



**Town of Sullivan's Island, South Carolina  
Town Council Meeting Minutes  
Tuesday, August 15, 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: Patrick M. O'Neil, Mayor  
Justin Novak, Mayor Pro-Tem  
Ned Higgins, Councilmember  
Carl Hubbard, Councilmember  
Jody Latham, Councilmember  
Scott Millimet, Councilmember  
Gary Visser, Councilmember

Staff members present were Town Administrator Andy Benke, Police Chief Chris Griffin, Fire Chief Anthony Stith, Jason Blanton, Charles Drayton, Larry Dodds, Amanda Hawver, Joe Henderson, Glenn Meadows, Bridget Welch, and Max Wurthmann.

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 at least forty-five (45) members of the public present and one (2) member of the media present. Mayor O'Neil led the Pledge of Allegiance followed by a moment of silence for prayer or reflection.

**I. Oath of Office:** Officer Tyler Mahon and Officer Lisa Lawson

**II. Presentation:** Proposed FY 2024 Operating Budget by CARTA Staff

CARTA Staff Daniel Brock presented the CARTA Budget for the FY 2024 and reported they have received a \$26 million grant from the Federal Transit Administration for a new transit hub at Dorchester Road and Rivers Avenue. This will tie into the Lowcountry Transit Project, which is scheduled to begin operations in 2029. Mr. Brock stated the shuttle from Mt. Pleasant to the Isle of Palms beach had increased participation this season.

**Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Visser, to accept the FY 2024 CARTA Budget, passed unanimously.**

### III. Format: Public Comments

The following spoke in support of changing the zoning ordinance to allow for the proposed Ocean Club operations:

- Shep Davis, 2867 Middle Street
- Miles Jordan, 2008 I'On Avenue
- Archer Bishop, 1738 I'On Avenue
- Adam Rousselle, 1312 Thompson Avenue
- Ally Burney, 852 Middle Street
- Don Glassburg, 1738 Middle Street
- Eddie Fava, 2424 Myrtle Avenue
- Scott Parker, 1909 The Street
- Neil Garfinkle, 1001 Middle Street
- Hampton Davis, 2867 Middle Street
- Lauren Zift, 1412 Thompson Avenue
- Paul Vanetta, 1902 Back Street
- Dolly Droze, 2402 Quarter Street
- Jim Wanless, St. Augustine, FL
- Bryan Hellman, 2714 Atlantic
- Stephen Brewster, 2407 Atlantic Avenue

The following spoke in opposition of changing the zoning ordinance to allow for the proposed Ocean Club operations:

- Norman Khoury, 1728 I'On Avenue
- Linda Beal, 1718 Atlantic Avenue
- Barbara Spell, 1702 Atlantic Avenue
- Ralph Byers, 3025 Middle Street
- Pat Votava, 2214 Jasper Boulevard
- Summer Coish, 2808 I'On Avenue

The following had questions and/or concerns regarding the proposed zoning ordinance changes for the Ocean Club before deciding to support or oppose:

- Danny Massie, 1850 Middle Street
- Peter Koepke, 1758 Atlantic Avenue
- Karen Byko, 2856 Middle Street
- Mike Burchold, 1660 Atlantic Avenue

Adam Dukes of Grandscape stated they will be removing a palm tree from the DOT right-of-way at 852 Middle Street and replacing it with a palm tree on-site.

#### **IV. Correspondence:**

1. Neil Garfinkel, 1001 Middle St – Supports Zoning Amendment for Ocean Club 7-18-23
2. William & Pamela Rayburn, 1721 Atlantic Ave – Requesting Business Plan and Clarification for Ocean Club 7-18-23
3. Carol Antman, 1714 Atlantic Ave – Opposed to the Sand Dunes Club Rezoning 7-24-23
4. Glenn Meadows, Deputy Chief of Police – Letter of Commendation to Patrolman Tyler Mahon for life saving action 7-24-23
5. Charles Rittenberg, 1002 Middle St – Email requesting Town to give Ocean Club Organizers the leeway to investigate if it is financially feasible 7-26-23
6. Emily Morrison, 3701 Magazine St New Orleans, LA – Email to Support the Ocean club and believes it will benefit all Islanders 7-26-23
7. Mary Pringle – Turtle Team Report July 1, 2023
8. Kevin Pennington, 1514 Middle St – Opposed to the Sand Dunes Club Rezoning 7-27-23
9. Bill & Linda Swayne, 1725 Atlantic Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 7-28-23
10. Raye Ann Osborne, 1801 Atlantic Ave – Email Concerns about Maintenance and upkeep of the Sand Dunes Club Pool 7-28-23
11. Melissa & Frank Hanenberger, 2429 Atlantic Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-1-23
12. P. Graham Maiden, 28 Bridgeside Blvd Mt Pleasant – Supports Zoning Amendment for Ocean Club 8-3-23

