

May 15, 2012

The regular meeting of Town Council was held on the above date at Town Hall, all requirements of the Freedom of Information Act having been satisfied:

Present were: Carl J. Smith, Mayor
Mike Perkis, Mayor Pro Tem
Hartley Cooper, Councilwoman
Jerry Kaynard, Councilman
Madeleine McGee, Councilwoman
Patrick O'Neil, Councilman
Mary Jane Watson, Councilwoman

The Mayor opened the meeting at 6:25 pm, following the Public Hearing for the fiscal year 2013 budget. The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilwoman Watson. There were 20 members in the audience, including one member of the media.

The floor was opened for comments from the citizens.

Linda West, 1714 Middle Street, presented an information packet on their home at 1714 Middle Street which is being considered for the new Town Hall.

Ann Kilpatrick, 1718 Middle Street, read a letter concerning her support of the use of 1714 Middle as the new Town Hall.

Elaine Fowler, 1658 Thompson Avenue, stated placing Town Hall in the residential area is inconsistent with neighborhood compatibility as stated in the Town's comprehensive plan.

Everett Presson, 1718 Otis Pickett Court, stated the 1714 Middle Street property would not work efficiently as a new Town Hall, and the current location is an appropriate place.

Kathleen Post, 1907 I'on Ave., stated that we need to make ourselves correct for the future which means bringing the school out of a residential area. A compromise is needed.

X Dilling, an Isle of Palms resident, stated it is incomprehensible that there is no compromise for the school, and believed there are other solutions.

Wayne Stelljes, 3104 I'on Ave., urged Council to push the SC Department of Transportation to remove the three-way stop sign. Regarding the school, he stated that the Municipal Association Election handbook states that Town Council has the responsibility to determine if any petition for referendum is valid, and what Council has done is appropriate.

Barbara Spell, 1702 Atlantic Ave., stated her disagreement with Mr. Stelljes' comments regarding the referendum.

Mark Howard stated his mother at 1707 Middle Street is across the street from 1714 Middle, and does not object to the property being the new Town Hall; and did not object to the previous location at 1610 Street. The traffic generated by Town Hall is not an issue compared to the church traffic.

Motion was made by Councilman Perkis, seconded by Councilwoman Watson, to approve the minutes of the April 17, 2012 meeting, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to amend the agenda to add legal advice to the Executive Session concerning the Freedom of Information Act request, carried unanimously.

General and New Correspondence – Correspondence was received from Drew Harris regarding the three-way stop sign; from the Mithoefers' in support of the 1714 Middle Street property use as Town Hall; from Dr. Peter Devito stating the 1714 Middle Street property is inappropriate as Town Hall, and from Hal Currey in support of the 1714 Middle Street property.

Boards and Commissions – Planning Commission Chairman Chauncey Clark stated the Planning Commission is working on the five year plan, and asked Council to forward items to consider for the plan. Councilwoman McGee stated the Town Hall should be considered in this plan. This will be placed for discussion on the June Real Estate Committee agenda.

Attorney Report – **Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to amend the agenda to add legal advice to the Executive Session for an exchange of quit-claim deed at Station 28-1/2, carried unanimously.**

Administrator's Report – Administrator Andy Benke.

Sullivan's Island Elementary School - Charleston County School District issued the Notice to Proceed for the demolition of the former Sullivan's Island Elementary School building to Complete Demolition Services LLC from Carrollton, Georgia. The staff met with officials from the Charleston County School District and Complete Demolition Services to review the project. Internal salvaging will first take place, followed by the demolition in late May or early June.

Special Event Requests – The Floppin' Flounder to be held on June 16, 2012 was previously approved.

Commercial Activity on Town Property and RC-1 Areas – Because the Land Trust deed restrictions do not allow activities on the property, the Isle of Palms and Windjammer are working with the volleyball groups to find them places to play.

Mayor Smith stated he was concerned regarding recent articles in the *Moultrie News* and *Island Eye News* newspapers regarding the last School Board meeting. *The Moultrie News* staff report was incomplete because it did not present both sides of the issue. *The Island Eye News* with the by-line of Town Council left the impression that all members were in favor of the proposed school, and he wanted clarity in articles so his opinion would be recognized.

Councilwoman McGee stated she believed the Mayor should follow the Municipal Association of S.C. guidelines, and wanted a legal opinion whether he needed to follow them. The guideline states that

when the majority of Council makes a decision, the Council speaks unanimously to support that decision.

Councilman Kaynard stated he drafted the article in the *Island Eye News* because Council had previously given him authority to be the official spokesperson for Town Council on issues of the school.

Councilman O'Neil stated it is appropriate if a member of Council says he/she is a member of Council, and this is what most of Council thinks regarding a subject. Mayor Smith agreed as long as both sides are expressed. Councilman Perkis added that the majority of past articles did state it was the majority of Council, or 6 of 7 members.

Mayor Smith stated when he writes articles he makes it clear it is his opinion. Jerry commented, however, when it is signed as the Mayor, it is natural for the public to believe the Mayor is speaking as the Mayor of Sullivan's Island.

In an effort to be clear, **motion was made by Councilman Perkis, seconded by Councilman O'Neil, to authorize Councilman Kaynard as the official spokesperson for Town Council on issues of the school, carried by a vote of 6-1, with Mayor Smith opposed.**

Ways and Means Committee, Councilman Perkis. Monthly report rendered. Councilman Perkis stated the fiscal year 2013 budget had second reading at the public hearing preceding this meeting. The April monthly report is not yet ready for review, but he continued that all areas appear to be as expected.

