

February 19, 2008

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  
Patrick O'Neil, Mayor Pro-Tem  
Charles Howle, Councilman  
Jerry Kaynard, Councilman  
Mike Perkis, Councilman  
Everett Presson, Councilman  
Mary Jane Watson, Councilwoman

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

The floor was opened for comments from the citizens. Pat Votava, 2214 Jasper Blvd., stated the neighbors are concerned about St. Patrick's Day weekend celebrations. While they respect Dunleavy's family-oriented style, they would like Council to consider the problem of people driving in their yards during this celebration, along with three days of celebrating. Mayor Smith responded that he and Administrator Benke have met with the restaurant owners. There will be more security, funded by the restaurant owners, and a more conscious effort of what is going on will be monitored, or this event may not be allowed to take place in the future. They will also meet again with the restaurant owners before the event. Brian Tezza, 2208 Jasper, shared Ms. Votava's concerns. He stated that if security is enforced, there should not be a problem; otherwise, he does not want the event. Susan Middaugh, 2420 Raven, stated these residents endure a lot during these celebrations, and the Town should mitigate the situation.

Motion was made by Councilman Kaynard, seconded by Councilman Howle, to approve the minutes of the January 15, 2008 meeting, carried unanimously.

Mayor Smith presented Lt. David Price with a Resolution plaque, honoring his years of service to the Town of Sullivan's Island Police Department.

### **Reports and Communications**

**General and New Correspondence** – No new correspondence.

**Attorney's Report** – There was no Attorney's Report.

**Board and Commission Reports** - None

**Administrator's Report**, Administrator Benke. Representatives from SCE&G reviewed placement of their infrastructure on Town property and status of easement agreements at the Feb. 4 Council Committee meeting. The Charleston Running Club has expressed appreciation to the Town, especially the Fire Department, for their assistance during the January 26 Charlie Post Classic. Dunleavy's Pub requested closure of Station 22-1/2 street from Middle Street to Iron Avenue on March 15<sup>th</sup> (Saturday) and March 17<sup>th</sup> (Monday) for the St. Patrick's Day celebration. Off the Hook and High Thyme restaurants would like to close the parking area used by their establishments for both days. Approximately 94 citations are scheduled for jury trial in March 2008.

**Ways and Means Committee**, Councilman Perkis. The January 2008 financial report was received. It will be discussed in the next Committee meeting. The Police Chief is preparing to order two Ford Explorers budgeted for FY07-08. The Police Chief is obtaining bids for office maintenance and repair as budgeted in FY07-08.

**Personnel Committee**, Councilman Kaynard. Section 16-23 of the Code of Ordinances regarding hiring relatives/nepotism was reviewed in the February Committee meeting, and the recommendation was to make no changes at this time. Water and Sewer employee Thomas Bean has received his Class D water treatment and water distribution certification, and has been recommended for the appropriate salary increase. Discussion of a Beach Re-Nourishment Committee will be put on the March Real Estate Committee agenda.

**Water and Sewer Committee**, Councilman Perkis. Phase II of the waterline replacement project began February 4, 2008. The construction area is basically between Station 13 Street and Station 16 Street. There was discussion concerning the options for maintenance and repair of the sewer line at Station 12 Street. Mr. Gress reported on the SC DHEC Water System Sanitary Survey. Mr. Gress reported on water drought restrictions and water re-use.

**Building and Construction Committee**, Councilman Howle. Monthly report rendered. January was a busy month with 39 permits, including three new home permits.

**Fire Committee**, Mayor Smith. Monthly report rendered. The Volunteer Fire and Rescue Oyster Roast was a huge success.

**Recreation Committee**, Councilwoman Watson. A grant application has been submitted to the S.C. Department of Parks, Recreation and Tourism. Primetime Fitness requested use of the Park for the Boys and Girls Club of American Push Up Fundraiser; Council agreed to this request. Angel Touch, a non-profit organization founded in honor of the late Mary Marquardt, a 9<sup>th</sup> grade student at Bishop England who died of a very rare epithelial cancer, requested to have an annual 5K run to raise funds for the pediatric oncology ward at MUSC. Motion was made by Councilman Howle, seconded by Councilman Presson, to approve this request; carried unanimously.

