

November 15, 2005

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: Carl J. Smith, Mayor
Debra Hazen-Martin, Councilwoman
Jane Ellen Herron, Councilwoman
Buddy Howle, Councilman
Patrick M. O'Neil, Councilman
Michael Perkis, Councilman
Everett Presson, Councilman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation given by Councilwoman Herron. There were twenty private citizens present and two members of the media.

The floor was opened for comments from the citizens. Eddie Fava of 2424 Myrtle Avenue requested Council to consider adjusting the dog ordinance for more off-leash time during the summer evening hours. Bill Danielson of 2302 Atlantic Avenue requested Council to consider designating an area, at least for the winter hours, for dogs to be off-leash. Bill Craver, 2701 I'on Avenue, represented the Planning Commission to present issues addressed at the last Planning Commission meeting. He stated they addressed two main issues: (1) a recommendation that the ordinance sections concerning the Design Review Board and Board of Zoning Appeals be changed so that the term of members will continue until they are reappointed or a successor is appointed; (2) the subdivision of lots in the commercial district which are currently zoned half residential and half commercial, and the parking situation around the commercial district. The Planning Commission will continue to look at the latter issue and make recommendations to Council.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to approve the minutes of the October 18, 2005 regular meeting and October 18, 2005 special meeting, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilwoman Hazen-Martin, to approve a Resolution Approving Construction of Additional Office Space in Town Hall, carried unanimously.

General and New Correspondence – Correspondence was received from Mayor Hallman concerning the Town participating in the East Cooper Senior Citizens Center; from John Hane regarding consideration for out of town dog owners visiting the town, and from Senator Campsen thanking Council for the Resolution to replace school taxes with sales tax.

Attorney's Report – There was no Attorney's report.

Administrator's Report, Administrator Benke. A Proclamation to Recognize National Hospice Month has been processed. Correspondence to request letters of interest in the cell tower project will be mailed this week. Approval by the SC Insurance Reserve Fund has been received for the maintenance storage repairs, and the final walk-through with the contractor

and contract modifications are complete. Information has been distributed to all Board and Commission members that they will be required to attend six hours of training before January 1, 2007.

Ways and Means Committee, Councilman Perkis. Revenues are on budget and expenses are on target, with the Recreation department budget being slightly over due to a one time project.

Personnel Committee, Councilwoman Hazen-Martin. Letters of interest have been received for membership on the Planning Commission and Design Review Board . These will be discussed in Executive Session tonight. December holidays will be Friday, December 23 and Monday, December 26. December 27 is also a holiday, however, Town Hall will open with reduced staff, and alternate days off will be allocated to those working that day. New Year's Day holiday will be observed on January 2, 2006. The Council Committee meeting will be moved to January 9, 2006 at 6:30 p.m.

Water and Sewer, Councilwoman Hazen-Martin. The water line project continues to be on schedule. There was discussion at the Committee meeting regarding the sewer line at Poe Avenue from Station 13 to Station 15. Total replacement of that line was seriously considered. The figures acquired indicated it would be at least \$500,000 to replace. Setting up special districts whereby residents in that district would have to pay for that replacement was also considered, however, the cost would be about \$28,000 per household along that line. It was determined at Committee meeting that that is not a justified expenditure right now. A second plan has been devised to first totally evaluate that line and depending on its condition, install a lining device that could be put in with the line in place. Councilwoman Hazen-Martin stated she believes at that point we would be in a better position to determine where clean out valves could be placed in order to perhaps give residents a little more flexibility in terms of building structures that approach that easement which cuts through the center of their lots. Councilwoman Hazen-Martin stated that we should have quotes on the lining by the next Committee meeting. Greg Gress stated that they would schedule the scoping of the line before the next Committee meeting. It is also possible that the scoping might show that the line is in bad shape and will not be able to be lined; and would have to be relocated.

Dicky Hopkins, 1312 Poe Avenue, said they are affected by the sewer line and can not build or add to their home. They previously presented a plan which included the replacement of the pipe on their lot, and to put clean outs at each end. He asked that if Council is suggesting that if the pipe is lined, that he will not have to replace that section of pipe and will allow them to build over it. Councilwoman Hazen-Martin stated that when the condition of the line is determined, Council can devise a comprehensive plan for the entire length of the pipe that might help certain individuals who are interested in approaching that easement somewhat closer. Secondly, we could come up with a plan to decrease the liability to any homeowner on that full strip due to obstruction of the line, as we do not want to create an inability to make a quick repair. She stated that it would be hard pressed to find any utility in the country willing to give a homeowner a permit to build a structure over the top of a sewer or water line. Mr. Hopkins stated he will come to the next Council meeting.

At the last meeting, Council decided it would approve water meters for irrigation. In order to do that, changes will need to be made to the ordinance. Councilwoman Hazen-Martin stated she attempted to write an amendment for first reading this month, however, we are awaiting some information from DEHC related to backflow testing and devices that pertains to these meters. When the ordinance is passed, residents will have the option of requesting a separate meter so that they can use city water for irrigation without incurring the

comparable sewer charge. The resident will have to pay for the placement of the meter and the attachment to the line, as is true in other communities. We will charge the actual cost of installment to residents; we do not know that cost yet.

