

November 18, 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 25 private citizens present, and one member of the media.

The floor was opened for comments from the citizens. Pat Ilderton of 2507 Atlantic and Elmore Browne of 2430 Goldbug presented sketches for construction of an open gazebo with built-in benches at the African-American cemetery. They asked permission to move forward and would like to complete by end of the summer 2004. Councilwoman Hazen-Martin expressed concern about parking and suggested they talk with the adjacent neighbors to the property. Motion was made by Councilman Wood, seconded by Councilman O'Neil, to give approval to move forward with the project after obtaining the proper permits, carried unanimously. Bobby Cummings of 2014 Gull stated a corrected version of the comparison between the State vs. Sullivan's Island regulations concerning docks lengths was distributed. There were accidental omissions due to the State website not being up-to-date with its most current version. Susan Middaugh of 2420 Raven presented 51 additional signatures to the original petition of 154 signatures to keep the current dock ordinance. Laurie Arthur of 2850 Middle inquired how Council will approach the recommendations of Cooper Consulting, and if there will be more time for comment. Councilman O'Neil stated the comment period for the last presentation is over, and Cooper Consulting will send the next version of their recommendations in a bullet format to Town Council, the Board of Zoning Appeals, the Planning Commission, and members of the ad hoc committee for their review and feedback. Ms. Cooper will take comments from those recommendations and she will present the Town with final recommendations. We have not worked out the specifics concerning the pending ordinance doctrine, but we did find out from our Town Attorney that it is possible to submit the proposed ordinance to the Planning Commission for review and for public hearing without necessarily imposing the pending ordinance doctrine. One way that can be accomplished is for the proposed ordinance to stipulate that the ordinance takes effect "x" days after ratification. Town Council could decide to pull out certain sections to approve earlier than other sections of the ordinance. Greg Ryberg of 1753 Atlantic stated the tree ordinance being presented tonight does not answer their problems with the willows and other trees that are not allowed to be cut. Mayor Stith stated that the Town is currently doing an initial survey with possible plans for a total management plan of the area. Mike Psenka of 2907 Middle inquired about Council's sentiment regarding Cooper Consulting's recommendations and whether Council believes concerns expressed are the majority or the

minority of homeowners. Councilman O'Neil stated there are still two more versions of the recommendations to see. It is not Council's intention, in his opinion, to quickly pass the entire ordinance, but there may be some specific elements that could reasonably and rationally be addressed. Marie-Louise Ramsdale of 2115 Pettigrew Street requested that information go on the website, along with a letter to residents if possible. Rhonda Sanders of 1414 Middle stated that Bobby Thompson had stated the zoning and design might be separate in the new proposal. Councilman O'Neil stated that it is all zoning.

Motion was made by Councilman Wood, seconded by Councilwoman Wiedeke, to approve the Minutes of the October 21, 2003 meeting as written, carried unanimously.

Motion was made by Councilman Wood, seconded by Councilwoman Wiedeke, to appoint Ronnie Evangelista to the Police Department, carried unanimously. Oath of Office was duly administered by Mayor Stith.

Proclamation of Tri-County Advance Care Planning Week was approved.

New Correspondence – There was no new correspondence.

Attorney's report – Attorney Larry Dodds received a request for fee simple title from Jerry Theos to 1509 Middle Street. Motion was made by Councilman Smith, seconded by Councilman Wood, to approve the fee simple title to Jerry Theos for 1509 Middle Street, carried unanimously.

Administrator's Report, Administrator Benke. Greg Gress and Andy Benke will attend a meeting to hear discussion between Charleston County Public Works and SC DHEC regarding NPDES Phase II responsibilities. Mr. Chris Marsh of the Spring Institute will tour the accreted land with Randy Robinson on 11-21-03 for the initial assessment of the trees and comment on a comprehensive management program.

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

Personnel Committee, Councilwoman Wiedeke. Officer Mike Culnon has completed the six-month employee probation. Chief Howard requested that Officer Culnon be transferred to the recently vacated detective position. Motion was made by Councilwoman Wiedeke, seconded by Councilman Wood, to approve the regular employee status of Mike Culnon and be transferred to vacated detective position, carried unanimously. Four applications were received for the Board of Zoning Appeals seat vacated by Gail Rahn. Motion was made by Councilman O'Neil, seconded by Councilman Wood to appoint James Hiers to the Board of Zoning Appeals. Councilman O'Neil withdrew his motion; Councilman Wood withdrew his second to the motion. Mayor Stith asked for nominations from the four applicants to the Board of Zoning Appeals. Councilman O'Neil nominated James Hiers; Councilwoman Hazen-Martin nominated Karen Coste. Motion was made by Councilman Smith, seconded by Councilwoman Wiedeke, that the nominations be closed, carried unanimously. Mr. Hiers was appointed to the Board of Zoning Appeals by a vote of 4-2.

