

# City Council

6:00 p.m., Tuesday, March 27, 2018

## AGENDA

1. **INTRODUCTION OF MEETING** and notification that members of the press and public were duly notified in accordance with the Freedom of Information Act.
  - A. Invocation
  - B. Pledge of Allegiance
  - C. Roll Call
2. **READING OF THE JOURNAL OF PREVIOUS MEETING**
  - Regular Council Meeting of February 27, 2018
  - Special Council Meeting of March 14, 2018
  - Special Council Meeting of March 20, 2018
3. **CITIZENS' COMMENTS**
  - A. **Consideration as City-sponsored Events and Approval to add to Approved Annual Events**
    - SEALKids Swim and Auction on Saturday, August 11<sup>th</sup> or September 8, 2018
    - SC Aquarium Turtle Trek 5K Sunset Beach Run and Kids Fun Run, 5:30 p.m., Saturday, September 29, 2018
  - B. **Presentation by KimberMarie Faircloth to switch from single-use plastic bags to compostable/ biodegradable materials for bags and straws**
4. **REPORTS FROM STANDING COMMITTEES**
  - A. **Ways and Means Committee**
    1. **Recommendations from the Public Safety Committee:**
      - a. **Enforcement of the Managed Beach Parking Plan year-round**
      - b. **Parallel parking on both sides of Palm Boulevard from 21<sup>st</sup> to 41<sup>st</sup> Avenue and**
      - c. **Prohibition of trailer parking, resident or non-resident, on Waterway Boulevard**
      - d. **Award of a sole source contract to Stantec to revise the Managed Beach Parking Plan and submit the plans to SCDOT in the amount of \$13,640** (Unbudgeted in FY18; May be funded from Municipal Accommodations Taxes; Police Department Capital Outlay, \$187,625, pg. 25, line 112 or Fire Department Capital Outlay, \$122,375, pg. 25, line 120)
    2. **Consideration of changing the kiosks in the Municipal Parking Lots to \$1 per hour, to re-program the kiosks at \$385 and new signage for the kiosks at \$2,000**
  - B. **Public Safety Committee**

Consideration of Recommended Changes to Reduce the Coyote Population
  - C. **Public Works Committee**
  - D. **Recreation Committee**
  - E. **Personnel Committee**

Consideration of a recommendation for the appointment of an interim Chief of Police

January Safety Sweepstakes Winners

General Government – Marie Copeland	Police Department – Officer Dylan Reynolds
Fire Department- Brandon Crisp	Public Works – Rob Graham

February Safety Sweepstakes Winners

General Government – Wynette DeGroot	Police Department – Officer Stephanie Tucker
Fire Department – David Mello	Public Works – Willie Powell
  - F. **Real Property Committee**
    - A. **Consideration of Morgan Creek Grill's being assigned unattended docks on the Intracoastal Waterway for 1 year**
    - B. **Consideration of Charleston County Property Tax notice for the Isle of Palms Marina**
5. **REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS**
  - A. **Accommodations Tax Advisory Committee** – no meeting in March
  - B. **Board of Zoning Appeals** – no meeting in March
  - C. **Planning Commission** – minutes attached
6. **REPORTS FROM SPECIAL OR JOINT COMMITTEES** – None
7. **PETITIONS RECEIVED, REFERRED OR DISPOSED OF** – None

**8. BILLS ALREADY IN POSSESSION OF COUNCIL**

(Need motion for 2<sup>nd</sup> Reading then a motion to amend, if the amendment passes to include the changes recommendation in this version, then defer 2<sup>nd</sup> Reading as amended)

- A. **Second Reading of Ordinance 2017-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 8, Flood Damage Prevention, of the City of Isle of Palms Code of Ordinances to Provide a Definition for the Reference Datum to be used for the Base Flood Elevation Shown on the Flood Insurance Rate Maps (FIRM); To Reduce the Time Period for Measuring Substantial Improvements From 5 Years to 1 Year and to Provide for a Minimum Elevation for New Residential and Non-residential Construction**
- B. **Second Reading of Ordinance 2017-08 – An Ordinance Amending Title 5, Planning and Development, Chapter 5, Land Development Regulations, of the City of Isle of Palms Code of Ordinances to Require that all Subdivisions of Lots be Connected to the Public Sewer System and to Require Certain Information Related to Sewer Connection for the Subdivision Approval Process.**
- C. **Second Reading of Ordinance 2017-09 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, of the City of Isle of Palms Code of Ordinances to Provide That All New Construction or Substantial Improvements shall be Connected to a Public Sewer System Where a Public Sewer Line is Located Within One Hundred Fifty (150') feet and to Reduce the Lot Coverage Requirements and Floor Area Requirements for Lots with Septic Systems**

(Recent City Council Workshop, Water Commission expressed concerns that Ordinance 2018-09 may result in the unintended consequence of increasing the proliferation of grinder pumps)

- D. **Second Reading of Ordinance 2017-10 – An Ordinance Amending Title 6, Health and Sanitation, Chapter 1, General Provisions, Article D, Regulation of On-site Sewage Disposal Systems, of the City of Isle of Palms Code of Ordinances to Require Mandatory Connection to Public Sewer System Where Public Sewer Line is Available upon the Sale or Transfer of Property.**
- E. **Second Reading of Ordinance 2018-04 – An Ordinance Amending Title 9, Offenses, Chapter 2, Offenses Against Public Peace, Section 9-2-5, Noise, of the City of Isle of Palms Code of Ordinances to Change the Hours During Which Pile-drivers and Other Apparatus Attended with Loud or Disturbing Noises may be Operated and to Provide for Exceptions.**

**9. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS**

**First Reading, by title only of Ordinance 2018-05 – AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE PARALLEL PARKING AND TO PROHIBIT DOUBLE PARKING ON THE PASSENGER SIDE OF VEHICLES ON PALM BOULEVARD BETWEEN 21<sup>ST</sup> AVENUE AND 40<sup>TH</sup> AVENUE; TO PROHIBIT BOAT TRAILER PARKING ALONG THE RIGHTS-OF-WAY OF WATERWAY BOULEVARD; TO PROVIDE EXEMPTIONS FOR EMERGENCY, LAW ENFORCEMENT AND OTHER PUBLIC SERVICE VEHICLES PARKED DURING THE PERFORMANCE OF OFFICIAL DUTIES OR PUBLIC SERVICE; AND TO PROVIDE FOR YEAR-ROUND ENFORCEMENT OF THE RESIDENT PARKING DISTRICTS.**

**Consideration of Workplace Safety Resolution**

**10. MISCELLANEOUS BUSINESS**

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

**11. CONCLUSION/ADJOURNMENT**

## CITY COUNCIL

6:00 p.m., Tuesday, February 27, 2018

The regular meeting of City Council was called to order at 6:05 p.m., Tuesday, February 27, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, Smith and Ward, Mayor Carroll, City Administrator Tucker, Attorney Halversen, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business.

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

### 2. Reading of the Journal of Previous Meetings

**MOTION: Councilmember Ward moved to approve the minutes of the Special Meeting of January 16, 2018, the regular meeting of January 23, 2018, the Public Hearing of January 23, 2018 and the Special Meeting of January 23, 2018 as submitted; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

### 3. Citizens' Comments

Ed Gwilt, owner of 4 – 25<sup>th</sup> Avenue, recounted his unsuccessful dealings with the IOP Water and Sewer Commission and the City's Building and Licensing Department to get the permits for a grinder pump in order to proceed with constructing a new home. He asked that the City work with the Water and Sewer Commission so that he could get the necessary permits to begin construction. His written comments are attached to the historical record of the meeting.

Joe Settimio, 25 – 24<sup>th</sup> Avenue, told Council about a couple of recent instances of aggressive dogs at the Bark Park and on the beach; he asked that City Council require all non-resident dogs to have a license or permit and to have the owners sign a waiver that the dogs were not aggressive.

Patricia Ryan, 6 Forest Trail Court 1, described the City as “a sanctuary city for coyotes” and expressed her lack of confidence in the City's efforts in reducing the number of coyotes.

#### Beach Restoration Update – Steven Traynum, Coastal Science and Engineering

Mr. Traynum reported that the project was going well and has deposited one million cubic yards (1,000,000 cu. yds.) of sand on the beach to-date; the project should be complete in two (2) week if the weather holds and the dredger does not have mechanical breakdowns. He stated that the work has been completed on about five thousand (5,000) feet of beach and has approximately four thousand (4,000) feet remaining. The mud rollers that were deposited on the beach were gone for the most part; a crew was on the beach over the weekend removing them. Since the dredger has relocated to a different area of the borrow site, Mr. Traynum was confident that the problem would not resurface; he assured Council that any mud rollers still on the beach would naturally dissipate.

He also reported that several residents have asked why the project ends where it does, and he explained that, in designing the project, they looked at what areas of the beach had the most threat to structures and where the shoals and erosion were focused – for this project, that place was 57<sup>th</sup> Avenue. The majority of fill will go into the area that needs the most protection and where it will best serve the future of the beach. Mr. Traynum was most complimentary of Great Lakes Dock and Dredge, both the work they were doing and how unobtrusive they have been by leaving open as much of the beach as possible. At the end of the project, they will till the beach making it softer for the sea turtles, which was as requirement of the permit.

Responding to Councilmember Kinghorn's question on the status of FEMA funding, Administrator Tucker stated that she and Assistant Fragoso continue to reach out to FEMA two to three (2-3) times a week about the funding for the sand losses from Hurricane Irma. She noted that the application has reached the Consolidated Resource Center which is where the decisions were made. She also reported that the dredger has made the turn in the opposite direction, and, according to Mr. Traynum, the cost per cubic yard might increase as the days pass.

Councilmember Ward noted that currently seventeen million dollars (\$17,000,000) has been allocated to beach renourishment projects along the coast in the proposed State budget; he thought that the City needed do what was necessary to insure that the City got a share of those funds. He added that Representative Mike Sottile, former IOP Mayor, was on the House Ways and Means Committee and would assist the City as much as possible as would Senator Campsen.

Administrator Tucker took the opportunity to thank the Police Department for their work keeping beachgoers out of the construction zone.

#### **4. Reports from Standing Committees**

##### **1. Ways and Means Committee**

Councilmember Ward reported that several citizens made comments at the meeting of February 20, 2018; among the suggestions they made were to include adding an hourly rate to the kiosks in the municipal parking lots; eliminating vehicular parking on Ocean Boulevard between J.C. Long Boulevard and Pavilion Drive and turning those spaces into active loading/unloading spaces; and paying to park on Palm Boulevard. At the end of January 2018, General Fund revenues were approximately five million dollars (\$5,000,000), or forty-nine percent (49%) of budget, and General Fund expenditures were at fifty-two percent (52%) of budget with a seven (7) month target being fifty-eight percent (58%). Total revenues City-wide were approximately eleven million seven hundred thousand dollars (\$11,700,000) which constituted forty percent (40%) of the FY18 budget; total expenditures City-wide were approximately ten million three hundred thousand dollars (\$10,300,000), or thirty percent (30%) of budget. The Treasurer noted that cash balances continued to be strong, but they would begin to decrease as the City embarks on several large projects. The Municipal Accommodations Fee and the Beach Preservation Fee were two percent (2%) higher year-to-date in FY18 than for the same period in FY17. Hospitality Tax collections were five percent (5%) ahead of FY17, and the Treasurer opined that the City has a couple of late payers. The second quarter's State Accommodations Taxes have been received, and the City is running three percent (3%) ahead of FY17. No change has occurred in the collection from the Charleston County Accommodations Tax Pass-through. The first two (2) pay applications have been paid to Great Lakes Dock and Dredge totaling four million six hundred thousand dollars (\$4,600,000). The Front Beach restroom renovation project has twenty thousand dollars (\$20,000) surplus when comparing the budget to the contract, and the City has not received any construction pay applications to-date. Two (2) new schedules were introduced,

i.e. one (1) for the replacement of the underground fuel storage tanks at the Public Works site and the IOP Marina and two (2) was for the Marina Bulkhead Rehabilitation; the comparison between the project budget for the bulkhead and the contract shows a surplus in the budget of approximately seventy-six thousand dollars (\$76,000).

1. **Consideration of contract awards to Benson Ford Nissan in the amount of \$49,756 (\$24,878 x 2), state contract pricing, for two (2) 2018 Ford Interceptor Sedans** (Page 25, In 112 – Municipal Accommodations Tax Fund, Police Dept. Capital Outlay, \$64,000) **and an award in the amount of \$25,083, state contract pricing, for one (1) 2018 Ford Interceptor Sedan** (unmarked) (Page 28, In 278 – State Accommodations Tax Fund, Police Dept. Capital Outlay, \$32,000)

**MOTION: Councilmember Moyer moved to approve the contract awards to Benson Ford for the vehicles described above; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

2. **Consideration of an agreement with The Palms Hotel for their guests and employees to park in the municipals parking lots**

Administrator Tucker explained that staff was seeking Council's approval to enter into the agreement with The Palms Hotel subject to some additional legal work, such as to include both parking lots A and B, to change the departure time to noon to accommodate the check-out time for guests, to report and pay fees by the seventh (7<sup>th</sup>) of the month, to add language that the hotel will insure that any kind of improper use of the tags or seasonal passes would not be the responsibility of the City and could be ticketed by the Police Department, to "beef-up" the assumption of risk language to make sure the City does not bear any responsibility for any misuse and to add the exhibit of Lot B.

**MOTION: Councilmember Rice moved to approve the agreement between the City and The Palms Hotel for parking in the municipal lots subject to certain legal change or additions as noted above; Councilmember Bell seconded.**

Councilmember Kinghorn asked if the agreement included an "out" for the City, and the Administrator responded that the City could terminate the agreement in sixty (60) days with or without notice.

Attorney Halversen added that the agreement was only for one (1) year and could be renewed with the approval of both parties.

**VOTE: The motion PASSED UNANIMOUSLY.**

3. **Consideration of a Change Order from Phillip Smith Contracting in the amount of \$27,671.00 relative to the public restrooms and the dune walkover** (pg. 47, In 142 – Capital Projects, Rehab Public Restrooms, State ATAX - \$372,000; Beach Preservation Fee - \$175,000; Plant a Palm/Aisle of Palms Fund - \$18,000 totaling \$565,000 with balance remaining of \$50,520)

**MOTION: Councilmember Bell moved to approve the Change Order from Phillip Smith Contracting as stated above; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.**

The next meeting of the Ways and Means Committee will be at 5:00 p.m. on Tuesday, March 20<sup>th</sup>.

## **B. Public Safety Committee**

From the meeting of February 5<sup>th</sup>, Councilmember Smith reported that the City considered a request to allow “Making Strides Against Breast Cancer Walk” as a City-sponsored event, but subsequent to the meeting, Assistant Frago received an email saying that the Cancer Society decided against holding the event on the island. The Committee discussed and approved establishing new construction work hours to 7:00 a.m. to 7:00 p.m. Monday through Friday, 8:00 a.m. to 4:00 p.m. on Saturday, and no work allowed on Sunday. Chief Graham told the Committee that the seventy-five foot (75 ft.) ladder truck needs major repairs that will require it to go to the manufacturer in Florida; the repairs have been estimated at approximately one hundred thousand dollars (\$100,000) and would take the truck out of service for nine to twelve (9-12) months. The Committee agreed that the best thing for the City to do was to replace the ladder truck and to defer the truck on the replacement schedule to FY19; the cost of a new truck is expected to be around eight hundred twenty-five thousand to eight hundred fifty thousand dollars (\$825,000 – 850,000). The string of vehicle break-ins continued in January; the majority of vehicles involved were left unlocked by the owners. Chief Buckhannon urged residents to be more vigilant about locking their homes and cars. The Committee also discussed adding bike paths to the island and parking on City-owned property. Councilmember Smith reviewed the coyote situation on the island and what the City has done, and continues to do, about them.

Councilmember Bell stated that City Council was not going to solve the coyote problem with traps and that Council needed to decide to approach the problem more seriously through a variety of techniques, including hunting.

Councilmember Smith responded to the idea of hunting saying that, although USDA Wildlife Services would, on occasion, allow hunting and killing coyotes, they do not recommend doing that. According to them, hunting in an urban area was very complicated, in part because of trespassing agreements that must be obtained.

The next Public Safety Committee will be at 4:00 p.m. on Monday, March 5<sup>th</sup> in the Conference Room.

## **C. Public Works Committee**

Reporting on the meeting of February 1<sup>st</sup>, Councilmember Kinghorn stated that he was elected Chair and the Councilmember Rice was elected Vice Chair. In the monthly report generated by Director Pitts, volumes of garbage and yard debris remained relatively unchanged; he commented that the new financial software make the tracking of vehicle maintenance costs much less time consuming and more accurate. The Committee received an update on the drainage issues on 32<sup>nd</sup> Avenue, and, once the ownership of the easement was determined, the City has a plan to provide the residents a long-term solution. In the update on the Phase II Drainage project, the Committee was informed that the project should be completed in June. The Committee again discussed staffing issues in the Public Works Department, and, at a meeting on March 1, staff will present a specific proposal to meet the most immediate needs for inclusion in the FY19 budget. A discussion on changing the name of the Committee was discussed in light of the expanded scope of work that now falls to the Department; the Committee agreed on the Environment, Public Works and Infrastructure Committee as a better representation of what Public Works actually

does. Infrastructure was included based on the high priority of drainage on the island, and the environmental components related to both the citizens' impact on the environment as well as how external factors impact the environment and quality of life. As Chair of the Committee, he urged City Council to approve this action. A brief discussion occurred about the management of trash placed on the street that was not contained in any way and the need for public education in this regard. The Administrator advised the Committee that an unused and unnecessary drainage easement in Wild Dunes should be abandoned because they need the easement as they contemplate expansion. The City got the easement as part of the Phase I Drainage project, but, when the construction took place, the pipe was located in a difference place, and, since a portion of the Phase I infrastructure will be relocated at their expense, as part of the expansion, the City will be given the easement of that new location in Wild Dunes.

**MOTION: Councilmember Rice moved to abandon the unnecessary easement in Wild Dunes; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

Councilmember Kinghorn stated that the Committee thought it was important that the City stay ahead of the expansion project in Wild Dunes so that the residents know what is happening and can adjust accordingly.

The Public Works Committee will hold its next meeting at 8:00 a.m., Thursday, March 1<sup>st</sup> in the Conferenced Room.

#### **D. Recreation Committee**

Reporting on the meeting of February 5<sup>th</sup>, Councilmember Buckhannon stated that he was elected Chair and that Councilmember Moye was elected Vice Chair. He said that retractable basketball goals will be installed in the gym in March, so it will be closed while the installation occurs; the Cardio Room will remain open. Popular events held in February were a Performance Workshop, Cupid's Card Shop and Doggie Day at the Rec, which is always a successful, fun event; upcoming events are the Front Beach Fest on Saturday, March 3<sup>rd</sup> from noon to 4:00 p.m.; the annual Easter Egg Hunt on Saturday, March 31<sup>st</sup> at 10 a.m.; and the annual Yard Sale on Saturday, April 14<sup>th</sup>.

The Committee also discussed possible changes for the 2018 Farmers' Market; Assistant Fragoso was to have a meeting with the volunteers who championed the events and will report on it at the next Recreation Committee meeting.

In addition, opening the Rec Center on Sunday afternoon was discussed; Director Page reported that the Rec Center had been open on Sundays afternoons in the past, and it was not successful due to staffing issues, availability and, possibly, seasonality. The Director was asked to compile her records about the usage of the Rec Center on Sundays for the March meeting.

The next meeting of the Recreation Committee will be Tuesday, March 6<sup>th</sup> at 8:30 a.m. in the Conference Room.

Since neither the Personnel Committee nor the Real Property Committee have elected a chair; Administrator Tucker gave those meeting reports.

#### **E. Personnel Committee**

The Administrator began her remarks with the current job openings in the City; at this time of year, the Police Department is looking for Beach Services Officers, and she urged those present to encourage young people to apply. The Fire Department is expecting to get a resignation, leaving a firefighter position open.

Reporting on the meeting of February 12<sup>th</sup>, Administrator Tucker stated that the first item of business was an update on the Personnel Handbook that has been undergoing legal review; staff has reviewed the changes made by the employment attorney and has made additional changes and updates. Human Resources Officer DeGroot will have a draft ready for the Committee to review at the next meeting. The 2018 Personal Goal for the City Administrator continued to be discussed; a change to the City's evaluation process was considered since the current trend is to evaluate employees more frequently, and not just annually; annual evaluations are not effective in modifying behavior. No decision has been made for the Administrator's annual goal. Changes to the City's education reimbursement program were discussed again; once final decisions are made, the changes will go before the full Council to approve. The City's Continuity Plan was talked about in terms of what positions the City should address immediately and positions to plan for in the future. One (1) area of concern was that, as the City was structured, the Chief of Police serves a dual function as the Police Chief and the IT Manager, which was less than ideal; decisions need to be made about how the City manages IT functions in the future. The Administrator also informed Council that the City will have the services of Bill Schupp for one (1) year, meaning the City must decide how it will manage that function as well.

The next Personnel Committee meeting will be at 4:00 p.m. on Monday, March 12<sup>th</sup> in the Conference Room.

