

February 21, 2006

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  
Patrick M. O'Neil, Mayor Pro Tem  
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 and one member of the media present.

The floor was opened for comments from the citizens. There were no comments.

Motion was made by Councilman O'Neil, seconded by Councilwoman Herron, to approve the minutes of the January 17, 2006 meeting, carried unanimously.

General and New Correspondence – There was no new correspondence.

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

Administrator's Report, Administrator Benke. Councilman Perkis and Administrator Benke will meet with Koerner Consulting on February 22 to review the cell tower letter of interest. The S.C. Department of Transportation has given approval to close Station 22-1/2 from Middle Street and I'on Avenue from 10:00 a.m. to midnight on Friday, March 17 and Saturday, March 18 per Dunleavy's Pub request. The proper signs regarding the closure will be displayed. Administrator Benke stated that a switch gear will need to be placed at Osceola and Middle Streets for SCE&G underground wiring. SCE&G will ask the Town for an easement for this placement. Their request will need to go before the Design Review Board. The switch gear will be well buffered.

Ways and Means Committee, Councilman Perkis. Partial funds have been received from Charleston County for property taxes. Operating expenses are well under budget. Revenues are slightly less than budgeted, although business license revenues will come in soon. The Water and Sewer revenue is much less than projected. A five year project list with over 70 projects has been developed. Chief Howard and Administrator Benke have looked at a reporting software for the Police department. Administrator Benke stated that the program meets SLED reporting requirements, and has additional features. This will be further researched. The East Cooper senior citizens' center did not make the cut for the Charleston County Community Development Block Grant. The next cycle is August 2006 through July 2007.

Personnel Committee, Councilwoman Hazen-Martin. A police officer who was injured while on duty will be off for an extended period. Former Officer Don Lubert will work as needed. Chief Howard has promoted Chris Griffin to detective and Officer Chris Wallace to corporal. Motion was made by Councilwoman Hazen-Martin, seconded by Councilwoman Herron, to allocate the appropriate salary increase, carried unanimously. Chief Howard will conduct an employment search for two individuals to serve as Beach Patrol Officers for the summer of 2006.

Water and Sewer, Councilwoman Hazen-Martin. February 25<sup>th</sup> is the scheduled completion date for the water line project. Most of the work to be completed is final connections and improving work sites. The scheduled payment was sent to the contractor, and the retainer was reduced as previously agreed. The disputed claims have not been settled, as we are getting professional advice. HDR is presenting a paper at the S.C. Environmental Conference in Myrtle Beach next month concerning the water line project. Councilwoman Hazen-Martin will attend the meeting. Last week Councilwoman Hazen-Martin, Administrator Benke and Greg Gress walked the sewer line easement between Middle Street and Poe Avenue and found numerous minor construction encroaching on the line. Councilwoman Hazen-Martin stated that in her opinion, the sewer line needs to be moved as soon as the funding can be obtained. The property owner, engineer and architects of 1401 Middle Street met to discuss the line. They did not present any adjustments to their plan. This will be discussed at the next Committee meeting. The Water and Sewer Committee will meet at 5:40 p.m. on Monday, March 6<sup>th</sup> for about twenty minutes before the regularly scheduled Committee meeting.

Building and Construction Committee, Mayor Smith for Councilman Howle. Monthly report rendered.

Fire Committee, Councilwoman Herron. Monthly report rendered. The Dewees Island Property Owners Association sent Chief Stith correspondence regarding their thanks for fire fighting support on January 20, 2006. The Volunteer Fire and Rescue Oyster Roast held on February 11, 2006 was a big success.

Recreation Committee, Councilwoman Herron. Administrator Benke is working with Ms. Carol Antman on various recreation and social events for the coming year.

Real Estate Committee, Councilman O'Neil. Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to amend the agenda to add an Executive Session for legal advice concerning vested rights, carried unanimously. The preservation consultant, David Schneider, is working on applications for the national register eligibility determination for four historic districts on the island. The outlines of these districts do not, in and of themselves, affect the historic districts that are covered under our current historic preservation ordinance.

