

December 18, 2007

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
Charles Howle, Councilman
Jerry Kaynard, Councilman
Mike Perkis, Councilman
Everett Presson, Councilman
Mary Jane Watson, Councilwoman

The Pledge of Allegiance was led by Mayor Smith, followed by the invocation by Councilman Howle. There were seven members in the audience, including three members of the media.

The floor was opened for comments from the citizens. Judy Blanton Meyer stated she would like to honor the Civilian Conservation Corps who were stationed at Sullivan's Island from 1933 to 1942 with a historical marker at Battery Gadsden. Council agreed with this request, and added it would like to see the wording to be placed on the plaque before it is made.

Motion was made by Councilman Howle, seconded by Councilman O'Neil, to approve the minutes of the November 20, 2007 meeting, carried unanimously.

Reports and Communications

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to approve a Resolution to allow the Town Administrator to enter into a Lease Agreement with Pitney Bowes for a postage meter, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to approve a Resolution to approve the selection of Greene, Finney and Horton as Financial Auditors for a three-year period beginning with Fiscal Year 2007, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Presson, to defer Resolution Items 3,4, and 5 until after Executive Session, carried unanimously.

General and New Correspondence – Correspondence was received from the Department of Health and Environmental Control regarding a beachfront community forum to be held on January 24, 2008; the Council of Governments regarding reappointment to the COG seat; and from CARTA regarding reappointment to the CARTA seat and the three millionth rider taking place in November 2007. Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to reappoint Mayor Smith to serve on the COG and CHATS seats, carried unanimously.

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

Board and Commission Reports:

Planning Commission – Nicky Bluestein stated at the December Planning Commission meeting they discussed the 10 year review of the Town Comprehensive Plan, which is due in 2008. They met with Dan Hatley of the Charleston-Berkeley-Dorchester Council of Governments. The Commission will review the plan January through March, and revise it to be ready for winter 2008. Mr. Hatley is checking with his staff for workshop dates and a price quote for their services. The Planning Commission endorsed the concept of a Town meeting where its citizens could be provided information for historic preservation and incentives. An expert from the S.C. Department of Archives and History would be available to answer questions. Mayor Smith suggested a representative from the Southeast Region office for Historic Preservation perhaps could be available as well. Councilman Kaynard stated Council may want to consider offering some type of "Best Historic Renovation of the Year" award. Councilman Perkis suggested the Town offer information concerning all the benefits to owners in the historic district, not only tax incentives. This will be discussed at the January Committee meeting. Mayor Smith asked Councilman O'Neil to coordinate this effort.

Administrator's Report, Administrator Benke. Dunleavy's Pub met with Council to review event requirements for the January 1, 2008 Polar Bear swim. Students enrolled in the Community Outreach Program class as part of the Masters of Public Administration and Masters of Environmental Studies conducted an academic study of the Sullivan's Island dog ordinance. A presentation of the results was given to the general public at Town Hall on November 30, 2007. Special events requests were received for the Charlie Post Classic on January 26, 2008 and the Hunley and Housatonic Memorial Service and Parade on February 17, 2008; both were approved by Council.

Ways and Means Committee, Councilman Perkis. Comptroller Jason Blanton commented on the November 2007 financial report. Departments are running close to budget, although supplies and repairs fluctuate during the year. The wages are getting back in line, however, there are three pay periods again in January. Greene, Finney and Horton were chosen for financial audit services.

Personnel Committee, Councilman Kaynard. Tommy Bean has received the Class D Biological Wastewater Treatment Certification. The staff is compiling various personnel manuals and review forms for the Personnel Committee. Councilman Kaynard read the resignation letter of Lieutenant David Price effective December 22, 2007. Town Hall will be closed December 24, 25 and 26, 2007 and January 1, 2008 for the holidays. Staff vacations and vacation requests were reviewed.

Water and Sewer Committee, Councilman Perkis. The department began work on November 29, 2007 to replace old water lines at Station 27 Street between Middle Street and I'on Avenue. The anticipated completion date is December 28, 2007. The

second phase of the waterline replacement will begin around February 4, 2008. It includes 3000 linear feet of new water main. Construction time is anticipated to be 10 weeks, and a resident notification letter has been mailed. Water and Sewer Manager Greg Gress will have the first draft of changes to Section 18 and 20 of the Town Ordinance at the next Council meeting. Mr. Gress attended the S.C. Rural Water Association meeting in Columbia this month.

Building and Construction Committee, Councilman Howle. A summary of new construction activity on the Island between 2004 and 2007 was submitted by Building Official Randy Robinson. Correspondence concerning National Flood Insurance will be mailed to residents in January.

Fire Committee, Mayor Smith. The holiday lighting ceremony for the Fire Station and Park was held on November 30, 2007. The Fire Committee met today, and Administrator Benke went over the report from the City of Charleston and gave a comparison. The Town of Sullivan's Island is in-line or ahead of the City of Charleston, and is in good shape, although the number of personnel and some new equipment will be discussed.

Recreation Committee, Councilwoman Watson. The Park Foundation has installed new equipment on the playground in the park. The Bandstand will be out of service after the holiday season for repairs to the floor.

