

August 18, 2009

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

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilman Howle. There were 28 members in the audience including two members of the media.

The floor was opened for comments from the citizens. There were no comments.

Mayor Smith administered the Oath of Office to Lenton Sharpe of the Fire Department.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to approve minutes from the July 21, 2009 regular meeting, carried unanimously.

Reports and Communications

Mayor Smith presented Everett Presson with a Resolution of Appreciation of Service for his years as Councilman.

Mayor Smith presented Fire Department Engineer Amanda Hawver with a Resolution of Appreciation for rescuing swimmers in peril.

Mayor Smith presented a Resolution of Appreciation to the Police Department for their assistance responding to swimmers in peril.

Mayor Smith presented Resolutions of Appreciation to the Fire Department and the Volunteer Fire and Rescue Squad for their efforts in responding to swimmers in peril.

Mayor Smith presented a Resolution Recognizing resident Anderson Scarpa for his outstanding sports achievement on the tennis court.

General and New Correspondence – Correspondence was received from the Mr. and Mrs. Varadi regarding business license fees, Robert Hood regarding the accreted

land, Charlie Cole regarding handicap access and parking, and Susan and Larry Middaugh regarding the accreted land.

Attorney Report – no report

Board and Commission Reports – Chairman Hal Currey reported for the Planning Commission. He stated the Planning Commission has forwarded to Town Council their recommendation regarding Section 21-50 (C) special exceptions in the Community Commercial District. Councilman O’Neil stated the best approach is to have a public hearing regarding the current and proposed uses in the district. Councilman Kaynard and Councilwoman McGee suggested that the property owners could also meet independently to discuss.

Administrator’s Report, Administrator Benke. Mr. Phillip LaRoche of the Census Bureau gave a brief presentation at the August Committee meeting on the importance of the 2010 census. The National Park Service celebrated National Lighthouse Day at the Sullivan’s Island Light on August 8, 2009. Mayor Smith and Administrator Benke attended the MASC Annual Meeting on August 6-8, 2009. Mary Pringle provided to Council a report of turtle nesting activities to date on Sullivan’s Island and Isle of Palms. The S.C. Department of Health and Environmental Control has provided the water quality report for July, 2009. The Lowcountry Open Land Trust has provided the 2009 monitoring report for the accreted land. The report indicates that the land use for the two parcels is consistent with the deed restrictions.

Ways and Means Committee, Councilman Perkis. Councilman Perkis commented on end of fiscal year financial statement, as well as an update on the 2009 municipal audit. The draft financial statements of the audit were received today. The rate structure for short-term rental business licenses will be discussed at the next Committee meeting.

Personnel Committee, Councilman Kaynard. Monthly report rendered. The Personnel Committee met on August 11, 2009 to discuss the employee handbook, employee evaluations, appointments to various board and commissions, stimulation of public participation, and green issues. The Town has advertised for the various open seats on all Boards and Commissions. The application deadline was August 13, 2009.

Water and Sewer Committee, Councilman Perkis. Monthly report rendered. A special meeting of the Water and Sewer Committee was held July 23, 2009 to review: aquifer storage recovery, sludge hauling, and review of the Mt. Pleasant Operations and Management agreement.

Building and Construction Committee, Councilman Howle. Monthly report rendered. Building Official Randy Robinson is meeting with the ISO representative next week, who will audit the Town’s flood program. The point system of the audit relates to a flood insurance reduction for Sullivan’s Island property owners, which currently saves the property owners about \$500,000 annually.

Fire Committee, Mayor Smith. Monthly report rendered. The Isle of Palms and Sullivan's Island hosted the annual hurricane preparedness expo on July 22, 2009. Councilman Kaynard inquired about a possible emergency siren for the Town. Assistant Chief McDaniel stated this has been researched previously; he will locate the previous correspondence on the subject. Police Chief Howard is launching the new NIXLE program on the website.

Recreation Committee, Councilman Kaynard for Councilwoman Watson. Battery Gadsden and Creative Spark are working on a schedule for future events. A full report will be made at the September Committee meeting.

Real Estate Committee, Councilman O'Neil. The consultant presented initial findings of the Accreted Land Management Plan on August 4, and questionnaires regarding input from the public have been received. Protective easements and ownership of various Town parcels were discussed in relation to the Mt. Pleasant Open Space Foundation. This will be discussed further at the next Committee meeting. The public hearing for residents to review and comment on the Comprehensive Plan was held on May 26, 2009. An ordinance to adopt the plan is scheduled for second reading this evening. The Commercial District Master Plan Consultant, along with staff, continue to work with the SCDOT on traffic and parking matters related to the plan. The Planning Commission held a public hearing on August 12, 2009 to consider an amendment to the Zoning Ordinance Section 21-50 (C), Permitted, Conditional and Prohibited Uses in the Commercial District.

