

July 17, 2012

The regular meeting of Town Council was held on the above date at 6:00 p.m. at Town Hall, all requirements of the Freedom of Information Act having been satisfied:

Present were: Carl Smith, Mayor  
Mike Perkis, Mayor Pro Tem  
Jerry Kaynard, Councilman  
Madeleine McGee, Councilwoman  
Patrick O'Neil, Councilman  
Mary Jane Watson, Councilwoman

Mayor Smith stated that Mr. David Creech, architect with Creech & Associates, was presenting three options tonight for the new Town Hall: 1610 Middle Street, a new Town Hall, and 1714 Middle Street.

Mr. Creech briefly reviewed the space needs analysis and the need for 9,830 square feet was determined; the Police Department of 2,100 square feet included in that figure. Mr. Creech presented very basic designs composed to compute a preliminary cost analysis.

**Scenario One: Renovate existing Town Hall.** An environmental evaluation by Risk Tech, LLC of the existing Town Hall was completed and there was evidence of high humidity, moisture intrusion, possible brown water penetration, and mold present in most areas. Remediation is required and they recommended studies of the building envelope and HVAC system. The structural evaluation of the building indicated the structure was in good condition but it lacks lateral force resisting elements. There was some deterioration at newer openings and a fair amount of cracking and falling of brick. The truss connections to the walls were weak, but being an historic structure the code upgrades are likely not required. The big issue is the building is below current flood regulations.

As far as the layout of offices, the building is limited due to the location of the load bearing walls. The Council Chamber is a little narrower than a typical Council Chamber. The Police Department does not fit into this scenario, and the logical idea is to add it to the Fire Station at a cost of about \$500,000.

The renovation costs of scenario 1: With a building of 7,660 sq ft at \$181.61 sq ft is about \$1.4 million. The addition to the Fire Station is \$500,000, along with the boat shed addition to house additional equipment at about \$100,000. The total construction cost is about \$2.1 million, then add 25%-30% furniture, fixture and equipment (FFE) and fees, and subtract \$300,000 estimated for selling the lot across from the old town hall, the construction cost would be about \$2.47 million.

**Scenario Two: the new Town Hall** – The site of the new Town Hall would be for later discussion, but a location near the Fire Station would provide amenities such as restrooms for the park area. New construction averages between \$275 - \$300 sq ft; a new building would cost about \$2.875 million. The

Police Department would be included in the new building; however the \$100,000 cost for the boat shed addition and FFE contingency and fee of \$892,398 would need to be added. If the old Town Hall and lot across the street were sold for approximately \$1 million, the total cost of a new building would be about \$2.867 million.

**Scenario Three: 1714 Middle Street.** This building is currently the West residence, and formerly the Post Exchange Building. They were able to convert drawings to CAD files to create a base to estimate. Mr. Creech stated this is a significant and historic structure, and should be looked at from a preservation standpoint. There are multiple examples of these buildings being preserved for use other than their original use, but have not located one used for civic use. The structure appears to be in good shape; there are no visual signs of settlement; and there is minimum amount of cracking in the masonry. As a historic building, it does not conform to current code regarding wind and seismic, but it would not have to be upgraded. The HVAC system is in fair condition, and additional tonnage would need to be added for a Town Hall. The gymnasium is a good width to house the Council Chamber. A drawback to the building is that to function as a Town Hall, an elevator would need to be added because there are so many different levels of the house. The owner had suggested that the back area where the Council Chamber would be could be raised about 4'9" to the level of the main part of the building. They did study ramping as opposed to the elevator; however, the ramps did not work.

The renovation cost for the building at about \$146.00 sq ft is \$1.15 million (does not include raising the floor of the chamber). The Police department addition at \$500,000 and boat shed at \$100,000 put construction cost at \$1.75 million. Add on the FFE and fees, and the purchase factor of \$1.5 million; and sell town property as in scenario two; and the cost would be approximately \$2.77 million. While there is a purchase factor in this scenario, all the Town's land has value also but has not been taken into account in the scenarios.

