

February 15, 2011

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

Mayor Smith acknowledged Aggie Mueller Thomas, former Town employee and a life-long resident who just celebrated her one hundredth birthday. Mrs. Thomas opened the meeting with the tapping of the gavel, and led the audience in the Pledge of Allegiance. Mayor Smith also introduced one of Mrs. Thomas' sons, Walter Mueller, Jr., and Mayor Smith presented Mrs. Thomas with a Resolution from Town Council, recognizing and honoring her life.

There were 10 residents and one member of the media at the meeting.

The floor was opened for comments from the citizens. Norman Khoury, 1728 P'on Avenue, submitted more signatures to Council to add to the previously submitted letter regarding the virtuous benefits of the accreted land. Bobby Cummings, 1450 Thompson Avenue, and Jon Lancto, 405 Station 12, presented a budget for the improvements to the Island Club. After much discussion, **motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to approve a maximum appropriation of \$9,900 for electrical work and maximum appropriation of \$6,000 for a ramp as part of the first phase, subject to applicable procedures, carried by a vote of 5-2, with Mayor Smith and Councilwoman McGee casting the nay votes.** Mayor Smith stated he believed the work should be done; however, a motion of commitment was only needed at this point. Councilwoman McGee stated she believed the work should also be done; however, due to the Town's financial situation, she would like to explore other funding options like the hospitality tax before voting. Jon Lancto will have the architect submit plans to Randy Robinson. Kenny Jones of High Thyme Restaurant, 2213-C Middle Street and Sean Daniher of Home Team Barbeque, 2209 Middle Street, discussed the steps for their special event permits for March 12 and 17, 2011.

Motion was made by Councilman Perkis, seconded by Councilman O'Neil , to approve as amended the minutes from the regular meeting on January 28, 2011, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to approve A Resolution to Increase Water and Sewer Fees as previously approved by the Committee, carried unanimously. Councilman Perkis pointed out that the changes were to minor incidental fees, and the changes would not affect the average water user.

Reports and Communications

General and New Correspondence – Correspondence was received and presented at the Committee meeting supporting the Town’s position defending the case of the accreted land. Two letters were added late this afternoon; one from Dr. Reed of 1851 Flag Street, supporting Council’s decision to defend the litigation, and a form letter with additional signatures supporting Council’s position on the lawsuit.

Attorney Report – no report.

Board and Commission Reports – no report.

Administrator’s Report, Administrator Benke.

The attorneys are preparing the replies to the Third Request for Admission to the Plaintiffs and Third set of Interrogatories to the Plaintiffs for the Accreted Land Litigation.

Staff continues to gather information relevant to the required repairs to 1610 Middle Street. **Motion was made by Councilman Kaynard, seconded by Councilman Howle, to amend the agenda to add to the Executive Session the lease terms for Town Hall, carried unanimously.**

Verizon Wireless is requesting permission to add a microwave dish to the external face of the American Tower stealth mono-pole located at 2050 Middle Street for the purpose of signal backhaul. A demo unit will be installed for two weeks.

Town Council met on January 29, 2011 at the Sewee Visitor and Environmental Education Center for strategic planning. The session successfully addressed the agenda items.

Dunleavy’s Pub has submitted a Special Event Request for Saint Patrick’s Day Celebration on Saturday March 12, 2011 and Thursday March 17, 2011. The request includes a street closure and outdoor food and beverage sales. Additional event requests have been received from High Thyme, Café Medley, Home Team BBQ and Station 22 Restaurant.

The Waccawaw Light Artillery has submitted a special event request to have a living history demonstration on April 12, 2011. The event will occur at Breach Inlet and another location to be determined on the western end of the Island. The demonstration will include periodic firing of blank charges from cannons. The cannons will be positioned at Station 12.

Charleston County has been advised that Councilman Perkis will continue to serve as designee to the Community Development Advisory Board.

Administrator Benke reported that last Thursday the City of Folly Beach called together all beach communities to discuss common issues.

Ways and Means Committee, Councilman Perkis. Monthly financial statement rendered. Councilman Perkis reviewed the January 2011 financial statement points of interest. The total general fund and Water & Sewer revenues are as projected, and some funds from the Accommodations Tax and Hospitality Tax Funds have been transferred to the General Fund as budgeted. The expenses such as salaries, supplies, etc are in line with the budget. The accreted land lawsuit expenditures total approximately \$91,000. A bond in the investment account and a CD in the CDARS account matured in January. The funds have not been invested due to the unexpected expenditures the Town is currently facing.

There was a recommendation by the CARTA Finance Committee to eliminate the CARTA Flex Service in East Cooper. The impact on Sullivan's Island and Isle of Palms would be to eliminate all service to both islands. CARTA had meetings with the residents of Mt. Pleasant, and presented a revised route plan that uses the current route and includes the new hospital, the school, as well as the Coleman Boulevard/Patriots Point area. Councilman Kaynard suggested that information regarding the CARTA service be placed on our website, on the water bills, and through the Administrator's e-mail distribution list.

Personnel Committee, Councilman Kaynard. Monthly report rendered. The Water & Sewer Operator III position has been filled, and the department continues to search for a replacement for Paul Fouchecourt, who is retiring in May. There is one full time firefighter and one full time maintenance department position open. The audible alert system should be installed in the near future. The Committee will meet on the criteria for its use. A safety meeting was held for employees on February 7th, on the topic of defensive driving. Notes of appreciation were received from Ann Smith to Chief Stith and the fire department for installing smoke alarms, and from Ms. Riddle to Chief Howard for the Nixle updates sent to residents.

