factors beyond the reasonable control of City.
- B. The Association understands and agrees that any risk to the structural integrity of any building caused by the removal of erosion control measures, including, but not limited to, wave dissipation devices and sandbags, shall be borne by the owner of the affected building. The Association hereby releases the City and its officials, agents, employees, inspectors or advisers from any and all claims against City for property damage caused by the removal of such erosion control measures.
- C. The Association hereby releases the City and its officials, agents, employees, inspectors or advisers from any and all claims against City for property damage caused by erosion or the failure of the City's Work under the Permits to alleviate, eliminate or delay the erosion of Association its members' property. This release does not extend to any claims against the dredging contractor(s), the contractor(s) performing Erosion Mitigation Activities, or the engineer engaged by City in performance of the City's Work under the Permits.
- D. The Association hereby agrees to hold harmless and indemnify the City, its officials, agents, employees, inspectors or advisers against any loss or damage, including reasonable attorney's fees and expenses, incurred as a result of any claims against the City or its officials, agents, employees, inspectors or advisers for personal injury or property damages in connection with the City's Work under the Permits except to the extent that such loss is caused by any negligent or reckless act of the City or its officials, agents, employees, inspectors or advisers. This indemnification does not extend to any claims against the dredging contractor(s), the contractor(s) performing Erosion Mitigation Activities, or the engineer engaged by City in performance of City's Work.

11. NOTICES. All notices, consents, approvals and requests required by any provision of this Agreement shall be in writing and shall be deemed to be properly given and received when personally delivered to the representatives of each party or when deposited in the United States mail, registered or certified, with return receipt requested, postage prepaid. All notices to the City of Isle of Palms shall be addressed to Mr. Douglas Kerr, City Administrator, 1207 Palm Blvd., Isle of Palms, SC 29451. Notices to any other party to this Agreement shall be mailed to the address on record with Charleston County or at such other address as the party may hereafter designate in writing to the City.

12. MISCELLANEOUS PROVISIONS.

A. Binding Agreement. The parties hereto respectively bind themselves and their successors and assigns with respect to all covenants, agreements and obligations contained in this Agreement. Any party may assign its rights under this Agreement upon written notice to all other parties of such assignment.

B. Governing Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina, without regard to its choice of law principles. Any action arising under this Agreement shall be brought exclusively in the state courts located in Charleston County, South Carolina, and the Parties consent to the jurisdiction of such courts.

C. Enforcement and Remedies. Subject to the Dispute Resolution section of this Agreement, if any party breaches this Agreement, the non-breaching party may pursue any and all remedies available at law or in equity, including specific performance and injunctive relief, and all such remedies shall be cumulative. In the event of any proceedings relating to or arising from this Agreement, the prevailing party shall be entitled to recover all of their expenses from the non-prevailing party, including, but not limited to attorneys' fees, costs, and expenses.

D. Dispute Resolution. Except for claims seeking temporary, preliminary, or permanent injunctive or other equitable relief to prevent irreparable harm, the Parties shall participate in non-binding mediation as a condition precedent to filing any lawsuit or initiating any other formal legal proceeding arising out of or relating to this Agreement, its interpretation, performance, breach, or termination. The mediation shall be conducted in person in Charleston County, South Carolina, unless the Parties mutually agree in writing to conduct the mediation by videoconference or at another location. A Party seeking mediation shall provide written notice to the other Party of their desire to mediate the dispute. If the Parties are unable to agree upon a mediator within fifteen (15) days after the notice, the City and Association shall each propose a mediator, and the two proposed mediators shall select a mediator for the Parties. The mediation shall occur within sixty (60) days after delivery of the notice, subject to the mediator's availability and any mutually agreeable and written extension between the Parties. The Parties shall share the mediator's fees and administrative costs equally, unless they agree otherwise in writing. Each Party shall bear its own attorneys' fees and costs

incurred in connection with the mediation. Notwithstanding the foregoing, the Parties may mutually agree in writing to forego pre-suit mediation.

- E. No Joint Venture. This Agreement is not to be construed as creating, nor does it create, a joint venture or partnership between the parties for any purpose, or authorizing any party to act as agent for another party.
- F. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto. Any amendments hereto shall be in writing and signed by all parties hereto.
- G. Multiple Counterparts. This Agreement may be executed in any number of counterparts with the same effect as if all the signing parties had signed the same document. All counterparts shall be construed together and constitute the same instrument.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, by and through the undersigned agents, as of the date stated above.

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The City of Isle of Palms, SC

By: \_\_\_\_\_

Title: \_\_\_\_\_

Wild Dunes Community Association, Inc.

By: \_\_\_\_\_

Title: \_\_\_\_\_

EXHIBIT 1  
(ATTACH ENGINEER'S PLANS DATED FEBRUARY \_\_\_\_, 2026)

EXHIBIT 2  
(ATTACH 2025 LICENSE YEAR DATA)

EXHIBIT 3

(ATTACH EXAMPLE OF PROJECT COST CALCULATION)



contemplated herein; a substantial portion or all of the sand placed on the beaches, dunes or the private property could be washed away by a major storm event or tide; and that the City's work performed hereunder may be delayed, postponed or canceled because of permitting requirements, insufficient funding, acts of God, labor shortages, labor strikes, material shortages, or other factors beyond the reasonable control of City. By performing the work contemplated herein, the City is not committing or guaranteeing that future repair or renourishment work will be performed in the future.

Grantors hereby release the City and its officials, agents, employees, inspectors, contractors and advisers from any and all claims in connection with any dune restoration or beach renourishment work, including but not limited to any claims for personal injury, lost profits, or property damage, which includes property damage caused by erosion or the failure of the City's work described herein to alleviate, eliminate or delay the erosion of Grantor's property.

Grantors hereby agree to hold harmless and indemnify the City, its officials, agents, employees, inspectors, contractors and advisers against any loss or damage, including reasonable attorney's fees and expenses, incurred as a result of any claims against the City or its officials, agents, employees, inspectors, contractors or advisors for personal injury or property damages in connection with the City's work contemplated herein, except to the extent that such loss is caused by any negligent or reckless act of City or its officials, agents, employees, inspectors, contractors or advisers.

The Grantors acknowledge that they have carefully read this Easement, that they have consulted, or had the opportunity to consult, an attorney concerning the provisions, conditions and effect of this Easement, that they know and understand the contents of this Easement, and that there is no agreement other than that expressed herein.

Prior, and as a condition to the City commencing any work on the dunes, the Grantors agree to remove at Grantors' expense any boardwalks/pilings (to the extent requested by the City, its agents, or engineers), sand fencing, turf, or any other debris located within the Easement area. Grantors acknowledge and agree that all building debris, including, but not limited to, concrete, turf, wood, glass, sheetrock, or pipes, located on or near the active beach, shall be properly removed and disposed of in accordance with the Project schedule and under the direct supervision of the City's designated agent and in full compliance with all applicable provisions of the Permits. Such debris removal and disposal shall be at the sole expense of the owner of the property where the debris is located.

This Easement shall have no effect on ownership rights, if any, to real property located seaward of the property encumbered by this Easement.

This Easement shall have a term of Two (2) years from the date of execution by the Grantors, and upon expiration at the end of the term, this Easement shall have no further force and effect, except that the release and indemnity obligations contained herein shall survive the expiration of this Easement. Upon expiration, the Grantors acknowledge and agree that the City shall have no further obligations under the terms of this Easement.

TO HAVE AND TO HOLD all and singular the Easement before mentioned unto the City, its successors and assigns forever.

The above described Easement and covenants shall run with title to the real property subjected to this Easement and shall be binding on all parties having any right, title or interest in these described properties or any portion of them. This instrument also binds the respective heirs, devisees, fiduciary representatives, successors, successors in title and/or assigns, and shall inure to the benefit of anyone or anything who/which purchases or takes any interest in real property within the lands subject to this Easement.

**\*\*\*Remainder of Page Intentionally Left Blank\*\*\***  
[Signature on Following Page]





**EXHIBIT A**  
*(Drawing Showing Easement)*



# EXECUTIVE SUMMARY

## PROJECT OVERVIEW

Evergreen Solutions was selected by the City of Isle of Palms in September 2025 to conduct a comprehensive compensation study. The study included an internal analysis and a market analysis, with the findings detailed below. Recommendations include modified pay plans to promote market alignment to strengthen the City's ability to attract and retain quality employees.

## FINDINGS

### Salary Distribution and Progression

Most employees earn below midpoint, with the greatest concentration of employees in the first quartile. Overall average tenure is 9.6 years, whereas median tenure is 3.8 years.

Data shows that the City has been hiring above the minimums of pay ranges, suggesting that ranges may need to be updated in order to be more competitive.

### Internal Equity and Pay Compression

Data shows some decreased salary progression for tenured employees along with increased placement of newer employees. This indicates that the City is starting to experience compression between newly hired and more tenured employees. This pattern can impact employee morale in instances where compensation does not increase consistently based on tenure and institutional knowledge.

### Market Competitiveness Lag

City pay plans are below public sector market peers, on average. The areas farthest behind the market average include Nutrition, Transportation, and clerical positions.

Additionally, the City has a narrower range spread (distance from minimum starting salary to maximum earning salary) on average than market peers, which translates to less earning potential and reduced competitiveness toward the maximum of published ranges.

Market Position	Pay Range Minimum	Pay Range Midpoint	Pay Range Maximum
<b>Straight Avg</b>	-3.8%	-5.4%	-6.5%
<b>40th Per.</b>	-3.5%	-4.7%	-5.5%
<b>50th Per.</b>	-6.1%	-7.5%	-8.5%
<b>60th Per.</b>	-8.7%	-10.5%	-12.0%

## RECOMMENDATIONS

To support the City's ability to recruit and retain employees in a competitive labor market, the following is recommended:

### 1. Compensation System

Update the City's existing pay plans for employees to adjust for market competitiveness; review placement of positions within the proposed plans to ensure consistency and internal equity.

Update the General and Administrative plans according to the 50<sup>th</sup> percentile, and the Public Safety plans according to the 60<sup>th</sup> percentile of the market to maintain competitive edge attained from the prior study for those positions.

### 2. Classification System

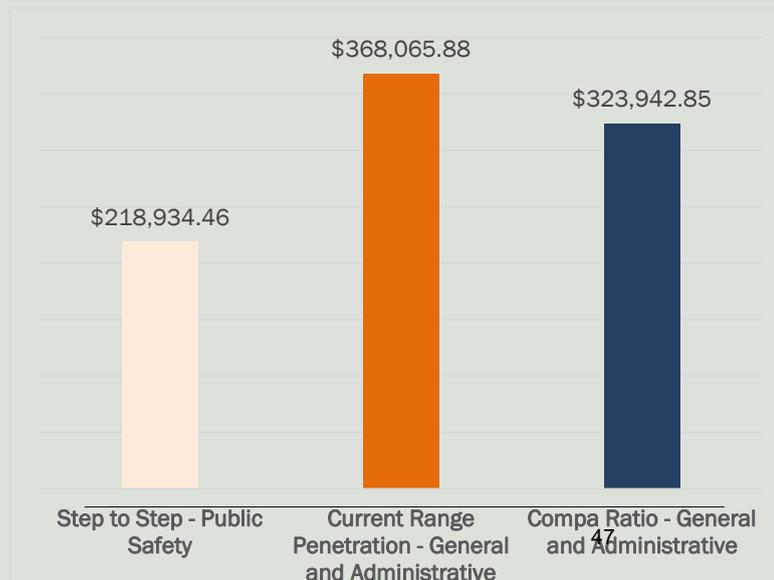
Conduct a comprehensive review of duties and responsibilities for each position within the City to ensure internal equity and update job descriptions as appropriate. Review classification levels to ensure clear definitions and that roles are appropriately titled.

### 3. System Administration

Conduct small-scale surveys as needed and review compensation guidelines annually. Develop a compensation philosophy that outlines how employees will move through the range. Implement a hiring calculator (provided by EGS) to help inform hiring decisions.

## IMPLEMENTATION COSTS

Several methods were developed and reviewed to estimate the costs of updating the City's pay plans. Current range penetration and compa ratio options maintain General and Administrative employees' current placement within the pay plan while providing flexibility to align with financial resources. Budgetary caps can be added to any implementation option to accommodate budgetary needs. Maintaining current step placement for Public Safety positions is also provided.



