

August 15, 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  
Charles Howle, Councilman  
Michael Perkis, Councilman  
Everett Presson, Councilman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilwoman Herron. There were five citizens and three members of the news media present.

The floor was opened for comments from the citizens. Stephen Herlong, a member of the Design Review Board, asked Council to consider not making decisions too quickly regarding the amendments to Zoning Code regarding footing limitations of historic structures as accessory dwelling units. Councilwoman Hazen-Martin stated that the intent of the ordinance is being interpreted differently than what Council wanted. Elizabeth Allen of Allen Design spoke regarding her concerns about the changes to the ordinance.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Howle, to approve the minutes of the July 18, 2006 meeting, carried unanimously.

Reports and Communications –Motion was made by Councilman Perkis, seconded by Councilman Howle, to approve A Resolution of the Town of Sullivan’s Island Approving Renewal of Contract with Suburban Disposal, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Perkis, to approve A Resolution of the Town of Sullivan’s Island Approving and Supporting the Amended Draft Fiscal Year 2007 Budget for CARTA.

Motion was made by Councilman Howle, seconded by Councilwoman Hazen-Martin to approve a Resolution for Planning Staff of the Town of Sullivan’s Island to submit to the Planning Commission for the Town of Sullivan’s Island Proposed Amendments to Chapter 21 regarding Size, Principal Building Lot Coverage And Square Footage Limitations of Historic Structures as Accessory Dwelling Units. Motion was made by Councilman Presson to amend the motion to eliminate the first item on the proposed amendment concerning “reductions in the size of historic structures to less than 1200 square feet of heated space for the purpose of qualifying for special exception approval for an additional dwelling on the same lot shall not be allowed”. Motion was not seconded. Main motion carried with a vote of 5-1, with Councilman Presson casting the nay vote.

General and New Correspondence – Mayor Smith stated he had received a response from Elizabeth Mabry, executive director of SCDOT regarding the Ben Sawyer Bridge improvements. She stated it may be 24 to 36 months or more before the improvements could be funded.

Attorney’s Report – Attorney Dodds stated he had a request for 1424 Middle Street. Since about 2003, he has been working on an easement agreement with the owners of 1424 Middle Street. The water lines run through their property. This agreement is to formalize the abandonment of the

water tower easement, and they grant the Town an easement for the water lines. Motion was made by Councilman Howle, seconded by Councilman Presson, to accept this easement agreement, carried unanimously.

Administrator's Report, Administrator Benke. The DHEC Beach Monitoring Report for July was satisfactory. The Council Committee meeting scheduled for September 4<sup>th</sup> has been changed to September 11<sup>th</sup> due to the Labor Day holiday. We are in the process of negotiating with the cell tower company, and have instructed the consultant to advise them of the items to add to the contract that the Town wanted. We have tentative approval from Council for the proposed sign for the Myrtle Avenue Cemetery, pending research on the exact dates.

Ways and Means Committee, Councilman Perkis. Councilman Perkis stated that the cash position is about the same as July last year. Toler's Cove LLC has agreed to a rate of \$1.50 per cubic yard for the use of the disposal area. The agreement is being reviewed by the Town Attorney. Information is being gathered to provide for the FY audit. The amended CARTA budget was approved tonight.

Personnel Committee, Councilwoman Hazen-Martin. The deadline for application for various Boards and Commissions was July 31. Application packets have been submitted to all members of Council. A special meeting will be held to discuss on August 31, 2006. Over 60 resumes have been received for the open administrative position. Chief Howard has recommended Gene Parkhurst for full time status, as he completed his employment probation period. Council agreed at the Committee meeting to move him to full time status.

Water and Sewer, Councilwoman Hazen-Martin. A meeting will be held with the Attorney Bundy on August 25 regarding a civil complaint filed by Eadie's Construction against the Town and HDR Engineering regarding contract dispute items on the water line project.

Building and Construction Committee, Councilman Howle. Monthly report received.

Fire Committee, Councilwoman Herron. Monthly report received. Fourth of July celebration and the Hurricane Expo were well attended.

Recreation Committee, Councilwoman Herron. A request has been made to include Sullivan's Island in the 2006 Barrier Island Eco-Thon. Chief Howard will talk to Mr. Carlson regarding the course. The Park Foundation will be at the September meeting to report of their plan for the mound project. Mr. Skip Scarpa will be at the September Committee meeting to make a proposal for the tennis court surface.

Real Estate Committee, Mayor Smith for Councilman O'Neil. David Schneider has sent the multiple property and district nominations to the S.C. Department of Archives and History for review. It is expected that the nominations will be reviewed by the Board in November 2006. Mr. Paul Boehm would like to investigate access to the property at 2614 Raven Drive. The Planning Committee will meet with the Town Council Real Estate Committee on August 31, 2006 to discuss amendments to Section 21-12A regarding split-zoned lots. Discussion was held regarding the proposed amendments to Section 21-20, 21-69, and 21-144 regarding erosion control structures. This is being reviewed by the attorney and will be discussed at later meetings. The Accreted Land Baseline Study is being updated by Dr. Levine and Mr. Kaufman based on feedback from the recent public hearing. The Budget and Control Board meeting has been postponed until August 22, 2006 for discussion of the DHEC Warehouse at 1602 Thompson Avenue.

Police Committee, Mayor Smith. Monthly report received.

Streets and Maintenance, Councilman Presson. There was a lengthy discussion regarding the Ben Sawyer Bridge. Regarding other SCDOT projects, Mark Nesbitt with SCDOT should give Administrator Benke an update next week. Councilman Presson and Mayor Smith will work on locating funding for the continuance of a sidewalk from the Post Office to the commercial district.

Mayor Smith duly ratified An Ordinance to Amend Section 21-75 B (10) of the Zoning Code of the Town of Sullivan's Island Code of Ordinances Pertaining to Boatlifts.

Mayor Smith duly ratified An Ordinance to Amend Section 21-15 A (1) (b) of the Zoning Code of the Town of Sullivan's Island Code of Ordinances Pertaining to Driveway Width.

Mayor Smith duly ratified An Ordinance to Amend Section 21-22 (1) (c) of the Zoning Code of the Town of Sullivan's Island Code of Ordinances Pertaining to HVAC stands.

Mayor Smith duly ratified An Ordinance to Amend Section 21-137 B (2) of the Zoning Code of the Town of Sullivan's Island Code of Ordinances Pertaining to Fences.

Motion was made by Councilman Howle, seconded by Councilwoman Herron, to have Second Reading of An Ordinance to Amend Chapter 14, by Adding a New Section 31: The Lease of Certain Real Property to the Sullivan's Island Gadsden Cultural Center, an Eleemosynary Corporation, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Presson, to suspend the rules to have Third Reading of An Ordinance to Amend Chapter 14, by Adding a New Section 31: The Lease of Certain Real Property to the Sullivan's Island Gadsden Cultural Center, an Eleemosynary Corporation, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Perkis, to have Third Reading of An Ordinance to Amend Chapter 14, by Adding a New Section 31: The Lease of Certain Real Property to the Sullivan's Island Gadsden Cultural Center, an Eleemosynary Corporation, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Howle, to have Second Reading of an Ordinance to Amend Chapter 21, Section 173 A (1) and 175 E of the Zoning Ordinance of the Town of Sullivan's Island, pertaining to the Board of Zoning Appeals, carried unanimously.

Motion was made by Councilman Hazen-Martin, seconded by Councilman Howle, to suspend the rules to have Third Reading of an Ordinance to Amend Chapter 21, Section 173 A (1) and 175 E of the Zoning Ordinance of the Town of Sullivan's Island, pertaining to the Board of Zoning Appeals, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Howle, to have Third Reading of an Ordinance to Amend Chapter 21, Section 173 A (1) and 175 E of the Zoning Ordinance of the Town of Sullivan's Island, pertaining to the Board of Zoning Appeals, carried unanimously.

Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Perkis, 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 Councilwoman Herron, to go into Executive Session for Personnel – employee compensation and review of applicants for Boards and Commissions; and for Legal Advice on 1602 Thompson Avenue, RC-2 protection, and overview of FOIA requirements, carried unanimously.

Council returned to regular session. No votes or action was taken. Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Presson, to authorize the Town Attorney to speak with the S.C. Budget and Control Board members or staff to relay our commitment to explore purchase options and contingencies, and funding of third party or private sources for 1602 Thompson Avenue, carried unanimously.

Motion was made by Councilman Presson, seconded by Councilman Perkis, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney  
Town Clerk