

September 25, 2018

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

Present were: Patrick M. O'Neil, Mayor
Chauncey Clark, Mayor Pro-Tem
Sarah Church, Councilmember
Rita Langley, Councilmember
Tim Reese, Councilmember

Mayor 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 twenty members of the public present and one member of the media present. Mayor O'Neil led the Pledge of Allegiance, followed by the invocation by Mayor Pro-Tem Clark.

I. FORMAT: Mayor O'Neil opened the floor for public comment.

Sherry and Ron Coish, 2808 I'On Avenue- expressed concerns regarding litter on the beach. Supports a ban for non-biodegradable products.

Izzy Leitch, 1763 Atlantic Avenue- Supports a ban for non-biodegradable products, specifically single-use plastic bags. Today it was announced in the news that concern over the increasing levels of discarded plastics floating in the world's oceans has now spread into the U.S. Senate. Roughly 8 million tons of plastic end up in the ocean each year which threatens marine animals and sea birds. 50% of all plastic is single use and only has an average use of 12 minutes.

Allison Bourland, 1607 Atlantic Avenue- has photos of the beach to share; will email Andy Benke the photos to distribute to Town Council.

II. OATH OF OFFICE:

Mayor O'Neil, along with Police Chief Chris Griffin, administered the Oath of Office to new Police Officers Robert Tennant and Carlos Hernandez.

III. REPORTS AND COMMUNICATION: Motion was made by Councilmember Church, seconded by Councilmember Clark, to move Reports and Communication and Committee Reports to before Executive Session on the agenda, carried unanimously.

1. **Mayor's Report-** Mayor O'Neil took a moment to thank Police Chief Chris Griffin for giving Council and staff a Breast Cancer Awareness pin. Also, the Town is happy to mention a new service called Mobile 311. Residents can use this service to report any garbage or recycling issues. The link to this service can be found on the home page of the Town's website.

2. Administrator's Report

I. General Correspondence

- John and Joanne Winchester, 2708 Brooks Street- Transition Zone
- Phil Duncan, 3109 Middle Street- Transition Zone
- Michal Baird/Jim Brown, 308 Station 9 ½ Street- Transition Zone
- Joe Blanchard, Station 18- Transition Zone
- Raye Ann Osborne, Station 18- Transition Zone
- Tom and Courtney Sommers, 2520 Myrtle Avenue- Transition Zone
- Stephen Zoukis, 2508 Middle Street- Transition Zone
- Penn Hagood, 2424 Raven Drive- Transition Zone
- Will and Kathleen Post, 1907 I'On Avenue- Transition Zone
- Rick Reed, 1853 Flag Street- Maritime Forest
- Kimberly Brown, 2118 Pettigrew Street- Transition Zone and Sullivan's Island Elementary School
- Greg Hammond, 2115 Pettigrew Street- Transition Zone, Plastics Ordinance, speed limit and dog patrol program
- Ioana and Lucian Lozonschi, 1765 Atlantic Avenue- Transition Zone and fire hazard
- Howard Holl, Atlantic Avenue- Transition Zone
- Susan and Larry Middaugh, 2420 Raven Drive- Transition Zone

II. Construction

Fire Station- Applied Building Sciences is under contract to prepare a scope of work for Fire Station repairs. The engineer and contractor were on site Tuesday, 8-14-18 to review specific areas of the building. A teleconference meeting is scheduled for Thursday 8-23-18 to review the findings. ABS has provided an agreement for design services.

Old Bridge Assessment- Chris Iser and Tara Allden of Kimley Horn will present the structural assessment and rehabilitation findings for the Town parcel known as the “Old Bridge” during the September meeting of Council.

Charleston Water Service Pipeline to Mt. Pleasant- CWS management and engineers will give a brief presentation at the October 2018 Workshop on initial plans to supply water to Mt. Pleasant via its main on Sullivan’s Island.

