

January 15, 2019

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
Sarah Church, Councilmember
Mark Howard, Councilmember
Rita Langley, Councilmember
Tim Reese, Councilmember
Bachman Smith, IV, 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 approximately fifteen (15) members of the public present and one (1) member of the media present. Mayor O'Neil led the Pledge of Allegiance, followed by the invocation by Councilmember Howard.

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

Alice Paylor representing Karen and Dean Schmelter, 3217 Middle Street- explained the situation regarding a previously granted pool variance by the Board of Zoning Appeals for 3217 Middle Street. The pool was not installed in accordance to the variance. A recent survey showed the pool being 5" over the variance that was approved. This is affecting a pending sale of the property. The Schmelter's and the new buyers are requesting that the Board of Zoning Appeals grant a variance nunc pro tunc (English translation: "now for then") in order to correct the situation.

Johnny Tate, 1602 Atlantic Avenue- expressed concerns regarding flooding and stormwater drainage at Station 16 Street from the current pile of soil on the field. Asked for the Town to reconsider the plans to spread the soil to elevate the level of the field.

Michael Bourland, 1607 Atlantic Avenue- stated he is Mr. Tate's neighbor and agreed with his concerns. Asked for the Town not to spread the current pile of soil to elevate the level of the field until a stormwater survey has been done to determine what the affect would be on the low-lying areas in the neighborhood.

Bob Trussler, 1650 Atlantic Avenue- expressed concerns regarding the ditches not being maintained in the Station 16 area which causes flooding and stormwater drainage issues. He stated he is worried that the current pile of soil on the field will displace more water in the area.

Joe Church, 1655 Atlantic Avenue- thanked Council and Town staff for everything they do. He stated that he is a licensed civil engineer in the state of South Carolina and has been a stormwater specialist for roughly twenty-five (25) years. He stated when he first heard that the Town was considering filling in the field at Station 16 with the current pile of soil, he immediately thought of the impact that would have on the neighborhood from a stormwater perspective. He believes the 18” pipe at the intersection of Station 16 and Poe Avenue is too small and the system is undersized for that size drainage basin. He stated that filling in the lot and also the soil that has already been added to the lot is having a negative impact on the neighborhood and it is increasing the frequency and severity of flooding.

Delores Schweitzer, 1612 Poe Avenue- sent a letter to Town Council regarding the current pile of soil at Station 16. The letter was submitted under the Administrator’s Report.

Cynthia Holmes, 1611 Poe Avenue- supports what the others have expressed regarding the Station 16 field. She believes the Town would benefit from a study or survey before any work is done.

II. COUNCIL ACTION ITEMS:

1. Approval of Council Minutes –

Motion: Action: Approve Regular Council Meeting Minutes of December 18, 2018. Moved by Councilmember Tim Reese, Seconded by Councilmember Mark Howard. Motion passed unanimously.

2. Ordinance 2018-09-

Motion: Action: Approve Third Reading and Ratification, Ordinance 2018-09, An Ordinance to Amend Section 4-24 A of the Ordinances for the Town of Sullivan’s Island. Moved by Councilmember Rita Langley, Seconded by Councilmember Tim Reese. Motion passed unanimously.

3. Consideration of resident request for additional length to fence constructed by Town during Poe Avenue Sewer Line Replacement project.

Councilmember Bachman Smith explained that there were four (4) properties that were affected along Poe Avenue during the sewer line replacement project. During the project, a large number of trees had to be removed; and in an effort to be a good neighbor to the homeowners, the Town offered replacement trees to serve as a buffer between properties, offered and built a privacy fence along the edge of private property lines between the properties and replaced the sod once that area of the project was completed. One homeowner is requesting to have more fence built to buffer their property from the Fish Fry Shack which would be on Town owned property. The Water and Sewer Committee's recommendation is to deny the request to build the additional fence on Town property and that replacing trees to serve as a buffer would be the more appropriate way to go.

Motion: Action: Deny the resident request to build additional privacy fencing on Town property at the Poe Avenue/Hennessey Street intersection across from the Fish Fry Shack.

Moved by Councilmember Bachman Smith IV, Seconded by Councilmember Rita Langley.

