



Town of Sullivan's Island, South Carolina
Town Council Meeting Minutes
Tuesday, June 21, 2022

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

Present were: Patrick M. O'Neil, Mayor
Bachman Smith, IV, Mayor Pro-Tem
Justin Novak, Councilmember
Kaye Smith, Councilmember
Gary Visser, Councilmember

Staff members present were Town Administrator Andy Benke, Fire Chief Anthony Stith, Amanda Hawver, Joe Henderson, Bridget Welch, Greg Gress, Jason Blanton, Max Wurthmann, Police Chief Chris Griffin, Larry Dodds, Charles Drayton, Christopher Wallace, and Elias Shaffer.

Mayor Patrick O'Neil called the meeting to order at 6:01 p.m. and stated the press and public had been notified in accordance with State Law. There were approximately thirty (30) members of the public present and no members of the media present. Mayor O'Neil led the Pledge of Allegiance, followed by a moment of silence for prayer or reflection.

I. Oath of Office – Officer Elias Shaffer

The swearing in of Police Officer Elias Shaffer.

II. Format: Public Comments

The following spoke about their concerns and opposition against timeshares (via Pacaso) on the Island, specifically at 3115 I'On Ave:

- Tim Emrich, 3118 Marshall Blvd
- Jody Latham, 3010 I'On Ave
- Howard Holl, 1808 Atlantic Ave
- Susan Middaugh, 2420 Raven Dr
- Karen Byko, 2862 Middle Street

- Bennett Gilhuly, 2118 Pettigrew St, gave update on the possibility of a youth council for Sullivan’s Island.

III. Avery McMurtry – Presentation to Council for final approval on the installation of her senior project in Experience Design and Landscape Architecture at Battery Gadsden.

Ms. McMurtry, senior at Northeastern University, made a presentation, titled “Migration,” that shows her design for a temporary butterfly enclosure, which will be on display at Battery Gadsden. It, along with milkweed plants in the community garden, will be installed and planted throughout the month of August. More information is on her website: www.migration-si.com as well as an Instagram account.

IV. Council Action Items

- A. Approval of Minutes: May 17, 2022 Regular Council Meeting Minutes

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Kaye Smith to approve all May 17, 2022 Regular Council Meeting Minutes, passed unanimously.

- B. Proclamation – A Proclamation recognizing the commitment and dedication of resident Leslie “Les” G. Robinson to youth and collegiate basketball.

Mayor O’Neil read the Proclamation of recognizing Leslie “Les” G. Robinson, which had already been presented at a June 17th event. Councilmember Novak commented on the event that honored Les and the donation and installation of two park benches and a plaque near the basketball courts in Stith Park.

- C. Proclamation – A Proclamation recognizing the victory by South Carolina patriots commanded by colonel William Moultrie on Sullivan’s Island over the invading British naval forces on June 28, 1776.

Mayor O’Neil stated the Proclamation recognizing Carolina Day will be read at a celebration taking place Saturday, June 25, 2022 at 9:00 a.m. at Town Hall. There will be light snacks and beverages provided.

- D. Third Reading and Ratification, Ordinance 2022-02, An Ordinance Enacting a Code of Ordinances for the Town of Sullivan’s Island, SC, Revising, Amending, Restating, Recodifying and Compiling certain existing general Ordinances of the Town dealing with subjects embraced in such code of Ordinances

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Visser to approve Third Reading and Ratification, Ordinance 2022-02, An Ordinance Enacting a Code of Ordinances for the Town of Sullivan’s Island, SC, Revising,

Amending, Restating, Recodifying and Compiling certain existing general Ordinances of the Town dealing with subjects embraced in such code of Ordinances, passed unanimously.

Mayor O'Neil stated the process of fixing Scrivener's errors and recodifying the Town's ordinances has been discussed at length at previous meetings and has been vetted by Council.

- E. Third Reading and Ratification, Ordinance 2022-03, An Ordinance to Provide for the Issuance and Sale of Not Exceeding One Million Eight Hundred Thousand Dollars (\$1,800,000) Town of Sullivan's Island, South Carolina, General Obligation Bonds, in One or More Series; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak to approve Third Reading and Ratification, Ordinance 2022-03, An Ordinance to Provide for the Issuance and Sale of Not Exceeding One Million Eight Hundred Thousand Dollars (\$1,800,000) Town of Sullivan's Island, South Carolina, General Obligation Bonds, in One or More Series; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto, passed unanimously.

Mayor O'Neil stated this is an annual event to issue a short-term general obligation bond to cover the next payment due on the installment purchase revenue bonds issued years ago.