#### **F. Real Property Committee**

From the meeting February 8<sup>th</sup>, Administrator Tucker stated that Chris Crolley of Coastal Expeditions, addressed the Committee about opening a dialogue for possibly becoming a tenant of the City; in addition, he voiced concerns about the marina plan that failed in the referendum and that would have relocated Tidal Wave Watersports next door to the operations of his kayak business. Carla Pope of Morgan Creek Grill (MCG) read a communication from Jay Clarke to the Committee regarding his desire to continue discussions about the restaurant lease and the restoration of some dockage dedicated to MCG. Tidal Wave Watersports asked to be kept informed about the City's actions relative to the property tax bill the City has received for the marina. Tidal Wave also announced that the safety and training manual they wrote with assistance from the Department of Natural Resources and the Coast Guard has been adopted by the Watersports Industry Association of America and Lloyds of London to use as a baseline for all training of watersports companies around the world. The Committee reviewed the terms of the agreement with The Palms Hotel, which was authorized and approved earlier in the meeting. The Committee was told that, due to the delivery delays, the underground storage tanks (UST) at Public Works would be installed this spring, but the tanks for the marina would not be installed until the fall when the season was over. Therefore, the funds remaining in the FY18 budget for the project will be re-budgeted to FY19. The Committee also discussed increased staffing in the municipal parking lots to manage the lots more like it was done at the County Park; the consensus of the Committee was that this should be part of the global discussion about parking. The Committee discussed Michael Fiem's concept for IOP Adventures, a plan to have a central location somewhere at Front Beach where people could book activities at the marina and elsewhere on the island and, possibly, have a shuttle to transport people. Director Kerr attended the meeting to explain the problems with the City Code that this venture would face, and the modifications that would have to be made to the Code if Council was supportive of his concept.

The opinion of the Committee was that Council would not be inclined at this time to entertain changes to the Code, making his idea unworkable for this beach season. Additionally, the Committee discussed beginning the permitting process for the replacement of the marina docks; Councilmember Bell moved to start that process and to reach out to ATM for a proposal for that purpose; that was done and the proposal went before the Ways and Means Committee where it did not get favorable action. This Committee also discussed the unattended Intracoastal Waterway docks; she recalled that the previous Council had taken the docks out of the Morgan Creek Grill lease. Since that action was taken, the docks have been unattended; in the course of the discussion, several alternatives were put forward for the docks. Since Jay Clarke was unable to attend the meeting due to illness, Carla Pope, Operations Manager at the restaurant, asked that the Committee delay making a decision until Mr. Clarke had an opportunity to speak, and they agreed.

The Real Property Committee will hold its next meeting at 4:00 p.m., Thursday, March 8<sup>th</sup> in the Conference Room.

- Consideration of Charleston County Property Tax notice for the Isle of Palms Marina

Council chose to delay this discussion until after the Executive Session at the end of the meeting.

#### **5. Reports from City Officers, Boards and Commissions**

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

#### **6. Reports from Special or Joint Committees – None**

#### **7. Petitions Received, Referred or Disposed of – None**

#### **8. Bills Already in Possession of Council**

- A. Second Reading of Ordinance 2017-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 8, Flood Damage Prevention, of the City of Isle of Palms Code of Ordinances to Provide Definition for the Reference Datum to be used for the Base Flood Elevation Shown on the Flood Insurance Rate Maps (FIRM) and to Provide for a Minimum Elevation for Residential and Non-residential Construction**

Mayor Carroll recalled that several citizens spoke at the January Council meeting in opposition to this ordinance.

Councilmember Buckhannon stated that something he hears from residents frequently was that the island was losing its residential feel. Many homes on the island were built on a slab or just above ground, and all too frequently, these homes were purchased and razed to be replaced by a much larger, elevated rental property. Owners of the smaller homes have been limited by FEMA's fifty percent (50%) rule from making substantial renovations or additions to their homes. He said that he would prefer to defer action on this ordinance and look to the Building Department for some alternatives at the March meeting.

**MOTION: Councilmember Ward moved to defer Second Reading of Ordinance 2017-07 until the March Council meeting and Councilmember Rice seconded.**

Administrator Tucker proposed to look at what options the City might have for accomplishing the goal as stated by Councilmember Buckhannon by, possibly making changes in other sections of the code; if changes were to be made to the zoning section of the code, the ordinance would have to go back to the Planning Commission. The plan was to preserve this change and to look at other sections of the Code that might offer relief relative to the five-year (5 yr.) cumulative amount that a property owner can improve the homes to which Councilmember Buckhannon referred. At the next meeting, staff will present the proposed changes and an examination of the net effect of those changes for Council to determine which alternative to choose. The optimum would be to keep the fourteen foot (14 ft.) elevation for new construction and to make modifications elsewhere to achieve the goal. The Administrator explained that the reason the City employed the fifty percent (50%) rule, of the five-year (5 yr.) cumulative amount, was because having it in the Code gave the City points in the Community Rating System, which saved the resident money on their insurance premiums; today it does not gain many points for the City; therefore, it was not necessary for the City to keep it in the Code in that form.

**VOTE: The motion PASSED UNANIMOUSLY.**

- B. Second Reading of Ordinance 2017-08 – An Ordinance Amending Title 5, Planning and Development, Chapter 5, Land Development Regulations, of the City of Isle of Palms Code of Ordinances to Require that all Subdivisions of Lots be Connected to the Public Sewer System and to Require Certain Information Related to Sewer Connection for the Subdivision Approval Process.**
- C. Second Reading of Ordinance 2017-09 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, of the City of Isle of Palms Code of Ordinances to Provide That All New Construction or Substantial Improvements shall be Connected to a Public Sewer System Where a Public Sewer Line is Located Within One Hundred Fifty (150') feet and to Reduce the Lot Coverage Requirements and Floor Area Requirements for Lots with Septic Systems**
- D. Second Reading of Ordinance 2017-10 – An Ordinance Amending Title 6, Health and Sanitation, Chapter 1, General Provisions, Article D, Regulation of On-site Sewage Disposal Systems, of the City of Isle of Palms Code of Ordinances to Require Mandatory Connection to Public Sewer System Where Public Sewer Line is Available**

Mayor Carroll stated that each of the ordinances above relate to sewer, and he thought Council should defer them until such time as Council could meet jointly with the Planning Commission and the IOP Water and Sewer Company since it was a complicated subject for the Isle of Palms.

**MOTION: Councilmember Ward moved to defer Second Reading of Ordinances 2017-08, 2017-09, and 2017-10; Councilmember Bell seconded.**

Based on comments made at the beginning of the meeting, Councilmember Buckhannon said that he thought a joint meeting was a good idea because good communication between the Water and Sewer Commission and the City was lacking and needed to be improved.

Councilmember Kinghorn asked that these ordinances not be deferred for too long; it has been under study and review for about eighteen (18) months.

Councilmember Smith thanked the Planning Commission for their work on this complex issue, but, as a new Councilmember, she agreed that a broader discussion was needed.

**VOTE: The motion PASSED UNANIMOUSLY.**

## **9. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS**

- A. First Reading, by title only, of Ordinance 2018-02 – An Ordinance Amending Title 1, Government and Administration, Chapter 3, Procedures, Committees, Ordinances and Use of Code, Article B, Standing Committees, of the City of Isle of Palms Code of Ordinances to Change the Name of the Public Works Committee to Environmental, Public Works and Infrastructure Committee and to Include Review of Environmental and Infrastructure Matters Under the Described Duties of Such Committee.**

**MOTION: Councilmember Rice moved to approve Ordinance 2018-02 for First Reading; Councilmember Buckhannon seconded.**

Councilmember Ferencz stated that the impression she had gotten from previous discussions about an examination of the names and duties of standing committees was that it was to be a global matter, not one (1) committee at a time, and she thought the study should begin with the City Code. Her brief review of the Code earlier in the day found that the City was not doing everything the Code requires; for instance, the Code states that each committee shall meet every month, which was not happening.

Councilmember Kinghorn opined that changing the name and expanding the scope of the Public Works Committee was not mutually exclusive of the other standing committees doing the same thing, and the ordinance drafted by the City Attorney could serve as a model for the others.

Councilmember Ferencz suggested that changing the name of a committee could also change a committee's functionality; for example, infrastructure and environment were more than what the Public Works Committee did now. She suggested that the best way to address this issue was to look at what the City needed and to determine the City's committees based on those needs.

Councilmembers Rice and Buckhannon withdrew the original motion and second respectively.

**MOTION: Councilmember Buckhannon moved to defer First Reading until all standing committees were reviewed for similar changes; Councilmember Ferencz seconded and the motion PASSED on a vote of 7 to 2 with Councilmembers Kinghorn and Ward casting the dissenting votes.**

- B. First Reading, by title only, of Ordinance 2018-04 – An Ordinance Amending Title 9, Offenses, Chapter 2, Offenses Against Public Peace, Section 9-2-5, Noise, of the City of Isle of Palms Code of Ordinances to Change the Hours During Which Pile-drivers and Other Apparatus Attended with Loud or Disturbing Noises may be Operated and to Provide for Exceptions.**

**MOTION: Councilmember Bell moved to approve Ordinance 2018-04 for First Reading; Councilmember Buckhannon seconded.**

Councilmember Ward asked which holidays the ordinance was referring to; he commented that the only people who took Presidents' Day off were government workers and banks.

Attorney Halversen responded that the ordinance referred to legal holidays, but the language could be changed if Council wanted.

Councilmember Ward suggested that the City find out what holidays Wild Dunes prohibited construction work and mimic them in this ordinance.

Councilmember Smith thought that the motion passed by the Committee stated that Saturday work hours would be 8:00 a.m. to 6:00 p.m., but the ordinance states 4:00 p.m.

**VOTE: The motion PASSED UNANIMOUSLY.**

## **10. Miscellaneous Business**

### **Consideration of appointment to City Council Standing Committees**

Mayor Carroll stated that his election as Mayor left a vacancy on Council; therefore, two (2) standing committees have had temporary members. He thanked Councilmember Moyer and Ward for filling those positions for a couple of months.

**MOTION: Mayor Carroll moved to appoint Councilmember Ferencz to the Real Property Committee; Councilmember Moyer seconded and the motion PASSED UNANIMOUSLY.**

**MOTION: Mayor Carroll moved to appoint Councilmember Ferencz to the Personnel Committee; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

### **Discussion of Charleston County TST FY18 grant award received by the City on August 25, 2017 to construct a sidewalk on the western side of 28<sup>th</sup> Avenue connecting the Rec Center sidewalk to the sidewalk of Palm Boulevard**

In his walks around the island, the Mayor said that he has not seen this street used frequently by walkers, and he wanted Council to consider not using the grant money for a 28<sup>th</sup> Avenue sidewalk.

**MOTION: Mayor Carroll moved not to use the TST 2018 grant funds for a sidewalk on 28<sup>th</sup> Avenue; Councilmember Ward seconded.**

Councilmember Rice stated that "anytime [IOP] can add a sidewalk, [the City] should be so grateful." She commented that the whole point to this was safety since the street goes directly to the Rec Center, and, if the City can make it safer for people going to and from the Rec, it should do so.

Administrator Tucker stated that, with both the Transportation Sales Tax (TST) and the County Transportation Committee (CTC) funding requests, staff approaches the Public Safety Committee, the Public Works Committee and City Council about what projects the City should

submit. One (1) project discussed was more sidewalks and better connectivity for pedestrians and cyclists which are high priority items for TST funding, and, for at least part of the year, pedestrians walked to the beach in the middle of the street on 28<sup>th</sup> Avenue. Before the application was submitted, a letter was sent to the residents living on both sides of the street; one (1) resident objected because he thought that walkers in the street kept vehicles' speed down. At this time, TST funds have been expended for the engineering that has been completed. The Administrator noted that the City continues to seek grant funds from this source, and, by accepting this award, some other municipality was denied funding; therefore, she was concerned that the City would not be looked upon favorably for future requests.

As a result of questioning by Councilmember Kinghorn, Chief Buckhannon stated that a sidewalk was always preferable in an area where recreation is occurring, and Director Page said that the Rec Department uses 28<sup>th</sup> Avenue often in the summer as they walk summer campers to and from the beach.

Administrator Tucker stated that the grant award was for one hundred forty thousand dollars (\$140,000).

Assistant Frago stated that the City submitted four (4) requests, three (3) of which were pedestrian related, and the 28<sup>th</sup> Avenue sidewalk was the project selected. The requests were submitted in priority listing and this sidewalk was number three (#3) on the list.

Mayor Carroll noted that he was told by a Charleston County Councilmember who said the City would not be penalized if it rejected the grant. The Mayor stated that he would prefer a safe path for pedestrians and cyclists to come off the Connector and onto the island.

Although he would have preferred to have existing sidewalks repaired, Councilmember Buckhannon thought that not accepting this grant would not look good to the County.

Councilmember Ward said that the majority of traffic he saw going to the Rec Center were on Cameron and on Hartnett and not on the side streets.

**VOTE: The motion not to use the TST funding for the 28<sup>th</sup> Avenue sidewalk FAILED on a vote of 1 to 8 with Mayor Carroll casting the only aye vote.**

### **Report on attendance at the Moultrie District 2 Constituent School Board Meeting**

Councilmember Smith reported that the Constituent School Board was beginning consideration of re-zoning options that effect East Cooper Middle and High School; one (1) option has Isle of Palms' and Sullivan's Island's students routed back to Laing and to Wando, rather than the new Beckham High School. She did not get the impression that that option had a lot of traction, but it was still on the table, and the discussions would continue into the spring. Speaking as a parent she told the Board that she thought the IOP and Sullivan's Island kids should be kept together, and she asked that they consider the distance these parents have to drive to get to Laing and Wando.

**Next Meeting Date: 6:00 p.m., Tuesday, March 27, 2018 in Council Chambers**

Mayor Carroll again reminded those present that the Front Beach Street Fest would be Saturday, March 3<sup>rd</sup> from noon until 4:00 p.m. and to mark their calendars for the Hazardous Materials

Recycling and Shred Day will be Saturday, April 28<sup>th</sup> from 9:00 a.m. until noon in the large municipal parking lot.

11. **Executive Session** in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice concerning potential claims related to Wild Dunes drainage easement. Upon returning to open session, Council may take action on matters discussed in Executive Session.
- Resolved earlier in the meeting

**Executive Session** in accordance with S.C. Code Section 30-4-7(a)(2) to receive legal advice concerning potential claims related to Charleston County tax assessment of City property. Upon returning to open session, Council may take action on matters discussed in Executive Session.

--**Action Item:** Authorization for City Administrator and City Attorney to file a Notice of Objection and to take any other actions necessary for the City to appeal the Charleston County property tax assessment of City property.

**MOTION:** Councilmember Kinghorn moved to go into Executive Session in accordance with S.C. Code Section 30-4-7(a)(2) to receive legal advice concerning potential claims related to Charleston County tax assessment of City property; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

City Council returned to open session at 8:23 p.m., and the Mayor stated that Council did not take a vote or any action in Executive Session.

**MOTION:** Mayor Carroll moved for the City Administrator and City Attorney to file a Notice of Objection and to take any other actions necessary for the City to appeal the Charleston County property tax assessment of City property; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

12. **Adjournment/Conclusion**

**MOTION:** Councilmember Ward moved to adjourn the meeting at 8:25 p.m.; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland  
City Clerk

**Special City Council Meeting**  
4:30 p.m., Wednesday, March 14, 2018

A Special Meeting of City Council was held at 4:30 p.m., Wednesday, March 14, 2018 in the Training Room of the Public Safety Building, 30 J.C. Long Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Smith and Ward, Mayor Carroll, Administrator Tucker, Assistant Administrator Fragoso and Attorney Halversen; Councilmembers Kinghorn, Moye and Rice were absent. A quorum was present to conduct business. Also present were Attorney Frances Cantwell and Assistant City Attorney Julia Copeland.

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

2. **Purpose**

**Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice regarding potential claims related to the South Carolina Freedom of Information Act, Ethics Laws and conduct for Councilmembers, Council and Committee meetings.**

**MOTION: Councilmember Buckhannon moved to go into Executive Session at 4:31 p.m. for the purpose defined above; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Council returned to open session at 6:00 p.m., and Mayor Carroll announced that Council had not taken a vote or any action while in Executive Session.

3. **Adjournment**

**MOTION: Councilmember Ferencz moved to adjourn the meeting at 6:01 p.m.; Mayor Carroll seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

**Special City Council Meeting**  
4:45 p.m., Tuesday, March 20, 2018

A Special Meeting of City Council was held at 4:45 p.m., Tuesday, March 20, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye Rice, Smith and Ward, Mayor Carroll, City Administrator Tucker, Attorney Halversen, Assistant City Administrator Frago and City Clerk Copeland; a quorum was present to conduct business.

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

2. **Purpose**

**Executive Session in accordance with S.C., Code Section 30-4-70(a)(1) for discussion of employment matters. Upon returning to open session, Council may take action on matters discussed in Executive Session.**

**MOTION: Mayor Carroll moved to go into Executive Session at 4:46 p.m. to discuss personnel matters; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.**

Upon returning to open session at 5:23 p.m., Mayor Carroll stated that Council had not taken a vote or any action while in Executive Session.

**MOTION: Mayor Carroll moved for the Personnel Committee to meet with the City's legal team to obtain answers to the questions raised in Executive Session and to meet with Administrator Tucker to discuss her future and reasons for resigning; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

**AMENDMENT: Councilmember Kinghorn moved to include the Human Resources Officer in the meetings; Councilmember Smith seconded and the Amendment PASSED UNANIMOUSLY.**

**VOTE on Amended Motion: The amended motion PASSED UNANIMOUSLY.**

3. **Adjournment**

**MOTION: Councilmember Buckhannon moved to adjourn the meeting at 5:25 p.m.; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

# SEALKIDS

## “SWIM FOR SEALKIDS” SUMMARY

This document will serve as an execution plan for the Swim for SEALKids Fundraiser. The event/s will take place in Charleston South Carolina on September 9<sup>th</sup>, 2017 from approximately 8 AM to 9 PM. The event will be composed a competitive swim, as well as a fund raising benefit concert open to the public.

### Purpose:

The purpose of the SEALKids Waterman's Challenge is simple, yet dual purpose. This is truly a fundraising event focused on generating revenue for SEALKids, as well as and equally importantly generating awareness for SEALKids. Furthermore, we would like to gain publicity here locally in the state of South Carolina, but also use the media / marketing / publicity from the event to our advantage on our newly revamped social media platforms to drive those to share our organizations name, generate more followers, and to educate the masses on who we are and what we do.

### Fundraising Goal:

In conjunction with the event we are hosting, our goal is two fold. First, raise funds for SEALKids. Secondly, to set this up correctly the first time, so we may utilize this platform not only as a template for an annual event here in Charleston, but also as a plug-n-play solution for further events in various states / cities. In terms of funds raised, it is our goal to walk away after the event with \$45,000 net profit. I realize this is a lofty goal for a first year event, but I am confident that this will be accomplished through several revenue streams such as:

1. Competitor entry fees
2. Concert ticket sales
3. Individual donations at the day of the event
4. Online Donations
5. Sponsorships

### DETAILS:

Date: September 9th, 2017

Start Time Swim: 8 AM

Start Location: 3.1 Mile (5k) & 6.2 mile (10k)= Isle of Palms, SC, The Windjammer

Finish Location: = The Windjammer / VFW IOP

## **REGISTRATION:**

Registration Opens June 10<sup>th</sup>, 2017. Please visit [www.SEALKIDS.com](http://www.SEALKIDS.com) for all registration and event details. **No Race Day Registration** - must be pre-registered to participate!

\*Registration will be limited to 300 race participants

## **FEES:**

Entry Fee is non-refundable including the event of inclement weather, water conditions or issues beyond our control.

Fees include t-shirt, drawstring bag, swim cap and reception at the awards ceremony at the Windjammer / VFW, IOP.

\*\*Fee will be \$100 minimum per person, and each participant will be encouraged to fund raise more than the initial \$100 as all proceeds will go to benefit the non-profit recipient SEALKIDS, LLC.

## **RACE COURSE:**

**Primary Route:** Both the 6.2 mile / 3.1 mile open water swim will take place off the beachfront of the Windjammer, IOP. Both racecourses will be a triangle shape design, with safety boats placed at each of the three buoys, as well as a fleet of both 5 paddle boarders, and kayakers to aid swimmers if needed. The race will be a beach start and finish.

## **PACKET PICK UP:**

Friday race packet / swim cap pick up will be at Blue Sky Endurance from 12:00 - 6:30 PM. Race day packet / swim cap pick up will be at the Windjammer volleyball court. Body marking and Race Packet / Swim Cap at will be available morning off event as well.

\*\*Swim Caps: Swimmers must wear the swim cap provided in race packet. You must wear the cap for the entire swim. If you cross the finish line without a cap you will be disqualified. If your cap comes off, put it back on. If your cap breaks, put it inside of your suit until after you have finished.

## **CHECK-IN:**

*Check-in:* Swimmers must check in at the start location on race day prior to the race, with their number and cap on their person. There will be a check in sheet and you are required to check in before starting the race.

*Warm up:* There will be a 15-20 minute warm up time designated area near the Start of the race.

*Swimmer Briefing, and Head Count:* Prior to the start times, swimmers will gather near at the Windjammer for pre-race instructions and rules (all of these will be made available online through website). As soon as the race director has completed the instructions swimmers will go through a head count to enter the water. Officials will count each swimmer into the water through a checkpoint.

The race will begin as soon as head count is completed and the participants have made their way to the start line.

*Starting Waves:* The race start will have waves of swimmers starting every 30 seconds. For safety reasons, the slowest seeded waves will start first and the fastest seeded waves will start last; timing chips will adjust for your start time. Slower waves should stay to the right of the course and allow faster swimmers to pass on the left side of the course when possible.

*Dropping out of the Race:* For safety and scoring purposes, it is imperative that you report to an official / safety boat if you are unable to complete the race. Whether you drop out before the race starts or during the race, and for whatever reason, please report to Check-in officials, a race safety vessel, or the timing officials at the Finish, to give them your name and race number, and chip. This ensures that we account for all swimmers.

