

June 17, 2014

The regular meeting of Town Council was held on the above date at 6:15 p.m. at Town Hall, following a Special Meeting of Council; all requirements of the Freedom of Information Act having been satisfied:

Present were: Mike Perkis, Mayor  
Jerry Kaynard, Mayor Pro Tem  
Chauncey Clark, Councilman  
Hartley Cooper, Councilwoman  
Susan Middaugh, Councilwoman  
Pat O'Neil, Councilman  
Mary Jane Watson, Councilwoman

Mayor Perkis led the Pledge of Allegiance, followed by a prayer by Councilwoman Watson. Residents and one member of the media filled Town Hall.

**I. FORMAT** – Mayor Perkis opened the floor for comments.

Julia Khoury, 1728 I'on Avenue, commented that the one size fits all transition zone in the accreted land is not warranted. There should be a professional survey in each zone.

Luke Lewis, 2101 Pettigrew, stated the transition zone is partially about fire safety, and the real issue is the safety of all residents on the island. He asked Council to please consider that everyone needs the same amount of protection from fire and storms. The vistas are secondary to safety.

Heidi Brown, 405 Station 22, reported that since the buffer of oak trees was removed between the sewer plant and the park, there has been a steady noise 24 hours a day affecting their sleep and ability to enjoy their porch. She stated she has been researching how to resolve this issue, and asked Council to consider ways to mitigate this noise source. Mayor Perkis asked Ms. Brown to forward the information to Administrator Benke for Council's review. Councilwoman Middaugh added that the Water and Sewer fence was removed for sewer improvements. A living fence and trees will replace that fence.

Nat Robb, 2209 Atlantic, stated the depth of the transition zone has nothing to do with the width of the corridor; for one to have less than another is unfair.

**II. COUNCIL ACTION ITEMS**

**1. Motion was made by Councilman Clark, seconded by Councilman O'Neil, to approve the May 20, 2014 Regular Meeting minutes and June 2, 2014 Special Meeting minutes. Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to approve the May 20, 2014 minutes as amended and as presented; carried by a vote of six, with Mayor Perkis abstaining due to his absence from that meeting; the Minutes for June 2, 2014 Special Meeting carried unanimously.**

**2. Motion was made by Councilwoman Middaugh, seconded by Councilman Clark, to request approval of submission of a letter of intent and application for FEMA Hazard Mitigation funds for replacement of the oxidation ditch and associated components; and approval of funds required to support preparation and submission of this grant application up to \$200,000, carried by a vote of 6-1, with**

**Councilwoman Cooper casting the opposing vote.** Councilwoman Middaugh explained that the Town has the opportunity to apply for grant funding FEMA has allocated to the State of South Carolina for hazard mitigation. If the grant is received, it would allow the replacement of the aging and obsolete oxidation ditch without an increase in water and sewer rates. The grant is 75/25, with the Town funding 25% of the project. The 25% match can go toward the engineering study, which has to be completed as a part of the grant application. The letter of intent is due on June 27<sup>th</sup>, with the grant application due on October 27<sup>th</sup>. The funding decision will be made in February. The engineering report recently received from HDR Engineering showed that the walls of the aging concrete oxidation ditch are 4 inches; while the requirement for oxidation ditches today is 12 inches. Councilwoman Middaugh stated Council should move forward with approval for funds to support the preliminary engineering study to support the grant application; with the funding of up to \$200,000 available out of existing funds in the Water & Sewer budget.

**3. Motion was made by Councilman Kaynard, seconded by Councilman Clark, to approve the Resolution for Water Rates for Fiscal Year 2015, carried unanimously.**

**4. Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to have Second Reading and Ratification of Ordinance No. 2014-03, An Ordinance to Adopt Town Budget for Fiscal Year 2014-15, carried unanimously.** Mayor Perkis stated neither he nor Comptroller Blanton received any questions from the public since the last meeting. The surplus from fiscal year 2013-14 will be used to balance the FY15 budget. There is a 0.9 mil increase mostly due to the increase in salaries and benefits. Councilman Kaynard stated that this budget does not include the operating budget for the Water & Sewer department, and does not include the ability to repay the interest on the \$4.1 million bond.

**5. Motion was made by Councilwoman Middaugh, seconded by Councilman Clark, to have Second Reading and Ratification of Ordinance No. 2014-04, An Ordinance to Adopt the Water and Sewer Operating Budget for Fiscal Year 2014-15, carried unanimously.** Councilwoman Middaugh stated the average rate increase was 5.9% for the average user of 6,000 gallons a month. For 2,000 gallons it is a 5.3% increase, and the increase goes up proportionally.

**6. Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to have Second Reading and Ratification of Ordinance No. 2014-06, An Ordinance to Amend Section 2-60 Regarding Sale of Town-owned Real Estate, carried unanimously.** The current ordinance states that Council would list property to sell by sealed bid or public auction; or if those two were not to the satisfaction of Council, then the third option was to list the property with a real estate agent. This ordinance 2014-06 allows Council to have three options for selling Town-owned real estate: sealed bid, public auction, or listing with a real estate agent.

**7. Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to have Second Reading and Ratification of Ordinance No. 2014-07, An Ordinance for the Sale of Lots 10 and 11, carried unanimously.** These two lots on the seaward side of Middle Street between Stations 30 and 31

may be more appealing to a broader audience of potential buyers than the Raven lots also for sale. The sale of the lots will be used to generate funds for capital expenditures.

