

October 16, 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
Hartley Cooper, Councilwoman
Jerry Kaynard, Councilman
Madeleine McGee, Councilwoman
Patrick O'Neil, Councilman
Mary Jane Watson, Councilwoman

The Town Hall was packed with residents, and a few members of the media were present.

Mayor Smith led the Pledge of Allegiance, followed by a prayer by Councilwoman Watson.

Mayor Smith opened the floor for public comment. He asked that persons not speaking on the school speak first.

Paula Byers with Special Olympics of South Carolina, along with her colleague Eddie Gregory, expressed their appreciation to the Town of Sullivan's Island and to several businesses on the island – Café Medley, Taco Mamacita, Home Team Barbeque, and Dunleavy's Pub, for their support of the Polar Bear Plunge on New Year's Day.

Toby Van Buren, a commercial shell fisherman who has an extensive clam and oyster farm on the other side of the Ben Sawyer bridge, requested Council consider a second oxidation tank as a priority in the next few years.

There were no further comments regarding subjects other than the school.

Councilman Kaynard stated that Council received a request from Vince Graham to make a presentation about the school; therefore, Councilman Kaynard made a motion, seconded by Councilwoman McGee, to amend the agenda to have presentations to Council before the school comments, carried unanimously.

Special Presentations to Council

Tom Bradford, Battery2Beach, explained the Battery2Beach Initiative has been underway for three years. It is a Charleston area regional bicycle connectivity plan and will cover 24 miles from Isle of Palms through downtown Charleston to Folly Beach. They would appreciate the Town's support, and look forward to the leadership of Sullivan's Island in this project.

Mr. Benke introduced Eric Adams, an engineer with Charleston County, and said Charleston County, Mount Pleasant and Sullivan's Island have already started on their segment of Battery2Beach which is the 703 bike path. Mr. Adams stated the project is currently focused to improve the current

bike path on the causeway. The scope of the project is to widen the existing path to eight feet, probably to begin in late spring or early summer. A study shows that the one-time cost from Sullivan's Island to Folly Beach is approximately \$20 million.

Carlsen Huey, Chairman of the Sullivan's Island Bike Committee, stated the committee continues to work toward establishing Sullivan's Island as a bicycle friendly community.

Councilman Kaynard stated that many people signed up to talk about the school during public comment. He requested that speakers be limited to two minutes to enable people to get home to hear the presidential debate tonight. Council agreed with Councilman Kaynard's request.

Mayor Smith opened the floor for school comments, and called on Vince Graham to speak. Mr. Graham stated he originally was planning to show a video that he recently produced entitled "SIES Compromise", which shows the location of the school for 500 students could be built on the underutilized land beside the mound and the old site could be green-spaced for the foreseeable future. (The video can be found by searching "SIES Compromise" on the internet.) However, he received an e-mail this afternoon that stated since the majority of Council members had already seen the video, that it should not be on the agenda. He continued that two years ago he produced a video suggesting that in lieu of building a large school on the beach, a smaller school might be built on a more protected site north of Middle Street. He met with Councilman Perkis, Councilman Kaynard, Loren Ziff and Rusty Bennett in December 2010 and Mr. Ziff gave a presentation advancing the idea of a smaller school on the north side of Middle Street. Later the next week Mr. Graham heard that "the train had left the station" and nothing could be done; yet this was five months before plans for the school were unveiled to the public.

Kay Smith, 1019 Middle Street, stated on behalf of the Sullivan's Island Park Foundation, the Park Foundation does not believe it is appropriate for Town Hall or the school to be located in the park.

Skip Scarpa, 2102 Atlantic, was asked to deliver a message to Council, although it is not a message he relished giving Council. A year ago, the petitions were presented to Council requesting a referendum or adopting the ordinance, and the only thing that has happened in this past year is a damaged community. Council still has until Thursday to decide on the matter. The message tonight is that unless Council conducts the vote and allows people vote on this issue, this Council will be sued.

Sara Church, 1612 Atlantic, president of the Sullivan's Island School PTA, stated there are issues with moving to the park area such as the cell tower, the sewage treatment plant (potential chlorine leaks), and the small size of the marsh, as it would logistically be hard for a classroom to approach the marsh, and it would not be the same experience as the beach for a coastal environment study.