Personnel Committee, Councilman Kaynard. Monthly report rendered. Town Hall will be closed for Memorial Day on Monday, May 28, 2012, and the holiday garbage collection schedule has been posted. The Personnel Committee will meet and report at the next Council Workshop.

Water and Sewer Committee, Councilman Perkis. Monthly reports rendered. The public hearing and second reading of the Water and Sewer budget was held prior to this meeting. Councilman Perkis stated Manager Gress presented the CIP Plan at the Water and Sewer Committee meeting. Mr. Gress will revise the plan to make it more realistic recognizing the resources the Town has. It is a guide as to what should be done in the future, and how the sewer funds should be allocated.

Building and Construction Committee, Councilwoman Cooper. Monthly report rendered. As previously mentioned, the school demolition was approved and will proceed coordinated by Charleston County School District and Sullivan's Island staff. Councilwoman McGee questioned the rules concerning right-of-ways. This item will be sent to the Committee for discussion and clarification.

Fire Committee, Mayor Smith. Monthly report rendered. No new information to report.

Recreation Committee, Councilwoman Watson. Twelve families participated in the Tour de Racks Bike Ride on May 12, 2012. The tennis court contract will be discussed in executive session tonight.

Real Estate Committee, Councilman O'Neil.

Town Hall Relocation Evaluation – The quote from Creech and Associates for \$6,300 was received which would cover his architectural work, conceptual layout for Town Hall at 1714 Middle to include:

Floor plan for Town Hall - Function and flow for administrative offices, including rough drawings for space use
Upgrades and approximate related costs required to convert from Residential to civic building (electrical, HVAC, windows, doors, ADA, fire exit, lighting, etc.)

Building – Estimate of monthly electric use and annual maintenance expense
Elevation of each floor above S/L and in relation to base flood elevation
Comments regarding advantages/disadvantages or pros/cons of building

Building – Structural
General comments about integrity of structure
General comments about air quality, seismic issues and water intrusion

Motion was made by Councilman O’Neil, seconded by Councilwoman Watson, to authorize the Administrator to approve the work as described above in the amount of \$6,300. After discussion, motion passed by a vote of 4-3, with Councilman Kaynard, Councilwoman McGee, and Councilwoman Cooper opposed.

After much discussion, **motion was made by Councilwoman McGee, seconded by Councilman Kaynard, to authorize up to \$4,000 for an alternative drawing on this campus for Town Hall and Police, including conceptual façade elevation, any cost differential on the two sites at this campus, as well as compare that to 1610 Middle and 1714 Middle; and the cost to prepare a presentation at the July Committee meeting, carried unanimously.**

Beach Path Walkovers – Chief Stith, Councilwoman McGee, and Councilman O’Neil met concerning the beach path locations for improvement. They presented the list to Council and noted there are two questions - what are the priority paths for the \$30,000 allocated this fiscal year; and what paths would be identified for the Greenbelt funds. The noted priority paths Station 18, Station 19, Station 24 and Station 28 would cost \$31,627 to repair. The other path they found as a priority was Station 29; however, it alone would cost approximately \$30,000 to repair. After discussion, **motion was made by Councilman Kaynard, seconded by Councilman O’Neil, to authorize \$31,627 from the repair budget to repair boardwalks on Stations 18, 19, 24, and 28, carried unanimously.**

Accreted Land Management Plan - A meeting will be held on May 25, 2012 at 3 pm at Town Hall for review of the Accreted Land Management Plan.

Greenbelt Trail Design – Jeff Jackson of Lowcountry Roots, LLC submitted a proposal to help design the first round of nature paths, along with Richard Porcher, Biily McCord, and Norman Brunswig in the amount of \$6,000. This first path will be a bowtie shape around Station 16. **Motion was made by**

Councilman O'Neil, seconded by Councilwoman Watson, to approve the quote from Mr. Jackson and to proceed with the design, carried unanimously.

Police Committee, Mayor Smith. Monthly report rendered. The two new beach services officers began working on May 1, 2012. Applications are being received for the police officer vacancy. Chief Howard will inquire about having an extra officer at the three-way stop on Memorial Day.

Streets and Maintenance Committee, Councilwoman McGee. No new information to report.

Ordinances

Mayor Smith duly ratified Ordinance 2012-02, An Ordinance to Amend Section 21-12(A) of the Zoning Ordinance for the Town of Sullivan's Island.

Mayor Smith duly ratified Ordinance 2012-03, An Ordinance to Convey Property to the Mt. Pleasant Land Conservancy with Deed Restrictions.

(The Second Reading of Ordinance 2012-04, An Ordinance to Adopt Budget for July 1, 2012 through June 30, 2013, was held in Public Hearing preceding this meeting).

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to go into Executive Session at 8:20 p.m. for a contractual matter on the tennis court project bids, legal advice concerning the Freedom of Information Act request, and the exchange of quit-claim deed at Station 28-1/2, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilman Perkis, to come out of Executive Session at 9:06 p.m. Mayor Smith stated no action or votes were taken during executive session.

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to execute the quit claim deeds for lots 182 and 232, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to authorize Administrator Benke to negotiate the contract with the low bidder for the tennis court, carried by a vote of 6, with Councilwoman Cooper abstaining.

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson to adjourn at 9:09, carried unanimously.

Respectfully submitted,

Ellen Miller