III. General

Boards and Commissions- The list of September term expirations for various Boards and Commissions are available for review. A total of 11 potential seats will be open with 5 seats on the BZA; 1 seat on the Election Commission; 2 seats on the Tree Commission; and, 3 seats on the DRB. Notices and application information has been forwarded to the incumbents and media advertisement will follow.

Charleston County Legislative Delegation Task Force on Stormwater and Flood Prevention- Senator Sandy Senn has been asked to Chair a new ad hoc taskforce to address countywide flood prevention. The local government jurisdictions will participate as stakeholders. The first meeting is scheduled for October 15, 2018.

American Cell Tower Lease- American Town has requested to explore a renewal to its tower lease on Sullivan’s Island. Material will be available for Executive Session during the September meeting of Council.

General Obligation Bond Series 2018A and 2018B- The Town has completed the necessary filings and agreements for the General Obligation Bond Series 2018A and 2018B. The Charleston County Auditor has been notified acerbically in order to calculate debt service millage.

3. Attorney’s Report – No items to report.

4. Boards and Commissions Reports –

Planning Commission: The Planning Commission held two public hearings in August and September to discuss modification of the Zoning Ordinance related to non-conformities with text amendments to Z.O. Article 16, Section 21-149 through 21-153, and Article 21. Council will review the document from September to October, with Readings beginning in November.

IV. COMMITTEE REPORTS- DISCUSSION ITEMS:

Finance Committee – Mayor O’Neil. Monthly report rendered.

Greene Finney, LLP will present the FY18 Financial Audit at the regular Council meeting of October.

Land Use and Natural Resources Committee – Councilmember Langley. Monthly report rendered.

Transition Zone Management- Town Council developed a Transition Zone Management Plan that was approved at its February 25, 2016 Special Meeting. Ongoing litigation has delayed implementation of management plan strategies in the Protected Land. The Town recently received a favorable ruling from the appellate court and, although litigation may not be closed, the Town is working with its attorneys to find avenues to move forward on management pieces, such as the Transition Zone. The Land Use and Natural Resources Committee discussed, in detail, the current draft plan and modifications at the August 10, 2018 Meeting. The motion was as follows: Mayor O’Neil moved to recommend to Town Council modification of the Transition Zone Directives for bands 1 & 2 to read as follows:

1. Band I (1-40 feet):
 - a. All trees $\geq 6''$ DBH shall be retained, except cedar, pine and non-native invasive species trees.
 - b. All understory, shrubs (including myrtles), cedar and pine species and small trees (defined as $\leq 6''$ DBH) shall be removed.
2. Band II (40-100 feet):
 - a. All trees shall be retained within this band except non-native invasive species. Minimum threshold for consideration of a tree shall be determined.
 - b. All understory, shrubs and myrtles shall be removed.

This item will be on the October regular Council meeting agenda as an action item.

Administration Committee – Councilmember Reese. Monthly report rendered.

Water and Sewer Committee – Councilmember Smith absent. Monthly reports rendered.

Committee Meeting – The next Water & Sewer Committee Meeting will be held on Thursday, October 25, 2018 at 8:45 a.m. at Town Hall.

Public Safety Committee – Councilmember Clark. Monthly reports rendered.

Recreation Committee – Councilmember Church.

Public Facilities Committee – Councilmember Howard absent. Monthly report rendered.

Kimley-Horn- The draft copy of the erosion report at the old bridge/fishing pier was received on June 18, 2018. Kimley Horn will present the final report at an upcoming meeting.

V. EXECUTIVE SESSION:

Motion was made by Councilmember Church, seconded by Councilmember Langley, to go into Executive Session at 6:34 p.m. for the following:

- 1. Legal Advice- Larry Dodds, Esq., American Cell Tower Contract Matters**
- 2. Legal Advice- John Linton, Esq., Article 16 Zoning Ordinance**
- 3. Personnel- Consideration of Applications for Open Positions on Various Boards and Commissions**

The motion to go into Executive Session carried unanimously.

