



**Town of Sullivan's Island, South Carolina
Town Council Meeting Minutes
Tuesday, August 16, 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
Greg Hammond, Councilmember
Justin Novak, Councilmember
Scott Millimet, Councilmember
Kaye Smith, Councilmember
Gary Visser, Councilmember

Staff members present were Fire Chief Anthony Stith, Amanda Hawver, Bridget Welch, Greg Gress, Jason Blanton, Max Wurthmann, Police Chief Chris Griffin, Larry Dodds, Christopher Wallace, and Charles Drayton.

Mayor Patrick 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 four (4) 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. Format: Public Comments

- Karen Byko, 2862 Middle – thanked Council for passing a resolution that requires anyone associated with the Town, including Boards and Commissions members, to take a civility pledge.

II. Correspondence:

1. 6-26-22: John Winchester, 2720 Brooks Street (email) – Note of appreciation and praise for effort by Joe Henderson and Charles Drayton during the Historic Preservation Design Study Group meetings.
2. 7-18-22: Patricia Jones, 1315 Thompson Avenue (email) – Fractional ownership
3. 7-18-22: Carl Jacobson, no address (email) – Fractional ownership
4. 7-18-22: Barbara Claypoole, 2102 Pettigrew Street (email) – Fractional ownership
5. 7-18-22: Jane Smith, 1651 Poe Avenue (email) – Fractional ownership

6. 7-18-22: Beth McLean, no address (email) – Fractional ownership
7. 7-19-22: Barry Luchtel, 2530 Atlantic Avenue (email) – Fractional ownership
8. 7-19-22: Myra Jones, Charleston Beach Foundation (email): parking issues
9. Aline S, (resident) letter: Sand dollars on Sullivan’s Island
10. 8-10-22: Thank you letter sent to Scout Troop 59: Appreciation for help with Town events

III. Presentation: Speaker Alissa Lietzow regarding Art on the Beach

Ms. Lietzow from Charleston Pro Bono Legal Services spoke about Art on the Beach, which has been held on Sullivan’s Island for the past 23 years. It is a self-guided tour of private homes on the Island that feature curated art as well as food from catering chefs. This year it will be held on November 13th and tickets have already sold out. The event is to fundraise for Charleston Pro Bono Legal Service, which provides legal aid to low-income families involved in civil cases. Summer Realty is this years leading sponsor and the tours feature a number of Island artists.

Patrons will be advised on how to best park and no part of the event is held on public property. The group is also working on providing alternative transportation modes for participants.

IV. Presentation: Avery McMurtry – Update on senior project in experience Design and Landscape Architecture at Battery Gadsden.

Ms. McMurtry provided an update on her project “Migration” that she recently installed at Battery Gadsden. She has already released about 40 butterflies and will continue to do so as they hatch. She has also added some milkweed in the community garden. The project runs until September 3rd.

V. Council Action Items

A. Approval of Minutes

- July 19, 2022 Regular Council Meeting Minutes
- August 1, 2022 Special Council Meeting Minutes

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Millimet to approve all July 19, 2022 Regular Council Meeting Minutes, passed unanimously, with Councilmembers Novak and Hammond abstaining.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Millimet to approve all August 1, 2022 Special Council Meeting Minutes, passed unanimously, with Councilmember Novak abstaining.

- #### **B. Second Reading, Ordinance 2022-07, An Ordinance to Amend Section 51.021 Application and Fee for Sewer connections by Creating Section 51.021 (A) Conditions Prerequisite to new Installations or Reinstallations; and conditions Prerequisite to Subdividing a Lot in the CCOD 1&2 District**

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Millimet to approve Second Reading, Ordinance 2022-07, An Ordinance to Amend Section 51.021 Application and Fee for Sewer connections by Creating Section 51.01 (A) Conditions Prerequisite to new Installations or Reinstallations; and conditions Prerequisite to Subdividing a Lot in the CCOD 1&2 District, passed unanimously.

Mayor Pro-Tem Bachman Smith reiterated that nothing is being changed in the ordinance, they are adding this ordinance to the Water & Sewer process in addition to its current inclusion in the Zoning department ordinance.