- F. Third Reading and Ratification, Ordinance 2022-05, An Ordinance to Adopt the Water Sewer Fund Budget for July 1, 2022 through June 30, 2023

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Visser to approve Third Reading and Ratification, Ordinance 2022-05, An Ordinance to Adopt the Water Sewer Fund Budget for July 1, 2022 through June 30, 2023, passed unanimously.

Mayor Pro-Tem Bachman Smith explained the need for a raise in the Water Sewer Fund budget for the FY 2023. The original anticipated cost of living increase CPI was at 7% but is now closer to 8.5%. He feels this increase is necessary to show appreciation and hopefully retain Town employees, especially with the recent high rates of inflation.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak to amend Ordinance 2022-05, by adjusting the wages in all relevant categories of the budget associated to the wages from a 7% CPI as presently written to an 8.5%, further revenue should be adjusted to reflect an 8.5% CPI in order to achieve a balanced budget as required by state statute, passed unanimously.

Mr. Gress confirmed there will be a 2.6% increase in water and sewer rates for your average 6,000 gallon a month user. He also mentioned the only other major capital additions for Water and Sewer this coming year will be a dump truck and a mower.

Councilmember Novak agreed with Mayor Pro-Tem Bachman Smith and would like to recognize Greg Gress and the Water & Sewer staff for delivering a major project under budget during the COVID-19 pandemic.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak to approve Third Reading and Ratification, Ordinance 2022-05, An Ordinance to Adopt the Water Sewer Fund Budget for July 1, 2022 through June 30, 2023, as amended, passed unanimously.

G. Third Reading and Ratification, Ordinance 2022-04, An Ordinance to Adopt the General Fund Budget for July 1, 2022 through June 30, 2023

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Kaye Smith to approve Third Reading and Ratification, Ordinance 2022-04, An Ordinance to Adopt the General Fund Budget for July 1, 2022 through June 30, 2023, passed unanimously.

Mayor Pro-Tem Bachman Smith stated the same raise from 7% to 8.5% CPI applies to the General Fund Budget, thus requiring an amendment.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak to amend Ordinance 2022-04, by adjusting the wages in all relevant categories of the budget associated to the wages from a 7% CPI as presently written to an 8.5%, further revenue should be adjusted to reflect an 8.5% CPI in order to achieve a balanced budget as required by state statute, passed unanimously.

Mr. Blanton stated there will be an approximately \$100,000 increase in expenses, bringing the total budget to \$9.2 million. These expenses will be covered by revenue from Business Licenses, which is typically under budgeted-for, easily covering the 1.5% increase.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Kaye Smith to approve Third Reading and Ratification, Ordinance 2022-04, An Ordinance to Adopt the General Fund Budget for July 1, 2022 through June 30, 2023, as amended, passed unanimously.

H. Second Reading, Ordinance 2022-06, An Ordinance to amend Chapter Sixteen, Personnel and Personnel Policies, Section 16-15 A, Holidays to Designate President's Day as an Observed Holiday

Motion was made by Councilmember Novak, seconded by Councilmember Kaye Smith to approve Second Reading, Ordinance 2022-06, An Ordinance to amend Chapter Sixteen, Personnel and Personnel Policies, Section 16-15 A, Holidays to Designate President's Day as an Observed Holiday, passed unanimously.

Councilmember Novak stated this addition, along with the recognition of Martin Luther King, Jr. Day, now aligns the Town with all holidays that are observed by both the State of South Carolina and the Federal government.

- I. Motion and discussion to proceed with overhead LED street light fixture conversion with Dominion Energy.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak, to proceed with overhead LED street light fixture conversion with Dominion Energy, passed unanimously.

Mr. Benke stated Dominion will be converting the streetlights on the Island with more efficient LED lighting and these have been approved by the Turtle Team as well. This will not cost the Town any extra money.

- J. Resolution to Increase Water and Sewer Fees for FY 2023

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Visser to approve Resolution to Increase Water and Sewer Fees for FY 2023.

Mr. Gress stated the rates and fees are done by resolutions and will balance the Water & Sewer budget for the FY 2023. The fees are offsets to the rates and are separate from basic water and sewer rates. Fees include installing irrigation meters, pool filling permits, etc.

V. Reports and Communication

A. Mayor's Report –

1. Thank you to Town Staff for a successful Memorial Day weekend.
2. Carolina Day will be held at Town Hall on Saturday, June 25 at 9:00 a.m.
3. The Municipal Association meeting will be held in Charleston July 13-17 and registration is still available.
4. We received a letter of congratulations from Congresswoman Nancy Mace on winning “Best Island” from the Charleston City Paper.

