

October 20, 2015

The regular meeting of Town Council was held on the above date at 6:00 p.m., all requirements of the Freedom of Information Act having been satisfied.

Present were: Patrick M. O'Neil, Mayor  
Chauncey Clark, Mayor Pro-Tem  
Sarah Church, Councilmember  
Mark Howard, Councilmember  
Rita Langley, Councilmember  
Susan Middaugh, Councilmember  
Bachman Smith, IV, Councilmember

Mayor O'Neil called the meeting to order and led the Pledge of Allegiance, followed by the invocation by Mayor Pro-Tem Clark. There were approximately 25 people in the audience, with one member of the media present.

**I. FORMAT** – Mayor O'Neil opened the floor for comments.

Sarah Diaz, 1325 Middle Street, presented an update to Council regarding the bird banding totals. To date, 428 birds from 36 different species have been banded. Due to the rain, they have accessed the banding site by kayaks.

Katie Zimmerman, Coastal Conservation League, stated she directs the Coastal Conservation League's Air, Water and Public Health program. She stated it supports the proposed conservation easement language, because it achieves the policy of coastal retreat.

Bill Stanfield, North Charleston, runs the non-profit organization Metanoia. He is working with Mr. Walldorf and others to receive the house if the proposed conservation easement passes. The house will be reused to create affordable housing.

Bill Walker, 3118 Marshall Blvd., stated the advantage of the conservation easement is the permanent restriction of development.

Hannah Heyward, 1701 Middle, agreed with Mr. Walker, and believed everyone in the future will be grateful this property has been preserved.

Wayne Stelljes, 3104 Iron Avenue, stated he has heard comments to pass the ordinance and it can be revised at a later date if needed. He disagreed with that concept, as this ordinance will have a fundamental change in the island's residential zoning. He also expressed concern about the police and staff monitoring and controlling requirements that are contradictory and virtually unenforceable.

Norman Khoury, 1728 Iron, stated that now all Council members are fully aware of the past discussion regarding the accreted land, and suggested that Council proceed to develop this plan. The next phase – the transition zone development – needs to be looked at with care and attention.

Chad Walldorf, 3317 Marshall Blvd., distributed a petition to Council signed by 40 people of 27 households in the northern part of the island in favor of the conservation easement. There is only one person in the neighborhood that opposes this proposal.

Chris Allen, 2263 Iron, stated he supported this change in the ordinance because it is positive and progressive.

Rusty Bennett, 3124 Marshall Blvd., stated it is a win-win situation; and a perfectly acceptable, normal use of a conservation easement.

Sydney Cook, 1614 Thompson, and member of Planning Commission, stated she wanted to protect open space, and also maintain the value of her home. This conservation easement ordinance is brilliant because it is at no cost to the Town, and there are opportunities to protect open space. She believed that the Planning Commission drafted an ordinance in such a restrictive way that probably no one will want to congregate on the property. It is simply a place to store equipment.

Eddie Fava, 2424 Myrtle Avenue, stated his concern was the application of the conservation easement being island-wide, as it could be a potential detriment to a property if an interior lot was granted a conservation easement.

## **II. COUNCIL ACTION ITEMS**

**1. Approval of Council Minutes – Motion was made by Councilmember Smith, seconded by Councilmember Langley, to approve the minutes from the Regular Council meeting on September 21, 2015, carried unanimously.**

**2. Motion was made by Councilmember Middaugh, seconded by Councilmember Clark, to approve Second Reading and Ratification of Ordinance No. 2015-05, An Ordinance Amending Section 22 of the Code of Ordinances for the Town of Sullivan’s Island, Regarding Updates to Purchasing and Bidding Procedures, carried unanimously.**

**3. Motion was made by Councilmember Langley, seconded by Councilmember Middaugh, to approve First Reading, by Title Only, Ordinance 2015-06, An Ordinance Amending**

**Section 10-20 of the Code of Ordinances for the Town of Sullivan’s Island, to Revise Business License Fees, carried unanimously.**

**4. First Reading, by Title Only, Ordinance No. 2015-07, An Ordinance Amending Section 2-27 of the Code of Ordinances for the Town of Sullivan’s Island, to revise the Process in Which Ordinances are Introduced.** No votes or action were taken on this amendment. It will be placed on the November Workshop for discussion.

