

April 15, 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
Patrick O'Neil, Mayor Pro-Tem
Jerry Kaynard, Councilman
Mike Perkis, Councilman
Mary Jane Watson, Councilwoman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilwoman Watson. There were ten members in the audience, including three members of the media.

Mayor Smith administered the Oath of Office to three new officers of the Police Department: Douglas Archer, Charles Barton, and Joshua Poole.

The floor was opened for comments from the citizens. Chauncey Clark, 2119 Pettigrew, requested relief on tax issues related to short term vacation rentals. Councilman O'Neil stated the issue would be placed on the next Real Estate Committee agenda. Rick Graham, 2102 Iron Avenue, inquired if there was a relation between the possible purchase of the 1602 Thompson Avenue property and the possibility of parking meters. Mayor Smith stated the items were unrelated; the 1602 Thompson property purchase was contingent on federal government funding.

Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to approve the minutes of the March 18, 2008 regular meeting and March 31, 2008 special meeting, carried unanimously.

Motion was made by Councilwoman Kaynard, seconded by Councilman Perkis, to approve a Proclamation Recognizing April 22, 2008 as American Society for the Prevention of Cruelty to Animals Mission Orange Day, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to approve a Resolution to Support Regional Police Academies, carried unanimously.

Reports and Communications

General and New Correspondence – Administrator Benke stated correspondence was received from Mr. Maloney concerning calming traffic on Jasper Boulevard; Chauncey Clark regarding tax relief for vacation rentals; Kitty Proctor requesting Council to not install parking meters; and a group of residents regarding

damage to the wax myrtles during the trimming season. Mayor Smith responded that the tree cutting is currently being investigated.

Attorney's Report – Attorney Dodds stated a fee simple title was requested by Rovena Jones Hazel of 419 Station 23rd Street. **Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to approve the issuance of a fee simple title for 419 Station 23rd Street, carried unanimously.**

Board and Commission Reports –

Planning Commission – Administrator Benke gave an update regarding the Comprehensive Plan. The items of population, economic, cultural resources, natural resources, and transportation have been addressed. Community facilities and priority investments will be discussed on May 14, 2008 and land use will be discussed on June 11, 2008. An additional workshop will be held on May 22, 2008 to discuss the needs and goals elements.

Administrator's Report, Administrator Benke. The Supreme Court of South Carolina opined municipalities may regulate smoking in the reversal of the Greenville lower court ruling. However, a violation of the ordinance may not be a criminal offense. An amendment to Ordinance 14-30 is on the agenda for first reading tonight. Indian Creek Contracting Inc., as general contractor for American Tower Inc., held a pre-construction meeting on April 3, 2008. Site work and construction was scheduled to begin on April 14, 2008, but has not yet begun. Municipal Court jury trials were held April 2-4, 2008. The court disposed of all but eight cases, which should be heard during the August session. Congratulations were noticed to Meredith Nelson and Fred Reinhard who posted 42:04 and 44:38 respectively in their brackets during the Cooper River Bridge Run.

Ways and Means Committee, Councilman Perkis. The March 2008 financial report was rendered. Comptroller Blanton gave a brief review. The auditors are continuing to work on the FY07 audit. The attorney is to review the RFP for the waste disposal contract before advertising. Discussion of the FY09 budget regarding capital purchase items will take place at the next budget workshop. First reading, by title only, of the budget is scheduled for tonight.

Personnel Committee, Councilman Kaynard. Monthly report rendered. Three patrol officers have been hired and received the oath of office tonight. Jason Blanton has completed his probation period and full time status is recommended with the appropriate salary adjustment. Thomas Bean has completed his licensure requirement for Class C Water Distribution, and the appropriate salary adjustment is recommended.