Water and Sewer, Councilwoman Hazen-Martin. DHEC was found to be out-of-order by the Judge in enforcing flow violations. DHEC is appealing the NPDES Permit flow limits; the judge will probably rule no earlier than the first of the year. The water pipe replacement project continues. Greg Gress and Andy Benke met with the utilities companies concerning right of way issues. The letter to property owners concerning the water project/right of way issues will be mailed to residents. Dr. Donald Ham, an urban forester, talked with us concerning trees in these areas, and HDR can assist us in identifying trees that will need special attention during this process. Motion was made by Councilwoman Hazen-Martin, seconded by Councilwoman Wiedeke, to proceed by employing HDR to plot using technology which will superimpose information on these maps, carried unanimously. Motion was made by Councilman Wood, seconded by Councilwoman Wiedeke, that we award the contract for cleaning oxidation ditch to Settle Solids Management Inc. It is the only company that can remove solids from an operating system so that is why we don't have a competitive bid. All of the utilities use this company. The Town Attorney has approved the contract. The amount is \$45,000. It is part of an ongoing maintenance at the plant. The motion was carried unanimously. We recently had a sanitary survey of our water delivery system. We have some issues to take up with DHEC. Between the last survey and most recent survey, DHEC has decided that our addition of phosphate to the water makes us a water treatment facility and that Sullivan's Island is operating three water treatment plants. We think there is miscommunication between the local and State DHEC offices that we hope to clear up. We would like to continue with phosphate as solving part of red water problem until we are further along with water line replacement. This will be discussed with DHEC and will be reported at the next committee meeting. HDR is composing an article featuring Sullivan's Island. Council will be able to give final approval before published. The next Water and Sewer Committee Work Session will be December 8th at 3:00 p.m.

Building and Construction Committee, Councilman Wood. Monthly report was presented. Five new homes were permitted this month. Home demolitions are on the rise.

Fire Committee, Councilman Wood. The holiday lighting ceremony is scheduled for Friday, December 5th at dusk. The ladder truck will be repaired by November 19th; it has been out of service for two days. Mt. Pleasant Fire Department has been on stand-by to respond to any ladder truck calls.

Recreation Committee, Councilwoman Herron. Dunleavy's request to close Station 22-1/2 for the Polar Bear Swim on January 1, 2004 was approved. A request to have a wedding ceremony on the beach at Station 26 on May 15, 2004 at sunset was approved. Discussion regarding the use of golf carts for handicap beach access has been delayed until further information is received. Representative Hagood is investigating golf cart identification methods. Information was presented regarding new lighting for the tennis courts. Currently we have 4,000 watt lights, and the poles are rotting. Hardware estimates have been received for 8,000 watt and 6,000 watt lights. Councilwoman Herron stated that the Park Foundation would help with the cost. Discussion will take place at next committee meeting.

Real Estate Committee, Councilman O'Neil. The Cooper Consulting update was discussed earlier in the meeting. The Planning Commission is holding a public hearing on December 10th concerning the amendment to ordinance 21-40 pertaining to docks.

Police Committee, Mayor Stith. The monthly report was presented. The ABATE Motorcycle event will take place on November 30th, with motorcycles driving through Sullivan's Island around 3:00.

Streets and Maintenance Committee, Councilman Smith. Charleston County Public Works will meet with Councilman Smith and Administrator Benke to review the Middle Street Drainage Project. A comprehensive list of potholes needing repair has been submitted to SCDOT. Mr. Benke and Mr. Gress will attend a meeting regarding NPDES Phase II. SCDOT has confirmed responsibility for all storm water outfalls on Sullivan's Island. Research of chipper machines shows purchase prices range from \$4-\$12,000. We will investigate rental prices and discuss at next committee meeting.

Motion was made by Councilman Smith, seconded by Councilman Wood, to approve Second Reading of An Ordinance Amending Section 21-39.1E and 21-39.1J of Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances, carried by a vote of 6-1 (Councilwoman Hazen-Martin).

Motion was made by Councilman Smith, seconded by Councilman Wood, to suspend the rules and have third reading of An Ordinance Amending Section 21-39.1E and 21-39.1J of Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilman Wood, to approve third reading of An Ordinance Amending Section 21-39.1E and 21-39.1J of Chapter 21, Zoning code of the Sullivan's Island Code of Ordinances, carried unanimously.

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 Wiedeke, seconded by Councilman Smith, 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.

Respectfully submitted,

Ellen McQueeney
Town Clerk