



Town of Sullivan's Island, South Carolina
Town Council Meeting Minutes
Tuesday, June 18, 2024, 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
Scott Millimet, Councilmember
Gary Visser, Councilmember

Councilmember Jody Latham previously notified Council she would not be available for this meeting.

Staff members present were Town Administrator Andy Benke, Monty Anders, Jason Blanton, Nehemiah Clarke, Town Attorney Larry Dodds, Charles Drayton, Curt Gibbons, Greg Gress, Jacquelyn Gypin, Deputy Administrator Joe Henderson, Adam Ivan, Rebecca Fanning, Tyler Mahon, Markly McGougan, Police Chief Glenn Meadows, Lee Pearson, Mary Poole, Pam Otto, Bridget Welch, Andy Williams, Becky Williams, and Max Wurthmann.

Mayor Patrick M. 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 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 a moment of silence for prayer or reflection.

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Visser, to move Council action items "A" and "B" up in the agenda and make them "1A" and "1B" after the Oath of Office, passed unanimously.

I. Oath of Office: Joe Henderson, Town Administrator

Mayor O'Neil swore in Joe Henderson, Town Administrator, alongside his family. Mr. Henderson received a standing ovation.

II. Presentation: Phil Thomason of Thomason and Associates consultant to develop Sullivan's Island's Historic Design Guidelines, will be presenting a project overview and timeline

Mr. Thomason presented the project overview and timeline for the development of the Island's Historic Design Guidelines. The goal is to create a more user friendly for property owners of historic structures to reference. He reviewed the current standards and the reasons for this project. The presentation also included photos of

examples of historic homes and buildings on the Island. He provided some context for the use of the buildings as well as their construction and how they plan to restore and maintain them on the Island. He provided many examples of how and what they can use to achieve these goals, while also keeping to Federal State Park guidelines. He then took questions from Council and the audience.

III. Format: Public Comments

- **Ralph Byers, 3025 Middle St** – concerned about the Pacaso House at 3015 I’On Ave and would like an update on the legal proceedings
- **Karen Byko, 2862 Middle St** – voiced support for the Nature Trail that is being constructed to connect the trail from Station 16 to Station 18.5, after seeing the construction and walking the trail herself. She also requested that Station 18 be ADA compliant, and that the Town provide more communication about upcoming projects
- **Barbara Spell, 1702 Atlantic Ave** – feels the Town did not provide adequate communication about the construction of the Trail and is against it continuing construction. She also disagrees with the way the Town has chosen to spend money.
- **Manda Poletti, 1771 Atlantic Ave** – feels the foot path looks like a dirt road and is concerned about safety, parking, congestion, and ADA access.

IV. Proclamation: Leo Fetter – June 13, 2024, Leo Fetter Day

Mayor O’Neil read the Proclamation for Leo Fetter Day in its entirety.

V. Correspondence:

1. Helen Maybank, 2262 I’On Ave – Opposed for the Town to take on more debt
2. Terry Day, 2866 Marshall Blvd – Concerned with noise of gas blowers
3. Ward Lassoe, 2802 Jasper Blvd - Concerned with the lack of fencing or guardrails on bike path on Ben Sawyer Bridge
4. Emails and results of Sullivan’s Island beach sweep
5. Kimberly Brown, 2118 Pettigrew St – Email with concern of adding new boardwalks and damage to beach
6. Norman Khoury, 1728 I’On Ave – In favor of the comprehensive plan and protecting the Maritime Forest
7. Charles Stockdale, 1719 Atlantic Ave – Concerns with proposed public pathway from St 16 to lighthouse
8. Claire Walsh, 2530 I’On Ave – Opposed to alterations to Maritime Forest
9. Amy and Michael Cox, 1807 Atlantic Ave - Opposed to alterations to Maritime Forest
10. Cynthia Garland, 2 Citadel St – Opposed to alterations to Maritime Forest
11. Kathy Heller, 2320 I’On Ave – Opposed to alterations to Maritime Forest

VI. Council Action Items:

- A. Resolution – Andy Benke for his Dedication to the Town of Sullivan’s Island

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Hubbard, to approve the Resolution for Andy Benke for his Dedication to the Town of Sullivan’s Island, passed unanimously.

Mayor O'Neil read the Resolution for Andy Benke in its entirety and gave a short speech. Mr. Benke said a few words and received a standing ovation.

B. Resolution – of Appreciation to Robie Scott for Election Commission

Motion was made by Councilmember Higgins, seconded by Mayor Pro-Tem Novak, to approve the Resolution for Robie Scott for Election Commission, passed unanimously.

Mayor O'Neil read the Resolution for Robie Scott in its entirety and gave a brief explanation for disbanding the Election Commission.

Councilmember Millimet stated the budget is balanced as required by law.

C. Approval of the May 21, 2024, Budget FY2024 Public Hearing Meeting Minutes

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Visser, to approve the March 19, 2024 Regular Council Meeting Minutes, passed unanimously.