Market Peers	Cost of Living Index
<b>City of Isle of Palms, SC</b>	107.4
Beaufort County, SC	106.0
<b>Charleston County, SC</b>	107.4
City of Beaufort, SC	106.0
City of Charleston, SC	107.4
City of Charleston, SC Fire	107.4
City of Folly Beach, SC	107.4
City of Goose Creek, SC	98.3
City of Hanahan, SC	98.3
City of Myrtle Beach, SC	95.4
City of Myrtle Beach, SC Fire	95.4
City of North Charleston, SC	107.4
<b>Colleton County, SC</b>	98.4
Hilton Head Island, SC Fire	106.0
St. John Fire District, SC	107.4
Town of Bluffton, SC	106.0
Town of Mount Pleasant, SC	107.4
Town of Mount Pleasant, SC Fire	107.4
Town of Sullivans Island Fire	107.4
Town of Sullivans Island, SC	107.4
<b>Town of Summerville, SC</b>	99.1

Indicates peer who has not yet provided data

**Rank by Pay Range Average**

Organization	Rank
City of Myrtle Beach, SC	1
St. John Fire District, SC	2
Beaufort County, SC	3
City of Myrtle Beach, SC Fire	4
Town of Mount Pleasant, SC	5
City of North Charleston, SC	6
Hilton Head Island, SC Fire	7
City of Charleston, SC	8
City of Folly Beach, SC	9
Town of Mount Pleasant, SC Fire	10
City of Charleston, SC Fire	11
Town of Sullivans Island, SC	12
<b>City of Isle of Palms, SC</b>	13
Town of Bluffton, SC	14
City of Goose Creek, SC	15
City of Beaufort, SC	16

Summary of Metrics	
Number of Peers	20
Number of Respondents	17
Percentage Received	85.0%
<b>Number of Isle of Palms Positions Included</b>	
Positions with Limited Matches	7
Percentage of Positions with Sufficient Data for Inclusion	83.3%
Total Quality Matches	310+
Average Match Count	7.30

**Market Position Summary with Myrtle Beach Included:**

Market Position	Survey Minimum % Difference	Survey Midpoint % Difference	Survey Maximum % Difference	Survey Average Range	Isle of Palms Average Range Spread
Average (Not Adjusted for COL)	-4.9%	-6.5%	-7.7%	52.1%	47.8%
40th Percentile	-4.2%	-5.6%	-6.6%		
50th Percentile	-7.2%	-8.9%	-10.1%		
60th Percentile	-9.9%	-12.0%	-13.7%		

Isle of Palms is currently at roughly the 26th percentile in relation to market peers (at the minimum)

Isle of Palms is more competitive at the minimums of pay ranges, but loses ground since their average range spread is slightly narrower on average than market peers

**Market Position Summary with Myrtle Beach Excluded:**

Market Position	Survey Minimum % Difference	Survey Midpoint % Difference	Survey Maximum % Difference	Survey Average Range	Isle of Palms Average Range Spread
Average (Not Adjusted for COL)	-3.8%	-5.4%	-6.5%	51.2%	47.8%
40th Percentile	-3.5%	-4.7%	-5.5%		
50th Percentile	-6.1%	-7.5%	-8.5%		
60th Percentile	-8.7%	-10.5%	-12.0%		

Isle of Palms is currently at roughly the 29th percentile in relation to market peers (at the minimum) with Myrtle Beach excluded

Town of Sullivans Island Fire	17
City of Hanahan, SC	18

**Rank by Pay Range Minimum**

Organization	Rank
St. John Fire District, SC	1
City of Myrtle Beach, SC	2
Beaufort County, SC	3
Town of Mount Pleasant, SC	4
City of North Charleston, SC	5
City of Myrtle Beach, SC Fire	6
City of Charleston, SC	7
Hilton Head Island, SC Fire	8
City of Folly Beach, SC	9
Town of Sullivans Island, SC	10
Town of Mount Pleasant, SC Fire	11
<b>City of Isle of Palms, SC</b>	<b>12</b>
City of Charleston, SC Fire	13
Town of Bluffton, SC	14
Town of Sullivans Island Fire	15
City of Beaufort, SC	16
City of Goose Creek, SC	17
City of Hanahan, SC	18

## EVERGREEN STUDY METHODOLOGY

Project activities included:

- conducting a project kick-off meeting
- conducting a salary survey
- developing recommendations for compensation management
- developing detailed implementation plans; and
- creating the draft and final reports.

### **Kickoff Meeting**

The kickoff meeting provides an opportunity to discuss the history of the organization, finalize the work plan, and begin the employee data collection process. Data collection of relevant background material (including existing pay plans, organization charts, policies, procedures, training materials, job descriptions, and other pertinent material) is part of this process.

### **Assessment of Current Conditions**

This analysis provides an overall assessment of the existing pay plans and related data for the City's employees at the time the study began. The progression of employee salaries through pay grades and employee tenure.

### **Salary Survey**

The external market is defined as identified peers with which the City competes for qualified employees, including those that have similar characteristics, demographics, and service offerings as the target organization. A market survey tool will be created to solicit salary information from each of the peer organizations. When the results are received, the data is analyzed, and entered to provide aggregate findings. and the distribution of employees in the City are all examined during this process.

### **Recommendations**

the City identified its desired market position and compensation philosophy. Subsequently, the pay plan and job slotting within the system are adjusted to account for this desired position in the market. When the market positions have been identified the costs associated with each step of the analysis will take place. This will give the City the opportunity to view the total cost associated with the structural changes.



# ISLE OF PALMS POLICE DEPARTMENT

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PROPOSED INCENTIVES

# ISLE OF PALMS POLICE DEPARTMENT RECOMMENDED INCENTIVES

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- Recommended incentives for education
  - Professional investment in career, builds quick decision-making skills and creates problem solvers.
- Recommend incentive pay for advanced certification and skills.
  - Based on advanced certifications that are necessary to adequately train our personnel or deliver advanced services to our community.
  - Local departments:
    - Sullivan's Island PD = max of \$10,000
    - Folly Beach PS = max of \$14,250 (includes fire certifications too since they are public safety)
- Prior police experience that our residents and visitors benefit from





## RETAIN THE BEST

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- Education
- Bi-lingual
- Instructor certification incentives
- Specialized advanced training incentives
- Pay for prior experience



## Retain the Best

- Education to *Base Pay*
- Skill Pay for Advanced Certs
- Experience Counts!



# ISLE OF PALMS FIRE RESCUE

PROPOSED INCENTIVES  
2026





# Education

- **Impact:** Educated employees enhance leadership, decision-making, and risk management. Incentives encourage long-term professional investment.



# Training and Instructor Incentives

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- **Impact:** Training officers multiply organizational effectiveness. Incentives retain institutional knowledge and reduce external training costs.





## Specialized and High-Risk Operations

- **Impact:** Isle of Palms is a coastal, tourism-driven barrier island with inherent marine, technical rescue, and mass-casualty risks. Incentivizing specialty skills directly improves public safety outcomes.



## Professional Credentials (CFAI / CPSE/Bi-Lingual, SCBA Technician)

- **Impact:** Credentialed leaders improve policy development, accreditation readiness, fiscal stewardship, preventative and acute maintenance tasks to standard, along with strategic risk-based planning.



**Beach Preservation Ad Hoc Committee Recommendations - Next Steps- Updated 2/4/26**

**1) Beach Restoration Policies**

Recommendation	Next Step
Establish a minimum healthy beach volume profile per Figure 5 (approx. 600 cy per foot within the unstabilized inlet zones and 380 cy per foot elsewhere on the beach )	no action necessary now - semi annual monitoring reports will be provided to the public, Council and Beach Committee and notice of triggers being hit will be provided
Establish triggers, as stated in the January 2025 Beach Ad Hoc Report, for when Council should consider authorizing construction of mid-scale and large-scale projects	no action necessary now - bi annual monitoring reports to be provided to Council and Beach Committee and notice of triggers being hit will be provided
Consider becoming a US Army Corps of Engineers (USACE) managed beach	underway and no action necessary now - letter of intent submitted for feasibility study
Repeal ordinance prohibiting hard erosion control structures 250' of mean high water	need Council direction- discussed in 2nd opinion
Modify ordinance prohibiting hard erosion control structures 250' of mean high water	need Council direction- discussed in 2nd opinion
City performs emergency work (sand scraping, trucking in sand and/or placement of sandbags)	need Council direction- discussed in 2nd opinion
Establish property owner's responsibilities for maintaining dune system within private property (Folly Beach model)	need Council direction- should be done after decisions made about hard erosion control structures
Prohibit construction of new pools seaward of the maximum building line	done
Consider seeking second opinion on emergency protective actions, future beach nourishment program and other beach protection options (groins, sandbag installation and review of emergency protective actions taken during the last 2 years)	completed by Foth Olson

**2) Proactive Response to Beach Erosion**

Recommendation	Next Step
Accelerate and increase frequency of large-scale dredging beach nourishment projects from every 10 years to every 8 years	no action necessary now - semi annual monitoring reports to be provided to Council and Beach Committee and notice of triggers being hit will be provided

Initiate permitting for large scale nourishment projects two years after completion of a large-scale nourishment project	no action necessary now - permit applications submitted in Set. 2025 and under review
Coordinate construction of large scale nourishment projects on both unstabilized inlet zones to occur at the same time	no action necessary now - permit applications for both ends expected to be submitted Aug. 2025
Hire full time employee tasked with overseeing resilience efforts, including beach management	included in draft FY26 budget- next step is job description to be considered by Council and begin hiring process
Establish an ongoing Beach Preservation Committee made up of 5 Residents and 2 Council members	done
Increase the frequency of beach monitoring surveying from annual to semi annual	done

**3) New and Consistent Funding Mechanisms for Future Needs and Projects**

<b>Recommendation</b>	<b>Next Step</b>
Establish separate accounts for 1) emergency beach restoration work, and 2) large-scale beach nourishment projects and 3) other beach related projects	done
Consider raising revenue to cover the proposed proactive beach nourishment schedule (See funding sheet)	need Council direction
Engage state and federal lobbyists/legislators to secure funding for beach nourishment	no immediate action necessary- state and federal lobbyists have been engaged and given direction
Engage state lobbyists/legislators to amend state law to allow beach nourishment to be added to Municipal Improvements Act (MID) to allow City to establish special purpose tax district	no immediate action necessary- state lobbyists have been engaged and given direction
Engage state lobbyists/legislators to amend state law to provide coastal communities ability/flexibility to raise revenue for beach nourishment (i.e. real estate transfer fees or additional ATAX)	no immediate action necessary- state lobbyists have been engaged and given direction
Establish a cost-sharing plan with Wild Dunes for projects along areas that do not meet public access requirements based on WD contributions to the Beach Preservation Fund	underway. Both city staff and Wild Dunes staff have indicated an ability to continue to participate, but expressed concerns about their abilities to continue in outyear major renourishment projects

**JEFFREY S. POLUTTA**

29 Waterway Island Drive

Isle of Palms, SC 29451

843-670-4453

Jeff@retiredrecycling.com

February 13, 2026

To: Isle of Palms Police Department  
Isle of Palms, South Carolina

Subject: Letter of Intent to Donate 2025 Tesla Model S Plaid

Dear Chief and Members of the Isle of Palms City Hall,

I am writing to formally express my intent to donate the following vehicle to the Isle of Palms Police Department for its exclusive use in support of departmental operations and community service:

Vehicle Information:

- Year: 2025
- Make: Tesla
- Model: Model S Plaid
- VIN: 5YJSA1E61SF551213

It is my intention that this vehicle be used solely for official departmental purposes as determined appropriate by the department's leadership. This donation is made voluntarily and without expectation of compensation or personal benefit.

Upon acceptance of this donation, I am prepared to coordinate all necessary documentation required to properly transfer ownership and title in accordance with South Carolina law. I understand that the department may need to complete internal review and approval procedures prior to formal acceptance.

Please consider this letter as a good-faith expression of my commitment to support the mission and service efforts of the Isle of Palms Police Department.

If any additional documentation or information is required, please do not hesitate to contact me directly.

Respectfully,



Jeff Polutta

# Memo

**To:** Mayor and City Council Members  
**From:** Janice Ladd/HR Manager   
**Date:** February 10, 2026  
**Re:** Approval of Revisions to the Education Reimbursement Benefit Policy

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The purpose of this memorandum is to request Council approval for two updates to the Education Reimbursement Benefit section of the Employee Handbook. These revisions are intended to strengthen accountability, ensure consistent application of the benefit, and manage the City's financial exposure.

