

September 17, 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  
Hartley Cooper, Councilwoman  
Susan Middaugh, Councilwoman  
Pat O'Neil, Councilman  
Mary Jane Watson, Councilwoman

Mayor Perkis led the Pledge of Allegiance, followed by the prayer by Councilwoman Watson. There were eleven members in the audience.

**Motion was made by Councilman Kaynard, seconded by Councilman O'Neil, to amend the agenda to hear the bond counsel presentation after the audit presentation, carried unanimously.**

Mayor Perkis introduced Mr. Larry Finney of Greene Finney & Horton, whose firm conducted the Town's fiscal year 2013 audit. Mr. Finney stated the Town's audit obtained an unmodified opinion, which is the best rating a Town can receive. There is a healthy fund balance. The revenues were over budget due to licenses and property tax; the expenses were over budget due to capital outlay and public safety costs. The net position (fund balance) of the Water and Sewer increased over last year. The funds received from Charleston County School District to help with the school lines were a significant factor for the net position increase.

Mayor Perkis then introduced Paul Trouche of Haynsworth Sinkler Boyd law firm to present information regarding a possible bond application. Mr. Trouche stated the Town would be able to apply for a \$4.1 million unrestricted general obligation bond without a referendum. This figure is based on assessed value, and it backs out the balance of the current general obligation bond.

Mayor Perkis opened the meeting for public comment.

Bill Connelly, 3318 Jasper Blvd., expressed his concern to Council regarding the path to Breach Inlet beside his house, and the dangers of people climbing on the rocks, especially on his property. Mayor Perkis stated this issue was scheduled for Executive Session this evening.

Mark Howard, 1820 Central Ave., stated Council should reconsider the proposed construction ordinance as it does not allow for the quality of life on the island; and it will be difficult to manage the ordinance toward the end of construction when many different construction companies will be completing their parts of the project.

Chuck Galis, 1817 Back Street, asked Council to reconsider the construction ordinance also. He questioned what the benefit would be to the citizens if the regulations were relaxed.

## **I. APPROVAL OF MINUTES**

The minutes from the regular meeting on August 20, 2013 were unanimously approved. *(This item was inadvertently skipped after the presentations earlier in the meeting – the motion occurred after Executive Session).*

## **II. COUNCIL ACTION ITEMS**

- 1. Motion was made by Councilman O’Neil, seconded by Councilwoman Watson, to have First Reading of Ordinance No. 2013-08, An Ordinance to Amend Chapter 4 by Adding Section 4-32 Clarifying Prohibition of Commercial Activity on Beaches and Repealing Sections 4-13 through 4-22 Which Apply to Sailing Regattas, carried unanimously.**
- 2. Motion was made by Councilman O’Neil, seconded by Councilman Kaynard, to have Second Reading and Ratification 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.**
- 3. Motion was made by Councilman Kaynard, seconded by Councilwoman Cooper, to have Second Reading and Ratification 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. Councilman Kaynard explained that with at least three projects coming up, this ordinance allows requests to adjust the work schedule for technical or safety issues; it is not a blanket ordinance.**
- 4. Motion was made by Mayor Perkis, seconded by Councilman Kaynard, to approve the CARTA budget FY2014 as presented by CARTA Executive Director Christine Wilkinson, carried unanimously.**
- 5. Motion was made by Councilman Perkis, seconded by Councilman O’Neil, to approve the Creech and Associates Contract for Town Hall/Police and Park Project, carried unanimously.**
- 6. Motion was made by Councilman O’Neil, seconded by Mayor Perkis, to approve authorization for the Town Administrator to Execute the IGA with Charleston County for Consolidated Dispatch, carried unanimously.**
- 7. Motion was made by Councilwoman Middaugh, seconded by Councilwoman Cooper, to Proceed with Estimated \$125,000 Project to Construct Drying Shed and Drying Bed Improvements, carried unanimously. The Town will coordinate tree replacement with the Park Foundation.**
- 8. Motion was made by Councilwoman Middaugh, seconded by Mayor Perkis, to Proceed with RFP for Engineering Studies for Sewer Plan Capital Improvements, carried unanimously. All projects need**

these studies in order to obtain estimates on the projects. The projects will be put on hold until the bond funding is received. The total price for the engineering studies is \$350,000.

**9. Motion was made by Councilman Kaynard, seconded by Councilwoman Watson, for the use of Battery Gadsden in November for Art on the Beach. After discussion, motion was made by Mayor, Perkis, seconded by Councilwoman Watson, to add this subject to the Executive Session tonight, carried unanimously.**

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

**General and New Correspondence** – Correspondence was received from Bill Connelly, as discussed during public comment; Michael Jones regarding “no idle zones”; Carlin Timmons thanking Chief Stith for his staff’s help for the National Lighthouse Day event; The Conservation Corner newsletter in remembrance of William Duey Wilkes, who always helped the Town receive sand fencing for the beach; and from Michelle Block requesting Council to proclaim November as Pancreatic Cancer Awareness Month.