Police Committee, Mayor Smith. Monthly report rendered. Councilman O'Neil commended the police officers involved in a recent incident in the commercial district.

Streets and Maintenance Committee, Councilwoman McGee. Councilwoman McGee thanked the Town for opening Town lots for parking and stated it should continue through Labor Day. There was discussion concerning pedestrian safety and parking in the Commercial District. This included options on private property for pedestrian access and parking improvements adjacent to eastbound land of Middle Street between Station 22-1/2 and Station 22 Streets; and consideration of recommendations presented in her July 21 report to Council.

Ordinances

Motion was made by Councilman Howle, seconded by Councilman O'Neil, to approve Second Reading of Ordinance 2009-06, An Ordinance Amending the Comprehensive Plan for The Town of Sullivan's Island, Pursuant to the 1994 State of South Carolina Comprehensive Planning Enabling Act.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to amend the ordinance as follows: Under the Section of Natural Resources, Needs and Goals, change item NR.1.D Implementation to read: Incorporate in the Town's Beachfront Management Plan a program to stabilize, maintain and encourage the

natural growth of dunes. Enforce ordinances pertaining to walking or climbing on the dunes. This reflects deletion of the phrase “enlarge the dunes,” and insertion of “encourage the natural growth of dunes” to replace it. Secondly, under Utilities, Item 2 CF.U1.A to read: Continue oversight of street lighting services to include provisions for turtle protection, assessment of areas needing additional lighting and enhanced appearances of lighting to include metal halide light fixtures and poles where possible.

Motion was made by Councilman Kaynard, seconded by Councilman Howle, to amend the motion to change the first item NR.1.D to read: Incorporate in the Town’s Beachfront Management Plan a program to stabilize, maintain, enlarge and encourage the natural growth of dunes. Enforce ordinances pertaining to walking or climbing on the dunes. Motion to approve Councilman O’Neil’s amendment carried unanimously. Motion to approve Councilman Kaynard’s amendment to Councilman O’Neil’s amendment carried unanimously. Motion to approve original motion with both amendments, carried unanimously.

Motion was made by Councilman O’Neil, seconded by Councilman Howle, to have Second Reading of Ordinance 2009-07, An Ordinance Amending Chapter 17 Planning Commission by adding Section 17-11 to Allow for Staff Approval of Plats Without Subdivision, Re-subdivision, or Lot Line Changes, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to suspend the rules to have Third Reading of Ordinance 2009-07, An Ordinance Amending Chapter 17 Planning Commission by adding Section 17-11 to Allow for Staff Approval of Plats Without Subdivision, Re-subdivision, or Lot Line Changes, carried unanimously.

Motion was made by Councilman O’Neil, seconded by Councilman Howle, to have Third Reading of Ordinance 2009-07, An Ordinance Amending Chapter 17 Planning Commission by adding Section 17-11 to Allow for Staff Approval of Plats Without Subdivision, Re-subdivision, or Lot Line Changes, carried unanimously.

Motion was made by Councilman O’Neil, seconded by Councilman Perkis, to go into Executive Session at 8:40 p.m. for legal advice concerning Republic Contracting, legal advice concerning the Accreted Land Management Plan, and a Personnel issue regarding the retiree health insurance plan; item 4 on the Executive Session agenda will be not discussed, carried unanimously.

Motion was made by Councilman O’Neil, seconded by Councilman Howle, to come out of Executive Sessions at 9:25 p.m., carried unanimously. Mayor Smith stated that no votes or action were taken in Executive Session.

Motion was made by Councilman Kaynard, seconded by Councilman Howle, that the Town of Sullivan’s Island will pay 100% of increased health insurance premium for retired employees from July 1, 2009 to December 31, 2009; and that on January 1, 2010 employees are to pay 100% of any insurance premium difference over active employee rates.

After discussion, **motion was made by Councilman O'Neil, seconded by Councilman Howle, to amend the original motion to read: To accommodate unanticipated recent changes in the health insurance plan, the Town of Sullivan's Island will pay 100% of the incremental difference in health insurance premiums for the category of working retired employees for the period July 1, 2009 to December 31, 2009. Beginning January 1, 2010, working retired employees are to pay 100% of any health insurance premium differences over active employee rates, carried unanimously.**

Motion was made by Councilman Kaynard, seconded by Councilman Howle, to approve the motion, as amended, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman O'Neil, to adjourn at 9:35 p.m., carried unanimously.

Respectfully submitted,

Ellen McQueeney