

September 17, 2019

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
Chauncey Clark, Mayor Pro-Tem
Sarah Church, Councilmember
Greg Hammond, Councilmember
Tim Reese, Councilmember
Bachman Smith, IV, Councilmember
Kaye Smith, 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 thirty (30) members of the public present and two (2) members of the media present. Mayor O'Neil led the Pledge of Allegiance, followed by the invocation by Mayor Pro-Tem Clark.

Motion: Action: Amend agenda to move Executive Session item #3: Legal Advice- Attorney Dodds, Bluestein v. Town 2010-CP-10-5449 to after Public Comments.

Moved by Councilmember Greg Hammond, Seconded by Councilmember Tim Reese.

Motion passed unanimously.

I. Presentation: Charleston Running Club

Mayor O'Neil introduced Shereta Middleton, VP of Races, who presented a check for \$3,300.00 to the Sullivan's Island Fire and Rescue Department for the proceeds from the 2019 Floppin' Flounder Event. This event was the 27th annual race.

II. Presentation: Greene Finney, LLP- FY19 Financial Audit

Mayor O'Neil introduced Emily Sobczak of Greene Finney, LLP. Ms. Sobczak presented highlights of the fiscal year 2019 financial audit to the Town. She stated that the Town received an unmodified opinion, which is the best opinion the Town can receive. No findings, significant deficiencies, or material weaknesses were noted. The general fund balance increased \$315k to \$7.8m. There is a non-spendable fund balance of \$673k (prepaid amounts). The restricted fund balance is \$56k for Victims Services, Confederate Memorial, and the Land Trust. The committed fund balance is

\$1.6m for capital projects. There is an assigned fund balance of \$20k for the William Bradley Memorial Fund.

The general fund revenues for 2019 were \$6.9m which is a \$1.2m or 17% increase from 2018. That was primarily due to a \$143k increase in business licenses and a \$951k increase in property taxes. The general fund expenditures for 2019 were \$5.9m which is a \$273k or 5% increase from 2018. That was primarily due to a \$164k increase in public safety expenditures primarily related to vehicles purchased with lease proceeds.

The water fund had an increase in net position of \$195k to \$4.8m (including \$2.8m invested in capital assets). The total water fund revenues and expenses were consistent with the prior year. The water fund has \$2.1m in unrestricted cash at June 30, 2019. The water system is 53% depreciated at June 30, 2019 (cost of system was \$4.7m with accumulated depreciation of \$2.5m).

The sewer fund has an increase in net position of \$4.0m to \$7.5m (including \$7.2m invested in capital assets). The total sewer operating revenues and expenses were consistent with prior year. The sewer fund received transfers of \$3.8m from the capital projects fund (IPRB proceeds). Debt coverage ratio for the water and sewer bonds is approximately 5.57 as of June 30, 2019 (exceeds requirement of 1.10).

III. Public Comment: Mayor O'Neil opened the floor for public comment.

Susan Middaugh, 2420 Raven Drive- opposes the motion offered in action item #6 to engage consultants with expertise in coastal morphology and landscape architecture to evaluate the current land management plan.

Wayne Stelljes, 3104 I'On Avenue- took a moment to thank Council, Town Staff and the Departments for their hard work and dedication before, during and after Hurricane Dorian and for keeping the island safe.

Karen Byko, 2862 Middle Street- expressed concerns on two issues related to trees. Ms. Byko sent the Mayor, Councilmembers and Town Administrator an email with questions regarding Dominion Energy's ongoing tree trimming project. A few of her questions include: the agreement between the Town and Dominion Energy, the process that the Town will be using to hold Dominion Energy accountable for the quality of their workmanship and clarification as to who will be financially responsible for any necessary remediation and the Town's decision on conducting a forensic audit. Ms. Bkyo also read a section of the Town's tree preservation policy.

Motion: Action: To go into Executive Session at 6:31 p.m. to discuss Executive Session item #3: Legal Advice- Attorney Dodds, Bluestein v. Town 2010-CP-10-5449.

Moved by Councilmember Tim Reese, Seconded by Councilmember Sarah Church.

Motion passed unanimously.

Motion: Action: To come out of Executive Session at 6:43 p.m.

Moved by Councilmember Tim Reese, Seconded by Councilmember Kaye Smith.

Motion passed unanimously.