**8. Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to defer Second Reading and Ratification of Ordinance No. 2013-09, An Ordinance Amending Section 14-25 of the Code of Ordinances for the Town of Sullivan's Island to Revise Franchise Fees for Filming, Video Taping, and Still Photography for Commercial Purposes; and, to Add Language Prohibiting Filming of Any Type within the RC-1/RC-2 Zoning Districts or on the Beach, carried unanimously.**

**9. Motion was made by Councilman O'Neil, seconded by Councilwoman Cooper, to have First Reading of Ordinance No. 2014-05, An Ordinance to Adopt Amendments to the 2008 Comprehensive Plan as in the Plan dated June 17, 2014, carried unanimously.**

**10. Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to approve the Proclamation of Carolina Day as June 28, 2014, carried unanimously.**

**11. Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve the Proclamation of William "Bill" Lewis Day on June 30, 2014 in the Town of Sullivan's Island, carried unanimously.** Councilman Kaynard stated Mr. Lewis has improved the lives of Sullivan's Island and Charleston County children, as well as residents and communities, through his leadership as program manager of the Charleston County School District's building program. Mr. Lewis will be invited to receive his framed Proclamation at the next Council meeting.

**12. Island Club -** Councilwoman Watson reported that the Island Club stated they intend to terminate their lease; however, it has not yet been received by the Town. She will report on its status at the next workshop.

**13. Staff position for Recreation –** This will be discussed during the Administration Committee report.

### **III. REPORTS AND COMMUNICATIONS**

**1. General and New Correspondence –** Correspondence was received regarding the transition zone from Mitzi Kirshtein of 2657 Bayonne; Steve Poletti of 1771 Atlantic Avenue; Joan Sarnoff of 2650 and 2651 Bayonne; and Michael Mithoefer at 407 O'Neil Court. Correspondence was received from Michael Bourland, 1607 Atlantic Avenue concerning public events, Greenbelt projects; traffic/parking and coffee shops; and from Michael Mithoefer concerning coffee shops.

**2. Attorney Report -** There was no Attorney report.

**3. Boards and Commissions –**

**Planning Commission –** The item for consideration for Station 22 Access to Stith Park via a Town owned right-of-way was removed for consideration. The public hearing for the coffee shop ordinance was held

and the approved minutes will be forwarded to Council for their consideration at the July 15<sup>th</sup> Council meeting.

#### **IV. COMMITTEE REPORTS**

**Finance Committee – Mayor Perkis.** Monthly report rendered. All matters were discussed under Action Items earlier in meeting.

**Public Safety Committee – Councilman Clark.** Monthly reports rendered. **Motion was made by Councilman Clark, seconded by Councilwoman Watson, to approve the June 9, 2014 Committee minutes, carried unanimously 3-0.** The fire truck will be discussed in executive session tonight.

**Water and Sewer Committee – Councilwoman Middaugh.** Monthly reports rendered. Action items were completed earlier in this meeting. The Minutes for the Water and Sewer Committee meetings on May 7 and May 14, 2014 were approved at the Committee's meeting this morning.

**Administration Committee – Councilman Kaynard.** Monthly report rendered. **Motion was made by Councilwoman Watson, seconded by Councilwoman Middaugh, to approve the June 11, 2014 Committee minutes, carried unanimously 3-0.** An administrative assistant position was discussed to coordinate Town recreation events, as well as to assist with other duties at Town Hall. **Motion was made by Councilwoman Watson, seconded by Councilwoman Cooper, to move this item to the Finance Committee, carried unanimously.**

**Land Use and Natural Resources Committee – Councilman O'Neil.** Monthly report rendered. All Action items completed earlier in the meeting.

**Public Facilities Committee – Councilwoman Cooper.** Monthly report rendered. No items to report. Councilwoman Cooper reminded Council that the tour of the Sullivan's Island Elementary School was tomorrow.

**Recreation Committee – Councilwoman Watson.** **Motion was made by Councilwoman Middaugh, seconded by Councilwoman Watson, to approve the Recreation Committee minutes for January 22, 2014 and June 11, 2014. Minutes from June 11, 2014 carried by a vote of 2, with Councilwoman Cooper abstaining because she was not at the meeting. Minutes from January 22, 2014 carried unanimously, 3-0.** Councilwoman Watson reported that the tree removal has begun at Stith Park. The Committee has received a request from Kevin Klemm to place a memorial bench in the RC-1 area. After discussion, Councilwoman Watson will speak with Mr. Klemm about placing the bench in the park, in conjunction with the park's other enhancements.

**Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to go into Executive Session at 7:30 pm, for Legal – Legal Advice Bluestein v. SI 10-CP-10-5449; Contractual – Ladder Truck RFP and Contract; Contractual – Real Estate Broker Agreement; and Personnel, carried unanimously.**

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to come out of Executive Session at 9:05 pm, carried unanimously. Mayor Perkis stated no votes or action was taken during Executive Session.

Motion was made by Councilwoman Cooper, seconded by Councilwoman Watson, to approve the first amendment to the service agreement with Dunes Properties of Charleston LLC, Tim Reese as agent, for sales of Town properties, carried unanimously.

Motion was made by Councilwoman Cooper, seconded by Councilwoman Watson, to approve the base price on broker recommendation for Town Lots 30 and 31 for sale, carried unanimously.

Motion was made by Councilwoman Watson, seconded by Councilwoman Cooper, to refer the Ladder truck discussion to the Finance Committee, carried unanimously.

Motion was made by Councilwoman Watson, seconded by Councilman Kaynard, to have a Special Meeting of Council on July 10, 2014 at 9:00 a.m. regarding the accreted land, carried unanimously.

Motion was made by Councilwoman Watson, seconded by Councilman O'Neil, to adjourn at 9:10 pm., carried unanimously.

Respectfully submitted,



Ellen Miller