Motion passed unanimously.

III. REPORTS AND COMMUNICATION:

- 1. Mayor's Report-** Mayor O'Neil read a list of the fifteen (15) Islanders who passed away in 2018 and asked for a moment of silence. Those who passed away in 2018 were: Kevin Charles Moore, Eloise Morrow Tennyson, J. Reid Anderegg, Mabel T. Newman, Richard Allen (Dick) Novak, Deborah Carter McGibbon, Ellen McClure DaVega, Anne Therese Graham, Kerry Frank Goeden, Wayt Timberlake (Tim) Watterson, Lodema Richardson Adams, John Miles Jordan Jr., Gloria Jean McAlhany Howard, Sheran Joy Bebergal Goldberg Rittenberg and Ethel Swain Backus.

Mayor O'Neil also took a moment to review a number of Town accomplishments in 2018. A few of the accomplishments are:

- Stormwater Management- continued to research options to improve and repair South Carolina Department of Transportation infrastructure: FEMA Grant 4241- worked on deliverables for Phase I of FEMA Grant 4241 to improve drainage issues in the Station 18 and Station 30 basin; SCDOT Maintenance and Repair- coordinated work orders with SCDOT for repair and maintenance of its infrastructure to improve drainage during larger rain events; Street and Curb Cleaning- engaged local vendor to sweep curb and gutters along Middle Street and Jasper Boulevard to reduce pipe obstructions; and Charleston County Stormwater- continued quarterly meetings with Charleston County Stormwater Management staff to meet requirements of DHEC NPDES II permit
- Installment Purchase Revenue Bond- completed the process to determine bond funding and issue bonds for the wastewater plant improvement project

- Old Bridge Historic Property- completed engineering analysis of stability issues at the Station 9 Street Old Bridge terminus
- Financial Software Package- completed installation and conversion of new financial software including platforms for finance, purchase order, accounts payable, accounts receivable, human resources and payroll
- Accreted Land Management Plan- completed work on the Accreted Land Management Plan Transition Zone document and began dialogue with the Lowcountry Land Trust and DHEC for implementation
- Sullivan's Island Gateway- Installed and maintained palmetto trees along SC-703 and collaborated with the Sullivan's Island Park Foundation to improve the entrance to Sullivan's Island
- Building Permits- implemented an online building permit submittal process for contractors and builders
- Parks and Recreation Department Grant Funding- acquired a PARD Grant in the approximate amount of \$5,200 for replacement of a memorial bench in Stith Park
- Pumper Truck- completed specifications, pricing and contract documents for a new pumper truck in order to maintain Class 1 rating and lower insurance rates
- Sullivan's Island Volunteer Fire and Rescue- reconfiguration and construction of dock for installation of boat lift for rapid deployment of rescue, boat, acquisition and installation of marine grade Darley fire pump for rescue boat, installed new HVAC system at Fish Fry Shack, repaired and replaced entire roof system at Fish Fry Shack and acquired additional beach compatible handicap beach chair for Sullivan's Island Elementary School
- Estimate of Volunteer Man-Hour Service to Town: community events 2,304 hours; drill 2,740 hours; emergency calls 2,048 hours and weather events 1,296 hours for a total of 8,388 hours
- Parking Program- implemented additional configuration along Middle Street for public safety; and first responder access and acquired software program for enforcement officers and accounts payable collection efforts
- Police Department Certification and Training- Chief of Police graduated from South Carolina Command College, one officer completed certified by the S.C. Criminal Justice Academy; one candidate enrolled at S.C. Criminal Justice Academy, Various Officers certified/re-certified as: DUI Instructor, Driving Instructor, OC Spray Instructor and Firearms Instructor
- Federal Surplus Equipment Program- continued participation by the Police Department in the Federal 1033 military surplus program
- Body Armor- received grant funding in the amount of \$6,700 for Police Department body armor