#### **Additional Correspondence Since Workshop Meeting**

13. Melissa Moss, 3014 I'On Ave – Does not Support a Zoning Amendment for Sand Dunes Club 8-4-23
14. Katina & Bruce Straugh, 1712 Thompson Ave – Opposed to Sand Dunes Club with a full-service restaurant 8-7-23
15. Rochelle Rutledge, 1764 Atlantic Ave – Opposed to the Sand Dunes Club Rezoning 8-6-23
16. Peter & Nicky Koepke, 1758 Atlantic Ave – Email stating concerns with approval of a new Club on Sullivan's Island 8-6-23
17. Barbara & Stan Claypoole, 2102 Pettigrew St – Email expressing concerns with approval of a new Club on Sullivan's Island 8-7-23
18. Carol Killough, 1813 Back St – Concern about Rezoning for Social Club 8-7-23
19. Jodie McLean, 405 Station 12 – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-7-23
20. Jake & Elizabeth Rasor, 2014 Gull Dr – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-6-23
21. Talby & Brad Taylor, 1750 I'On Ave – Email to Support the Ocean Club Proposal 8-6-23

22. Amy Davidson, 1710 I'On Ave – Does not support a Zoning Amendment for Sand Dunes Club 8-7-23
23. Sam & Carly Moore, 1421 Middle St – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-7-23
24. Raye Ann & Granger Osborne, 1801 Atlantic Ave – Opposed to the Sand Dunes Club Rezoning 8-8-23
25. Brent Havens, 1746 Thompson Ave – Email expressing concerns with approval of a new Club on Sullivan's Island 8-9-23
26. David Geer, 2702 Goldbug Ave – Opposed to the Sand Dunes Club Rezoning 8-9-23
27. Jim & Mary Ann Mackey, 2724 Bayonne St – Opposed to the Sand Dunes Rezoning 8-9-23
28. Mark & Joanne Staton, 194 Station 19 – Opposed to the Sand Dunes Rezoning 8-9-23
29. Bobby Cummings, 1450 Thompson Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-9-23
30. Julie & Gary Linhart, 414 Patriot St - Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-9-23
31. David Poulnot, 2819 Marshall Blvd - Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-9-23
32. Andrew Speaker, 2302 Atlantic Ave - Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-9-23
33. Kendal Derbyshire, 1751 Atlantic Ave - Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-10-23
34. Laurie & Michael Arthur, 2850 Middle St – Opposed to the Sand Dunes Rezoning 8-10-23
35. Adam Rousselle, 1312 Thompson Ave - Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-10-23
36. Letter from Sisters of the Holy Cross thanking Mary Poole and Town Staff for Donation to Benefit the Ministry With the Poor 7-31-23
37. Anderson Warlick, 3306 Jasper Blvd – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-10-23
38. Charles Heilig, 840 Middle St - Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-10-23
39. Brad Taylor, 1750 I'On Ave - Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-10-23
40. John Hagerty – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-10-23
41. David Peterseim, 1707 Atlantic Ave – In favor of continuing the discussion on the Ocean Club 8-11-23
42. Bill Killough, 1813 Back St – Concerns with adding a Club with a Restaurant in the Residential area. 8-11-23
43. Andy Horwitz, 2871 I'On Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-11-23

