



## **City Council**

6:00 p.m., Tuesday, March 25, 2025  
City Hall Council Chambers  
1207 Palm Boulevard, Isle of Palms, SC

### **MINUTES**

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

Present: Council members Bogosian, Streetman, Anderson, Ward, Hahn, Miars, Pierce (via Zoom), and Carroll, Mayor Pounds

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

#### **2. Citizens' Comments**

Randy Bell spoke with concern about the City Administrator hiring process. He handed out copies of Governor McMaster's proclamation regarding Sunshine Week.

Catherine Malloy's comments are attached to these minutes.

Al Clouse's comments are attached to these minutes.

Suzi Wheeler spoke with concern about the City Administrator hiring process.

Brian Duffy's comments are attached to these minutes.

Jimmy Bernstein, Beachwood East, spoke about the severe erosion at Beachwood East. He is supportive of the shoal management project, but he opposes the removal of the sandbags as they are the only protection against the tides should the shoal management project fail.

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

- a. City Council Meeting – February 25, 2025
- b. Special City Council Meeting – February 26, 2025
- c. Special City Council Meeting Workshop – March 11, 2025
- d. Special City Council Meeting – March 12, 2025

Council Member Bogosian noted that the comments mentioned in the 2/25/25 minutes as attached were not attached. He also asked for clarification as to who "staff" referred to in the motion presented by Council Member Hahn to negotiate the City Administrator's contract. City Attorney McQuillan clarified that he and Christin Mack of Finding Good People were the negotiators of the contract with Director Kerr.

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

#### **4. Old Business – none**

## **5. New Business**

- A. Consideration of purchase of Public Works Director Truck, \$43,444, Ford of Spartanburg, State Contract [FY25 Budget, Hospitality Tax, \$38,000]**

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

- B. Consideration of purchase of 1100 roll out carts, \$74,809.09, Amick Equipment, sole source contract [FY25 Budget, General Fund, \$100,000]**

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

- C. Consideration of purchase of 1100 roll out cart assembly and delivery, \$14,025, Container Pros [FY25 Budget, \$100,000]**

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

- D. Consideration of award of contract for palm tree pruning, \$28,080 – Planet Green Landscaping [FY25 budget, Municipal ATAX, \$34,000]**

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

- E. Consideration of shoal management bid [FY25 Budget, Beach Preservation Fee Fund, \$187,500]**

Director Kerr reported that two bids were opened for this project earlier in the day and both exceeded the budgeted amount of \$787,500 (includes \$600,000 from Wild Dunes). Mr. Traynum noted that while they assumed higher bids when planning this project, they did not expect this large of an increase in prices. He said projects along the coast are coming in higher than anticipated, and some have been canceled because of the prices.

Director Kerr reviewed the options for the payment of the project: reduce the scope of the work to meet the current budget (121,000 cubic yards of sand vs. 150,000 cubic yards); increase the amount of the City's contribution from \$187,500 to \$244,500 cover the scope as bid at the same 75/25 split with WDCA; or increase the amount of the City's contribution from \$187,500 to \$328,000 to cover the entire difference of the scope as bid.

Council Member Bogosian asked about the impact of putting less sand on the beach. Mr. Traynum answered, "I think with a lower volume, we set the base bid at 150,000, which was towards the low end of what we think needs to happen to kind of give us some security that this project will be successful to get us through where we are right now in the shoal cycle. I believe about 120,000 yards is really the minimum that I would even recommend. I think anything lower than that we really are jeopardizing the ability to withstand the current erosion pressure at the Beachwood East area. Right now, the shoal is attached and there is a huge amount of sand right in front of the Beach Club Villas property owners' beach house over to Mariner's Walk. There is a separate arm of the shoal that is extending offshore of the eastern part of Beachwood East. That's still about 4-500 feet offshore. It's moving rapidly, but until it gets closer to the beach, we still have some focused erosion in that area. So this project is by no means a guarantee that if we

move 50,000 yards into that area that 6-12 months from now it's going to be a wide dry sand beach."

