

August 21, 2018

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
Chauncey Clark, Mayor Pro-Tem
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 twenty members of the public present and one member of the media present. Mayor O'Neil led the Pledge of Allegiance, followed by the invocation by Mayor Pro-Tem Clark.

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

Norman Khoury, 1728 I'On Avenue- Asked Council to allow public input from Residents again regarding the Accreted Land Management Plan Transition Zone previous draft plan and the changes made by the Land Use and Natural Resources Committee.

Susan Middaugh, 2420 Raven Drive- Noted the Town should move forward with the Plan approved by Council in 2016.

Julia Khoury, 1728 I'On Avenue- Expressed concerns regarding the changes in the Transition Zone presented at the last Land Use and Natural Resources Committee meeting. A few of the concerns were: the use of a gyro-trac machine, harmful poisons and the removal of all the myrtles in Band II. She stated some myrtles are needed for birds, etc.

Wayne Guckenberger, 2105 Pettigrew Street- Commented that the Sullivan's Island Fire Department has a Class 1 ISO (Insurance Service Office) rating. Only ¼ of 1% of fire protection areas in the United States meet this standard. Class 1 is the highest rating and represents superior property fire protection. Consequently, fire insurance

premiums for communities with Class a 1 rating are significantly lower than those areas served by departments with higher ratings.

Ralph Byers, 3025 Middle Street- Requested an outdoor bike rack at Station 30 beach path.

Jill Leitch, 1763 Atlantic Avenue- Supports a ban for non-biodegradable products, specifically single-use plastic bags. 60,000 plastic bags are used every 5 seconds in the United States, most of which end up in the waterways and then are consumed by fish, turtles, whales, etc. 52% of turtles have eaten plastic debris.

II. Presentation: 2018 Water and Sewer Rate Study- Messrs. Joe Williams and Harold Smith of Raftelis Inc.

The Residential Equivalent Unit (REU) approach supports Cost of Service (COS) based recovery from users and was first presented in 2016. This is an alternative to the current meter size base charges. Non- residential customers would be assigned REUs based on usage levels during peak season (May through September). Compared to residential customers peak season average monthly usage of 6,200/gallons based on FY17 customer data.

REUs for non-residential customers are rounded down to the nearest whole number. REUs also applied to residential accounts service multiple units.: the first unit is given a full REU and each additional unit is counted as 0.5 REUs. Raftelis recommends updating non-residential REUs every three (3) years by reviewing peak season water demands and calculating non-residential account REUs.

FY19 bill impacts for a single-family residential unit (8,000 gallons/1 REU) would decrease by 6.6% which would impact 90% of customers. For a 2-unit residential (7,500 gallons/1.5 REUs), the monthly bill would increase by 8.5% which would impact 6% of customers. For 1" non-residential (83,800 gallons/13.5 REUs), the monthly bill would increase by 17.2% which would impact the remaining 4% of customers.

III. Executive Session: Legal Advice- Attorney Linton to brief Council on Settlement Issues Regarding Lasso v. Town of Sullivan's Island 2016-CP-10-6404.

Motion was made by Councilmember Church, seconded by Councilmember Langley, to go into Executive Session at 6:40 p.m. to receive legal advice regarding Lasso v. Town of Sullivan's Island 2016-CP-10-6404, carried unanimously.

Motion was made by Councilmember Church, seconded by Councilmember Howard, to come out of Executive Session at 6:52 p.m., carried unanimously. Mayor O'Neil stated that no votes or actions were taken during Executive Session.

IV. COUNCIL ACTION ITEMS:

1. Approval of Council Minutes –

Motion was made by Councilmember Reese, seconded by Councilmember Langley, to approve the Regular Council Meeting Minutes of July 17, 2018, the Special Meeting Minutes of August 6, 2018, carried unanimously.

2. Motion was made by Councilmember Smith, seconded by Councilmember Howard, to have Third Reading and Ratification, Ordinance 2018-04, An Ordinance to Provide for the Issuance and Sale of Not Exceeding One Million One Hundred Thousand Dollars (\$1,100,000) 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, carried unanimously.

3. Motion was made by Councilmember Smith, seconded by Councilmember Church, to have First Reading, Title Only, Ordinance 2018-05, An Ordinance to Amend the Ordinances for the Town of Sullivan's Island, South Carolina, Chapter 14, By Adding a New Section 35 to read as follows: Section 14-35 Access Easement Agreement and Restrictive Covenant with Ward V.B. Lasso, carried by a vote of 6 with Councilmember Reese recusing himself.