Water and Sewer Committee, Councilman Perkis. Monthly reports rendered. The Water and Sewer Committee met on January 20, 2011. Effort continues to have a current contract for service with all customers. With approximately 1,025 private and commercial property accounts, about 180 remain non-contracted customers. Proposed language for amendments to Section 20-14.1 Drought Response will have first reading, by title only, tonight. Proposed language for amendments to Section 21-12 Contracting Party Responsible for Water Beyond Meter will have first reading, by title only, tonight. The Resolution to incorporate changes to customer charges schedule as required has been approved by Council tonight.

Building and Construction Committee, Councilman Howle. Monthly report rendered. The HVAC units at the Fire Station have been replaced. Jennifer Satterthwaite at South Carolina Department of Archives and History has advised that the Town has been certified to participate in the Certified Local Government Program as provided under Section 101(c) of the National Historic Preservation Act.

Fire Committee, Mayor Smith. Monthly report rendered. The 2011 Sullivan's Island Volunteer Fire and Rescue Oyster Roast was held February 12, 2011 from 5 to 8 pm.

Recreation Committee, Councilwoman Watson. The Park Foundation is planning to replace a wooden structure in the tot lot. A clean-up day at the park will take place beginning at 9 am on March 5, 2011. The Foundation is also planning on pruning the trees in the park. The Foundation is working on a fundraiser, the "No Show Gala" to raise money for the park and fireworks. In March or early April there will be a concert at the Island Club with the Plantation Singers. The Bike Advocacy Committee is planning their next meeting date. Councilwoman Watson is meeting with representatives of the Park Foundation, Battery Gadsden and the Island Club, to consider establishing one consolidated Recreation Committee on the Island.

Real Estate Committee, Councilman O'Neil.

Open Space Protection for Town Parcels – The Town Attorney reviewed the draft agreement with the Land Conservancy and has returned to them for change, and will present to Council when it is ready.

Accreted Land Management Plan – Council will meet on March 11, 2011 between 3pm and 6pm for a tour of the area, guided by Richard Porcher. Council will meet March 12, 2011 between 9am and 5pm to begin crafting language for the management plan in zones one and three.

Island Club Structural Improvements – The Island Club presented their proposed budget for improvement to the building tonight.

Planning Commission – The Planning Commission continues to work toward recommendations for the CC District Zoning Overlay District and related topics. Attorney Dodds will work on drafting an ordinance, and it will be discussed at the next Committee meeting.

Police Committee, Mayor Smith. Monthly report rendered. Chief Howard attended the meeting at the city police department, along with other law enforcement, fire, and EMS representatives regarding the 150th memorial. He stated as of last week, Sullivan's Island was the only municipality that had approved cannon fire. Councilwoman Watson reported that Officer Mast spoke to the second graders at Sullivan's Island Elementary School, and the highlight for the children was the passing around of the handcuffs.

Streets and Maintenance Committee, Councilwoman McGee. Council has elected not to implement any changes for summer 2011 regarding managed parking. The staff and Committee continue to research for implementation in Summer 2012. General discussion of feasibility and implementation for Summer 2012 will be held at the Committee meeting scheduled for February 17, 2011 at 4 pm. The Urban Green Belt Project grant application due April 29, 2011 will also be discussed at this meeting.

Administrator Benke reported that the SC Department of Transportation has completed most of the drainage work. Chief Stith is identifying sidewalks needed to be repaired and getting a price from Banks Construction, which holds the state purchasing

contract. These repairs will be paid out of Hospitality or Accommodations funds. The asphalt should be put down in late March or early April.

The punch list is being completed on the Ben Sawyer Bridge project.

A group of residents has requested planted medians between Station 12 and Palmetto Street. SCDOT has indicated that the enhancements would be possible under an encroachment permit. Engineered drawings would be required. The medians require a raised curb and connection to the stormwater collection system. All expenses would be for the account of the Town.

Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to have First Reading, by title only, of Ordinance No. 2011-1, An Ordinance to Amend Chapter 20 Water Supply Section 20-12, to Add Language for Customer Appeal Process for Denied Leak Adjustments, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilwoman McGee, to have First Reading, by title only, of Ordinance No. 2011-2, An Ordinance to Amend Chapter 20 Water Supply 20-14-1, to Allow Water Rates to be Amended and Implemented During a Drought as Recommended from the 2009 Rate Study, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to go into Executive Session for legal advice for Contractual: SCLGAG Run Out of Claims; Sullivan's Island Elementary School Lease; CC District Overlay Ordinance, and Lease Terms for Town Hall, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to come out of Executive Session, carried unanimously. Mayor Smith stated no action or votes were taken during Executive Session.

Motion was made by Councilman Perkis, seconded by Councilwoman Watson, to authorize payment of \$35,000 for the SCLGAG Run Out of Claims invoice, carried by a vote of six, with Councilman Kaynard abstaining.

Motion was made by Councilman Perkis, seconded by Councilwoman Watson, to adjourn at 9:25 pm, carried unanimously.

Respectfully submitted,

Ellen Miller