

September 21, 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  
Jane Ellen Herron, 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 fourteen private citizens present, and two members of the media.

Motion was made by Councilman Smith, seconded by Councilman Wood, to go into executive session to discuss a personnel issue, carried unanimously.

Motion was made by Councilman Wood, seconded by Councilwoman Wiedeke, to come out of executive session, carried unanimously.

The floor was opened for comments from the citizens. Blaine Ewing, 2514 Iron Ave., spoke on behalf of the Planning Commission. He stated that the Planning Commission had reviewed Article IV (Commercial District) of the Cooper Consulting Recommendation, and presented it to Council for their review. They propose eliminating new restaurants from Station 22 – 22-1/2 square block. He stated that the consensus was that they didn't want the Island to become a destination spot. They want to encourage other uses in the commercial district besides restaurants/bars. One way to do that is to relax the square foot requirements. He stated that the parking section for the Commercial District did not come to the Council tonight because it is included in Article IX. He presented a resolution from the Planning Commission that said it would like to see Town Council hire a consultant to address the following issues: devise a plan to protect the residential district from commercial parking; devise parking standards to allow new and existing businesses to come into compliance; and develop a parking plan for existing parking requirements and a parking space inventory. Mr. Ewing said he did an informal parking survey of the area between Station 20 and Station 23, including the Durst and post office parking lots, and a few spaces at the Exit Realty parking lot, on August 21, and estimated there were approximately 275 spaces in the area, with only 20 spaces not being used. Therefore, we were operating at almost full capacity for parking. He spoke with the businesses, and they said they were running at about 70% capacity. There is a parking problem just with the restaurants that we currently have. Nona Hastie and Bobby Thompson, both of the Planning Commission, also expressed their concern about the parking plan for the commercial district. Mike Richardson of 1414 Thompson stated he thinks relaxing the dog restrictions is a good compromise; he disagrees with Cooper Consulting's first floor building restriction of two feet above flood requirement; and believes in saving old houses that were part of the Fort, but not all of those houses should be saved.

The minutes of the August 17, 2004 regular meeting were approved as written.

Reports and Communications – Mayor Stith stated that two seats were expiring on the Board of Zoning Appeals. Motion was made by Councilman Smith, seconded by Councilwoman Wiedeke, to nominate Thom Hiers, carried unanimously. Motion was made by Councilman O’Neil, seconded by Councilman Wood, to nominate Alice Paylor, carried by a vote of 5-2.

Mayor Stith stated that three seats were expiring on the Planning Commission. Motion was made by Councilman Smith, seconded by Councilwoman Hazen-Martin, to nominate Blaine Ewing, carried unanimously. Motion was made by Councilman O’Neil, seconded by Councilman Wood, to nominate Bobby Thompson, carried unanimously. Motion was made by Councilman O’Neil, seconded by Councilman Wood, to nominate Scott Parker, carried unanimously.

Mayor Stith stated there were five appointments to be made to the Design Review Board. This is a brand new board with staggered terms. One person will serve a one-year term; two will serve a two-year term; and two will serve a three-year term. Motion was made by Councilman Smith, seconded by Patrick O’Neil, to nominate Betty Harmon for the one-year seat, carried unanimously. Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Wood, to nominate Steve Herlong for a two-year seat, carried unanimously. Motion was made by Councilman O’Neil, seconded by Councilman Wood, to nominate Michael Daly to a two-year seat, carried unanimously. Motion was made by Councilwoman Wiedeke, seconded by Councilwoman Hazen-Martin, to nominate Duke Wright to a three-year seat, carried unanimously. Motion was made by Councilman Smith, seconded by Councilman O’Neil, to nominate Pat Ilderton to the three-year seat, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilwoman Herron, to approve a Resolution Endorsing the Passage of the One-Half Cent Sales Tax Referendum, carried by a vote of six, with Councilwoman Hazen-Martin abstaining.

Attorney’s Report, Larry Dodds. There was no attorney’s report.

Administrator’s Report, Administrator Benke. Members of the Charleston Kiteboarding Association met with the administrator to review the watercraft ordinance. The Island Club will hold a spaghetti dinner on October 16<sup>th</sup> to benefit the Sullivan’s Island Boy Scout and Brownie Troops. A group of residents recently submitted suggested amendments to the dog ordinance. An amendment to Section 3 has been prepared for first reading. The regular DHEC beach monitoring results for August and additional tests following Tropical Storm Gaston did not indicate elevated levels of Enterococci bacteria at the three monitoring stations. A special meeting of Council is requested to ratify the Telecommunications Business License Tax.