4. Motion was made by Councilmember Langley, seconded by Councilmember Church, to authorize a Resolution Approving Financing Terms with Branch Banking & Trust Company (BB&T), carried unanimously.

V. REPORTS AND COMMUNICATION:

1. Mayor's Report- None.

2. Administrator's Report

I. General Correspondence

- Mary Pringle, Island Turtle Team- Final newsletter of the 2018 turtle nesting season. Noteworthy items: 3 nests on Sullivan's Island.
- Battery Gadsden Cultural Center Board of Directors- Note of appreciation for previous donations from the Town and offer to honor lease agreement.

- Richard Graham- Request for Town Council to appeal the BZA decision regarding Pier 22.
- John Winchester, 2720 Brooks Street- Communicating concern for non-functioning Station 28 ½ Street outfall and poor drainage in the Brooks/Middle/Jasper areas.
- Ross Nelson, Johnson Mirmiran and Thompson, Inc.- Inquiry about the use of the spoil area for Toler's Cove dredge material this coming winter.
- Matthew Pinto, FBI Columbia- Request to use 1610 Middle Street and mound for SWAT training September 19, 2018 (building entrance/clearance from 8:00 a.m-10:00 p.m.; helicopter landing on the mound between 11:00 p.m.-1:00 a.m.).
- Chris Iser, Kimley Horn- Presentation to Council and discussion of Old Bridge stabilization options on either 9-4-18 or 9-17-18.
- Maggie Young- Note of appreciation to Fire Department for assistance and use of the beach compatible wheelchair.

II. Construction

Fire Station- Applied Building Sciences is under contract to prepare a scope of work for Fire Station repairs. The engineer and contractor were on site Tuesday, 8-14-18 to review specific areas of the building. A teleconference meeting is scheduled for Thursday 8-23-18 to review the findings.

III. General

Middle Street Parking- The South Carolina Department of Transportation encroachment permit for additional parking restrictions along Middle Street east and west of the Commercial District has been approved. The Maintenance Department has completed sign installation.

Boards and Commissions- The list of September term expirations for various Boards and Commissions are available for review. A total of 11 potential seats will be open with 5 seats on the BZA; 1 seat on the Election Commission; 2 seats on the Tree Commission; and, 3 seats on the DRB. Notices and application information has been forwarded to the incumbents and media advertisement will follow.

Bluestein et al. vs. Town of Sullivan's Island (2010-CP-10-5449) Appellate Case 2015-002550- In the appeal from the Charleston County Master-in-Equity decision, the South Carolina Court of Appeals affirmed the decision of the circuit court on August 1, 2018.

Installment Purchase Revenue Bond Series 2018- The IPRB Series 2018 officially closed Wednesday, 8-1-18.

South Carolina Department of Transportation Stormwater Infrastructure- The SCDOT Maintenance Department mobilized Monday, August 13, 2018 to perform maintenance work throughout Sullivan’s Island.

September 2018 Meeting Reminders- Both meetings of Council have been rescheduled in September due to various holidays:

- Council Workshop- changed from Monday, 9-3-18 6:00 p.m. (Labor Day) to Tuesday, 9-4-18 6:00 p.m.; and,
- Council Meeting- changed from Tuesday, 9-18-18 6:00 p.m. (commencement of Yom Kippur) to Monday, 9-17-18 6:00 pm.

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

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

VI. COMMITTEE REPORTS- DISCUSSION ITEMS:

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

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

Committee Minutes- **Motion was made by Councilmember Clark, seconded by Mayor O’Neil, to approve the Land Use and Natural Resources Committee Minutes from August 10, 2018, carried unanimously within the Committee.**

Planning Commission- The Planning Commission will hold two public hearings in August and September to discuss modification of the Zoning Ordinance related to non-conformities with text amendments to Z.O. Article 16, Section 21-149 through 21-153, and Article 21. The 2018 Comprehensive Plan public meeting is scheduled for Wednesday, September 12, 2018 at Town Hall. The Open House is from 5:30-6:30 p.m. with the Public Hearing beginning at 6:30 p.m. Council will review the document from September to October, with Readings beginning in November.

