

October 19, 2010

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
Buddy Howle, Councilman
Jerry Kaynard, Councilman
Madeleine McGee, Councilwoman
Patrick O'Neil, Councilman
Mary Jane Watson, Councilwoman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilman Howle. There were 12 members in the audience and two members of the media present.

The floor was opened for comments from the citizens. Everett and Joanna White, 1307 Cove Avenue, and managers of the Gallery and Gift Shop at 2214 and 2215 Middle Street, requested to have an Art Bazaar at their business, including live music. After discussion, the Whites will prepare a special event application and work with the Administrator concerning the bazaar. Mic Smith, professional photographer, asked that Council consider allowing commercial photography on the beach. Council will discuss at the next Committee meeting. Susan Middaugh, 2420 Raven, asked Council to consider rotational cutting as an option with the accreted land management plan.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to amend the agenda to add First Reading, by title only, Ordinance No. 2010-11, A Series Ordinance Making Provision for the Terms and Conditions of an Issue of Waterworks and Sewer System Revenue Bonds, Series 2010, of the Town of Sullivan's Island, South Carolina, as Item 4 under Ordinances.

Motion was made by Councilman Kaynard, seconded by Councilwoman McGee, to approve minutes from the regular meeting on September 21, 2010, carried unanimously.

Reports and Communications

General and New Correspondence – Correspondence was received from the Charleston Soil and Water Conservation District thanking the Fire Department for their use of their meeting room; from Hal Currey thanking Lisa Darrow for help with the Planning Commission public hearing; and from residents regarding the accreted land management plan.

Attorney Report – No items to report.

Board and Commission Reports – Hal Currey, Chairman of the Planning Commission, stated the Planning Commission will present to Council its concept paper regarding the community commercial district at the December Committee meeting.

Administrator's Report, Administrator Benke. The civil action against the Town of Sullivan's Island and Sullivan's Island Town Council regarding the accreted land is in the discovery phase, and the item is on the Executive Session agenda tonight. Council members Howle and Watson will work with staff regarding the proliferation of commercial activity on Town property and the beach. The public hearing on the Urban Entitlement Program was held tonight at 6 p.m.

Ways and Means Committee, Councilman Perkis. Monthly report rendered. The September financial statement will be discussed in detail at the Committee meeting. There was general discussion regarding the advantage of refinancing the revenue bond obligation. It would save approximately \$35,000 after expenses. An ordinance is on the agenda for first reading tonight. **Motion was made by Mayor Smith, seconded by Councilman Howle, to allocate \$5,000 from the Confederate Memorial Fund to fund the local Civil War Sesquicentennial commemoration, carried by a vote of 6-1, with Councilwoman McGee casting the nay vote.**

Personnel Committee, Councilman Kaynard. Monthly report rendered. Town employees became covered under the State of South Carolina health insurance plan as of October 1, 2010. Current employee openings include one full time water and sewer operator; one full time fire fighter; and one full time maintenance employee. Chief Stith and others have tentatively scheduled November 3rd to view an audible alert system in Savannah. The Personnel Committee and staff are reviewing criteria for selection of a quarterly and annual outstanding employee. Flu shots will be available for Council, staff, and their families at the Fire Station on October 20, 2010.

Water and Sewer Committee, Councilman Perkis. Monthly report rendered. An ordinance to amend Section 20 to provide for a meter supplying an empty lot which contains a dock in the RC-2 Zoning area is on the agenda for Second Reading tonight. Manager Gress is researching various projects that may qualify for grant funding. Councilman Howe stated he received a request from a resident regarding relief from a water bill. The resident will be asked to write a letter to the Water and Sewer Committee for their review.

Building and Construction Committee, Councilman Howle. Monthly report rendered. An ordinance to amend Section 5-78 and 5-81 of the code to comply with Section 404 of the Federal Water Pollution Control Act is on the agenda for Second Reading tonight.

Fire Committee, Mayor Smith. Monthly report rendered. Chief Stith reported that the Prevention Week display on October 6th had the biggest crowd ever.

