

June 17, 2008

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  
Pat O'Neil, Mayor Pro Tem  
Buddy Howell, 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 thirty members in the audience, including two members of the media.

The floor was opened for comments from the citizens.

Jeannie Heath, who grew up on Sullivan's Island, has started a non-profit organization to raise funds to preserve and restore the cemetery on Myrtle Avenue. Town funds for this purpose are also available. Ms. Heath will present a comprehensive plan at a later date for Council to review. Julia Khoury, 1728 I'on Avenue, stated the field behind Battery Logan is being used as a parking lot. Mayor Smith responded that no parking signs were placed there about three weeks ago. Norman Khoury, 1728 I'on Avenue, inquired if the report regarding the illegal tree cutting was available for review. Administrator Benke stated that three tickets were written to the contractor to be heard at Municipal Court on August 12, and then the report will become public. Heidi Brown, 405 Station 22, stated her concern regarding the clearing of the cemetery on Myrtle Avenue, as the foliage provides a buffer to noise and cars. Council will carefully review the plan after it is submitted. Jaime Mahr of Dunleavy's Pub stated concerns regarding the noise issue; and was concerned about the line between perception versus reality. Chief Howard responded that the department was purchasing a decibel reader to help determine accurate noise levels. Rusty Bennett, 3124 Marshall, and an owner of Poe's Tavern, stated the newly formed Sullivan's Island Better Business Association has met and is working together to solve problems in the commercial district. Henry Hagerty, 2213 Myrtle Avenue, stated the noise problem appeared to have been much resolved, and thanked the restaurant owners and Council. However, he did play a short video of two weeks earlier of activity in the commercial district around 12:30 a.m. Mr. Hagerty would like Council and the restaurant owners to discourage outside gathering and drinking after midnight. Harry Seel of Seels on Sullivan's restaurant (formerly Off the Hook) stated he was at his restaurant when Mr. Hagerty filmed, but Mr. Hagerty did not ask to speak with him. Mr. Seel stated that the restaurant is promoting a family-style atmosphere, with the emphasis on food, rather than drinks.

**Motion was made by Councilman Howle, seconded by Councilwoman Watson, to approve the Regular Meeting minutes from May 15, 2008; and the Special Meeting minutes from June 2, 2008, carried unanimously.**

**Motion was made by Councilman O'Neil, seconded by Councilman Howle, to amend the agenda to add as number three on Executive Session the discussion of Design Review Board decisions, carried by a vote of 6, with Councilman Kaynard abstaining.**

### **Reports and Communications**

Mr. Howard Chapman, Executive Director of CARTA, made a presentation to Council regarding the proposed CARTA Budget for FY2009. Mr. Chapman gave an overview of the current year and FY2009. He stated CARTA had record numbers last month, and they are already \$1 million over budget this year due to rising fuel costs. In the FY2009 budget, additional shelters are planned for the year.

**Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to amend the agenda to approve and sign the CARTA Resolution from Item two on the agenda to this time, carried unanimously. Council unanimously approved A Resolution to Approve and Support Fiscal Year 2009 CARTA Budget.**

Mr. Larry Finney of Greene, Finney & Horton, made a presentation to Council of the FY2007 financial audit. Mr. Finney reported that the Town received an unqualified opinion, which is the best that can be received. The financial condition of the Town is good, and several recommendations were made for the next fiscal year.

**Motion was made by Councilman Perkis, seconded by Councilman Presson, to defer A Resolution to Adopt Revised Water and Sewer Rates until the July 7<sup>th</sup> Special Meeting to be held before the Committee meeting, carried unanimously.**

Councilman Presson gave an overview of how the proposed Resolution concerning parking plans in the commercial district originated when the Design Review Board would not allow parking in the Durst parking lot. **Motion was made by Councilman Presson, seconded by Councilwoman Watson, to approve a Resolution by Council Requesting the Design Review Board to Review Parking Plans for Commercial Community District Establishments, carried by a vote of 6, with Councilman Kaynard abstaining.**

**General and New Correspondence** – No report.

**Attorney's Report** – No report.

**Board and Commission Reports** – No report.

**Administrator's Report**, Administrator Benke. The DHEC Beach Monitoring Report for April indicates normal conditions; the May report has not been received. The advertisement to fill the Boards and Commissions' seats to expire in September will be published, with a deadline to submit interest by August 1, 2008. A Proclamation marking the anniversary of the Battle of Fort Sullivan and Carolina Day has been signed. The cell tower construction is running behind schedule. SCE&G began converting overhead power lines to underground on Tuesday, May 27, 2008, and should take 20-30 days to complete that area project. A contractor has begun clearing of the spoil area behind Sullivan's Island. Dike preparation should be complete by September, and dredge work can begin no earlier than November 1, 2008. Mayor Smith met with the newly formed Sullivan's Island Better Business Association on Monday, June 15, 2008. Mayor Smith has named the following Island residents to the newly established Beach Erosion Advisory Committee: Messrs. Callahan, de Vito, Detyens, Logan, Middaugh, Nettles, Short, Sottile; and Councilman Kaynard. The Mayor will schedule the first meeting of the group in the near future. Owners for Seels on Sullivan's and High Thyme restaurants have submitted a special event permit request for July 4, 2008. The event includes closing the parking area for tables and food service, beer truck, and live band. After much discussion, Seels on Sullivan's withdrew the application, as they were unaware of the large event and band planned at the Park.