D. Approval of the May 21, 2024, Regular Council Meeting Minutes

Motion was made by Councilmember Visser, seconded by Mayor Pro-Tem Novak to approve the May 21, 2024, Regular Council Meeting Minutes, passed unanimously.

Councilmember Millimet stated the budget is balanced as required by law.

E. Third Reading and Ratification, Ordinance 2024-02, An Ordinance to Adopt the General Fund Budget for July 1, 2024-June 30, 2025.

Motion was made by Councilmember Millimet, seconded by Mayor Pro-Tem Novak, to approve Third Reading and Ratification, Ordinance 2024-01, An Ordinance to Adopt the General Fund Budget for July 1, 2024-June 30, 2025, passed unanimously.

Mayor O'Neil stated the budget has been previously discussed at multiple public meetings.

F. Third Reading and Ratification, Ordinance 2024-03, An Ordinance to Adopt the Water and Sewer Fund Budget for July 1, 2024 through June 30, 2025

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Hubbard, to approve Third Reading and Ratification, Ordinance 2024-03, An Ordinance to Adopt the Water and Sewer Fund Budget for July 1, 2024 through June 30, 2025, passed unanimously.

Water and Sewer Chair Novak stated the budget has been previously discussed at multiple public meetings. He also stated the water budget increased by 2.63% and sewer by 3.18% and is balanced, as required.

G. Third Reading and Ratification, Ordinance 2024-04, Ordinances to Amend the Zoning Regulations Regarding Side Setbacks, Side Facades, and Second Story Side Façade Setbacks for Principal

Buildings: Zoning Ordinance Sections §21-22 and §21-29: Consideration of Text Changes to Break up Massing and Encourage Articulation

Motion was made by Councilmember Higgins, seconded by Councilmember Visser, to approve Third Reading and Ratification, Ordinance 2024-04, Ordinances to Amend the Zoning Regulations Regarding Side Setbacks, Side Facades, and Second Story Side Façade Setbacks for Principal Buildings: Zoning Ordinance Sections §21-22 and §21-29: Consideration of Text Changes to Break up Massing and Encourage Articulation, passed unanimously.

- H. Third Reading and Ratification, Ordinance 2024-05, An Ordinance to amend the Section of Special Ordinances Table III: Property, to Establish a Lease Agreement of Real Property Owned by the Town with the Sullivan's Island Club.

Motion was made by Councilmember Millimet, seconded by Councilmember Hubbard, to approve Third Reading and Ratification, Ordinance 2024-05, An Ordinance to amend the Section of Special Ordinances Table III: Property, to Establish a Lease Agreement of Real Property Owned by the Town with the Sullivan's Island Club, passed unanimously.

Mayor O'Neil noted the location of the club and confirmed that the lease agreement is for one year.

- I. Third Reading and Ratification, Ordinance 2024-06, An Ordinance to Provide for the Issuance and Sale of Not Exceeding One Million Nine Hundred Thousand Dollars (\$1,900,000) 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.

Motion was made by Councilmember Millimet, seconded by Councilmember Higgins, Third Reading and Ratification, Ordinance 2024-06, An Ordinance to Provide for the Issuance and Sale of Not Exceeding One Million Nine Hundred Thousand Dollars (\$1,900,000) 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, passed unanimously.

Mayor O'Neil stated the purpose of the ordinance and that it has been discussed at previous meetings.

- J. A Resolution to Increase Water and Sewer Fees for FY 2025

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Millimet, to approve the resolution, passed unanimously.

Mayor O'Neil read the resolution. New rates will be \$21.29 for water only and \$32.33 for sewer. Water and Sewer Manager Greg Gress compared the changes in rates from last year. He also provided some data for the usage of an average user, which is 6,000 gallons.

- K. Friends of Battery Logan request financial assistance for site clean-up and stabilization in and around the historic battery.

Mr. Henderson reviewed the presentation given to the Public Facilities Committee by the Friends of Battery Logan president Tim Harrell. The Committee decided to give the group \$30,000 and needs approval from Council. Public Facilities Chair Hubbard reviewed the phases of clean up the group has proposed.

It will be discussed in more detail at the next Council Workship and Mr. Harrell will be invited back for comments and questions.