## **RACE DETAILS:**

1. *Water Temp:* The average water temperature in September is lower to mid to 80's.
2. *Hydration Stations:* Swimmers will have access to a boat roughly 3 times throughout the swim. Water will be provided at these marked (buoy) locations along the swim. If you are in dire need of water or assistance at any point of the swim, please hail down a safety boat / kayaker, and they will provide you with assistance needed.
3. *Entry into Water:* Once you have passed through the head count you may enter the water. You will start the race as soon as you pass a timer strip on the beach and jump into the water; the swimmers will enter the water in a controlled manner.
4. *The Start Line:* The Start Line is a timer strip that will be across the beach; the swimmers' time will begin as soon as they cross the timer strip.
5. *The Finish Line:* The Finish Line is a canopy on the beach. Swimmers must swim, and run up to the designated boom for the time to be captured. If you miss the chute due to the current your time will not be captured. There are a series of large buoys and swim ropes at the finish line.
6. *First Aid:* First aid will be available at the Start, Finish, and along the course. Please notify the nearest race official should you require attention.
7. *Race Safety:* The US Coast Guard, Sullivan's Island / Isle of Palms Fire and Rescue, Town of Mount Pleasant, Dept. of Natural Resources, and a fleet of volunteer kayakers and other safety vessels will monitor the course to ensure the swimmers' safety. There will be 5-foot tall buoys approximately every 1/2 mile and anchored boats across from the buoys to mark the course. Boats will be anchored closest to the shore and buoys will be closest to the channel. To navigate the course, you must swim in between the anchored boats and the buoys.

**\*\*Event staff and volunteers will patrol the course on boats, kayaks, and jet skis. If a swimmer feels unable to proceed or wants to get out of the water, they should attract the attention of safety personnel.**

**\*\*If you are approached by any safety vessel / volunteer blowing a whistle, stop swimming and give them your attention. You may be in danger or off course. They will direct you accordingly.**

**\*\*Swimmers enter this event at their own personal risk. They are responsible for their own physical condition, and are urged to train and have a medical check prior to entry. A swimmer deemed incapable of completing the course may be taken out of the water by safety officials at any time. You must comply with the directions of the race officials. Any swimmer who pulls out of the race must notify race officials immediately.**

**\*\*In case of emergency, air horns will be sounded repeatedly. Get out of the water immediately.**

## **RULES:**

- All swimmers are required to wear the swim cap provided at all times during the race. Any swimmer crossing the Finish line without a swim cap will be disqualified.
- Swim for SEALKIDS utilizes WOWSA swimming's rules on swimsuits. If you are swimming the Swim for SEALKIDS for fun and are not interested in getting a time that counts towards the awards categories, then you can wear anything you want.
- Flotation devices and/or equipment such as snorkels or fins are permitted, but disqualify participants from awards. Permissible gear is limited to: goggles/mask, nose clip, ear plugs, swimsuit and cap.
- Personal Escorts will not be permitted in the race course. The race officials' primary concern will be for the health and safety of the swimmers and reserve the right to disqualify individuals and cancel the event if conditions warrant.
- All swimmers must stay behind the Start Line and wait for the Starter's signals. Both an air horn and a flag are used to start the race (audible and visible signals)

## **AWARDS:**

**\*Awards Ceremony / after party location will be at Patriots Point Resort & Marina.**

**\*Food / Beverage will be provided by Patriots Point Resort & Marina, and live music will be provided Triangle Blue Grass, and the Blue Dogs! Race participants will receive a VIP bracelet which allows them free food / beer (for those of legal age) for the duration of the day.**

**\*The awards ceremony will begin after the conclusion of the swim around 1 p.m. This is a great time to relax, rest, and most importantly re-hydrate.**

### **AWARD BRACKETS:**

1. TOP 3 MALE & FEMALE OVERALL
2. 17 and Under (Top 2 Male / Female)
3. 18-25 (Top 2 Male / Female)
4. 26-34 (Top 2 Male / Female)
5. 35-45 (Top 2 Male / Female)
6. 46-54 (Top 2 Male / Female)
7. 55 and Over (Top 2 Male / Female)
8. Top Fundraisers (TOP 3 Overall)



**WHAT** The Turtle Trek is the South Carolina Aquarium's 3<sup>rd</sup> Annual 5k Sunset Beach Run & Kids' Fun Run

**WHEN** Saturday, September 29, 2018 - Packet Pickup 4:00-5:00pm, Beach Sweep 4:00-5:00pm, Kids Fun Run 5:00pm, 5k Run 5:30pm, After Party & Awards 6:00-9:00pm

**WHERE** Isle of Palms County Park & the Windjammer

**WHO** The Turtle Trek has sold out the past two years with 600 runners between the ages of 2-76, representing 15 different states.

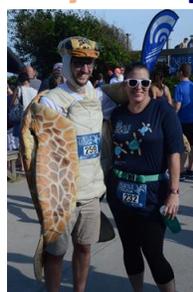
**WHY** The Turtle Trek raises awareness for the Aquarium's sea turtle rescue program and conservation initiatives. All proceeds support our Sea Turtle Care Center.

**REGISTRATION** 5K and Kids' Fun Run registration includes: t-shirt (unisex, technical shirts), race packet and After Party entry which includes; awards, food and music!

**AWARDS** Presented to the Top 3 Overall (M/F) and Top 3 in Age Categories (M/F): 1-9, 10-19, 20-29, 30-39, 40-49, 50-59, 60+. Ribbons will be presented to all kids' fun run participants.

**MORE INFORMATION** For questions or sponsorship information, please contact Stephanie Gabosch at 843-579-8540 or [sgabosch@scaquarium.org](mailto:sgabosch@scaquarium.org)

**Register today: [scaquarium.org/turtletrek](http://scaquarium.org/turtletrek)**



## IOP APPROVED ANNUAL EVENTS

WHEN	City Events	City-sponsored Events
January through March	Doggie Day at the Rec Front Beach Fest	MS Challenge Walk Special Olympics Polar Plunge

April through June	Tae Kwon Do Tournament Easter Egg Hunt IOP Community Yard Sale Piccolo Spoleto Sand Sculpting Music in the Park	Charleston Kite Festival Windjammer Volleyball ALS Run
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July through September	IOP Beach Run July 4th Fireworks Half Rubber Tournament	July 4th Golf Cart Parade Beach/River Sweep SC Aquarium Turtle Trek SEALKids Swim & Event
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October through December	Fire Prevention Parade Halloween Carnival Holiday Tree Lighting Light It Up Contest	IOP Connectoer Run ECOthon Ghostly Tide Tales
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**Ways and Means Committee**  
5:00 p.m., Tuesday, March 20, 2018

The regular meeting of the Ways and Means Committee was called to order at 5:26 p.m., Tuesday, March 20, 2018 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice and Smith, Chair Ward, Mayor Carroll, Administrator Tucker, Treasurer Suggs, Assistant Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business.

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

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

**MOTION:** Councilmember Bell moved to approve the minutes of the regular meeting of February 27, 2018 as submitted; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments**

Joe Petro, owner of the Banana Cabana, was pleased to see that the Committee would discuss going to an hourly rate in the municipal parking lots, and he voiced his full support for this action. He was confident that the results would be more turnover in the lots and more business for the Front Beach restaurants and businesses. Mr. Petro also addressed the idea presented to the Committee last month to turn the parking spaces between Pavilion Drive and J.C. Long Boulevard into active loading zones; he stated that Council was trying to push people to Front Beach without providing ample parking. He noted that, for the past few years, construction has been ongoing, and the vehicles taking up the loading zones were associated with that construction, leaving the delivery trucks for Front Beach businesses with no place to park. He stated that he would like to have a couple of spaces in front of his business, limiting parking to fifteen (15) minutes, for customers to pick up carry-out orders.

Jay Clarke, 10 Seahorse Court and owner of Morgan Creek Grill, expressed his support for the hourly parking in the municipal parking lots to support Front Beach businesses.

4. **Financial Statements**

A. **Monthly Financial Statement**

Treasurer Suggs stated that General Fund Revenue was at sixty-six percent (66%) of the FY18 budget while expenditures were at fifty-nine percent (59%) of the General Fund budget; the target for eight (8) months of the fiscal year was sixty-seven percent (67%). Under "Expenditures", the report showed "All Other" at two hundred forty-eight percent (248%) of budget; this category was where the City charged the disaster recovery expenses of three hundred fifty thousand dollars (\$350,000) related to Hurricane Irma. These expenditures will be offset by the FEMA reimbursement funds the City will receive. She also pointed out that Rental Licenses Revenue was at ninety-one percent (91%) of budget; since the Treasurer thought the figure was suspicious, she planned to dig into the collections to insure that all of the funds were properly recorded or if it represented a true decline year-over-year.

Total cash on-hand was approximately twenty-one million eight hundred dollars (\$21,800,000), which includes a dollar significant amount associated with the current beach restoration project; approximately three million dollars (\$3,000,000) has been spent on that project year-to-date. The cash on-hand represents thirty-seven percent (37%) of budgeted General Fund expenditures.

Chair Ward noted that business licenses were not delinquent until May 1, and he was confident that those paying in March and April would insure that the FY18 Business License Revenue met budget.

## **B. Tourism Schedules**

The City has received three percent (3%) more in Municipal Accommodations Fees and Beach Preservation Fees than in FY17. The City had no collections of State ATAX funds or Charleston County Accommodations Tax Pass-through in February. Hospitality Tax collections are running five percent (5%) head of last year.

## **C. Project Worksheets**

The Beach Restoration schedule has changed since last month in that the Treasurer removed the construction contingency from the first page; the project is nearly complete, and staff does not anticipate spending those funds. On the second page, the Treasurer removed the proposed loan as a funding source; the Wild Dunes' contribution toward the local share related to the Irma losses has been included as well as the "plug" number of approximately seven hundred eighty thousand dollars (\$780,000) from the Beach Preservation Fee funds. At this time, the funding for the project equaled the anticipated expenditures.

Responding to Councilmember Rice's question, Administrator Tucker stated that Great Lakes Dock and Dredge has nearly completed the project; they have already begun to demobilize as they are gradually moving some equipment to their next job at Tybee Island. The project will be completed before the target date of the second week of April.

Two (2) pay applications were paid to the contractor for the Phase II Drainage Project in February; Treasurer Suggs noted that this project also has a large contingency. This project was not as far along as the beach restoration so the Treasurer has left the contingency on the schedule; the City anticipates using the contingency funds to fill the shortfall of approximately sixty-three thousand dollars (\$63,000). A portion of this project will be re-budgeted in FY19.

On the Front Beach Restroom Rehabilitation and Boardwalk Project, the City paid one (1) pay application to the contractor; this project will be completed in FY18.

The Bulkhead Rehabilitation is also expected to be completed in FY18.

Due to the delay in receiving the underground storage tanks, a portion of this project will also be rebudgeted to FY19.

Treasurer Suggs introduced a different depiction of the Fund Balances that she thought might be easier for a non-accountant to understand; it was accompanied by the definitions of the fund balance classifications established by Generally Accepted Accounting Principles (GAAP). She noted that unassigned funds could only exist in the General Fund and the non-spendable

Inventory refers to gas and postage. Councilmembers responded very favorably to the presentation of the data.

## 5. Old Business

### Update on Beach Restoration

Administrator Tucker stated that FEMA approved the reimbursement for Irma losses on March 7, 2018 and the City executed the Change Order on March 8, 2018; Great Lakes Dock and Dredge charged the City six dollars fifteen cents (\$6.15) per cubic yard for the additional quantity of sand, the price stated in the original contract for cubic yards in excess of one million (\$1,000,000). The difference between the City's reported sand losses from Irma and the losses acknowledged by FEMA was five thousand cubic yards (5,000 cu. yds.), which they considered the historic erosion rate.

## 6. New Business

- A. Recommendation from the Public Safety Committee to make the Managed Beach Parking Plan year-round, to require parallel parking on Palm Boulevard from 21<sup>st</sup> to 41<sup>st</sup> Avenue and to prohibit any trailer parking on Waterway. The proposal submitted by Stantec to get this done is in the amount of \$13,640 to revise the Managed Beach Parking Plan and to apply for the encroachment permit from SCDOT (Unbudgeted in FY18; May be funded from Municipal Accommodations Taxes; Police Department Capital Outlay, \$187,625, pg. 25, line 112 or Fire Department Capital Outlay, \$122,375, pg. 25, line 120)**

**MOTION: Mayor Carroll moved to approve the recommendations stated above; Councilmember Bell seconded.**

Chair Ward asked if any staff member had reached out to SCDOT to ask whether or not the City could do these things.

The Administrator stated that to do the things listed above would require a new encroachment permit because there would be new and different signs; she said that she could write them a letter asking if they would conceptually approve the changes.

Councilmember Bell suggested taking the recommendations one at a time beginning with enforcing the Managed Beach Parking Plan year-round, he questioned that SCDOT had to be involved with that decision.

Administrator Tucker said that the City would only need to insure that SCDOT would be in favor of the change. The existing signage would need to have the secondary signs with the dates removed and enforcement would be year-round and not seasonal.

Councilmember Bell stated that Councilmembers have been approached by residents asking that the parking plan be enforced year-round; he thought that parallel parking on Palm between 21<sup>st</sup> and 41<sup>st</sup> Avenue would be something the City could do quickly that would not encumber Council with any future changes. He noted that currently beach-goers park perpendicular and parallel on Palm, and Council has heard from the Fire Chief and the Police Chief that parallel parking was

safer. Councilmember Bell thought that parallel parking would also reduce the congestion on Palm Boulevard. When he proposed these changes to the Real Property Committee, he thought they could be done relatively quickly and easily implemented for the 2018 season. He had hoped that the City could write to SCDOT with its recommended changes and get a letter from them indicating that they agreed or disagreed. He opined that the City did not need to spend thirteen thousand six hundred forty dollars (\$13,640) to accomplish that.

The Administrator explained that the City would need a transportation engineer to draw up a new plan with the new parking and the new signs like the one currently posted on the City's website that would be submitted to SCDOT with the encroachment permit application. She reminded the Committee that the only way the Police Department could enforce the changes would be with proper signage, which would also require SCDOT approval; the resulting sign plan becomes part of the ordinance. If it is not Stantec, it would be another company; since Stantec already has the body of work; one (1) would think they would be the most cost effective company to do the work.

Chair Ward and Councilmember Bell, respectively, withdrew their motion and second.

**MOTION: Councilmember Bell moved for the City to make the Managed Beach Parking Plan effective year-round; Councilmember Ferencz seconded.**

Councilmember Smith noted that a decision to have the parking plan enforced year-round did not have to be made at this meeting; the change would not be relevant until mid-September. In her opinion, the year-round parking plan brought up several issues, such as residents would be required to purchase guest passes all year and the cost of employing Beach Services Officers (BSOs) for an additional six (6) months. As Chair of the Public Safety Committee, she stated that they would be discussing several different solutions to parking and traffic issues on the island in the coming months.

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Councilmember Rice agreed that Council was rushing to make a decision on enforcing the parking plan year-round; in December and January when residents are hosting holiday parties, they would have to get guest passes at a time when parking and traffic were not problems on the island. She recalled that residents at the public forums stated that they were pleased with the changes brought about by the parking plan.

Councilmember Bell stated the City had a Police Department whose job it was to enforce the City's ordinances; he opined that, in the off-season, BSOs would not be required and that police officers should be able to handle traffic enforcement.

Councilmember Buckhannon commented that part of the Stantec proposal was "Analyze Problem Parking Areas" for a fee of thirty-two hundred dollars (\$3,200); he stated that he thought the City had paid them to do just that in the past. Without information on how much extending the parking plan would cost, he felt he did not have sufficient data to make an informed decision. He agreed that the plan should be extended, but he also thought that too many unknowns existed to rush into a decision tonight.

Councilmember Smith confirmed that this change would not affect the municipal parking lots.

**VOTE: The motion PASSED on a vote of 6 to 3 with Councilmembers Kinghorn, Rice and Smith casting dissenting votes.**

**MOTION: Councilmember Bell moved to prohibit trailer parking, resident and non-resident on Waterway Boulevard; Councilmember Ferencz seconded.**

Councilmember Buckhannon asked for clarification on what kind of trailer this action would focus boat or construction or trailers in general.

Councilmember Bell explained that the issue addressed here was largely from residential concerns on Waterway over safety from the overflow traffic from the marina, primarily boat trailers, that park on the sidewalk and often in the roadway. Cars with residential stickers can park on Waterway.

Councilmember Kinghorn voiced concern that this prohibition could hurt businesses at the marina; when people come to the marina to launch their boat and then cannot find a place to park the trailer, they might quit coming to the IOP Marina.

Councilmember Rice recalled how little parking was on Waterway Boulevard last summer when it was made residential parking only; if that holds true this summer, the problem may have resolved itself.

After the marina operator eliminated the annual decals and residential trailer parking last summer; residents started parking on Waterway.

According to Councilmember Ferencz, the complaint Council was hearing was that the trucks and trailers were so big that they extended not only over the sidewalk but also into the roadway creating a safety issue.

Chief Buckhannon stated that trailer parking on Waterway was not a problem in the off-season.

Administrator Tucker stated that, on the sign plan, Intracoastal Court was resident only parking; therefore, a vehicle with a residential sticker with a trailer would be allowed to park there.

Councilmember Buckhannon stated that he was concerned about where the marina overflow would park if they no longer have Waterway Boulevard; he was concerned that the parking problem would be removed from one (1) location only to happen again in a different location.

Councilmember Ward commented that many people on the island believed that marina parking should be restricted to the marina site.

Councilmember Rice opined that the Committee should delay this decision to see how effective the year-round parking plan would affect Waterway parking.

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

**MOTION: Mayor Carroll moved to approve the proposal from Stantec in the amount of \$13,640 and to submit a plan to SCDOT for parallel parking on Palm Boulevard from 21<sup>st</sup> to 41<sup>st</sup> Avenue; Councilmember Bell seconded.**

To eliminate the need for beach-goers to turnaround in traffic or to go through the neighborhoods to park in the right direction, Councilmember Smith suggested that the non-ocean side of Palm be classified as resident only parking.

Councilmember Ferencz commented that vehicles were already turning against the traffic in order to park perpendicularly on the non-ocean side of the street.

The Administrator said that the assignment to Stantec was directly from the minutes of the Real Property Committee meeting as the instructions were given to staff. One (1) factor related to the residential parking only on the non-ocean side of Palm was to insure that the City remained in compliance with the Beach Management Plan as it pertained to public access to the beach.

Administrator Tucker explained how the process would work:

- Stantec personnel would meet with IOP staff to insure that they understand their assignment;
- Stantec would deliver a work product to staff for review and correct;
- The document would go back to Stantec to incorporate the changes, corrections, clarifications identified by staff;
- Stantec would produce a second work product that would be reviewed a second time;
- The revised work product would be delivered to Council to insure the goal(s) were accomplished;
- The final document would go to SCDOT for approval; and
- Once approved, the document would become part of the parking ordinance.

**AMENDMENT: Councilmember Smith moved to amend the motion to add residential only parking on the non-ocean side of Palm from 21<sup>st</sup> to 41<sup>st</sup> Avenue; Councilmember Rice seconded.**

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Mayor Carroll said that he heard the residents “loud and clear” that they wanted to protect the neighborhoods and to reduce the amount of parking; at the same time, the Mayor believed that the general public should have the right to go to the beach, and he was concerned about taking away parking on one (1) side of Palm Boulevard.

Initially for Councilmember Bell, these suggestions/recommendations were “to get the ball rolling” to do what Council wanted to do; by going to parallel parking on both sides of Palms, he thought the City would have time between seasons to determine how many parking spaces the City must have, how to be fair to off-island beach-goers, etc.

Councilmember Buckhannon recalled that parallel parking has been talked about many times and for many years; he agreed with Councilmember Kinghorn that the Committee was rushing with these changes to parking.

**VOTE on the AMENDMENT: The Amendment failed on a vote of 1 to 8 with Councilmember Smith being the sole aye.**

**VOTE: The original motion PASSED on a vote of 8 to 1 with Councilmember Kinghorn casting the dissenting vote.**

**B. Consideration of changing the kiosks in the Municipal Parking Lots to an hourly rate that is the same as the kiosks on the street**

Administrator Tucker reported that the parking rate on the street was one dollars fifty cents (\$1.50) per hour, the cost to reprogram the parking lot kiosks would be three hundred eighty-five dollars (\$385), and the cost for signage on the kiosks was two thousand dollars (\$2,000).

**MOTION: Mayor Carroll moved to change the parking rate in the municipal lots to \$1.50/hour, to reprogram the kiosks at \$385 and to purchase new signage for the kiosks for \$2,000; Councilmember Ferencz seconded.**

Councilmember Rice expressed strong feelings that the per-hour rate in the parking lots should be one dollar (\$1) per hour to encourage people to park there; though parking on the street was a convenience, the City should incentivize people to park in the lots.

**AMENDMENT: Councilmember Rice moved to charge \$1 per hour to park in the municipal lots; Chair Ward seconded.**

Councilmember Moye asked for a member of the Public Safety Committee to explain the goal to be achieved with the change to hourly parking in the parking lots.

Chair Ward stated that “the merchants were getting beaten up so badly;” he commented that the charge for parking in the lots has steadily increased, and the increases have driven beach-goers to park on Palm.

Responding to Councilmember Ferencz’ inquiry, the Administrator confirmed that the rate in the parking lots after 4:00 p.m. was a dollar (\$1) per hour, but the rate on the street was one fifty (\$1.50) all the time.