## Summary of Proposed Changes

### 1. Clarification of Repayment Requirement

The current policy states that employees "*may be required to repay*" education reimbursement funds if they do not meet the service commitment or other program conditions. To eliminate ambiguity and ensure consistent enforcement, the revised language will state that employees "*will be required to repay*" the reimbursed amount under those circumstances.

This change aligns the policy with the City's intent and ensures employees clearly understand their obligations when accepting tuition assistance.

### 2. Establishment of a Tuition Assistance Cap

The revised policy introduces a maximum fiscal year amount an employee may request for tuition assistance. Implementing a cap ensures the program remains financially sustainable, equitable across departments, and predictable for budgeting purposes.

The specific cap amount has been set at \$15,000..

## Recommendation

Staff recommends that Council approve the proposed revisions to the Education Reimbursement Benefit policy as presented. These updates will improve clarity, promote fairness, and support responsible stewardship of City resources.

## Education Reimbursement Benefit

This Policy is provided in order to encourage all regular full-time employees to continue their education in order to maintain and improve skills and knowledge useful in their current positions or necessary for assuming additional responsibilities for the future. The program described below is intended to provide eligible employees with tuition reimbursement for courses taken outside of working hours and approved by the City of Isle of Palms as beneficial to the City. Eligibility to participate in this program should not be considered a right of employment, but rather a privilege afforded to employees who are determined to be eligible and qualify to participate.

To be eligible for tuition reimbursement, an employee must be:

- A. A regular full-time employee, not on initial probation or disciplinary probation. (City Council Approved 2/22/00)
- B. Have a minimum of six months of service.
- C. Have at least an overall evaluation rating on the last evaluation of "Meets Expectations."

Employees must request, in writing, in advance, approval of their department head and City Administrator for courses, tuition, and related textbooks prior to enrolling in such courses. Requests for the upcoming 7/1 -6/30 Fiscal Year (FY) must be received in writing for consideration by February 28<sup>th</sup> prior to the next FY to initiate in July. This will allow the City to incorporate this anticipated expense into the City budget. Initial payment of required fees for enrollment is the employee's responsibility; therefore, the City will not advance any monies under this reimbursement program. The City will not reimburse associated education expenses, such as administrative fees, activity fees, graduation or certification fees, etc., which must be paid by the employee. Application may be made utilizing forms available from the Human Resources Manager.

Upon completion of a course, a reimbursement request must be filed with the Human Resources Manager within 20 days accompanied by receipts and evidence of the grade obtained. Tuition and textbook expenses will be reimbursed on a declining scale depending on the grade earned as follows:

A. Post high school and undergraduate courses:

1. Grade of "A" = 100%
2. Grade of "B" = 90%
3. Grade of "C" = 75%
4. Grade below "C" = 0%

B. Post graduate courses:

1. Grade of "A" = 100%
2. Grade of "B" = 90%
3. Grade below "B" = 0%

C. Any approved course that is non-graded and/or only produces a certificate of attendance/completion will be reimbursed at a 50% rate.

D. If an employee is eligible to receive educational financial assistance from any other source such as subsidized Pell Grants and/or Public Service Loan Forgiveness (PSLF) the reimbursement from the City of Isle of Palms will be limited to the amount unfunded by such other sources.

Employees terminating from the City's employment within one year of an approved course reimbursement ~~may be~~ **will be** required to repay a pro-rated portion of the additional reimbursement. For this purpose, the reimbursement is considered an advance of wages which may be deducted from an employee's final paycheck. **The policies pertaining to this Education Reimbursement Benefit program do not constitute a contract of employment.**

Program availability and level of assistance per employee in any fiscal year shall be limited **to a cap of \$15,000**, two (2) courses per semester at an accredited institution and also dependent upon the amount appropriated by City Council for this program. The City Administrator (or designee) is authorized to limit assistance per applicant based on the number of applications received in order to maximize the number of employees benefitting from the program.



**SAFE  
INDUSTRIES**

5031 Highway 153 Easley, SC 29642

# Invoice

#INV124455

12/8/2025

**Bill To**

Isle of Palms Fire Department  
30 J C Long Blvd  
Isle of Palms SC 29451  
United States

**Ship To**

Isle of Palms Fire Department  
30 J C Long Blvd  
Isle of Palms SC 29451  
United States

**TOTAL**

**\$29,707.87**

Due Date: 1/7/2026

Terms	Due Date	PO #	Sales Rep	Shipping Method	Partner
Net 30	1/7/2026	25-3014	James Neal		

QTY	Item	Comments	Price	Extended Price
7	<b>Globe Jacket</b> Globe Jacket- IOP SPEC *Change Wristlet to thumb loop*	POWERS DAILEY ALBRECHT IVAN McALLISTER MURPHY FASSOS	\$1,750.00	\$12,250.00
7	<b>Globe Pants</b> Globe Pants- IOP SPEC	POWERS DAILEY ALBRECHT IVAN McALLISTER MURPHY FASSOS	\$1,950.00	\$13,650.00
2	<b>G301320 - 11.5R</b> Globe - Men's ONYX® 13" Pull-On Structural Boot		\$479.00	\$958.00
2	<b>HX-8180-XL</b> HexArmor - Structure Glove, Gauntlet Cuff, XL, 76W		\$95.00	\$190.00
1	<b>HX-8180-2XL</b> HexArmor - Structure Glove, Gauntlet Cuff, 2XL, 82N		\$95.00	\$95.00
1	<b>Freight</b> Due to continued disruptions in the global supply chain, fuel surcharges, and fluctuating freight/shipping charges, we will no longer be able to estimate nor include any shipping charges on a quote. Shipping charges will be finalized on the Invoice. As always, we will continue to provide the best product pricing as possible but this volatile market has necessitated a change in our day to day operations. We hope you understand and continue to put your trust in Safe Industries.		\$122.00	\$122.00

<b>Subtotal</b>	\$27,265.00
<b>Tax</b>	\$2,442.87
<b>Total</b>	\$29,707.87



INV124455



Safe Industries

5031 Hwy 153  
Easley, SC 29642  
864-845-7175 (p)  
864-845-7176 (f)

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## Safe Industries MSA/Globe Channel Partner

### **Safe Industries:**

Safe Industries was founded in 2005 and now serves South Carolina, North Carolina, Tennessee, and Texas. The mission of Safe Industries is to supply the highest quality of Safety Equipment for our fire, police, and industrial customers while also providing the lowest cost and provision of excellence in customer service. Our loyalty to our customers, as well as commitment to quality and competitive pricing makes Safe Industries an “Allsource” alternative for their business needs. Safe Industries has been selling and supporting MSA/Globe products since May 2005 and has had much success with MSA/Globe. MSA’s long-standing commitment to the fire service began nearly 100 years ago. Their continuous goal has been to provide dependable, high quality, personal protective, instruments and service to help to ensure a safe return home. The MSA/Globe product line offers integrated and enhanced solutions to exceed your needs today as well as years into the future.

### **Globe:**

Safe Industries is the largest channel partner and provider of Globe PPE for South Carolina. We are headquartered in Easley, SC. We have spent almost 20 years providing customized PPE builds and specifications for individual and specific departmental needs including the build and design specification for the Isle of Palms Fire Department. (See below)

### **Independent Service Provider (ISP):**

Starting in 2025, Safe Industries will become an ISP recognized by both Globe and NFPA to conduct PPE repair, alterations, advance cleaning, and inspections. Safe Industries has made a huge investment in this program to offer our customers one of a kind service after the sale. We will be able to provide all the services listed above along with custom tailoring and rental gear. Furthermore, we have built out a robust inventory of loaner gear for any out of the ordinary circumstances. Because of our ongoing commitment to our customers, we will be able to provide these services without your PPE ever needing to leave the state of South Carolina.

Safe Industries would like to thank Isle of Palms for your continued support in our company and the products we represent. If you should have any questions, feel free to call (803) 599-9333 or email [jneal@safeindustries.com](mailto:jneal@safeindustries.com). We look forward to continuing to work with you for years to come.



QUOTE / ORDER FORM

GLOBE -

Date Prepared: 03.22.24

Note - This Quote Sheet MUST be submitted with each order to be processed against this Quotation!



PO Number: Page #: PODate:

Quote Name: ISLE OF PALMS (REV 1) Quote #: 120723-1G Expires: 6.7.2024

Dealer#: 103022 Dealer: SAFE INDUSTRIES-NC SC Attn: JASON RECTOR

Coat

Table with columns: Code, Description, Note: Due to space limitations, some options & placements are not available on smaller sized garments!

Pant

Table with columns: Code, Description, Note: Due to space limitations, some options & placements are not available on smaller sized garments!



**Public Safety Committee Meeting  
11:00am, Tuesday, February 3, 2026  
1207 Palm Boulevard, Isle of Palms, SC and  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council members Bogosian, Cohen, and Carroll (via Zoom)

Staff Present: Administrator Kerr, Deputy Administrator Kuester, Director Hamilton, Chief Oliverius, Chief Cornett

**2. Election of Chair and Vice Chair**

Council Member Cohen nominated Council Member Bogosian for Chair of the Public Safety Committee. Council Member Carroll seconded the motion. There being no other nominations, a vote was taken with all in favor of Council Member Bogosian as Chair of the Public Safety Committee.

Council Member Bogosian nominated Council Member Cohen for Vice Chair of the Public Safety Committee. Council Member Carroll seconded the motion. There being no other nominations, a vote was taken with all in favor of Council Member Cohen as Vice Chair of the Public Safety Committee.

**3. Citizen's Comments -- none**

**4. Approval of Previous Meeting Minutes – November 13, 2025**

Council Member Bogosian requested that the minutes be amended to reflect the correct next step for the noise ordinance.

**MOTION: Council Member Bogosian made a motion to approve the minutes of the November 13, 2025 meeting as amended. Council Member Cohen seconded the motion. The motion passed unanimously.**

**4. Old Business**

**A. Update on scope of future traffic study**

Administrator Kerr said he spoke with Jennifer Biehl about acting as the City's traffic consultant. She provided an agreement to work on an hourly basis. Staff would like agreement from the Committee to work with her up to \$10,000 for her services and update that agreement as needed.

Administrator Kerr noted that there is money in the budget for a traffic engineer, and because this is considered consulting services, there does not need to be a bid process.

After discussing the hourly rates for her services, the Committee agreed to move forward with having Ms. Biehl act as the City's traffic consultant.

**B. Discussion on AI Traffic Signal Software**

Administrator Kerr said the cost of the software, hardware, securing encroachment permits, and installation of the software presented to the Committee in November would be approximately \$100,000. The Committee agreed the City should put out an RFP for proposals from other vendors to do a comparison.

**C. Update on painting of crosswalks at 43<sup>rd</sup> and 46<sup>th</sup> avenues**

Administrator Kerr said SCDOT has completed the work they needed to do at these crosswalks. Asst. Director Asero is securing pricing on the decorative aspects of the project. He believes this will be a low-cost project and within the budget.

This item will stay on the agenda until completion.

**D. Discussion of Public Safety-related matrix recommendations**

Chief Cornett said the departments continue to work on updating the matrix. An updated version of the matrix will be available at the March meeting.

**5. New Business**

**A. Consideration of purchase of turnout gear for the Fire Department**

**MOTION: Council Member Bogosian made a motion to approve the purchase of the turnout gear for \$29,707. Council Member Cohen seconded the motion. The motion passed unanimously.**

**B. Discussion/status update of IOP Connector Redesign**

Administrator Kerr reminded the Committee that the changes to the Connector previously approved by City Council were not well received by the Town of Mt. Pleasant. Because the neighboring municipalities could not agree on a resolution, SCDOT said no changes will be made.

After a brief discussion, it was decided that Administrator Kerr will reach out for clarification from the Town of Mt. Pleasant about their specific misgivings regarding the Council's preferred redesign option.

**C. Review of 10-year Capital Plans for Police and Fire Departments**

Chief Cornett reviewed his FY27 Capital Plan requests which includes additional vehicles for two additional officers, a new drone and docking station, radios, RMS software, in-car cradles, report writing software, and replacement vehicles. Chief Cornett explained in detail what the

proposed drone could do for the City and reviewed some options with the Committee. The option preferred by the Committee will cost \$81,000/year for 4 years. This drone allows the department to deploy the drone from the rooftop to calls for service and includes the software to view the camera live. It can respond to calls and reduce response time for some incidents.

Council Member Bogosian suggested reviewing the cadence of vehicle purchases in the out years.

Chief Oliverius said he expects delivery of the new ladder truck in October 2026. He said it would be a challenge for the department if they had to delay the receipt of that truck. He said it is possible to push out the purchase of a new engine truck to FY29 if the ladder truck is received on time. He noted that jet ski and mule purchases are being pushed to FY28. Current equipment will be evaluated after the upcoming season.

