

December 16, 2003

The regular meeting of Town Council was held on the above date at Town Hall, all requirements of the Freedom of Information Act having been satisfied:

Present were: J. Marshall Stith, Mayor  
Carl J. Smith, Mayor Pro Tem  
Debra Hazen-Martin, Councilwoman  
Jane Ellen Herron, Councilwoman  
Patrick M. O'Neil, Councilman  
Alys Anne Wiedeke, Councilwoman  
William J. Wood, Councilman

The Pledge of Allegiance was led by Mayor Stith, followed by the invocation given by Councilman Wood. There were 23 private citizens present, and two members of the media.

The floor was opened for comments from the citizens. Mayor Stith told the citizens that Town Council does not have an official report from the Planning Commission regarding the dock issue, so no official action would be taken tonight. It will be discussed at the January 5, 2004 Committee meeting. Billy Craver, 2702 I'on, offered an unofficial summary of the Planning Commission meeting. The bottom line of the meeting was to permit 800 ft docks as long as they go to a 200' wide creek marsh grass to marsh grass; that the environment would not be affected in any significant fashion; and another creek isn't crossed to get to the 200' creek. This would effectively allow 3-4 people who have neighbors with docks, to have docks. Mr. Craver stated it appeared to be the fair and right thing to do. Susan Romaine, Conquest Avenue, distributed copies of a neighbor's proposed dock. Zoning Administrator Kent Prause stated the dock would be allowed under our present ordinance. Mr. Prause stated the Planning Commission did address issues that would relate to this dock as to overall size, however, it did not make a recommendation on the size boat that could be lifted. Mayor Stith said it would be looked into if the application was made for that property. The Town will have a chance to comment during the public comment period when OCRM advertises. Michael Midoffer of 1650 Poe gave an update of the flier results mailed to residents 12-4-03 on the dock input: previously had 264 responses; now 329 responses of which 73% want no change to the ordinance. Bobby Cummings of 1450 Thompson, who helped spearhead much of the dock issue, stated his situation has changed. They are not selling their house and have purchased another house with a dock. He hopes that this will not continue to be a personal issue against him. His life growing up revolved around the creek and it is one of the island's most incredible assets. He wants the people and children to not be limited because they cannot have a dock. Penn Hagood of 2424 Raven stated she hopes Council will not change the ordinance; the boat landing at Station 26 has plenty of public access and no one is ever out there when she is; the observation deck in the park is always empty when she goes there.

The minutes of the November 18, 2003 meeting were approved as written.

New Correspondence – Administrator Benke reported we received a request from the Charleston County Mosquito Abatement office for our signature approving the use of a helicopter for mosquito abatement. Motion was made by Councilman Smith, seconded by Councilwoman Hazen-Martin to approve the use of a helicopter for mosquito abatement. There was no vote taken; it will be postponed until the next meeting. Mr. Benke to contact

the office to encourage them not to spray in the morning hours across the playground, and to inquire what type of spray they will use.

Attorney's report – There was no attorney's report. Mr. Benke inquired if any correspondence had been prepared concerning the lighthouse property. Mr. Dodds stated he needs the consensus of what Council wants, but stated the covenant should probably say that no further improvements should be made to the property; you shall only maintain what is presently there. The transfer documents are in the process of being drafted and executed according to John Tucker. Mr. Tucker was to let us know how the language we want in the documents could be included, and he has not responded. Mr. Benke will contact Senator Hollings' office to ask for their guidance and direction about including that language in the transfer. We can relay that information to Mr. Dodds, and he can write a letter to the General Services Administration.

Administrator's Report, Administrator Benke. The S.C. Board of Election and Voter Registration advised that the Town currently has 1,618 registered voters. Under federal regulations, locations with 1,500 or more voters require two precincts. Mr. Benke will ask that the validity of the number of registered voters be reviewed. South Carolina ETV will feature Mt. Pleasant, Isle of Palms, and Sullivan's Island on February 4, 2004 in a segment that will coincide with the commencement of their digital broadcasting in the area. We need suggestions as to how best showcase Sullivan's Island – people, places, etc.