**Attorney Report** - No report.

**Boards and Commissions - Planning Commission** - Zoning Administrator Joe Henderson reported that a public hearing would be held on October 9, 2013 to discuss residential adaptive reuse; allow single-family use of any existing residential buildings over 5600 square feet; and remove “real property ownership” as requirement to be a member of the Design Review Board.

**Finance Committee – Mayor Perkis.** Monthly report rendered. The CARTA budget was approved earlier in the meeting; as well as authorizing the execution of the IGA with Charleston County Consolidated Dispatch. Council heard the presentations of the auditors’ FY 2013 financial audit, as well as bond application information.

**Public Safety Committee – Councilman O’Neil for Councilman Clark.** Monthly reports from Chief Stith and Chief Howard rendered. **Fire Department** – The Fire Department and S.I. Volunteer Fire and Rescue have received confirmation of a Homeland Security Port Grant in the amount of \$233,049 toward the purchase of a \$310,000 fire and rescue all weather rescue boat. Chief Stith reported that Ladder One will be out of service for an undetermined period of time. The pump is out and repair is being estimated as that pump is no longer made. The hydraulic lifters have been rebuilt twice already. Chief Stith is preparing a cost analysis of previous three year repairs and estimated repair expenses for pump, gear-box and hydraulic systems.

**Water and Sewer Committee – Councilwoman Middaugh.** Council approved earlier tonight to proceed with the new drying shed in the proposed location and the improvements to the two drying beds, as well as to proceed with the RFP for engineering studies for Sewer Plan capital improvements. Councilwoman Middaugh reviewed the priority list for capital improvements: Manager Greg Gress continues to assess whether to contract out or use in-house staff for the inflow and infiltration project.

Three integrated components of the sewer treatment plant were reported, and information regarding submersible pump stations. Mr. Gress reported if the new Town Hall location was definitely between the Fire Station and the Park, the sewer line could be installed now and connect the trailers to this line which would save the cost of pumping the portable tanks. The consensus of Council was to wait until the definitive location was decided.

**Administration Committee – Councilman Kaynard.** Monthly report rendered. The Moultrie News 50<sup>th</sup> Anniversary celebration item was moved to the Recreation Committee. The Town Administrator will meet with the commercial district business owners on September 19, 2013 to further discuss operational hours in the commercial district. Flu shots will be available for employees and their family members at a date in October to be announced. Brian Jenerou was hired as Water and Sewer Operator effective October 1, 2013, contingent upon certification reciprocity and pre-screening results.

**Land Use and Natural Resources Committee – Councilman O’Neil.** Monthly report rendered. The Committee met on August 30, 2013. **Motion was made by Councilman O’Neil, seconded by Councilman Kaynard, to approve the Committee Minutes of August 30, 2013, carried unanimously 3-0.** Councilman O’Neil met with Congressman Cassidy of Louisiana, and also the staff of Senator Graham and Senator Scott while in Washington, DC recently concerning provisions to the Biggert Waters Act. He will continue to communicate with the coalition of New Orleans regarding the Biggert Waters Act, and Council may wish to affiliate or support this coalition in the near future. The DHEC beach monitoring results for August indicates that all samples were satisfactory.

**Public Facilities Committee – Councilwoman Cooper.** Monthly report rendered. The Town Hall Design contract was authorized for approval tonight with Creech and Associates. The Public Facilities Committee will meet with Creech & Associates before the next community meeting. Water and Sewer Manager Gress reported the contractor for the new Wild Olive Restaurant needed to bore under Middle Street for the restaurant’s fire line. The contractor has requested to set up in the park in order to place the boring rig appropriately in order to bore at the depth needed. Mr. Gress received the e-mail today regarding this, and will forward to Council.

**Recreation Committee – Councilwoman Watson.** No new information to report.

**Motion was made by Councilwoman Watson, seconded by Councilman Perkis, to go into Executive Session at 8:05 pm for legal advice – right of way and legal advice – use of Battery Gadsden in November for Art on the Beach, carried unanimously .**

Upon returning to the Regular Session, Mayor Perkis stated no votes or action was taken in Executive Session.

**Motion was made by Mayor Perkis, seconded by Councilman O’Neil, to approve the Minutes of the regular meeting on August 20, 2013, carried unanimously.**

Motion was made by Councilman O'Neil, seconded by Councilwoman Middaugh, to adjourn at 8:30 pm, carried unanimously.

Respectfully submitted,



Ellen Miller