He noted a line item for SCBA equipment for \$36,000 that would be purchased upon failure of current equipment. Council Member Bogosian said to keep that in the budget and move it further out if it is not purchased. Chief Oliverius added that there is a “hard stop” in FY29 when new equipment must be purchased if current equipment does not fail.

Chief Oliverius is waiting to hear on the status of the Port Security Grant so that he can apply again for the rescue boat. Administrator Kerr said he will mention it to the City’s federal lobbyists and have them look into the grant.

**6. Miscellaneous Business**

The next meeting of the Public Safety Committee will be on Tuesday, March 3, 2026 at 11am.

**7. Adjournment**

Council Member Bogosian made a motion to adjourn, and Council Member Carrol seconded the motion. The meeting was adjourned at 12:14pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**Administration Committee Meeting  
1:00pm, Monday, February 9, 2026  
1207 Palm Boulevard, Isle of Palms, SC and  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council members Miller, Pierce, and Ward

Staff Present: Administrator Kerr, HR Officer Ladd, Chief Cornett, Chief Oliverius,  
Director Hamilton

**2. Citizen's Comments -- none**

**3. Approval of Previous meeting's minutes**

**MOTION: Council Member Miller made a motion to approve the minutes of the January 8, 2026 meeting. Council Member Ward seconded the motion. The motion passed unanimously.**

**4. Old Business**

**A. Discussion of Spirit of the Island nomination for Dudley Spangler**

This matter will be on the February 24 City Council agenda.

**B. Update on Wage & Compensation Study and incentives**

Administrator Kerr shared the Executive Summary for the wage & compensation study recently received from Evergreen. They are still waiting for data from three municipalities, one of which the City has lost employees to. The study has found the City lagging behind other municipalities in terms of wages and compensation.

The Committee reviewed estimated costs of implementing Evergreen's recommendations, ranging from approximately \$543,000 to \$587,000. These numbers are based on base pay only and do not include fringe benefits and overtime. Staff will review the solution file sent from Evergreen before sending it out to the Committee. That data and its underlying assumptions will be discussed at the March meeting.

Council Member Pierce expressed concern about the disparity of pay within some positions. Each chief spoke to how they allocate pay and overtime among their staff. Both chiefs agree that embracing the recommendations of Evergreen will allow them to properly credit staff for years of service

The chiefs reviewed the proposed incentives, noting that they do not use any of them nor are any of them currently in the budget. They will come up with estimated costs for the incentives.

A representative from Evergreen will attend the March Administration Committee meeting to review the findings and answer questions.

**C. Discussion on City Organizational Chart**

Council Member Pierce said this information was included for reference information for future discussions.

**D. Discussion on Code of Ethics and Conduct**

Council Member Miller shared some ideas and research on possible processes regarding ethics and conduct. She will incorporate her suggested changes into the current Code of Conduct and prepare a redline of an ordinance for legal counsel to review.

**5. New Business**

**A. Discussion procurement/purchasing procedures**

Council Member Pierce would like to review Section 10 of the City Code relating to procurement and purchasing procedures. He believes the City should be shopping and going out to bid for pricing more frequently. He would like to incentivize shopping for savings.

He asked the Committee to review Section 10 and bring ideas to the March meeting.

**B. Discussion and consideration of tuition reimbursement policy**

Administrator Kerr said staff believes the City to be above the industry norm as it relates to tuition reimbursement. He believes it is prudent to dial it back to protect the amount of spending.

Staff proposes changes to set a cap at \$15,000/year and change the verbiage about repayment to “will be” should an employee leave the City within one year of receiving reimbursement.

**MOTION: Council Member Pierce made a motion to make these recommendations to City Council. Council Member Miller seconded the motion. The motion passed unanimously.**

**C. Discussion on review of City Code**

Administrator Kerr said the City Code is reviewed by a third party and likely has not been done in over 20 years. He will put out an RFP so the expense can be budgeted for FY27. He will present a scope of work at the next Committee meeting.

**D. Discussion and consideration of Resilience Officer job description**

Committee members support the idea of a Resilience Officer, but in light of current economics and upcoming budgetary demands, they believe the position should be put aside for the time being. The matter will be discussed with full Council at an upcoming workshop.

**E. Review of 10-year Capital Plan for General Government and Building Department**

Director Hamilton reviewed the capital requests for General Government including replacing the front doors of City Hall and modernizing its elevator. These costs will be shared with the Building Department. The Building Department is in need of a new pickup truck, an expense that has been deferred several times.

Council Member Ward mentioned adding theatrical lighting bars to the Recreation Department's request to upgrade the AV in the Magnolia and Palmetto Rooms. Administrator Kerr said he needs the costs of that addition to add to her request.

**6. Miscellaneous Business**

The next meeting of the Administration Committee will be held on Tuesday, March 3, 2026 at 1pm.

**7. Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Miller seconded the motion. The meeting was adjourned at 2:34pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**Public Services & Facilities Committee Meeting  
9:00am, Monday, February 9, 2026  
1207 Palm Boulevard, Isle of Palms, SC and  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council members Miars, Pierce, and Streetman

Staff Present: Administrator Kerr, Director Pitts, Asst. Director Asero, Director Ferrell,  
Director Hamilton

**2. Citizen's Comments – none**

**3. Approval of Previous Meeting's Minutes – January 14, 2026**

**MOTION: Council Member Streetman made a motion to approve the minutes. Council Member Miars seconded the motion. The motion passed unanimously.**

**MOTION: Council Member Pierce made a motion to reorder the agenda to allow for the discussion with Thorn Run Partners and ATM at the start of the meeting. Council Member Streetman seconded the motion. The motion passed unanimously.**

**4. Marina Tenant's Comments – none**

**5. Presentations – none**

**6. New Business**

**A. Discussion with Thorn Run Partners – Federal Water Project Authorization**

Jim Davenport spoke to the Committee via Zoom about the Federal government's Water Resources Development Act project (WRDA) and how the City could participate in it. Thorn Run Partners has filed a request for authorization on behalf of the City and the Isle of Palms Water & Sewer Commission. This program allows local governments to partner with USACE to offer assistance for sewers, drinking water, and stormwater projects.

Mr. Davenport explained that his group is working with Senator Graham and Congresswoman Mace's offices to secure this authorization at the end of 2026. If approved, USACE would handle bidding for all projects. The cost share is 75% Federal government/25% local entities. He said Senator Graham is very supportive of their request. Any additional details the City or Water & Sewer Commission can provide will be helpful.

Mr. Chris Jordan, General Manager of the IOP Water & Sewer Commission, said that the Commission is securing updated cost estimates for sewer-related projects.

Mr. Davenport mentioned a separate EPA program, the State & Tribal Assistance Program, that could provide assistance for water and sewer project without an authorization.

Administrator Kerr will send additional supporting information to Mr. Davenport.

**B. Discussion with Philip Slagle, ATM – Marina Dredging Project**

Administrator Kerr said staff is seeking direction from City Council on how to move forward with the marina dredging project – specifically, would the City like to wait for the marina neighbors to be a partner in the program or does the City wish to move forward with their part of the project now?

The City’s permits to dredge have been issued and they have received a \$1 million earmark from the State for the project. The property owners may not be ready to move forward on the project for 1-2 years.

The Committee discussed the pros and cons of going it alone versus waiting with Mr. Philip Slagle of ATM. Mr. Slagle said the marina requires dredging every 8-10 years, and it is that time now. He reported that the property owners are optimistic they can be ready in a year. Waiting for them will help reduce mobilization costs. Their collective permit is currently under review.

Administrator Kerr said the USACE agrees that the City’s portion of the dredging is so small that they can use the recently cleared spoils site under the IOP Connector. That site cannot hold all the material, so the remaining material must go to Goat Island.

Mr. Slagle said he is drafting the bid now and will have more firm costs to report by the Committee’s April meeting. Administrator Kerr pointed out that the City has never committed to waiting for the property owners to be ready, but there is an implied cost savings for both parties if the City waits.

Administrator Kerr said he will speak with the Marina tenants prior to the April meeting to see if they have any concerns about the project.

**7. Old Business**

**A. Update on Waterway Boulevard Project**

Administrator Kerr reported that staff and the Bastian Group have met to organize the project. Bastian’s first submittals are under review by Thomas & Hutton. A pre-construction meeting will be held on February 10.

He will speak with Bastian about the possibility of extending the path to the marina as previously suggested by Council Member Miars.

**B. Update on beach projects**

Administrator Kerr said Foth/Olsen has begun work on the alternatives analysis following City Council’s award of the project to them.

The Beach Preservation Committee will look into recent concerns about Hamlin Creek. Administrator Kerr said the area needs to be surveyed and samples need to be taken to see if the material is beach-compatible sand.

**C. Review of methodology of determining financial sharing arrangement**

The Committee briefly reviewed the schedule verifying the 47/53 financial sharing arrangement for the Wild Dunes portion of the project. Council Member Pierce suggested clarifying the numbers in the agreement and including the allocation methodology in the MOU.

**D. Discussion and consideration of agreement with Wild Dunes Community Association**

Administrator Kerr said the basis for this agreement is “the escrow agreement that the City used in 2018 with Wild Dunes.” After Council review, it will be sent to Mr. Schumacher and the WDCA Board for review.

He added, “We wanted to include soft costs but not those that were already agreed to by the City outside of the purview of this major renourishment project.”

After some discussion, edits to the draft document will include attaching a financial schedule that shows the allocation methodology; clarifying that the costs are spread across the share of sand; that all costs are based on cubic yard allocations; adding detail, if necessary, to clarify pre-project sand allocation versus a verified post-project allocation; detailing a method for change orders; and a schedule of what the \$22 million includes.

Administrator Kerr said the agreement includes flexibility that allows both parties to scale back the project if the bids come in higher than anticipated.

Council Member Pierce also suggested clarifying dispute resolution and a definition of project completion.

The revised document will be available for Council review at their February 24 meeting.

**E. Discussion of funding options for beach renourishment**

Director Hamilton shared two borrowing scenarios with Committee members: borrowing \$10 million for 5, 7, or 10 years, and borrowing \$5.5 million for 5, 7, or 10 years. These scenarios included a payment schedule and the annual effect on tax bills per \$1 million of assessed value.

The Committee discussed the pros and cons of borrowing versus paying cash for the shortfall in the Beach Preservation Fund. Director Hamilton said the City will still have \$22 million of borrowing power if they opt to borrow \$10 million for the project. Council Member Pierce noted that paying cash for the entire project will deplete the City’s funds and prevent the City from completing other projects in the near future.

Council Member Miars expressed concern about justification for borrowing money when the City has such large amounts in reserve. Council Member Pierce noted that much of the City's money is restricted, adding that the City does not have revenue streams to replenish the funds to pay for another renourishment project in 8 years.

Later in the meeting, Mr. David Cheatwood, in an email to Director Hamilton, clarified that "pledging is if we need to increase the millage, but we don't have to increase the millage if there is another source of revenue. And the interest rate is not based on whether we increase millage or not. The 8% for future years, that's all driven based on the assessed value of property taxes;" meaning the City's borrowing power will not be adversely affected.

For future discussions, Administrator Kerr will include the \$100,000 underwriting costs, the impact on the City's borrowing power, a schedule of when current debt is retired, and the annual and total tax impact per \$1 million of assessed value over the life of the loan.

The Committee also agreed that they would like to see the numbers for a possible 8-year loan since that is the projected life of this renourishment project.

## 8. **New Business**

### C. **Review of 10-year Capital Plan for Public Works Department, Recreation Department, Drainage, Front Beach, Beach and Marina**

The Public Works Department is asking for \$220,000 to replace an 11-year-old rear loader. They have deferred other requests in order to replace this truck.

Drainage requests include \$100,000 for design work for a project at 19<sup>th</sup> and Myrtle avenues.

The Committee engaged in a lengthy discussion about the costs of the project planned for Palm Boulevard and 38<sup>th</sup>-41<sup>st</sup> Avenues. The placeholder amount (\$1.8 million) was severely less than the recent cost estimate from Thomas & Hutton (approximately \$5 million). The City has received money from the State for the project that has a sunset. However, Director Hamilton noted that the State has been generous when asking for extensions in the past. Thomas & Hutton has suggested the project can easily be done in phases. It was decided that if the City will lose the money before the entire project can be done, then the City will ask Thomas & Hutton what can be done for \$1.85 million. Administrator Kerr noted that the budget for the project is contingent upon the City's request for it to be included as a Community Enhancement Project by the State.

