

February 25, 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
Penn L. Hagood, Councilwoman
Debra Hazen-Martin, Councilwoman
Carl J. Smith, Mayor Pro Tem
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 by Councilman William J. Wood.

There were eight private citizens present.

The floor was opened for comments from the citizens. Lorcan Lucey, 2201 Myrtle, said he received a letter from the new owners of the previous Shanty Restaurant and they have proposed an extended back seating area. He expressed his opposition to this proposal and support for the first reading of the ordinance on the agenda. Jackie Shedrow of 2214 Jasper lives almost directly behind the restaurant, and agrees with Mr. Lucey. She stated that the new owners are supposed to erect some type of sound barrier between her house and the restaurant. Pat Votava of 2214 Jasper lives directly behind restaurant. She is also very opposed to the outside seating area. Mayor Stith stated that Council heard the comments of the restaurant's neighbors last year regarding the noise, trash and activity. Mayor Stith stated that the Zoning Administrator sent a letter to the new owners of the restaurant stating that they can not use the back deck except for loading supplies. They can not have deliveries in the back half of the lot. We are looking at perhaps limiting parking to one side of the street as on other streets, because parking on both sides of Jasper is a problem. Mayor Stith said that perhaps a survey should be done of Middle & Station 22 to the commercial area. He is not sure of the right-of-way for parking. Councilman Smith stated that the ordinance is for all commercial properties; not only the previous Shanty Restaurant. Cheryl Clark of 2119 Pettigrew thanked the town for the new dog waste receptacle at Station 22.

Minutes of the January 21, 2003 meeting were approved as written.

Motion was made by Councilman Wood, seconded by Councilwoman Hazen-Martin, to accept the resignation of Karen McNamara, Town Administrator, carried unanimously.

Motion was made by Councilman Wood, seconded by Councilman Wiedeke, to accept the resignation of Joseph Wincklhofer from the Fire Department, carried unanimously.

Mayor Stith duly endorsed a Proclamation of March as Red Cross Month.

There was no new correspondence or Attorney's report.

Ways and Means Committee, Mayor Stith. The litigation brought against the town concerning a dock at 1010 Osceola has been dismissed by the Judge on the petition of the plaintiff. Letters have been mailed to restaurants regarding the hospitality tax increase. Collections will begin April 1, 2003. Letters and petitions have been sent to our Senators, Congressman, post office officials, and the Governor regarding the potential closing of the Post Office. In the future, Council would like Administrator to prepare an administrator report, similar to the committee reports, each month.

Personnel Committee, Alys Anne Wiedeke. Motion was made by Councilwoman Wiedeke, seconded by Councilman Wood, to grant Phillip Dunning of the Police Department permanent status and upgrade accordingly, carried unanimously. Motion was made by Councilwoman Wiedeke and seconded by Councilman O'Neil to grant Ellen McQueeney, town clerk, permanent status and upgrade accordingly, carried unanimously. The resignations of Joseph Winckhofer and Karen McNamara have been accepted. A draft of the town administrator position advertisement has been written; it will be placed on the MASC website and in the Charleston newspaper next week.

Water and Sewer, Councilwoman Hazen-Martin. The Poe Avenue project is almost complete; except the work to restore properties to their previous state. Azalea Utilities has gone past the finish date and are being assessed penalties. However, the penalties do not save us money because our engineers have to inspect almost daily which causes us equivalent costs. We will discuss options with Town Attorney Larry Dodds. The other major issue is the grit system at the sewer plant. The pre-fab grit chamber was substituted without notification to us, and the concern is that it may not be a long-term solution. The engineers did not have a geotech firm analyze whether that was a good option. We have hired a geotec firm to analyze the situation, and will respond after review of the report. An Update meeting with HDR has been planned for March 11, 2003. After this meeting, a public hearing will be held regarding the results. Councilwoman Hazen-Martin will meet with B.P. Barbour to discuss funding options including the revolving state loan and will present to Council. Councilwoman Hazen-Martin stated that we want the final report before the March 11th meeting. There are two areas where yellow water is still occurring. Adjustments were made to the phosphate feeding, and we will determine the results based on the homeowners' comments from those areas. Gregg Gress is helping to expand a regional organization named Water Quality of South Carolina. This organization can help to influence decisions that are being made and passed to DHEC for regulation.