Real Estate Committee, Councilman O'Neil. The proposed amendment of historic structures nominated for review by the Design Review Board will be discussed at the next Committee meeting. The Design Review Board has received correspondence concerning the 14 structures that were nominated for historic designation. Interviews were held for the four finalist teams for the Accreted Land Management Plan. The Town will pursue a contract with Coastal Science and Engineering and will be discussing some of the contractual matters tonight in executive session. The Selection Committee will meet in mid-to-late January concerning the RFP applicants for the Commercial District. American Tower will submit the environmental assessment to the FCC before the end of 2007. They anticipate up to 60 days review by the FCC; therefore, it is anticipated that construction will commence in early March 2008. The contractor requires eight weeks for completion.

Police Committee, Mayor Smith. Monthly report rendered. Officer Mast has completed the Academy. Review of the police salaries continues. Lt. Price's service to the Town will be recognized at the next Town Council meeting.

Streets and Maintenance Committee, Councilman Presson. SCDOT is planning to close the Ben Sawyer Bridge to vehicular and bridge traffic from 8AM on January 8, 2008 for repairs to the bridge tender's house and will reopen on January 11, 2008 at 8AM. SCDOT will place electronic signs along the route, and the contractor will make the necessary media notifications. The Town will, in addition, also notify various businesses on the Island, including daycares and the doctor's office. The SCDOT

has completed re-striping the entire length of Jasper Boulevard with a double yellow line. SCE&G has requested assistance from the Town communicating to certain property owners the need for utility easement in the underground line project west of Station 12 Street. SCE&G is planning a utility bore under the ICW to replace the existing cable crossing. Councilman Presson had a lengthy conversation with Adele Tobin concerning the traffic situation at Station 17. She said it is not the speed of the cars on Station 17 that is the problem as much as children running out between the parked cars of the apartment building on Station 17. This area is also a pick-up spot for the school bus. The neighbors in the community are willing to pay for traffic calming devices in the area. The area of Stations 16, 17 and 18 on the ocean side of Middle Street has many children living there. The Committee has not yet met on this subject. Councilman Howle asked for Andy to get prices together on 1-2 of speed humps so they will have prices when the Committee meets. Councilman O'Neil also spoke with Ms. Tobin, and he is also convinced there is a potential problem there, although perhaps there could be another approach to solving the problem. The Streets and Maintenance Committee will meet to discuss, and come up with a recommendation.

Ordinances

Motion was made by Councilman Perkis, seconded by Councilman Howle, to have Second Reading of An Ordinance to Amend Section 22 Purchasing Ordinance of the Town of Sullivan's Island (update existing code with more current language), carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to suspend the rules to have Third Reading of An Ordinance to Amend Section 22 Purchasing Ordinance of the Town of Sullivan's Island (update existing code with more current language), carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to have Third Reading of An Ordinance to Amend Section 22 Purchasing Ordinance of the Town of Sullivan's Island (update existing code with more current language), carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Presson, to have First Reading, by title only, An Ordinance to Amend Chapter 2, Administration, Section 2-17A, Article III, Division 1 Council Meetings (to change meeting time of Town Council), carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to go into Executive Session for Personnel – employee retirement and Police Department Staffing and Salary Review; and Legal – advice for contractual matter for TMS 523-07-00-061 and TMS 523-07-00-060; advice for contractual matters with Coastal Science and Engineering, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to come out of Executive Session, carried unanimously. Mayor Smith stated that no votes or action were taken during Executive Session.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, that in light of Lt. David Price's 21 years of service to the Town, and in light of the fact that he has had to retire on disability because of unexpected medical problems, that the Town issue him severance pay in the amount of \$4,200 for purposes of assisting him in extending his health insurance coverage until he is otherwise covered, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilman Howle, to raise the entry level positions for the four entry existing positions (2 filled; 2 open) in the Police Department by \$6,000 annually effective January 1, 2008, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to pass A Resolution By the Town Council of the Town of Sullivan's Island, South Carolina, for Settlement of Potential Litigation and Authorization to Enter Certain Agreements Related to the Dock on or near Station 12

NOW, THEREFORE BE IT HEREBY RESOLVED by the Mayor and Town Council of the Town of Sullivan's Island Council assembled at the Town, enter the Bill of Sale for the dock to the Town from Patrick and Cheryl Ilderton and Mark Tanenbaum; enter the Lease and Access Agreement for the Town with Patrick and Cheryl Ilderton; and enter the Easement and Access Agreement with Mark Tanenbaum in the forms attached hereto as Exhibits A, B, and C to resolve this controversy provided the Cross Easement and Access Agreement to be amended to delete the grant of the easement by Mark Tanenbaum to the Town in consideration of Mark Tanenbaum agreeing to commence the construction of the dock on the water side of the sewer pipe and paying to the Town the sum of \$10,000 toward backfill to be placed on top of the Town's sewer pipe to enable the Town to access the pipe for repairs and maintenance and to pay to the Town \$3,000 toward the Town's attorney fees;

BE IT FURTHER RESOLVED that the Mayor of the Town of Sullivan's Island is hereby duly authorized to execute these agreements, as amended, on behalf of the Town, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilman Kaynard, to adjourn at 10:10 p.m, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Howle, to come back in session at 10:15 p.m., carried unanimously.

Motion was made by Councilman Presson, seconded by Councilwoman Watson, to reschedule the January and February meetings of Council for 6 p.m., carried unanimously.

Motion was made by Councilman Howle, seconded by Councilwoman Watson, to adjourn at 10:25 p.m., carried unanimously.

Respectfully submitted,

Ellen McQueeney