Other drainage requests include \$198,000 for routine maintenance and Phase 3 of Waterway Boulevard.

The Building Department requested a replacement truck as the other has become expensive to repair.

Requests from the Recreation Department include a new scoreboard in the event of failure, \$60,000 for livestreaming capability in the Magnolia and Palmetto Rooms (for larger City meetings), replacing the four outdoor basketball goals, the construction and design of a picnic

shelter, exterior lighting upgrades, and fixing leaky areas and general maintenance of the roof on the Recreation Center.

\$500,000 will be added to the Marina capital request for the parking lot and greenspace work.

Director Hamilton will add in two-thirds of the renourishment project to FY27 and the funds for sand retention methods.

**9. Miscellaneous Business**

The next regular meeting of the Public Services & Facilities Committee will be Tuesday, March 3, 2026 at 9am.

**10. Adjournment**

Council Member Miars made a motion to adjourn and Council Member Streetman seconded the motion. The meeting was adjourned at 11:53am.

Respectfully submitted,  
Nicole DeNeane  
City Clerk



**BOARD OF ZONING APPEALS**  
**4:00pm, Tuesday, February 3, 2026**  
**1207 Palm Boulevard, Isle of Palms, SC**

**MINUTES**

**1. Call to order**

Present: Glenn Thornburg, Ellen Gower, Susie Wheeler, Bob Miller, Zoning Administrator Hart

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

**MOTION: Ms. Wheeler made a motion to approve the minutes of the January 6, 2026 meeting as amended, and Mr. Miller seconded the motion. The minutes passed unanimously.**

**4. Swearing in of applicants**

Mr. Thornburg swore in the applicants.

**5. Special Exceptions**

**A. 8500 Palmetto Drive, #2011**

Zoning Administrator Hart said, "The applicant is requesting a special exception to allow the establishment of a photography business in the home. The applicant has indicated that there will be no business-related traffic coming to the house and no work other at the home other than office work. She has indicated that there will be no exterior evidence of a business and no employees working at the house."

The applicant, Sabrina Seeley, confirmed this statement to be accurate. Mr. Thornburg suggested Ms. Seeley check the rules about photography on the beach prior to taking pictures.

**MOTION: Ms. Wheeler made a motion to approve, and Ms. Gower seconded the motion. The motion passed unanimously.**

**B. 101 Charleston Boulevard**

Zoning Administrator Hart said, "The applicant is requesting a special exception to allow the establishment of a property management business in the home. The applicant has indicated that there will be no business-related traffic coming to the house and no work other at the home other than office work. She has indicated that there will be no exterior evidence of a business and no employees working at the house."

The applicant, Tracey Marks, confirmed this statement to be accurate.

**MOTION: Mr. Miller made a motion to approve, and Ms. Gower seconded the motion. The motion passed unanimously.**

**C. 133 Sparrow Drive**

Zoning Administrator Hart said, “The applicant is requesting a special exception to allow the establishment of a online/virtual Educational Consulting Service business in the home. The applicant has indicated that there will be no business-related traffic coming to the house and no work other at the home other than office work. She has indicated that there will be no exterior evidence of a business and no employees working at the house.”

The applicant, Andrea Patrick, said she will be conducting all meetings with client in public places and not in her home.

**MOTION: Ms. Gower made a motion to approve, and Ms. Wheeler seconded the motion. The motion passed unanimously.**

**6. Miscellaneous**

The election of Chair and Vice Chair will take place at the March meeting.

**7. Adjournment**

Ms. Wheeler made a motion to adjourn, and Ms. Gower seconded the motion. The meeting was adjourned at approximately 4:14pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**Planning Commission Meeting  
4:00pm, Wednesday, February 11, 2026  
1207 Palm Boulevard, Isle of Palms, SC and  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Sue Nagelski, Tim Ahmuty, Ron Denton, Rich Steinert, Bill Laughlin, Sandy Stone

Absent: Jeffrey Rubin

Staff present: Administrator Kerr

**2. Approval of minutes**

**MOTION:** Ms. Nagelski made a motion to approve the minutes of the January 14, 2026 meeting. Mr. Laughlin seconded the motion. The minutes were approved unanimously.

**3. New Business**

**Review of Tree Ordinance**

Commissioners reviewed the City's current tree ordinance as one of the recommendations of the matrix suggested discussing the inclusion of pines and wax myrtles as protected trees. Mr. Laughlin noted numerous redundancies. Commissioners discussed several definitions, phrases, and words used in the ordinance, such as cutting, trimming, pruning, removal, reasonable use, feasible, enclosed area, historic, and significant.

The Planning Commission ultimately agreed that the protections enumerated in the ordinance are sufficient. All wordsmithing suggestions can be managed during an upcoming review of the City Code.

This recommendation will be changed to green on the matrix.

**4. Old Business**

**Review of Recommendations Matrix**

Commissioners reviewed the current status of the recommendations assigned to the Planning Commission. Administrator Kerr noted that #269 regarding the mitigation of commercial

development should be green as that is a strategy noted in the Comprehensive Plan. The City is supportive of such efforts should the need arise.

Administrator Kerr will confirm the City's lack of authority to regulate structures at the end of docks. He believes those to be regulated by the State.

**5. Miscellaneous**

The next meeting of the Planning Commission will be Wednesday, March 11, 2026 at 4:00pm at which time there will be a combined legal briefing with the Board of Zoning Appeals.

**6. Adjournment**

Mr. Stone made a motion to adjourn, and Mr. Laughlin seconded the motion. The meeting was adjourned at approximately 5:08pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



## ENVIRONMENTAL ADVISORY COMMITTEE

4:00pm, Thursday, February 12, 2026

1207 Palm Boulevard, Isle of Palms, SC

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

### MINUTES

1. **Call to order**

Present: Laura Lovins, Sean Popson, Todd Murphy, Eric Cicora, Britton Foy, Susan Smith, Charlotte Webster, Council Member Miars

Staff Present: Administrator Kerr

Absent: Cindy Marrs

2. **Approval of previous meeting's minutes**

**MOTION: Ms. Smith made a motion to approve the minutes of the January 8, 2026 meeting, and Ms. Popson seconded the motion.**

Ms. Popson noted a spelling error at the bottom of the first page.

**VOTE: The amended minutes passed unanimously.**

3. **Citizen's Comments -- none**

4. **Presentation – none**

5. **Old Business**

A. **Discussion of tracking ponding at beach accesses for SC Aquarium**

Committee members discussed appropriate places for flooding signage. Documentation of flooding/ponding may help secure grants for future flood mitigation projects.

**MOTION: Ms. Smith made a motion to pursue Sea Rise signage from the South Carolina Aquarium for Myrtle Avenue & 19<sup>th</sup> Avenue, Palm Boulevard & 38<sup>th</sup> Avenue, and the three beach access paths with the most significant (as determined by the City). Ms. Popson seconded the motion.**

Mr. Murphy would like the cost of the signs and their installation verified. Administrator Kerr will look into the necessity of encroachment permits.

**MOTION: Ms. Lovins made a motion to amend the motion to include “upon cost verification and not to exceed \$800.” Ms. Smith seconded the motion. The motion passed unanimously.**

**VOTE:** A vote was taken on the original motion as amended and passed with all in favor.

**B. Discussion of contract with Fisher Glass Recycling**

Committee members discussed the percentage of glass successfully recycled by Charleston County versus Fisher Glass Recycling and whether or not it is worth the cost to the taxpayers to continue to use Fisher. Ms. Smith suggested that the \$10,000 saved by not renewing the contract could be used to support other environmental programs.

**MOTION:** Ms. Smith made a motion to not renew the contract with Fisher Glass Recycling. Mr. Murphy seconded the motion. The motion passed unanimously.

**C. Discussion of Mujeres Latinas Signage for cleanup station**

Ms. Smith shared the signage that will be placed with the toy bin and cleanup station donated by Mujeres Latinas at 25<sup>th</sup> Avenue beach access. They will be installed for a trial run in mid-to-late March.

**D. Review of Water Quality Testing recap article for publication**

Ms. Lovins noted that the water quality recap article is still too long for publication in either island newspaper. Ms. Smith suggested that it is a newsworthy topic, and newspaper staff could write an article about the effort. Ms. Lovins hopes to have it published in the April issue of the *Island Eye*.

Committee members offered several suggestions and changes.

**6. New Business**

**Discussion of EAC participation in Hurricane & Resilience Expo**

Ms. Lovins distributed costs for the proposed signage in the meeting packet. The Committee discussed how they would like their booth at the Hurricane & Resilience Expo to appear. Ms. Popson suggested creating generic signage so that it could be used for future events. It was decided a single banner with the City seal and Environmental Advisory Committee would appear on the banner.

Ms. Lovins asked Committee members to come to the March meeting prepared to discuss the visuals and or materials they wish to distribute at the Expo. Administrator Kerr will check on the number of food compost bins still available.

7. **Miscellaneous Business**

The next meeting of the Environmental Advisory Committee is scheduled for Thursday, March 12, 2026 at 4pm.

8. **Adjournment**

Mr. Murphy made a motion to adjourn, and Ms. Smith seconded the motion. The meeting was adjourned at 5:14

Respectfully submitted,

Nicole DeNeane  
City Clerk



**Beach Preservation Committee  
Thursday, February 5, 2026  
City Hall Council Chambers  
1207 Palm Boulevard, Isle of Palms, SC**

**MINUTES**

**1. Roll Call**

Present: Dietmar Ostermann, Wendi Pasterik, Alice Bova, John Schilling, Dan Slotchiver, Council Member Cohen

Staff Present: Administrator Kerr, Deputy Administrator Kuester

**2. Citizen's Comments -- none**

**3. Introduction of Staff and Committee Members**

**4. Discussion of Committee's Purposes and Goals**

Administrator Kerr reviewed the stated purposes of the Committee as outlined by City Council. He said the Committee will act as an advisory group to Council on future beach-related concerns. A main focus of the group will be funding for beach projects.

Committee members suggested other goals for the Committee to consider such as observing the upcoming renourishment project, addressing erosion concerns at Beachwood East ahead of the renourishment project, and input on the Foth/Olsen report.

Administrator Kerr told the Committee that since the project will be going out to bid shortly, City Council will be the body responsible for observing the upcoming renourishment project. City Council will also be working with Wild Dunes regarding funding for that portion of the renourishment. Administrator Kerr pointed out that this Committee's role is to advise City Council on high-level beach protection strategies and not an active part of the upcoming project.

He also shared that the job description for the Resilience Officer is expected to be finalized soon. While someone could be hired in 3-4 months, he believes it will be a year before that person is truly up to speed on all the aspects of their job, the City's needs, and beach-related projects.

Ms. Pasterick expressed concern about the proposed beach volumes for the upcoming renourishment project. Administrator Kerr explained how the varying volumes of sand for the project change throughout the permitting, bidding, and contract stages of the process. City Council and the Wild Dunes Community Association will vote on how much sand goes on the

beach based on the bids. Mr. Slotchiver suggested City Council consider the costs associated with not adding more sand to the beach.

Administrator Kerr said beach volumes are a good thing to track before and after a renourishment project to determine if what is put down on the beach is the healthy beach the community expects. He said the Beach Preservation Ad Hoc Committee developed the volume amounts they believed to make up a healthy beach.

Mr. Shilling would like to know more about Hilton Head's beach nourishment plan and how it is funded. He suggested a tax increase may be necessary to pay for beach-related projects to protect the island's property values.

#### **5. Discussion of Prior Beach Preservation Efforts**

Administrator Kerr explained the overarching purpose of the 2023 IOP Beach Management Plan. He said, "At its core, what it does is it makes us eligible for State funding. Without this plan, the State of South Carolina will not fund a beach."

He noted that the 2025 Beach Preservation Ad Hoc Committee's recommendations will touch on healthy beach volumes. Beach volumes and funding will be discussed more at the March meeting.

He briefly reviewed the prior renourishment projects on the north end in 2008 and 2018. That link also includes the beach monitoring surveys throughout the years.

#### **6. Discussion of Active Beach Projects**

Administrator Kerr briefly reviewed the ongoing beach projects including two concurrent projects managed by USACE. He also stated that City Council approved the expenditure to have Foth/Olsen prepare a beach alternatives analysis. He predicts that deliverable is several months away from completion.

