

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, October 20, 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, Bonum S. Wilson, Town Attorney, Merrell Roe, Senior Finance Clerk, Mark Johnson, Public Works Director, Sergeant Shawn James, Island Sheriff’s Patrol, and Frances Simmons, Town Clerk.

Opening Exercises: Mayor Woolsey called the meeting to order. Boy Scout Troop #50 lead by Scout Master, Mark Johnson conducted the Pledge of Allegiance. FOIA: This meeting was published and posted in accordance with the Freedom of Information Act and the requirements of the Town of James Island.

Presentation: Berkeley-Charleston-Dorchester Council of Governments (BCD COG) Walk/Bike Plan: Town Council heard a presentation by Vonie Gilreath, Mobility Director. The COG is developing a Regional Master Plan for walking and bicycling throughout the tri-county areas. The study will be conducted over a 10- month period at a cost of \$200,000 secured by federal funding. Input will be solicited from the public in November.

Presentation: FY 2015-2016 Financial Statement: Postponed to November meeting.

Public Comment: The following persons spoke regarding the traffic light at Mikell Drive:

Joe Qualey, 740 Clearview Drive, County Councilman and former Town Councilman Joe Qualey gave an overview of the history of the Harbor View Road Improvement project; specifically, the light at Mikell Drive. He said the original plan did not include a traffic light. He said a light would only be installed after the improvements were made, if it is needed; or if the Department of Transportation (DOT) car count say it is necessary. He spoke about traffic and congestion that a light would cause. Councilman Qualey said some residents were present to speak on this matter. He said the light is scheduled to come on in December and asked Council to vote tonight to defer the implementation of the light until the Harbor View Road improvements are done; a study is done to determine if it is needed; or if people want it. He will also make a request to the City. Councilman Qualey asked Council to allow him to speak again on this subject when it comes up on the agenda.

David Cox, 765 Tennent Street, serves on the Session at Harbor View Presbyterian Church. He confirmed that the church never asked for a light at the intersection. He said there is no benefit to having it and they would be happy to have it scrapped. As a resident he said the light would be a burden 365 days a year, making the traffic worse.

Joann Kent, 778 Clearview Drive, spoke about traffic and congestion by the housing development behind the shopping center. She said the light serves no benefit for the church or the school (Stiles Point Elementary).

Fred O’Reilly, 739 Clearview Drive, commented that a problem is being created when one doesn’t exist with extra money being spent. He asked Council to defer implementation.

Heidi Qualey, 740 Clearview Drive, spoke against having a light at Mikell Drive. It is unnecessary, and, if it is needed, that should be determined after the improvements are completed.

#### Consent Agenda

- a. Minutes of September 15, 2016 Regular Town Council Meeting
- b. Proclamation: National Colonial Heritage Month

Motion to approve was made by Councilman Stokes, seconded by Councilman Milliken and passed unanimously.

Information Reports:

- a. Finance Report: Presented by Senior Finance Clerk, Merrell Roe and accepted as information.
- b. Administrator's Report: Presented by Town Administrator, Ashley Kellahan and accepted as information. Mrs. Kellahan also updated Council on the recent emergency preparedness and evacuation process for Hurricane Matthew. She complimented staff on the job they performed, and the City of Greenwood for accommodating the Town. An update on debris removal was given.
- c. Public Works Report: Presented by Public Works Director, Mark Johnson and accepted as information.
- d. Island Sheriff's Patrol Report: Presented by Sergeant James and accepted as information. Sergeant James updated Council that the Island Sheriff's Patrol performed excellent coverage on the island during Hurricane Matthew.

Requests for Approval:

- a. Design Option for Dills Bluff Sidewalk: Council heard a presentation by Herb Gilliam, Johnson, Laschober & Associates on sidewalks on Dills Bluff Road, Phase I project. Mr. Gilliam gave an overview of Phases I, II, and Options A, B, and C.