VII. Reports and Communication:

- A. Mayor's Report: Mayor O'Neil noted a letter from Comcast and an email from Senator Chip Campsen about Dominion's plan to remove palmetto trees.
- B. Administrator's Report:
 - a. Reviewed the plan to begin engineering study for viability of burying the power lines with Dominion Energy. There is a possibility for it to be funded with money from the non-service fund from Dominion. Council gave approval for Town staff to move forward with exploring options and also possibly finding an alternative engineering firm to conduct the study.
 - b. Nature Trail construction phase 2 – construction began last Monday and will continue with building the ADA ramps and boardwalks along some areas of the path. The trail is forecasted to open in mid to late July. Rebecca Fanning gave a short presentation on the trail's purpose, progress, and goals. Ms. Fanning then took questions from the Council. It was mentioned that making the Station 18 path ADA accessible is a high priority for the next fiscal year. Police Chief Glenn Meadows stated the new trail will provide easier access to help people in need of assistance or during emergencies. He stated there are no issues from a public safety standpoint. Fire Chief Anthony Stith agreed and stated it is helpful for the Fire Department to have better access to the trail.
 - c. The U.S. Army Corps of Engineers Beneficial Sand Reuse Project has begun work at Breach Inlet on Sullivan's Island and Isle of Palms. The Town has issued them a permit to authorize using Town property as a landing zone for equipment and officers.
 - d. Town Hall will be closed on Thursday, July 4 and will reopen Friday, July 5 at 8:00 a.m. Street closure begins at 4:30 p.m. and the Party at the Park will begin at 6:00 p.m., followed by fireworks.
 - e. Personnel anniversaries:
 - Scott Sanders – Maintenance: 26 years on 6/15/24
 - Andy Benke – Administration: 21 years on 6/23/24
 - Joe Henderson – Administration: 11 years on 6/3/24
 - Pam Otto – Administration: 7 years on 6/6/24
 - Lee Pearson – Fire: 4 years on 6/28/24
 - Becky Templeton – Administration: 2 years on 6/27/24
 - Tyler Mahon – Police: 1 year on 6/12/24
 - f. Mr. Henderson reminded citizens to begin preparing for hurricane season.
- C. Attorney's Report: Attorney Dodds stated there are no legal concerns with the Land Trust and cutting in the nature trail extension. Mr. Henderson stated the Lowcountry Land Trust Council is in full support of the nature trail project.
- D. Boards and Commissions Report:
 - a. Planning and Commission – The Comprehensive Plan Review is projected to be forwarded to Council in July.
 - b. Board of Zoning Appeals – Nothing to Report

- c. Design Review Board – Nothing to Report
- d. Tree Commission – Nothing to Report

VIII. Committee Reports – Discussion Items:

- A. Finance Committee – The FY 2025 budget has been approved and the Committee will work on prioritizing various projects and expenditures. Jason Blanton gave a finance report for May and reviewed the budget.
- B. Public Facilities Committee – The historical signs at Marshall Reservation are ready to be installed. Providing funds to the Friends of Battery Logan for cleaning and maintenance will be discussed at the July Workshop. The Committee would like to form a subcommittee that will come up with recommendations as to what to do with the old Town Hall.
- C. Land Use & Natural Resources Committee – The next meeting will be scheduled for late June/early July. Rebecca Fanning gave an update on the Dominion Energy tree cutting, stating they have decided to only remove high priority palmetto trees for now, which is about half of the original number quoted. July 8 is Dominion’s proposed start date to begin cutting. There is also a possibility of Dominion donating money to a not-for-profit that could assist with replanting trees.
- D. Administration Committee – Nothing to Report
- E. Water & Sewer Committee – The next Water & Sewer Committee meeting will be Thursday, June 27, 2024 at 8:45 a.m.
- F. Public Safety Committee – Fire Chief Anthony Stith announced the Fish Fry will take place on Saturday, June 29 from 5:00 p.m.-8:00 p.m.; tickets are \$5 and can be purchased in advance or at the door. Police Chief Glenn Meadows reported there has been no recent coyote activity and that traffic has been moving well during the busy season. He also reported some “Good News” stories from the Department.
- G. Recreation Committee – Thomas and Hutton reported on possible locations in the park for a community meeting center, should the Town wish to consider those facilities about potentially constructing a community meeting center and pool. The golf cart parade will begin at 9:00 am at Sunrise Presbyterian Church on Thursday, July 4.

IX. Executive Session:

Motion was made by Councilmember Hubbard, seconded by Councilmember Higgins, to go into Executive Session at 7:54 p.m., passed unanimously.

- 1. Legal Advice – Attorney Dodds to provide legal advice on the matter of 2024-CP-10-0319 Friedman vs. Town of Sullivan’s Island
- 2. Legal Advice – Attorney Sheedy: Discussion regarding the Charleston Water System Contract for Water Service

Motion was made by Councilmember Millimet, seconded by Councilmember Higgins, to come out of Executive Session at 9:14 p.m., passed unanimously.

X. 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 Millimet, that Town Council authorize the Mayor, or in his absence, the Mayor Pro-Tem, to execute the most recent version of the

purchased capacity contract proposed by Charleston Water System on the express condition that an acceptable resolution is agreed upon regarding the outstanding language modifications being negotiated to the satisfaction and approval of the negotiating team, passed unanimously.

Motion was made by Mayor Pro-Tem Novak, seconded by Councilmember Hubbard, that Town Council authorize the Town Administrator to execute the settlement agreement and release in Friedman v. Town of Sullivan's Island Civil Action No. 2024-CP-10-0319, passed unanimously.

XI. Adjournment

Motion was made by Councilmember Millimet, seconded by Councilmember Higgins to adjourn the meeting at 9:17 p.m., passed unanimously.

Respectfully submitted,



Bridget Welch