44. Nancy Mace, SC Member of Congress – Letter to Congratulate the Town for securing the \$100,000 Grant from the SC Parks, Recreation & Tourism Dept 8-10-23
45. Danny & Perry Morrison – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-11-23
46. Ernie Masters – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-11-23
47. Hunter Stunzi, 1734 Thompson Ave – Supports Zoning Amendment for Ocean Club 8-11-23
48. David Seay, 1746 Atlantic Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-11-23
49. Julia Khoury, 1728 I’On Ave – Opposed to the Sand Dunes Club Rezoning 8-12-23
50. Tracy Hahn, 2662 I’On Ave - Opposed to the Sand Dunes Club Rezoning 8-12-23
51. Mike Walsh – Article with Background Information on “Island Club” 8-12-23
52. Jonathan Anderegg – Opposed to the Sand Dunes Club Rezoning 8-13-23
53. Jim Rocco, 1734 I’On Ave – Opposed to the Sand Dunes Club Rezoning 8-13-23
54. Andrea & Charles Kellner, 1744 I’On Ave – Opposed to the Sand Dunes Club Rezoning 8-13-23
55. Jeremy Anspach, 1302 Cove Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-13-23
56. Rachel Anspach, 1302 Cove Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-13-23
57. Linda Swayne, 1725 Atlantic Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-13-23
58. Howard Holl, 1807 I’On Ave – Opposed to the Sand Dunes Club Rezoning 8-13-23
59. Joy Holl, 1807 Atlantic Ave – Opposed to the Sand Dunes Club Rezoning 8-13-23
60. Michael Burkhold, 1660 Atlantic Ave – Opposed to the Sand Dunes Club Rezoning 8-13-23
61. Kurt Polk, 1307 Cove Ave – Email to Support the Ocean Club commonly known as the Sand Dunes Club 8-14-23
62. Rita Langley, 1618 Middle St – Opposed to the Sand Dunes Club Rezoning 8-14-23
63. Jane & Jeff Smith, 1651 Poe Ave – Opposed to the Sand Dunes Club Rezoning 8-14-23
64. David Spell, 1702 Atlantic Ave - Opposed to the Sand Dunes Club Rezoning 8-14-23
65. Cammie Camp, 2672 Middle St - Opposed to the Sand Dunes Club Rezoning 8-14-23

## V. Council Action Items:

- A. Approval of the July 18, 2023 Regular Council Meeting Minutes

**Motion was made by Councilmember Visser, seconded by Councilmember Millimet to approve the July 18, 2023 Regular Council Meeting Minutes, passed unanimously.**

- B. Approval of the Job Qualifications for the Director of Resiliency and Natural Resource Management Position

**Motion was made by Councilmember Latham, seconded by Councilmember Hubbard to approve the Job Qualifications for the Director of Resiliency and Natural Resource Management Position, passed unanimously.**

Mayor O'Neil stated this job description had been discussed at a prior Ad Hoc meeting. There was some discussion about the wording of the title.

- C. Approval of the July 21, 2023, Public Safety Committee Meeting Minutes  
(Committee Members Only)

**Motion was made by Councilmember Millimet, seconded by Councilmember Hubbard to approve the July 21, 2023 Public Safety Committee Meeting Minutes, passed unanimously.**

## VI. Matters for Discussion by Council:

- A. Request from "Ocean Club" for Zoning Text Amendment

Mayor Pro-Tem Novak recused himself from the discussion. Councilmember Millimet read a prepared statement (Attachment 1).

Councilmember Visser asked questions regarding spot zoning and potential developers. He is not certain of the legality of applying a single zoning exception to one property in a residential zone, or "spot zoning." He is also concerned about what the developers would consider "unsuccessful" and how that would change the future of the property. He does not want to move the discussion to other Committees of Council until these questions are addressed.

Councilmember Latham voiced concern over the desire to move this forward quickly and does not feel they can make an informed decision without more information.

Mayor O'Neil has concerns about altering the zoning ordinance for property that the Town does not own. He feels Council should seriously consider a community gathering or recreation center since many residents expressed a need for but is not sure allowing commercial activity in a residential zone is the best way to move forward. He also feels more questions should be answered and more discussion should be had before moving forward with such a big decision.

Councilmember Millimet stated he would like to try and find a solution that benefits all Island residents. He feels the current proposal would not be accessible to all residents and would like to discuss the options of a community center rather than a private club.

## **VII. Reports and Communication:**

- 1) Mayor's Report: Nothing to Report
- 2) Administrator's Report:
  - a) There is ~\$770,000 in revenue to spend on beach boardwalk improvements and reconstruction. A Greenbelt grant will pay for a portion of boardwalk repairs at Station 26 ½ . Improvements also need to be made at Stations 21 and 22 ½ . Mr. Benke suggested the money go towards repairs at those three first. Council agreed and gave permission to proceed. These repairs will likely start after Labor Day. Mayor Pro-Tem Novak stated these repairs have been discussed numerous times in prior Public Facilities Committee meetings.
  - b) The Recreation Committee needs to set a date for the Stith Park Master Plan charrette with the engineers.
  - c) The Public Safety Committee needs to finish up discussions on beach fires.
  - d) Employee Anniversaries
    - i) Notably, Assistant Fire Chief Amanda Hawver received a pin for 20 years of service
- 3) Attorney's Report: Nothing to Report
- 4) Boards and Commissions Report
  - a) Planning and Commission – Nothing to Report
  - b) Board of Zoning Appeals – Nothing to Report
  - c) Design Review Board – Nothing to Report
  - d) Tree Commission – Nothing to Report
  - e) Municipal Elections Commission – Nothing to Report