- South Carolina Law Enforcement Division- successfully completed the SLED- National Crime Investigation Center audit of information management and control
- Community Policing Program- continued public outreach and interaction with the Island residents
- Water Billing Format- completed rate study and analysis for water distribution and implemented residential equivalency unit (REU) billing format
- Capital Projects- began design and construction on a number of major capital projects including Poe Avenue Sewer Line replacement, Phase II Inflow and Infiltration Reduction, Wastewater Rehabilitation Project, CCOD II wastewater line rehabilitation and lift station flood proofing design
- Water and Sewer Employee Training and Certification- all employees continued to improve skills and knowledge by advancing in licensure
- Brought on line a new jet-vac and closed-circuit pipe camera system
- Continued water meter replacement program
- Continued contract review with Charleston Water System
- Began review of Charleston Water System transmission line to Mt. Pleasant
- Responded to 544 water work orders and 61 sewer work orders

2. Administrator's Report

I. General Correspondence

- Delores Schweitzer, P.O. Box 361, Sullivan's Island- concern regarding dirt on Town property at Station 16 Street.
- Johnny Tate, 1602 Atlantic Avenue- concern regarding dirt on Town property at Station 16 Street.

II. Construction

Fire Station Structural Repairs- Applied Building Sciences continues working on the repair design from both the structural and architectural perspective. *Owner Review Drawings and Specifications* are delayed pending completion of the Specifications. The architect anticipates deliverables before the end of January.

South Carolina Electric and Gas Company– SCE&G anticipates right-of-way trimming and pruning for 2019 to commence sometime in the early spring of 2019. A contractor has not been appointed as of this report.

III. Personnel

Ryan Moulton: On 12-30-18 Police Department employee Ryan Moulton completed his employment probation period. His performance has been outstanding. He will be moved to full-time status in the next payroll period.

Andrew Williams: On 1-9-19 Water and Sewer employee Andrew Williams completed his employment probation period. His performance has been outstanding and he has achieved the license requirements required to perform the work. He will be moved to full-time status in the next payroll period.

IV. General

Boards and Commissions – Staff has advertised for an opening on the Board of Zoning Appeals and Planning Commission (both seats set to expire September 2019). Deadline for applications is January 14, 2019 at 12 Noon.

Polar Bear Swim 2019 – The Polar Bear Swim event included large crowds on the Island throughout the day. There were no operational issues during the event.

Hunley-Housatonic Memorial Parade- Staff is reviewing the Hunley-Housatonic Memorial Parade event application scheduled for February 17, 2019.

South Carolina Department of Transportation- The SCDOT plans to have several maintenance crews on Sullivan’s Island beginning January 28, 2019 to service on resident work order requests. The Town has also provided a list of critical areas to service. The Town list includes ditch cleaning and re-grading as well as covered pipe and culvert cleaning.

General Fund and Utility Budgets- Staff has commenced budget preparation meetings and discussions for the 2019-2020 budget process. Council is encouraged to prepare its list of capital requests.

South Carolina Criminal Justice Grant Applications- The Department will participate in a Grant Solicitation Workshop on Wednesday, January 16, 2019 in Columbia. The workshop will provide local units of government with information regarding the application process, due dates, funding priorities, and tips for successful grant writing. The federal grant programs discussed in the workshop will include Justice Assistance Grants; the Paul Coverdell Forensic Science Improvement Grants; the Juvenile Justice Formula Grants; and, the Project Safe Neighborhoods Grant.

Bluestein v. Town of Sullivan’s Island- The Supreme Court of South Carolina has granted the plaintiffs writ of certiorari to review the Court of Appeals’ decision in Bluestein v. Town of Sullivan’s Island. Plaintiffs have 30 days to file briefs from the date of the order and Respondents have 30 days thereafter to reply. There is no firm timeline for the review.

South Carolina Mutual Aid Agreement- The State of South Carolina state wide mutual aid agreement for emergency and disaster response and recovery is finalized and ready to forward to South Carolina Emergency Management Division.

General Assembly of South Carolina- The SC General Assembly convened on Tuesday, 1-8-19 for the first half of a new two-year legislative session. Senator Harvey Peeler (R-Cherokee, Spartanburg, Union, York) was elected the president of the Senate. The House of Representatives re-elected Rep. Jay Lucas (R-Chesterfield, Darlington, Kershaw, Lancaster) as speaker of the House.

