

The Town of James Island held its regularly scheduled meeting at 7:00 p.m. in Council Chambers, 1238-B Camp Road, James Island, SC on Thursday, July 21, 2016. The following members of Council were present: Mayor Pro-Tem Leonard Blank, Garrett Milliken, Darren “Troy” Mullinax, Joshua P. Stokes, and Mayor Bill Woolsey, who presided. A quorum was present to conduct business. Also present: Ashley Kellahan, Town Administrator, Mark Johnson, Public Works Director, Sergeant Shawn James, Island Sheriffs’ Patrol, and Frances Simmons, Town Clerk.

Opening Exercises: Mayor Woolsey called the meeting to order. He opened in prayer and followed with the Pledge to the Flag. FOIA: This meeting was published and posted in accordance with the Freedom of Information Act and the requirements of the Town of James Island.

Public Hearing: Ordinance# 2016-07: An Ordinance to Establish Storm Water Management Utility Fees for the Town of James Island: Mayor Woolsey opened the public hearing at 7:01 p.m. No one signed in to speak.

Public Hearing: Ordinance#2016-08: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations, Section 153.334, Tree Protection and Preservation (A) General, (4) Measurements and Definitions: Mayor Woolsey opened the public hearing at 7:02 p.m. No one signed in to speak.

Public Comments: The following person spoke:

Sergeant Shawn James, Island Sheriffs’ Patrol: complimented Town Council on the Seaside Lane Sidewalk Concept Plans. He asked Council to consider installing signs on both sides to prohibit the use of motorized bikes on the sidewalk.

Appointments to Planning Commission: Mayor Woolsey called for appointments and nominations: Councilman Milliken nominated David Bevon for reappointment; Councilman Stokes seconded and the nomination passed unanimously.

Councilman Blank nominated Lyndy Palmer for reappointment; Councilman Stokes seconded and the nomination passed unanimously.

Councilman Mullinax nominated Bill Lyon for reappointment; Councilman Milliken seconded and the nomination passed unanimously. *All members were appointed to a four (4) year term which expires 08/23/20.

Appointments to the Board of Zoning Appeals: Mayor Woolsey called for appointments and nominations: Councilman Mullinax nominated Brook Lyon for reappointment; Councilman Milliken seconded and the nomination passed unanimously.

Councilman Stokes nominated Jason Gregorie for reappointment; Councilman Blank seconded and the nomination passed unanimously.

Mayor Woolsey nominated Jim Fralix for reappointment; Councilman Mullinax seconded and the nomination passed unanimously. *All members were appointed to a four (4) year term which expires 08/23/20.

Recognition of Board of Zoning Appeals Chairman and Vice Chairman:

Sim Parrish: Mayor Woolsey recognized long-time BZA Chairman, Sim Parrish, and presented him with a key to the Town plaque for his service and dedication as Chairman of the BZA from 2003 to 2016.

Jim Fralix: Mr. Fralix was unable to attend and will be recognized at the August 18th meeting.

Consent Agenda:

- a. Minutes: June 16, 2016 Regular Town Council Meeting: Motion to approve was made by Councilman Stokes, seconded by Councilman Mullinax and passed unanimously.

Information Reports:

- a. Finance Report: Senior Finance Clerk, Merrell Roe reported additional revenue of \$139,000 resulting in a 6.5% increase.
- b. Administrator's Report: Town Administrator, Ashley Kellahan reported that the Town closed on the Lease Purchase Bond for the new Town Hall on June 29th. The community meeting to share Design Concepts for the new Town Hall will be August 9th at 7:00 p.m. presented by Liollo Architecture. Ribbon-cutting for Take 5 Oil Change will be held Friday, July 29th, 12 Noon. Sermet's has invited the Town to a soft opening of the restaurant; date and time to be announced. Mrs. Kellahan and Mayor Woolsey met with Scott Slatton, Municipal Association of SC to discuss legislative concerns. Departmental Reports: 20 Business Licenses processed for the month; 117 Code Enforcement cases abated; and 27 Planning permits issued.
- c. Public Works Report: Public Works Director, Mark Johnson gave an update on the traffic studies conducted on Peregrine and Sterling Drives. Work continues with the SC Department of Transportation cutting vegetation on right-of-ways. New crime watch signs are being installed in neighborhoods that have existing ones. Charleston County Public Works is finalizing drainage plans for the dirt portion of Sterling Road. A successful table top exercise was held on hurricane evacuation on June 29th.
- d. Island Sheriffs' Patrol Report: Sergeant James reported a slight decrease in crime. June statistics: total stops – 442; total hours worked – 366; tickets issued – 29; written warnings – 410; calls for service – 75; field interviews – 24; and 6 arrests.

