

September 16, 2008

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
Pat O'Neil, Mayor Pro Tem
Buddy Howell, Councilman
Jerry Kaynard, Councilman
Mike Perkis, Councilman
Everett Presson, Councilman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilman Howell. Mayor Smith noted that a valued member of Sullivan's Island, Jessie Harris, had passed away. There were seven members in the audience, including two members of the media. Mayor Smith noted that Councilman Kaynard would be late to the meeting, and Councilwoman Watson would not be present.

The floor was opened for comments from the citizens. Rick Graham, 2102 I'on Avenue, commented on the deed restrictions needed for property that is zoned both residential and commercial. Stephen Zoukis, owner of 1902 Middle Street, thanked Randy Robinson, Andy Benke and Larry Dodds for their efforts regarding the property, and wants to move forward in order to complete the building. Pat Votava, 2214 Jasper Blvd, thanked Council for changing the commercial district consultant meetings to accommodate the Jewish holidays, and asked that the stakeholders meetings perhaps also be conducted in the daytime, in addition to the nightly meetings. Administrator Benke stated that some meetings run until 8:00 p.m.; therefore, there will be time for residents to meet with the consultants in the evening hours.

Motion was made by Councilman Howle, seconded by Councilman O'Neil, to approve the Regular Meeting minutes from August 19, 2008, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to amend the agenda to add the presentation of "Liquid Assets" by Water & Sewer Manager Greg Gress at this time, carried unanimously.

Manager Gress presented a short portion of a 90-minute documentary on the nation's water, wastewater and storm water infrastructure called Liquid Assets. It is scheduled to air on ETV on Oct. 12, 2008 at 4:30 p.m. and Oct. 26, 2008 at 4:00 p.m.

Mayor Smith presented the Honorable Ben A. Hagood, Jr. with a Resolution expressing the Town's appreciation for his years of outstanding public service as a member of the S.C. House of Representatives.

Mayor Smith duly proclaimed the month of October 2008 as National Colonial Heritage Month.

Reports and Communications

General and New Correspondence – There was no new correspondence.

Attorney's Report – No report.

Board and Commission Reports – No report.

Administrator's Report, Administrator Benke. The staff met with Mayor Smith to discuss the preparations made for Tropical Storm Hanna. While the departments were prepared, a few changes will be made and reported back to Council. The project timeline for the cell tower indicates completion on September 30, 2008. The S.C. DHEC beach monitoring report for August 2008 showed all stations tested satisfactorily. The Supreme Court has opined in the appeal upholding the right of the Town prohibiting smoking in the workplace; however, the Court did find that the monetary fine was unconstitutional because it is in excess of a fine for violations of the Clean Air Act. An amendment will be introduced for First Reading tonight. The National Park Service provided technical assistance and labor to perform maintenance on the two bronze tablets affixed to the cannons at Station 18 and Middle Streets. The BZA did not receive any applications for the month of October; therefore, that meeting has been cancelled. The Beach Erosion Committee will meet on September 23, 2008 at 6:00 p.m. in Town Hall.

Ways and Means Committee, Councilman Perkis. Councilman Perkis stated the August 2008 statement shows revenues and expenses are in-line except a few accounts that appear to be over budget, but it is due to the timing of certain purchases. Councilman Perkis commented that resident Ed Crawford, retired from Goldman Sachs, helped review the Town's investments. After a telephone conference call with the Bank of New York, where the investments are collateralized, the Town is in good shape with its Wachovia investments. The funds are 100% federal eligible, they are not collateralized mortgage obligations (CMO's) and they are in the Town's name. The Comptroller and Councilman Perkis will review the accounts with the S.C. Investment Trust Pool again. Mayors Riley and Summey have requested that the Town donate \$1,000 per year over the next five years to Lowcountry AIDS Services. While it is a worthwhile charity, it is Town practice to not contribute tax revenue to requests from non-profit organizations. Comptroller Blanton stated that the CSI new software should be fully implemented by November 1, 2008.