## **VIII. Committee Reports – Discussion Items:**

- A. Finance Committee – Mr. Blanton reviewed July's finance report
- B. Public Facilities Committee – The next meeting will be Thursday, August 31 at 10:00 a.m.
- C. Land Use & Natural Resources Committee – Nothing to Report
- D. Administration Committee – Nothing to Report
- E. Water & Sewer Committee – The next meeting will be Thursday, August 24, 2023, at 8:45 a.m.
- F. Public Safety Committee –
  - a. Fire Chief Stith supports suspending beach fire permits. He discussed issues identifying locations of fires as well as groups leaving debris behind on the beach and in the dunes. He stated we are the only Town in South Carolina that still allows fires. And feels they need to be stopped for several safety reasons. The Turtle Team is against the fires for various reasons, and it also presents a risk for the Town. Mayor O'Neil mentioned the burden it is on Administrative staff, which was discussed at the last Public Safety meeting. Other Council

members weighed in with questions and comments. Police Chief Griffin agreed with Chief Stith and mentioned the dangers of driving on the beach as well as potential problems with having officers inspect on foot, such as a delayed response time to emergencies. Photos of debris left by beach fires were presented to Council. The issue will be discussed at the next Public Safety meeting. Mayor Pro-Tem Novak also suggested discussing what kind of punitive recourse the Town can have for those that do not abide by the rules. Mr. Benke mentioned the various issues that we have with deposits, check or otherwise.

b. Chief Griffin stated the speed radars he researched ranged in price from \$3,000-4,000. There has been a request to install one on the Island side of Ben Sawyer Boulevard. Mr. Benke stated there are other costs involved with engineering plans and other DOT requirements. Chief Griffin mentioned the other radars installed on Jasper Boulevard recently were easier as there had been existing signs. He also agreed to provide a drawing of potential locations for it. No decisions were made.

G. Recreation Committee – Restated the need to schedule a charrette as well as the need to first have a Recreation Committee meeting prior to the charrette. Potential dates are Thursday, September 7, 21, or 26.

#### **IX. Executive Session:**

**Motion was made by Councilmember Millimet, seconded by Councilmember Hubbard, to go into Executive Session at 7:53 p.m. to discuss the following items, passed unanimously.**

A. Personnel – Boards and Commissions Seats: Review of Applications submitted for seats on various Boards and Commissions

**Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Hubbard, to come out of Executive Session, at 8:12 p.m. to discuss the following items, passed unanimously.**

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

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

**Motion was made by Councilmember Hubbard, seconded by Councilmember Millimet, regarding the Planning Commission, to approve that the three incumbents that applied, Laura Schroeder, Galia Coles, and Mark Howard be returned to the Planning Commission for another four-year term and Sydney Cook, pending her resignation from the Board of Zoning Appeals, become a member of the Planning Commission, passed unanimously.**

**Motion was made by Councilmember Latham, seconded by Councilmember Millimet, to appoint Cammie Camp to the unexpired Board of Zoning of Appeals position, expiring September 2024, passed unanimously.**



**Motion was made by Mayor O'Neil, seconded by Councilmember Hubbard, to appoint Madelyn McGee to the Tree Commission, passed unanimously.**

**XI. Adjournment**

**Motion was made by Councilmember Millimet, seconded by Councilmember Latham to adjourn the meeting at 8:14 p.m., passed unanimously.**

Respectfully submitted,



Bridget Welch

(Attachment 1)

Thank you all for your public comments – it is very helpful to understand the various positions regarding the Ocean Club and its potential for future development. Importantly, the more input we receive from all residents, the better the eventual output.

That said, and reiterating the Mayor’s comments, any decision Council takes regarding the club and potential zoning amendments will impact not only today’s residents, but will also impact all future generations of residents and future Town Councils.

As such, I recommend we hit the “pause button” regarding consideration of the proposed zoning amendment until we can get precise details on a number of considerations which I will outline. This is NOT meant to be a final list of concerns, but does address numerous areas that currently lack clarity.

Any municipality or business that considers an investment in the future owes it to itself to engage in a proper and thorough due diligence process. That is standard operating procedure and consideration of the proposed development by the Bathing Club LLC is no different.