Mr. Creech concluded his presentation with a pro/con summary of each scenario.

**Scenario One: Renovate existing Town Hall.** Pro - This utilizes the building that the Town currently owns; it is long recognized as Town Hall; the renovation is usually more cost effective and sustainable; and the Police will become an addition to the Fire Station, so it would be a Public Safety Building. Con - The existing Town Hall does not meet the current flood elevation and although they studied putting a floor there, it cannot be elevated to that level. The existing Town Hall would not be what he considered the Town Center, and it does not meet the current structure code. Also, the mold issues could reoccur.

**Scenario Two: Construction of New Town Hall.** Pro - The building could be a part of a Town Center. It will meet all current building codes including flood elevation. The investment is better protected, and it could become an emergency operations center. Con - The new building is initially more expensive than renovation. The Town has to find a new use for the existing building, or sell it.

**Scenario Three – 1714 Middle Street.** Pro - It does preserve a significant historic building on the island; renovation is more cost effective and sustainable as is the other renovation; the Police Department would become part of the public safety building. It is a frame building with masonry, tied

together between frame and foundation, so it is a stronger building than 1610 Middle, and it has withstood many storms. Cons – There are various finished floor heights; the Police Department will not fit; it doesn't comply with current flood elevation and the investment could be jeopardized; it does not meet current structural codes even though, again, it is solid building and has withstood a lot during the test of time.

Councilman O'Neil thanked Mr. Creech for his presentation and hard work. He stated he did not remember discussing in scenario one the sale of the lot across from the old Town Hall. That land will be used for parking if Town Hall is still there. Mr. Creech stated he must have misunderstood, and the numbers would obviously change.

Before presenting these options to the community, the Real Estate Committee will meet to review the presentation. Councilman Perkis stated he would like the committee to work on the intangibles such as if the building is not in town versus the business district, cost in workflow if the departments are not together, operating costs for both older buildings. Administrator Benke will prepare the operational cost difference estimate, as well as the cost of work flow when the buildings/departments are separated. Councilwoman McGee stated the cost is not relatively different between the three options, so are there other selection criteria that should be used to make the decision? She stated she would like to have staff input, and also get a sense of the long term, and if the scenarios would have the same life expectancy.

Mr. Creech stated he would be most concerned about 1610 Middle Street. For the renovations of buildings there are many unknowns, and the 25-30% contingency should definitely be at 30% for the renovations. There would be different contractors for a new building than renovation, so the timing depends on the contractor. But, it will probably be all about the same time, and the time table includes the design time.

Councilwoman McGee expressed concern about siting options for a new Town Hall (as in their design suggestion in the park), and are there other new construction options that might not take away green space. Mr. Creech stated that wherever the new construction is built, it will take up green space. Councilman Kaynard requested dimensions on the floor plan and footprint of the new Town Hall, as well as a plat of the Town property including the Fire Station, the property behind it, and the park.

The floor was opened for comments from the citizens.

Pat Votava, 2214 Jasper Blvd, said thank you for a family-oriented Fourth of July celebration. The Polar Bear swim is a family event for an hour before the swim and during the swim, but then it becomes a drunk fest and is further promoted by Town closing off that block of Middle Street, as with St. Patrick's Day. She believes the Polar Bear Swim and St. Patrick's Day celebrations should take place at the Fish Fry Shack.

Barbara Spell, 1702 Atlantic Ave., questioned why the minutes of the last Council meeting did not include her presentation read during public comment, as she requested. Councilman Perkis stated the minutes reflect a summary of her comments, and that her complete comment was on file at the office. Entire presentations are not typically included in the minutes. Also, she questioned the SC Department of Environmental Control report that was discussed at the Water and Sewer Committee meeting on July 6<sup>th</sup>, and asked if it would be discussed during the Committee reports tonight. Councilman Perkis stated that would be explained during the Water and Sewer Committee tonight.