B. Administrator's Report –

1. No new correspondence for Council since Workshop.
2. Construction on the Fire Station is in week 49 with an estimated completion date for the end of August/early September, with the storage building being finished shortly after. He also mentioned the new office space that will be available in the storage building. Decisions will need to be made in the near future about how best to finish those offices and can be discussed in the coming weeks. Councilmember Visser voiced his support for finishing the offices.
3. Station 22 ½ enhancements will be supported with some CTC money from the Charleston County so the County will be handling the bidding process. These will include some soft medians and restrictions on left turns at the main intersection when you come onto the Island. All have been approved by the DOT.

4. The survey has been completed on the Old Bridge project and is awaiting review from DHEC and will then be put out for bid.
5. DHEC has given approval for a synthetic material, Wareguard, to improve and hopefully prolong the life expectancy of beach boardwalks. A 90-day contract has been awarded to Blue Water and they were given notice to proceed.
6. Tennis and basketball court lighting will be handled by AOS Specialty Lighting under a 120-day contract. Improvements will include new LED lighting, resurfacing, painting, and new lines on both the tennis and basketball courts. The courts may have temporary closures while this project is going on.
7. RFP for Master Plan for Stith Park has had five prospective engineering firms take interest.
8. The new pumper truck has been specked out and should be delivered in the next 18-24 months.
9. The invasive eradication for the winter and spring program by Jeff Jackson was included in the packet.

C. Attorney's Report – Nothing to Report

D. Boards and Commission's Reports

1. Planning Commission – Mr. Henderson stated the Commission has included a memo regarding their recommendations over concerns with public and private parking in the commercial district. This information will also be presented by members of the Commission at the July Council Workshop.
2. Board of Zoning Appeals– Nothing to Report
3. Design Review Board– Nothing to Report
4. Tree Commission– Nothing to Report
5. Municipal Elections Commission– Nothing to Report
6. Park Foundation– Nothing to Report

VI. Committee Reports – Discussion Items:

- A.** Finance Committee – Jason Blanton did a quick review of the May Finance Report, which is available in the packet. He stated revenues for business licenses, building permits, and dog licenses were all higher than expected.
- B.** Public Facilities Committee – Repairs on the historic pump stations are set to begin soon.
- C.** Land Use & Natural Resources Committee – Chair Visser stated there will be one more Historical Study Group subcommittee meeting and a date will be set for some time in July. They will then present their recommendations to Council.
- D.** Administration Committee – Chair Novak stated the next meetings will be spent working through the personnel handbook. Mr. Benke stated there will be a presentation on the progress of the Citibot application in the July workshop.
- E.** Water & Sewer Committee – Mr. Gress stated they are waiting on permits to install rip-rap on Stations 1 and 3. He also stated the contract for the Waste Water Treatment Plant was completed on May 31. The next Water & Sewer Committee meeting will be held Thursday, June 23 at 8:45 a.m.
- F.** Public Safety Committee – Traffic went well over Memorial Day weekend, with no major incidents. Traffic will be blocked on Stations 21-20 ½ on Saturday during the Carolina Day ceremony.

- G. Recreation Committee – Chair Kaye Smith reviewed the Fourth of July activities. The golf cart parade starts at Sunrise Presbyterian Church at 9:00am on Monday, July 4. There will be a band and fireworks in the evening at Stith Park, with fireworks starting around 9:00 p.m.

VII. Executive Session:

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Visser to approve, to go into Executive Session at 7:06 p.m. to discuss the following items, passed unanimously.

- A. Legal Advice – Attorney Dodds to provide legal advice on the matter of Ward and Gooding vs Town of Sullivan’s Island 2021-CP-10-04619
- B. Legal Advice – Attorney Dodds to provide legal advice on the matter of A. Capone and South Carolina Human Affairs Commission
- C. Legal Advice – Attorney Dodds to provide legal advice on the matter of 2850 Jasper Boulevard LLC vs. Town of Sullivan’s Island 2021-CP-10-04120
- D. Personnel – Contract Administration

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak, to come out of Executive Session at 7:41 p.m. to discuss the following items, passed unanimously.

- VIII. Upon Returning to Open Session, Council may take action on items discussed during Executive Session.

Mayor O’Neil stated that no votes or actions were taken while in Executive Session.

IX. Adjournment

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Novak to adjourn the meeting at 7:42 p.m., passed unanimously.

Respectfully submitted,



Bridget Welch