Janie Beall, 2523 Raven, stated Sullivan's Island has rich history. The Charleston County School District leased site has historical significance. The former Sullivan's Island Elementary School building and trailers were located on the historical campus of one of South Carolina's equalization schools of the 1951-1956 expansion program. Sullivan's Island Elementary School was built as a white segregation

school using equalization funds. The National Park Service and the National Register of Historic Places both list the school as such. According to their 2009 report, while not all equalization schools can be saved and reused, the surviving campuses serve as a physical reminder of those local and state educational, political, and racial histories. What better way to reverse what is now considered a social injustice than to erect the new school back on its rightful historical campus.

Steve Zoukis, 1908 Middle Street, stated the park should not be used as an option for other buildings; the park should be left alone.

Susan King, Sullivan's Island Elementary School Principal for the past nine years, stated she would like to hear more about children, education, and community. The residents, faculty, parents, business partners, students, and neighbors are a community. The school has to come back to its original site on the beach for the community.

Julia Khoury, 1728 I'on, stated she has a letter dated September 25, 2012 to Council from the Steering Committee of the Sullivan's Islanders Group. The Sullivan's Islanders Group strongly supports conserving all of the protected green spaces, all the Town-owned undeveloped green spaces, and all recreational green spaces on Sullivan's Island. The Group strongly opposes using the protected areas for any developmental purposes .

Lynn Rutledge, 2014 Central , stated she has nothing further to add, but she came in support of the Park.

Barbara Spell, 1702 Atlantic, stated it seems tonight's discussion indicates that there are a lot of different opinions about what to do about this school, and the answer is to have the referendum that is required under South Carolina law.

Heidi Brown, 405 Station 22, read a letter from Jerry Scheer of 2069 Pettigrew, who could not be present. He apologized that he signed the petition to request moving the planned elementary school from its current location to the old soccer fields in error, as it would have a negative impact to that neighborhood and the island layout. Mr. Scheer has lived near the school for twenty years and the school has not negatively affected him.

Also, Ms. Brown stated her property borders the back of the Stith Park, and in response to the editorial in the paper, she stated several facts, including the new proposed location at the park will not reduce traffic in a residential area; any building would have to be elevated a minimum of eleven feet due to the flood zone, and the foundation would be expensive; no taxpayer money would be saved; the aesthetic impact would be far greater than the present beach site and the parking problem would increase. The Park Foundation has worked tirelessly to improve the park, and it has received many donations to keep the park a wonderful green space.

Councilman O'Neil came in the meeting at this time.

Rosalyn Barkowitz , 2872 Marshall, stated that this community school should be supported. It is privilege and honor to live on this island.

Leah Greenberg, 910 Middle Street, stated she was one of the founding Board members of the Friends of Sullivan's Island School, and we should get on with building the school.

Robbie Kennemur, 1738 I'on, stated he read Ms. Sanford's letter and stated at least it had a plan, but questioned whether part of the plan was to develop the land. Also, he commented that four of the five schools to be rebuilt due to seismic concerns are downtown. Those four schools have more complicated issues of site and neighborhood, but their mayor helped and the schools are all being built. He urged to quit the delay tactics and start building the school.

Wayne Stelljes , 3104 Ion, stated children are not pawns to be manipulated by a small group of people. The group who threatened to sue Council tonight only had a small amount of applause. The referendum is defective and it is not needed.

Jen Smith, 2520 Raven, stated a recent letter in the Moultrie News by John Winchester said civility does not need to be written about anymore. It is important and does need to be written about, especially when children are at these meetings watching adults act like children. Also, the signatures that are on the petition are not legitimate. The school needs to be built in its original location and the children have been in Mount Pleasant way too long.

Councilman Perkis asked to comment on the information received from Vince Graham and Ms. Sanford. Councilman Perkis stated he evaluated Mr. Graham and Ms. Sanford's school ideas by economics, timeline, scale and impact on neighborhood, and whether their assumptions met historic town values.

Their statement that it would cost less to build at the park site than at the present site is not true. The park is in a flood zone so the building would have to be elevated, and because of soil conditions there would need to be a retaining wall. Because the ground is not as porous as the present school site, a retention pond would be needed, and location would be difficult. Because of issues discussed earlier in the meeting, updates are needed at the sewer plant; there would be no room to expand the sewer plant; and the chlorine handling system would need to be changed. The foundation would require pilings. If the fire station is used as an example where pilings had to be placed about 90 feet down, and extrapolated that to a school building, it would be about \$3 - \$3-1/2 million on pilings that is not needed at the present site. The district already spent about \$1.5 million for consultants and design work, so there could be approximately \$6-\$8 million incremental cost to build the plan. It is does not cost less than the present site.