Mayor Smith stated the agenda format has changed in an attempt to streamline meetings. Action items to come before Council will be discussed after the approval of the minutes.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve the minutes from the Regular Meeting on June 19, 2012 and the Special Meeting of Council on July 2, 2012, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to approve a Resolution Authorizing \$10,394.87 Expenditure for Monument at Myrtle Avenue Cemetery from the Confederate Memorial Fund, carried unanimously. Mayor Smith stated this is a fund that was given by a resident years ago. The Hunley prints at Town Hall were purchased with a portion of the fund. The monument will not just recognize confederates who were buried in the cemetery, but old island residents, and old families that have been here for generations.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve a Resolution for Vacation Policy Accrual and Pay Out, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman Kaynard, to approve a Resolution Supporting the Town Safety Policy, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to approve a Resolution to Encourage the Federal Delegation of South Carolina to Stop Federal Sequestration, carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve the Zoning Administrator job description and advertisement for employment. Councilman O'Neil suggested the order of job duties should be changed. Councilman Kaynard accepted the amendment to move current duty paragraph four as number one, and current paragraph three as number two. Motion carried unanimously.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve an Employee Survey for the Location of Town Hall. Councilman Kaynard presented the survey, and suggested a couple of changes, as question number one should be optional; and the department names should be listed to choose from. He continued that the survey is an optional, not mandatory survey;

and that he would feel uncomfortable presenting to the community without asking the employees for their opinions. Mayor Smith stated he opposed the survey unless it could be totally anonymous. Councilman O'Neil believed a decision about the survey should be held until after the Real Estate Committee meets with Department Heads for information. Also, he had concerns regarding the validity of the information that would be received from the survey. Councilwoman McGee stated she supported some type of survey asking the employees what other criteria should Council consider since they were last asked about their space needs. After further discussion, motion was made by Councilwoman McGee, seconded by Councilman Kaynard, to amend the motion that the Personnel Committee reassess this subject, taking input from Council members and circulating and distributing the final survey before it goes to employees (and no need to come back to a meeting), carried by a vote of 4-2, with Councilman O'Neil and Mayor Smith casting the opposing votes. The motion, as amended, was carried by a vote of 4-2, with Councilman O'Neil and Mayor Smith casting the opposing votes.

Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve the Deputy Administrator/Comptroller Job Description, carried unanimously. The Deputy Administrator/Comptroller job description establishes a chain of command in the Administrator's absence. Mayor Smith stated that the mayoral position – whoever it is – is in command during an emergency situation.

Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to have First Reading, by title only, of Ordinance 2012-05, An Ordinance to Amend Section 2-27 Procedure for Enactment of Town Ordinances, carried unanimously. Councilman O'Neil stated this ordinance is an effort for Council to increase its efficiency in meetings conducting Town business. Councilman Kaynard added that this ordinance originated in discussion among Council members of ways to have more efficient operations of Council and the procedures used during meetings. Because meetings sometimes last from 6-10pm, many residents and public cannot sit through the entire meeting. This is one of the streamline efficiencies. The current procedure of Council is to have three readings of an ordinance. First reading is the introduction; second reading is for discussion and amendment; and third reading there is generally no discussion. The ratification takes place at the next Council meeting, so it usually takes four months to adopt an ordinance. Other local municipalities such as Mt. Pleasant and Isle of Palms adopt an ordinance in a shorter time frame. State law only requires six days between the first and second reading. Council is not proposing that six day period, but they are proposing to shorten the time frame for ordinance adoption from four months to two months. This ordinance provides for first reading, then at a separate meeting of Council second reading and ratification at second reading. That does not mean that Council could not defer the second reading and take more time if they needed to on a particular issue. Councilman Kaynard mentioned that this ordinance is not related to newspaper articles recently on an emergency ordinance. The emergency ordinance procedure is what State law allows for every municipality. An emergency ordinance can be adopted in one Council meeting and is effective for 61 days, then expires unless it is adopted in the normal procedure of Council.

