



**Town of Sullivan's Island, South Carolina**  
**Town Council**  
**Meeting Minutes**  
**Tuesday, October 19, 2021**

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 Tem-Pro  
Greg Hammond, Councilmember  
Scott Millimet, Councilmember  
Justin Novak, Councilmember  
Kaye Smith, Councilmember  
Gary Visser, Councilmember

Staff members present were Andy Benke, Fire Chief Anthony Stith, Amanda Hawver, Randy Robinson, Greg Gress, Captain Chris Wallace, Police Chief Chris Griffin, Larry Dodds, Joe Henderson, and Bridget Welch.

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 fifty (50) members of the public present and one (1) member of the media present. Mayor O'Neil led the Pledge of Allegiance, followed by the moment of silence for prayer or reflection.

**I. Resolution** – Of Appreciation for Steve Herlong  
**Motion made by Councilmember Hammond, seconded by Mayor Pro-Tem Bachman Smith, to approve A Resolution of Appreciation for Steve Herlong, carried unanimously.**

**II. Presentation** – Greene Finney, LLC – FY2021 Financial Audit  
Presented by Ms. Emily Sobczak with Green Finney, LLP. Ms. Sobczak gave an overview of the findings in the 2021 audit for the fiscal year ending June 30, 2021. Audits are done yearly to maintain effective internal controls, assess risk, and verify the accuracy of the Town's financial statements. A "clean," or "unmodified opinion" was given to the Town, providing

reasonable assurance that the provided information was correct. She also gave an overview of various Town accounts, including general funds, general fund revenues, general fund expenditures, the public facilities corporation, enterprise funds, and capital assets. Ms. Sobczak provided further information and explanations on each of these topics in her PowerPoint presentation, which is available to the Public. She recommended an IT security assessment be done annually or bi-annually. The Town had one done last year. She concluded by encouraging Council to continue making strong financial decisions, as well as taking questions.

### **III. Public Comments**

The following people spoke in favor of having an independent lawyer or law firm review the Bluestein settlement concerning the accredited land, as well as voicing opposition to proceeding with any landscaping to the area:

- Larry Kobrovsky, 402 Seabreeze Lane
- Pete Budko, 2061 Pettigrew St
- Courtney Summers, 2520 Myrtle Ave
- Tracy Hanh, 2662 I'On Ave
- Cindy Ewing, 2514 I'On Ave
- Dean Kilpatrick, 1026 Osceola Ave
- Penn Hagood, 2424 Raven Dr
- Tita Massie, 1850 Middle St
- Pat Votova, 2214 Jasper Blvd
- Karen Byko, 2862 Middle St
- Bob Trussler, 1650 Atlantic Ave
- Mike Carter, 3001 Marshall Blvd
- Summer Coish, 2808 I'On Ave

The following people spoke in favor of accepting the Bluestein settlement concerning the accredited land and not paying a third party to review the terms of the settlement:

- Michael Bourland, 1607 Atlantic Ave
- Kevin Pennington, 1514 Middle St
- Stephen Brewster, 2407 Atlantic Ave
- Ad Ingle, 1719 Atlantic Ave (read by Chauncey Clark)
- Chauncey Clark, 2119 Pettigrew St
- Ian Devin, 2302 I'On Ave
- Raye Ann Osborne, 1801 Atlantic Ave
- Granger Osborne, 1801 Atlantic Ave

- Luke Lewis, 2630 Raven Dr
- Kimberly Brown, 2018 Pettigrew St
- Pat Ilderton, 2507 Atlantic Ave
- Allison Bourland, 1607 Atlantic Ave
- Brian Gilhuly, 2118 Pettigrew St

Michael Noll, 1318 Middle St, wished the Council luck, and asked they consider using this time as a teachable moment.

David Seay, 1746 Atlantic Ave, presented information about a group, “Soldiers of Sullivan’s,” that will be having a clean-up event Saturday, October 30, 2021 on the field at Stations 16 ½ - 17.

#### IV. Council Action Items -

- A. Approval of the September 21, 2021 Regular Council Meeting Minutes.  
**Motion made by Councilmember Visser, Seconded by Councilmember Millimet, to approve the September 21, 2021 Regular Council Meeting Minutes, passed unanimously.**
- B. Third Reading and Ratification, Ordinance 2021 – 13. An Ordinance to Amend Chapter 3 of the Ordinances for the Town of Sullivan’s Island by adding §3-10.  
**Motion made by Mayor Pro-Tem Bachman Smith, Seconded by Councilmember Millimet, to approve Third Reading and Ratification, Ordinance 2021 – 13, An Ordinance to Amend Chapter 3 of the Ordinances for the Town of Sullivan’s Island by adding §3-10, passed unanimously.**
- C. Second Reading, 2021 – 17, An Ordinance to Amend Zoning Regulations Regarding Short-Term Auto Parking Lots, Zoning Ordinance §21-50 C. (4):  
 Consideration of Text Changes to Short-Term Auto Parking Lots as Special Exceptions within the CC (Community Commercial) District.  
**Motion made by Councilmember Kaye Smith, Seconded by Councilmember Hammond, to approve Second Reading 2021 – 17, An Ordinance to Amend Zoning Regulations Regarding Short-Term Auto Parking Lots, Zoning Ordinance §21-50 C. (4):  
 Consideration of Text Changes to Short-Term Auto Parking Lots as Special Exceptions within the CC (Community Commercial) District, passed unanimously.**

- D. First Reading, by Title Only, 2021-18, An Ordinance to Adopt a Revised Business License Ordinance in accordance with the Business License Standardization Act (202 Act No. 176).