**Real Estate Committee**, Councilman O'Neil. The Planning Commission and the Berkeley-Charleston-Dorchester Council of Governments held the first in a series of public meetings on January 29, 2008 to encourage public input in the review and update of the elements of the Sullivan's Island Comprehensive Plan. Mr. Richard Sidebottom of the S.C. Department of Archives and History is tentatively scheduled to conduct a tax credit workshop for owners of historic Sullivan's Island properties on Tuesday, February 26, 2008 at 6:00 p.m. The Town received nineteen RFP documents for the CC District Master Plan project. It will be discussed at the next Committee meeting the method of evaluating these proposals. Mayor Smith read a letter received from Councilman Gerald Kaynard as follows:

Dear Mayor Smith,

The S.C. Ethics, Government Accountability and Campaign Reform Act of 1991 provides for a public official to notify the presiding officer of the governing body of a municipality of an economic interest distinct from that of the general public in matters coming before the municipality and the nature of any potential conflict of interest with respect to a pending governmental decision.

Our Council has pending a decision to select a Commercial District Master Plan Consultant. It has been public knowledge for some time that I own four of nineteen commercially zoned lots in the commercial district. We have a small commercial district and this is a small class of commercial lot owners. In these circumstances and in order to maintain the highest standard of ethical conduct in our governmental decisions I have decided to excuse myself from participation in any votes, deliberations or decisions by Town Council in the selection of a Commercial District Master Plan Consultant.

It is my request that this statement be printed in the minutes of Town Council and that it be read to the public during Council proceedings.

**Police Committee**, Mayor Smith. Monthly report rendered. As reported earlier, there will be another meeting with the restaurant owners to discuss details of the St. Patrick's Day celebration.

**Streets and Maintenance Committee**, Councilman Presson. The SCDOT repaired approximately 28 potholes on January 24, 2008.

### **Ordinances**

Mayor Smith duly ratified An Ordinance to Amend Chapter 2, Administration, Section 2-17A, Article III, Division 1 Council Meetings (to change meeting time of Town Council).

Motion was made by Councilman Kaynard, seconded by Councilman Perkis, to have Second Reading of An Ordinance to Amend Chapter 21, Zoning, Article XI, Historic Preservation Overlay District, Section 21-94C to Specify that Properties

Proposed to be Added to the Designation of Historic Properties by Town Bodies Shall be Treated as Designated from the Time of Such Proposed Addition Until Final Determination by the Design Review Board, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilwoman Watson, to suspend the rules and have Third Reading of An Ordinance to Amend Chapter 21, Zoning, Article XI, Historic Preservation Overlay District, Section 21-94C to Specify that Properties Proposed to be Added to the Designation of Historic Properties by Town Bodies Shall be Treated as Designated from the Time of Such Proposed Addition Until Final Determination by the Design Review Board, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman O'Neil, to have Third Reading of An Ordinance to Amend Chapter 21, Zoning, Article XI, Historic Preservation Overlay District, Section 21-94C to Specify that Properties Proposed to be Added to the Designation of Historic Properties by Town Bodies Shall be Treated as Designated from the Time of Such Proposed Addition Until Final Determination by the Design Review Board, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Presson, to go into Executive Session for legal advice concerning a contractual matter with Republic Contracting and contractual negotiations for 1602 Thompson Avenue, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson to come out of Executive Session, carried by a vote of 6-0 (Councilman Presson left the meeting during Executive Session).

Mayor Smith stated that no action or votes were taken during Executive Session.

Motion was made by Councilman Howle, seconded by Councilman O'Neil, to adjourn at 8:40 p.m., carried unanimously.

Respectfully submitted,

Ellen McQueeney