Water and Sewer Committee, Councilman Perkis. Monthly report rendered. Councilman Perkis gave an overview of the Committee's meeting on April 2, 2008, which included a review of the five year project list. Manager Gress gave an update of the Water Line Replacement Phase II project. It is currently about 10-12 days behind

schedule. He stated that SCE&G is to move a power pole currently located next to a manhole. The cost will be approximately \$15,000. It could be paid out of the non-standard lighting fund which has a balance of approximately \$80,000. Residents on Cove Avenue have requested to do the entire block of Cove Avenue which would cost about \$110,000 and would delay the project another 3-6 months. Council will review the franchise agreement with SCE&G. Tracy Lewis of HDR Engineering gave Council a presentation on water reuse for Sullivan's Island at the Committee meeting.

Building and Construction Committee, Mayor Smith for Councilman Howle. Monthly report rendered.

Fire Committee, Mayor Smith. Monthly report rendered. The Fire Committee of Council met on March 28, 2008. The Volunteer Fire and Rescue Squad celebrated 60 years of service to Sullivan's Island at a gathering on April 12, 2008.

Recreation Committee, Councilwoman Watson. Councilwoman Watson stated the Park Foundation Dance was well attended. The Park Foundation meeting is tomorrow night, and she will give an update at the next Council Committee meeting. She noted that the water fountain at the park was turned off. Manager Gress stated it was turned off during the cold weather. He will ensure that it is turned back on.

Real Estate Committee, Councilman O'Neil. The Planning Commission met on April 9, 2008 to discuss the Comprehensive Plan elements of cultural resources, natural resources, community facilities and housing. The Selection Committee of the Community Commercial District Master Plan narrowed the field of applicants to six. The applicants are: Clarion, Seamon Whiteside & Associates, The Land Plan Group South, Inc.; Stantec, Woolpert, and Cole+Russell Architects. Interviews for these applicants will be held on May 9, 2008. Members of the Real Estate Committee and staff met with Coastal Science and Engineering on April 10, 2008 to negotiate a contract scope. This is an executive session item for tonight. Mayor Smith tendered an offer to the General Services Division of Budget and Control for the property at 1602 Thompson Avenue. The item should be on the Budget & Control Board meeting agenda on May 13, 2008.

There was general discussion by Council regarding the establishment of a Beach Committee for the island. **Motion was made by Councilman Kaynard, seconded by Councilman Perkis, that Council create an Ad Hoc Advisory Committee, being known as the Town of Sullivan's Island Beach Erosion Advisory Committee with responsibilities as set forth under the attachment, paragraph one (1) entitled Erosion and Erosion Litigation Efforts, with a total membership of nine members to be appointed by the Mayor, with such other procedures and rules of operation attached as issued by Mayor and on the behalf Council, carried unanimously.**

Police Committee, Mayor Smith. Monthly report rendered. The Police Department has filled all patrol positions, and the officers took the oath of office tonight. Two openings for beach patrol remain open, and have been advertised.

Streets and Maintenance Committee, Mayor Smith for Councilman Presson. Administrator Benke stated a request for projects for the Transportation Sales Tax Program is due by May 9, 2008. There was discussion concerning what projects to put on the list. Discussion included a bike path on SC 703 with sidewalk on the northbound lane, and a Jasper Boulevard traffic study. Council is looking into a paid parking program, and will discuss in the future.

Ordinances

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to have First Reading, by title only, of An Ordinance to Adopt Budget for July 1, 2008 through June 30, 2009, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to have First Reading, by title only, of An Ordinance to Amend Section 14-29 (SIC 30) of the Town Code (Smoking Ordinance) by Adding a Definition of "Person(s)" and Amending the Provisions Relating to Violations and Penalties, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Kayard, to go into Executive Session to discuss a contractual matter regarding the scope and contract for Coastal Science and Engineering, carried unanimously.

Motion was made by Councilwoman Watson, seconded by Councilman Perkis, to come out of Executive Session, carried unanimously.

Mayor Smith stated that no action or votes were taken during Executive Session.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to have Administrator Benke contact Tim Kana of Coastal Science and Engineering to set up a meeting with Sabine & Waters and the Council, carried by a vote of 4-1, with Councilman Kaynard casting the opposing vote.

Motion was made by Councilman Perkis, seconded by Councilwoman Watson, to adjourn at 8:50 p.m., carried unanimously.

Respectfully submitted,

Ellen McQueeney