**5. Motion was made by Councilmember Smith, seconded by Councilmember Langley, to approve First Reading, by Title Only, Ordinance 2015-08, An Ordinance Amending Chapter 21; Sections 21-20(C)(5); 21-137(B)(2); and 21-203 of the Code of Ordinances for the Town of Sullivan’s Island, to Provide for a Use Change on residentially zoned lots, specifically Stand-Alone Structures and Other Recreational Uses; carried by a vote of 6-1, with Councilmember Howard opposed.** Mayor O’Neil suggested that Council examine a method of potentially making it a bit more restrictive. This will be discussed at the November Workshop.

**III. REPORTS AND COMMUNICATIONS**

**1. General and New Correspondence** – Administrator Benke reported since the last Workshop, three e-mails were received in favor of the conservation easement and accessory structures; three e-mails urged Council to be diligent and continue work on the accreted land management plan; and the Governor’s office sent a proclamation that she recently passed designating October 25-31 as environmental systems operators week, encouraging residents of the State to recognize environmental systems operators (wastewater treatment plant) in their commitment to preserving and enhancing our natural environment.

**2. Mayor’s Report** – Mayor O’Neil noted that he will miss the November Workshop; Mayor Pro-Tem Clark will preside.

**3. Administrator’s Report** –

Citadel Street Tennis Courts - The project was expected to close the end of this month; however, it has been delayed due to the rain.

Town Hall and Police Station Building – The next Hill Construction meeting will be October 27, 2015. The pay application #3 was paid this week for the month of October which was \$193,747.09. In November presentation boards may be ready to show Council choices for finishes such as carpets and colors.

Storm Event – The President made a declaration for aid and assistance for the storm event on October 1-4, 2015. The Town did not have any property damage aside from two boardwalks that were an insured lost. An adjustor will be on site this week to looks at the boardwalks although if some are still underwater a true assessment cannot be made at this time.

Traffic Study – Stantec will provide information on the traffic study, which will be used to begin our 2016 summer parking plan for the island.

Website Redesign – The RFP for the website design is being written. The new website will hopefully be available when the new Town Hall is completed.

Mound Bamboo Trimming – The vendor cut a small portion in the northeast corner of the mound and made a pass down the soccer field. He also cut a small portion on the southeast corner, and made two passes up to the top of the hill. The machine will be able to handle all cutting needed on the mound..

**4. Attorney's Report** – Attorney Dodds reported he received a fee simple title request for 2614 I'on Avenue, consisting of lots 101 and 102 for the Sisters of Charity of Our Lady of Mercy. Town Council agreed to grant the fee simple title.

**5. Boards and Commissions Reports** – no reports.

#### **IV. COMMITTEE REPORTS**

**Finance Committee** – Mayor O'Neil. Monthly report rendered. Comptroller Blanton reviewed the August financial statement at the Workshop. The September statement will be reviewed at the November Workshop.

**Recreation Committee** – Councilmember Church.

Mound Drainage and Erosion Study – The Park Foundation has not yet responded regarding the study. Councilmember Church will contact them again with a proposed deadline date in order to move ahead with this project.

Bamboo on the Mound – Councilmember Church has contacted the Park Foundation regarding the bamboo on the mound, and will contact again with a proposed deadline date.

Farmer's Market – A meeting was held yesterday with seven people in attendance. Michael Knoll suggested in order to have vendors commit to the market, a full season should be advertised, although it can be changed if participation is low, or if it is a burden on the staff, the town, or neighbors. Proposed tentative dates are Thursday afternoons from 2:30-7:00 p.m., March 24 – July 1, 2016. The best location would be at Battery Gadsden because restrooms would be available, and construction is occurring near Stith Park during that time period. There would be a total of 15 tables – 10 tables for vendors, 1 corporate table, and 4 non-profit and/or kids craft tables. Councilmember Church will speak with neighbors, Principal Susan King, the Battery Gadsden Grounds Committee, and Delores Schweitzer at the Poe Library before proceeding further.