**Motion made by Mayor Pro-Tem Bachman Smith, Seconded by Councilmember Kaye Smith, to approve First Reading, by Title Only, 2021-18, An Ordinance to Adopt a Revised Business License Ordinance in accordance with the Business License Standardization Act (202 Act No. 176), passed unanimously.**

- E. Approval of the February 26, 2021 and July 19, 2021 Public Safety Committee Minutes (committee Members only).

**Motion made by Mayor Pro-Tem Bachman Smith, Seconded by Councilmember Kaye Smith, to approve February 26, 2021 and July 19, 2021 Public Safety Committee Minutes, passed unanimously.**

- F. Discussion of Council policy on Public Comment

Councilmember Hammond reviewed the issue of not having opportunities for the public to make comments on the Bluestein settlement, specifically those that agreed with it. He feels the policy needs to be clear, so public is aware when public comment is allowed, as well as how to submit it.

Mayor O'Neil suggested this matter be handled by the Administration Committee. Councilmember Novak agreed the policy should be reviewed and presented to Council in the future.

Councilmember Kaye Smith mentioned there also needs to be a policy regarding written opinions that need to be added to public record or published publicly. Councilmember Bachman Smith agreed and suggested discussing it at Workshop.

## **V. Reports and Communication**

### **A. Mayor's Report:**

Mayor O'Neil reported Item 1 should have been removed. Councilmember Hammond suggested the Town take precautions to ensure this process was in compliance with the Procurement Ordinance.

Town Attorney Larry Dodds commented that there is an exception for legal services if the services are under \$50,000. There is not a formal solicitation needed.

**B. Administrator's Report:**

Mr. Benke mentioned correspondence that was received after the deadline to include in Workshop, a few from residents concerning the Bluestein settlement regarding the accredited land. Another was from Mayor Carl Smith with his thoughts on Brady's Tavern. Scott Leport emailed to confirm the certification for CRS has been completed. Randy Robinson reported the Town received a 96% on this past certification, the highest they've had.

Mr. Benke also gave an updated on the Fire Station and Storage Building construction, noting there has been a lot of progress in the past few days and is currently ahead of schedule.

He also requested an update on Council's decision regarding the possibility of switching to LED lights, as presented as an option by Dominion Electric Company at the September Town Council Meeting. He also mentioned the need for some new light poles in the commercial district that could be added to contract. Mayor O'Neil agreed to add it as an agenda item for the next Workshop as well as the next Council Meeting.

**C. Attorney's Report-** No items to report

**D. Boards and Commissions Reports-** No items to report

1. Planning Commission
2. Board of Zoning Appeals
3. Design Review Board
4. Tree Commission
5. Municipal Elections Commission
6. Park Foundation

**VI. Committee Reports – Discussion Items:**

A. Finance Committee- No items to report

B. Public Facilities Committee-

Chair Hammond mentioned the next meeting will be Friday, October 29 and will discuss restoring areas of Battery Gadsden to dedicated green space, as well as exploring a type of performance bond to restoring road shoulders to their original condition after major construction

C. Land Use & Natural Resources Committee-

Chair Visser mentioned there will be a workshop to discuss the creation of a new public facilities district zoning for properties that are owned by the Town. There will also be a meeting next month to examine the historic property ordinances and the possibility of creating a citizens committee to discuss them.

D. Administration Committee-

Chair Novak asked about when the presentation regarding a citizen's mobile app would be held and Mr. Benke reported it will most likely be at the Council Workshop or Meeting in November.

E. Water & Sewer Committee-

Greg Gress reported that panel 4 at the lift station was looked at by the contractor. Deemed it good and the warranty was confirmed as held by the company. The wastewater treatment plant is progressing.

We are waiting on instructions on how to install and program the last rotor at the waste water treatment plant. Chair Hammond thanked the Water & Sewer Department for their hard work and diligence, and that the next meeting will be Thursday, October 28 at 8:45am.

F. Public Safety Committee-

Mr. Benke mentioned they will put blockades up on Sunday, October 31, but staff will not be passing out candy

G. Recreation Committee-

Chair Kaye Smith reported the Mound will go through one more round of seeding and Thomas & Hutton is working on getting the tennis courts re-surfaced and new lighting installed.

## VII. Executive Session

**Motion made by Mayor Pro-Tem Bachman Smith, Seconded by Councilmember Hammond, to go into Executive Session at 7:33 p.m. to the following items, passed unanimously.**

A. Legal Advice – Attorney Dodds: Mediated settlement agreement Bluestein et al. vs. Town of Sullivan's Island 2010-DP-10-5449

B. Legal Advice – Attorney Dodds: Ward et al. Vs. Town of Sullivan's Island et al. 2021-CP-10-04619

**Motion made by Councilmember Novak, seconded by Councilmember Millimet, to come out of Executive Session at 7:55 p.m., passed unanimously.**

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

## VIII. No items to discuss during Open Session

**IX. Adjournment**

**Motion made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Hammond, to adjourn the Meeting at 7:57 p.m., passed unanimously.**

Respectfully submitted,



Bridget Welch