The second point in the video is that the operating cost would be less. The HVAC is one of the largest operating costs and with the design example used at Mt. Pleasant Academy, it is not less expensive. Mt. Pleasant Academy has an outside area system. Besides being aesthetically unpleasing

to the Sullivan's Island character because it sits on the top of the building, it is actually more expensive to maintain because it is exposed to the weather elements.

The roof will not be more expensive, as the example of Mt. Pleasant Academy's roof is a low slope built up roof with seismic curves. It is more expensive than the metal roof designed for the school, which is more typical of Sullivan's Island. Lastly, the annual operating cost of insurance will not be more expensive. The County has a blanket insurance policy; the cost is the same no matter the location of the building – it is based on square feet.

As far as the timeline, if a new design could be created and fit into the park space, it would probably take one to two years to develop the information and get approval. The approval needs to go through approximately eight regulatory agencies. If the School Board votes to approve the foundation package as expected next week, they can begin next week.

The park space is a treasure and has historic town value. Building the school in the park space would negatively impact Sullivan's Island, as it is frequently used. Two roads would need to be placed in the residential neighborhood, as state code requires the separation of vehicle traffic from bus traffic.

Lastly, part of the agreement with the school district is the parking spaces - the area by the Battery where people now park will be enhanced, and also will be available for night time parking. There will be a stacking line which would not be at their proposed area because there is not enough room to park.

The economics of building the school in the park site provide compelling evidence not to move it to the park.

Councilman O'Neil and Councilwoman Watson expressed their agreement with Councilman Perkis' comments.

Councilwoman McGee stated the park and school are very important to the community, and she appreciated everyone's passion and energy to determine the correct solution. She agreed with a previous statement by Councilman Perkis that having the opportunity to rethink the decision made two years ago, and reaffirm that it was the right decision, was helpful. She added that Stith Park should be put under easement as Council has done with other property. Also, she commented that the historic value of the school property should be relayed to Jerry English and the design team so the landscaping can reflect the history for the children and the community.

Councilman Kaynard stated that in his years of public and private life he has not seen any one single project that is a more collaborative project than Sullivan's Island Elementary School. Some may not have seen all that Council has done in considering the sites for the school, but Council spent many hours on it, in addition to the meetings. He added that Council has shown that when it makes a mistake or when it hears a better idea, Council will change its mind; as it did with the temporary location for Town Hall. This collaborate effort for the school has resulted with the best site, as it has been for 55 years. The overwhelming majority of the Island and the Board wants this site. Council needs to urge the Charleston County School Board to make the decision at its meeting next Monday to approve the construction foundation package for rebuilding the school at its existing location. He asked the Mayor, with Council's approval, for him to introduce to Council a Resolution to the Charleston County School Board which asks the Board to approve the construction foundation package. (Copy of Resolution

included with minutes). Councilman Kaynard also expressed, as said before by Councilwoman Cooper, "we understand that in today's world so few officials see a public school as a community asset worthy of the best land a Town has to offer. But on Sullivan's Island, it's been that way since 1955, and it will continue for many generations to come."

Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to adopt the Resolution, carried by a vote of 6, with Mayor Smith opposed.

I. APPROVAL OF MINUTES

Motion was made by Councilwoman Watson, seconded by Councilman Kaynard, to approve the minutes from the regular meeting on September 18, 2012 and the Special Meeting on October 2, 2012, carried by a vote of six, with Councilman O'Neil abstaining.

II. COUNCIL ACTION ITEMS

Mayor Smith duly ratified Ordinance no. 2012-05, An Ordinance to Amend Section 2-27 Procedure for Enactment of Town Ordinances.

Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to have First Reading, by title only, of Ordinance No. 2012-06, An Ordinance to Amend Section 10-20, Classification Rate Schedule, Provisions for Insurance Companies, carried unanimously.

Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to approve an Agreement with the Municipal Association of South Carolina for the Collection of All Business License Taxes from Insurance Companies and Administration of MASC as Municipal Agent of Municipal Brokers Premium Tax, carried unanimously.

Motion was made by Councilman O'Neil, seconded by Councilman McGee, to approve an Agreement with Charleston County for the Urban Greenbelt Grant, carried unanimously.

Mayor Smith proclaimed the month of November 2012 as Pancreatic Cancer Awareness Month.

Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to approve a Resolution for the Allocation of FY 2012 General Fund Increased Balance, carried unanimously.

III. REPORTS AND COMMUNICATIONS

General and New Correspondence –

Attorney Report - Attorney Dodds stated he received a request for a fee simple title for 923 Osceola. Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to approve the issue of a fee simple title for 923 Osceola, subject to the approval by the Planning Commission of the survey, carried unanimously.