Council is obliged to manage and oversee a proper due diligence process, on the LLC proposing the private club, on the potential impacts to the town infrastructure and populace of the current proposal, and importantly to consider other proposals. We should not be forced to assume the proposal currently before us is either the only one to consider or the best one for the island and its residents.

We also should not be guided by the developer’s sense of urgency or a goal to have the club open by any specific date. Hast causes errors – and we may only get one shot to get this right.

- 1) Let’s start our process with those that have proposed converting the former officers’ club into a private social club. We know very little of their history of working together and their record of success..

I’d like to see a list of projects in which this team has worked together and a list in which they worked separately. I believe they indicated that collectively they have engaged in ~35 development projects. In *each* case – what is the developer’s current financial commitment (non-membership related); what is the current use of the facility (different as originally planned) and have there been any failures or conversions.

- 2) It is difficult to understand the exact legal entity that has approached the Town and with whom the town should engage. Is it the Bathing Club LLC, Atlantic Avenue Holdings LLC, or another entity or combination of entities? How are liabilities assessed in the event of business failure or an accident? A flow chart of the ownership structure and importantly liability assignment would be helpful.

- 3) The Town should consider hiring an expert to provide council with a “traffic impact” study since we could be looking at 100s of vehicles / day in the area surrounding the Sand Dunes Club. As you know ... Officers Row is already almost impassible on weekends... Do we need to look at one way streets as an alternative traffic pattern? Parking outside of the 100 spots provided by the club should also be analyzed for impact.
- 4) Given the potential for consistent gatherings of several 100 people under the Ocean Club proposal, we need to [to] determine if current fire and police staffing is sufficient. This is not a situation with which we are currently faced and when we do not have large crowds on the Island we often call in outside support. If added staffing is required, it may cost the town taxpayers \$100s of thousand / year. Conceptually it is hard to ask the town to pay higher taxes to cover the safety needs of a private club to which many or most Islanders may not be members.
- 5) What would be the impact of a potential club and the accompanying traffic / noise on the value of surrounding properties? This needs to be evaluated. As a subsequent consideration, if actions by Council related to a private club negatively impact surrounding property values, is the town subject to a law suit for potential damages? Is the LLC? Can the town be sued by current business owners in the business district for creating a special zone in a residential district that adversely impacts their businesses?
- 6) The recent claim by the LLC pressing for development of the Ocean Club that the most valuable use of the property is actually as a residence is difficult to believe... if that was the case we would likely not be talking about a private club. But we should still get an independent valuation for the property as a residence and / or as a proposed private club. In either case – what are the impacts on surrounding property values?
- 7) The developers recently raised the possibility of the Sand Dunes Club being used as a house of worship or even a residential substance recovery home – (a use they state is protected by Federal law?). I don’t think we should dismiss their suggestion of a house of worship out of hand. This could actually be a desired use of the property as it would mitigate traffic / noise concerns outside of specific hours and would likely provide the town & residents with additional meeting space a la the Sunrise Church. Perhaps we could even source a religious organization that would upgrade and manage the entire facility as a non-profit, charging residents only the costs of operation etc. all while maintaining the historical nature of the property. It is worth looking into given the lack of other proposals.
- 8) While still in the presentation phase to select residents, I asked one of the partners of the development group to consider alternative fee proposals that would be less limiting. This could also involve a community center approach versus a “world class” private club. I think it is important to consider options outside of the single plan presented. The conditional use amendment filed includes use as a non-profit. How would that look?

Outside of the use of a house of worship there have been no other suggestions for use of the Sand Dunes Club. Rarely is a first proposal, unrefined, a best proposal...

- 9) The Town owns additional properties of a similar size to the Sand Dunes Club. Should future council decide to sell these properties to a developer, would another club or commercial entity be permitted as a result of the precedence potentially set here by approving the current request?
  
- 10) Finally I firmly believe that in order for the town council and SI residents to contemplate future uses of the Officers Club, including the current proposal, we need to fully understand its historic past and its significance to future generations. The historical nature of the club should guide our collective decision-making process and that of the Bathing Club LLC. To help us get this historical perspective I have asked Mike Walsh – President of Battery Gadsden Cultural Center to provide all residents with a history of the Officers Club within the context of Fourt Moultrie. Mike has agreed to present to us all at the next Town Council Workshop on September 11<sup>th</sup>...This might be a good foundation for all further discussions and proposals that are aligned with truly offering SI residents a historical gathering point for all residents.