



**Town of Sullivan's Island, South Carolina
Town Council Meeting Minutes
Tuesday, October 17, 2023, 6:00 p.m.**

The regular meeting of the 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: Justin Novak, Mayor Pro-Tem
Ned Higgins, Councilmember
Carl Hubbard, Councilmember
Jody Latham, Councilmember
Gary Visser, Councilmember

Mayor Pat O'Neil and Councilmember Scott Millimet had previously notified Council that they would not be available for this meeting.

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

Mayor Pro-Tem Justin Novak 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 fifty-eight (58) members of the public present and no (0) members of the media present. Mayor Pro-Tem Novak introduced Boy Scout Troop 59, which included eighteen (18) members, Scoutmaster Richard Gnegy, and Assistant Scoutmaster Chris Anderson. The troop led the Pledge of Allegiance followed by a moment of silence for prayer or reflection.

Motion was made by Pro-Tem Novak, seconded by Councilmember Higgins, to amend the agenda to add an agenda item to recognize Senator Chip Campsen's presentation to Mr. Barnes and Mr. Coles regarding a Proclamation from the Town, passed unanimously.

I. Format: Public Comments

II. Proclamation: Zack Barnes and Wesley Coles – Appreciation for Rendering Aid and Assistance to Swimmer in Peril

The proclamation was read and presented to Mr. Barnes and Mr. Coles and their families by Mayor Pro-Tem Novak.

III. Presentation: Senator Chip Campsen awarded Zack Barnes and Wesley Coles Certificates of Achievement from the South Carolina Senate.

IV. Presentation: Order of the Silver Crescent from Governor Henry McMaster Awarded to Zack Barnes and Wesley Coles for Heroic Action on September 4, 2023. Presented by the Town on behalf of Governor McMaster.

V. Presentation: Jacob Kyzar with US Army Corps – Update on the AIWW Breach Inlet Sediment Rehandling

Mr. Kyzar’s presentation gave an overview of the Beneficial Use Sediment Re-handling at Breach Inlet and its impact on Sullivan’s Island. The Breach Inlet Shoal, which is behind Isle of Palms and Sullivan’s Island, on both sides of the Isle of Palms Connector, is regularly dredged and is currently full. Regulations for disposal changed in 2020 and the Army Corps now has more opportunities for beneficial use of dredged material, such as sand. They are proposing placing about 175,000 cubic yards of sand on the eastern end of Sullivan’s Island at Breach Inlet below mean high-water. During construction, there will be heavy equipment and lighting on the beach. It is a 24/7 operation and will likely last one to two months, tentatively starting between January and June of 2024, contingent upon successful bids. He clarified this is a beneficial use placement project rather than a typical beach renourishment. He also mentioned the possibility of more projects like this happening in the future with dredging from the Intercoastal Waterway. Mr. Kyzar then took questions from Council members.

VI. Correspondence:

1. Diane Neuhoff, 2918 Marshall Blvd – Opposed to Zoning Amendment
2. Joanne Winchester, 2720 Brooks St - Opposed to Zoning Amendment
3. Amy Davidson, 1710 I’On Ave - Opposed to Zoning Amendment
4. Cynthia Garland, 2 Citadel St - Opposed to Zoning Amendment
5. Anne Bozzelli, 2508 Raven Dr - Opposed to Zoning Amendment
6. Hannah Dodson, 1462 Thompson Ave - Opposed to Zoning Amendment
7. Bill Swayne, 1725 Atlantic Ave - In Favor of the “Ocean Club”
8. Laurie Arthur, 2850 Middle St – Concern with Coyote Activity
9. Cheryl Clark, 2119 Pettigrew St – Concern with Coyote Activity
10. Neil Barfinkel, 1001 Middle St - Sand Nourishment from Station 12-9
11. Malcolm Crosland – Sand Nourishment at Station 11
12. Mary Pringle – Beach Fires and Turtle Nesting
13. Susan Middaugh, 2420 Raven Dr – Refute that Maritime Forest is a Fire Hazard
14. Raye Ann Osborne, 1801 Atlantic Ave – Flooding at Station 18