**VOTE on the Amendment: The amendment PASSED on a vote of 5 to 4 with Councilmembers Ferencz, Kinghorn, Moye and Smith dissenting.**

**VOTE on the Amended Motion: The motion PASSED on a vote of 6 to 3 with Councilmembers Ferencz, Kinghorn and Moye dissenting.**

**7. Miscellaneous Business – None**

Budget Workshop: 5:15 p.m., Wednesday, March 28, 2018  
Next Meeting Date: 5:00 p.m., Tuesday, April 18, 2018

**8. Executive Session – not needed**

**9. Adjournment**

**MOTION: Councilmember Buckhannon moved to adjourn the meeting at 6:40 p.m.; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

## **PUBLIC SAFETY COMMITTEE**

4:00 p.m., Monday, March 5, 2018

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

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

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

**MOTION: Councilmember Bell moved to approve the minutes of the regular meeting of February 5, 2018; Councilmember Ward seconded.**

In an earlier communication, Clerk Copeland informed Committee members that the minutes presented at the February Council meeting had a significant typographical error in a motion; on page 6 of 9, the Saturday construction hours in the final motion stated 8:00 a.m. to 6:00 p.m. when the motion was 8:00 a.m. to 4:00 p.m. per the audio recording of the meeting. After discussing the matter with the City Attorney, the minutes presented for approval at this meeting been corrected.

**Amendment: Councilmember Bell moved to approve the minutes as corrected; Councilmember Ward seconded and the amendment PASSED UNANIMOUSLY.**

**VOTE: The amended motion PASSED UNANIMOUSLY.**

### **3. Citizens' Comments**

- A. Request to hold SEALkids Swim event on Saturday, August 11<sup>th</sup> or September 8<sup>th</sup> as a City-sponsored event – Troy Pusateri
- B. Request for City-sponsored event status for South Carolina Aquarium's 3<sup>rd</sup> Annual Turtle Trek 5k Sunset Beach Run and Kids' Fun Run on Saturday, September 29<sup>th</sup> at 5:30 p.m.– Stephanie Gabosch

Administrator Tucker stated that the SEALkids Swim and the Turtle Trek have been held on the island in the past and were low impact events for the City; she opined that the Committee would recommend approval to City Council as City-sponsored events in 2018. In addition, she suggested that the City could add them to the list of approved annual, City-sponsored events so that the representatives would not have to come before the Committee each year for approval. They would be required to communicate with the Public Safety agencies of the City as to the when, where, and how and provide the certificate of insurance.

Mr. Pusateri representing SEALkids thanked the Committee for their consideration and reported that last year's event had raised seventy thousand dollars (\$70,000) that helped some twenty (20) kids; it drew approximately sixty (60) swimmers and three hundred fifty (350) people to the auction in the evening. He was present today to confirm a date for 2018 and to ask for approval to hold the event at the Isle of Palms annually. He said that, when he plans the event, he chooses the Saturday closest to September 11<sup>th</sup>, and, for 2018, that date is Saturday September 8<sup>th</sup>.

**MOTION: Councilmember Bell moved to recommend to City Council the approval the SEALkids Swim event as an annual City-sponsored event to be held on the Saturday nearest September 11<sup>th</sup> each year and to recommend the approval of the Aquarium Turtle Trek Sunset Run and Walk as an annual City-sponsored event to be held in 2018 on Saturday, September 29<sup>th</sup>; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

Rusty Streetman, 4004 Palm, stated that his home was between two (2) construction sites and his issue was that delivery trucks were parking in the street. The driveways at the construction sites were filled with the workers' vehicles, but ample right-of-way existed between 39<sup>th</sup> and 40<sup>th</sup> Avenues. As shown in photos he brought to the meeting, which are attached to the historical record of the meeting, these instances create a substantial public safety issue. He added that when he was at home, he personally asked that the vehicles be moved, and he has made quite a few calls to the Police Department who have responded quickly and have been very helpful. He reported that, on a particularly bad day, the Animal Control Officer stopped by and pulled into Mr. Streetman's driveway; he needed Mr. Streetman's assistance to get back onto Palm Boulevard. Mr. Streetman was asking for more enforcement.

Administrator Tucker stated that ten (10) tickets have been written by the Police Department at these two (2) locations.

Elizabeth Campsen, 32 Intracoastal Court, commented on the possible changes to the Managed Beach Parking Plan and voiced hope that some tweaks could be made before this tourist season. Having researched the Beach Management Plan, she stated that the City currently has sixteen hundred (1,600) public parking spaces, including the municipal lots, with five hundred (500) between 21<sup>st</sup> and 57<sup>th</sup> Avenues on Palm Boulevard. The number does not include the vehicles that park two (2) deep on the ocean-side of Palm. One (1) change she would like to see was limiting parking on Palm Boulevard to one (1) side of Palm or parallel parking on both sides. She recalled a plan offered by Stantec that included a median on Palm Boulevard paid for with tourism funds. She reported that she has already called the Police Department about boat trailers parked on the bike path on Waterway Boulevard, and she suggested limiting the trailers to the areas on 41<sup>st</sup> Avenue where there are no homes.

Lavonne Settimo, 25 – 24<sup>th</sup> Avenue, brought to the Committee's attention the poor condition of many of the beach access paths on the island; she said that many of them required walking through murky water and mud. Secondly, she repeated her husband's request made at the City Council meeting for the City to require that all dogs, resident and non-resident, have an IOP dog license.

Gail Jordan, 3704 Palm Boulevard, stated that she could not entertain guests in the tourist season because the day-trippers take up all of the parking in front of her home; she asked if the City could eliminate parking in front of the residences of full-time residents.

Bob Miller, 3 Fairway Village Lane, stated that he was a member of the IOP Coyote Control Coalition, a group of six (6) individuals who share the common goal of educating and informing citizens and visitors and influencing government bodies to try to reduce the number of coyotes on the island. He offered four (4) recommendations for actions to be taken by the Public Safety Committee and City Council to address the public safety concerns created by the growing coyote population and their aggressiveness, and they are as follows:

- The implementation of simple signage stating what one should and should not do around coyotes;

- The placement of flyers in each renters' welcome package from the rental agencies;
- The adoption of an island-wide coyote management plan; and
- The island-wide implementation of actions.

Sally Wiseman, 35 Fairway Dunes Lane, told the Committee that she never left home without her whistle to scare off the coyotes; as his introduction, Mr. Miller stated that she has spent a lot of time researching coyotes and how other areas have dealt with them. She stated that a City coyote management plan should be consistent with the Mount Pleasant and Sullivan's Island plans. A plan should include a three-fold purpose, a strategic plan and the balance of the plan would be the details behind the strategic plan; a copy of the proposed Coyote Management Plan dated January 23, 2018 was attached to the historical record of the meeting.

Gary Hart from the Banana Cabana expressed concern about parking for him and his employees in the City lots due to the re-opening The Palms Hotel and the City's agreement with them for parking for their guests in the lots. He stated that, although he has purchased a seasonal parking pass, over the past two (2) seasons, he has had problems finding a vacant spot, and he worries about his employees.

Administrator Tucker commented that guests of the hotel are not guaranteed a parking space.

#### 4. Old Business

##### Consideration of coyote control, research and public information

Chair Smith asked Animal Control Officer Enourato to give the Committee an update on actions being taken by the City relative to coyotes.

Officer Enourato stated that the City has had five (5) soft leg traps deployed at the rear of 2300 Palm Boulevard at the request of the owner for two (2) weeks; the City's Contractor Critter Control removed the traps yesterday and was in the process of relocating them. The evidence was that the coyotes were active in that area so that the traps will likely be placed there again after a couple of weeks.

The Administrator reported that the City ordered new beach access signage for the most heavily travelled accesses; once installed, one (1) of the messages will be about wildlife. Since the City cannot install signage on private property, it cannot put any signs on the accesses that belong to the Wild Dunes Community Association.

Councilmember Bell was clear that trapping was not going to solve the City's coyote problem; information he has seen has recommended a multi-pronged approach to control the coyote population.

**MOTION: Councilmember Bell moved to recommend to City Council that (1) the City move from the current monthly fee structure to a "pay per coyote" basis, (2) the City staff provide the Committee a step-by-step plan to implement hunting as a legal and lethal means to immediately reduce the coyote population and (3) review of and recommendation for a comprehensive coyote management plan to be adopted by the City; Chair Smith seconded.**

According to Captain Usry, the City must pay a contractor to place the traps and pay an additional fee when a coyote was caught; it also paid a fee if another fur-bearing animal was caught unless

the Animal Control Office was available to release it. The traps were checked every day by either the contractor or the Animal Control Officer.

From DNR, the Chair learned about a different type of trap referred to as a Collarum trap which is canine specific, but is illegal in South Carolina; the person with whom she spoke said that the City would be allowed to use whatever method they wanted.

Councilmember Ward moved to suspend the rules to bring the members of the Coyote Coalition into the discussion; Councilmember Bell seconded.

Councilmember Bell and Chair Smith withdrew the motion and second respectively.

When Mr. Miller, Ms. Wiseman and Ms. Gogol joined the Committee, Councilmember Ward asked Ms. Wiseman if she agreed with Councilmember Bell's multi-pronged approach, and she responded that each coyote management plan she read included multiple means of reducing or controlling coyote populations.

Judy Gogol added that the City needed to feel a sense of urgency to act as quickly as possible; she noted that mating season was over and that the pups would be born in sixty to seventy (60 - 70) days – just as tourists begin to arrive on the island.

Administrator Tucker stated that the USDA-Wildlife Service is the agency that would perform the hunting activities, and they have indicated that they were willing to come to a Council meeting to discuss their work.

When the Committee discussed the pros and cons of a coyote management plan, Councilmember Bell stated that the plan would be a framework, not prescriptive; Ms. Wiseman noted that Mount Pleasant has not had to tweak their plan in fifteen (15) years.

The Administrator was reminded that a coyote management plan was drafted, but it was not adopted by City Council.

Councilmember Ward recalled that the draft never got out of committee for Council to consider.

Councilmember Bell made his motion for the second time.

**MOTION: Councilmember Bell moved to recommend to City Council that (1) the City move from the current monthly fee structure to a “pay per coyote” basis, (2) the City staff provide the Committee a step-by-step plan to implement hunting as a legal and lethal means immediately reduce the coyote population and (3) review of and recommendation for a comprehensive coyote management plan to be adopted by the City; Chair Smith seconded and the motion PASSED UNANIMOUSLY.**

Chair Smith wanted the City to step up its public messaging campaign, emphasizing what residents and visitors can do to discourage coyotes from interacting with pets and humans via updates to the City's coyote page on the website and, possibly, a mailer.

Councilmember Bell remarked that the short-term rental companies would likely have a very different view of a messaging campaign; as dependent as the City is on tourist dollars, he cautioned that it cannot afford to scare them away.

Ms. Wiseman suggested changing the word “co-exist” to “coyote smart.”

Chair Smith repeated her desire for the City to partner with Sullivan’s Island and Dewees to hire a researcher to get a count of the coyotes on the two (2) islands.

## 5. New Business

**MOTION:** Chair Smith moved to re-order the Agenda to address Item C as the next item of business; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

### C. Discussion on obstructions on Palm Boulevard sidewalks

Administrator Tucker stated that she has learned that SCDOT is responsible for the overhang on Palm Boulevard, but not for the removal of the obstructions on the sidewalk; they are also responsible for replacing dangerous things, like cracked pieces, etc. of the sidewalks. Overgrowth and encroachment from the sides would fall to the property owner, the property management company, or the City, as a last resort. She reported that she and Assistant Fragoso walked the sidewalk from 21<sup>st</sup> to 41<sup>st</sup> Avenue with a representative from SCDOT and divided up the problems that were under their purview from those falling to the City.

#### A. Renewed consideration of Managed Beach Parking Plan to include safety, traffic flow and impact on beach access

Chair Smith referred to an email that contained an outline for the Committee that listed primary and supporting goals as well as the focus for this meeting as follows:

- A. Primary Goals
  - 1. Improve safety of seasonal parking and traffic while providing proper public access to the beach;
  - 2. Protect residential parking area restrictions already in place.
- B. Supporting Goals
  - 1. Promote efficient traffic flow and parking that steers beachgoers toward the City’s Front Beach lots and/or the IOP County Park;
  - 2. Explore options for adding paid beach parking beyond the Front Beach in 2019;
  - 3. Develop long-range solutions to meet demands of accelerating visitor growth.
- C. March focus
  - 1. Initial overview of potential changes and challenges
  - 2. Develop ideas for short-term solutions for beach parking along Palm Boulevard east of 20<sup>th</sup> Avenue
  - 3. Discuss alterations to traffic flow for improved ingress and egress

Approaching the parking problem from the standpoint of what can be done this season that would impact public safety and could be implemented.

**MOTION: Councilmember Bell moved to recommend to City Council to implement the Managed Beach Parking Plan year-round, to prohibit boat trailer parking on Waterway Boulevard by residents and non-residents and to implement parallel parking on both sides of Palm Boulevard from 21<sup>st</sup> to 41<sup>st</sup> Avenues; Councilmember Ward seconded.**

Councilmember Bell stated that parallel parking on Palm, would significantly reduce the number of cars, but still meet the requirements of the Beach Management Plan for public beach access.

Chair Smith offered an alternate to parallel parking on both sides of the street and to have parallel parking only on the ocean-side of Palm Boulevard thereby eliminating the need for drivers to turn around or loop through the neighborhoods to park in the opposite direction. She also proposed making the non-ocean side of Palm residential parking only.

Captain Usry commented that any change to parking would require an engineering design, DOT approval, ordinance changes and appropriate signage.

**Amendment: Chair Smith amended the motion to add consideration of residential parking only on the non-ocean side of Palm Boulevard from 21<sup>st</sup> to 41<sup>st</sup> Avenue; Councilmember Bell seconded.**

Captain Usry stated that presently the only area of parallel parking on Palm Boulevard was on 21<sup>st</sup> Avenue closest to Beachside, and, from 21<sup>st</sup> to 41<sup>st</sup> Avenue, the parking is four (4) feet from the pavement. Making both sides parallel parking would make parking on Palm Boulevard safer and would allow for a reduction in the number of spaces; the negative issue with parallel parking on Palm would be beachgoers turning around or going into the neighborhoods to park in the non-ocean side.

Chief Graham agreed that parallel parking would be preferable, but getting parked was the problem.

**VOTE on the Amendment: The amendment Failed on a vote of 1 to 2 with Councilmembers Bell and Ward casting dissenting votes.**

Administrator Tucker opined that the Committee would get pushback from residents on extending the parking plan to year-round because residents want to entertain family and friends without getting passes for their guests.

**VOTE on the Original Motion: The motion PASSED UNANIMOUSLY.**

Without funding, the Administrator noted that she could not act on getting the services of a transportation engineer since it was not included in the FY18 budget; she also asked whether the Committee wanted to go through the competitive bidding process or to approach Stantec for its services.

Councilmember Ward asked that the Administrator and the Treasurer look at the budget and to locate possible funding sources on which the Ways and Means Committee could vote.

Chair Smith recalled comments made at the City Council meeting about the need for pedestrian lines-of-sight at some beach accesses between 41<sup>st</sup> and 57<sup>th</sup> Avenues, and she was reminded

that the rights-of-way on Palm in that part of the island were not wide enough to support parking four (4) feet from the pavement.

**MOTION: Chair Smith moved to include study of the need for sufficient pedestrian lines of sight at the beach accesses between 41<sup>st</sup> and 57<sup>th</sup> Avenues in the scope of work for the traffic engineer; Councilmember Ward seconded.**

Councilmember Bell advocated for a comprehensive plan for parking inclusive of all of the things that need to be done for the FY20 budget cycle; at the present time, he supported making those changes that can have an immediate impact on parking safety.

The Administrator noted that the City did not know whether SCDOT would grant line-of-sight for beach accesses or if they have standards for pedestrian line-of-sight or, if the standard exists, what the footage would be on either side of the path. In the area of 55<sup>th</sup> to 57<sup>th</sup> Avenue, another issue was whether the space required for line-of-sight would reduce the available parking so that it would no longer meet the requirement for full and complete access to the beach.

Councilmembers Bell and Ward expressed opposition to this additional work because it would add to the amount of time the traffic engineer would need to complete the work and add to the unbudgeted expense.

Chair Smith and Councilmember Ward withdrew the motion and second respectively.

**B. Discussion of improvements to crosswalk at 20<sup>th</sup> and Palm Boulevard**

Residents have voiced concerns about this crosswalk because it is difficult to cross safely because most drivers do not stop; one (1) suggestion was to have a blinking sign that would be activated by the pedestrian(s).

Captain Usry stated that this crosswalk belonged to SCDOT; therefore, any change to it would be their decision.

If the City chose to make it a stamped crosswalk to draw more attention to it, it could likely get an encroachment permit, and the City could put money into the FY19 budget to do it. The cost for stamping across four (4) lanes of traffic would be approximately ten thousand dollars (\$10,000).

The Chair asked that staff reach out to SCDOT to learn what the City's options would be to improve the crosswalk at 20<sup>th</sup> Avenue and Palm Boulevard.

**D. Consideration of approval of Law Enforcement Mutual Aid Agreement between the IOP Police Department and the Town of Mount Pleasant Police Department**

Mutual Aid Agreements are routine between neighboring communities; they must be approved annually by the Public Safety Committee and by City Council.

**MOTION: Councilmember Ward moved to approve the Law Enforcement Mutual Aid Agreement between the IOP Police Department and the Town of Mount Pleasant Police Department; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

## 6. Highlights of Departmental Reports

### Fire Department – Chief Graham

In the month of February, personnel responded to forty-three (43) calls, of which twenty-six (26) were EMS calls. Nineteen (19) fire inspections were conducted that located twenty-four (24) violations. Fire Department personnel averaged approximately thirty-nine (39) hours of training on a variety of subjects. A leak has been found in the radiator of the generator; the City is waiting on a quote for the replacement of the radiator if that is possible. In the meantime, inquiries are being made to rent a generator; if the rental is necessary, the City must provide a plug for it from the building that will cost approximately ten thousand dollars (\$10,000). On two (2) occasions during the month, fire crews conducted station tours and talked about fire prevention with eighty-six (86) kindergartners and twelve (12) teachers from Jennie Moore Elementary School in Mount Pleasant.

### Police Department – Captain Usry

The Police Department hosted a “Coffee with a Cop” event at Café Paname with twelve (12) residents in attendance; the Charleston County Consolidated 9-1-1 Dispatch Center Public Education team was also present and provided information on “text 9-1-1” and “smart 9-1-1.” In February, Communication Specialists responded to three thousand nine hundred eighty-eight (3,988) calls, and, of that number, three thousand five hundred fifty-nine (3,559) were for the IOP Police Department. Officers made three hundred sixty (360) traffic stops and wrote tickets for seventy-seven (77) of them. Seven (7) coyote sightings were reported in the month. Of the twenty-eight unkempt lots carried over from 2017, five (5) remain unresolved, and, of the sixty-three (63) encroachments in the right-of-way carried over, eight (8) were unresolved and would likely be receiving citations for not complying.

Councilmember Bell commented that the number of traffic stops continued to increase month over month while the percentage of those stops that receive tickets was consistently around twenty percent (20%). He opined that creating a lot of data that does not produce a behavioral change was a waste of time, and he did not want to see anyone wasting his time producing reports that do not get used for anything. He indicated that the reports do tell the reader if the Department enforces consistently across the island, things that could be done differently, etc. He expressed the opinion that, when an officer sees an infraction, parking or otherwise, he/she should stop and handle it, but the perception now is that parking infractions are not handled by the regular patrol officer because it is a BSO duty. He thought that officers should be advised to act and not to drive by. He also told Captain Usry that he thought the Department could submit its data to Council electronically rather than in a written report.

Captain Usry stated that every traffic stop gets a written citation, either a state citation with a fine attached or a warning; no verbal warnings are issued. Officers are encouraged to write a citation when the speed is ten (10) miles over the posted speed limit and to take into consideration other factors, such as time of day, weather conditions, and the fact the IOP is a residential community. The Captain noted that staffing for a shift are one (1) sergeant and two (2) officers who are dealing with the mischief that occurs on the island in the course of twelve (12) hours, as well as speeding drivers. She also explained that the officers have access to any warnings and/or tickets the driver may have gotten in the City in the past, as well as the driver’s driving record maintained by the State via their in-car computers.

Administrator Tucker remarked that the Police and Fire Departmental Reports were the product of meeting requests for information from past Councilmembers and reporting requirements; if components of the reports have information the Committee was not interested in seeing, it would not be included.

Responding to Councilmember Bell, Captain Usry said that the report takes approximately sixteen (16) hours to compile, and some of the data must be manually gathered.

Councilmember Bell commented that the Committee could get “more productive analysis of data with less work if done correctly.”

As a final comment, Administrator Tucker stated that patrol officers do write parking tickets.

**7. Miscellaneous Business**

**Workplace Safety Resolution**

**MOTION: Chair Smith moved to recommend to City Council the adoption of the Workplace Safety Resolution; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Next Meeting Date: 5:00 p.m., Monday, April 9, 2018 in the Conference Room

**8. Executive Session – not needed**

**9. Adjournment**

**MOTION: Chair Smith moved to adjourn the meeting at 6:07 p.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

## **SPECIAL PUBLIC WORKS COMMITTEE**

8:00 a.m., Thursday, March 1, 2018

The regular meeting of the Public Works Committee was held at 8:00 a.m., Thursday, March 12, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Buckhannon and Rice, Chair Kinghorn, Administrator Tucker, Assistant Administrator Fragoso, Public Works Director Pitts and Human Resources Officer DeGroot; a quorum was present to conduct business.

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

### **2. Purpose**

#### **Consideration of staffing needs in the Public Works Department**

##### **A. Maintenance and Facilities Supervisor**

##### **B. Full-time, part-time Administrative Assistant**

Officer DeGroot stated that the staff proposal was to add two (2) positions to the Public Works Department, i.e. full-time, part-time Administrative Assistant and Maintenance and Facilities Supervisor; the need for the positions, the estimated costs, respective job descriptions and the resulting organization chart were included in meeting packets.