Transition Zone Management- Town Council developed a Transition Zone Management Plan that was approved at its February 25, 2016 Special Meeting. Ongoing litigation has delayed implementation of management plan strategies in the Protected Land. The Town recently received a favorable ruling from the appellate court and, although litigation may not be closed, the Town is working with its attorneys to find avenues to move forward on management pieces, such as the Transition Zone. The Land Use and Natural Resources Committee discussed, in

detail, the current draft plan and modifications at the August 10, 2018 Meeting. The motion was as follows: Mayor O'Neil moved to recommend to Town Council modification of the Transition Zone Directives for bands 1 & 2 to read as follows:

1. Band I (1-40 feet):
 - a. All trees $\geq 6''$ DBH shall be retained, except cedar, pine and non-native invasive species trees.
 - b. All understory, shrubs (including myrtles), cedar and pine species and small trees (defined as $\leq 6''$ DBH) shall be removed.
2. Band II (40-100 feet):
 - a. All trees shall be retained within this band except non-native invasive species. Minimum threshold for consideration of a tree shall be determined.
 - b. All understory, shrubs and myrtles shall be removed.

The next Land Use and Natural Resources Committee will be held on Thursday, August 30, 2018 at 8:45 a.m. at Town Hall to discuss the Transition Zone. Public comment is welcome and encouraged.

Clean Beach Initiative- Councilmember Langley noted the Committee has discussed non-biodegradable disposable products and littering, in general, in past meetings. The Town has pursued community outreach and education efforts to deter visitors from bringing non-biodegradable disposable products onto the beach, specifically polystyrene containers, single-use bags and plastic straws. Neighboring municipalities have passed ordinances to ban non-biodegradable products on the beach and parks/public places.

Motion was made by Councilmember Smith, seconded by Councilmember Church, to ask Staff to Craft a Draft Ordinance to Restrict the Sale and Dispersal of Single-Use Plastic Bags, Plastic Straws and Polystyrene Containers, to Include Usage on the Beach and Other Public Places, carried unanimously.

Administration Committee – Councilmember Reese. Monthly report rendered.

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

Poe Avenue/Citadel Street Sewer Line Replacement- The easement clearing has been completed and the sewer line replacement project has been advertised. The bid opening was held on August 1, 2018. A total of four (4) bids were received ranging from a low of \$404,433.00 to a high bid of \$628,250.00. The low bid was submitted by R.H. Moore Co., Inc. of Murrells Inlet, SC. The engineer's recommendation is for the contract to be awarded to R.H. Moore Co., Inc. This will be discussed in further detail Thursday, August 23, 2018 at the Water and Sewer Committee Meeting.

New Sewer Line on Station 20.5- A new sewer line is needed on Station 20.5 from about Central Street to Middle Street to meet grade. The existing sanitary sewer line on I'On Avenue is too high to serve the lots along Middle Street and meet the required guidelines.

Charleston Water System ICW Water Main- CWS provided Town staff with a project timeline and site maps for a 16-inch water main to supply water to Mount Pleasant that would run from the soccer field behind Stith Park on Sullivan's Island, through the Intracoastal Waterway to Mount Pleasant.

Committee Meeting – The next Water & Sewer Committee Meeting will be held on Thursday, August 23, 2018 at 8:45 a.m. at Town Hall.

Public Safety Committee – Councilmember Clark. Monthly reports rendered.

Committee Minutes- **Motion was made by Mayor O'Neil, seconded by Councilmember Church, to approve the Public Safety Committee Minutes from August 15, 2018, carried unanimously within the Committee.**

Pumper Truck- There will be a special meeting before the September workshop for Council to consider a bid from All Source Enterprises LLC. DBA Safe Industries to build and manufacture a 2019 E-ONE typhoon custom rescue pumper truck for the Fire Department.

Recreation Committee – Councilmember Church.

Committee Meeting- A Recreation Committee meeting will be scheduled in the near future to discuss the bamboo trail and other items.

Public Facilities Committee – Councilmember Howard absent. Monthly report rendered.

Kimley-Horn- The draft copy of the erosion report at the old bridge/fishing pier was received on June 18, 2018. Kimley Horn will present the final report at an upcoming meeting.

VII. ADJOURN

Motion was made by Councilmember Church, seconded by Councilmember Reese, to adjourn at 7:43 p.m., carried unanimously.

Respectfully submitted,



Courtney Liles