

February 20, 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
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.

The floor was opened for comments from the citizens. Bobby Cummings, 1450 Thompson Avenue, spoke as vice president of the Island Club. He asked Town Council to consider renewing the Island Club's lease, which expires in April. He stated that the Island Club is a civic organization which has been on the Island for approximately 60 years. It is a non-profit organization and is open to anyone who wants to join. The Island Club has been involved in many children's charities. They have discussed having children's programs with Creative Spark at the Island Club this summer. The Island Club does carry liability insurance. Mayor Smith stated the Town has every intention of renewing their lease. Paul Boehm, 3209 Middle Street, spoke regarding the proposed road at 2614 Raven Drive. It has been determined that the lots are not buildable. The critical line is so deep into the lot that it does not make sense to run that road all the way through. A drawing of the area was received by Administrator Benke via e-mail. The drainage discussion of this property will be discussed at the March Committee meeting. Kenneth Brown and Meredith Nelson from Prime Time Fitness stated they are hosting a fundraiser for the Boys and Girls Club, and are asking permission to use the park and the gazebo as a venue for the competition. Three trainers will be taking pledges for a competition of 500 push-ups in 45 minutes. The event will be held March 24, 2007. They are expecting the Boys and Girls Club to bring out about 60 to 80 members – children and families. They stated they did have insurance to cover the event, and they will forward it to Administrator Benke. Madeleine McGee, 2211 I'on, spoke on behalf of five residents of commercial property. She presented a letter from these five residents which reflect comments that were gathered at a series of meetings and given to 13-14 property owners in the immediate area. This is a very preliminary set of ideas. They are requesting a comprehensive look at the commercial and residential area combined. They request a meeting with the Mayor and staff to go over these ideas, and for Council to defer the ordinance tonight regarding this subject. Jerry Kaynard of 2501 Atlantic stated everyone on the Committee to which Ms. McGee is referring expresses the desire to improve the livability of the island. They are working on a comprehensive approach to the area, and will come up with some good proposals. Loren Ziff, 1412 Thompson

Avenue and 2114 I'on stated the intent of the committee has not been anti-development, but increasing the quality of life.

Motion was made by Councilman Howle, seconded by Councilman O'Neil, to approve the minutes of the January 16, 2007 meeting, carried unanimously.

General and New Correspondence – Administrator Benke stated the only new correspondence received was the e-mail from Mr. Boehm referred to earlier.

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

Board and Commission Reports

A. Planning Commission – Planning Commission member Pat Votava stated that the Planning Commission held the public hearing regarding split zone lots. After closing the public hearing, they did approve suggested language concerning split zone lots.

B. Board of Zoning Appeals – no items to report.

C. Design Review Board

DRB Chairman Pat Ilderton stated the special DRB meeting related to accessory structures resulted in the suggestion for the DRB to be empowered to give them up to 20% above the square footage for a 1,200 sq ft house. Their primary objective is to protect these historical houses. DRB member Steve Herlong stated the writing points from the meeting state that the DRB should have some ability within limits to make a call on particular structures that may have a particular circumstance such as a potential increase of 20%. The Board wants it to be understood that it would be considered only in the event of a special circumstance. DRB member Cyndy Ewing stated not all the members agreed on the new wording.

D. Tree Commission – no items to report.

E. Municipal Elections Commission – no items to report.

Administrator's Report, Administrator Benke.

The Insurance Reserve Fund is making minor changes to some of the Town's policies, specifically the coverage of docks, piers, and boardwalks. It has been taken out of the property policy and put into the inland marine policy. Discussion about the alternate judge for the Town will take place in executive session. Dunleavy's Pub was given approval to close Station 22-1/2 Street between Middle Street and I'on Avenue on March 16 and 17, 2007 for the St. Patrick's Day celebration. There will be costs for the Town regarding the Transportation Enhancement Grant such as a survey and utility identification. It is a \$200,000 grant with a 20% match. The Town needs to let the BCD COG know by the end of March if we wish to apply for the grant. A presentation would

be required by late April. Council agreed a presentation should be put together for this grant.