Ways and Means Committee, Mayor Stith. The financial report was presented.

Personnel Committee, Councilwoman Wiedeke. Town Hall is scheduled to close on December 24, 25, 26, 2003 and January 1, 2004.

Water and Sewer, Councilwoman Hazen-Martin. A working session was held, including the engineers, and it covered sanitary survey of the town water system and reclassification of the treatment system. It is being resolved with DHEC to our satisfaction; we will just have a yearly test related to the phosphate feed. The waterline project design and the tree survey were also discussed with the engineers. The price for their tree survey was inappropriate. They stated the price was relatively high because they felt they were working with very little information. Volunteers on Council and the Tree Commission will assess trees in the rights-of-way that will be impacted by the waterlines. That assessment will be given to the engineers, and they can further study which will be more affordable. The HDR wastewater treatment Phase III progress was also discussed. Councilwoman Hazen-Martin expressed concern over misinformation in the press and comments made at a public hearing. At the Planning and Zoning public hearing, Mr. Everett Presson made statements concerning the sewer plant. She read the transcript from the meeting. Because he made a public comment, Councilwoman Hazen-Martin wanted to make a public response to his statements. She stated that the reason we make improvements to the plant is for it to continue to operate in an environmentally sound fashion. We have stayed ahead of every increased stringent requirement that the federal government had passed down to us, where large plants have enjoyed less and less restriction. We are not expanding the plant; it is retooling and improving to continue to have good standards and good function. She would ask Mr. Presson to compare our performance with some of our neighbors. The Town of Sullivan's Island operates a system that is efficient, operated by people who care about the environment. If indeed we were polluting the environment and ruining the marsh, we would not be legally functioning as a water and sewer plant. It's because we stay within requirements and make

the kind of improvements we need and are thinking long into the future, that we are able to meet all of these increased requirements.

Councilwoman Hazen-Martin also commented on the COSI newsletter, Volume 2. While we are happy to have COSI representatives at the meetings, and working committee meetings, some of the information in the newsletter was misleading. She wanted everyone to know that the working Water & Sewer committee is their chance to discuss and try to draw some conclusions and recommendations that then come to Council Committee meetings. Even when it comes to Committee meetings, it's then that the Water and Sewer committee makes recommendations to Council, and frequently all of Council is included. But it is Council that makes policy. At the last working meeting, there were no COSI representatives there, but in the newsletter, several statements were made that were not correct. It stated that Phase I sewer project was underway; however, we are now in Phase III. It said that Republic Contracting has begun digging to replace waterlines that have been leaking over the years. This is not true. It also stated that all trees would be removed from rights-of-way for water pipe placement and that adjacent residents would have the option to receive the moved trees. We will make every effort to save all trees. But we do not believe it is the Town's obligation to move or save trees that are part of a landscaping scheme that encroaches on the right-of-way, nor is it going to be our responsibility to move hard structures that are put there by residents. In the event that we have to move a large palmetto and it is adjacent to a neighbor's property, the Town is currently looking at an Adopt-a-Tree program, but not necessarily cost-free, and a decision has not been made by Council. In the newsletter, it almost sounds as though reports from the committee meetings and working meetings are describing policies that have been made within the context of those meetings, and that isn't the way our government works. Lisa Crow of 2908 I'on stated she reported on the tree portion of the newsletter. She agrees that good information needs to be provided; that's the purpose of the newsletter. Ms. Crow stated that the article does not state that it will be free of charge, nor does it say anything about moving structures. It says a letter will be coming out from Council to explain those responsibilities. Those statements were to the best of her recollection and recollection of others that were at the Council meeting last month. Marie Louise-Ramsdale, 2115 Pettigrew, stated she would be glad to have the Administrator or someone look at the newsletter before it is distributed. Councilwoman Hazen-Martin stated we don't want to edit the writing, only to cite items that might be misinterpreted, or do not accurately reflect the issue. The audio tapes of the meetings are also available for review.