Summary of Costs

- Sidewalk, Phase I \$225,400
- Sidewalk, Phase II
- Option A: Sheet pile \$560,200
- Option B: Boardwalk \$414,000
- Option C: Gravel Pathway & Boardwalk \$253,000

Mayor Woolsey moved to approve Phase I, with Option C; Councilman Blank seconded. Councilman Blank asked if the oxidation pond was on private property; Mr. Gilliam said the County's GIS indicates that it is and he suggested that further research be done by an attorney. Councilman Milliken asked if the City could be asked to contribute because of the development of the town homes. Mayor Woolsey said it would be reasonable to ask because Phase 1 will go in front of the homes. Mayor Woolsey said the construction contract will come before Council for approval, and that the Town will also apply for matching grants. Motion passed unanimously.

Committee Reports:

Land Use Committee: No report

Environment and Beautification Committee: Councilman Milliken announced that Helping Hands cleaned seven yards on Saturday, October 15. He thanked Boy Scout Troops #44 and 46; the HOSA Club (James Island Charter HS); and First Baptist Church. An Adopt-a-Highway litter pickup is scheduled for Saturday, November 5. James Island Arts is sponsoring Poetry Reading at McLeod Plantation, Sunday, November 13, 2-4 p.m. Featured will be Dr. Kendra Hamilton, Cave Canem Fellow and author of the Goddess of Gumbo and Romancing the Gullah. This event is free with a gate admission; and the first 25 people will be admitted free.

Children's Commission: Councilman Stokes announced that the 2<sup>nd</sup> Annual Lights On Event will be held on Saturday, October 22<sup>nd</sup> from 10-12 Noon, Town Hall parking lot. The event is once again held in cooperation with James Island Kaleidoscope and was very successful last year. Everyone is invited.

Public Safety Committee: Councilman Mullinax announced the next meeting of the James Island Neighborhood Council on Thursday, October 27<sup>th</sup> at 7:00p.m. He complimented staff, Councilman Blank, and Sergeant James for the valuable work they performed during Hurricane Matthew.

History Commission: Mayor Woolsey announced that the History Committee meeting was cancelled due to evacuation for Hurricane Matthew. The historical marker for the Battle of Dills Bluff has been ordered and is expected to arrive late December/early January.

#### Resolutions

- a. Resolution #2016-15: Resolution in Support of an Application to BCD –COG for Transportation Alternatives Program Funding for Dills Bluff Sidewalk, Phase I: Mrs. Kellahan said the Resolution will allow the Town to apply for Transportation Alternatives Program (TAP) funding through the Council of Governments for the Dills Bluff Sidewalk, Phase I project. Councilman Stokes moved for approval, Councilman Mullinax seconded. No discussion. Motion passed unanimously.

#### Ordinances up for Second Reading

- a. Ordinance #2016-10: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations Ordinance, Number 2013-07, Section 153.211 Animals, and Corresponding Applicable Ordinances in Livability Regulations, Section 90.17: Motion in favor made by Councilman Blank, seconded by Councilman Stokes.

Councilman Milliken moved to take the permit off the table; Councilman Mullinax seconded. Motion passed; Councilman Blank voted no.

Councilman Milliken distributed an amendment to the amendment proposed by Mayor Woolsey at the September 15<sup>th</sup> meeting, with a draft backyard chicken permit application. The permit is to allow a different amount of chickens, specified in Part A that was passed at the September meeting. Councilman Milliken moved to amend Mayor Woolsey's amendment by substituting language. It reads: (B) The Town may issue a special chicken housing permit to allow chickens otherwise prohibited by this section. Criteria including distance from property line, OCRM line, as well as specified procedures for disposing of chicken waste and minimizing availability of feed to nuisance species will be considered. The Town may revoke a special chicken housing permit at its sole discretion. Councilman Milliken said more specific criteria are being given as it pertains to the raising and upkeep of chickens. Councilman Mullinax seconded the motion. Councilman Milliken said the permit is a draft but is an example to show that it is possible to be done.

