



**Town of Sullivan's Island, South Carolina  
Town Council Meeting Minutes  
Tuesday, March 15, 2022**

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

Present were: Patrick M. O'Neil, Mayor  
Bachman Smith, IV, Mayor Pro-Tem  
Greg Hammond, Councilmember  
Scott Millimet, Councilmember  
Justin Novak, Councilmember (arrived 6:12 p.m.)  
Kaye Smith, Councilmember  
Gary Visser, Councilmember

Staff members present were Town Administrator Andy Benke, Fire Chief Anthony Stith, Amanda Hawver, Joe Henderson, Bridget Welch, Greg Gress, Jason Blanton, Max Wurthmann, and Christopher Wallace.

Mayor Patrick M. O'Neil called the meeting to order at 6:00 p.m. and stated the press and public had been notified in accordance with State Law. There were approximately three (3) members of the public present and one (1) member of the media present. Mayor Patrick M. O'Neil led the Pledge of Allegiance, followed by a moment of silence for prayer or reflection.

Mayor O'Neil congratulated Fire Chief Anthony Stith for forty years of employment with the Town and invited him to the front to receive a forty-year anniversary pin.

**I. Format: Public Comments**

Jeff Parrish, 3034 I'On Avenue, requested longer hours for dogs on the beach on week days until the end of June, "Noon Til June." He feels it would allow more time for volunteers to continue to pick up trash on the beach with their dogs.

**II. Council Action Items**

A. Approval of Minutes:

February 15, 2022 Regular Council Meeting Minutes

**Motion was made by Councilmember Bachman Smith, seconded by Councilmember Millimet to approve the February 15, 2022 Regular Council Meeting Minutes, passed 6/0 (uni).**

- B. First Reading, by Title Only, Ordinance 2022-01, An Ordinance to Amend Chapter Sixteen, Personnel and Personal Policies, Section 15-15 A, Holidays to Designate Martin Luther King, Jr. Day as an Observed Holiday.

**Motion was made by Councilmember Kaye Smith, seconded by Councilmember Millimet to approve a First Reading, by Title Only, Ordinance 2022-01, An Ordinance to Amend Chapter Sixteen, Personnel and Personal Policies, Section 15-15 A, Holidays to Designate Martin Luther King, Jr. Day as an Observed Holiday, passed 6/0 (uni).**

### III. Reports and Communication

#### A. Mayor's Report –

1. The Mayor met with mayors from Isle of Palms and Mount Pleasant to discuss coordinated beach traffic management. Trooper Bob, as well as representatives from Channel 4 News, were also included to discuss ideas about getting current conditions for beach traffic to the public.
2. There has not been an answer from Secretary Hall to the request to be included in the SCDOT traffic study that is being done on Isle of Palms.
3. No update on the February Resolution opposing SC H4547 regarding short-term rentals.
4. There was mention of correspondence with a resident regarding the Ben Sawyer Bridge operating regulations. The Mayor requested the exchange be included in the Council packet.

#### B. Administrator's Report –

1. No new correspondence since Workshop (the above-mentioned letter was sent to mayors in the Charleston area, but can be sent to Council as well)
2. An estimated cost to install four-foot fences around the Tot Lot and the practice tennis courts would be around \$14,000 for both. An inspection and measurements would need to be done first.
3. Firework prices have gone up for both the Independence Day and Holiday displays. Independence Day is now \$20,000 and the Holidays are \$17,500, totaling \$37,500. Contracts for Independence Day would need to be finalized quickly and would need the consensus of Council. The Recreation Committee recommendation is to have fireworks at both events.

Councilmember Millimet suggested possibly having a joint event with Isle of Palms at Breach Inlet. Councilmember Hammond stated it would probably be best to go ahead with a singular even for this year.

Councilmember Kaye Smith stated this would increase the Recreation budget, and considerations also need to be made for the state of the park, as well as the parking situation.

Councilmembers Hammond, Millimet, and Novak all feel fireworks are necessary for a Fourth of July celebration. Councilmember Novak would like special attention paid to ensuring staff for all Town events is considered and is not causing a strain on staff during them. Chief Stith stated the Fourth is on a Monday this year, which creates a long weekend for fire staff.

