



SPECIAL CITY COUNCIL MEETING -- WORKSHOP
5:00pm, Tuesday, September 9, 2025
City Hall Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to Order

Present: Council members Streetman, Anderson, Bogosian, Ward, Hahn, Carroll, and Mayor Pounds

Absent: Council Member Miars and Pierce

Staff Present: Administrator Kerr, various department heads

2. Citizens' Comments

Mr. Randy Bell's comments are attached to these minutes.

Mr. Brian Duffy said he felt "compelled to be here" to address the unethical behavior of the city Council. He believes Council Member Carroll has a conflict of interest being a member of the Family Vacation Rental Group while advocating for a change for short-term rental properties.

MOTON: Council Member Ward made a motion to suspend the rules of order to reorder the agenda so that the update on the marker for Malcolm Burgis Plaza could be heard first. Council Member Hahn seconded the motion. The motion passed unanimously.

3. Update on Malcolm Burgis Plaza marker

Administrator Kerr stated that the City has created a temporary marker marking the plaza while a permanent marker is being made. The permanent marker is being paid for with privately raised funds. Once the permanent marker is available, a ceremony will be scheduled.

Council Member Ward said fundraising efforts have exceeded the goal of \$7500, and he would like to see the excess funds used for landscape improvements around the marker.

MOTION: Council Member Ward made a motion to suspend the rules of order to allow Kevin Popson to speak about the marker. Council Member Hahn seconded the motion. The motion passed unanimously.

Mr. Popson said that \$8500 has been raised for the marker. He believes it will be ready in 60 days.

4. Special Presentations -- none

5. Dashboard of City Operations and Short-Term Rental Report

Administrator Kerr reported a Zoning Administrator has been hired. The search for a Deputy Administrator continues. There are two police officer, two firefighter, and one paramedic vacancies.

The number of permits stands at 1,684, with 8 more pending. This represents an increase of 35 permits from the previous year.

6. Departmental Reports

7. Financial Review

Financial Statements and project worksheets

Director Hamilton stated that for the first two months of the fiscal year, total revenues are \$1.2 million on a \$30 million budget, and total expenses are \$3.3 million on a \$30 million budget. The city holds \$54 million in cash and the City earned \$380,000 in interest in August.

Municipal Accommodation taxes and Beach Preservation taxes are up 22% year-over-year. Hospitality tax is down 2% for FY2025 compared to FY2024. State ATAX and the County pass-through have not been received yet, but they were up 7% and 22% respectively over last year as of the end of FY25. LOST in FY25 was 2% higher than in FY24.

The county has conducted its five-year reassessment. The City's total millage rate will decrease from 22.1 mills to 20.1 mills to remain revenue-neutral. She said, "Based on these numbers, our projected revenue will be 6.832 compared to our budget of 6.00." The vote on the millage rate will happen at the September meeting.

The auditors will arrive on October 6. The completed audit should be presented at the November workshop. She estimates that there will be \$2.2 million in surplus. Staff is proposing that 15% remain in the General Fund, 30% be deposited into Disaster Recover, and the remaining 55% into Capital Projects.

Director Hamilton introduced Vedant Patel, now working in the Finance Department.

7. Procurement

8. Capital Projects Update

Administrator Kerr noted a correction to the Waterway Boulevard costs spreadsheet -- the cost of Phases 1 and 1A is \$1.43 million, not \$2 million, for a total project cost of \$5.8 million. The project is underway, with all 22 required easements obtained and the contract with Truluck Construction executed. They believe they can meet the Wild Dunes' timing. Wild Dunes continues to be very flexible and will redirect the golf course path, if needed. There has been no report from FEMA yet if the grant for Phase 2 has been extended.

Mayor Pounds pointed out the significant amount of Administrator Kerr's time and work that it took to get to this point.

Phase 4 of the project is in the review process. He believes work will begin in 2026.

Restaurant tenants have requested a budget and financing plan for proposed improvements in the Marina parking lot before agreeing to lease modifications. The least expensive option will be ground-up asphalt extended over the existing pavement of the lot.

