



CITY COUNCIL MEETING
6:00pm, Tuesday, March 26, 2024
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Hahn, Bogosian, Anderson, Ward, Miars, Pierce, Campsen, Carroll, and Mayor Pounds

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

2. Citizen's Comments

Terri Haack, referring to the proposed noise ordinance, said that it is unfair that some businesses have to abide by a noise level limit and others do not. She shared a lengthy list of noise-related mitigations the Sweetgrass Inn has made to accommodate their neighbors, specifically the Clouses. She asked City Council to consider what is reasonable for a resort regarding noise.

Vince DiGangi said he supports a healthy mix of homes and short-term rentals on the island. He would like to see a noise ordinance passed at the strictest levels to give the Police Department something to work with. He believes the noise ordinance should be shared with all renters.

Shelly Miles, speaking on behalf of Exclusive Properties, spoke with concern about passing a noise ordinance with lower limits that may not be achievable. She believes this could open the City to lawsuits and overburden the Police Department. She said she is concerned that a business license can be revoked after five violations, adding that a lost business license decreases the value of a property and the same would not be true of a homeowner who received the same number of violations. She would like noise violations to be exempt from the revocation process.

3. Approval of previous meetings' minutes

- A. City Council Meeting – February 27, 2024**
- B. Special City Council Meeting Executive Session – March 12, 2024**
- C. Special City Council Meeting Workshop – March 12, 2024**
- D. Special City Council Meeting – March 19, 2024**

Council Member Campsen offered an amendment to the March 12 minutes under the discussion about political signage in the public right of way.

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

4. **Special Presentations -- none**

5. **Old Business -- none**

6. **New Business**

A. **Consideration appointment of Margaret Miller to the Accommodations Tax Advisory Board**

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

B. **Consideration of proposal from CSE for comprehensive surveying of the southern end of the beach and additional coordination for USACE beneficial use project**

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

C. **Consideration of surf application of Share the Stoke for 2024 surf lesson permit**

The lessons will be held at 34th Avenue.

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

D. **Consideration of mutual aid agreement with Berkeley County Sheriff's Office**

MOTION: Council Member Ward made a motion to approve, and Council Member Miars seconded the motion.

Chief Cornett said this is a standard mutual aid agreement, adding that the City already has similar agreements in place with many neighboring agencies. He stated that it would take a "big event" for IOP personnel to respond to Berkeley County and that it would be more likely that IOP would fill in for Mt. Pleasant Police who would respond to an incident in that area.

Responding to a question about the preparations for Spring Break, Chief Cornett said they have reached out to all the school districts and asked their leadership to inform them if they hear about upcoming beach-related events. A PSA with the chiefs from Folly Beach and Sullivan's Island about beach safety has been posted and patrols will be increased.

When asked about what can be done to limit guns on the beach in light of the new Constitutional Carry law, Chief Cornett said nothing can be done unless there is a City-sponsored event in a defined area for a specific period of time. He and the other chiefs continue to speak to legislators about their concerns regarding this law. Mayor Pounds said he will take the issue to the Beach Advocates Group.

VOTE: A vote was taken with all in favor.

7. **Boards and Commissions Reports**

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

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

A. **Second Reading** – none

B. **First Reading**

i. **Ordinance 2024-01 – an ordinance to repeal and replace Section 9-2-5 Noise**

MOTION: Council Member Bogosian made a motion to defer First Reading of Ordinance 2024-01 so that it may return to the Public Safety Committee for more work. Council Member Campsen seconded the motion.

Council Member Miars asked Chief Cornett to speak to why the noise ordinance is needed. Chief Cornett said decibel levels are more objective and easier to defend in court. Now that more and better technology is available to measure noise, more communities are moving to decibel limits. He added that most short-term rental companies have noise monitoring devices in their units.

VOTE: A vote was taken with all in favor.

ii. **Ordinance 2024-02 – an ordinance to amend Section 1-3-13 Public Participation**

MOTION: Council Member Anderson made a motion to approve, and Council Member Bogosian seconded the motion. A vote was taken as follows:

Ayes: Campsen, Pierce, Anderson, Bogosian, Miars, Hahn, Carroll, Pounds
Nays: Ward

The motion passed 8-1.

iii. **Emergency Ordinance 2024-02 – an emergency ordinance amending Section 1 and Section 6 of Emergency Ordinance 2024-01**

Director Kerr said after conversations with engineers, the ordinance needs further word work. He said the engineers are not willing to certify that their designs would not cause erosion to surrounding properties. They will continue to work with the engineers to find acceptable wording and bring it back to City Council.

C. **Resolutions and Petitions**

i. **Proclamation 2024-01 Arbor Day**

MOTION: Council Member Miars made a motion to approve and waive the reading. Council Member Anderson seconded the motion. The motion passed unanimously.

ii. **Proclamation 2024-02 Recognition of Peace Officers' Memorial Day**

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

Mayor Pounds read the proclamation.

VOTE: A vote was taken with all in favor.

iii. **Proclamation 2024-03 American Red Cross Month**

MOTION: Council Member Miars made a motion to approve and waive the reading. Council Member Anderson seconded the motion. The motion passed unanimously.

9. **Executive Session** -- in accordance with South Carolina Code Section 30-4-70(a)(2) to receive legal advice regarding DHEC v Reddys, Vanderhams et al v. IOP, and the noise ordinance.

MOTION: Council Member Anderson made a motion to enter into Executive Session in accordance with South Carolina Code Section 30-4-70(a)(2) to receive legal advice regarding DHEC v Reddys, Vanderhams et al v. IOP, and the noise ordinance. Council Member Hahn seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at 6:41pm.

City Council returned from Executive Session at 7:07pm.

Mayor Pounds said no decisions were made.

10. **Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Hahn seconded the motion. The meeting was adjourned at 7:07pm.

Respectfully submitted,

Nicole DeNeane
City Clerk