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

IV. Council Action Items:

1. Approval of Council Minutes –

Motion: Action: Approve the Regular Council Meeting Minutes of August 20, 2019.

Moved by Councilmember Tim Reese, Seconded by Councilmember Greg Hammond.

Motion passed by a vote of 6-1, with Mayor Pro-Tem Clark abstaining.

2. **Ordinance 2019-05, An Ordinance Regarding the Conveyance of a Temporary Easement to Helen N. Antman for Ingress and Egress to Lot 31, Area J, TMS # 523-07-00-114:**

Motion: Action: Postpone Third Reading and Ratification, Ordinance 2019-05, An Ordinance Regarding the Conveyance of a Temporary Easement to Helen N.

Antman for Ingress and Egress to Lot 31, Area J, TMS # 523-07-00-114.

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

Motion passed unanimously.

3. Discussion and Consideration of a motion to adopt a donation policy for trimming and pruning in the Accreted Land Transition Zone which provides the Town of Sullivan's Island the ability to accept donations for the performance of specific and general Transition Zone work in accordance with the Transition Zone Management Plan and regulations set forth by the South Carolina Department Health and Environmental Control:

Motion: Action: To Adopt a donation policy for trimming and pruning in the Accreted Land Transition Zone which provides the Town of Sullivan's Island the

ability to accept donations for the performance of specific and general Transition Zone work in accordance with the Transition Zone Management Plan and regulations set forth by the South Carolina Department Health and Environmental Control.

Moved by Councilmember Greg Hammond, Seconded by Mayor Pro-Tem Clark.

Councilmember Greg Hammond gave a brief overview. He stated that this policy allows private citizens to donate money to the Town for the purpose of funding Transition Zone work. The Town will only perform Transition Zone work in two-block increments avoiding patch work. This is Town owned property and work that the Town has already set out to do. The Town is doing nothing new other than finding a way to privately fund a portion of the work. By offering the private funding, the Town would allow the work to begin more quickly as the Town would not have to wait for annual budget cycles and compete for dollars with other Town expenses. 90 cents from every dollar donated will go toward a specified two-block section of Transition Zone. 10 cents from every dollar donated will go toward a general fund for general Transition Zone work. If the Town does not perform work within the specified area within one (1) year from a donation, the 90 cents specified donation is returned to the donor. The Town will continue to manage and contract for any and all work in the Transition Zone per the current policy.

Mayor O'Neil stated that the two-block section is at the discretion of Town staff.

Motion passed unanimously.

4. Discussion and Consideration of a motion to approve purchase and installation exercise equipment at Stith Park by Move Strong Functional Fitness Equipment, LLC as proposed to the Recreation Committee:

Motion: Action: Approve purchase and installation exercise equipment at Stith Park by Move Strong Functional Fitness Equipment, LLC as proposed to the Recreation Committee.

Moved by Councilmember Kaye Smith, Seconded by Mayor Pro-Tem Clark.

Motion passed unanimously.

5. Discussion and Consideration of a motion to engage Stantec Engineering to perform a scope of work for traffic control and parking study in the CC District:

Motion: Action: To engage Stantec Engineering to perform a scope of work for traffic control and parking study in the CC District.

Moved by Councilmember Tim Reese, Seconded by Mayor Pro-Tem Clark.

Councilmember Tim Reese gave a brief overview. The purpose of the study is to examine the 2100 and 2200 blocks of Middle Street and develop an access management plan. Potential recommendations could vary from turning movement restrictions (i.e. medians), additional traffic control devices and/or removable parking. The deliverables could be a traffic study, concept layout, signage and striping plan, and also some preliminary cost estimates. The parking review is to look at the issue with congestion coming into the island in front of the restaurants and possible removal of the perpendicular parking in front of the restaurants and businesses.

Councilmember Sarah Church stated that the original map Councilmember Tim Reese provided showed parts of Stith Park and the Battery Gadsden grounds being turned into parking lots including the old volleyball court and the playground. She asked if that map was still part of this plan. Councilmember Tim Reese answered yes, it is Council's intention to look at the different options. Mr. Reese stated he wants that option in the scope of work and then it can be reviewed down the road. Councilmember Sarah Church stated that she does not want to give up greenspace for parking spaces. Councilmember Tim Reese stated that he does not want to burden the neighborhood with extra cars and the intent on greenspace parking is the parking lot does not have to be asphalt and there are ways where it can still be utilized in a natural state.