Requests for Approval:

Seaside Lane Drainage and Sidewalk Concept Plan: Town Council heard a presentation by Bret Gillis, with Stantec regarding the Seaside Lane Drainage and Sidewalk Concept Plan. The sidewalk will begin on Seaside Lane at the northeast corner of the intersection with Dills Bluff Road and continue along the eastern side and tie into the existing sidewalk on the western side of Fort Johnson Road. Mrs. Kellahan said along with approving the Concept Plan, Council's packet included Stantec's engineering plans for \$39,500. Once secured, the Town will apply for funding through CDBG (Community Development Block Grant) this winter for construction costs. Mayor Woolsey asked for a motion in favor. Councilman Stokes moved, Councilman Mullinax seconded and the motion passed unanimously.

Folly Road Pedestrian Improvements, Phase I: Mrs. Kellahan announced this is the first project that will be funded with the Hospitality Tax. The project will run from Eugene Gibbs Street to Santee Street. There are some gaps in the sidewalk because Sherwin Williams and Take 5 Oil Change were required to install sidewalks. There will be landscaping and some parking lot improvement; perhaps working with property owners for shared parking and consolidation of the egress points. The cost for Phase I is \$11,700 provided by Stantec. Councilman Milliken asked if the concept will fit into the Rethink Folly Road proposal; and will Stantec will use it as a guide. Mrs. Kellahan answered yes; it is good that we are putting the Rethink Folly Road proposal into action. Mayor Woolsey asked for a motion in favor. Councilman Milliken moved, Councilman Stokes seconded and the motion passed unanimously.

Lighthouse Boulevard Sidewalk and Drainage, Phase I – Engineering Design Proposal: Mrs. Kellahan reviewed the Design Proposal from Forsberg Engineering for \$12,755. Phase I will run from Lighthouse Point Boulevard at Fort Johnson to the Creek and will include piping in the ditch. She said the County has done a Concept Plan and the Town was successful to obtain \$12,000 in TST (Transportation Sales Tax)

funding for the project this past January for engineering costs. Since the Town has received TST funding it is guaranteed that we will receive funds for construction costs. Mayor Woolsey asked for a motion in favor. Councilman Stokes moved, Councilman Mullinax seconded and the motion passed unanimously.

Pinckney Park Asbestos Abatement and Demolition Proposal: Mrs. Kellahan said three firms were recommended by Hussey Gay Bell that specialize in demolition and abatement services. Staff recommends Target Contractors to demolish six structures (excluding the brick house); and the wood clapboard house. The cost of the demolition is \$12,000; and \$5,500 for asbestos abatement. S&ME are the subcontractors to oversee the asbestos abatement; they will ensure the work is compliant with DHEC (Department of Health and Environmental Control) regulations. Mayor Woolsey asked for a motion in favor. Councilman Stokes moved, Councilman Milliken seconded and the motion passed unanimously.

Committee Reports:

Land Use Committee: No report

Environment and Beautification Committee: No report

Children's Commission: No Report

Public Safety Committee: Councilman Mullinax requested two appointments to the Neighborhood Council. He moved to appoint Meredith Poston (to replace Marilyn Clifford) representing Centerville, and Michael Stephens (to replace Ken Godwin) representing Whitehouse Plantation; Councilman Milliken seconded the motion and it passed unanimously. Councilman Mullinax thanked Ms. Clifford and Mr. Godwin for their service on the committee. The Neighborhood Council committee will meet on July 28th at 7:00 p.m. National Night Out will be held on Tuesday, August 2nd in the parking lot of Town Hall. Councilman Mullinax thanked the Charleston County Sheriff's Office, specifically Deputy Brinson, and the others for the excellent service they provided to him during a recent mugging.