Recreation Committee, Councilwoman Watson. Councilwoman Watson reported that information is being gathered regarding next year's July 4th celebration. She added that the Park Foundation elected new officers at the meeting last night. The Committee continues to work toward completing the "Bicycle Friendly Community" designation, and Councilwoman Watson is scheduling a meeting with Ward Lasso. Several pieces of equipment in the "Tot Lot" are showing signs of age and should be repaired or replaced. Chief Stith will remove all the hazardous toys. The Fun series event held at the Island Club on October 8th for children was well attended. The next event is a middle school dance on November 5, 2010.

Real Estate Committee, Councilman O'Neil.

Open Space Protection for Town Parcels – The contract for the baseline report and the deed restriction documents will be reviewed at the November Committee meeting.

Accreted Land Management Plan – Coastal Science and Engineering has tendered the final draft of the Accreted Land Management Plan. Comments from Council should be completed by the December Committee meeting for inclusion in a working matrix.

Golf Cart Parking – There was ongoing discussion regarding golf cart usage on and near beach paths.

Island Club Structural Improvements – The Island Club has requested an update of their request for the Town to make improvements to the building including a handicap ramp, ADA bathroom upgrades and window installation. Council is currently waiting on a clear set of drawings from the architect to review.

Police Committee, Mayor Smith. Monthly report rendered.

Streets and Maintenance Committee, Councilwoman McGee. A meeting was held on September 9th with residents of Station 18 Street to review drainage options. Council continues to review the concept of paid parking. The S.C. Department of Transportation contractor for the Middle Street work will begin mobilization on or about November 1, 2010. PCL has begun work on the final modifications to the Ben Sawyer Bridge. Project scope includes retrofit to the north and south abutments that should be complete before Thanksgiving.

Motion was made by Councilman Howle, seconded by Councilwoman Watson, to have Third Reading of Ordinance No. 2010-08, An Ordinance to Amend the Sullivan's Island Code of Ordinances by Adding Chapter 27 – Franchise Fees – Granting Consent to Application for Franchise Fee for Cable Service and Setting Franchise Fee, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to have Second Reading of Ordinance No. 2010-09, An Ordinance to Amend Chapter 5 Building, Sections 5-78 and 5-81 of the Ordinances for The Town of Sullivan's Island, relating to flood management, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to suspend the rules to have Third Reading of Ordinance No. 2010-09, An Ordinance to Amend Chapter 5 Building, Sections 5-78 and 5-81 of the Ordinances for The Town of Sullivan's Island, relating to flood management, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to have Third Reading of Ordinance No. 2010-09, An Ordinance to Amend Chapter 5 Building, Sections 5-78 and 5-81 of the Ordinances for The Town of Sullivan's Island, relating to flood management, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilwoman Watson, to defer Second Reading of Ordinance No. 2010-10, An Ordinance to Amend Chapter 20 Water Supply Section 20-7-A, Section 20-7-B; Section 20-7-C and Section 20-12-1 to Allow a Dock Only Meter for the Purpose of Supplying Water Only to Those Lots with a Dock and No Residential Structure, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to have First Reading, by title only, of Ordinance No. 2010-11, A Series Ordinance Making Provision for the Terms and Conditions of An Issue of Waterworks and Sewer System Revenue Bonds, Series 2010, of the Town of Sullivan's Island, South Carolina, carried unanimously.

Motion was made by Councilwoman Watson, seconded by Councilman O'Neil, to go into Executive Session at 8:30 p.m. for legal advice – Bluestein v. Sullivan's Island 10-CP-10-5449 and Contractual Obligations; MASC/SCMIT Run Out Payments, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman O'Neil, to come out of Executive Session at 9:21 pm, carried unanimously. Mayor Smith stated no action or votes were taken during Executive Session.

Motion was made by Councilman Howle, seconded by Councilman Perkis, to adjourn at 9:23 pm, carried unanimously.

Respectfully submitted,

Ellen McQueeney