Committee members asked if City Council had a position on protecting Beachwood East ahead of the king tides predicted for the end of March. Administrator Kerr said City Council has not indicated a position on that and will react based on current beach conditions. He explained that prior to this current erosional cycle it had been City Council's position to let property owners do what they needed in order to protect their property from erosion. City Council took the recent position to assist in property protection since it had funding available through the Beach Preservation Fund, set up after the last beach renourishment in 2018.

The briefly discussed sandbag placement and securing property easements for the upcoming project.

**7. Discussion of Committee's Future Beach Preservation Efforts**

The Committee would like to have Mr. Traynum of CS&E attend the next meeting to discuss a minimum healthy beach. They would also like to review the most recent beach monitoring survey completed by CS&E. They would like to discuss the Beach Preservation Ad Hoc Committee's funding recommendations.

The Committee would like to have three opportunities to talk with Foth/Olsen about their report. Administrator Kerr will speak with them about that request and see when a representative from Foth/Olsen would be available to participate in a meeting.

The Committee will also select a Chair and Vice Chair at their March meeting.

**8. Adjournment**

The next meeting of the Beach Preservation Committee will be on Thursday, March 5, 2026 at 9am.

Mr. Slotchiver made a motion to adjourn the meeting, and Ms. Pasterick seconded the motion. The meeting was adjourned at 10:25am.

Respectfully submitted,

Nicole DeNeane  
City Clerk

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**Sec. 1-3-31. Membership; appointment; responsibilities.**

- (A) All committees shall consist of three (3) members selected from the Mayor and Council. Workshop Ways and Means meetings shall consist of the Mayor and the other Councilmembers.
- (B) All Councilmembers shall be appointed to at least one (1) committee and shall serve on such committee, unless the Councilmember refuses such appointment. If a Councilmember refuses such appointment, then the Councilmember shall have no right to require appointment to a different committee.
- (C) Standing committees shall meet as needed or when assigned a specific task by City Council.
- (D) The standing committees and their respective areas of responsibility are as follows:
  - (1) *Administration Committee*. The Administration Committee, which shall consist of three (3) members. The Committee's duties are to:
    - (a) Assist the City Administrator in the preparation of budget estimates for costs related to personnel management; and
    - (b) Review personnel management policies, wage scales, and benefits regarding all City employees and make recommendations to City Council as appropriate; and
    - (c) Assist the City Administrator in the annual employee evaluation process by:
      - i. Reviewing and recommending to City Council approval of Employee Performance Evaluation methods developed by the City Administrator and department managers; and
      - ii. Developing and recommending to City Council approval of the method of the City Administrator's annual performance evaluation; and
      - iii. Preparing summary data regarding the results of the annual employee performance evaluation and recommending to City Council any proposed revisions regarding personnel; and
    - (d) Serve as the hiring committee to fill a vacancy in the City Administrator position. The Chairman of the Administration Committee shall serve as Chairman of the Hiring Committee; and
    - (e) Assist City Council in screening, interviewing and recommending candidates for appointments to boards and commissions of the City; and
    - (f) Assist City Council in screening, interviewing, and recommending candidates for appointment of City Attorney; and
    - (g) Assist in the development of public information and programs aimed at enhancing citizen engagement; and
    - (h) Investigate and report to City Council regarding any petitions and other matters referred to it by City Council.
  - (2) *Public Safety Committee*. The Public Safety Committee, which shall consist of three (3) members. The Committee's duties are to:
    - (a) Assist the City Administrator in the preparation of the annual expense budget for the Police and Fire Departments; and
    - (b) Review policies and procedures regarding the Police and Fire Departments and make recommendations as appropriate; and
    - (c) Review policies and procedures related to traffic and transportation infrastructure, emergency management and code compliance; and

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- (d) Examine into and report upon all petitions referred to them by the Mayor and Council.
  - (3) *Public Facilities and Services.* The Public Facilities and Services Committee, which shall consist of three (3) members. The Committee's duties are to:
    - (a) Assist the City Administrator in the preparation of the annual expense budget for the Public Works and Recreation Department and for the operation and maintenance of the real property owned, leased or controlled by the City and make recommendations to City Council; and
    - (b) Review policies and procedures regarding the Public Works Department, including sanitation services, garbage and debris collection, stormwater management, environmental, energy and resource conservation programs and make recommendations as appropriate; and
    - (c) Review policies and procedure regarding Recreation Department related to recreational facilities, activities and programs and make recommendations as appropriate; and
    - (d) Review requests for streetlights and periodically review the street lighting system within the City; and
    - (e) Work to provide recreational opportunities for all citizens and report to City Council on the condition of the recreation center and the activities of the Recreation Department; and
    - (f) Review policies and procedures regarding the use and maintenance of all real property owned, leased or controlled by the City and make recommendations to City Council as appropriate; and
    - (g) Monitor and review all existing or proposed leases of real property owned or to be leased by the City; and
    - (h) Examine and report upon all petitions and other matters referred to it by the Mayor and City Council.
  - (4) *Ways and Means Committee.* The Ways and Means Committee, which shall consist of all Councilmembers. The committee's duties are to:
    - (a) Assist the City Administrator in the annual budget ordinance through:
      - (1) Review of all sources of revenue and development of annual income estimates;
      - ~~\_\_\_\_\_~~(2) Review of all departmental, committee, board, general government, or other expense ~~\_\_\_~~ budgets;
    - (b) Review monthly cash on hand reports and budget status and recommend revisions if necessary;
    - ~~\_\_\_\_\_~~(c) Review all policies and procedures regarding ways and means and make recommendations as ~~\_\_\_~~ appropriate;
    - (d) Review all other matters pertaining to City finances and which the name of the committee implies;
    - (e) Examine into and report upon all petitions and other matters referred to them by the Mayor and Council; and
    - (f) ~~–Review all matters regarding the City real and personal property.~~

**Sec. 1-3-36. - Committee meetings.**

- (A) All committees shall consist of three (3) members selected from the Mayor and Council. Ways and Means meetings shall consist of the Mayor and the other Councilmembers.

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- (B) All Councilmembers shall be appointed to at least one (1) committee and shall serve on such committee, unless the Councilmember refuses such appointment. If a Councilmember refuses such appointment, then the Councilmember shall have no right to require appointment to a different committee.
- (C) Standing committees shall meet as needed or when assigned a specific task by City Council.
- (D) The standing committees and their respective areas of responsibility are as follows:
- (1) Administration Committee—The Administration Committee, which shall consist of three (3) members. The Committee's duties are to:
    - (a) Assist the City Administrator in the preparation of budget estimates for costs related to personnel management; and
    - (b) Review personnel management policies, wage scales, and benefits regarding all City employees and make recommendations to City Council as appropriate; and
    - (c) Assist the City Administrator in the annual employee evaluation process by:
      - i. Reviewing and recommending to City Council approval of Employee Performance Evaluation methods developed by the City Administrator and department managers; and
      - ii. Developing and recommending to City Council approval of the method of the City Administrator's annual performance evaluation; and
      - iii. Preparing summary data regarding the results of the annual employee performance evaluation and recommending to City Council any proposed revisions regarding personnel; and
    - (d) Serve as the hiring committee to fill a vacancy in the City Administrator position. The Chairman of the Administration Committee shall serve as Chairman of the Hiring Committee; and
    - (e) If requested, assist City Council in screening, interviewing and recommending candidates for appointments to boards and commissions of the City; and
    - (f) If requested, assist City Council in screening, interviewing, and recommending candidates for appointment of City Attorney; and
    - (g) If requested, assist in the development of public information and programs aimed at enhancing citizen engagement; and
    - (h) Investigate and report to City Council regarding any petitions and other matters referred to it by City Council.
  - (2) Public Safety Committee—The Public Safety Committee, which shall consist of three (3) members. The Committee's duties are to:
    - (a) Assist the City Administrator in the preparation of the annual expense budget for the Police and Fire Departments; and
    - (b) Review policies and procedures regarding the Police and Fire Departments and make recommendations as appropriate; and
    - (c) Review policies and procedures related to traffic and transportation infrastructure, emergency management and code compliance; and
    - (d) Examine into and report upon all petitions referred to them by the Mayor and Council.

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- (3) Public Facilities and Services—The Public Facilities and Services Committee, which shall consist of three (3) members. The Committee's duties are to:
- (a) Assist the City Administrator in the preparation of the annual expense budget for the Public Works and Recreation Department and for the operation and maintenance of the real property owned, leased or controlled by the City and make recommendations to City Council; and
  - (b) Review policies and procedures regarding the Public Works Department, including sanitation services, garbage and debris collection, stormwater management, environmental, energy and resource conservation programs and make recommendations as appropriate; and
  - (c) Review policies and procedure regarding Recreation Department related to recreational facilities, activities and programs and make recommendations as appropriate; and
  - (d) Review requests for streetlights and periodically review the street lighting system within the City; and
  - (e) Work to provide recreational opportunities for all citizens and report to City Council on the condition of the recreation center and the activities of the Recreation Department; and
  - (f) Review policies and procedures regarding the use and maintenance of all real property owned, leased or controlled by the City and make recommendations to City Council as appropriate; and
  - (g) Monitor and review all existing or proposed leases of real property owned or to be leased by the City; and
  - (h) Examine and report upon all petitions and other matters referred to it by the Mayor and City Council.

(4) **Ways and Means Committee.** Ways and Means Committee. The Ways and Means Committee, which shall consist of all Councilmembers. The committee's duties are to:

(a) Assist the City Administrator in the annual budget ordinance through:

- i. Review of all sources of revenue and development of annual income estimates;
- ii. Review of all departmental, committee, board, general government, or other expense budgets;

(b) Review monthly cash on hand reports and budget status and recommend revisions if necessary;

(c) Review all policies and procedures regarding ways and means and make recommendations as appropriate;

(d) Review all other matters pertaining to City finances and which the name of the committee implies;

(e) Examine into and report upon all petitions and other matters referred to them by the Mayor and Council; and

(f) Review all matters regarding the City real and personal property

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(Code 1994, § 1-3-31; Ord. No. 1988-16, § 3, 5-11-1988; Ord. No. 1994-4, § 10, 4-26-1994; Ord. No. 1996-5, 6-25-1996; Ord. No. 1998-3, 3-24-1998; Ord. No. 2004-13, § 1, 12-8-2004; Ord. No. 2009-01, § 1, 2-24-2009; Ord. No. 2016-10, § 1, 1-24-2017; Ord. No. 2021-11, § 1, 8-24-2021; Ord. No. 2024-07, § 1, 12-10-2024)

ORDINANCE 2026-01

AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 3, PROCEDURES, COMMITTEES, ORDINANCES AND USE OF CODE, ARTICLE B, STANDING COMMITTEES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO AMEND STANDING COMMITTEES.

WHEREAS, it is judged by the Isle of Palms City Council to be one of Council's primary duties to plan, prepare, and execute, and monitor publicly deliberated and considered budgets; and,

WHEREAS, a substantial body of information is produced by staff and readily available to facilitate these deliberations; and,

WHEREAS, myriad factors both predictable and unpredictable constantly act upon the City's budget making recurring reviews necessary; and,

WHEREAS, the Isle of Palms City Council has the authority to amend its Code of Ordinances when deemed to be in the best interest of the citizens of the City and now desires to do so by creating a standing body that will specifically address financial planning, forecasting, reporting and budget execution.