History Commission: No report

Resolutions:

- a. Resolution #2016-12: A Resolution by the Town of James Island Opposing the Approval of the Lively: Mayor Woolsey asked for a motion in favor. Councilman Milliken moved and Councilman Blank seconded. Councilman Milliken said the reason for the resolution is obvious; the Folly Road Corridor is already very congested. He said the proposal for the Lively is 300 units; three curb cuts on Folly at a very dangerous location; and several retention ponds. He said if the County allows it, this will set a dangerous precedent for development along the corridor, and he doesn't want to see that. The City of Folly Beach has passed a similar resolution in opposition and he thinks we should also; especially as we are trying to get through our Memorandum of Understanding and work with other municipalities on these types of planning issues. He said the resolution voices the Town's opposition of The Lively to County Council. Councilman Blank agreed. Motion passed unanimously.
- b. Resolution #2016-13: Island Sheriffs' Patrol Officer of the Second Quarter: Mayor Woolsey called Deputy Dennis Carter forward and recognized him as the Island Sheriffs' Patrol Officer of the Second Quarter. The resolution was read. A motion to approve Resolution #2016-13 was made by Councilman Stokes, Councilman Milliken seconded. Motion passed unanimously.

Ordinances up for Second Reading:

- a. Ordinance # 2016-06: An Ordinance Amending the Town of James Island Development Regulations Ordinance, Number 2013-07, Sections: 153-334 Tree Protection and Preservation: Mayor Woolsey asked for a motion in favor. Councilman Blank moved, Councilman Stokes seconded. There was no discussion. The motion passed 4-1; Councilman Milliken cast the dissenting vote.

- b. Ordinance # 2016-07: An Ordinance to Establish Storm Water Utility Fees for the Town of James Island: Mayor Woolsey asked for a motion in favor. Councilman Stokes moved, seconded by Councilman Blank. No discussion. Motion passed unanimously.

Ordinances up for First Reading:

- a. Ordinance #2016-08: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations, Section 153.334 Tree Protection and Preservation (A) General, (4) Measurements and Definitions: Mayor Woolsey asked for a motion in favor. Councilman Mullinax moved, and Councilman Milliken seconded. Councilman Mullinax said he would like to amend the original question because he has listened to the Planning Commission and heard what they had to say; as well as talking with Councilman Blank. Councilman Mullinax said a public right-of-way has lots of meanings - - they can mean anything; such as a water meter, the example used at the Planning Commission meeting. Councilman Mullinax made a motion *to amend the Ordinance to substitute 25 ft. of right-of-way to 25 ft. from the edge of the road*; Councilman Milliken seconded. Councilman Mullinax said he talked with Larry Sturdivant, City of Hanahan, to find out why they repealed their ordinance. Mr. Sturdivant gave two reasons: new developments requiring underground power lines (they protected trees 5" and above at that time); and clear cuttings beyond the first 25 ft. Councilman Mullinax said he did not think those issues would affect us as his amendment refers back to 24 ft. He said 25 ft. from the edge of the road may eliminate a lot of confusion about right-of-ways. Councilman Blank asked, hadn't we passed an ordinance to protect trees in the right-of-way; that the Land Use Plan was changed to protect 8" trees. Mayor Woolsey said they are protected at 8" in Major Subdivisions and in Commercial; but we have not completed our planned ordinance for the right-of-way, which will not only involve trees, but also rules for repairs in a right-of-way if it is damaged. (i.e., AT&T). Councilman Blank said he thinks this will add more confusion for residents and a standard tree definition is what most municipalities use. Mayor Woolsey said if this amendment passes; it goes to the Planning Commission to review this version; then it comes back to Town Council. He said if the amendment fails, the vote on the main motion will continue. Councilman Stokes commented that was his question since this has been before the Planning Commission once and denied; if this is amended, it goes back to the Planning Commission. Mayor Woolsey confirmed that it goes to the Planning Commission. Mayor Woolsey called for the vote which passed 3-2 to remand to the Planning Commission. Councilman Blank and Mayor Woolsey cast the dissenting votes.

New Business: None

Adjournment: There being no further business to come before the body, the meeting adjourned at 7:40 p.m.

Respectfully submitted:
Frances Simmons
Town Clerk