He continued by saying that 120,000 cubic yards is what he "would consider the bare minimum for a viable project. 150 is closer to what I would recommend if the bids were really favorable and we could go higher than that, then I would certainly suggest going higher than that to offer the most guarantee."

Mr. Traynum agreed that BCM allowing the sandbags to remain on the beach is critical. A request has been made to BCM to allow the bags to stay through hurricane season, and an answer is expected in a few days.

Discussion ensued as to the cost share structure between the City and Wild Dunes. Historically, the split has been 25/75 for this project with Wild Dunes paying 75%. Director Kerr pointed out that the City has already incurred costs related to the project and previous emergency measures and will have more expenses related to construction administration, bag removal, and truck monitoring.

Mr. Traynum suggested to award an amount up to the placement of 150,000 cubic yards of sand but work until approximately 120,000 cubic yards of sand are placed and see whether or not the additional 30,000 cubic yards are needed. Director Kerr pointed out that there will be additional costs later in the year related to moving the sandbags.

Council members expressed concern about not having a firm contract with Wild Dunes and how much they are willing to pay towards the project. Director Kerr said that historically, the City has held the contract and Wild Dunes reimburses the City. He said they are firm in their commitment to pay \$600,000 but not any more than that.

Director Kerr said time is of the essence with this project as the area is dynamic. Workers can begin mid-April but are only able to work during low tides.

**MOTION: Council Member Bogosian made a motion to approve to increase the amount of the City's contribution from \$187,500 to \$244,500 cover the scope as bid at the same 75/25 split with WDCA contingent upon approval from Wild Dunes. If Wild Dunes does not approve that option, then the project will be reduced to meet the size of the current budget. Council Member Pierce seconded the motion.**

Director Kerr added, "A lot of this, I think in our minds, is hinging on a favorable response from BCM about leaving the sandbags. If we do not get a favorable response, our plan would be at this point to not do this work based on, I think, the reaction of the owners there and concerns about the properties being exposed."

Mr. Traynum said, "The first project is not contingent on any certain permit windows. So you would always have the option at any point in the future to, provided that the contractor will honor their bid, kind of give them the trigger to go ahead and start working. In theory we've got until October or something, We could do something then, if necessary."

Mr. Traynum reminded Council that the sandbags must be moved once the emergency situation has passed. With 100' of sand in front of the sandbags, the emergency condition would be considered passed and the bags must be removed.

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

**F. Consideration of change order to handle final design, bidding and negotiation and construction administration for shoal management project, \$136,680**

Mr. Traynum said this bid “covers our services for actually implementing the project, which covers some of the design and bidding work that’s already been completed. But also regular monitoring of the project during filling operations. We’re planning on being down here 3-4 days a week to make sure the contractors are performing the project well and handling any issues with homeowners that tend to arise with these types of projects, communication with the City and that type of thing. It also covers a final survey that is required by the State as part of their permit conditions. However, the proposal states that if we’re able to duplicate efforts with our regular monitoring, then we would certainly do that to try to reduce any potential costs. So the proposal as written covers kind of turnkey services, but I would anticipate that we’d be able to have some significant savings by avoiding duplicating some monitoring.”

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

**G. Consideration of contract with Thorn Run Partners - \$96,000 annually split 50% with IOP Water & Sewer Commission**

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

**H. Consideration of MOU with Charleston County PRC for future maintenance of emergency beach access path**

Director Kerr said staff has still not received feedback from PRC on the City’s comments, but he believes that any changes that may be offered would be editorial in nature.

**MOTION:** Council Member Hahn made a motion to approve the MOU and gave staff the ability to accept editorial changes from CCPRC. Council Member Streetman seconded the motion. The motion passed unanimously.

**I. Consideration of mutual aid agreements**

Chief Cornett said these are standard mutual aid agreements. The two with Charleston County Sheriff’s Office reflect the new sheriff.