Boards and Commissions – no report.

Due to time constraints, Council agreed to forego Committee reports unless there were action items to be discussed.

Water and Sewer Committee, Councilman Perkis. Mr. Charles Condon received a water bill for \$4,915 due to a leak from an underground copper line that was twisted and cracked. The water did not go through the treatment plant; therefore, Water and Sewer Manager Gress was allowed under the Ordinance to grant relief for that portion of the bill. The relief is based on the last six months average of his typical sewer bill; approximately \$35. Because the water was used, he should pay for at least the variable cost of the water which is 69%. The Committee recommended to Council that he be given relief from \$2,485 to \$1,515 for the water portion of the bill. **Motion was made by Councilman Perkis, seconded by Councilman Kaynard, to approve \$1,515 for the water portion of the bill, carried unanimously.**

Motion was made by Councilman Perkis, seconded by Councilman O'Neil, to adjourn at 8:20 pm, carried unanimously.

Respectfully submitted,



Ellen Miller

CARL J. SMITH
MAYOR

TOWN OF SULLIVAN'S ISLAND

TOWN COUNCIL
MICHAEL PERKIS, MAYOR PRO-TEM
HARTLEY COOPER
JERRY KAYNARD
MADELEINE MCGEE
PATRICK O'NEIL
MARY JANE WATSON



ANDY BENKE
TOWN ADMINISTRATOR

JASON BLANTON
COMPTROLLER

LAWRENCE A. DODDS
TOWN ATTORNEY

GREG GRESS
WATER AND SEWER MANAGER

DANIEL S. HOWARD
CHIEF OF POLICE

ELLEN MILLER
TOWN CLERK

RANDY ROBINSON
BUILDING OFFICIAL

ANTHONY STITH
FIRE CHIEF

A RESOLUTION BY THE TOWN OF SULLIVAN'S ISLAND REAFFIRMING OUR SUPPORT AND COMMITMENT TO THE REBUILDING OF SULLIVAN'S ISLAND ELEMENTARY SCHOOL AND URGING THE CHARLESTON COUNTY SCHOOL BOARD TO ACT NOW TO APPROVE THE CONSTRUCTION FOUNDATION PACKAGE FOR REBUILDING SULLIVAN'S ISLAND ELEMENTARY SCHOOL

Whereas since August 2010, SIES students have been temporarily relocated from Sullivan's Island to the old Mamie Whitesides Elementary School building in Mount Pleasant; and

Whereas, Town Council of Sullivan's Island has considered and researched cost associated with Stith Park location and found it would increase the cost of SIES for CCSD and the Town, extend the timeline, increase traffic congestion, dissect a neighborhood and encumber future Councils with regards to the Sewer System management options. Therefore, Town Council believes Sullivan's Island Elementary School as planned in the current location is the best and most economically efficient site on Sullivan's Island to rebuild; and

Whereas, Town Council remains committed to providing the best available and the most economically efficient site on the island for SIES in recognition of the priority for providing an excellent education for our children in a first-class facility and the need to respect taxpayer investment in education; and

Whereas, the Lease Agreement between the Town of Sullivan's Island and the Charleston County School District for the rebuilding of SIES provides as follows:

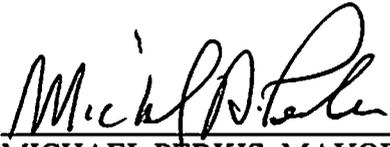
“The Tenant shall complete the design and construction of the school as soon as possible, using its best efforts, due diligence and any and all means available to expedite the completion of said facility. The Landlord and Tenant agree to expedite their obligations hereunder to complete the school for use and occupation by January 2014;”

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan's Island commends the Charleston County School District staff and The Board of Trustees for their dedication to providing excellence in public education and their commitment to provide first-class facilities for the education of all students in Charleston County; and

BE IT FURTHER RESOLVED that the Town of Sullivan's Island urges the Charleston County School Board of Trustees to approve the construction foundation package for the rebuilding of Sullivan's Island Elementary School at its meeting on October 22, 2012 and urges the Charleston County School Board to take all necessary action to expedite the construction and completion of the new Sullivan's Island Elementary School at the current location as approved.

RESOLVED THIS 16TH DAY OF OCTOBER, 2012.

TOWN OF SULLIVAN'S ISLAND


MICHAEL PERKIS, MAYOR PRO TEM