**Ways and Means Committee**, Councilman Perkis. Comptroller Blanton commented on the May 2008 financial report. Mr. Larry Finney of Greene, Finney, and Horton presented the FY2008 financial audit tonight. Town Council held a public hearing on June 2, 2008 to receive public comment on the budget submitted by staff and reviewed by Council for FY 2008/2009. The budget is to be ratified on June 17, 2008. A public hearing on the Water and Sewer budget will be held on June 17, 2008. The waste collection agreement, including a sliding scale for gas, provides for a two year extension if the Town is satisfied with vendor performance. The Town staff has reviewed numerous software packages, and has recommended CSI, a S.C. based company with a client base of local governments, school districts, and non-profit organizations. Town Council approved this recommendation.

**Personnel Committee**, Councilman Kaynard. Monthly report rendered. Scott Sanders, Maintenance Department Supervisor, reached 10 years of service with the Town on June 15, 2008. Administrator Benke will have five years of service on June 25, 2008. Building Official Randy Robinson has requested the opportunity to change his employment status to working retiree in July. The probation period for Water and Sewer employee Michael Reynolds will be completed on June 20, 2008. Mr. Gress recommends the budgeted increase. Chief Stith reported that fire fighter applications have been received for the new position.

**Water and Sewer Committee**, Councilman Perkis. Manager Gress reported that all pipes are in ground for the Water Line Replacement Phase II at Thompson and Poe Avenues, and that it should be completed by the end of June. Mr. Gress will present a rate study to Council in the near future. The Charleston Water Systems (CWS) Capital Improvement Projects will cost the Town over \$2 million through the year 2024,

averaging \$133,000 annually. The public hearing for the Water and Sewer FY09 budget was rescheduled for Monday, July 7, 2008 at 6:00 p.m.

**Building and Construction Committee**, Councilman Howle. Monthly report rendered. The Building Department fee structure approved by Council has been implemented.

**Fire Committee**, Mayor Smith. Monthly report rendered. The Volunteers will host the 59<sup>th</sup> Annual Fish Fry on June 28, 2008 beginning at 5:00 p.m. The Memorial Service for the firefighters who died during the Sofa Super Store fire will be held tomorrow, June 18, 2008.

**Recreation Committee**, Councilwoman Watson. Councilwoman Watson reported that the new President of the Park Foundation is Wade Logan. S.C. Electric Gas Company has extended the use of the pool to Island residents again this summer. The Sullivan's Island Volunteer Fire and Rescue sponsored the annual Floppin' Flounder 5K race on June 14, 2008.

**Real Estate Committee**, Councilman O'Neil. Options regarding the Raven Drive Extension are on the Executive Session agenda tonight. Administrator Benke is working with Seamon, Whiteside & Associates to prepare a contractual agreement for the Community Commercial District Master Plan project. Correspondence was received from Susan Middaugh and Cecilia Atkins regarding the variance granted by the Board of Zoning Appeals at 2662 Goldbug Avenue. A status update of the Comprehensive Plan has been received from Planning Commission Chairman Currey. The appointments to the Beach Erosion Advisory Committee were announced earlier this evening.

**Police Committee**, Mayor Smith. Monthly report rendered. The Mayor held a Police Committee meeting on June 4, 2008 to discuss issues related to the Community Commercial District, including summer traffic and parking, and man-power. Chief Howard will follow-up with Sheriff Cannon's office regarding police officer help.

**Streets and Maintenance Committee**, Councilman Presson. A request for projects for the Transportation Sales Tax Program has been submitted. Items for consideration included: funding to supplement Middle Street drainage repairs and pavement; modifications to SC703 to construct a path on the northbound side and widen pavement for bicyclists; and a traffic study and round-a-bout construction on Jasper Boulevard. Preliminary work has begun on a paid parking study.

### **Ordinances**

Mayor Smith duly ratified An Ordinance to Adopt Budget for July 1, 2008 through June 30, 2009.

**Motion was made by Councilman Howle, seconded by Councilwoman Watson, to have First Reading, by title only, An Ordinance to Amend Chapter 18**

**Sewers and Sewer Disposal Sections 18-6, 18-10, 18-29, and 18-31, carried unanimously.**

**Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to have First Reading, by title only, An Ordinance to Amend Chapter 20 Water Supply Sections 20-1, 20-6, 20-7, 20-8, and 20-11, carried unanimously.**

**Motion was made by Councilman Perkis, seconded by Councilman Howle, to have First Reading, by title only, An Ordinance to Adopt Water and Sewer Budget, July 1, 2008 through June 30, 2009, carried unanimously.**

**Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to go into Executive Session for a contractual matter concerning final approval contract with Coastal Science and Engineering, and legal advice to receive privileged and confidential correspondence from the Town Attorney regarding Raven Drive Extension between Station 26 Street to Station 26-1/2 Street, and discussion of Design Review Board decisions, carried unanimously.**

**Motion was made by Councilman Howle, seconded by Councilwoman Watson, to come out of Executive Session, carried unanimously.**

Mayor Smith stated that no action or votes were taken during Executive Session.

**Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to adjourn at 8:40 p.m., carried unanimously.**

Respectfully submitted,

Ellen McQueeney