

April 18, 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
Patrick O'Neil, Mayor Pro Tem
Debra Hazen-Martin, Councilwoman
Jane Ellen Herron, Councilwoman
Charles Howle, 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 eleven private citizens and one member of the media present.

The floor was opened for comments from the citizens. Patrick Rutledge, 1764 Atlantic Avenue, questioned about the State Budget and Control Board auctioning the building at 1602 Thompson Avenue, located behind Town Hall. Mayor Smith stated that it appears that the auction process might be temporarily delayed. Mayor Smith stated Council would discuss the matter in executive session tonight. A Resolution is being considered by Council to be sent to the Budget and Control Board. Bobby Thompson, 2917 I'on Avenue, stated he believes the proposed smoking ordinance broaches on diversity and believes this ordinance is not Council's job. Henry Fishburne, property owner and member of Charleston City Council, spoke in support of the smoking ordinance. Blaine Ewing of 2514 I'on Avenue, stated he hopes the Town can acquire the building behind Town Hall, and his concern is that it stays in the public domain in the long run. He stated that parking capacity needs to be determined in the commercial district. Current businesses should be grandfathered, and new businesses should present a parking plan. Lorcan Lucey of 2201 Myrtle Avenue stated he is concerned that parking behind the restaurants is being considered, as it will increase capacity and the restaurants might build on to their restaurant. Councilman Presson stated the issue is being reviewed. Councilman O'Neil noted that the Planning Commission opposed the idea of parking on the residential portion of commercial lots. Rusty Bennett stated the parking problem is not a new problem, and that a decision needs to be made, as it has been discussed too long.

Motion was made by Councilman Perkis, seconded by Councilwoman Hazen-Martin, to approve the minutes of the March 16, 2006 meeting, carried unanimously.

Mayor Smith signed a Proclamation proclaiming the month of May as International REACT month.

Motion was made by Councilman Perkis, seconded by Councilman Presson, to approve a Resolution Requesting a Public Hearing to Amend Section 21-173 (A) 1 and Section 21-175 E of the Zoning Ordinance, carried unanimously.

General and New Correspondence – Correspondence has been received regarding the use of the park for a cookout, and traffic conditions on Jasper Boulevard.

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

Administrator's Report, Administrator Benke. Tidewater Environmental Services Inc., on behalf of Toler's Cove Marina, is requesting permission to dispose of approximately 45,000 cubic yards of dredge material in the Town's disposal facility. The Town will ask the Army Corps of Engineers to come to the next Committee meeting. Discussion of an ordinance to prohibit smoking in public places on Sullivan's Island will have first reading tonight. Administrator Benke will meet with Mr. Koerner before the next Committee meeting to review the various cell tower proposals.

Ways and Means Committee, Councilman Perkis. As of the March financial statement, revenue is slightly above budget and expenses are 4-10% under budget. This will be discussed at the Committee meeting. A preliminary budget timeline was set. An audit presentation by Schleeter Monson and Debacker will be given at the Committee meeting on May 1, 2006.

Personnel Committee, Councilwoman Hazen-Martin. The candidate has accepted the offer for the Chief Operator position and starts work on April 19, 2006. The Administrator is prepared to advertise for the financial position based on the suggestion of the Town auditor. The Town Labor and Personnel attorney has advised an increase of hourly rates. Mayor Pro Tem O'Neil will attend a mass and breakfast on April 22 to honor the Island police officers and firefighters.

Water and Sewer, Councilwoman Hazen-Martin. The waterline project sidewalks are being finished and final connections are being made. Matters regarding the CPW water main break have been reviewed in detail at the Committee meeting. Proper steps were taken to ensure that we would not lose fire flow. The reason for the lag in clearing our water as safe to drink – we lagged one day behind CPW – is because we are downstream. Sullivan's Island water was actually acceptable prior to the official notice.

Building and Construction Committee, Councilman Howle. Monthly report rendered. Zoning Ordinance amendments related to driveways, fences and HVAC stands were forwarded by resolution to the Planning Commission for public hearings and comment. The Planning Commission will hold a public hearing on April 26. The contractor anticipates fire repairs to be completed at Town Hall by April 28.

Fire Committee, Councilwoman Herron. Monthly report rendered. The Fire department has been giving tours, and completing vacation rental inspections. They collected \$8,083 for the Carolina Children's Charity.

Recreation Committee, Councilwoman Herron. The East Cooper Triathlon will be held Saturday, April 23, 2006.

Real Estate Committee, Councilman O'Neil. The Lowcountry Open Land Trust is expected to return the Battery Logan deed to the Town before the end of the month. The S.C. Budget and Control Board auction of 1602 Thompson Avenue will be discussed in executive session tonight.

Police Committee, Mayor Smith. Monthly report rendered.

Streets and Maintenance, Councilman Presson. The Town received correspondence from SCDOT regarding the bike path on 703, stating it was not part of the funding of the bridge and other funding would need to be secured. Solutions for parking congestion in the commercial area are being reviewed. A meeting will be held on April 28 to review SCDOT issues with the traffic engineer.

Mayor Smith duly ratified 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.

Motion was made by Councilman Presson, seconded by Councilman Howle, to have First Reading, by title only, of An Ordinance to Amend the Code of the Town of Sullivan's Island, Chapter 14, by Adding a New Section 29 Therein, Establishing Regulations and Requirements Relating to Smoking of Tobacco Products in the Town of Sullivan's Island, carried by a vote of 6-1, with Councilman O'Neil casting the nay vote.

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

Motion was made by Councilman Howle, seconded by Councilman Perkis, to go into executive session for legal advice on the matters of real estate – property located at 1602 Thompson Avneue and House Bill H.4503 Eminent Domain/Takings Legislation; personnel – Ethics Commission Opinion; Ordinance-Chapter 14, Section 29; and Litigation – The Twenty Niners vs. Town of Sullivan's Island, carried unanimously. No action or votes were taken during executive session.

Upon returning from executive session, motion was made by Councilman Presson, seconded by Councilwoman Herron, to approve a Resolution by the Town of Sullivan's Island Expressing An Interest in Ownership of TMS 528-08-061, Parcel "B" as Described by Deed D811 at Page 46, carried unanimously.

Councilman O'Neil asked the Town Administrator to communicate to the Planning Commission that as Council agrees with the general direction of the Planning Commission concerning the subdivision of the split-zoned lots as outlined in their draft minutes; Council would like them to provide more detail recommendations; to better define the conditions under which subdivision would be allowed, and what type of structures would be allowed.

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

Respectfully submitted,

Ellen McQueeney
Town Clerk