Personnel Committee, Councilman Howle for Councilman Kaynard. Monthly report rendered. Building Official Randy Robinson was recognized for his twenty years of service with the Town.

Water and Sewer Committee, Councilman Perkis. Monthly report rendered. A request was received from a property owner to waive the basic facility charge for the lot associated with TMS 529-06-001-06. Town Council determined the fee would not be waived and will contact the owner. The initial meeting with Raftelis Financial Consultants, Inc. to begin the rate study project was held September 2, 2008. An estimate to replace the storm water pump at Station 18 Street and Atlantic Avenue has been provided by ITT Water & Wastewater U.S.A. After discussion, Manager Gress will obtain additional information regarding the pump.

Councilman Kaynard joined the meeting at this time. Manager Gress presented a short portion of “Liquid Assets: The Story of Our Water Infrastructure” earlier in the meeting. Councilman Perkis noted that Manager Gress has a Standard Operating Procedure and Emergency Preparedness Plan for the Water & Sewer Department. While the preparations for Tropical Storm Hanna went very smoothly, the department employees met after the event to review.

Building and Construction Committee, Councilman Howle. Monthly report rendered. Councilman Howle noted that \$9,000 was collected in business license fees from subcontractors prior to issuing certificates of occupancy, and recognized Building Official Robinson for this successful process.

Fire Committee, Mayor Smith. Monthly report rendered. Chief Stith reported that the Fire Prevention Display will take place on Wednesday, October 8, 2008 around 6:00 p.m., preceded with a parade from the Isle of Palms. Chief Stith stated that the Fire, Maintenance, Police and Water departments all did an excellent job preparing for Tropical Storm Hanna, and some items are being reviewed. Councilman Kaynard inquired about the protocol if a resident or visitor will not leave the island during a mandatory evacuation. Attorney Dodds stated that the Police could arrest the person and take him to jail. Police Chief Howard added that during Hurricane Hugo, persons staying on the island were required to complete a form stating who the Police should contact after the storm was over. In most cases, that helped persons decide to leave the island.

Recreation Committee, Councilman Howle for Councilwoman Watson. No items to report.

Real Estate Committee, Councilman O’Neil. The meeting dates for the Commercial District Consultant meetings and charrettes have been finalized, but the locations are yet to be determined. The Planning Commission plans to meet with the consultants in October. The Planning Commission provided Council with a schedule of the continued review of the Comprehensive Plan. Administrator Benke will contact an executive with the Kangaroo Gas Station regarding delivery hours in the commercial district.

Police Committee, Mayor Smith. Monthly report rendered. There was discussion concerning the group who left trash on the beach over the July 4th holiday. Administrator Benke is continuing to research information regarding this.

Streets and Maintenance Committee, Councilman Presson. Councilman Presson stated the discussion and public hearing regarding paid parking will take place after the commercial district study.

Ordinances

Mayor Smith duly ratified An Ordinance to Amend Section 18 of the Town Code – Sewers and Sewage Disposal Section 18-6 Toilet Facilities Required in Buildings, Connection with Public Sewer Required.

Mayor Smith duly ratified An Ordinance to Amend Section 20 of the Town Code – Water Supply Section 20-1 Mandatory Service and Contract for Service Prerequisite to Use.

Motion was made by Councilman Presson, seconded by Councilman Howle, to have First Reading, by title only, An Ordinance to Amend Section 14-29 (SIC 30) of the Town Code by Amending the Provisions Relating to Violations and Penalties, Section 1, subsections (I), (1), (2), (3), and (6), carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to go into Executive Session for legal advice with Town Attorney Dodds on Section 21-94 with regard to 1902 Middle Street, carried unanimously.

Motion was made by Councilman O’Neil, seconded by Councilman Howle, to come out of Executive Session, carried unanimously.

Upon returning to regular session, Mayor Smith stated that no action or votes were taken during Executive Session.

Motion was made by Councilman O’Neil, seconded by Councilman Presson, to withdraw the Design Review Board application for 1902 Middle Street, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Perkis, to adjourn at 9:00 p.m., carried unanimously.

Respectfully submitted,

Ellen McQueeney