Councilman Blank explained why he voted against taking the permit off the table. He has received comments from members of Council and the majority of them would like to have the neighbors approve exceeding the number of chickens allowed. Mayor Woolsey said the current language includes that criteria; however, if this amendment (Councilman Milliken's) passes, the criteria would be removed. Councilman Stokes said one of the issues he addressed in the comments he sent to Councilman Blank was to have the neighbors' consent. The other is, last month when we talked about this, one of the issues that was not well taken was an amendment put in front of Council without them seeing it before the meeting. He said the point of gathering information and putting it together in one piece is to have everyone look at it ahead of time and address it at a meeting without going back and forth about the language. For those reasons, he will vote against the amended language. Councilman Milliken explained why he did it that way; that at the meeting he suggested the Land Use Committee hold a chicken workshop so everyone could discuss their differences to make a permitting process possible. Councilman Blank explained why the workshop

wasn't held and suggested waiting on a recommendation from the Planning Department then have the workshop. Councilman Milliken expressed concerns about waiting due to parliamentary procedures and Mayor Woolsey answered that a permitting system could be added at any time.

Mayor Woolsey called for a vote on the amendment to substitute language to the proposed permitting system. Councilmen Milliken, and Councilman Mullinax voted in favor. Councilmen Blank, Stokes, and Mayor Woolsey opposed. Amendment failed.

Councilman Milliken moved to add to his amendment: *recognition that agreement by nearby residents may be considered* (inserted after nuisance species); Councilman Mullinax seconded. No discussion. Councilmen Milliken and Mullinax voted in favor. Councilmen Blank, Stokes, and Mayor Woolsey opposed. Amendment failed.

Vote on Mayor Woolsey's amendment (B): In exceptional circumstances, the Town may issue a special chicken housing permit to allow for chickens otherwise prohibited by this section. Criteria including the size of the parcel, the character of the neighborhood, current development of neighboring parcels, distance to neighboring residences and agreement by nearby residents may be considered. The Town may revoke a special chicken housing permit at its sole discretion.

Mayor Woolsey said he believes the language he proposed was good and it still is; however, after listening to Council's comments last month, he is willing to make changes. Mayor Woolsey said he will vote against his amendment and propose language for permitting at the next or a future meeting for an ordinance to allow the legality of some chickens on James Island; where now they are illegal. Councilman Milliken agreed that this is a rational way to proceed. He would also like to have a workshop and include input from people that owns chickens. Councilman Mullinax voted in favor of the amendment; Councilmen Blank, Stokes, Milliken, and Mayor Woolsey voted against the amendment. Amendment failed

Vote on Ordinance #2016-10 (sections passed at September meeting)  
Councilmen Blank, Stokes, and Mayor Woolsey voted in favor  
Councilmen Milliken, and Mullinax opposed. Ordinance passed.

Ordinances up for First Reading: None

New Business:

Light at Mikell Drive: Mayor Woolsey asked to allow Councilman Qualey to speak regarding the light at Mikell Drive; there were no objections.

Councilman Qualey gave background and reiterated a request that Town Council defer implementation of the light at Mikell Drive. He referred to emails he received from individuals that supports his position and forwarded a copy of the email to Council. He said Representative McCoy supports this position and asked that he relay it to Council. Councilman Qualey spoke about concerns the traffic light will cause and there are many people on his side of the island that do not want it. He also commented on the position of the church and the school (Stiles Point Elementary). He said if a light is needed at the intersection that it should be done after the Harbor View Road Improvements are completed and then see if the people want it. Councilman Qualey asked Council to make a motion and vote on it so that he can take a request to the City, as he cannot go to the City until he confers with his own municipality. As discussion ensued Council talked about the Harbor View Road Improvement project, safety, and support from Stiles Point former Principal.

Mayor Woolsey said in 2011 when he was working to reincorporate the Town, Plan B for the Harbor View Road project had more support with the public and the County changed the project to be consistent with that plan. After discussion, Mayor Woolsey said no vote could be taken because the item is New Business and it would have to be done at a subsequent meeting. Councilman Mullinax asked if this matter could be placed on the agenda before December for Council vote up or down because as Councilman Qualey stated, the light comes on in December. Mayor Woolsey suggested that he work with Councilman Qualey on the language for an agenda item.

Executive Session: Not needed.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:29 p.m.

Respectfully submitted:  
Frances Simmons  
Town Clerk