Councilmember Rice opined that the maintenance and Facilities Supervisor should be someone who can be thoroughly trained to assume the Director's duties if he was unexpectedly absent for a period of time; she also voiced concern that a person with such a variety of skills could be found.

In Director Pitts' mind, the maintenance side of the job would be more flexible, but the top two (2) priorities would be drainage and the underground storage tanks; he thought that anyone could be taught how to do the general maintenance.

For the part-time position, Councilmember Rice asked if the Director expected this person to field calls and then do whatever was necessary plus handle paperwork.

The Director said that he expected this person to do purchase orders, maintain maintenance logs and preventative maintenance schedules for the vehicles, which he does currently; he commented that BS&A has helped with tracking daily maintenance and staying within budget although an aging fleet generally requires more maintenance. The Vehicle Maintenance budget was increased by five thousand dollars (\$5,000) when the incinerator closed and the trucks were forced to go to Bees Ferry; he stated that the fleet averages eighteen (18) years in service.

Chair Kinghorn inquired if the Director would be seeking additional funding in the FY19 budget other than personnel.

Responding to Councilmember Rice's concern, Director Pitts stated that the Public Works Building would need to be re-designed to accommodate the additional employees.

As for the current Assistant Director of Public Works, the Director anticipates that his title would stay the same, and he further explained that the position has evolved into one (1) of a working foreman now with duties he once did not have, such as beach cleaning, assisting with miscellaneous debris, etc. Therefore, the office would become that of the new Maintenance and Facilities Supervisor.

Chair Kinghorn commented that since hiring personnel typically leads to recurring and unknown costs, it is a sensitive subject; additionally some on Council believe that the City needs less oversight and “more worker bees.” He asked if the Director anticipated that that operational side of the Public Works’ budget would increase. He also asked whether it would be practical to bring the beach recycling and trash removal in-house when Mr. Schupp no longer provides that service.

Director Pitts opined that to bring that service in-house would be more costly than hiring a contractor because the job requires swinging shifts coordinating with the tides and can require double shifts in a day at times.

Councilmember Rice requested more specifics about renovating the existing Public Works building.

Director Pitts explained that Assistant Washington’s office would go to the Maintenance and Facilities Supervisor, a wall added near the front door to make an office for the part-time position and to open the wall from the eating area creating one (1) door for all three (3) offices. According to the Director, this appeared to be the simplest way to create three (3) offices.

Director DeGroot noted that the renovation cost includes HVAC to improve the air quality, revamping the eating area to make the interior more aesthetically pleasing, as well as the typical office equipment and furnishings.

2

Councilmember Buckhannon agreed that Councilmembers tend “to get heartburn” when the addition of employees is discussed. On the other hand, one (1) of the biggest citizens’ concerns at the forums was drainage and what and how to tackle it. Director Pitts added that the City must become more proactive on drainage, and to institute a public education program about illegal dumping of things that the Public Works will not pick up or dispose of, such as tires, batteries, etc.

According to Chair Kinghorn, another of the top four (4) concerns was sewer – despite the fact that Council again deferred taking action some preliminary steps toward island-wide sewer.

Although this person’s responsibility would primarily be sewer, Councilmember Rice asked if he would also deal with septic tank issues, and the Director responded that was not included presently.

**MOTION: Councilmember Buckhannon moved forward to City Council the recommendation for two (2) new positions, a full-time part-time Administrative Assistant and a Maintenance and Facilities Supervisor for inclusion in the FY19 budget; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.**

Chair Kinghorn commented that other members of the Committee might have seen Director Pitts’ dashboard report for February and stated that he thought it was a good start. He said that it was geared to reduce the work for the Director and detail provided to policy-makers.

As a point of order, Chair Kinghorn stated that the Committee had made a mistake in electing him Chair, which he has recognized and will step down for Councilmember Rice to become Chair and Councilmember Buckhannon to become Vice Chair. He stated that his “position [would] be to support good government and support staff, . . .but better to do it from the side than as Chair.”

**3. Adjourn/Conclusion**

**MOTION: Councilmember Buckhannon moved to adjourn the meeting at 8:23 a.m.; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

DRAFT

**Recreation Committee**  
8:30 a.m., Tuesday, March 6, 2018

The regular meeting of the Recreation Committee was held at 8:30 a.m., Tuesday, March 6, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Moye and Smith, Chair Buckhannon, Administrator Tucker, Assistant Administrator Fragoso, Director Page, Assistant Director Ferrell and Clerk Copeland; a quorum was present to conduct business.

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

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

Councilmember Smith directed attention the first paragraph on page 2 of the February 5, 2018 minutes; she stated that the one-day (1 day) self-defense class was only a suggestion, not a request.

**MOTION: Councilmember Smith moved to approve the minutes of the regular meeting of February 5, 2018 as changed; Chair Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

**3. Citizens' Comments**

Lavonne Settimio, 25 – 24<sup>th</sup> Avenue, recalled that, when the Bark Park originally opened, it was “nice and grassy,” but, after several years of use, it is all sand. Ms. Settimio suggested putting down mulch, which she thought might be acquired free of charge from a tree cutting company. From chatting with dog owners at the Bark Park, she has learned that many of them bring their dogs from Mount Pleasant to enjoy it. She also mentioned that her husband had spoken to City Council at the February meeting about aggressive dogs at the Bark Park. She repeated his request for the City to consider requiring non-resident dogs to have an IOP dog license. She also said that she would like for the Animal Control Officer to come by the park more often and to stop for a few minutes to see what is going on; his presence might encourage people to monitor their dogs' activities closer.

Mic Smith, 20 – 23<sup>rd</sup> Avenue, said that he regularly plays basketball with ten to fifteen (10-15) other island men every Saturday morning, and that they have been very pleased with the new goals. During the winter and summer months, the weather is not conducive to playing outdoors, and he was requesting a way for this group to reserve court time on Sunday afternoons. He indicated that his group was willing to pay fifty dollars (\$50) for about an hour and a half of court time.

Rebecca Stephenson, 18 – 26<sup>th</sup> Avenue, introduced herself as one (1) of the organizers off the Isle of Palms' Farmers' Market.

**4. Departmental Report**

Spring softball, table tennis league and 6-v-6 soccer will be starting up soon, and 3-on-3 basketball has been postponed due to the installation of the new basketball goals. In youth sports, basketball has wrapped up and the baseball program is beginning; the Director told the

Committee that, without the non-resident participants, the Rec Department could not host youth leagues. She also noted that, in youth sports, no child from the Isle of Palms or Sullivan's Island is put on a waiting list; only non-residents children are on the waiting lists. The Keenagers remain very active; fifty (50) senior attended the last potluck lunch. In March, the Wellness Committee is holding a step challenge to see which Department can get from here to Disneyland in California first. Doggie Day at the Rec was again a very successful event; the setup was different from prior years with Dr. Jose and the City being more visible. As a result of the changes, the City sold ninety-two (92) dog licenses compared to last year when sixty (60) or so were sold; in addition, Dr. Jose ran out of chips, and he gave more than seventy (70) vaccinations. The Director was also very pleased with the size of the crowd at the Front Beach Fest, and it was a big success.

Councilmember Smith noted that the event received rave reviews on Facebook.

Upcoming events include the Easter Egg Hunt on March 31<sup>st</sup> and the annual Yard Sale on Saturday, April 14<sup>th</sup> from 8:00 a.m. to noon. Fifty (50) booths are set up for the Yard Sale, and registration has begun.

## **5. Old Business**

### **A. Discussion of potential Farmers' Market changes for 2018**

Assistant Fragoso reported that she met with Rebecca Stephenson and Jessica Blaszcak, co-managers of the 2017 Farmers' Market, and Cynthia Wilson, Manager of the IOP County Park in an after-action meeting; an information sheet from the meeting was sent to Committee members that included the results of a brief survey of the vendors and recommendations for improvement and changes to the 2018 Farmers' Market. (A copy of the information sheet is attached to the historical record of the meeting.) Opportunities for improvements noted were offering free parking at the County Park, reducing the number of vendors and food trucks, selling beer and wine, providing the vendors with flyers they could distribute at other markets and providing more marketing. The recommendation is to hold the market again on the eight (8) Thursdays in September and October and to hold them at the County Park due to the amenities offered and the availability of electricity. The City has asked to establish some type of agreement with the County Park for free parking to people attending the markets. Since the County Park does not allow free parking for any event, the request was for the City to pay a flat fee per market, and an application has been submitted to Charleston County Parks and Recreation including the parking fee request. Other recommendations were to reduce the number of vendors to twenty or twenty-five (20 – 25), to advertise the Farmers' Market as a Boutique Market and to allow the sale of beer and wine either by the County Park, who asked for the first right of refusal, or an island food and beverage business; in addition to the music, the recommendation was made to provide some kids' activities, i.e. jump castle, face painter, etc., and to seek sponsors to pay for the entertainment. The last item for consideration was to compensate Ms. Stephenson and Ms. Blaszcak for their services.

When Councilmember Moye suggested tying entertainment sponsorship to the beer and wine vendor, Chair Buckhannon thought that some local businesses might be turned off by the idea.

Assistant Fragoso also told the Committee that the City had been "overly generous" when it came to paying the musicians; the City paid two hundred dollars (\$200) for each market, but the standard practice by other local farmers' markets was to pay seventy-five to one hundred dollars (\$75 – 100).

Ms. Stephenson added that the discussion had been to offer tiers of sponsorships.

Assistant Fragoso said that the expenses for the market included the Animal Control Officers who lined off the vendor spaces, police officers who set out signs and approximately eight hundred dollars (\$800) for materials, posters and signage; the cost for the Assistant Administrator's time has not been calculated. The revenue from the vendor applications was approximately ten thousand dollars (\$10,000); this figure will be less in 2018 due to the reduction in the number of vendors allowed for each market. The budget for advertising would be increased for 2018 to include pamphlets or flyers as well.

According to Ms. Stephenson, the average number of vendors at the Farmers' Markets was thirty-five (35), but a total of seventy (70) vendors paid some amount of application fees.

On the subject of paying the co-managers, Assistant Fragoso attested to the many hours of work they put in for last year's markets and indicated that they have not talked in detail about this request. She suggested either a per hour rate or a per market rate to be paid from the proceeds of the markets.

Chair Buckhannon pointed out that the City has several volunteer groups, including the Board of Zoning Appeals, the Planning Commission, and Accommodations Tax Committee, that receive no compensation for their services to the community, and he thought that to pay the farmers' market volunteers would create an issue.

Councilmember Moye noted that, unlike the other volunteer committees, this initiative generates revenue for the City.

Chair Buckhannon indicated that, to make an informed decision, the Recreation Committee would need to see the final revenue and expenses attributed to last year's markets.

Ms. Stephenson commented that the market had been a lot of work and that the goal was to have a successful farmer's market on the island.

In defining a successful market, Councilmember Moye said that his first thought was getting residents to engage with one another and build better community engagement and the second was to buy locally and the third was to support local businesses.

Mr. Stephenson added that another goal was to encourage healthy eating and a healthy lifestyle.

Since residents perceive the Rec Center as the hub of the island, for Councilmember Moye, it was the natural place to hold the farmers' market; he, therefore, asked Director Page to generate a hypothetical plan for the farmers' market to be at the Rec Center for the April meeting. This would give the Committee and Council the option.

Director Page opined that a farmers' market could be set up similarly to the Yard Sale because the trucks and vans could not be the athletic fields; a drawback to holding the markets at the Rec would be that to do so would eliminate the ability to sell beer and wine. She also voiced concern that the farmers' markets would become another City-sponsored event and the responsibility of the Recreation Department; she stated that the Rec Department did not have the personnel to take on the project.

On the other hand, Ms. Stephenson said that her concern was that, in moving the markets to the Rec Center, the farmers' market would be taken away from her and Jessica.

Councilmember Moye added that the goal of the island's farmers' market was not to bring people to the island; it was a service for the residents.

Councilmember Smith countered that people from off-island would be necessary for the market to be sustainable.

Chair Buckhannon recapped that, for the April meeting, the Committee would be looking for the financial spreadsheet for the 2017 market and a concept for holding the market at the Rec Center with the pros and cons.

## **B. Discussion of opening the Rec Center on Sunday afternoon**

The Chair recalled that opening on Sunday afternoons has been tried before and that attendance appeared to be somewhat weather driven.

Director Page reported that she was unsuccessful in looking for attendance data from the time when the Rec Center was open on Sundays in the past. When the time came that no one was coming in on Sunday, the Department moved the volleyball games to Sunday afternoons. She said that she has received a phone call from a resident mother who was adamantly opposed to opening on Sunday afternoons, and she distributed copies of the email to the Committee members. She also reminded the Committee of the staffing challenges.

Councilmember Smith asked what could be done to encourage attendance on Sunday afternoons since at least one (1) group has expressed a strong desire to use the facilities. In her opinion, Sunday afternoon was a prime time that people wanted to recreate, since they were not working or going to school.

A real challenge for the Director was how to reserve the gym for an hour on a Sunday afternoon and then not allow another group to reserve the facility.

Councilmember Moye indicated that he, too, was hearing from residents that they want the Rec Center open on Sunday afternoons.

Chair Buckhannon stated that he thought the comments Council was hearing were a reaction to the harsh weather conditions over the winter. He was interested in knowing what hours the Committee members thought the Rec should be open.

Councilmember Smith opined that noon to 5:00 p.m. or 6:00 p.m. would be good.

In Councilmember Moye's opinion, to open the Rec for a trial period and to monitor the numbers would tell the residents that they have been heard and efforts were being made to provide what they are asking for.

Administrator Tucker asked Director Page if she thought it would be easier to have staffing if the Rec Center were open for a full day as opposed to a half day, and the Director responded that she did not think it would make a difference. She added that she would have to hire an additional person.

Members of the Committee were confident that the Director could find people who would be willing to work on Sunday afternoons.

The Administrator noted that money was not budgeted for the Rec Center to be open seven (7) days a week, so she asked the Director to prepare some cost estimates before a final decision was made. The Administrator thought that, if needed, money could be found in the budget for FY18.

## **6. New Business**

### **A. Consideration of user fee changes and opportunities to put residents first**

Director Page reiterated that the Rec Department charges non-residents of the Isle of Palms an additional five dollars (\$5) to participate in athletics and for the summer camps.

Councilmember Moye stated that Mount Pleasant adds thirty dollars (\$30) to their fees for non-residents.

Explaining why the non-resident fee was only five dollars (\$5) higher, the Director said that she had approached the Recreation Committee about raising non-resident fees, and the Committee agreed to the increase to include Sullivan's Island children. If the fees were increased more, they would have to apply residents of Sullivan's Island as well as elsewhere.

The Chair opined that the fact that the Isle of Palms and Sullivan's Island are neighboring islands should be a consideration when debating an increase to fees at the Recreation Center; he felt that they should not be afforded the same rates as the island's tax base. They would still be given the opportunity to register alongside IOP residents.

Councilmember Moye suggested marketing any increase in non-resident fees as a residents' discount.

Director Page asked for clarification on whether the Committee supported such an increase to apply to all programs offered by the Recreation Department.

Councilmember Moye asked if the Director had the numbers for resident versus non-resident participation in the classes, and the Director said that they could compile them.

Chair Buckhannon commented that, if a class were composed of six (6) regular participants and half were from off-island, to increase the class fee from five dollars (\$5) to thirty-five dollars (\$35) could decimate the class.

The Director noted that for classes, like Total Body Challenge, a participant can pay for four (4) classes at "x" rate or for eight (8) classes at "y" rate; in this case, how would a non-resident rate be applied? She said that the current rate system was to encourage visitors to participate in the Department's exercise programs and was program-based rather than people-based. Mount Pleasant has more than enough people to fill its programs and athletics; they do not need visitors to participate, but the same cannot be said for the Isle of Palms Rec Department.

According to Councilmember Moye, residents did not necessarily want non-residents taking classes at the Rec Center. He has heard from the community that they want some activities at the Rec Center to be "resident centric or resident focused."

The Director explained that the software package used by the Rec Department will automatically add a non-resident fee if the zip code keyed in at registration was not the Isle of Palms' zip code; to do what the Committee was suggesting, non-resident fees would have to be established for each program based on the program's demand. She also noted that the instructors establish the rates for the classes/programs they teach.

In an attempt to keep things as simple as possible, Director Page suggested focusing on youth athletics and, possibly, summer camps; she opined that classes and programs was going to be complicated.

Administrator Tucker stated that, if instructors could not make enough money to teach at the Isle of Palms due to participation, they will stop coming to the island, and the residents would suffer.

The consensus of the Committee was that to add five dollars (\$5) to a per-class program was sufficient, but that activities like athletics and summer camps should be looked at differently.

The Administrator suggested that the Director review the activities and associated fee schedule to come back to the Committee with recommendations at the April meeting.

**B. Discussion of potential amendments to the Code related to the name and duties of the Committee**

Administrator Tucker stated that if the Committee did not want to make any changes, no action was needed. If they did want to make changes, she recommended that the members consider what changes they would like to make and to present them at the next meeting.

Councilmember Moye indicated that he would like to wait until after the Special Council Meeting of March 21<sup>st</sup>.

**C. Discussion of policies related to the Bark Park**

Director Page distributed a copy of the Bark Park rules to the members of the Committee.

As a nearby resident, Chair Buckhannon stated that he frequently sees the Animal Control Officer driving by the Bark Park checking on what is going on.

As to the digging and waste disposal, the Director thought that the residents did a pretty good job at policing the park and insisting that owners fill in holes and clean up after their dogs.

Chair Buckhannon recalled that Council did decide to require that all dogs, resident and non-resident, have IOP dog licenses; the action caused such an outcry that Council reversed its action at the next month.

After hearing Mr. Settimo at City Council, Councilmember Smith wanted to know if the City should more clearly define what dog owners should do if they encounter an aggressive dog in the Bark Park.

The Administrator and the Director pointed to the signage that clearly shows the numbers for the Police Department and the Recreation Department to call about a problem in the Bark Park.

Administrator Tucker noted that the Police Department has surveillance cameras as well.

Since currently there is no way to know if a dog in the Bark Park has had his vaccinations; the Chair suggested a collar policy for dogs at the Bark Park or some other means of quickly identifying whether the dog has had its shots.

According to the Administrator, the plan Council adopted then reversed was to require collars for all dogs that could be purchased at the PSB, and island dogs versus non-island dogs were distinguished by the color of the collar. This was the mechanism used by Sullivan's Island, and the proposed cost was twenty-five dollars (\$25).

Councilmember Moye suggested adding the statement that to use the Bark Park, all dogs must have the five dollar (\$5) City-issued dog license.

Chair Buckhannon stated that the five dollar (\$5) dog license fee for non-island dogs using the Bark Park would help to offset some of the cost to maintain it and verify that the dog has had its vaccinations. He also suggested different tags for residents versus non-residents, and charging ten dollars (\$10) for the non-resident dog tags. He noted that to do this would probably mean a change to the City's ordinances, but he thought that to do this would eliminate the kind of problems that have been described by residents.

Since one (1) of the Bark Park rules is that "all dogs must have current rabies vaccinations to use park" and "tag must be worn at all times," the need for a separate tag as further proof of vaccinations would be unnecessary in the Director's opinion; she commented that, possibly, what was needed was for Rec staff to check more frequently.

Both the Chair and Councilmember Moye thought that a non-resident dog tag issued by the City should become a requirement for the use of the Bark Park.

Administrator Tucker summarized that the Committee wanted staff to provide more information on the ability to distinguish resident and non-resident dogs, the ability to sell the tags, whether or not the Police Department was willing to take that on and any ordinance changes that would be required.

Councilmember Moye asked that staff also investigate the ability for dog licenses to be sold at the Rec Center.

Director Page stated that she saw the dog licenses as a public safety issue, and the Chair noted that the database and other information was stored by the Police Department.

#### **D. Discussion of policies related to the message boards**

The Administrator noted that currently the City did not have a written policy regarding the content of the message boards, and, at times, the notice of other community events, such as the VFW Fish Fry or the Methodist Church Tea Room, are displayed on them. She thought the City should have a written policy about what could and what could not be posted on the message boards, and she asked that the members of the Committee think about it for the next meeting. The Administrator stated that the policy could be to post only City meetings and events. If the policy was established to allow events outside the purview of the City, the City would not have the ability to post what it likes and not post what it does not like.

Chair Buckhannon compared the policy not to rent out the Rec Center to not allow anyone or organization to post non-City events on the message boards. He asked that the Administrator send the Committee members the information she has gathered so the Committee would be prepared at the April meeting to establish a written policy.

**7. Miscellaneous Business**

**Next Meeting Date: 5:00 p.m., Tuesday, April 3<sup>rd</sup> in the Conference Room.**

**8. Adjournment**

**MOTION: Councilmember Moye moved to adjourn the meeting at 10:11 a.m.; Chair Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

DRAFT

## PERSONNEL COMMITTEE

4:00 p.m., Monday, April 12, 2018

The regular meeting of the Personnel Committee was called to order at 4:00 p.m. on Monday, March 12, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Ferencz, Moye and Rice, Administrator Tucker, Assistant Administrator Fragoso, Human Resources Coordinator DeGroot and Clerk Copeland; a quorum was present to conduct business.

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

### 2. Election of Chair and Vice Chair

Councilmember Rice nominated John Moye for Committee Chair; Councilmember Moye declined the nomination stating that he did not have the time to devote to the Committee at this time.

Councilmember Moye nominated Councilmember Ferencz for Chair; Councilmember Rice seconded and Councilmember Ferencz was unanimously elected Chair.