- C. Second Reading, Ordinance 2022-08, An Ordinance to Amend Section 50.08, to Set the Requirements for a Water Connection for Newly Created Lots in CCOD 1&2 prior to Subdivision of a Lot

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Millimet to approve Second Reading, Ordinance 2022-08, An Ordinance to Amend Section 50.08, to Set the Requirements for a Water Connection for Newly Created Lots in CCOD 1&2 prior to Subdivision of a Lot, passed unanimously.

Mayor Pro-Tem Bachman Smith stated this motion is for the same process the prior motion made.

- D. Vote to accept CARTA budget FY 2023

Motion was made by Councilmember Millimet, seconded by Councilmember Kaye Smith to approve the CARTA budget FY 2023, passed unanimously.

- E. Resolutions – Pledge of Civility for Council, Staff and Boards and Commission Members

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Visser to approve the Resolution Part One, passed unanimously.

Mayor O’Neil stated this resolution came out of the Municipal Association Meeting held in Charleston and is to remind people that are representing the Town to do so in a mature and civil manner. Councilmember Hammond asked if this applied to current or future officials, and Mayor O’Neil confirmed it is for current officials. He also asked if there are consequences if the pledge is violated and Mayor O’Neil answered there are not.

Councilmember Millimet asked if Council can remove a Board member if their conduct is deemed inappropriate. Mr. Dodds answered yes, but each Board has its own rules regarding removing members.

Motion was made by Councilmember Visser, seconded by Mayor Pro-Tem Bachman Smith to approve the Resolution Part Two, passed 5-2, with Councilmembers Hammond and Novak opposed.

Part Two of the resolution applies the pledge to all current and future Board members as well as Town staff. There was some discussion about the purpose of the Resolution and questions if it should be discussed more if there are going to be any consequences for possible violations by employees. It was stated again that there are no penalties for violating the resolution but is more of a pledge for civility and to be respectful while serving the public. Councilmember Novak confirmed this pledge is similar to the pledge presented at the Municipal Association Meeting.

Councilmembers Hammond stated he will not support having everyone take a pledge without further discussion and Councilmember Novak supported his opposition.

F. Vote on Historical Study Group Recommendations

Councilmember Visser summarized the Historical Study Group purpose and the outcome of the nine meetings that were held. The Group is a subcommittee of the LUNR committee and had members from a variety of backgrounds and professions participate. They prepared a report containing their recommendations for Council to consider.

Mayor Pro-Tem Bachman Smith asked for clarifications on the votes being taken, which Councilmember Visser stated the vote tonight would be to accept or deny the recommendations report for informational purposes. Decisions about the individual recommendations will be discussed and considered at a later date.

Motion was made by Councilmember Visser, seconded by Mayor Pro-Tem Bachman Smith to accept the work of the LUNR subcommittee for informational purposes and future study to the Town Council for its consideration at a future workshop, as amended, passed unanimously.

Councilmember Hammond stated he feels the words “for informational purposes only” needs to be included in the wording of the motion and Mayor Pro-Tem Bachman Smith agreed.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Hammond to amend the motion on the table to include the words “for informational purposes only” at the end of the motion that is currently on the table, passed unanimously.

G. Project Decisions:

1. Future office use

Motion was made by Councilmember Visser, seconded by Mayor Pro-Tem Bachman Smith to proceed with the outlined improvements, including painting and flooring, for future office use, passed unanimously.

Mayor O’Neil stated there is potential to use the second-floor space in the storage building currently being constructed. Council must decide if they would like to contractor to go ahead and build it as such, rather than leave it unfinished. The options were to finish the space completely with wall and floor finishings or only have it framed out.

2. Paint Town Hall

Motion was made by Councilmember Hammond, seconded by Mayor Pro-Tem Bachman Smith to approve the repainting of the entire Town Hall as laid out in the Town Administrator’s options presented to Council, passed unanimously.

Due to weathering on the Town Hall building, it was suggested to repaint Town Hall when the new construction is being painted so the paint on both buildings looks the same. Councilmember Hammond stated Town Hall is about 70% through the current paint’s useful life.

3. Road on the mound

Motion was made by Councilmember Kaye Smith, seconded by Mayor Pro-Tem Bachman Smith that the mound road be paved to the top, passed unanimously.