Councilman Presson inquired about the letter written regarding the Draft NPDES Permit. Councilwoman Hazen-Martin stated that the permit has to be renewed each year, and every time it is renewed, the standards have to be agreed upon. In some cases, we have been asked by DHEC to meet standards for which there is no accurate quantitative method to test. Flow limits were discussed at length. Information will be brought to the next Committee meeting regarding other municipalities' norms of flow limits and DHEC fines.

Councilwoman Hazen-Martin stated that a letter was received from a resident who commented about the wonderful service received from Greg Gress and the Water & Sewer department.

Building and Construction Committee, Councilman Howle. Monthly report rendered. The Town's yearly Flood Prevention Outreach Project associated with the CRS/ISO program has been mailed. Randy Robinson stated that the CRS has accepted our recertification and we are in compliance for another year. The ISO Building Code Effectiveness Rating Recertification will be performed in March 2006.

Fire Committee, Councilwoman Herron. Monthly report rendered. The holiday tree and park lighting ceremony will be on December 2, 2005 at 5:45 p.m.

Recreation Committee, Councilwoman Herron. Council approved the Town to assist with the Charleston Running Club's Charlie Post Memorial Run on January 28, 2006 with the use of the park area, Fire Station, and traffic control by the Police Department. Correspondence was received from Mt. Pleasant Administrator Mac Burdette concerning the East Cooper Senior Citizens' Center. Mt. Pleasant can contribute \$1 million; a total of at least \$1.5 million is needed for the Center. We will request a grant application packet, and Mayor Smith will contact Mayor Hallman to let him know. Councilman Presson stated that Creative Spark will be offering programs provided by private funds on Sullivan's Island during the months of March – August 2006.

Real Estate Committee, Councilman O'Neil. The ordinances regarding the protection of Battery Logan are on the agenda for Second Reading tonight. Attorney Dodds stated the Low Country Open Land Trust Board met last evening and were to send a letter to Council regarding the approval of this conveyance. He suggested Council defer Second Reading tonight until we have received approval from their Board. Attorney Dodds also recommended that we defer Second Reading of the ordinance to convey parcels to the National Park Service, until the Congressional Bill passes in 2006. A utility power pole was installed at Station 20 and Gull Drive. We are working to find an equipment storage area for the Charleston Soil and Water Conservation District drainage project. Council approved Dr. John Selby's request to place a bench on the beach near Station 26. The Town will not be responsible for maintenance or security.

Police Committee, Mayor Smith. Monthly report rendered.

Streets and Maintenance, Councilman Presson. Council approved Dunleavy's Pub request to close Station 22-1/2 from Middle Street to I'on Avenue on January 2, 2006 from 10 a.m. to 5:00 p.m. for the annual Polar Bear swim. South Carolina Department of Transportation replied to the Town's list of traffic study areas. All requests were declined

except to not allow a left-hand turn off of Jasper Blvd. onto Station 22-1/2 for traffic coming from the East (from the Isle of Palms.) Administrator Benke will write to inquire for a trial period for a three-way stop sign at Station 22-1/2 and Middle Street. Mayor Smith stated he received a letter from the Charleston County Transportation Committee stating that the Middle Street drainage was priority #3 for the ½ cent sales tax money (following Highway 17 and bridge projects). Further down the list was the streetscape enhancement, widening the bicycle path on Highway 703, and the Marshall Reservation drainage.

Mayor Smith duly ratified An Ordinance to Amend Chapter 21, Section 108 (C) and (D) of the Zoning Ordinances for the Town of Sullivan's Island.

Motion was made by Councilman Howle, seconded by Councilman Perkis, to have Second Reading of An Ordinance to Amend Section 3-8 A(1), (2), and (3) "Dog Ordinance" of the Town of Sullivan's Island Code of Ordinances, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to suspend the rules to have Third Reading of An Ordinance to Amend Section 3-8 A(1), (2), and (3) "Dog Ordinance" of the Town of Sullivan's Island Code of Ordinances, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to have Third Reading of An Ordinance to Amend Section 3-8 A(1), (2), and (3) "Dog Ordinance" of the Town of Sullivan's Island Code of Ordinances, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Presson, to defer Second Reading of An Ordinance to Convey Battery Logan Property to Low Country Open Land Trust, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Hazen-Martin, to have defer Second Reading of An Ordinance to Convey Battery Logan Property to Federal Government, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Howle, to go into Executive Session to discuss personnel matters related to appointments to Planning Commission and the Design Review Board and litigation issues, carried unanimously. No action or votes were taken in executive session.

Upon returning from Executive Session, motion was made by Councilman Presson, seconded by Councilman O'Neil, to appoint Billy Craver to the two-year position on the Design Review Board, carried unanimously. This appointment is contingent upon his resignation from the Planning Commission.

Motion was made by Councilman Perkis, seconded by Councilwoman Hazen-Martin, to appoint Cynthia Ewing to the three-year term on the Design Review Board, carried unanimously.

Mayor Smith stated there were two vacancies on the Planning Commission. One will be filled tonight; the other will be filled at a special meeting on December 5th. Motion was made by Councilman O'Neil, seconded by Councilman Howle, to appoint Pat Votava to a two-year position on the Planning Commission, carried unanimously.

There being no further business to come before Council, the meeting was adjourned.

Respectfully submitted,

Ellen McQueeney
Town Clerk