The Charleston Soil and Water Conservation District has funding to place sand fence along the beach from Station 21 Street west toward the school. The Sullivan's Island Maintenance department assisted by salvaging the old fence material. The District is filing the DHEC permits and anticipates installation in April.

Councilmen Perkis and O'Neil will be attending a workshop to discuss a maintenance plan for maintaining Battery Gadsden on March 8, 2006.

There was much discussion regarding the current requirement that there be single ownership only of the split-zoned lots in the commercial district, and parking around the commercial district. Motion was made by Councilman O'Neil, seconded by Councilman Perkis, that Town Council ask the Planning Commission to reconsider the possibility of subdivision of lots in the block from Station 21 to 22 under circumstances which would include limiting the height, scale, and mass of the buildings that could be constructed on the resulting ¼ acre lots, and/or restricting the uses of those lots. Motion was made by Councilman Perkis, seconded by Councilman Presson, to amend the motion to add the area between Stations 22 to 22-1/2 on the south side under the same conditions, carried unanimously. The main motion, as amended, carried unanimously.

Mr. Rick Graham raised the issue that we currently include parking as a permitted use on the commercial part of the lot but only where there are agreements with some other business that they are providing parking for that specific business rather than an open parking lot. Randy Robinson stated that to use it as a parking lot a special exception would have to be granted by the Board of

Zoning Appeals. Motion was made by Councilman O'Neil, seconded by Councilwoman Hazen-Martin, that Town Council ask the Planning Commission to consider whether it would be in the Town's best interest to delete Section 21-50 (C)4(b) which limits the special exception of a short term auto parking lot to conditions where there is a written agreement with an owner of a commercial or office use, carried unanimously.

Councilman O'Neil stated that Council had concluded at the Council Committee meeting that Council was going to retain the services of the parking consultant recommended by Scott Parker for a fee of \$2,500. Councilman Presson stated he and Administrator Benke talked with the consultant, and did not believe he had any different ideas from previous discussions and drawings that Kelly Messier did several years ago. Motion was made by Councilman O'Neil to retain the parking consultant as discussed for \$2,500. Motion was not seconded.

Administrator Benke stated that the accreted land survey, which was scheduled for completion in late January, should be ready by early March. Mr. Benke also stated that there is a good possibility we will receive a small grant from Seacoast Consortium, which could go toward the accreted land management plan in the FY06-07 budget.

Police Committee, Mayor Smith. Monthly report rendered. Correspondence was received from William and Mary Durst.

Streets and Maintenance, Councilman Presson. We are waiting on the signed contract for the additional areas requested to be added to the drainage maintenance project with the Charleston Soil and Water Conservation District. Local municipalities have been contacted to discuss engineers and consultants for parking solutions in the commercial area of Middle Street. SCE&G has completed the survey of Station 12 Street west to the tip of the Island for the next phase of the underground power project. Design will occur through June, and construction should start in December 2006. Chief Howard, Chief Stith, and Administrator Benke will handle signage prohibiting trucks west of Station 12 Street.

Mayor Smith duly ratified An Ordinance to Amend Sections 20-4, 20-7 (C), and 20-8 (C) of the Ordinances for the Town of Sullivan's Island.

Motion was made by Councilman O'Neil, seconded by Councilwoman Hazen-Martin, to have Second Reading of An Ordinance to Amend Section 21-75 Paragraphs B(2), B(3-A), B(3-C), B(16) and Paragraph C of Chapter 21, Zoning Ordinance for the Town of Sullivan's Island, carried unanimously.

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

Motion was made by Councilman Presson, seconded by Councilman O'Neil, to go into Executive Session, carried unanimously.

Mayor Smith stated no action or votes were taken in Executive Session.

Motion was made by Councilman Perkis, seconded by Councilwoman Hazen-Martin, to retain the services of Trenholm Walker to consult with the Board of Zoning Appeals and to attend their meetings as needed, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Perkis, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney  
Town Clerk