**General and New Correspondence** – Correspondence was received from Caroline Boyd from Denmark, SC expressing appreciation for the July 4<sup>th</sup> fireworks; Elizabeth Tezza stating the stop signs at 22-1/2

Street and Middle should not be removed because it will make it more difficult for residents and visitors to safely proceed through the intersection; Zan Turvey expressing his opinions on the All Way stop sign, the disturbance in his area from the dumpster and waste collection, and moving the Polar Bear Swim and St. Patrick's Day celebration to another location. An e-mail was received from Martha Smith expressing concern about the ability to have a referendum; and Hal Currey submitted a suggestion for a magnetic sign on the side of the beach vehicle stating the hours dogs are allowed on the beach.

**Attorney Report – no report**

**Boards and Commissions –**

**Board of Zoning Appeals** – Susan Middaugh reported that the Board did not have a quorum at the July meeting; they are feeling the effects of the open seat on the Board.

**Planning Commission** – Administrator Benke reported that the draft minutes of the July 15<sup>th</sup> meeting are in their packet. The Commission plans to discuss Section 21-23 (6) conditional uses in the RS. This perhaps was generated based on the construction of a structure in front of the main house near Breach Inlet.

**Administrator's Report**

**Sullivan's Island Elementary School Design** – The demolition contractor expects to be off site by July 2012. They have the Town's comments on the fire line where the water line will go. Councilwoman McGee asked when the next step of color and landscape will come to Council. Administrator Benke stated Councilwoman Cooper is coordinating those meetings, and she was not present this evening. However, Ed Strack did tell him in a phone conversation the next step is to prepare a piling package ready to go out for bid. That will probably be done in August and awarded in October.

**CARTA Budget** – The preliminary budget for 2013 is in your packet. Executive Director Christine Wilkerson will be at the August 21<sup>st</sup> Council meeting to present the preliminary budget. If you have questions, direct them to him or Ms. Wilkerson.

**DHEC Beach Monitoring Results** – The SC Department of Health and Environmental Control reported good beach monitoring results for May 2012. Councilwoman McGee questioned about the recent newspaper article regarding water quality. Administrator Benke explained that it was a report by the National Resources Defense Council (NRDC). Their reporting method for ranking is using the percentage of yearly tests that exceed the state standard, but different states set different standards. Sullivan's Island beach water quality was ranked the lowest in the Charleston Area in 2011 because by NRDC's calculations Sullivan's Island had an 8% increase in water quality deterioration. DHEC is fine with the Town's water quality, and what needs to be understood is exceedances were caused by what is known as non-point source pollution. The non-point sources could be because the island is located in a tidal basin of the Cooper and Wando rivers, dogs on the beach, fertilizer, stormwater run-off, etc. The bottom line is there is no problem with water quality.

**Ways & Means Committee, Councilman Perkis.** Monthly report rendered. The unaudited end of year results for fiscal year 2012 shows there will be about a \$300,000 surplus change in the fund balance. The summary of Water and Sewer is about the same at \$300,000 more revenues than expenses. The

Municipal Association recommends having a fund balance equal to your annual expenses, approximately 15%, which is about two months. The Town is in good shape with about 10-11 months. If there is a hurricane or emergency, cash can be obtained rather quickly. He presented a GO Bond Analysis for a bond for Town Hall. The Town has a \$3.7 million bonding capacity under State law. The analysis will be updated and distributed to Council.

**Personnel Committee, Councilman Kaynard.** Monthly report rendered. The new procedures being followed tonight help the meeting move much quicker. In the Personnel Report, there is one position open in the Water and Sewer department for a full-time operator; and one new hiring in the Maintenance department. Council has already acted on the five action items on the agenda that would normally be on the Personnel Committee Report. Councilman Kaynard presented a report on the different boards and commissions, and stated the deadline for filing is August 2<sup>nd</sup>. The report on the applications received will be presented at the August workshop.