Councilmember Bachman Smith, IV believes a traffic study is needed but he agrees with Councilmember Sarah Church regarding not giving up greenspace for parking spaces. He stated that parking does not have to be a matter of convenience and people can walk a few blocks to get to their destination.

Councilmember Greg Hammond shares the concern regarding keeping the greenspace in the park and stated he believes a benefit of the current perpendicular parking in the CC District is it limits speed on Middle Street.

Mayor O'Neil stated he likes the idea of a traffic study and also shares the concern regarding keeping the greenspace in the park and he hopes Stantec can give the Town different options but does not make the plan contingent on using the park or other greenspaces areas for parking spaces.

Motion passed by a vote of 6-1, with Councilmember Sarah Church opposed.

6. Discussion and Consideration of a motion to engage a professional team of consultants with expertise in coastal morphology and landscape architecture that will evaluate the current land Management Plan draft #3A created by Town Council in 2011 with a cumulative consultant expense amount not to exceed \$35,000.00:

Motion: Action: To engage a professional team of consultants with expertise in coastal morphology and landscape architecture that will evaluate the current Land Management Plan draft #3A created by Town Council in 2011 with a cumulative consultant expense amount not to exceed \$35,000.00.

Moved by Mayor Pro-Tem Clark, Seconded by Councilmember Tim Reese.

Mayor Pro-Tem Clark stated that the current land management plan is eight (8) years old and since that time there are a number of new issues. He stated that he would like to see if a team of professionals can give a better idea for management practices. This does not cut a single limb; it just would give the Town a better idea from a different perspective of what the island can do for itself.

Councilmember Tim Reese read the Intent, Scope and Limitations of the Management Plan from the Proposed Management Plan draft #3A dated November 22, 2011.

Councilmember Sarah Church stated that she received the list of names of the potential team very last minute and has no information as to who the people are. She added that the whole process has not been upfront and transparent. Without having due diligence time to review the team she will not support this.

Councilmember Kaye Smith stated that resiliency is something that has brought this to the forefront and it is very important that Council does right by the citizens and make sure the island is resilient and has a right plan in place to manage this area.

Councilmember Sarah Church stated that the Accreted Land and beach are lesser concerns and the critical resiliency issues are the back side of the island which is more susceptible to storm surge, stormwater run-off and big weather events that cause drainage issues.

Councilmember Bachman Smith, IV stated that he has many questions and concerns and also did not receive the list of names of the potential team and cannot support this as is.

Mayor O'Neil stated resiliency is a broad concept and he is not clear what the end product is and what Council is trying to achieve. He stated he does not think it is appropriate to decide a team this far in advance.

Councilmember Greg Hammond stated that Council is stewards of taxpayer's dollars and staff time and Council spent four (4) years and over \$100k on this plan and have done

very little with it. He stated he believes it is time to take action and put something in place.

Mayor O'Neil stated he shares the concern that the public is being blindsided with this in terms of having a pre-selected team that Council as a whole has not discussed and vetted in its entirety and believes Council owes it to the citizens of the Town to proceed thoughtfully when addressing it.

Motion: Action: Amend motion to state that the team has not been selected and Council will have input on the team and the scope and method of the engagement. Moved by Councilmember Greg Hammond, Seconded by Mayor O'Neil. Mayor Pro-Tem Clark accepts the amended motion. Motion and amendment passed by a vote of 5-2, with Councilmembers Sarah Church and Bachman Smith, IV opposed.

7. Approval of Recreation Committee Minutes from August 27, 2019:

Motion: Action: Approve Recreation Committee Minutes from August 27, 2019. Moved by Councilmember Kaye Smith, Seconded by Councilmember Bachman Smith, IV.

Motion passed unanimously within the Committee.

V. Reports and Communication:

1. **Mayor's Report-** No items to report.

2. **Administrator's Report**

I. General Correspondence

- Jessica Artz, SCDNR Flood Specialist- Report on June 2019 Community Assistance Visit and review of the local floodplain management program
- Drs. Dorothy and Jamie Moore, 2857 Jasper Boulevard- email regarding Dominion Energy tree trimming

II. Construction

Fire Station Structural Repairs- The Town has received bid documents from Applied Building Sciences.