Councilmember Rice nominated Councilmember Moye as Vice Chair; Chair Ferencz seconded and Councilmember Moye was unanimously elected Vice Chair.

### 3. Approval of Previous Meeting's Minutes

**MOTION: Councilmember Moye moved to approve the minutes of the regular meeting of February 10, 2018 as submitted; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.**

4. Citizens' Comments – None

### 5. Old Business

#### A. Review of updates to the Personnel Handbook and next steps

**MOTION: Chair Ferencz moved to approve the updates to the Personnel Handbook and discussion purposes; Councilmember Rice seconded.**

Administrator Tucker told the Committee that the handbook has gone through one (1) legal review; Department Managers have made additional changes that have been incorporated by Ms. DeGroot; and the document will likely have a second legal review before being presented to City Council for approval. The document in the meeting packet had the changes red-lined; one (1) key change throughout the document was to insert the Human Resources Coordinator. All cash awards have been removed; some of the language on safety and risk management has been updated, the addition of no discrimination based on genetics, and language on workplace violence was strengthened. Department Managers will go over the document again tomorrow, and the Handbook will be forwarded to the labor attorney for a second review.

Councilmember Rice asked why an employee was not allowed to take sick leave to care for a sibling.

Ms. DeGroot explained that the sick leave policy follows Family Medical Leave Act guidelines which do not include siblings.

Councilmember Rice thought that excluding siblings was inconsistent with, for instance, the Bereavement Policy.

The Administrator said that she would ask about that because she could imagine circumstances where a sibling might have to be a caregiver to another sibling.

When Chair Ferencz asked if the cash awards were removed from the Handbook for legal reasons, Administrator Tucker stated that the City has learned that it cannot give bonuses over and above someone's wage, and that opinion has not changed. The goal in removing them was to impress upon employees that safety should be a policy and practice, and the City should congratulate employees for safe practices, but not financially.

Ms. DeGroot added that the City will invest more in safety and risk management with all departments and use some of those funds for safety meetings, breakfasts or lunch and learns, etc. versus paying individuals by drawing a name out of hat. The City will continue the practice until the revised handbook has been adopted and distributed.

One (1) thing out of the norm that Councilmember Moye saw was compensatory time for exempt employees; he was more familiar with the supervisor acknowledging that work has been performed that required additional hours and giving the employee time off. The Personnel Handbook states "Exempt employees may accrue compensatory time on an hour-for-hour basis for hours worked over 40 hours in one week." He opined that the persons to whom this applies did not take advantage of it; therefore, he thought the language should more reflect actual practices.

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The difference in what the City does and what he was familiar with was that the Department Managers choose a day(s) when taking comp time works in their personal and work schedules, and they coordinate those dates through the City Administrator. The persons to whom comp time applies are the Department Managers, the City Administrator, the Assistant City Administrator, the City Treasurer and the HR Coordinator.

Chair Ferencz stated that, in her experience, exempt employees do not get overtime or comp time and their salaries are at an executive level to compensate for the hours required to do the job.

Ms. DeGroot stated that a difference existed in exempt for comp time between the private sector and the public sector. She agreed that, under the Fair Labor Standards Act, a list of criteria must be met; in the public sector, comp time is allowed at any salary as long as the position meets the criteria in the Fair Labor Standards Act.

Councilmember Moye thought that the members of the Committee agreed with the spirit of compensatory time, but "the hour-by-hour over forty (40) hours" complicated the issue when it was not being followed.

Ms. DeGroot offered that if the language was clarified by eliminating the "over forty (40) hours in a week" and "accrue hour-by-hour" and adding the "need for approval," the issues could be resolved, and the Administrator offered to review policies for other local governments.

Chair Ferencz questioned that the City had a “designated physician;” the Administrator answered that the designated physician was for workers compensation cases. Administrator Tucker noted that the City also has a specific physician who reviews and approves training protocols.

Chair Ferencz asked about a Grievance Committee appointed by City Council for a term of three (3) years.

Administrator Tucker reported that, in practice, a Grievance Committee was appointed on an as-needed basis.

Chair Ferencz asked that the language be changed to state “appointed as needed.”

Councilmember Rice was pleased that a section was added addressing social media based on changes in recent years.

Councilmember Moye stated that the document was “incredibly comprehensive.”

**VOTE on motion to accept the Personnel Handbook as updated: PASSED UNANIMOUSLY.**

**B. Continued discussion of City Administrator’s Personal Goal for 2018**

**MOTION: Councilmember Moye moved to remove the City Administrator’s Personal Goal for 2018 based on previous discussion; Chair Ferencz seconded; and the motion PASSED UNANIMOUSLY.**

**C. Consideration of changes to the City’s Education Reimbursement Policy**

Ms. DeGroot stated that the changes discussed at the previous meeting were included in the draft Personnel Handbook discussed earlier.

**D. Continued discussion of the Continuity Plan presented in 2017. Consider changes such as: adding start date and retirement eligibility date for each department head, financial implication of loss of continuity and training in place for each department head for emergency coverage**

**MOTION: Chair Ferencz moved to continue the discussion on the Continuity Plan as outlined above; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.**

Although the City would not have a financial liability when the upper management personnel retire, the liability would be the loss of the efficiency in getting things done because they have done them many times; more people or outsourcing might be required to accomplish the tasks when the manager has multiple responsibilities like Chief Buckhannon being the perfect example as Police Chief and IT Department.

The Chair understood from the Continuity Plan that training was in place in most departments for work to continue with little disruption if the department manager as absent for an extended time.

Administrator Tucker agreed that, generally, that was true, but weaknesses did exist such as the Public Works Department; if Director Pitts was out for a period of time, trash and debris removal

would continue with little to no disruption in service, but the many other functions that fall to the Director would not be done.

On the subject of the projected retirement dates for the Department Managers, the Administrator thought that was considered private and not public information.

Chair Ferencz said that she was interested in knowing how many were eligible and whether the City should expect to lose more than one (1) person to retirement in any given year.

The Administrator advised the Chair that the majority of Department Managers were and have been eligible to retire for several years. Although this information might be alarming for the Committee and the balance of Council, the Administrator commented that anyone looking at the Isle of Palms would see the longevity and continuity of personnel that speaks loudly and clearly as positive and uplifting information about working for the City of Isle of Palms.

## **6. New Business**

- A. Review City Code, Chapter 3, sections 1-3-31 through 1-3-36  
Develop timeline for revisions to City Code as it pertains to:**
- 1. All standing committees – name, responsibilities and meetings**
  - 2. The nomination and voting process for standing committees**

**MOTION: Chair Ferencz moved that, at the April Personnel Committee meeting, staff present revisions to the City Code in the areas referenced above and dates associated with the necessary ordinance changes; Councilmember Rice seconded.**

The Chair explained that this was not intended to be an easy project because, rather than look at the standing committees as they are in the Code, she was interested in staff looking at the City globally to decide what it needed in the way of committees, to select committee name and to assign responsibilities accordingly.

On the subject of choosing members for standing members, the Administrator recalled that quite a few years ago, the nominations for them devolved into many motions and a degree of confusion; to avoid that, the Mayor began to poll Councilmembers for their preferences and made appointments in line with those preferences. The process evolved, but no change was made to the City Code to reflect the change in practice.

**VOTE: The motion PASSED UNANIMOUSLY.**

- B. Develop timeline to review options related to Public Works staffing**
- 1. Discuss and determine timeline to review job descriptions**
  - 2. Identify redundancy of staffing**
  - 3. Identify alternatives to increasing the number of regular employees**

**MOTION: Councilmember Moyer moved to discuss Public Works staffing; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.**

The Chair noted that job descriptions were included in the meeting packet for an Administrative Assistant and a Maintenance and Facilities Supervisor; these positions would be the first hired toward reaching the vision in the Continuity Plan.

Director Pitts stated that the Department currently has an Assistant Director, but his capabilities are limited; as a result, the position has morphed into one of a working foreman. In the Director's absence, he can keep the trash and debris pickup running and the removal of trash from the beach. The Assistant Director has thirty-five (35) years of service and is eligible for retirement.

When Director Pitts went to the Public Works Department fifteen to sixteen (15-16) years ago, the Department was responsible for garbage and sanitation, and today the list of responsibilities is quite long, i.e. from drainage to reporting on the underground storage tanks, to stormwater, to pooper-scoopers, to managing the one hundred fifteen (115) commercial dumpsters on the island, to managing the budget, etc. Director Pitts is the only Class AB operator employed by the City for the underground storage tanks; the City's Fire Inspector is being trained as an AB operator. If the new supervisory position is approved, he would become an AB operator and be the person primarily responsible for the reporting with Director Pitts and the Fire Inspector as backup.

In the Chair's opinion, the first thing that was needed was updating the job descriptions for the Public Works Director and Assistant to reflect the requirements of the job, not the qualifications or limitations of any one (1) person. A better job title for the current Assistant Director would be Sanitation and Debris Foreman or Garbage and Debris Supervisor.

According to the Administrator, in an ideal world, Public Works would have a Director, an Assistant Director, as well as the three (3) supervisory positions referred to in the Continuity Plan and an Administrative Assistant. Realistically, that type of restructuring was needed now, but cannot be achieved financially in one (1) year.

Councilmember Moye stated that he would better understand what the restructuring would look like if he had the job descriptions for the other two (2) supervisory positions proposed, and he asked that they be written.

Chair Ferencz agreed with Councilmember Moye that the Committee would be more successful in getting Council to approve the two (2) positions and to include two hundred thousand dollars (\$200,000) to the FY19 budget if they could show them the full picture and the way the new positions would improve the functionality of the Department. The Chair proposed that what the Public Works Department needed was a true Assistant Director rather than the Maintenance and Facilities Supervisor.

Ms. DeGroot stated that the request to include the Maintenance and Facilities Supervisor position was to meet an immediate need and the job description for the Assistant Director will be revised once the current Assistant Director retires; the Director's job description will be updated when this new position is filled. She agreed that the supervisor's job would be a high level position and the name could be changed to whatever the Committee chooses. She said that the position needed to be filled so that a succession plan could be developed, as well as the need for this person as explained in the Continuity Plan.

To assist in getting the position approved by Council and included in the budget, the Chair thought the name should be changed to Assistant Director; she opined that the title change would be more effective in attracting qualified candidates for the position.

If the Committee did not make a decision on the two (2) positions in this meeting, Council would be well into the budget when the April meeting happens. Administrator Tucker stated that adding to the budget once it has been presented was a difficult thing to do and, therefore, the financial impact of the new positions should be included from the beginning of budget discussions. Another

complication to delaying a decision was that, if the City chose to fund this position from accommodations taxes, it must be approved by the ATAX Committee.

Shifting the discussion to the Administrative Assistant, Councilmember Rice recounted a situation where a neighbor called Director Pitts about a drainage ditch, and a day or so passed before he could visit the site and determine the problem and resolution.

Administrator Tucker added that sometimes the Director does not get the call because the answer machine at Public Works is full; the citizen might call multiple times and the machine is always full so the citizen gets angry and calls the Administrator complaining that no one has returned the call and no one has come out to address the problem. The end result is that the City has failed to meet the needs of its residents relative to drainage.

The Administrator said that, in addition to answering the calls, the Administrative Assistant would be responsible to follow up on the call to insure not only that the problem was identified and something was being done about it but also follows up with the resident.

Chair Ferencz asked if the calls to Public Works could be routed to the Communication Specialists at the Public Safety Building, and the Administrator stated that they could but they would not follow up in any way.

As presented, the Administrative Assistant would be a part-time position with no benefits; in addition to handling phone calls, this person would write purchase orders, assist with the administration of the budget, take payments for additional trash barrels, etc.

The total cost the first year would include the salaries, benefits for one (1) person, renovation of the building to house the additional personnel, computers and one (1) vehicle.

6

The Administrator stated that her understanding of tasks assigned by the Committee was to create an ideal, stating how the Department would be structured and the recommended order of hiring to accomplish that goal, as well as to review all of the job descriptions

Councilmember Moyer thought that the proposed positions should emphasize how they would provide immediate assistance to the Director and how they would allow the Public Works Department to be more responsive to the residents

**C. Consideration of changing the frequency of performance reviews**

**MOTION: Councilmember Moyer moved for the City to transition to quarterly employee performance reviews in 2019; Councilmember Ferencz seconded.**

Councilmember Moyer stated that the City currently has annual performance evaluations which are more time consuming and less helpful than more frequent evaluation systems. He knew that training would be required; better communication and positioning on the reasons why the change was happening. He noted that the quarterly evaluations would roll up to produce the annual evaluation still achieving the requirements for the annual performance review. He asked that staff present a plan for the transition at the April Committee meeting.

Director Pitts commented that the Isle of Palms was a seasonal community and, in season, time was critical; to bring an employee out of the field for a review would be difficult.

Director Page stated that, if she had an employee who was not performing, she addressed it immediately so that, by the end of the year, the employee was doing a good job. She described quarterly reviews as busy work.

Councilmember Moye said that he was looking to Ms. DeGroot to bring value to the process because the value of frequent evaluations was not to tell the employee he did well or he did poorly, but how was the employee progressing toward a goal set for him and how he could do better. He indicated that the goal of more frequent evaluations was continuous improvement, and they were an opportunity for the Department Manager to grow and develop staff members. He stated that he was looking to Ms. DeGroot to develop a plan that would work for the seasonality of the City and the City structure that would achieve the desired results.

Councilmember Rice suggested that the performance reviews happen every four (4) months rather than every quarter eliminating an evaluation falling in the middle of tourist season.

**AMENDMENT: Councilmember Moye moved to amend his motion to say “more frequent” rather than “quarterly;” Councilmember Rice seconded and the amendment PASSED UNANIMOUSLY.**

**AMENDED MOTION: The motion as amended PASSED UNANIMOUSLY.**

**D. Discussion of City’s current Human Resources processes, protocols and tools**

Councilmember Moye said that he wanted an audit of Human Resources technology, protocols and processes in place; the current Human Resources status and the areas with the greatest opportunity, improvements needed or areas to do better.

**7. Miscellaneous Business**

**Next Meeting Date: 8:00 a.m., Thursday, April 5<sup>th</sup> in the Conference Room**

**8. Executive Session – not needed**

**9. Adjourn**

**MOTION: Councilmember Moye moved to adjourn the meeting at 6:24 p.m.; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

## **REAL PROPERTY COMMITTEE**

4:00 p.m., Thursday, March 8, 2018

The regular meeting of the Real Property Committee was held at 4:00 p.m., Thursday, March 8, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of palms, South Carolina. Attending the meeting were Councilmembers Ferencz, Ward and Bell, Administrator Tucker, Assistant Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business.

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

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

Councilmember Ferencz nominated Randy Bell as Chair of the Committee and Councilmember Ward seconded; the vote unanimously supported Councilmember Bell as Chair.

Chair Bell nominated Councilmember Ferencz to be Vice Chair; Councilmember Ward seconded and the vote unanimously supported Councilmember Ferencz for Vice Chair.

### **3. Approval of Previous Meeting's Minutes**

**MOTION: Councilmember Ward moved to approve the minutes of the regular meeting of February 8, 2018 as submitted; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.**

**MOTION: Councilmember Ward moved to re-order the Agenda to address Old Business Item D at this point in the meeting; Chair Bell seconded and the motion PASSED UNANIMOUSLY.**

### **6. Old Business**

#### **D. Update on the Marina Bulkhead Rehabilitation Project and consideration of a Change Order from Martin and Son Contracting, Inc.**

Administrator Tucker reported that the Bulkhead Rehabilitation Project was underway, and she introduced David Osgood from Johnson, Mirmiran & Thompson, Inc. (JMT), the consulting firm that assisted the City with the design of the rehabilitation project and was supervising the construction. Documents were included in the meeting packet to the possible Change Orders for the project; the Administrator asked that Mr. Osgood review the individual items that are included in the request.

Mr. Osgood stated that the Change Order includes unforeseen conditions and requests for additional work from the marina store and the marina restaurant; the JMT recommendations were based on four (4) criteria, i.e. legitimate unforeseen conditions, recommended for engineering concerns, recommended for cost benefit purposes and not recommended. A copy of the JMT recommendation is attached which details which items in the Change Order fall under each criteria.

Responding to Councilmember Ferencz, Assistant Fragoso said that the FY18 budget for the bulkhead rehabilitation was three hundred fifty-six thousand five hundred dollars (\$356,500), but

the contract came in at two hundred eighty thousand seventy dollars (\$280,.070) leaving seventy-six thousand four hundred thirty dollars (\$76,430) in the budget.

**MOTION: Councilmember Ward moved to approve the amount requested and recommended by the project consultant JMT; Chair Bell seconded and the motion PASSED UNANIMOUSLY.**

#### **4. Citizens' Comments**

Scot Cagle, 2 – 19<sup>th</sup> Avenue, expressed his concern over the condition of the docks at the IOP Marina and that discussion of whether to replace or repair them would occur at this meeting. He offered that, as a death and injury lawyer, the docks “are not ADA compliant in any way” and that repairing the docks was not going to solve the problems.

#### **5. Comments from marina tenants**

Jay Clarke, owner of Morgan Creek Grill (MCG), informed the Committee that he was not going to replace the walk-in cooler at this time because, for the restaurant, the tourist season has already begun. He then asked that the docks taken from the restaurant in the lease renewal be re-assigned to MCG; he stated that, contrary to recent comments, the restaurant has maintained them properly and they were well used by its customers. On the subject of the bulkhead rehabilitation, Mr. Clarke stated that the contractor had agreed to begin the construction in the MCG area of the marina, but he hoped the Contractor could keep the noise down to a minimum after 11:00 a.m. because it is very loud and very disruptive.

Chair Bell asked when the bulkhead rehabilitation was to be completed and Assistant Fragoso replied that the completion date stated in the bid was April 15<sup>th</sup> in an effort to keep any disruption to marina businesses to a minimum.

Administrator Tucker asked Mr. Clarke if he knew whose boats were occupying the docks previously under the restaurant’s purview; he answered that he did not, but would inquire and let her know.

Marina Manager Berrigan addressed the Committee relative to Mr. Cagle’s comments; he stated that he thought it to be common knowledge that the docks on the Morgan Creek Side of the marina were “in extremely bad shape.” ATM, in its assessment of the docks, noted that they were “way past their useful life” – some of these docks pre-date Hugo; Mr. Berrigan said that he has been putting band-aids on them for twenty (20) years. He reported that Chief Graham has complained about them for, at least, the past five (5) years, and an independent engineer he hired also assessed them and he recommended they be replaced. He told the Committee that he would not support anything less than replacement of the docks on Morgan Creek. He noted that he was concerned about the liability posed by non-compliance with ADA requirements.

#### **6. Old Business**

##### **A. Discussion of parking, such as offering an hourly rate at the Municipal Parking Lot**

Assistant Fragoso stated that, after 4:00 p.m., people parking in the lots can pay an hourly rate.

Chair Bell indicated that he did not know how the Committee wanted to approach this issue – in the completeness of parking or band-aid this particular issue.

Councilmember Ward stated that this issue needed to be dealt with since the parking season has already begun, i.e. the meters have been uncovered and are operational. He opined that the actions of the past Council appeared to turn people away from parking in the municipal parking lots with the set ten dollar (\$10) fee. He said that he would like to see the kiosks in the parking lots to an hourly rate with a maximum for all day; he suggested a dollar (\$1) per hour to a maximum of eight dollars (\$8) per day.

Administrator Tucker stated that the on-street kiosks at Front Beach have an hourly rate of a dollar and a half (\$1.50) per hour to encourage turnover for the businesses and restaurants there; she recalled that the contractor who ran the lots had only a daily rate to be consistent with the County Park.

Councilmember Ward asked that staff investigate the requirements to transition the kiosks to an hourly rate and the cost to do so.

Councilmember Ferencz stated that the per-hour rate should be same in the parking lots and on the street.

Chair Bell pointed out that going to an hourly rate would be consistent with the City of Charleston, who made the change to encourage turnover for the City's restaurants and businesses. He also did not think the City should establish a maximum rate for a day at the beach.

According to the Administrator, the lots are monitored from 8:00 a.m. to 8:00 p.m., and she thought the on-street kiosks charged for parking all the time, but she would need to check to be sure.

Councilmember Ward also thought that Liz Miller at 1010 Ocean had a credible request to eliminate vehicular parking on the ocean-side of Ocean Boulevard between J.C. Long and Pavilion Drive and to make those thirteen (13) parking spaces active loading zones for the restaurants and businesses at Front Beach.

Administrator Tucker noted that loading spaces do exist at Front Beach, but they are frequently full so that other delivery trucks stop in the middle of the street.

Chair Bell asked that in addition to the research Councilmember Ward had request that staff review the minutes of that meeting and look into the feasibility of her request.

**B. Clarification on approach to permitting for the replacement/repair of the marina docks**

Chair Bell stated that the item on the Ways and Means agenda appeared to be the waterside improvements described in the marina referendum, and that was not the intention of the Committee; therefore, Chair Bell put forth a motion to send the matter back to the Committee for clarification. He stated that no one planned to put band-aids on the dock issues at the marina, but the Committee wanted an assessment to know where repair made sense and to fully understand what that would mean and where replacement was needed and what that would mean, and then to obtain the right bids to do exactly what needed to be done. One (1) thing that must be done is to figure where it would fit into the budget process; the marina debt will soon be paid, freeing up money to re-invest in the marina. The City might not be able to get to all of it this year,

but the City will be going into the budget process for FY19 and the Chair would like to know what the City would need to do and to do it.

Councilmember Ferencz said that the Council was not going to look to the referendum plan but look at what must be done right away and look at how additional work could be phased.

The Chair called it “an executable phased plan.”