Additional Correspondence Since Workshop Meeting

15. Barbara Spell, 1702 Atlantic Ave – Question how Residents can follow the Sand Dunes Club Property
16. Tuffy Atkins, 2656 Goldbug Ave – Email Thanking Elected Officials for Voting No to Commercial Zoning of Sand Dunes Club
17. Brent Havens, 1746 Thompson Ave - Email Thanking Elected Officials for Voting No to Commercial Zoning of Sand Dunes Club
18. Trooper Bob with News 4 and SRO, Josh Poole – Promoting Safety to Students at Sullivan’s Island Elementary School
19. David & Jamie Brownlee, 1102 Middle St – Concerns with Beach Erosion and Flooding and Drainage
20. Peter Frank, 1009 Middle St – Concerns with Beach Erosion
21. Heather Sullivan, 2702 Atlantic Ave – Concern with Toxic Chemicals on Lawns and Affecting Children and Pets
22. Kait Morrison, 2808 Brooks St – In Favor of Continuing Beach Bonfires with Proposed Guidelines

VII. Council Action Items:

- A. Approval of the September 19, 2023 Regular Council Meeting Minutes

Motion was made by Councilmember Visser, seconded by Councilmember Higgins to approve the September 19, 2023 Regular Council Meeting Minutes, passed unanimously.

- B. Approval of the September 5, 2023, Public Facilities Committee Meeting Minutes (Committee Members Only)

Motion was made by Councilmember Hubbard, seconded by Councilmember Visser to approve the September 5, 2023, Public Facilities Committee Meeting Minutes (Committee Members Only), passed unanimously.

- C. Approval of the August 21, 2023, Administration Committee Meeting Minutes (Committee Members Only)

Motion was made by Councilmember Latham, seconded by Mayor Pro-Tem Novak to approve the August 21, 2023 Administration Committee Meeting Minutes (Committee Members Only), passed unanimously.

- D. Consideration of Declaration in Support of Israel

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Latham to affirm this Declaration of Support of Israel, and order it published, passed unanimously.

Declaration of Support of Israel was read in full by Mayor Pro-Tem Novak and signed by Council members.

- E. First Reading, by Title Only, Ordinance 2023-06, An Ordinance to Amend the Business License Ordinance of Sullivan’s Island to Update the Class Schedule as Required by Act 176 of 2020.

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Higgins, to approve First Reading, by Title Only, Ordinance 2023-06, An Ordinance to Amend the Business License Ordinance of Sullivan’s Island to Update the Class Schedule as Required by Act 176 of 2020, passed unanimously.

Jason Blanton explained the purpose of the ordinance that was passed by the Municipal Association is to standardize the business license process amongst municipalities in the State of South Carolina. The Association determines how the businesses are classified every few years and this ordinance will update the Town’s ordinance to match the changes made by the Association.

- F. Public Comment Time Increased from Ninety seconds to Two Minutes in Council Meetings

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Higgins to approve increasing public comment time from ninety seconds to two minutes, passed unanimously.

- G. Resolution – Amended 2023-2024 Fire Mitigation Plan

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Visser, to approve the Amended 2023-2024 Fire Mitigation Plan, passed unanimously.

Mr. Benke stated the Town adopted the Charleston Regional Hazard Mitigation Program which enables the Town to qualify for flood mitigation and disaster assistance. These amendments must be adopted every five years.

- H. Consideration of Procuring an Engineering Consultant for an Island-Wide Stormwater Master Plan, Funded in Part by FEMA BRIC Grant 2020

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Latham, to approve the procuring and engineering consultant Seamon Whitesides for an Island-wide Stormwater Master Plan, passed unanimously.

Joe Henderson stated the grant is for \$150,000 with a Town match for \$37,000. The match will be covered by an additional state grant, making this project no expense to the Town. Other consultants and proposals were vetted, with Seamon Whiteside being chosen for scoring the highest. They will be doing an engineering study to determine what is needed for a Stormwater Master Plan.

- I. Consideration of Procuring an Engineering Consultant for Island-Wide Drainage Improvements, Funded in Part by the SCIIP Grant 2023

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Visser, to approve working with Seamon Whiteside as an engineering consultant for Island-wide Drainage Improvements, passed unanimously.

Mr. Henderson stated the Storm Water Master plan will include individual construction projects. This was requested as a follow-up to the SCIIP (South Carolina Infrastructure Improvement Program) grant, funded through the American Rescue Plan Act. This money will go towards improving four watersheds on the Island, Stations 16, 25, 28 ½, and 31.

- J. Consideration to Change Date of the November 21, 2023 Council Meeting

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Higgins, to approve changing the November Town Council meeting from Tuesday, November 21, 2023 to Monday, November 13, 2023, passed unanimously.