Building and Construction Committee, Councilman Wood. Randy Robinson, Building Official, attended a Charleston hazard litigation meeting. The investigation continues on the RC1 cutting. The Tree Commission continues its work. Councilman Smith said an urban forester spoke to the group concerning the accreted land and was

pleased with what is going on. The County will clean up the old oil change site on Thompson Avenue.

Fire Committee, Councilman Wood. The oyster roast was a huge success. The resignation of Joseph Winckhofer has been accepted. The new employee, Collins Corbett, begins March 11th. The 55th anniversary celebration of the Fire Department will be April 10th at the Sand Dunes Club.

Recreation Committee, Councilwoman Hagood. The weddings on Station 18 on March 22; and near the lighthouse on June 21st were approved. The OCRM grant is nearing completion; the landscapers have finished their work. Dunleavy's has requested to close Station 22-1/2 on March 16th and 17th. It was requested that Dunleavy's come to the next committee meeting for discussion of this issue. The annual fundraising dance for the park is March 7th. The Exchange Clubs of Mt. Pleasant and Isle of Palms are hosting the Isle of Palms Connector Run on October 4, 2003.

Real Estate Committee, Councilman O'Neil. The two community workshops were held with the consultants, and attendance was magnificent. A letter was sent to Cooper Consulting regarding the disappointment of the Thursday night workshop. Connie Cooper will be at the committee meeting on March 3 to discuss.

Police Committee, Mayor Stith. The police position is being readvertised. Judge Harper will fill-in for Judge Duffy when he is unavailable. Councilman O'Neil commented on the good job Chief Howard has done on updating the new website.

Streets and Maintenance Committee, Councilman Smith. The lanes of the Breech Inlet Bridge have been set up; it appears that the bike lanes do not meet federal standards. DOT said the money saved due to smaller paved parking space could be used toward landscaping; we will contact DOT to determine what funds are available. Councilman Smith spoke with DOT concerning the area across the street from the parking lot. The owner was not concerned about the frontage road configuration; he wanted brick pillars pulled out and placed somewhere else. DOT claims that the plans showed the frontage road was gone because the bridge was lowered and there was no need for the side road. Councilwoman Hazen-Martin stated that it may be inconsequential at this point, however, we do not want this to happen again in the future. A date for the unveiling of the historic marker at Breech Inlet will be set as soon as all construction is complete. SCE&G has agreed to put a light on the pole at the intersection before the bridge. The Town sign is rotting and needs to be replaced. The NPDES application will be submitted. It will take five years to implement this DHEC requirement. Chief Stith had an example of a dog waste basket with sign, which has been placed at Station 22. The use results have been positive; we will pursue getting more. This expense could be taken from the county accommodations fee.

Mayor Stith duly ratified An Ordinance to Amend Sections 21-28, Paragraphs (D), (F), (K), and (L) of Chapter 21 Zoning Code of the Town of Sullivan's Island Code of Ordinances pertaining to Front and Rear Yard Setbacks.

Motion was made by Councilman O'Neil, seconded by Councilman Smith, to pass First Reading of An Ordinance to Add Section 21-36A of Chapter 21 of Zoning Code of the Town of Sullivan's Island Code of Ordinances pertaining to Frontage of Business Activities, carried unanimously.

Motion was made by Councilman Wood, seconded by Councilwoman Hazen-Martin, 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 Councilwoman Hagood, 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 Councilwoman Wiedeke, seconded by Councilman Wood, to amend the agenda to add Executive Session to discuss personnel and legal contractual issues, carried unanimously.

Respectfully submitted,

Ellen McQueeney
Town Clerk