

August 20, 2013

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:** Mike Perkis, Mayor  
Jerry Kaynard, Mayor Pro Tem  
Chauncey Clark, Councilman  
Hartley Cooper, Councilwoman  
Susan Middaugh, Councilwoman  
Pat O'Neil, Councilman (entered at 7:10)  
Mary Jane Watson, Councilwoman (left at 7:35)

Mayor Perkis led the Pledge of Allegiance, followed by the prayer by Councilwoman Watson. There were twelve residents in the audience, and one member of the media.

**Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to move Action Item 1, Resolution Recognizing the Contributions of Raymond and Leah Greenberg, to the next order of business.**

Mayor Perkis presented Mr. Greenberg with the Resolution, and thanked him and Ms. Greenberg (who was unable to be present) for their contributions to the community and State.

Mayor Perkis opened the meeting for public comment.

Sydney Cook, 1619 Thompson Avenue, stated the petition she and Rita Langley have been discussing with residents stating their opposition to rezone existing single family residential property to allow for multi-family use now has 393 signatures. She presented the petition to Council, and stated the final list will be brought to the Planning Commission Public Hearing.

Mark Howard, 1820 Central Avenue, stated his opposition to the multi-family proposal; opposition to the ordinance for first reading regarding construction hours; and encouraged Council to stop and look at the area of the park, sewer plant, and fire department, as well as the future Town Hall, as it has all been done without land planning; and everything does not have to be in these blocks.

Barbara Spell, 1702 Atlantic Avenue, stated her opposition to the ordinance for first reading regarding construction hours, and asked when Council will consider the residents and put them first.

Carl Smith, 1907 Thee Street, stated that he and Administrator Benke had a meeting in November 2010 with the Charleston County School District representatives and they were clearly notified that the working hours would be enforced. The hours should not be relaxed for the school; the residents need to be considered. Even if this ordinance passed, there is a nuisance ordinance. He asked Council to please reconsider this ordinance.

Mayor Perkis stated there are three capital projects in the near future: the school, Town Hall, and the Water & Sewer project. These are civic projects to serve the citizens. The ordinance would not provide open-ended hours for construction. There would be a review process in which they would ask for permission to work outside regular hours. It will be sensitive to residents. It is also a public safety

issue, such as delivering large pieces of steel. They should be delivered when the streets are not busy; not during regular hours.

Councilman Kaynard stated that the Town has a contractual relationship with CCSD to meet the 2014 opening date, and Council will be prudent with respect to the school.

Councilwoman Middaugh stated for Council to encourage the routine hours unless technical requirements present a unique problem.

#### **I. APPROVAL OF MINUTES**

**Motion was made by Councilman Kaynard, seconded by Councilwoman Middaugh, to approve the Minutes of the regular meeting on July 16, 2013, carried unanimously with a vote of 6-0.**

#### **II. COUNCIL ACTION ITEMS**

**1. Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve A Resolution Recognizing Contributions of Raymond and Leah Greenberg, carried unanimously with a vote of 6-0.**

**2. Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve A Resolution Approving Staff Action to Engage the Services of First Federal, a Division of SCBT for Various Banking Activities, carried unanimously with a vote of 6-0.**

**3. Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to approve a Resolution Supporting Town Safety Policies, carried unanimously with a vote of 6-0.**

**4. Mayor Perkis stated the Councilman O'Neil would be late to the meeting this evening, as he is receiving a distinguished professor award from the Medical University of South Carolina tonight. He continued that Councilman O'Neil approved of the first reading of Ordinance 2013-02.**

**Motion was made by Councilman Kaynard, seconded by Councilwoman Cooper, to have First Reading of Ordinance No. 2013-02, An Ordinance to Amend Section 21-20 of the Zoning Ordinance (Conditional Uses in RS-Districts), which allows attached, deed restricted structures to the parcel's principal dwelling, provided they are reviewed and approved by the Design Review Board, carried unanimously with a vote of 6-0.**