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

SECTION 1. That Section 1-3-31 "Membership; appointment; responsibilities," is hereby amended as follows:

- (A) All committees shall consist of three (3) members selected from the Mayor and Council. Ways and Means meetings shall consist of the Mayor and the other Councilmembers.
- (B) All Councilmembers shall be appointed to at least one (1) committee and shall serve on such committee, unless the Councilmember refuses such appointment. If a Councilmember refuses such appointment, then the Councilmember shall have no right to require appointment to a different committee.
- (C) Standing committees shall meet as needed or when assigned a specific task by City Council.
- (D) The standing committees and their respective areas of responsibility are as follows:
  - (1) *Administration Committee*. The Administration Committee, which shall consist of three (3) members. The Committee's duties are to:
    - (a) Assist the City Administrator in the preparation of budget estimates for costs related to personnel management; and

- (b) Review personnel management policies, wage scales, and benefits regarding all City employees and make recommendations to City Council as appropriate; and
  - (c) Assist the City Administrator in the annual employee evaluation process by:
    - i. Reviewing and recommending to City Council approval of Employee Performance Evaluation methods developed by the City Administrator and department managers; and
    - ii. Developing and recommending to City Council approval of the method of the City Administrator's annual performance evaluation; and
    - iii. Preparing summary data regarding the results of the annual employee performance evaluation and recommending to City Council any proposed revisions regarding personnel; and
  - (d) Serve as the hiring committee to fill a vacancy in the City Administrator position. The Chairman of the Administration Committee shall serve as Chairman of the Hiring Committee; and
  - (e) Assist City Council in screening, interviewing and recommending candidates for appointments to boards and commissions of the City; and
  - (f) Assist City Council in screening, interviewing, and recommending candidates for appointment of City Attorney; and
  - (g) Assist in the development of public information and programs aimed at enhancing citizen engagement; and
  - (h) Investigate and report to City Council regarding any petitions and other matters referred to it by City Council.
- (2) *Public Safety Committee.* The Public Safety Committee, which shall consist of three (3) members. The Committee's duties are to:
- (a) Assist the City Administrator in the preparation of the annual expense budget for the Police and Fire Departments; and
  - (b) Review policies and procedures regarding the Police and Fire Departments and make recommendations as appropriate; and
  - (c) Review policies and procedures related to traffic and transportation infrastructure, emergency management and code compliance; and
  - (d) Examine into and report upon all petitions referred to them by the Mayor and Council.
- (3) *Public Facilities and Services.* The Public Facilities and Services Committee, which shall consist of three (3) members. The Committee's duties are to:
- (a) Assist the City Administrator in the preparation of the annual expense budget for the Public Works and Recreation Department and for the operation and maintenance of the real property owned, leased or controlled by the City and make recommendations to City Council; and
  - (b) Review policies and procedures regarding the Public Works Department, including sanitation services, garbage and debris collection, stormwater

- management, environmental, energy and resource conservation programs and make recommendations as appropriate; and
  - (c) Review policies and procedure regarding Recreation Department related to recreational facilities, activities and programs and make recommendations as appropriate; and
  - (d) Review requests for streetlights and periodically review the street lighting system within the City; and
  - (e) Work to provide recreational opportunities for all citizens and report to City Council on the condition of the recreation center and the activities of the Recreation Department; and
  - (f) Review policies and procedures regarding the use and maintenance of all real property owned, leased or controlled by the City and make recommendations to City Council as appropriate; and
  - (g) Monitor and review all existing or proposed leases of real property owned or to be leased by the City; and
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  - (b) Review monthly cash on hand reports and budget status and recommend revisions if necessary;
  - (c) Review all policies and procedures regarding ways and means and make recommendations as appropriate;
  - (d) Review all other matters pertaining to City finances and which the name of the committee implies;
  - (e) Examine into and report upon all petitions and other matters referred to them by the Mayor and Council; and
  - (f) Review all matters regarding the City real and personal property.

SECTION 2. Also, Section 1-3-36, "Committee meetings," is hereby amended as follows:

Sec. 1-3-31 Membership; appointment; responsibilities:

- A. All committees shall consist of three (3) members selected from the Mayor and

Council. Workshop meetings shall consist of the Mayor and the other Councilmembers.

- B. All Councilmembers shall be appointed to at least one (1) committee and shall serve on such committee, unless the Councilmember refuses such appointment. If a Councilmember refuses such appointment, then the Councilmember shall have no right to require appointment to a different committee.
- C. Standing committees shall meet as needed or when assigned a specific task by City Council.
- D. The standing committees and their respective areas of responsibility are as follows:
  - 1. **Administration Committee** – The Administration Committee, which shall consist of three (3) members. The Committee’s duties are to:
    - a. Assist the City Administrator, if requested, in the preparation of budget estimates for costs related to personnel management; and
    - b. Review personnel management policies, wage scales, and benefits regarding all City employees and make recommendations to City Council as appropriate; and
    - c. Assist the City Administrator in the annual employee evaluation process by:
      - i. Reviewing and recommending to City Council approval of Employee Performance Evaluation methods developed by the City Administrator and department managers; and
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    - d. Serve as the hiring committee to fill a vacancy in the City Administrator position. The Chairman of the Administration Committee shall serve as Chairman of the Hiring Committee; and
    - e. If requested, assist City Council in screening, interviewing and recommending candidates for appointments to boards and commissions of the City; and
    - f. If requested, assist City Council in screening, interviewing, and recommending candidates for appointment of City Attorney; and
    - g. If requested, assist in the development of public information and programs aimed at enhancing citizen engagement; and
    - h. Investigate and report to City Council regarding any petitions and other matters referred to it by City Council.

- 2. **Public Safety Committee** – The Public Safety Committee, which shall consist of

three (3) members. The Committee's duties are to:

- a. If requested, assist the City Administrator in the preparation of the annual expense budget for the Police and Fire Departments; and
- b. Review policies and procedures regarding the Police and Fire Departments and make recommendations as appropriate; and
- c. Review policies and procedures related to traffic and transportation infrastructure, emergency management and code compliance; and
- d. Examine into and report upon all petitions referred to them by the Mayor and Council.

3. **Public Facilities and Services** – The Public Facilities and Services Committee, which shall consist of three (3) members. The Committee's duties are to:

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- g. Monitor and review all existing or proposed leases of real property owned or to be leased by the City; and
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4. **Ways and Means Committee.** Ways and Means Committee. The Ways and Means Committee, which shall consist of all Councilmembers. The committee's duties are to:

- (a) Assist the City Administrator in the annual budget ordinance through:
  - i. Review of all sources of revenue and development of annual income estimates;
  - ii. Review of all departmental, committee, board, general government, or other expense budgets;

- (b) Review monthly cash on hand reports and budget status and recommend revisions if necessary;
- (c) Review all policies and procedures regarding ways and means and make recommendations as appropriate;
- (d) Review all other matters pertaining to City finances and which the name of the committee implies;
- (e) Examine into and report upon all petitions and other matters referred to them by the Mayor and Council; and
- (f) Review all matters regarding the City real and personal property

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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Phillip Pounds, Mayor

(Seal)  
Attest:

\_\_\_\_\_

Nicole DeNeane, City Clerk  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Ratification: \_\_\_\_\_

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## Sec. 5-4-17. Sea turtle protection; outdoor lighting regulations.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- (1) *Artificial light* means any source of light emanating from a manmade device, including, but not limited to, incandescent, mercury vapor, metal halide, or sodium lamps, flashlights, spotlights, streetlights, vehicular lights, construction or security lights.
  - (2) *Floodlight* means reflector-type light fixture which is attached directly to a building and which is unshielded.
  - (3) *Low profile luminary* means a light fixture set on a base which raises the source of the light no higher than forty-eight inches (48") off the ground, and designed in such a way that light is directed downward from a hooded light source.
  - (4) *Development* means any existing structure for which a building permit has been duly issued and any new construction or remodeling of existing structures when such remodeling includes alteration of exterior lighting.
  - (5) *Person* means any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, group or unit, or Federal, State, County or municipal government.
  - (6) *Pole lighting* means a light fixture set on a base or pole which raises the source of the light higher than forty-eight inches (48") off the ground.
- (b) *Development.* No artificial light shall illuminate any area of the beach other than in compliance with this section. Building and electrical plans for construction of single-family or multifamily dwellings, commercial or other structures, including electrical plans associated with parking lots, dune walkovers or other outdoor lighting for real property if lighting associated with such construction or development can be seen from the beach, shall be in compliance with the following:
- (1) Floodlights shall be prohibited. Wall-mounted light fixtures shall be fitted with hoods so that no light illuminates the beach.
  - (2) Pole lighting shall be shielded in such a way that the point sources of light will not be visible from the beach. Outdoor lighting shall be held to the minimum necessary for security and convenience.
  - (3) Low-profile luminaries shall be used in parking lots and such lighting shall be positioned so that no light illuminates the beach.
  - (4) Dune crosswalks shall utilize low-profile shielded luminaries which shall be turned off from sunset to sunrise during the period of May 1 to October 31 of each year.
  - (5) Temporary security lights at construction sites shall not be mounted more than fifteen feet (15') above the ground. Illumination from the lights shall not spread beyond the boundary of the property being developed and in no case shall those lights illuminate the beach.
- (c) *Use of lighting.* It is the policy of the City for both new and existing development to minimize artificial light illuminating any area of the beach. To adhere to this policy, lighting of structures which can be seen from the beach shall be in compliance with the following:
- (1) Lights illuminating buildings or associate grounds for decorative or recreational purposes shall be shielded or screened such that they are not visible from the beach, or turned off from sunset to sunrise during the period of May 1 to October 31 of each year.
  - (2) Lights illuminating dune crosswalks of any area oceanward of the primary dune line shall be turned off from sunset to sunrise during the period of May 1 to October 31 of each year.

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- (3) Security lights shall be permitted throughout the night so long as low-profile luminaries are used and screened in such a way that those lights do not illuminate the beach.
- (d) *Publicly owned lighting.* Streetlights and lighting at parks and other publicly owned beach areas shall be subject to the following:
- (1) Streetlights shall be located so that most of their illumination will be directed away from the beach. These lights shall be equipped with ~~low-pressure sodium bulbs and~~ shades or shields that will prevent backlighting and render them not visible from the beach.
  - (2) Lights at parks or other public beach access points shall be shielded or shaded or shall not be utilized during the period of May 1 to October 31 of each year.
- (e) *Enforcement and penalty.* Violation of any provision is hereby declared to be a misdemeanor, punishable and enforceable pursuant to the provisions of section 1-3-66.

(Code 1994, § 5-4-17)

**Section 5-4-18. New and Existing Residential Development.**

- (a) Outdoor lighting on residential structures must be shielded so that light is directed downward and does not shine directly onto any natural including the Intracoastal Waterway, marsh, or other natural areas. Nothing in this section would prevent lighting on a dock for safety purposes.
- (b) Outdoor lighting on residential structures shall not shine directly into the yard or windows of adjacent residential uses.

ORDINANCE 2026-02

AN ORDINANCE AMENDING TITLE 5- PLANNING AND DEVELOPMENT, CHAPTER 4- ZONING, ARTICLE 1- GENERAL PROVISIONS, TO REGULATE NEW AND EXISTING OUTDOOR LIGHTING FOR RESIDENTIAL STRUCTURES.

WHEREAS, excessive outdoor lighting can degrade natural habitats, disrupt wildlife behavioral patterns, and diminish the quality of our nocturnal environment; and,

WHEREAS, light trespass—defined as illumination that extends beyond its intended boundaries—harms the privacy and enjoyment of neighboring properties; and,

WHEREAS, the City of Isle of Palms recognizes the importance of preserving natural areas, protecting wildlife habitats, and respecting the character and privacy of residential neighborhoods; and

WHEREAS, the Isle of Palms City Council has the authority to amend its Code of Ordinances when deemed to be in the best interest of the citizens of the City and now desires to do so by regulating artificial lighting associated with residential structures.

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 5-4-17(d)(1) be amended to delete mention of low-pressure sodium bulbs as follows:

- (1) Streetlights shall be located so that most of their illumination will be directed away from the beach. These lights shall be equipped with shades or shields that will prevent backlighting and render them not visible from the beach.

SECTION 2. That new Section 5-4-18 be inserted as follows and subsequent Sections be renumbered in sequence:

Section 5-4-18. New and Existing Residential Development.

- (a) Outdoor lighting on residential structures must be shielded so that light is directed downward and does not shine directly onto any natural including the Intracoastal Waterway, marsh, or other natural areas. Nothing in this section would prevent lighting on a dock for safety purposes.
- (b) Outdoor lighting on residential structures shall not shine directly into the yard or windows of adjacent residential uses.

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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Phillip Pounds, Mayor

(Seal)  
Attest:

\_\_\_\_\_  
Nicole DeNeane, City Clerk

First Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Ratification: \_\_\_\_\_

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## Sec. 9-2-5. Noise.