VIII. Reports and Communication:

A) Mayor's Report: Nothing to Report

B) Administrator's Report:

- a) The second charrette with Thomas & Hutton for Stith Park will be held Thursday, October 26, 2023 at 6:00 p.m. at Town Hall. There will also be one tentatively on Monday, December 6, 2023 at 6:00 p.m. The date will be finalized at the November Workshop.
- b) Staff anniversary dates:
 - i) Judge Larry Duffy will retire December 31, 2023 after at least 23 years on the bench for the Town. He will be replaced by Judge Frank Cornely.
- c) Reports of coyote activity has dropped in the past few weeks, but residents are still encouraged to call and report any sightings and/or interactions.
- d) The food composting program started October 2. The drop off site is between Poe Library and Battery Gadsden Cultural Center. For those interested in participating, they must visit www.charleston-sc.gov/composting to sign up.
- e) Staff will present the second edit of proposed beach fire regulations at the November Workshop.
- f) The audit for FY2023 will be presented at the November 13 Town Council meeting.
- g) Vessel Wake Energy – Mayor O'Neil and Administrator Benke held a discussion with the US Army Corps of Engineers regarding the matter of wave energy at the western tip of the Island. Corps studies indicate less than one percent (1%) increase in wave energy after the completion of the Post 45 Project and vessel activity in the port continues to decline.
- h) The Historic Preservation Study Group – Charles Drayton stated there are nine proposed changes. Councilmember Visser requested that the LUNR Committee review the changes before presenting them to Council.

C) Attorney's Report: Fee Simple Title – 907 Middle St is delayed.

D) Boards and Commissions Report

- a) Planning and Commission – The Commission began reviewing the five-year review for the comprehensive plan on October 13 and the first open house for it will be November 8. The meeting will cover the Population, Housing, Economic Development, Land Use, and Transportation Elements.
- b) Board of Zoning Appeals – Nothing to Report
- c) Design Review Board – Nothing to Report
- d) Tree Commission – They have requested to increase the mitigation fees to remove healthy trees on the Island. It has not been updated since 2013 and is lower than surrounding municipalities.
- e) Municipal Elections Commission – Nothing to Report

IX. Committee Reports – Discussion Items:

- A. Finance Committee – Update was given by accountant Jason Blanton for the month of September.
- B. Public Facilities Committee – The next Public Facilities Committee meeting will be held Tuesday, October 31, 2023 at 9:00 a.m. at Town Hall.
- C. Land Use & Natural Resources Committee – Chair Visser stated the contracted historic survey has been completed and a meeting will be scheduled for the first public hearing. Once the guidelines are completed, they will be presented to be included in the comprehensive plan. The search has begun for the Town to employ a Naturalist responsible for planning, maintenance, and enhancement of Town properties.
- D. Administration Committee – The diversity and inclusion statement will be on the agenda for the November Workshop for discussion
- E. Water & Sewer Committee – A public inspection of the outfalls will be held on Friday, November 3, 2023 at 3:00 p.m. The next Water & Sewer Committee meeting will be held Thursday, October 26, 2023 at 8:45 a.m.
- F. Public Safety Committee – Trooper Bob from News 4 gave public safety tips to Sullivan’s Island Elementary School.
- G. Recreation Committee – Chair Higgins encouraged people to attend the second charrette regarding Stith Park on October 26 at 6:00 p.m.

X. Executive Session:

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Latham, to go into Executive Session at 7:00 p.m. to discuss the following items, passed unanimously, with Mayor Pro-Tem Novak recusing himself for the discussion on the Sand Dunes Club.

- A. Legal Advice – Attorney Dodds: Sand Dunes Club
- B. Contractual – Attorney Dodds and Administrator Benke: US Army Corps of Engineers Beneficial use of Dredge and Material
- C. Personnel – Administrator Benke: Municipal Court Personnel

*Mayor Pro-Tem Novak recused himself from discussing item A, legal advice regarding the Sand Dunes Club.

Motion was made by Councilmember Latham, seconded by Councilmember Higgins, to come out of Executive Session, at 8:10 p.m. to discuss the following items, passed unanimously.

Mayor Pro-Tem Novak stated that no votes or actions were taken while in Executive Session.

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

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Visser, to instruct staff to continue pursuing negotiations regarding the US Army Corps of Engineers beneficial use of dredge and material project, passed unanimously.

XII. Adjournment

Motion was made by Councilmember Latham, seconded by Councilmember Higgins to adjourn the meeting at 8:11 p.m., passed unanimously.

Respectfully submitted,



Bridget Welch