**Water and Sewer Committee, Councilman Perkis.** Monthly reports rendered. Councilman Perkis reviewed the items from the Water and Sewer Committee meeting on July 6, 2012.

Request by resident for relief from \$4,000 bill - The request from the resident for relief from a \$4,000 water bill was denied because the request did not meet the criteria of the policy in place for relief.

Marshall Boulevard Wastewater Service Lines – Due to the erosion problem at Marshall Boulevard, there is a concern about saltwater intrusion into the service lines. The Committee had previously approved funds for Manager Gress to add cut-off valves to the houses impacted by the erosion. Approximately 29 other houses in the area will not be affected by a turn-off due to the installation of cut-off valves on the few impacted houses.

SC DHEC and Town Utility Tap Availability - DHEC has said that the 16 taps that were available for homes were properties that were not calculated in the original number in 1967-68, so therefore they are not available. Town Council made changes to split lots on the assumption there were 16 taps still available. Councilman Perkis stated their process and methodology is flawed, and they made this change without informing the Town. Town Council will continue to work to resolve this issue. The key point is that it is not applicable to property owners who are already tied into the system.

Impact fees – As part of the lease, CCSD owes the Town \$175,000 for work that the Town has to do for the school, and we are in the process of sending a bill for the projects. Manager Gress stated a bill for \$199,000 is being sent to the school district.

**Building and Construction Committee, Councilwoman Cooper.** Monthly report rendered. Councilwoman Cooper absent; no new items to report.

**Fire Committee, Mayor Smith.** Monthly report rendered. No new items to report.

**Recreation Committee, Councilwoman Watson.** Councilwoman Watson sent out 62 thank you notes to volunteers and staff who helped during the Fourth of July celebration. Administrator Benke stated there is a pre-construction meeting on Friday with the contractor for the tennis courts/basketball court. Councilwoman Watson and Councilman O'Neil met with John Girault of the Mt. Pleasant Land

Conservancy, and a dedication ceremony to celebrate the protection agreement for the Station 19 Field and Old Bridge property is planned for August 25, 2012. It will start at the Old Bridge property at 2:00 p.m. The Birds of Prey will be present at the Station 19 Field from 4-5:00 pm. The Islanders are also helping to promote the event.

**Real Estate Committee, Councilman O'Neil.** The only action item is to set up a time for the Real Estate Committee meeting, and that will take place after the meeting adjourns.

**Police Committee, Mayor Smith.** Monthly report rendered. Chief Howard stated he has initiated three programs to help intermingling between the officers and citizens. 1) Officers will keep vehicle windows down when patrolling the beach so the public can get their attention if needed ; 2)"Walk and Talk" is a program to develop conversations with the residents. Each officer is given one block a day to walk. 3) On Wednesdays, Chief Howard is at Café Medley around 8:30 a.m. to have coffee and answer questions anyone might have.

**Streets and Maintenance, Councilwoman McGee.** Correspondence was received from Robert Clark of the SC Department of Transportation regarding the all-way trial stop sign at the intersection of Middle Street and Station 22-1/2 Street. It will be removed in the near future as their protocol allows. The SCDOT recommended that the Town install "bump-outs" at Station 22-1/2 Street for pedestrian safety and to slow-down vehicle traffic through the intersection. The SCDOT will leave the delineators up until the bump-outs are installed. Administrator Benke reported that Jeff Jackson of Lowcountry Roots would have the agreement and scope of work regarding the paths in the accreted land by the August workshop.

**Motion was made by Councilman O'Neil, seconded by Councilwoman Watson, to go into Executive Session at 8:30 for legal advice of Section 21-51 – Split Zoned Lots, carried unanimously.** After returning to regular session, Mayor Smith stated no votes or action were taken during Executive Session.

**Motion was made by Councilwoman Watson, seconded by Councilman O'Neil, to adjourn at 9:40 p.m. , carried unanimously.**

Respectfully submitted,



Ellen Miller