Motion was made by Councilmember Church, seconded by Councilmember Clark, to come out of Executive Session at 7:21 p.m., carried unanimously. Mayor O’Neil stated that no votes or actions were taken during Executive Session.

VI. COUNCIL ACTION ITEMS:

- 1. Approval of Council Minutes –**

Motion was made by Councilmember Clark, seconded by Councilmember Langley, to approve the Regular Council Meeting Minutes of August 21, 2018, the Special Meeting Minutes of September 4, 2018, carried unanimously.

- 2. Motion was made by Councilmember Church, seconded by Councilmember Clark, to have Second Reading, Ordinance 2018-05, An Ordinance to Amend the Ordinances for the Town of Sullivan’s Island, South Carolina, Chapter 14, By Adding a New Section 35 to read as follows: Section 14-35 Access Easement Agreement and Restrictive Covenant with Ward V.B. Lasso, carried by a vote of 4 with Councilmember Reese recusing himself.**

- 3. Motion was made Councilmember Langley, seconded by Councilmember Church, to have First Reading, by Title Only, Ordinance 2018-06, An Ordinance Prohibiting the Use and Distribution of Single-Use Plastic Bags, Plastic Straws, Polystyrene Coolers, Polystyrene Food Containers or Polystyrene Cups by any Business Establishment in the Town of Sullivan’s Island, any Property of the Town of Sullivan’s Island or in the RC-1 Zoning District of the Town of Sullivan’s Island, carried unanimously.**

4. **Motion was made by Councilmember Reese, seconded by Councilmember Clark, to have First Reading, by Title Only, Ordinance 2018-07, An Ordinance to Amend Zoning Regulations Regarding Legal Nonconforming Uses, Structures and Characteristics of Nonconforming Uses and Structures: Article 16, Sections 21-149, 21-150, 21-151, 21-152; Article 21, Definitions; and, Articles 3 and 15, Regarding Historic Accessory Dwelling Units, carried unanimously.**
5. **Motion was made by Councilmember Langley, seconded by Councilmember Reese, to approve a Resolution to Change Water and Sewer Monthly Base Charge Calculation Method from Meter Size to Residential Equivalent Units (REU) for FY19, carried unanimously.**

Councilmember Smith and Chair of the Water and Sewer Committee is absent from this meeting but submitted the following statement: The rate study has been under consideration and the subject of many hours of work as part of a larger cost recovery program for a number of years now. We retained the services of a national consulting firm to aid us in our efforts. After multiple public hearings and presentations on the matter I feel we have reached a fair and balanced approach to implementing the REU base charge approach that is the industry standard, will bring a modest cost savings to the vast majority of our residents, and allow our utility to consistently capture the capital costs necessary for the fiscally responsible operation of our water distribution system.

6. **Motion was made by Councilmember Clark, seconded by Councilmember Reese, to award a contract to Applied Building Sciences in the amount of \$34,500.00 for architect's basic services for rehabilitation of the Fire Station as stipulated in the agreement as amended, carried unanimously.**
7. **Motion was made by Councilmember Langley, seconded by Councilmember Reese, to award a contract to ARCADIS Design and Consultancy for Construction Management at Risk services for Phase II of the Inflow and Infiltration Project Wastewater Collection System in the amount of \$5,965,092.00, carried unanimously.**

Councilmember Smith and Chair of the Water and Sewer Committee is absent from this meeting but submitted the following statement: Phase I of the I&I work saw significant reduction in wastewater flows in the treated areas. The system has long been taxed by inflow and infiltration such that for every 1,000 gallons of water we sell, we are treating approximately 3,000 gallons. With the significant work and up-fitting to our waste water treatment facility in the design phase it is not only prudent by fiscally responsible to overhaul the entire system. Arcadis was a model contractor during the Phase I work and I believe their familiarity with the Island and staff will prove even more beneficial during the Phase II work.

VII. ADJOURN

Motion was made by Councilmember Clark, seconded by Councilmember Reese, to adjourn at 7:36 p.m., carried unanimously.

Respectfully submitted,



Courtney Liles