Ways and Means Committee, Councilman Perkis. Brandon Renaud and Jason Blanton from Schleeter, Monsen, and Debacker presented the final audit document for fiscal year 2005-2006.

Personnel Committee, Councilwoman Hazen-Martin. The financial accounting position will be recruited for more aggressively. One seat on the Municipal Election Commission was vacated with the resignation of Betsy Richardson. This will be discussed at the next Committee meeting. A special resolution will be written for Clerk of Court Frances Varn, who has served as the Clerk of Court for fifteen years. There was one administrative termination, and one new employee for Water and Sewer began on February 6, 2007.

Water and Sewer Committee, Councilwoman Hazen-Martin. Monthly reports rendered. We had an inspection on January 18, 2007 at the Sewer Plant by DHEC, and received a satisfactory review.

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

Fire Committee, Councilwoman Herron. Monthly report rendered. The oyster roast on February 10, 2007 was well attended.

Recreation Committee, Councilwoman Herron. The World Adult Kickball Association was denied exclusive use of the baseball and soccer fields this spring. A building inspector is working with the contractor and structural engineer to see what we need to do to improve the bandstand. Creative Spark activities will be discussed at the March Committee meeting.

Real Estate Committee, Councilman O'Neil. The ordinance to amend Section 21-20 C (2) (b) et al regarding square footage limitation of historic structures as accessory dwelling units will be discussed at the March Committee meeting. An ordinance to amend Section 21-17 regarding demolition, removal, or relocation of structures greater than 50 years old will be discussed in executive session.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to amend the agenda to have executive session before the reading of Ordinances, carried unanimously.

Councilman Perkis stated there were no items to report concerning modifications granted for new home construction. Administrator Benke stated he was working with Norm Levine at the College of Charleston regarding the Land Management Baseline Report. The final report may be ready by the March Council meeting.

Mayor Smith asked Council if Attorney Bill Barr could speak at this time regarding an ordinance for second reading tonight. Mr. Barr stated he has been representing multiple clients on the issues regarding 1,200 sq ft historic structures. Mr. Barr urged Council to adopt the 20% discretion on the allowed 1200 sq ft as presented to Council by the DRB members tonight. Mr. Barr stated there are certain properties on this island that are historic that do not lend themselves to being added to without destroying their historical character and that is exactly what this ordinance is pointed to.

Police Committee, Mayor Smith. Monthly report rendered.

Streets and Maintenance Committee, Councilman Presson. The SCDOT has made significant progress during the previous three weeks on repairs to Middle Street and safety enhancements in the commercial district.

Motion was made by Councilman O'Neil, seconded by Councilman Howle to go into executive session for legal advice personnel matters, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to come out of executive session, carried unanimously. Mayor Smith stated that no votes were taken in executive session.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to defer Second Reading of An Ordinance to Amend the Zoning Ordinance as Contained in Sections 21-19D, 21-24F, 21-27D, 21-31D, 21-49D, 21-52C, 21-54F, 21-59D and a Resolution to Invoke the Pending Ordinance Doctrine, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman O'Neil, to defer Second Reading of an Ordinance to Amend Sections 21-20C.(2)(b), 21-25A.(2), 21-25C.(1), 21-27A.(2), and 21-27 A.C. (1) of the Zoning Ordinance Regarding Size, Principal Building Lot Coverage and Square Foot Limitations of Historic Structures as Accessory Dwelling Units, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Howle, to defer Second Reading of An Ordinance to Amend the Zoning Ordinance as Contained in Section 21-17 regarding demolition, removal, or relocation of principal or accessory use buildings or structures over fifty (50) years old, carried unanimously.

Motion was made by Councilman Presson, seconded by Councilwoman Herron, 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 Howle, to have First Reading, by title only, An Ordinance to Amend Section 14-29 1(C) (8) and Section 14-29 1(F) (3) to delete the definition of Retail Tobacco Store and the exception for Retail Tobacco Stores, carried unanimously.

Motion was made by Councilman Howle, seconded by Councilwoman Herron, to adjourn, carried unanimously.

Respectfully submitted,

Ellen McQueeney