- a. *Declaration; specific noises.* It shall be unlawful for any person to create, assist in creating, permit, continue, or permit the continuance of any noise in the City that is unreasonably loud or disturbing in the circumstances to a reasonable person of ordinary sensibilities except as expressly allowed pursuant to subsections e. and f. of this section. The following are declared to be unreasonably loud or disturbing noises in violation of this section, but such acts shall not be deemed to be exclusive:
- (1) *Blowing horns.* Except as required by law, no person shall blow or cause to be blown within the City any steam whistle, electric horn, or other signaling or warning device, except as alarm signals in case of fire or collision or other imminent danger.
  - (2) *Pets.* It shall be unlawful to keep, stable, harbor or maintain any animal or bird which disturbs the comfort or repose of any reasonable person of ordinary sensibilities in the vicinity by making continually or frequently loud noise.
  - (3) *Loudspeakers, etc.* It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the street, sidewalks, parks or other outdoor public places owned or under the control of the City, except as permitted under subsection e. and f. of this section; provided, however, that any City-owned property subject to a commercial lease and a noise control agreement or permit is exempt from the requirements of this paragraph.
  - (4) *Hawking or peddling.* It shall be unlawful for any person to make any noise on a public street or in such proximity thereto as to be distinctly and loudly audible on such street by any kind of crying, calling, or shouting or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument, or other device for the purpose of attracting attention or of inviting patronage of any persons to any business whatsoever. It is the express intention of this paragraph to prohibit hawking, peddling, soliciting or using other loud noises to attract attention to a business and not to prohibit the spill-over noise emanating from a lawfully operating business.
  - (5) *Radios, phonographs, televisions, etc.* The use, operation or playing of or permitting the use, operation or playing of any radio, hi-fi, stereo system, phonograph, piccolo, television or any musical instrument in such manner or with such unreasonably loud volume in the circumstances as to disturb any reasonable person of ordinary sensibilities, or the playing of such instrument in such manner as to disturb the quiet, comfort or repose of any reasonable person of ordinary sensibilities in any dwelling or other residence.
  - (6) *Use of vehicle.* The use of any automobile, motorcycle, motor boat, personal watercraft, water jet pack or other type of vehicle in such a state of disrepair, or so loaded, or used or repaired in such a manner as to create unreasonably loud or disturbing noises in the circumstances, particularly grating, grinding, rattling, riveting, revving or other disturbing noises.
  - (7) *Exhaust discharge.* To discharge into the open air the exhaust from any steam engine, stationary internal combustion engine, motor boat engine, motorcycle or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
  - (8) *Noise in proximity to schools, courts, etc.* The creation of any excessive noise on any street adjacent to any school, institution of learning, library, or court, while the same is in session, or adjacent to any church during church services, which interferes with the work or worship at any such place or institution.
- b. ~~*Amplified Music—Nighttime sound-play.*~~ It shall be unlawful for any person, entity or establishment to play, operate or cause an equivalent sound level in excess of 55 dBA beyond the property of the noise source as

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measured with a sound meter conforming to ANSI?ASA s1.13-2005 (or later) during the nighttime, which is the time between the hours of 10:00 p.m. and 7:00 a.m., Sunday through Thursday, and or between the hours of 11:00 p.m. and 10:00 a.m., Friday and Saturday. Additionally, at nighttime it shall be unlawful to play, operate or cause to be played or operated, any radio, amplified musical instrument (including but not limited to brass or drum instruments), or other amplification device or apparatus with the primary purpose of making sound making or reproducing musical or other sounds or cause any sound created by yelling, screaming, or loud talking between the hours of 10:00 p.m. and 10:00 a.m., Sunday through Thursday, or between the hours of 11:00 p.m. and 10:00 a.m., Friday and Saturday, in such a manner as to be plainly audible on any adjacent street or right-of-way, or adjacent to any place of public accommodations, dwelling or other residence in any adjacent street or right-of-way, adjacent place of public accommodation, or adjacent dwelling or other residence. For the purpose of this section, plainly audible shall mean any sound that can be detected by a reasonable person of ordinary sensibilities using his or her unaided hearing faculties, including the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of musical rhythms.

- c. *Amplified Music—Daytime sound Play.* It shall be unlawful for any person, entity or establishment to play, operate or cause ~~to be played or operated, any radio, amplified musical instrument (including but not limited to brass or drum instruments), or other amplification device or apparatus making or reproducing musical or other sounds~~ between the hours of 7:00 a.m. and 10:00 p.m., Sunday through Thursday, or between the hours of 7:00 a.m. and 11:00 p.m. Friday and Saturday, in such a manner or with such unreasonably loud volume in the circumstances as to disturb the quiet, comfort or repose of any reasonable person of ordinary sensibilities in any dwelling or other residence.
- d. *Piledrivers and other apparatus, tools or equipment.* It shall be unlawful for any contractor, subcontractor, landscaper, supplier or vendor to operate or use any piledrivers, steam shovels, pneumatic hammers, derricks, steam or electric hoists, or other apparatus, tools or equipment, the use of which is attended with loud or disturbing noises, at any time other than between the hours of 7:30 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 4:00 p.m. on Saturday. No such use shall be permitted on Sundays or on the following legal holidays: New Year's Day; Memorial Day; Fourth of July; Labor Day; Thanksgiving Day; and Christmas Day. Approval for such use may be granted by the City for performing emergency repairs outside of the hours specified. Nothing in this paragraph shall be construed to prohibit an owner or member of an owner's immediate family from performing maintenance, repairs, or other work on their own property at any time, provided that such work is otherwise in compliance with City ordinances.
- e. *Public interest events.* Notwithstanding any other provision of this section, on application to, and approval by, the Chief of Police, written permits may be granted to broadcast programs of music, speeches, general entertainment, or announcements as a part of and incident to community celebrations of national, State, or City occasions, public festivals, or other public interest events, provided that traffic on the streets is controlled. In determining whether or not to issue such a permit, the Chief of Police shall weigh the public interests in the event against the noise and disturbance anticipated to be created by the event and must consider the intensity and duration of the noise and the area that will likely be affected. The language or content emanating from the event shall not be considered.
- f. *Exceptions.* None of the foregoing prohibitions shall apply to or be enforced against:
  - (1) Any City vehicle engaged in City business;
  - (2) Any City-hosted, City-sponsored or City-sanctioned special events;
  - (3) Excavations or repairs of bridges, streets or highways, by or on behalf of the City, county or state during the night, when the public welfare and convenience renders it impossible to perform the work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefor;

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- (4) Construction activities performed by or on behalf of a governmental agency, including, but not limited to, construction, repair or maintenance of public buildings and drainage facilities, dredging activities, beach renourishment activities, and other public projects.
- g. *Enforcement factors.* Factors to be considered in determining whether a noise is unreasonably loud, disturbing, or excessive for the purposes of this section shall include, but are not limited to, any or all of the following:
- (1) The intensity and volume of the noise;
  - (2) The intensity of the background noise, if any;
  - (3) Whether the nature of the noise is usual or unusual;
  - (4) Whether the origin of the noise IS associated with nature or human-made activity;
  - (5) The proximity of the noise to sleeping facilities;
  - (6) The land use, nature, and zoning of the area from which the noise emanates and the area where it is received;
  - (7) The time of day or night, along with the day of the week and time of year, when the noise occurs;
  - (8) The time duration of the noise;
  - (9) Whether the sound source is temporary;
  - (10) Whether the noise is recurrent, intermittent or constant;
  - (11) Whether or not noise abatement measures are possible and whether or not they are used to reduce the noise level;
  - (12) The number of people and their activities that are affected by the noise;
  - (13) The existence of complaints concerning the noise from persons or premises affected by the noise;
  - (14) Whether the noise in the circumstances would disturb a reasonable person of ordinary sensibilities; and
  - (15) The nature of any communicative content of the noise shall not be considered for the purpose of this section.
- h. *Violations and penalties.* A violation of this section is a misdemeanor punishable pursuant to section 1-3-66. Each day that a violation continues shall constitute a separate offense.
- i. *Nuisance.*
- (1) Violation of this section is hereby declared to be a public nuisance, which may be abated by the City by restraining order, preliminary and permanent injunction, or other means provided for by law, and the City may take action to recover the costs of the nuisance abatement.
  - (2) In addition to the penalties set forth in subsection (h) of this section, repeated violations of this section by a person who owns, manages, operates, is a business agent of, or otherwise controls a business establishment may result in the suspension or revocation of any business license issued to the premises on which the violations occurred in accordance with section 7-1-15.

(Code 1994, § 9-2-5; Ord. No. 1999-15, 6-22-1999; Ord. No. 2001-4, § 1, 3-27-2001; Ord. No. 2003-15, § 1, 11-25-2003; Ord. No. 2016-02, § 1, 2-23-2016; Ord. No. 2018-04, § 1, 4-24-2018)

ORDINANCE 2026-03

AN ORDINANCE AMENDING TITLE 9- OFFENSES, CHAPTER 2- OFFENSES AGAINST PUBLIC PEACE, SECTION 9-2-5- NOISE, TO REGULATE NIGHTTIME AND DAYTIME SOUND AND ADD MAXIMUM ALLOWABLE DECIBEL LEVELS AT DIFFERENT TIMES OF THE DAY.

WHEREAS, excessive or uncontrolled noise can substantially interfere with residents' sleep, peace, and comfort, degrading the quality of life in residential neighborhoods; and,

WHEREAS, measurable noise levels—defined in decibels (dB)—allow clear standards and objective enforcement across varying districts and times; and,

WHEREAS, during designated quiet hours, typically evening through early morning, lower decibel thresholds protect residents from undue disturbance; and

WHEREAS, the City is authorized under South Carolina law to enact regulations addressing nuisances, public welfare, and residential tranquility.

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 9-2-5. Noise. Subsections (b.) and (c.) be amended as follows:

b. *Nighttime sound.* It shall be unlawful for any person, entity or establishment to play, operate or cause an equivalent sound level in excess of 55 dBA beyond the property of the noise source as measured with a sound meter conforming to ANSI/ASA S1.13-2005 (or later) during the nighttime, which is the time between 10:00 p.m. and 7:00 a.m., Sunday through Thursday, and between 11:00 p.m. and 7:00 a.m., Friday and Saturday. Additionally, at nighttime it shall be unlawful to play, operate or cause to be played or operated, any radio, amplified musical instrument (including but not limited to brass or drum instruments), or other amplification device or apparatus with the primary purpose of making sound or cause any sound created by yelling, screaming, or loud talking, in such a manner as to be plainly audible on any adjacent street or right-of-way, or adjacent to any place of public accommodations, dwelling or other residence. For the purpose of this section, plainly audible shall mean any sound that can be detected by a person of ordinary sensibilities using his or her unaided hearing faculties, including the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of musical rhythms.

c. *Daytime sound.* It shall be unlawful for any person, entity or establishment to play, operate or cause sound between the hours of 7:00 a.m. and 10:00 p.m., Sunday through Thursday, or between the hours of 7:00 a.m. and 11:00 p.m. Friday and Saturday, in such a manner or with such unreasonably loud volume in the circumstances as to disturb

the quiet, comfort or repose of any reasonable person of ordinary sensibilities in any dwelling or other residence.

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 \_\_\_\_\_, 2026.

\_\_\_\_\_  
Phillip Pounds, Mayor

(Seal)

Attest:

\_\_\_\_\_  
Nicole DeNeane, City Clerk  
First Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Ratification: \_\_\_\_\_

Resolution 2026-01

Authorizing Consumption of Beer and Wine Only at  
the Front Beach Festival on March 7, 2026

WHERE AS, the City of Isle of Palms Recreation Department is hosting the 2025 Front Beach Festival on Saturday, March 7, 2026, on Ocean Boulevard between 10th Avenue and Pavilion Drive; and,

WHERE AS, the City of Isle of Palms Recreation Department is requesting permission for the temporary closing and use from 6:00 a.m. and 7:00 p.m. of Ocean Boulevard between 10th Avenue and Pavilion Drive for set up, clean up, and staging of the event to be held on Saturday, March 7, 2026, from 12:00 p.m. to 4:00 p.m.; for patrons to consume beer and wine beverages only at the event during the hours of 12:00 p.m. to 4:00 p.m.; and for crowd control; and,

WHERE AS, it has been determined that such an event would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this \_\_\_\_ day of \_\_\_\_\_, 2026, that possession and consumption of beer and wine beverages, the closure of event spaces and the use of amplified music is authorized on Ocean Boulevard between 10th Avenue and Pavilion Drive between the hours of 12:00 p.m. and 4:00 p.m. on Saturday, March 7, 2026; and,

BE IT FURTHER RESOLVED that possession and consumption of alcoholic liquors or alcoholic beverages other than beer and/or wine beverages within the event area is prohibited; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of beer and wine beverages only, all outdoor musical performances and use of sound-amplifying devices shall end by 5:00 p.m. due to the proximity of the event to residential properties; and,

BE IT FURTHER RESOLVED that all vendors be restricted to a stationary location; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed in the area. All other traffic including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skateboards, golf carts, LSVs, except police and fire LSVs, is prohibited; and,

BE IT FURTHER RESOLVED that during the designated times the closed portion of Ocean Boulevard is deemed to be the site of a public festival at which only beer and wine beverages may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Section 7-2-1 shall not apply as to the possession and consumption of beer and/or wine beverages only.

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk