

September 19, 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

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilwoman Herron. There were twelve citizens and one member of the news media present.

The floor was opened for comments from the citizens. Dickie Hopkins spoke regarding the McLean property sewer line easement which will be discussed in executive session tonight. Susan Middaugh, 2424 Raven, inquired to the status of placing the RC2 land into a Land Trust. Councilman O'Neil stated that the Town Attorney is working on this item. Andrew Crow of 2908 I'on and Terry Pitts 1616 Atlantic inquired about the resurfacing of the tennis courts. Councilwoman Herron stated the Park Foundation was in favor of resurfacing both courts. Mayor Smith stated the issue is how to fund the resurfacing. Councilman Howle stated there is a timeline for major expenses, and the court resurfacing is not in the Recreation budget.

Mayor Smith presented Scott Parker, Chairman of the Planning Commission, with a Resolution honoring him for his service to the Town.

Motion was made by Councilman Howle, seconded by Councilwoman Hazen-Martin, to approve the minutes of the August 15, 2006 meeting, carried unanimously.

Reports and Communications –Motion was made by Councilman Howle, seconded by Councilman O'Neil, to approve A Resolution to Recognize the Service of Thomas G. Hiers to the Board of Zoning Appeals, carried unanimously.

There was no general or new correspondence, or attorney's report.

Administrator's Report, Administrator Benke. Beachfront Entertainment has filed a non-jury complaint in the Court of Common Pleas for a declaratory judgment and injunctive relief regarding the smoking ordinance. Beach Vitex has been identified in three locations on Sullivan's Island. The Beach Vitex Task Force and Clemson Extension Center have been notified for an eradication plan. The August 2006 sampling report by DHEC indicates all sites were at satisfactory levels. The Turtle Team reported no turtle nests were located on Sullivan's Island this season. HDR Engineering Inc. is preparing an informational presentation for Council on October 2, 2006 regarding the NPDES II permit. The Milken Family has awarded a Festival of Youth Grant to be used to clean up the African-American Cemetery, construct a tabby walkway and the brick wall of remembrance. Motion was made by Councilwoman Hazen-Martin, seconded by Councilman Howell, to accept the plan and grant, and to approve the grant award ceremony on October 19, 2006, carried unanimously. The Charleston County Grants Administration has scheduled a public hearing on Sullivan's Island on October 17, 2006 at 6:30 p.m.

Ways and Means Committee, Councilman Perkis. The August financial statement shows revenues on budget. A meeting was held with Wachovia concerning investment strategy. There will be a site visit regarding the cell tower on September 25, 2006 at 10:00. There was discussion concerning the purchase of digital radios. Chief Stith stated that after Hurricane Hugo, the Town went in agreement with Charleston County to be on the same system for communications. The county went to 800 mhz fifteen years ago. Now the old radio system is being phased to digital. Chief Stith stated that of the 40 volunteers, only 14 would receive new radios, and those are a step-down from what the Fire Department is receiving. Chief Stith, Chief Howard, and Greg Gress will develop a schedule of the radio purchase.

Personnel Committee, Councilwoman Hazen-Martin. Disability retirement paperwork is being prepared for one employee; two employees remain on workman's compensation. Thom Hiers has submitted a letter of resignation from the Board of Zoning Appeals effective October 31, 2006. Board vacancies will be discussed in executive session. The ordinance adding two new members to the BZA will be ratified tonight; so there will be three vacancies to fill. The unexpired term of Alice O'Dell, who recently passed away, will also need to be filled on the Planning Commission. Councilwoman Hazen-Martin also stated that Blaine Miller, a former Zoning Administrator around 1975, recently passed away.

Water and Sewer, Councilwoman Hazen-Martin. Eadie's Construction has filed a civil complaint against the Town and HDR Engineering regarding contract dispute items. The contractual agreement for mutual aid and inter-connection with Isle of Palms has received review by the Town Attorney, and will be discussed by Council at the October meeting. The Town has applied for a small system waiver for monitoring of the Stage 2 disinfectants and disinfection by products. The plant had a TRC violation on July 4, 2006. An inaccurate cylinder scale resulted in a low SO2 dose for the day. The sewer line easement at the McLean property will be discussed in executive session.

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

Fire Committee, Councilwoman Herron. Stella Maris Catholic Church hosted a memorial service in honor of the first responders that perished on September 11, 2001. Sullivan's Island Fire Department will host the annual fire prevention week event on October 11, 2006.

Recreation Committee, Councilwoman Herron. Park Foundation President Eleanor Washburn will update Council on the plans for the mound area. The Foundation inquired about removing the fence; Council agreed to take down the fence. The tennis courts will be patched, as in the budget for this year.

Real Estate Committee, Councilman O'Neil. David Schneider, our preservation consultant, has submitted the National Registry Multiple Property documentation form applications to the State Department of Archives and History to try to get National Register status for the historic districts he has outlined. The Board will meet on November 17, 2006 to consider the application. Paul Boehm spoke to Council at the Committee meeting concerning his request for access to a property at 2614 Raven which is on an unimproved platted portion of Raven Drive. Mr. Boehm is to come back to Council with information about infrastructure issues. We have received the latest draft of the Accreted Land Baseline Survey by Dr. Levine and Mr. Kaufman. It will be discussed at the next Committee meeting. Discussion of the current exclusion of single-family residential as a permitted use in the Commercial District will take place at executive session tonight.

Police Committee, Mayor Smith. Monthly report received.

Streets and Maintenance, Councilwoman Herron for Councilman Presson. The ½ Cent Sales Tax funding for 2007 includes \$1 million dollars for annual drainage projects. The ROADWISE Committee is requesting the Town to confirm the Middle Street drainage project request for \$200,000. Additionally, the Committee is requesting a 5 year plan for Island projects.

Mayor Smith duly ratified An Ordinance to Amend Section 14, by Adding a New Section 31: The Lease of Certain Real Property to the Sullivan’s Island Gadsden Cultural Center, an Eleemosynary Corporation.

Mayor Smith duly ratified 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.

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

Motion was made by Councilman O’Neil, seconded by Councilman Howell, to amend the agenda for the executive session to add a personnel matter concerning appointments, carried unanimously.

Motion was made by Councilman Howell seconded by Councilman Perkis, to go into Executive Session for Legal Advice concerning (1) Pending litigation: Self property, Avinger property, Felder property; (2) Amendment to Ordinance regulating erosion control structures in RS District; (3) McLean Easement; (4) Subdivision of Split zoned Lots – language to amend Ordinance; residential structures on commercial lots; utility infrastructure; Atlanticville Restaurant; (5) Purchase of 1602 Thompson; Battery Logan Property; Station 19 Street Dump Site; (6) Amendment to 21-108C (DRB Composition); (7) Chapter 17-5 Planning Commission; (8) Personnel Matter Regarding Appointments, carried unanimously.

Council returned to regular session. No votes or action was taken.

Motion was made by Councilwoman Hazen-Martin, seconded by Buddy Howell, to appoint Anne Kilpatrick to the Planning Commission, to fill the unexpired term of Alice O’Dell, carried unanimously.

Motion was made by Councilman O’Neil, seconded by Councilman Howell, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney
Town Clerk