The road leading up to the top of The Mound needs repaving for various purposes and is mostly unusable in its current state. Councilmember Hammond stated the project will cost around \$20,000.

H. Approval of the July 13, 2022 Land Use and Natural Resources Committee Minutes (Committee Members only)

Motion was made by Mayor O’Neil, seconded by Councilmember Visser to approve the July 13, 2022 Land Use and Natural Resources Committee Minutes, passed unanimously, with Councilmember Millimet abstaining.

VI. Reports and Communication

A. Mayor’s Report –

1. A link for the civility resolution is available on the Town website.
2. Correspondence concerning the removal of live sand dollars from the beach from an Island minor.
3. Mayor O’Neil reviewed the event held on August 9 honoring Jimmy Dyess. A plaque was installed at Station 18 ½ in commemoration. The Mayor read a letter from Major General James E. Livingston, USMC (Ret).

B. Administrator’s Report – Mr. Benke was not in attendance, but updates were provided in the packet.

1. Councilmember Kaye Smith stated the RFQs for the Stith Park project have closed and proposals will be distributed soon.
2. Mayor O’Neil reviewed staff anniversaries.

- C. Attorney's Report – Nothing to Report
- D. Boards and Commission's Reports
 - 1. Board of Zoning Appeals– Nothing to Report
 - 2. Design Review Board– Nothing to Report
 - 3. Tree Commission– Nothing to Report
 - 4. Municipal Elections Commission– Nothing to Report
 - 5. Park Foundation– Nothing to Report

VII. Committee Reports – Discussion Items:

- A. Finance Committee – Chair Millimet reviewed reports regarding agreed upon reserve balances. Council will need to make a change to the methodology on how the balances are funded. Mr. Blanton confirmed the amounts were agreed upon and the next few years will be spent working towards reaching that amount if Council makes a decision on the fund balance policy. Further discussion was had on how to move forward with the balances presented and discussions will be continued at the next Workshop meeting.
- B. Public Facilities Committee – Councilmember Novak reported three historical signs have been created and will be unveiled once event dates are scheduled. Future signage projects will be discussed at the next Public Facilities meeting.
- C. Land Use & Natural Resources Committee – Nothing to Report
- D. Administration Committee – Nothing to Report
- E. Water & Sewer Committee – The next Water & Sewer meeting will be held Thursday, August 4 at 8:45 a.m.
- F. Public Safety Committee – Mayor O'Neil commended Public Services for helping plan and manage the August 9th Jimmy Dyess event.
Councilmember Hammond reminded residents a new pedestrian walkway has been installed at the end of the causeway in Mt Pleasant and to drive with caution.
- G. Recreation Committee – Chair Smith stated they are waiting for the lights to be changed in the park. She also thanked Yard Works for diligently tending to the plants in front of the Town sign.

VIII. Executive Session:

Motion was made Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Millimet to go into Executive Session at 7:12 p.m. to discuss the following items, passed unanimously.

- A. Contractual – Attorney Dodds: Dominion Energy LED Conversion contract
- B. Contractual – Attorney Dodds: Air Med Care Transportation contract
- C. Personnel – Attorney Dodds and Administrator Benke: Ward and Gooding vs. Town of Sullivan's Island and Chris Griffin 2021-CP-10-04619
- D. Personnel – Attorney Dodds and Administrator Benke: Behavior Issues for Board and Commission Members and Town Staff
- E. Personnel - Attorney Dodds and Administrator Benke: Review of Boards and Commission applications

Motion was made by Councilmember Millimet, seconded by Councilmember Hammond, to come out of Executive Session at 7:55 p.m. to discuss the following items, passed unanimously.

- IX.** 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.

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Hammond, to appoint the following individuals to the following Boards and Commissions:

Planning Commission: Manda Poletti, Charles Cole, David Peterseim

Tree Commission: Milton Langley

Design Review Board: Ron Coish, Bunky Wichmann, Tal Askins, Heather Wilson, Phil Clarke

**Election Commission: Robie Scott,
passed unanimously.**

Motion was made by Mayor Pro-Tem Bachman Smith, seconded by Councilmember Hammond, to readvertise for two seats for the Tree Commission and two seats for the Board of Zoning appeals, passed unanimously.

X. Adjournment

Motion was 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