

July 20, 2004

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
Debra Hazen-Martin, Councilwoman
Patrick M. O'Neil, Councilman
Carl J. Smith, Mayor ProTem
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 over thirty private citizens present, and two members of the media.

The floor was opened for comments from the citizens. Kay White of 1731 Atlantic inquired about the status of the accreted land study. Councilwoman Wiedeke stated that the study hasn't started yet. The first step is to complete a GIS mapping of the area, and we are working on that funding. We applied for a grant through the State Forestry Commission, but our request our not considered within the field of that grant. Mike Perkis of 2871 Brownell said a core group of seven residents with differing opinions concerning the dog ordinance has formed to help come up with a compromise to present to Council. Patty Maher wanted to follow-up after the last committee meeting concerning the noise issue. Chief Howard said on his walk last Saturday from 9pm to 2am that the traffic was louder than the noise coming from the business district. Mayor Stith said that he believes it is mostly coming from patrons leaving and returning to their cars. The Planning Commission is discussing this as they review the proposed plan for the commercial district. Bill Dunleavy also questioned the status of the closing hours for outside seating. Mayor Stith stated that the Planning Commission rescinded their recommendations to close outside seating early, and Council has deferred the issue until the Planning Commission reviews the entire commercial district proposal. Matthew Trainor of Atlanticville Restaurant stated we should train the customers to use Middle Street for parking, not the neighborhood. Councilman O'Neil stated that the next Planning Commission meeting regarding the commercial district would be next Wednesday at 6:30 p.m. He asked the restaurant owners to remind patrons that their car may be parked in a residential area. Mrs. Make McMurphy stated that islanders should be encouraged to walk to the commercial area.

The minutes of the June 15, 2004 meeting were approved as written.

Reports and Communications - none

There was no attorney's report.

Administrator's Report, Administrator Benke. Three seats on the Planning Commission, two seats on the Board of Zoning Appeals, and one seat on the Election Commission are scheduled to expire in September. An ad will be placed in the newspaper asking for interested persons to serve. Councilman Smith stated that Council should appeal to the expiring seat members on the Board of Zoning Appeals and Planning Commission to stay on the Boards through the zoning process. Those members will be contacted. He also stated

that the Election Commission chairman should be contacted to ask if he will remain on the Commission through the General Election.

Ways and Means Committee, Mayor Stith. The financial report for May was rendered.

Personnel Committee, Councilwoman Wiedeke. Firefighter Kurt Gibbons has successfully completed the Driver Operator course, and Captain Chris McDaniel attended a recertification class for the S.C. Fire Instructor Academy. The MASC suggests a revision of the Town ordinance preamble to reflect the most recent "at will employment" language. Department openings in the near future are for police officer, Water & Sewer chief operator, and an administrative position at Town Hall. Administrator Benke will be out of the office on vacation from July 12-19, 2004.

Water and Sewer, Councilwoman Hazen-Martin. Monthly water and sewer reports were rendered. The waterline plans were approved by SCDOT and are now at DHEC awaiting final approval. A letter has been drafted expressing concern because the wastewater treatment plant is not progressing on schedule; an updated schedule has been requested. The manufacturer's representative of the clarifier will be on site 7-20-04 for inspection. The testing and start-up is scheduled for 7-29-04. A water and sewer employee was injured on the job last week, and Councilwoman Wiedeke expressed her thanks to the Town employees for their help. Councilwoman Hazen-Martin would like to discuss the funding for the new Water & Sewer administration building at the next committee meeting.

Building and Construction Committee, Councilman Wood. Monthly report rendered. The Building Inspector estimates it will cost \$25,500 to move the house, build the foundation and pour the slab for the new Water & Sewer administration building. Approximately \$14,000 will be required to have the building read to use. The structure at 1709 Atlantic could be moved as early as the beginning of August.

Fire Committee, Councilman Wood. The Volunteer Fire and Rescue fish fry had a large crowd and was very successful. The S.C. Firemen's Association held their Annual Convention and honored fallen firemen in South Carolina.