In Councilmember Ward’s opinion, if the City did not have a set of priorities of what work needs to be done, it had to get such a list as quickly as possible.

From reviewing ATM’s assessment of the docks, Councilmember Ferencz was unable to ferret out where the emergency areas are located; she said that the City could not tear out and replace all of the docks at one time.

Since the season is rapidly approaching, the Chair stated that he did not think much work could be accomplished in FY18, but the information was needed to prepare the budget. He suggested that the Committee work with Mr. Berrigan about whom the City should bring in to do the assessment, and then put the work out to bid.

The Administrator explained the challenges she was facing in order to carry out the wishes of the Committee, and they were the benefit of engineering expertise to identify these things, to put together a plan and to work with the City to get either a maintenance and repair permit or a replacement permit. She stated that, until the City has procured that expertise, it will continue to speculate, and meanwhile time will be going by, and the City will not have the documents prepared to go forward with permitting or to budget to identify the phases whether the work was done by ATM or another engineering consulting firm. Until the City takes these steps, she was unable to deliver the wishes of the Committee.

Chair Bell said that when the Committee approached ATM last time, it hoped to leverage the work they had already done to get a reasonable price for their applying for the permits, and he saw their proposal as a twenty-four thousand dollar (\$24,000) bid for permitting Phase II of the marina referendum. He opined that ATM should be able to go through what the Committee has discussed and come forward with a simple, basic plan the City could execute without hiring someone else.

The Administrator recalled that the prior discussion centered around the City being told that the permitting process could take a year and the City needed to move forward with that process because every day the docks were getting in poorer condition. The proposal ATM provided was to do the kind of thing being discussed now and to put together the documentation and submit them for a permit; therefore, she did not think they would change their number. If the Committee wanted staff to put together another Request for Proposal and put it out for bid to see what the pricing would be from other firms, it would take about three (3) weeks; firms interested in the task would have the benefit of ATM’s work product. Allow another couple of weeks for the proposals to come in and be evaluated to bring them to the Committee for consideration.

The problem Council had with the way the ATM proposal appeared on the Ways and Means Agenda, in the Administrator’s opinion, was the staff’s habit of identifying the place in the budget from which the funds would come for the action; the only place in the FY18 budget that could cover was the money identified for design services for the marina enhancement project. She thought that people interpreted it to mean that the City was moving forward with the plan described in the referendum.

**MOTION: Councilmember Ward moved for staff to prepare a Request for proposal for engineering expertise to begin the permitting process for the necessary work on the marina docks; Chair Bell seconded.**

Councilmember Ferencz added to review and make recommendations for repair and/or replacement of all the docks at the marina.

The Administrator suggested that the Committee take it to the next level to move forward with the permitting process.

Councilmember Ferencz added that the project was to be one (1) of replacement of the docks in their present configuration.

The complication with that was that to come into ADA compliance might require that some things be moved around.

Councilmember Ferencz reiterated that the City was not reconfiguring the docks, but making whatever changes were needed to come into compliance for safety and ADA.

**VOTE: The motion PASSED UNANIMOUSLY.**

**C. Discussion of unattended Waterway docks**

In Chair Bell's opinion, the worst circumstance was for the docks to be unattended, and his recommendation was to re-assign them to Morgan Creek Grill for this season.

**MOTION: Chair Bell moved to re-assign the unattended Waterway docks to Morgan Creek Grill for the 2018 tourist season; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

Administrator Tucker reminded the Committee that to allow MCG control of the docks for a season would require an amendment to their lease.

Referring again to the marina, Councilmember Ward stated that he wanted to see the finances at the marina handled differently in the future; he wanted a significant amount of money to be set aside each year for marina maintenance and upkeep.

**D. Dealt with earlier in the meeting**

**E. Update on the Front Beach walkover and restroom renovations**

Director Kerr reported that the contractor has built the substructure for the walkway and has begun putting on the decking; he considered that part of the project seventy-five percent (75%) complete. The restroom renovations are approximately fifty percent (50%) complete, but the Director was confident that the contractor would complete the project by the end of April.

**7. New Business**

**A. Considerations for the IOP Marina**

- 1. Site parking as related to current lease(s) and/or City ordinances/Code for the 2018 season**

2. **Request for Marina Manager to report for the April Real Property Committee meeting “business count” of total site leases and agreements that occupy and/or operate on City marina property with a view to understand capacity impact on 5.123 acre site**
3. **Marina Manager’s 2018 plans for residential and non-residential launch fees and seasonal launch passes**
4. **Plans for resident slip availability**

Chair Bell acknowledged that the City has a crowded marina, and four (4) primary leases, i.e. Tidal Wave Watersports, Morgan Creek Grill, the Marina Outpost and marina management, and obligations under those leases to provide a specific number of parking spaces to those entities. He reported that the Public Safety Committee passed at its meeting last week the elimination of trailer parking on Waterway Boulevard by residents and non-residents; parking will still be allowed on 41<sup>st</sup> up to Sottile. He also noted that the City had pushback from residents on 27<sup>th</sup> Avenue about the Morgan Creek Grill employees being loud and raucous when they got off work late at night. He said that he wanted a clear understanding for the Committee where the City is today knowing what has to be done.

The Chair asked that the Marina Manager provide for the April meeting a business count for the businesses operating at the marina and his plans for residential and non-residential launch fees and marina decals, as well as resident slip availability.

**MOTION: Councilmember Ferencz moved for the four items listed on the Real Property Agenda under “Considerations for the IOP Marina” be adopted and reported on at the April meeting; Chair Bell seconded and the motion PASSED UNANIMOUSLY.**

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**B. Request for the IOP Police Department to present at the April Real Property Committee meeting plans to alleviate traffic control issues relative to the use of the IOP Marina site.**

**MOTION: Councilmember Ward moved for the IOP Police Department to present plans to alleviate traffic control issues relative to the use of the IOP Marina site; Councilmember Ferencz seconded.**

Councilmember Ferencz stated that the plans needed to include personnel required and financial implications; the Committee wants to know that the people who do traffic control for the Police Department to take control of the ingress/egress of the marina site.

Administrator Tucker said that she would get with Chief Buckhannon, but she stated that unless the tenants want that to happen, there could be ramifications with the leases.

**VOTE: The motion PASSED UNANIMOUSLY.**

## **8. Miscellaneous Business**

All City tenants were current with their rent.

**Next Meeting Date: 4:00 p.m., Tuesday, April 10, 2018 in the Conference Room**

## **9. Executive Session – not needed**

**10. Adjournment**

**MOTION: Councilmember Ward moved to adjourn the meeting at 5:10 p.m.;  
Chair Bell seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

DRAFT

City of Isle of Palms Marina  
 2017 Property Tax Bill By Tenant

Charleston County Assessor's Office Values:

	Assessed Market Value*	Assessed %	Assessed Value	Millage Rate	Calculated Tax	Sales Tax Credits	Net Tax Bill
Restaurant	2,502,900	6%	150,174	0.2297	34,494.97	(2,754.11)	31,740.86
Store	2,756,500	6%	165,390	0.2297	37,990.08	(3,032.16)	34,957.92
Docks** - Marina Operator	935,116	6%	56,107	0.2297	12,887.77	(1,027.71)	11,860.06
Docks** - Watersports	92,484	6%	5,549	0.2297	1,274.60	(101.72)	1,172.88
	<u>6,287,000</u>		<u>377,220.00</u>		<u>86,647.42</u>	<u>(6,915.70)</u>	<u>79,731.72</u>

\* Per the Charleston County Assessor's Office, Market Value was calculated by the County based on the 2013 average per square foot market value for each use (restaurant, store, docks).

\*\* County gave a total dock market value of \$1,027,600. City Treasurer broke down the value between Tidalwave Watersports and Marina Joint Ventures based on linear feet of dockage as identified in the dock insurance documents (1,566 sq ft of watersports dock/17,686 total sq ft of dock = 9%).



**From:** Russell Campbell [<mailto:RCampbell@charlestoncounty.org>]  
**Sent:** Thursday, March 08, 2018 11:28 AM  
**To:** "Debbie Suggs" <[dsuggs@iop.net](mailto:dsuggs@iop.net)>  
**Subject:** marina

Debbie,

Based on Sallie's valuations, the tax amount due from the 3 parts of the marina property are as follows:

Grill	\$31,740.86
Retail	\$34,957.92
Docks	\$13,032.94

Let me know if you need further information

W. Russell Campbell, Jr.  
Chief Deputy  
Charleston County Auditor's Office  
(843) 958-4212 [rcampbell@charlestoncounty.org](mailto:rcampbell@charlestoncounty.org)

# "Debbie Suggs"

**From:** Russell Campbell <RCampbell@charlestoncounty.org>  
**Sent:** Thursday, March 08, 2018 2:23 PM  
**To:** "Debbie Suggs"  
**Subject:** RE: marina

<u>Owner's Name</u>		<u>Parcel ID</u>		<u>TD</u> 24		
<u>Tax Year</u> 2017		<u>Date</u>				
Real Property	Original Taxes			New Taxes		
	Misc	Appr	Assmt	Misc	Appr	Assmt
4% Improvement	0.04	0	0	0.04	0	0
4% Land	0.04	0	0	0.04	0	0
6% Improvement	0.06	6,287,000	377,220	0.06	0	0
6% Land	0.06	0	0	0.06		0
4% Ag Land	0.04		0	0.04		0
Total Value		6,287,000	377,220		0	0
Homestead Exemption		0	0		0	0
Total Appr/Assmt less Ex		6,287,000	377,220		0	0
Times Millage Rate			0.2297			0.2297
Taxes Before Credits			\$86,647.43			\$0.00
Property Tax Relief	0.1192	0	\$0.00	0.1192	0	\$0.00
Minus LOST - Cnty	0.00091		\$5,721.17			\$0.00
City	0.00019		\$1,194.53			\$0.00
Total Taxes Less Credits			\$79,731.73			\$0.00
Storm Water			\$0.00			\$0.00
User Fee			\$0.00			\$0.00
Late Payment Penalty	0%		\$0.00	0%		\$0.00
Total Taxes			\$79,731.73			\$0.00
Total + interest						0.00
Delinquent Fees		0	\$79,731.73			\$0.00
Original Taxes		\$79,731.73				
New Taxes		\$0.00				
Net Amount (+/-)		\$79,731.73			Assessment	
Interest Amt (from DOR)		\$0.00				
Balance + Interest						
<b>NOTES</b>						

**From:** "Debbie Suggs" [mailto:dsuggs@iop.net]  
**Sent:** Thursday, March 08, 2018 12:39 PM  
**To:** Russell Campbell <RCampbell@charlestoncounty.org>  
**Subject:** RE: marina

Thanks Russ.

If I take the County's value of \$6,287,000, use a 6% assessment ratio and apply the IOP millage rate from my tax bill of .2297 I get a total tax of \$86,647 instead of your total of \$79,732. What am I missing? Is there a cap that applies?

Thanks for helping me understand,  
Debbie

**ORDINANCE 2017-07**

**AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 8, FLOOD DAMAGE PREVENTION, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE A DEFINITION FOR THE NEW REFERENCE DATUM TO BE USED FOR THE BASE FLOOD ELEVATION SHOWN ON THE FLOOD INSURANCE RATE MAPS (FIRM); TO REDUCE THE TIME PERIOD FOR MEASURING SUBSTANTIAL IMPROVEMENTS FROM 5 YEARS TO 1 YEAR; AND TO PROVIDE A MINIMUM ELEVATION FOR NEW RESIDENTIAL AND NONRESIDENTIAL CONSTRUCTION.**

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 the provisions contained in Article 8, "Flood Damage Prevention," of Chapter 4, Title 5, are hereby amended as set forth in Exhibit A attached hereto and incorporated herein by reference as if set forth verbatim.

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jimmy Carroll, Mayor

(Seal)

Attest:

\_\_\_\_\_  
Marie B. Copeland, City Clerk

First Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Ratification: \_\_\_\_\_

Attest:

\_\_\_\_\_

Marie B. Copeland, City Clerk

First Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Ratification: \_\_\_\_\_

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Jimmy Carroll, Mayor

(Seal)

Attest:

\_\_\_\_\_  
Marie B. Copeland, City Clerk

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

*Revised 3/23/18 per recommendations  
from Planning Commission*

**EXHIBIT A**  
TITLE 5 – PLANNING AND DEVELOPMENT  
CHAPTER 4 - ZONING  
ARTICLE 8. - FLOOD DAMAGE PREVENTION

Sec. 5-4-151. - Statutory authorization.

Pursuant to S.C. Code 1976, § 6-29-710, as amended, the Legislature of the State has delegated the authority to local governments to adopt regulations designed to protect against and secure safety from floods. Therefore, the City Council hereby adopts the provisions set forth in this article.

Sec. 5-4-152. - Findings of fact.

- (a) The flood hazard areas of the City are subject to periodic inundation which can result in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affects the public health, safety and general welfare.
- (b) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Sec. 5-4-153. - Statement of purpose.

It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters; and
- (4) Regulate developments which may increase erosion or flood damage; and, regulate the construction of structures which will unnaturally divert floodwaters which may increase flood hazards to other lands.

Sec. 5-4-154. - Objectives.

The objectives of this article are:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) To help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas;
- (7) To encourage notification to potential real property buyers that a property is located in a special flood hazard area.

Sec. 5-4-155. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Appeal* means a request for a review of the Building Official's interpretation of any provisions of this chapter or a request for a variance.

*Area of special flood hazard* means the land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.

*Base flood* means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

*Base flood elevation* means the water surface elevations of the base flood as determined by the Federal Insurance Administrator of the National Flood Insurance Program ([NFIP](#)).

*Basement* means any area of the building having its floor subgrade (below ground level) on all sides.

*Building* means any structure built for support, shelter, or enclosure for any occupancy or storage.

*Coastal high hazard area* means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

*Development* means any manmade change to improved or unimproved real estate, including, but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

*Expansion to an existing manufactured home park or manufactured home subdivision* means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets). Any expansion is considered new construction.

*Existing Construction* means, for the purposes of determining rates, structures for which the start of construction commenced before January 1, 1975.

*Fair market value of a structure* means:

- (i) The appraised value of the structure prior to the start of the initial repair or improvement; or
- (ii) In the case of damage, the appraised value of the structure prior to the damage occurring.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters;
- b. The unusual and rapid accumulation of runoff of surface waters from any source.

*Flood Hazard Boundary Map (FHBM)* means an official map of a community, issued by the Federal Emergency Management Agency ([FEMA](#)), where the boundaries of the areas of special flood hazard have been defined as Zone A.

*Flood Insurance Rate Map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency ([FEMA](#)) has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

*Flood Insurance Study* means the official report provided by the Federal Emergency Management Agency ([FEMA](#)). The report contains flood profiles, as well as the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

*Freeboard* means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute

to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

*Functionally dependent use* means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term "functionally dependent use" includes only docking or port facilities necessary for the loading and unloading of cargo or passengers, shipbuilding and ship repair facilities. The term "functionally dependent use" does not include long-term storage, manufacture, sales, or service facilities.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic Structure* means any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved State program as determined by the Secretary of Interior, or (2) directly by the Secretary of Interior in states without approved programs. Some structures or districts listed on the State or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

*Lowest floor* means the lowest floor of the lowest enclosed area, including basement. Any unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other provisions of this article.

*Mean sea level* means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, [North American Vertical Datum \(NAVD 88\) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps \(FIRM\) are shown.](#)

**Deleted:** For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD).

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*Manufactured home* means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

*National Geodetic Vertical Datum (NGVD), as corrected in 1929,* [means elevation reference points set by National Geodetic Survey based on mean sea level.](#)

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**Deleted:** means a vertical control used as reference for establishing varying elevations within the floodplain.

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[North American Vertical Datum of 1988 \(NAVD 88\), means a vertical control used as the reference datum on new Flood Insurance Rate Maps.](#)

**Deleted:** *National Geodetic Vertical Datum (NGVD), as corrected in 1929*

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*New construction* means structures for which the start of construction commenced on or after the effective date of the ordinance from which this article is derived.

*New manufactured home park or manufactured home subdivision* means a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of the ordinance from which this article is derived.

*Primary Frontal Dune* means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and subject to erosion and overtopping from

high tides and waves during coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

*Recreational vehicle* means a vehicle which is:

- (a) Built on a single chassis;
- (b) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

*Sand dunes* means naturally occurring or manmade accumulations of sand in ridges or mounds landward of the active beach.

*Start of construction, for other than new construction and substantial improvements under the Coastal Barrier Resources Act, includes substantial improvement, and* means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

*Permanent construction* does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimension of the building.

*Structure* means a walled and roofed building that is principally above ground, a manufactured home or a gas or liquid storage tank.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition equals or exceeds fifty percent (50%) of the fair market value of the structure before the damage occurred.

*Substantial improvement* means any combination of repairs, reconstruction, alteration, additions or improvements to a structure **occurring within one (1) year, measured from the date of the start of construction of improvement** in which the cumulative cost equals or exceeds fifty percent (50%) of the fair market value of the structure before the start of construction. The term "substantial improvement" does not, however, include either:

- (i) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications identified by the Building Official which are the minimum necessary to ensure safe living conditions; or
- (ii) Any alteration of a structure listed on a National Register of Historic Places or a State Inventory of Historic Places, provided that the alteration will not preclude the structure's continued designation as a historic structure.

*Variance* means a grant of relief to a property owner from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship to the owner.

*Violation* means the failure of a structure or other development to be fully compliant with this article.

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*Revised 3/23/18 per recommendations  
from Planning Commission*

Sec. 5-4-156. - Areas in which this article applies.

This article applies to all property in the City identified as areas of special flood hazard by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study dated November 17, 2004 with accompanying maps and other supporting data.

Sec. 5-4-157. - Basis for establishing the areas of special flood hazard.

The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Rate Map (FIRM) and Flood Insurance Study dated November 17, 2004, with all attachments thereto, are hereby adopted by reference and made a part of this article as fully and completely as if set forth herein verbatim.

Sec. 5-4-158. - Establishment of building and/or zoning permit.

A building/zoning permit shall be required in conformance with the provisions of this article prior to the commencement of any development activities.

Sec. 5-4-159. - Compliance.

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable regulations.

Sec. 5-4-160. - Abrogation and greater restrictions.

Where this article and any other provision of this Code conflict or overlap, whichever provision imposes the more stringent restrictions shall prevail. If two (2) or more flood zones or base flood elevations transect a structure, the structure shall conform to the most stringent zone and the highest base flood elevation.

Sec. 5-4-161. - Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered a minimum requirement;
- (2) Liberally construed in favor of the City Council; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 5-4-162. - Partial invalidity and severability.

In the event any section, subsection, sentence, clause or phrase contained in this article shall be declared or adjudicated to be invalid or unconstitutional by a court of competent jurisdiction, all the remaining provisions of this article shall be and remain in full force and effect.

Sec. 5-4-163. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This article shall not create liability on the part of the City or by any officer or employee thereof for any flood damage that results from reliance on or compliance with this article or any administrative decision made hereunder.

Sec. 5-4-164. - Penalties for violation.

Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be punished as provided in section 1-3-66, and in addition

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from Planning Commission*

shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent, enjoin or remedy any violation.

Sec. 5-4-165. - Administration; designation of Building Official.

The Building Official is hereby appointed to administer and implement the provisions of this article.

Sec. 5-4-166. - Adoption of letter of map revision (LOMR).

All LOMRs that are issued in the areas identified in section 5-4-156 are hereby adopted.

Sec. 5-4-167. - Permit procedures and certification requirements.

a) *Permit*: Application for a building/zoning permit shall be made to the Building Official on forms provided by him, prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials; drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures.
- (2) Elevation in relation to mean sea level to which any nonresidential structure will be floodproofed.
- (3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in section 5-4-171(b).
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

b) *Certifications*:

- (1) *During Construction* - A floor elevation or floodproofing certification is required after the lowest floor is completed, or in instances where the structure is subject to the regulations applicable to coastal high hazard areas, after placement of the horizontal structural members of the lowest floor. Within twenty-one (21) calendar days of establishment of the lowest floor elevation, or floodproofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Building Official a certification of the elevation of the lowest floor, floodproofed elevation, or the elevation of the lowest habitable floor, whichever is applicable, as built, in relation to the mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When floodproofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the twenty-one (21) calendar day period and prior to submission of the certification shall be at the permit holder's risk. The Building Official shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby may result in the issuance of a stop work order for the project from the Building Official.
- (2) *As-built Certification* - Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with SC law, shall certify according to the requirements section that the development is built in accordance with the submitted plans and previous pre-development certifications.

Sec. 5-4-168. - Duties and responsibilities of the Building Official.

Duties of the Building Official shall include, but not be limited to, the following:

*Revised 3/23/18 per recommendations  
from Planning Commission*

- (1) Review all building and zoning permits to ensure compliance with this article.
- (2) Advise permittees that additional Federal or State or City permits may be required, and, if specific Federal or State or City permits are known to the Building Official, require that copies of such be provided and maintained on file with the building/zoning permit.
- (3) Notify adjacent communities and the State Coordinator, Flood Mitigation Program, S.C. Land, Water and Conservation Division of the South Carolina Department of Natural Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency ([FEMA](#)).
- (4) Ensure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- (5) Verify and record the actual elevation (in relation to mean seal level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with section 5-4-167(b).
- (6) Verify and record the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed, in accordance with section 5-4-171(b).
- (7) In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored pilings or columns in order to withstand the effects of wind and water loads acting simultaneously on the building.
- (8) In coastal high hazard areas, the Building Official shall review plans for adequacy of breakaway walls in accordance with section 5-4-171(e)8.
- (9) When floodproofing is utilized for a particular structure, require certification from a registered professional engineer or architect.
- (10) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation.
- (11) When base flood elevation data has not been provided in accordance with section 5-4-157, then the Building Official shall either:
  - (a) Obtain, review, and utilize any base flood elevation data available from a federal, state or other source, in order to administer the provisions of sections 5-4-170 and 5-4-171; or
  - (b) Require the applicant to obtain and reasonably utilize any base flood elevation data available from a federal, state or other source, and to determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering practices.
- (12) Before a certificate of occupancy is issued for a structure, inspect the premises to ensure that the requirements of this article have been met.
- (13) All records pertaining to the provisions of this article shall be maintained in the Office of the City Clerk and shall be made available for public inspection.