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

**J. Consideration of surfing instruction applications**

Director Kerr said that some instructors still have not provided their compliance documentation and suggested their applications could be approved contingent upon the presentation of the required documentation.

Council Member Miars asked if an application had been received from Kai Dilling, and Director Kerr said he was unaware that one had been received. The City may need to be flexible with the

locations of some of the instructors depending on the work happening on the south end of the beach.

**MOTION:** Council Member Miars made a motion to approve the surfing applications provided all certification requirements are met, allow staff the flexibility to approve a complete application from Kai Dilling, and provide flexibility to relocate surfing classes away from renourishment areas as needed. Council Member Anderson seconded the motion. The motion passed unanimously.

## **6. Boards and Commissions Report**

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

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

### **A. Second Reading – Ordinance 2025-02**

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

Council Member Anderson said the Public Safety Committee will be addressing the issues around annual parking passes and hourly parking rates.

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

### **B. Resolution 2025-05**

City Attorney McQuillin said, “Last time you maybe made a motion or resolved to have the parking fees changed, but then we realized, oh shoot, they are set in stone in the ordinance. So we need to amend the ordinance to allow you all to change the fees by way of resolution. So this is just kind of a do-over to get it right.”

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

**8. Executive Session** – to receive legal advice about parking ordinances, receive updates on all pending cases, and discuss employment matters- specifically the appointment and compensation of the City Administrator. Upon returning to open session, Council may take action upon matters discussed in Executive Session.

**MOTION:** Council Member Hahn made a motion to go into Executive Session in accordance with SC Code Sections 30-4-70(a)(1) and 30-4-70(a)(2) to discuss the City Administrator’s employment contract. Council Member Anderson seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at 7:07pm.

City Council returned from Executive Session at 7:28pm. Mayor Pounds said no decisions were made.

## 9. Miscellaneous

### Consideration of City Administration employment contract and appointment

**MOTION:** Council Member Hahn made a motion to appoint Douglas Kerr as City Administrator, authorize the Mayor to execute the Employment Agreement and the Severance Agreement as discussed in Executive Session, and with the agreement of Mr. Kerr, terminate the additional services and retention agreement entered into earlier this year in light of his new role as City Administrator. Council Member Streetman seconded the motion.

Council Member Bogosian said, “I have been asked by the news media and many residents why I did not state my reason for voting the way I did at the last Council meeting. I do believe that part of the discussions regarding the candidates should have been in public as opposed to executive session, but as they were not, I would like to give my thoughts and opinion on why I voted the way I did and why am voting the way I am tonight. First, this is not personal, and I absolutely have nothing against Douglas. I think he is a fine devoted employee and a very nice person. This has everything to do with my responsibility to select what I believe is the *best* person to fill a critical leadership role for the city.

“I will dismiss the improprieties that occurred that resulted in Douglas becoming a candidate and focus on the relative qualifications and suitability of Douglas and another one of the leading candidates. One thing we did learn from Douglas’s late entry into the process is that he is only interested in the money. He said he did not originally apply for the position because he did not think the compensation was going to be much different than what the past City Administrator was getting paid. He was very open to anyone that asked him, that he is only interested in this position at a certain compensation and if he does not get that level of pay, he is out. Rarely in my experience does a scenario like this, where virtually the entire interest in a position is monetary, result in a good outcome for either the employee or the hiring entity.

“Tenure, or years of experience does not necessarily qualify one as the best candidate. In fact, in this case, I think that it actually works against Douglas. He has spent 28 years as an employee of IOP, 24 of those years as Planning Director. While it may show incredible loyalty to IOP, it does not reflect a career progression or skill development one would expect for a City Administrator. I was looking for someone that had a variety of experiences with each role having increased responsibility and authority with a proven track record of achieving results. Even when comparing resumes, there are stark differences in the achievements of outside candidates vs Douglas.

“While education and degrees don’t necessarily predict results, all 3 of the outside candidates have master’s in public administration, Douglas has a BS in Urban Studies.