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

4. Boards and Commissions Reports – No items to report.

IV. COMMITTEE REPORTS- DISCUSSION ITEMS:

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

The November 2018 financial report was reviewed.

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

Upcoming Meetings- Special Meeting of Council/Comprehensive Plan Workshop- January 23, 2019 at 9:00 a.m. and Land Use and Natural Resources Committee Meeting- January 31, 2019 at 9:00 a.m.

Administration Committee – Councilmember Reese. Monthly report rendered.

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

CCOD1 (Commercial Overlay District) Sewer Line Extension- Bids have been received for the replacement sewer line at Station 20.5. From behind the fire station to Middle Street, the total is \$269,120.00. To connect to Middle Street and lay a new line to service the lots on the oceanward side of Middle Street that front I'On Avenue, the total is \$331,966.00 for a combined total of \$601,086.00. The Water and Sewer Committee's recommendation is to do at least the first portion of the work so that businesses that are currently being affected can stay open during heavy rain events. The engineering and permitting cost for this job is roughly thirty-six (36) thousand dollars. Council will consider a work order amendment to authorize permitting and engineering of wastewater collection line crossing Middle Street at Station 20 ½ Street and going down to Station 21 Street at the January 23, 2019 Special Meeting.

Committee Meeting – The next Water & Sewer Committee Meeting will be held on Thursday, January 24, 2019 at 8:45 a.m. at Town Hall.

Public Safety Committee – Councilmember Clark absent. Monthly reports rendered.

Polar Bear Swim- Councilmember Church took a moment to thank the Police and Fire Departments for keeping everyone safe and for their help with the event.

Recreation Committee – Councilmember Church.

Farmer’s Market 2019- The 2019 season will be April 4, 2019 through June 27, 2019. The Town is currently taking vendor applications.

St. Patrick’s Day- Planning is underway for the annual St. Patrick’s Day kid friendly celebration in Stith park. This year it is Saturday, March 16, 2019 from 10 a.m.-12:00 p.m.

Public Facilities Committee – Councilmember Howard. Monthly report rendered.

Station 16 Street Soil- This item will be discussed in further detail at the February 4, 2019 workshop meeting.

V. EXECUTIVE SESSION

Motion: Action: Enter Executive Session at 7:00 p.m. for the following:

- 1. Legal Advice- Discussion by Attorney John Linton on the matter of the Supreme Court of South Carolina’s writ of certiorari for Boehm v. Town of Sullivan’s Island 2015-CP-10-1103/2018-001240**
- 2. Legal Advice- Discussion by Attorney John Linton on the matter of pool encroachment into the setback area at 3217 Middle Street**
- 3. Personnel- Discussion and consideration of applications submitted for vacancies on various Town Boards and Commissions**
- 4. Contractual- Consideration and discussion of request by American Tower to extend land use contract**
- 5. Contractual- Consideration and discussion of request by Republic Contracting for extension and rate increase to agreement for household garbage and yard debris collection**

Moved by Councilmember Sarah Church, Seconded by Councilmember Rita Langley. Motion passed unanimously.

Motion: Action: Exit Executive Session at 7:44 p.m.

Moved by Councilmember Rita Langley, Seconded by Councilmember Sarah Church.

Motion passed unanimously.

Mayor O'Neil stated that no votes or actions were taken during Executive Session.

Motion: Action: Appoint Kevin Pennington to the Board of Zoning Appeals for the nine (9) month unexpired term and Appoint David Peterseim to the Planning Commission.

Moved by Councilmember Bachman Smith IV, Seconded by Councilmember Tim Reese.

Motion passed unanimously.

Motion: Action: Renew Contract with Republic Contracting for household garbage and yard debris collection as proposed.

Moved by Councilmember Tim Reese, Seconded by Councilmember Mark Howard.

Motion passed unanimously.

VI. ADJOURN

Motion: Action: Adjourn Meeting at 7:46 p.m.

Moved by Councilmember Sarah Church, Seconded by Councilmember Mark Howard.

Motion passed unanimously.

Respectfully submitted,



Courtney Liles