Island Club – Councilmember Church will discuss the RFP for repairs with Administrator Benke and Building Official Randy Robinson.

Battery Gadsden Cultural Center – The purchase of two portable dehumidifiers as well as upcoming electrical work were possible through previously approved Recreation Committee

budget funds. Administrator Benke reported that a request was received today from SLED for an on-premise sale and consumption of beer and wine for the Battery Gadsden Cultural Center during its Shakespeare events. This would be on Town property, which is also in a residential zone. Because this violates the Town ordinance, Administrator Benke will contact Laura Dargan to inform the Shakespeare group they cannot sell tickets to the performance and there cannot be any alcohol sales. It was noted that this zoning would also affect the farmers' market events on the property. This zoning issue will be placed on the Land Use and Natural Resources Committee.

**Public Facilities Committee** – Councilmember Smith. Monthly report rendered.

Inscribed Bricks – A resident suggested selling fundraiser bricks that can be inscribed to use at the new Town Hall. There is a hardscaping design around the flagpole where these could be easily utilized. There are citizens interested in managing this project, so there would be minimal impact on the staff and Council. Councilmember Smith will present more information at the November Workshop.

**Land Use and Natural Resources Committee** – Councilmember Langley. Monthly report rendered.

Committee Minutes – **Motion was made by Councilmember Clark, seconded by Mayor O'Neil, to approve the October 8, 2015 minutes with two noted corrections, carried unanimously, 3-0.**

Special Council Meetings – The dates of Thursday, October 29 and Monday, November 30, 2015 will be advertised for the purpose of discussing the progressing of the accreted land management plan.

Historic Design District – Zoning Administrator Henderson stated the study group will meet October 23<sup>rd</sup> to begin discussion on considering historic design guidelines.

Regional Green Infrastructure Plan - Mr. Henderson stated that the Town has been requested by the East Cooper Land Trust to participate as a multi-jurisdiction member in the Regional Green Infrastructure Plan, which is a GIS data-sharing project. Council agreed that Mr. Henderson would serve as the Town's representative.

**Administration Committee** – Councilmember Howard. Monthly report rendered.

Ordinance Process Revision Ordinance 2015-07 – This will be discussed at the November Workshop.

Boards/Commissions Term Limit Ordinance 2015-09 – Councilmembers will review and submit comments to the Administrator, who will forward to Councilmember Howard.

**Water and Sewer Committee** – Councilmember Middaugh. Monthly reports rendered.

Executive Session – A contractual item with the Charleston Water System will be discussed in Executive Session tonight.

Phase I and Phase II I&I – A meeting will be held this Thursday to focus on evaluation report on Phase I and capital improvement program recommendations as a follow-up to the report. This will lead to Phase II planning, and its associated cost. The Committee will discuss whether to invite a representative from Arcadis to discuss this with Council.

Article Regarding Flood – Mayor O’Neil stated that the Island Eye News requested him to write a monthly Mayor’s Column. This month’s column was devoted to describing how the Town handled the flood, particularly the wastewater and stormwater issues. These facts will help inform the residents who have been very concerned about the manhole overflows and other issues.

**Public Safety Committee** – Councilmember Clark. Monthly reports rendered.  
No new items to report.

**Motion was made by Councilmember Church, seconded by Councilmember Howard, to go into Executive Session at 8:04 p.m., to discuss Contractual – Purchase Capacity Agreement with Charleston Water Systems; Legal Advice – Fee Simple Title Request; and a Personnel issue, carried unanimously.**

**Motion was made by Councilmember Smith, seconded by Councilmember Howard, to come out of Executive Session, carried unanimously.** Mayor O’Neil noted that no votes or action were taken during Executive Session.

**Motion was made by Councilmember Church, seconded by Councilmember Clark, to adjourn, carried unanimously.**

Respectfully submitted,

Ellen Miller