**5. Motion was made by Councilwoman Cooper, seconded by Councilwoman Watson, to have First Reading of Ordinance No. 2013-07, An Ordinance to Amend Section 5-12(B) construction hours whereby government or public interest projects may be allowed to work outside hours set forth for residential construction upon approval by the Town, carried unanimously.**

**6. Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, to have Second Reading and Ratification of Ordinance No. 2013-06, An Ordinance to Amend Section 2-21 of the Code of Ordinances to reduce the number of Standing Committees of Council in order to streamline the Committee process to be more efficient and effective, carried unanimously with a vote of 6-0.**

### **III. REPORTS AND COMMUNICATIONS**

**General and New Correspondence** – Correspondence was received from Ray Mixon regarding no parking on the west side of Station 22 – I'on Ave. Council agreed at the August Workshop that parking will remain on that side. Correspondence was also received concerning stormwater drainage. The SC Department of Transportation and Charleston County are currently cleaning the ditches. The Town has a meeting scheduled with the SCDOT next week. Correspondence was received from Kathy & Will Post, Carl Smith, Eddie Fava, and Ed Allen expressing opposition to Ordinance 2013-07 for first reading allowing exceptions for working outside of construction hours on government or public interest projects.

**Attorney Report** - No report.

**Boards and Commissions** - Planning Commission – Gary Visser is now the chairman and Hal Currey is vice chairman. The Commission will have a public hearing in October for the multi-family proposed ordinance and will give Council its recommendation in November.

**Administrator's Report, Administrator Benke.** All Council members attended a meeting regarding the Biggert-Waters Act which requires FEMA to make a number of changes to the way the National Flood Insurance Program is operated. Mr. Robinson distributed information to Council. Mayor Perkis stated the Town's rating improved which reduces the flood premium for all properties on Sullivan's Island totaling \$275,000 annually.

**Ways and Means Committee, Mayor Perkis.** Monthly report rendered. The July financial statement was briefly discussed; the FY13 audit results are expected to be presented at the September meeting. A chart of Town-owned properties introduced by Councilman Clark will be discussed in the September workshop. Each Council member is to individually forward to Administrator Benke four properties, and it will be discussed at workshop. Zoning Administrator Joe Henderson will present photos of properties at that time.

**Personnel Committee, Councilman Kaynard.** Monthly report rendered. The Boards and Commissions applications will be discussed during Executive Session. Accounting Clerk Arlene Graham will retire effective September 1, 2013. Kimberly Griffin was hired effective August 12, 2013 to fill this position. Part-time reception clerk Samantha Watson resigned effective August 9, 2013 to return to school. Brian Jenerou has been hired as Water & Sewer Operator effective October 1, 2013 contingent upon certification reciprocity.

**Water and Sewer Committee, Councilwoman Middaugh.** Monthly reports rendered. Councilwoman Middaugh presented an illustration of the proposed location of the new drying bed which will have to take up part of the park space. A greenwall fence would be installed and trees will need to be removed. The Park Foundation will be consulted regarding the replacement trees. Councilwoman Watson will work with the Park Foundation on the master plan to incorporate this and also take into consideration the fireworks. Water and Sewer Manager Gress explained the smoke testing and manhole inspection that took place the last week of July. While the formal final report has not been received, there were

three areas where smoke was seen; two areas have already been repaired. Since that repair work, Lift 3 has not had the volume of water rising; it will continue to be monitored. They are currently using dye testing on Thompson Avenue.

The sewer system for the new Town Hall was discussed. It will cost \$47,000 for a manhole and sewer for the new Town Hall with the assumption it will be located in the vicinity of the current area. The Town is currently paying approximately \$20,000 annually to pump the sewer containers at the trailers. It was agreed Council would wait until after the first Town Hall Community meeting with Creech & Associates before making a decision.

Councilman O'Neil came in at this time (7:10).

Mayor Perkis stated that the Water and Sewer Department received the new NPDES Permit for the next five years.