State and Federal permits have been received for the marina dredging project. Regarding the spoil site, Administrator Kerr said, "The permit included several spoil sites, but the most cost-effective one is one on Goat Island. There's kind of a back side of that island that we use for a spoil site. But there are repairs that need to be made to hold the material, and those repairs have not yet been made. So, ATM is having discussions with the ownership group to see where they are with that, to see if they're going to be a viable option for that project. That really needs to be buttoned up. Once that's buttoned up one way or the other, either we're going to go to Goat Island or go to a different site and pay more. That's the beauty of the Goat Island site. It's less expensive. But we need to figure out where that spoiled material is going to go. Once we have that figured out, then we'll release the request."

The installation of the sandbags approved by City Council at their August 26 meeting began at Breach Inlet last Thursday. They hope to be done by the end of this week or the beginning of next week. The contractor is hopeful that they will complete the work at Seascape and Beachwood East before the end of the month.

Regarding the USACE project, Administrator Kerr reported, "They are switching their method, removing the spoils material from the dredge sites. They are going to a dredge within the spoils site. They had to crane that dredge into, over the embankment and into the area. They did that work the end of last week, so the dredge is now on the island to be dredged, but they need to now flood the island with water to make a slurry to make it available. To date, that project has placed three, 350,000 cubic yards of material still left to place is 350,000 cubic yards, so they're really at the halfway mark. They have indicated to us that all of their soils analysis have indicated that this last placement area has the highest quality sand, so this is more hopeful that this sand will, stay around a bit longer than the initial sand, which we knew did have some silt in it, and subsequently did not stay on the beach as long as we would have liked. They're currently between 5th and 6th Avenue, so they'll be in that area for up to 350,000 cubic yards. About half of it goes between 5th and 6th, the other half will go between 7th and 9th. Additionally, there is, after that 350,000 cubic yards, there will be an additional, and they're approximating it at 260,000 cubic yards through a different contractor moving the sand that they shoaled in at the Intercoastal Waterway where it meets Breach Inlet. That work will also be happening on that end of the island. They are indicated that's out to bid now. They're getting bids back I believe it's next week. But they anticipate that work beginning just before the new year but they would be on the Isle of Palms until early 2026."

The semi-annual beach monitoring survey is complete, and data is being compiled now. Mr. Traynum is pulling together the notifications to give to property owners adjacent to the large offshore renourishment project and it will be submitted soon.

The sidewalk project at 21st Avenue is being wrapped up now.

9. Strategic Plan Policy Initiatives and Priorities

A. Livability

i. Discussion of golf cart path designations

Administrator Kerr reminded the Council that a new State law now allows for official designations for golf cart paths. Staff recommends the area around 21st Avenue and another in front of Carmen R. Bunch Park be designated as golf cart paths.

ii. Discussion of shark fishing ordinance

Council Member Bogosian said the new draft of the shark fishing ordinance keeps in a ban on the use of drones for fishing lines. He added that police officers have the discretion to keep people from fishing in an area they feel is unsafe to those in the water or on the beach. Administrator Kerr said DNR supports this discretionary aspect of the ordinance.

Administrator Kerr added that DNR says they are the authority on casting and baiting. They said the City can add generic language to ban chumming and the use of drones.

Chief Cornett would like any gray areas in the ordinance cleaned up. He believes if the ban on drones is on legally shaky ground it should be taken out.

Council Member Hahn would like to see stronger enforcement in the ordinance. Discussion ensued as to what Council Member Hahn would like to see in the next draft of the ordinance. He suggested adding “only cast for fish from the shore” and “no mechanical aid in casting.” Council Member Bogosian agreed to those changes.

iii. Discussion of license strikes being citations instead of founded complaints

Mayor Pounds said this matter needs to be discussed by the Public Safety Committee and Chief Cornett before being discussed by the full Council.