Sec. 5-4-169. - Variance procedures.

- (a) The City's Board of Zoning Appeals shall hear and decide appeals and requests for variances hereunder.
- (b) The Board of Zoning Appeals shall hear and decide appeals when it is alleged that there is an error in any requirements, decisions, or determinations made by the Building Official in the enforcement or administration of this article.
- (c) Any person aggrieved by the decision of the Board may appeal such decision to a court of competent jurisdiction as provided by law.

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- (d) Notwithstanding any other provision in this article to the contrary, variances may be issued for repair or rehabilitation of historic structures listed on the National Register of Historic Places or the State Inventory of Historic Places upon a finding by the Board that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (e) In considering appeals or request for variances, the Board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article and:
  - (1) The danger that materials may be swept onto other lands to the injury of others;
  - (2) The danger to life and property due to flooding or erosion damage;
  - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (4) The importance to the community of the services provided by the proposed facility; (5) The necessity to the facility of a waterfront location, where applicable;
  - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - (7) The compatibility of the proposed use with existing and anticipated development;
  - (8) The relationship of the proposed use to the comprehensive plan and flood plan management program for that area;
  - (9) The safety of access to the property during floods for emergency and nonemergency vehicles;
  - (10) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - (11) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (f) The Board may attach such conditions to the granting of a variance hereunder as it deems necessary to further the purposes of this article.
- (g) Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
- (h) Requirements for variances.
  - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (2) Variances shall only be issued upon:
    - (i) A showing of good and sufficient cause;
    - (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - (3) Any applicant to whom a variance is granted shall be given written notice by the Board that the issuance of a variance to construct a structure below the base flood level will result in substantially increased premium rates for the flood insurance as specified by the Federal law.
  - (4) The City Clerk shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency ([FEMA](#)) as required by law.

Sec. 5-4-170. - General standards.

In all areas of special flood hazard the following provisions are required:

- (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (b) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (c) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (d) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (e) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- (f) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (g) Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this article, shall meet the requirements of new construction as contained in this article.
- (h) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during flooding.
- (i) Public utilities and facilities are constructed so as to minimize flood damage and provide adequate drainage.

Sec. 5-4-171. - Specific standards.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in section 5-4-157, or section 5-4-168(11), the following provisions are required:

(a) ~~Residential new construction.~~ **Residential new construction.** New construction, ~~substantial improvement or the repair of substantial damage~~ of any residential structure shall have the lowest floor, including basement, elevated no lower than **the base flood elevation or 14 feet NGVD (13 feet NAVD 88), whichever is higher.** Where permitted, solid foundation perimeter walls used to elevate a structure shall have openings sufficient to facilitate the unimpeded movements of floodwater. The elevation of the lowest floor shall be documented and provided to the Building Official using an elevation certificate in accordance with section 5-4-167(b).

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~~Residential substantial improvement or the repair of substantial damage.~~ **Residential substantial improvement or the repair of substantial damage.** Substantial improvement or the repair of substantial damage of any residential structure shall have the lowest floor, including basement, elevated no lower than the base flood elevation. Where permitted, solid foundation perimeter walls used to elevate a structure shall have openings sufficient to facilitate the unimpeded movements of floodwater. The elevation of the lowest floor shall be documented and provided to the Building Official using an elevation certificate in accordance with section 5-4-167(b).

(c) ~~Nonresidential new construction.~~ **Nonresidential new construction.** New construction, ~~substantial improvement or the repair of substantial damage~~ of any commercial, industrial, or nonresidential structure shall have the lowest floor, including basement, elevated no lower than the level of **the base flood elevation or 14 feet NGVD (13 feet NAVD 88), whichever is higher.** Structures located in A-zones may be floodproofed in lieu of elevation, provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall document and certify

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Revised 3/23/18 per recommendations  
from Planning Commission

to the Building Official that the standards of this subsection are satisfied, using a certificate in accordance with section 5-4-167(b).

(d) **Nonresidential substantial improvement or the repair of substantial damage. Substantial improvement or the repair of substantial damage of any commercial, industrial, or nonresidential structure shall have the lowest floor, including basement, elevated no lower than the level of the base flood elevation. Structures located in A-zones may be floodproofed in lieu of elevation, provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall document and certify to the Building Official that the standards of this subsection are satisfied, using a certificate in accordance with section 5-4-167(b).**

(e) **Enclosed areas below the base flood elevation.** New construction and substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation that are usable solely for the parking of vehicles, building access, or storage shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

1. A minimum of two (2) openings having a total net area of not less than one (1) square inch per square foot of enclosed area subject to flooding shall be provided. For the purpose of compliance with this article, windows are not included.
2. The bottom of all opening shall be no higher than one foot (1') above grade.
3. Openings may be equipped with screens, louvers, valves or other coverings or devices, provided they permit the unimpeded entry and exit of floodwaters.
4. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
5. Only the portions of openings that are below the base flood elevation (BFE) can be counted towards the required net open area.
6. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

(i) **Temporary structure.** No temporary structures shall be placed in a floodway or coastal high hazard area, or in any area of special flood hazard within the corporate limits of the City unless a permit is obtained from the Zoning Administrator. No such permit shall be issued unless the latest FEMA guidelines regarding such structures are met.

(a) **Coastal high hazard areas (V zones).** Located within the areas of special flood hazard established in section 5-4-157 are areas designated as coastal high hazard areas. These areas have special flood hazards associated with wave-wash; therefore, the following provisions shall apply:

1. All new construction and substantial improvement shall be located landward of the reach of the mean high tide, first line of stable natural vegetation, and comply with all applicable Department of Health and Environmental Control (DHEC) Ocean and Coastal Resource Management (OCRM) setback requirements.
2. All new construction and substantial improvement shall be elevated so that the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns) is located no lower than the base flood elevation level or 14 feet NGVD (13 feet NAVD 88), whichever is higher, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be

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Revised 3/23/18 per recommendations  
from Planning Commission

permitted for aesthetic purposes only and must be designed to wash away in the event of flood and wave action and in accordance with subsection (e) 8 of this section.

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3. All substantial improvements and repairs to substantial damage of any structure shall be elevated so that the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns) is located no lower than the base flood elevation with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of flood and wave action and in accordance with subsection (e) 9 of this section.

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4. All new construction and substantial improvement shall be securely anchored on pilings or columns.

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5. All pile and column foundations and structures attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. Water loading values shall equal or exceed the base flood. Wind loading values shall be in accordance with the latest edition of the building code or One- and Two-Family Dwelling Code adopted by the City.

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6. Compliance with provisions contained in subsection (e) 2, 3 and 4 of this section shall be certified by a licensed professional engineer or architect.

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7. There shall be no fill used as structural support.

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8. There shall be no alteration of sand dunes, which would increase potential flood damage.

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9. Lattice work or decorative screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to break away, under base flood or lesser conditions, without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system and provided the following design specifications are met:

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a. No solid walls are allowed; and

b. Materials shall consist of open wooden lattice or insect screening.

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10. Space enclosed by lattice or screening shall not be used for human habitation.

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11. Prior to construction, plans for any structure that will have lattice work or decorative screening must be submitted to the Building Official for approval.

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12. Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except for lattice work or decorative screening, as provided for in subsection (e) 9 and 10 of this section.

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(f) *Recreational vehicles.* Recreational vehicles placed on lots shall be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on wheels or jacking system, attached to the site only by quick-disconnect-type utilities and security devices, and has no permanently attached additions.

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ORDINANCE 2018-04

AN ORDINANCE AMENDING TITLE 9, OFFENSES, CHAPTER 2, OFFENSES AGAINST PUBLIC PEACE, SECTION 9-2-5, NOISE, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO CHANGE THE HOURS DURING WHICH PILEDRIVERS AND OTHER APPARATUS ATTENDED WITH LOUD OR DISTURBING NOISES MAY BE OPERATED AND TO PROVIDE FOR EXCEPTIONS.

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

SECTION 1. That Paragraph (d) of Section 9-2-5, "Noise," is hereby deleted in its entirety and replaced with the following new Paragraph (d) to state as follows:

"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 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 4:00 p.m. on Saturday. No such use shall be permitted on Sundays or on the following legal holidays: January 1<sup>st</sup> (New Year's Day); Labor Day (first Monday in September); Thanksgiving Day (fourth Thursday in November); and December 25<sup>th</sup> (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."

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

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Jimmy Carroll, Mayor

(Seal)

**Title 9 – Offenses**  
**Chapter 2 – Offenses Against Public Peace**

**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 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 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 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.
- c. *Amplified Music—Daytime 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 10:00 a.m. and 10:00 p.m., Sunday through Thursday, or between the hours of 10:00 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 7:00 a.m. and 7:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 4:00 p.m. on Saturday. No such use shall be permitted on Sundays or on the following legal holidays: January 1<sup>st</sup>, (New Year's Day); Labor Day (first Monday in September); Thanksgiving Day (fourth Thursday in November); and December 25<sup>th</sup>, (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 does not require a building permit and 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;
  - (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:

Deleted: Between the hours of 7:00 p.m. and 7:00 a.m.,

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*Revised for Second Reading*

- (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.

**ORDINANCE 2018-05**

**AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE PARALLEL PARKING AND TO PROHIBIT DOUBLE PARKING ON THE PASSENGER SIDE OF VEHICLES ON PALM BOULEVARD BETWEEN 21<sup>ST</sup> AVENUE AND 40<sup>TH</sup> AVENUE; TO PROHIBIT BOAT TRAILER PARKING ALONG THE RIGHTS-OF-WAY OF WATERWAY BOULEVARD; TO PROVIDE EXEMPTIONS FOR EMERGENCY, LAW ENFORCEMENT AND OTHER PUBLIC SERVICE VEHICLES PARKED DURING THE PERFORMANCE OF OFFICIAL DUTIES OR PUBLIC SERVICE; AND TO PROVIDE FOR YEAR-ROUND ENFORCEMENT OF THE RESIDENT PARKING DISTRICTS.**

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

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

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

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

- “(2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:
- (a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights-of-way of 41<sup>st</sup> Avenue where parking is not otherwise prohibited; and
  - (b) All other vehicles shall be permitted to park with attached boat trailers along the rights-of-way of 41<sup>st</sup> Avenue where parking is not otherwise prohibited or designated as resident parking pursuant to Article B of this chapter.”

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

- “(3) The prohibitions in this section shall not apply to emergency, law enforcement, or other public service vehicles, or to vehicles belonging to persons under contract with the

City to perform a public service, when such vehicles are parked during the operator's performance of official duties or public services for the City."

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

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

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

"(16) Along the rights-of-way of Palm Boulevard between 21<sup>st</sup> Avenue and 40<sup>th</sup> Avenue in any of the following manners:

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

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

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

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

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

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

SECTION 8. That 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 9. 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 10. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS,  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jimmy Carroll, Mayor

(Seal)

Attest:

\_\_\_\_\_  
Marie B. Copeland, City Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Ratification: \_\_\_\_\_

Title 8 – Motor Vehicles and Traffic  
Chapter 2 – Stopping, Standing, and Parking of Vehicles

Article A – General Provisions

**Sec. 8-2-2. - General prohibitions.**

- (1) No person shall stop, stand, or park a vehicle in any of the following public places or manners except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, parking control officer, other authorized person, or traffic control device:
  - (a) On a sidewalk;
  - (b) In front of the entrance to a public or private driveway or alleyway, or within twenty feet (20') of the driveway entrance to any fire station;
  - (c) Within an intersection or within twenty-five feet (25') of the center of an intersection;
  - (d) Within thirty feet (30') of a stop sign;
  - (e) Within fifteen feet (15') of a fire hydrant or fire safety sprinkler, standpipe, or other fire protection system control valve, whether such valve is mounted on a building or on the ground;
  - (f) Along any street curb painted yellow;
  - (g) On a crosswalk or within twenty feet (20') of the center of any crosswalk;
  - (h) More than eighteen inches (18") from the street curb;
  - (i) On the street pavement if there is no street curb, except as otherwise marked or posted. Vehicles shall be parked in such a manner so that all four (4) tires are off of the street;
  - (j) In the opposite direction of the movement of traffic;
  - (k) Along side or opposite any street excavation or obstruction when doing so would obstruct traffic or interfere with the excavation;
  - (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, sometimes called "double parking";
  - (m) In front of a place of business for longer than two (2) hours between the hours of 9:00 a.m. and 5:00 p.m., except for Sundays and State and Federally sanctioned holidays, unless a different regulation is provided by sign or a pay station;
  - (n) In any area of a public parking lot not marked as a single parking space;
  - (o) In any parking space where payment is required, unless the proper payment has been deposited so that the occupancy of the space does not exceed the time indicated on the pay station receipt;
  - (p) In any parking space designated and established for use by disabled persons unless the vehicle properly displays special designating plate or a placard issued and valid under State law;
  - (q) On the approaches to or upon any bridge;
  - (r) In a manner that blocks traffic or interferes with or blocks the passage of other vehicles;
  - (s) At any place where official signs prohibit stopping, standing, or parking; or in any manner that violates any official sign or curb marking regulating stopping, standing, or parking;
  - (t) Along the rights-of-way of Palm Boulevard between 21<sup>st</sup> Avenue and 40<sup>th</sup> Avenue in any of the following manners:
    - (a) Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;

(b) In any manner other than parallel parking in the direction of traffic; and

(c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way.

- (u) On a beach access as defined in section 5-4-15(C)(l), or on a public right-of-way in such a manner as to obstruct pedestrian use or authorized emergency vehicular use of a beach access. Any vehicle parked in violation of this subsection may be moved from its location upon order of any police officer.
- (2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:

(a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights-of-way of 41<sup>st</sup> Avenue and Waterway Boulevard where parking is not otherwise prohibited; and

(b) All other vehicles shall be permitted to park with attached boat trailers along the rights-of-way of 41<sup>st</sup> Avenue where parking is not otherwise prohibited or designated as resident parking pursuant to Article B of this chapter.

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

#### Article B – Resident Parking Districts

##### **Sec. 8-2-23. - Dates and times of enforcement.**

The provisions in this article will be in effect year-round from May 15 through September 15 between the hours of 9:00 a.m. and 6:00 p.m.

##### **Sec. 8-2-31. - Obedience to parking regulations.**

(a) Vehicles with resident parking permits or special permits parking within a resident parking district shall observe and obey the parking regulations posted within the district and as set forth in section 8-2-2 and sections 8-2-4 through 8-2-6 of this chapter, including, but not limited to, the prohibitions on parking in the following places or manners:

- (1) On a sidewalk;
- (2) In front of the entrance to a public or private driveway or alleyway, or within twenty feet (20') of the driveway entrance to any fire station;
- (3) Within an intersection or within twenty-five feet (25') of the center of an intersection;
- (4) Within thirty feet (30') of a stop sign;
- (5) Within fifteen feet (15') of a fire hydrant or fire safety sprinkler, standpipe, or other fire protection system control valve, whether such valve is mounted on a building or on the ground;
- (6) Along any street curb painted yellow;

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- (7) On a crosswalk or within twenty feet (20') of the center of any crosswalk;
- (8) More than eighteen inches (18") from the street curb;
- (9) On the street pavement if there is no street curb, except as otherwise marked or posted. Vehicles shall be parked in such a manner so that all four (4) tires are off of the street;
- (10) In the opposite direction of the movement of traffic;
- (11) Alongside or opposite any street excavation or obstruction when doing so would obstruct traffic or interfere with the excavation;
- (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, sometimes called "double parking";
- (13) In any parking space designated and established for use by disabled persons unless the vehicle properly displays special designating plate or a placard issued and valid under state law;
- (14) In a manner that blocks traffic or interferes with or blocks the passage of other vehicles;
- (15) At any place where official signs prohibit stopping, standing, or parking; or in any manner that violates any official sign or curb marking regulating stopping, standing, or parking;
- (16) Along the rights-of-way of Palm Boulevard between 21<sup>st</sup> Avenue and 40<sup>th</sup> Avenue in any of the following manners:
  - (a) Within four feet (4') of the pavement, except as otherwise posted; Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;
  - (b) In any manner other than parallel parking in the direction of traffic; and
  - (c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way. Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;
- (17) On a beach access as defined in section 5-4-15(C)(1), or on a public right-of-way in such a manner as to obstruct pedestrian use or authorized emergency vehicular use of a beach access.

(b) No such resident parking permit or special permit shall exempt a vehicle from any regulation related to parking in the commercial districts or to paid parking spaces, parking pay stations and kiosks along the public streets or in the public parking lots; provided, however, that City Council may designate certain times for vehicles with valid resident parking permits to park in the public parking lots free of charge.

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

**Sec. 8-2-32. - Areas designated as resident parking districts.**

The public rights-of-way designated by City Council as resident parking districts are depicted in green on Sheet Nos. 4-14 titled "Isle of Palms Parking Program Parking Zone Key Sheets" included in the document titled "Parking Plans for City of Isle of Palms Various Roads in City of Isle of Palms Limits Managed Beach Parking Signage Plan" prepared by Stantec Consulting Services, Inc., dated Insert

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new date March 3, 2017, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of the current Managed Beach Parking Signage Plan shall be posted on the City's official website.

#### Article C – Beach Parking

##### Sec. 8-2-45. - Obedience to parking regulations.

All vehicles parking within the designated beach parking zones shall observe and obey the parking regulations posted within such areas and as set forth in section 8-2-2 and sections 8-2-4 through 8-2-6 of this chapter, including, but not limited to, the prohibitions on parking in the following places or manners:

- (a) On a sidewalk;
- (b) In front of the entrance to a public or private driveway or alleyway, or within twenty feet (20') of the driveway entrance to any fire station;
- (c) Within an intersection or within twenty-five feet (25') of the center of an intersection;
- (d) Within thirty feet (30') of a stop sign;
- (e) Within fifteen feet (15') of a fire hydrant or fire safety sprinkler, standpipe, or other fire protection system control valve, whether such valve is mounted on a building or on the ground;
- (f) Along any street curb painted yellow;
- (g) On a crosswalk or within twenty feet (20') of the center of any crosswalk;
- (h) More than eighteen inches (18") from the street curb;
- (i) On the street pavement if there is no street curb, except as otherwise marked or posted. Vehicles shall be parked in such a manner so that all four (4) tires are off of the street;
- (j) In the opposite direction of the movement of traffic;
- (k) Alongside or opposite any street excavation or obstruction when doing so would obstruct traffic or interfere with the excavation;
- (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, sometimes called "double parking";
- (m) In any parking space designated and established for use by disabled persons unless the vehicle properly displays special designating plate or a placard issued and valid under state law;
- (n) In a manner that blocks traffic or interferes with or blocks the passage of other vehicles;
- (o) At any place where official signs prohibit stopping, standing, or parking; or in any manner that violates any official sign or curb marking regulating stopping, standing, or parking;
- (p) Along the rights-of-way of Palm Boulevard between 21<sup>st</sup> Avenue and 40<sup>th</sup> Avenue in any of the following manners:
  - (1) Within four feet (4') of the pavement, except as otherwise posted; Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;
  - (2) In any manner other than parallel parking in the direction of traffic; and
  - (3) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way. Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;

- (q) On a beach access as defined in section 5-4-15(C)(1), or on a public right-of-way in such a manner as to obstruct pedestrian use or authorized emergency vehicular use of a beach access;
- (r) Parking a truck or vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way in a beach parking zone for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials.

**Sec. 8-2-46. - Areas designated as beach parking zones.**

The public rights-of-way designated by City Council as beach parking zones are depicted in red on Sheet Nos. 4-14 titled "Isle of Palms Parking Program Parking Zone Key Sheets" included in the document titled "Parking Plans for City of Isle of Palms Various Roads in City of Isle of Palms Limits Managed Beach Parking Signage Plan" prepared by Stantec Consulting Services, Inc., dated Insert new date ~~March 3, 2017~~, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of the current Managed Beach Parking Signage Plan shall be posted on the City's official website.

## **RESOLUTION**

**WHEREAS**, the City of Isle of Palms realizes that it has a responsibility to provide a safe work environment for its employees and that each pursues the highest standards in his or her assigned activities, all municipal employees must recognize that the well-being of the persons involved in the protection of our physical resources are as important as the activity and work being performed;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS AS FOLLOWS:**

The City has established a safety and loss control program, which is monitored on a continuous basis. As the first segment of the City's program, a safety coordinator was appointed and assigned the responsibility of organizing the overall safety and loss control efforts.

A safety committee was created to establish a loss control program, review losses and loss trends, make recommendations for prevention and assign other safety responsibilities as needed. This committee is guided by the safety coordinator and its members include each department head or designee.

Each department head director will be responsible for the safety and health of the employees in their department, as well as the required maintenance of facilities and equipment in their area of responsibility. Each employee will be responsible for their own personal safety and for the safe completion of assigned tasks. The City requires its employees to respond to all planned safety efforts and to perform their assigned jobs in the safest manner possible.

The City of Isle of Palms is committed to doing all in its power to make its safety and loss control program a success and expects all employees to assist in this effort by contributing expertise and by following all established rules and procedures.

**PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 27th DAY OF MARCH, 2018.**

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**Jimmy Carroll, Mayor**