**Building and Construction Committee, Councilwoman Cooper.** Monthly report rendered.

Town Hall Construction Project – The Committee met with David Creech on July 24<sup>th</sup> to review the space needs program. Creech and Associates will be leading a meeting on September 10<sup>th</sup> at Holy Cross Church at 6pm to begin the process of building design with a community conversation. Mr. Creech will have a report on how their firm will run/organize the meeting next week.

SIES New School Construction Project – Construction is underway. The Town will receive regular updates that will be shared with Council.

Battery Logan Structure and Property – A resident has requested the Town look at trimming vegetation growth and more actively maintaining the structure and property at Battery Logan. The Committee will work with Maintenance to develop the cost and budget associated with this item.

**Fire Committee, Councilman Clark.** Monthly report rendered. No new items to report.

**Recreation Committee, Councilwoman Watson.** Councilwoman Watson reported that the new park equipment has arrived and the park will be closed August 21-26 to install the equipment, which includes toys and a 30x40 shade structure.

**Real Estate Committee, Councilman O'Neil.**

Review of Ordinance 2013-02 regarding attached structures – Approved first reading tonight of this ordinance.

Accreted Land Management Plan language and various projects in the Station 16 Street Nature Trail – After a lengthy discussion, Council agreed the items in Phase I will be an action item for the September Town Council agenda, and Phase 2 items were sent back to Committee for discussion.

Process for Council review of the proposed 2013 Comprehensive Plan – Council will hold reviewing the Plan until after the discussion of the multi-family proposed ordinance.

Discussion of Zoning Ordinance Sections 21-27B(4) and 21-27C(2) Principal Building Square Footage – The issue is there are several existing houses that are larger than 5600 square feet, and owners are

unable to utilize more than 5600 square feet when refurbishing the house; therefore staff was asked to review this ordinance. This will be on the Planning Commission agenda for September.

**Police Committee, Councilman Clark.** Monthly report rendered. No new items to report.

**Streets and Maintenance Committee, Councilwoman Cooper.** The S.C. Department of Transportation has cleaned a number of ditches and pipes during the month of August. Staff will meet with SCDOT Maintenance on August 26, 2013 to review several problem areas. Council asked the Administrator to research the possibility of retention ponds at the lighthouse and federal property between last house and fence. Administrator Benke reported that the sidewalk at Station 22-1/2 and Station 23 has drainage and sewer issues to resolve before it can be installed.

Councilwoman Watson left the meeting at 7:35pm.

**Motion was made by Councilman Kaynard, seconded by Councilman Clark, to go into Executive Session at 7:40 pm for Personnel – Boards and Commissions Applications, carried unanimously .**

Upon returning to the Regular Session at 9:05 pm, Mayor Perkis stated no votes or action was taken in Executive Session.

**Motion was made by Councilwoman Middaugh, seconded by Councilman O’Neil, to appoint Shannon Cagle and Paul Flaherty to the Tree Commission, carried by vote of 5-0, with Councilman Clark recusing himself and leaving the meeting during this vote.**

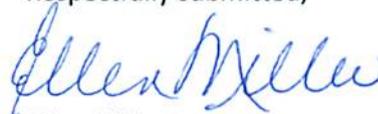
**Motion was made by Councilwoman Cooper, seconded by Councilwoman Middaugh, to appoint Bill Craver, Pat Ilderton, Duke Wright and Donna Webb to the Design Review Board, carried by vote of 6-0.**

**Motion was made by Councilwoman Middaugh, seconded by Councilman O’Neil, to appoint Carlin Timmons and Delores Schweitzer to the Board of Zoning Appeals, carried unanimously with a vote of 6-0.**

**Motion was made by Councilman Clark, seconded by Councilwoman Cooper, to appoint Hal Currey, Carl Hubbard, Gary Visser, and Sydney Cook to the Planning Commission, carried unanimously with a vote of 6-0.**

**Motion was made by Councilwoman Cooper, seconded by Councilman Clark, to adjourn at 9:10pm, carried unanimously.**

Respectfully submitted,



Ellen Miller