B. Environmental – Update on offshore drilling

i. Discussion of City-wide glyphosate ban

Administrator Kerr explained how this ordinance came from the Environmental Advisory Committee. He said Asst. Director Asero rarely uses glyphosate, and he has no issues with the ordinance. The City’s landscape contractors have been spoken to about it and also have no issues with it. This ordinance would ban the use of glyphosate products on City property. If passed, there will be an educational campaign about the substance.

ii. Discussion of proposed lighting ordinance

Administrator Kerr explained the Environmental Advisory Committee (EAC) proposed this new ordinance to combat light pollution, which affects wildlife and human health. Todd Murphy of the EAC presented data showing the local light footprint has increased by approximately 50% since 2013. A comparative analysis of neighboring municipalities was presented, noting Folly Beach's strict approach.

The new ordinance offers the following: require fixtures near natural areas to be shielded and directed downward; prohibit directing light onto adjacent properties; allow architectural uplighting only with low wattage and a timer for an automatic shutoff; and a recommended maximum color temperature of 3,000 Kelvin.

The ordinance would be enforced through the permitting processing and eventually moving to Code Enforcement for non-compliance.

Chief Cornett said that well-lit areas deter crime.

Council Member Anderson said this ordinance may cause “more angst” among residents. Council members Ward and Hahn believe some will see it as government overreach.

The ordinance will go to the Planning Commission for discussion as it is a zoning ordinance.

C. Public Services – discussion of EV charging stations on 13th Avenue

Administrator Kerr said the City has been approached by Dominion Energy about installing some EV charging stations on the island. The venture could generate a small amount of income for the City, but it is more of a community service. The suggested location is at the edge of the City parking lot along 13th Avenue. Council members Ward and Hahn suggested Dominion Energy speak to private entities like the marina or the gas station about installing them. Mayor Pounds said there can be further Council discussion if the Public Services & Facilities Committee wants to make a formal recommendation.

D. Personnel – discussion of wage study update

Administrator Kerr reminded Council of its earlier commitment to engage in a wage study every other year. While there is 5% pay increase in this year’s budget, the salaries for Public Safety personnel are not keeping up with the area. The Administration Committee recommends an interim study be done so that those figures will be available for the FY27 budget planning process. The cost to have the previous company do an update is \$16,500 and would be an unbudgeted expense. The matter will be voted on at the regular Council meeting.

E. Other items for discussion -- Discussion of USTA Grant to upgrade tennis court

Director Ferrell said the tennis courts are currently multipurpose. A USTA grant of up to \$20,000 per court is available but requires the courts to be dedicated exclusively to tennis. The total project cost is estimated at \$220,000. The budget for two new tennis courts is \$190,000, with \$60,000 from the Capital Projects fund. The Public Facilities Committee recommended "to dedicate one tennis court which we would use the grant for, and the other one would continue to be multi-purpose."

Mayor Pounds would like both courts to be dedicated for tennis.

10. Legislative Report

Administrator Kerr said that Thorne Run Partners are helping with the grant extension. They have reviewed all of the City’s Master Plans and see a path forward through a Section 219 Water

Resources Development Act authorization. This long-range plan would bundle water, stormwater, and erosion issues into a massive project of approximately \$150 million with a "75% federal, 25% local match." It could be a 2-3 year approval process. The City of Charleston is using this program to help fund all of its stormwater and flooding projects.

Mayor Pounds added that at the state level, Parks, Recreation, and Tourism (PRT) has \$1 million that can be applied for this fall for beach projects. Additionally, the State has a budget surplus of \$700 million, which needs to be allocated. The SC Beach Advocates is already working on securing funding for beach renourishment.

11. Adjournment

The next City Council Workshop will be held on Tuesday, October 14, 2025 at 5pm.

Council Member Ward made a motion to adjourn the meeting, and Council Member Streetman seconded the motion. The meeting was adjourned at 7:05pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Randy Bell 22 41st Avenue

Citizen comments for 9/8/2025 IOP Council Workshop

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

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

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

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

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

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

Recusal from a vote involves several steps.

Step 1: Prepare a written statement.

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

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

Step 3: Place into public record

Step 4: Avoid taking any further action.

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

Ethics Commission Sanctions

- Public reprimand,

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

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

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

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