C. Attorney's Report – Nothing to Report

D. Boards and Commission's Reports

1. Planning Commission– During the March meeting they recommended to move forward with a public hearing to move forward to make various changes, such as corrections and typos, which will help the movement to digitize the Town's codes. The changes would be given to American legal to digitize. No changes would be made to the codes.
2. Board of Zoning Appeals– Nothing to Report
3. Design Review Board– Nothing to Report
4. Tree Commission– Nothing to Report
5. Municipal Elections Commission– Nothing to Report
6. Park Foundation– Nothing to Report

**IV. Committee Reports – Discussion Items:**

- A. Finance Committee – Chair Millimet reported on the discussion on the sale of the Sand Dunes club at the last meeting. For the time being, there will be no official action taken, but will be reassessed once bids are due on March 28.
- B. Public Facilities Committee – Chair Hammond mentioned the “mothballing” project for the historical pump stations on Jasper as well as the beach boardwalk improvements. Mr. Benke said the pump station projects will be starting soon and bids for the boardwalks will be on Sunday (March 20) and will run for three consecutive Sundays. Chair Hammond stated he only cares about providing resources and caring for the kids that live on the Island.
- C. Land Use & Natural Resources Committee – The subcommittee meeting of the historical study group will be held on March 17. More information is available on the Town's website.
- D. Administration Committee – The next meeting will be held March 23 at 6:00 p.m. Chair Novak confirmed the Citibot project is still in progress. He also agreed to discuss the possibility of adding all Federal holidays to the Town holiday schedule at the next meeting.
- E. Water & Sewer Committee – The next meeting will be held March 24 at 8:00 a.m.
- F. Public Safety Committee – A discussion was had about some residents' concerns about the noise and pollution caused by small combustion engines, particularly leaf blowers at the last meeting. Mayor O'Neil stated, based on the opinions of the landscaping representatives that spoke at the meeting, that while the field is trying to move towards all electric, the technology is not there yet. The cost comparison is also not favorable towards electric blowers. The Committee recommends to not move forward at this time.
- G. Recreation Committee – Chair Kaye Smith mentioned that an RFP will be put out for the master plan of Stith Park. The plan will include listening to residents, trying to solve stormwater issues, and figuring out what is feasible for the park's future.

**V. Executive Session:**

**Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Hammond, to go into Executive Session at 6:33 p.m. to discuss the following items, passed unanimously.**

- A. Legal Advice – Legal advice by Attorney Dodds regarding felony charges for malicious injury to trees under SC 11-5201
- B. Legal Advice – Legal advice by Attorney Dodds regarding non-conforming use properties 21-149 et al.

**Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Millimet, to come out of Executive Session at 7:03 p.m. to discuss the following items, passed unanimously.**

**VI. Upon Returning to Open Session, Council may take action on items discussed during Executive Session.**

Mayor O’Neil stated that no votes or actions were taken while in Executive Session.

**Motion was made by Councilmember Novak, seconded by Mayor Pro-Tem Bachman Smith to authorize Town staff to use all available means to investigate and prosecute the illegal cutting of public trees on the Island. This includes pursuing charges under South Carolina code §16-1110, which provides specifically that is unlawful for a person to cut, mutilate, deface, or otherwise injure a tree, house, outside fence, or fixture of another or commit any other trespass upon real property of another. If the injury to the property or loss is worth more than \$2,000, this statute makes this activity a felon. In addition, the Town shall use all reasonable means to inform the residents and the public of the applicability of this South Carolina code §16-11-10 , passed unanimously.**

Mayor Pro-Tem Bachman Smith stated the section referenced in the motion §16-11-520, not §16-11-10.

**Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak to amend the motion to correct the reference to §16-11-520, instead of §16-11-10, passed unanimously.**

Councilmember Hammond stated he thinks it’s important to let everyone on the Island know that the Town will be using their full resources to prosecute to fullest for any illegal cutting, as opposed to the more lenient approach in the past. Councilmember Novak agreed, and further stated that because the cut trees were on Town property, it is necessary for the Town to use all tools necessary to uphold state laws. Councilmember Visser stated this is not to make changes, but to follow the state statutes already in place. Mayor O’Neil feels Council is obligated to protect any property owned by the Town.

**VII. Adjournment**

**Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Visser to adjourn the meeting at 7:08 p.m., passed unanimously.**

Respectfully submitted,



Bridget Welch