Dominion Energy Tree Trimming- Dominion Energy continues to trim and prune tree limbs around utility lines on the island. The work is expected to continue through September.

A number of residents have expressed an interest in learning more about a Dominion Energy presentation on the possibility of underground power lines. An invitation has been extended to the utility to attend a future meeting of Council.

Applied Technology & Management- Fran Way offers an opinion with regard to erosion at the western tip of Sullivan's Island related to previous construction of the jetties and the harbor deepening project.

III. General

Electronic Message Board- The message sign is beyond repair. Staff incorporated a replacement into the FY20 budget and has identified a replacement.

Accreted Land Transition Zone Contractor Agreement- The Town resolved all issues related to the contract of service from Gibbs Construction Company.

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

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

VI. Committee Reports:

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

Comptroller Blanton presented the August 2019 financial report.

Public Facilities Committee – Councilmember Greg Hammond, Chair. Monthly report rendered.

Land Use and Natural Resources Committee – Mayor Pro-Tem Chauncey Clark, Chair.

Administration Committee – Councilmember Sarah Church, Chair. Monthly report rendered.

Video Recording of Town Council Meetings- for archiving on Town website for public access.

Codification of Town Ordinances- in progress, to be reviewed by Council upon completion.

Personnel Handbook- in progress, to be reviewed by Council upon completion of draft.

Water and Sewer Committee – Councilmember Bachman Smith IV, Chair. Monthly reports rendered.

Committee Meeting – The next Water & Sewer Committee Meeting will be held on Thursday, September 26, 2019 at 8:45 a.m. at Town Hall.

Public Safety Committee – Councilmember Tim Reese, Chair. Monthly reports rendered.

St. Patrick’s Day recommendations will be reviewed with Sullivan’s Island Restaurant Association.

Potential paid parking at Sullivan’s Island Elementary School parking lot and loop area with completion of the upcoming beach access. This will be discussed in further detail at the next meeting.

Speed Limit- Chair Reese met with SCDOT to discuss speed limit and cross walks. They are looking into changing the speed limit on Middle Street to 25mph. The goal is to change the speed limit island-wide to 25mph.

Recreation Committee – Councilmember Kaye Smith, Chair.

VII. Executive Session

Legal Advice- Attorney Linton, Coste v. Town 2014-CP-10-5776

Legal Advice- Attorney Linton, Hurt v. Town 2016-CP-10-0540

Personnel- Discussion of Appointments to Boards and Commissions

Motion: Action: To go into Executive Session at 7:55 p.m. to Discuss: Legal Advice- Attorney Linton, Coste v. Town 2014-CP-10-5776, Legal Advice- Attorney Linton, Hurt v. Town 2016-CP-10-0540; and Personnel- Discussion and Appointments to Boards and Commissions.

Moved by Councilmember Bachman Smith, IV, Seconded by Councilmember Tim Reese. Motion passed unanimously.

Motion: Action: To come out of Executive Session at 9:11 p.m.

Moved by Councilmember Bachman Smith, IV, Seconded by Councilmember Tim Reese. Motion passed unanimously.

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

Motion: Action: To Appoint Peter Koepke and Amy Pruitt to the Board of Zoning Appeals. Moved by Councilmember Bachman Smith, IV, Seconded by Councilmember Tim Reese. Motion passed unanimously.

Motion: Action: To Appoint Ron Coish, William (Billy) Craver III, (George) Luke Lewis, Kevin Pennington and Bunky Wichmann to the Design Review Board.

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

Motion passed by a vote of 6-1, with Councilmember Sarah Church opposed.

Motion: Action: To Appoint Charles Cole, Manda Poletti and David Peterseim to the Planning Commission.

Moved by Councilmember Bachman Smith, IV, Seconded by Councilmember Sarah Church.

Motion passed unanimously.

Motion: Action: To Appoint Milton Langley and Donivon Glassburn to the Tree Commission.

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

Motion passed unanimously.

Motion: Action: To craft a letter of appreciation to Linda Perkis and Adele Tobin for their services to the Town.

Moved by Mayor O'Neil, Seconded by Councilmember Tim Reese.

Motion passed unanimously.

VIII. Adjournment

Motion: Action: Adjourn Meeting at 9:14 p.m.

Moved by Mayor Pro-Tem Clark, Seconded by Councilmember Tim Reese.

Motion passed unanimously.

Respectfully submitted,



Courtney Liles