Councilman Smith made a statement in reference to Mr. Presson's comments concerning the sewer plant. Although Mr. Presson is not at this meeting, he has been present when Councilman Smith has made these comments. Councilman Smith had conversations with Clay Duffie at Mt. Pleasant Waterworks regarding the beginning of the sewer project. Based on information at the time, Council decided it would be a poor decision to send our effluent to Mt. Pleasant. They wanted us to treat our effluent, so we would be sending treated effluent, and would still need to maintain our current infrastructure, plus pay a transportation charge.

Building and Construction Committee, Councilman Wood. Monthly report was presented.

Fire Committee, Councilman Wood. The Holiday Lighting ceremony was very successful and well attended. Councilman Wood congratulated the Fire Department on the good job they did in extinguishing the fire at 1738 Middle Street. He reminded everyone to check their fireplaces and smoke alarms.

Recreation Committee, Councilwoman Herron. S.C. DOT has granted a permit to close Station 22-1/2 from Middle Street to I'on Avenue on January 1, 2004 for the Polar Bear Swim. The Charlie Post 5K and 15K road race will be held January 31, 2004. Middle Street from Station 20-1/2 to Station 21 will be closed for the commencement of the race. Registration is at 7:30 a.m., with the race beginning at 8:30 a.m. Suggestions for handicap beach access with golf carts are under consideration. Representative Hagood is investigating golf cart identification methods and will report his findings to Mr. Benke. We have received prices for hardware for new lighting at the tennis courts. Mr. Benke is reviewing wattage requirements and lights at other courts.

Real Estate Committee, Councilman O'Neil. Cooper Consulting has mailed a draft of the commercial district recommendations to businesses and neighbors, and has received a few comments. They are preparing a bulleted draft document to be given to Council, the Planning Commission, Board of Zoning Appeals, and members of the former ad-hoc committee by December 19. A public meeting will be held on January 21, 2004 at 6:00 at the Sand Dunes Club for Cooper Consulting to present the final proposal. This presentation does not trigger the pending ordinance doctrine. A public hearing was held by the Planning Commission on December 10<sup>th</sup> to discuss the dock ordinance. Council will discuss at the next Committee meeting on January 5, 2004.

Police Committee, Mayor Stith. The monthly report was presented.

Streets and Maintenance Committee, Councilman Smith. The Confederate Heritage Trust and the local Sons of Confederate Veterans Camps have requested permission to hold services at Breech Inlet on February 17, 2004 that will honor the crews of the H.L. Hunley and the USS Housatonic. The event will include a march from Fort Moultrie to Sunrise Presbyterian Church and camping/all night vigil on the beach. Motion was made by Councilman Smith, seconded by Councilman Wood, to allow the Confederate Heritage Trust and Sons of Confederate Veterans Camps to hold the services, carried unanimously. The National Park Service has requested the use of Town property for parking to accommodate reenactors that will camp on Fort Moultrie property during the April funeral ceremony for the Hunley crew. Motion was made by Councilwoman Wood, seconded by Councilman O'Neil, to allow parking on Town property for the reenactment, carried unanimously.

Mayor Stith duly ratified An Ordinance Amending Section 21-39.1E and 21-39.1J of Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances.

Motion was made by Councilman O'Neil, seconded by Councilwoman Wiedeke, to defer Second Reading on An Ordinance Amending Section 21, Zoning Code of The Sullivan's Island Code of Ordinances By Establishing An Old Fort Historic District Overlay District, Identifying Its Location, Amending The Official Zoning Map and Including Provisions Regarding the Removal and Demolition of Certain Buildings; carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Wood, to defer Second Reading of An Ordinance Amending Section 21, Zoning Code of the Sullivan's Island Code of Ordinances by Establishing an Historic District Overlay District, Identifying Its Locations, Amending the Official Zoning Map and Including Provisions Regarding the Removal and Demolition of Certain Buildings, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilman O'Neil, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney  
Town Clerk