“We had a outside candidate that:

1. Has an impressive career progression that is well rounded and demonstrates significant achievements.
2. Is currently Town Administrator of a beach community and previously was Assistant Town Manager of a South Carolina city that is much larger than Isle of Palms with a larger budget.

3. In my opinion, gave the best presentation during the interview process.
4. Comes with very high recommendations from our City Attorney, Sullivan's Island and others.
5. Already has established relationships with local and state leaders.
6. Would be in the compensation range of our previous City Administrator.
7. Lives 5 miles from IOP, he is local

"In my opinion, we should not be looking for a new leader that can keep the same old wheels rolling and maintain the status quo, we need a new leader that has the leadership ability to take the City to the next level, bring new ideas, that is here because it is the next logical step in their career and has the runway to grow with the city. In my opinion, that was one of the outside candidates, not Douglas.

"Further, many on this Council stated that they were going into the selection process with an open mind and would judge each candidate on their own merits. I now find that highly suspect. I had a conversation with a city employee on February 6<sup>th</sup>, and the employee said that they were speaking with a Council member and the Council Member asked if the employee had heard about Douglas being a candidate, and the employee responded yes and asked how they thought it would turn out. The Council member responded that they already had 5 votes for Douglas and it shouldn't be a problem. I remind you that this was the day after the candidate profiles were even sent to all of Council, and a week before Council interviewed any of the candidates on February 13<sup>th</sup>. This was finished before it even started, and we should all be alarmed by this action."

Council Member Anderson said, "I just want to repeat that I have no problem with the candidate. I think Douglas Kerr will serve us well as a City Administrator because he has been taught well by Desiree. I have a problem with the compensation. It's 50% more than his current salary, and 25 or 30% more than our former administrator."

Council Member Streetman said, "I'm proud to say I seconded the motion to make an offer to Douglas. I am also one of nine people that interviewed all four candidates. We're all sitting here, and it is my firm belief that the candidates that we interviewed, all good candidates, all highly qualified, but in my mind, as an independent council member, Douglas stood out as being the best among the group. And I stand by that vote. I stand by my decision to support him. I think he's done a lot of good things in this City in the last 28 years. Now he's got more good years ahead of him. I don't for one minute think that the Administration Committee did anything wrong, any of the three members. I think they brought us the best candidates they could under the circumstances, one of those candidates happened to be Douglas, who is an internal candidate."

Council Member Pierce said, "I have a few comments. First, the hiring process was irreparably corrupted and unfair to all 79 applicants that followed the process from the start. Second, the three finalists all have advanced qualifications in experience, supervision, education, technology, and finance. They brought proactive planning and implementation skills, plus strong state & federal connections. All three were clearly motivated by community service and career opportunities, versus only money. We've discarded all those considerations and essentially kicked the finalists to the curb. Third, this governing body has incurred significant damage to its credibility, sense of fair play, professionalism, and transparency due to a vacancy of leadership, inaction and unacceptable behavior. And finally, I believe we're paying a big premium for a missed opportunity

to invest in the talent needed to provide proactive long term administrative leadership for our residents, visitors, businesses and employees.”

Council Member Miars said, “I have been asked why I voted the way I did before, I would just, I think it’s really been said ad nauseum. But I would like to add a couple things. The salary is my main issue. Also, I will never forgive myself for being part of the city council that failed to give Ms. Fragoso the pay increase that she deserved. It hurts me personally, and I, again, will never forgive myself for being part of the council that then turned around and gave a \$38,000 pay increase to a man with less qualifications, a man who did not have the same degree, has not held such a position for such a long time, who has told anyone who cares to listen that he was on his way out, that he would not stay at the City for less than \$180,000, that he hoped the City would find somebody for less than \$180,000. That is unacceptable and it is a sad place we’ve put ourselves in.”

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

Ayes: Carroll, Streetman, Hahn, Ward, Pounds

Nays: Miars, Pierce, Bogosian, Anderson

**The motion passed 5-4.**

**10.     Adjournment**

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

Respectfully submitted,

Nicole DeNeane  
City Clerk