Recreation Committee, Councilwoman Wiedeke for Councilwoman Herron. A beach wedding request for August 20, 2004 at 7:30 p.m. was approved. Administrator Benke will contact the Carolina Children's Charity who has requested permission for a 12-K run fundraiser at Sullivan's Island on September 18, 2004, which conflicts with the Beach Sweep Weekend.

Police Committee, Mayor Stith. Monthly report rendered. Mayor Stith commented on the noise and animal control issues, which will continue to be addressed.

Streets and Maintenance Committee, Councilman Smith. We have sent correspondence to the SCDOT regarding the Ben Sawyer Bridge repair and street signs/markings and traffic calming issues. A meeting will be held July 26th with Rep. Hagood, Mayors Hallman and Sotille, Highway Commissioner Bobby Harrell, and Elizabeth Mabry of the SC Highway Department to discuss the Ben Sawyer Bridge. We have written to them stating it is still our desire to rehabilitate the existing bridge, and we have support from the Town of Mt. Pleasant and the Town of Isle of Palms.

Real Estate Committee, Councilman O'Neil. The public hearing on adoption of proposed changes to the comprehensive plan was heard tonight. Discussion will take place at the next committee meeting, and will be placed on the agenda for the next Council meeting. The grant application to the S.C. Forestry Commission for assistance under urban and community assistance was not accepted. We are proceeding with other means of assistance. The first reading of an ordinance to amend Chapter 21, adding Articles XI and XII from the Cooper Consulting proposed zoning revisions was given on June 30, 2004. This would institute a process by which people with houses that are currently designated as historic and as protected, a mechanism to appeal that designation and try to be removed from the list. Similarly, it would set up the same mechanism for people who wish to apply to have their buildings added to the list of protected properties. This was discussed at the last committee meeting, and Mr. Benke and Councilman O'Neil met with Town Attorney Larry Dodds and reported what changes Council might consider to the documents submitted by the consultants. Councilman O'Neil incorporated those changes that resulted in the track changes version Council received tonight. Subsequently, Mr. Dodds reviewed that version at length this afternoon with Councilman O'Neil, and a few changes were presented tonight. Council reviewed the entire document, and incorporated those changes.

Motion was made by Councilman O'Neil, seconded by Councilman Wood, to revise the agenda to have Third Reading of An Ordinance Amending Section 21-4, 21-5 and 21-26 of Chapter 21 Zoning Code of Sullivan's Island (item two on agenda) first; before Second Reading of An Ordinance to Amend Chapter 21 Zoning Code to Add Historic Overlay District and Design Review Board, as recommended by the Town Attorney, carried unanimously.

Motion was made by Councilwoman Wiedeke, seconded by Councilman Wood, to have Third Reading of An Ordinance Amending Section 21-4, 21-5 and 21-26 of Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances by Establishing an HP, Historic Preservation Overlay District Zoning Classification, Identifying its Location, Amending the Official Zoning Map to Reflect the same and Including provisions Regarding the Removal and Demolition of Certain Buildings, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Wood, to have Second Reading of an Ordinance to Amend Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances, to add Historic Overlay District and Design Review Board.

Motion was made by Councilman O'Neil, seconded by Councilwoman Hazen-Martin, to amend the ordinance captioned an Ordinance to Amend Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances, to Add Historic Overlay District and Design Review Board, by replacing what is currently there with the document Council just reviewed, including the changes made during the review, deletion of the comments within brackets, and to add the preamble that was part of the original ordinance, carried unanimously.

Motion was made by Councilwoman Wiedeke, seconded by Councilman Wood, to have Second Reading, as amended, of an Ordinance to amend Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances, to add Historic Overlay District and Design Review Board, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilwoman Hazen-Martin to suspend the rules to have Third Reading of an Ordinance to amend Chapter 21, Zoning

Code of the Sullivan's Island Code of Ordinances, to add Historic Overlay District and Design Review Board, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilwoman Wiedeke, to have Third Reading of an Ordinance to amend Chapter 21, Zoning Code of the Sullivan's Island Code of Ordinances, to add Historic Overlay District and Design Review Board, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Wood, 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 Councilman O'Neil, 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 Councilwoman Wiedeke, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney
Town Clerk