Ways and Means Committee, Mayor Stith. The Charleston County Council Finance Committee has recommended to fund the entire \$11.3 million dollar refund from the 2001/2002 reassessment year. Therefore, no millage adjustment is required in the Town 2004/2005 budget. The administrator signed the lease financing agreement with BB&T for the police vehicles.

Personnel Committee, Councilwoman Wiedeke. The members to the Design Review Board, Board of Zoning Appeals, and Planning Commission were appointed tonight. Final

candidates for the administrative position are available for interviews this week. Officers Green and Dunning have returned to duty as of September 1. Detective Culnon resigned effective September 2, 2004.

Water and Sewer, Councilwoman Hazen-Martin. The work on the Wastewater Treatment Plant III is ongoing. We are working with the attorney and following the progress. The waterline project will likely be bid in September 2004. We received one bid for the tree project, and the estimate was more than expected. We will re-bid, breaking it out to separate palmetto trees from the other tree work. The palmetto portion will be discussed at the next committee meeting. The second mailing to residents regarding trees will take place in September. The structure for the Water and Sewer administration/lab has been moved.

Building and Construction Committee, Councilman Wood. Monthly report presented. The structure at 1709 Atlantic was relocated to the Gull Drive Water and Sewer property.

Fire Committee, Councilman Wood. Monthly report received. Fire Prevention Week is October 3-9. The week will feature a display at the Fire Station on October 6, 2004 at 6:00 p.m.

Recreation Committee, Councilwoman Herron. Seven weddings on the beach are approved: October 1, 2004 at 7:30 p.m. at Station 28-1/2; September 25, 2004 at 5:00 p.m. at Station 18; October 3, 2004 at 6:30 p.m. near Sand Dunes Club; October 8, 2004 at 5:30 p.m. at Station 19; October 16, 2004 at 6:00 p.m. at Station 21; October 23, 2004 at 3:00 p.m. at Station 18-1/2; and November 12, 2004 at 3:00 p.m. at Station 30.

Real Estate Committee, Councilman O'Neil. The Planning Commission has made its recommendations on Article IV and one piece of Article IX that involves parking of the Cooper Consulting proposal. This will start being reviewed at the next Committee meeting. Councilman O'Neil attended the Fran Mainella Reception of the Park Service. There are joint interests, although not mutual, between the Park Service and the Town of Sullivan's Island, in the lighthouse property and Battery Logan. Councilman O'Neil will draft a memo of the Town's concerns to Ms. Mainella for review by Council before sending.

Police Committee, Mayor Stith. Monthly report was received.

Streets and Maintenance Committee, Councilman Smith. FEMA officials toured the Island with Chief Stith and Administrator Benke. The Town is awaiting word from the Governor's office on disaster declaration by the President. Debris cleanup was done by Charleston County during the week of September 13-17, 2004. Several areas of the Island are prone to flooding after heavy rain events. The State DOT and Governor's office have been notified. The areas are: Station 18 and Atlantic Avenue; Station 18-1/2 and Flag Street; Station 22 and Pettigrew Street; Station 25 and Raven Drive; Station 26 and Bayonne Avenue; Station 28-1/2 and Marshall Boulevard.

Motion was made by Councilman Wood, seconded by Councilman Smith, to have Second Reading of An Ordinance to amend Section 5-12, Paragraphs (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M) and (N) of Chapter 5 of the Building Ordinance of the Town of Sullivan's Island Code of Ordinances Pertaining to Requirements for New Construction and Improvements, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilman Wood, to have Second Reading of an Ordinance No. 10-22 Amending the Business License Ordinance Levying a Business License Tax on Retail Telecommunications Services, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilwoman Wiedeke, to suspend the rules to have Third Reading of an Ordinance No. 10-22 Amending the Business License Ordinance Levying a Business License Tax on Retail Telecommunications Services, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilman Wood, to have Third Reading of an Ordinance No. 10-22 Amending the Business License Ordinance Levying a Business License Tax on Retail Telecommunications Services, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Smith, to table the 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 Smith, to table the 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 Wood, to have First Reading, by title only, of An Ordinance Amending Sections 3-7 and 3-8 of the Town of Sullivan's Code of Ordinances, Pertaining to Dogs, carried unanimously.

Motion was made by Councilman Smith, seconded by Councilman Wood, to have First Reading, by title only, of An Ordinance Amending Sections 6-6 and 6-7 of the Town of Sullivan's Island Code of Ordinances, Pertaining to Elections.

Motion was made by Councilman Smith, seconded by Councilman Wood, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney  
Town Clerk