

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, April 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, Bo Wilson, Town Attorney, Merrell Roe, Senior Finance Clerk, Mark Johnson Public Works Director, Kristen Crane, Planning Director, Deputy Michael Buenting, Island Sheriffs’ Patrol (for Sergeant James), 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: Proposed 2% Hospitality Tax: Mayor Woolsey opened the Public Hearing at 7:01 p.m. Heath Patterson, 1648 Battalion Drive: spoke in opposition to the Hospitality Tax. He said it will raise taxes on the people of James Island and do more harm to businesses we are trying to support. For six (6) months of the year, we are not much of a hospitality destination during winter months; and residents will have to swallow the burden of the 2%. During that time, with 2% less in our pockets, residents will spend less and undue strain is placed on restaurants and businesses making it harder for them to keep their doors open or do well during winter months. He is not a restaurant owner; this is his opinion about the 2% tax increase.

Public Hearing: Proposed Fiscal Year 2016-2017 Annual Budget: Mayor Woolsey opened the Public Hearing at 7:03 p.m. No one signed in to speak

Public Comments:

Sandy Senn, 3 Wesley Drive: Sandy Senn announced her candidacy for District #41, Senate. The area encompasses James and Johns Island, West Ashley, and a little of Dorchester Road in Summerville. The area is split by Fort Johnson Road; the beach side of Fort Johnson Road is not in the District. Ms. Senn said she is running for the first time and against four gentlemen colleagues; all are attorneys except one. She shared the platform that she is running on.

Consent Agenda:

- a. Minutes of March 17, 2016 Regular Town Council Meeting
- b. Proclamation for Fair Housing Month

Councilman Stokes moved to approve; Councilman Mullinax seconded. Passed unanimously.

Information Reports:

- a. Finance Report: Senior Finance Clerk, Merrell Roe referenced March as a three payroll month; Local Option Sales Tax monies for January and February were received in March; and the Business License category will meet budget.
- b. Administrator’s Report: Town Administrator, Ashley Kellahan distributed a flyer for a community meeting about The Lively on Folly Road, April 26 at 7:00 p.m. The developers are hosting an Information Exchange Workshop for the public. We will advertise the meeting on the Town’s social media. A presentation for Pinkney Park’s Master Plan will be held on Tuesday, May 10<sup>th</sup>, 6:00 p.m. Survey files on the Town Hall property site is expected soon. Mrs. Kellahan met with Charleston County Transportation and area municipalities about beach traffic cameras. The Isle of Palms recently installed a camera and there is interest for the Camp and Folly intersection. Taste of James Island will be held on Saturday, April 30. Also reported: Business licenses: 64; Code Enforcement cases had 101 abated, and 61 pending; Building Services issued 100 permits.
- c. Public Works Report: Public Works Director, Mark Johnson gave an update from the first quarter Stormwater Managers meeting. Pulte Homes has completed the sidewalk down Camp and Dills Bluff and in front of the Preserves at Dills Bluff. Charleston County plans to spray for mosquito

control. The Camp Road Phase I Sidewalk will begin Monday (April 25). As of today, the project at Fort Johnson at Eaglewood Retreat to repair the drainage there is completed. Mr. Johnson answered Councilman Milliken's concern about Mosquito Control spraying for the Zika threat.

- d. Island Sheriffs' Patrol (ISP) Report: Deputy Buenting reported that ISP deputies worked 429 hours; issued 483 warnings; 517 traffic stops; and 56 tickets.

#### Committee Reports:

- Land Use: No Report
- Environment and Beautification Committee: Councilman Milliken provided an update from February's Arts Auction; \$300 was raised for each of the 12 Art Teachers. He thanked and recognized: Katherine Williams, Mary Beth Berry, Pat Hiott-Mason, and Inez Brown-Crouch. James Island Pride Keep America Beautiful "Great American Clean-up" was held on April 9<sup>th</sup>. Trash was picked up on 6 miles of James Island's roadways, totaling 47 bags. Special thanks to the 30 individuals that volunteered. The Adopt-a-Highway litter pickup is Saturday, May 7<sup>th</sup> from 9-11 a.m. Food and a free-T-shirt will be given to the volunteers. Special thanks to: DeAnn Grayson, Grant Scurry, Inez Brown-Crouch, Mary Beth Berry, Delia Washington, and Henrietta Martin for their continued support.
- Children's Commission: No Report
- Public Safety Committee: Councilman Mullinax announced the James Island Neighborhood Council meeting on Thursday, April 28 at 7:00 p.m. Topic of discussion is Mosquito Control.
- History Commission: Mayor Woolsey announced that the History Commission plans to have a field trip to Windmill Point (Fort Johnson) to look at the buildings MUSC is talking about demolishing.

#### Resolutions:

- a. Resolution #2016-05: Island Sheriffs' Patrol Officer of the First Quarter. The Officer of the First Quarter was awarded to Deputy Stanley Singer. Deputy Buenting complimented Deputy Singer on his accomplishments. Mayor Woolsey read the Resolution, and it passed unanimously.

#### Ordinances up for Second Reading:

- a. Ordinance #2016-01: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations Ordinance, Number 2013-07; Sections: 1523.231; 153.177; 1523.110; 153.334 and Appendix A, Private Road Standards: Mayor Woolsey asked for a motion in favor. Councilman Milliken moved to divide and vote on each section separately; the motion was seconded by Councilman Mullinax and passed unanimously.

### **§153.231 TEMPORARY SALES**

- (A) Auctions or garage sales of second-hand merchandise which has been used on the premises may be conducted on a zoning lot where permitted as an accessory use elsewhere in these regulations. Such sales may be conducted twice in a calendar year from the same zoning lot.

Motion to approve was made by Councilman Blank, seconded by Councilman Stokes. No discussion. Motion passed unanimously.

### **§153.177 SPECIALIZED MANUFACTURING**

- (A) In zoning districts subject to condition (C), a structure or structures used for specialized manufacturing shall have a maximum floor area of 2,000 square feet and shall have no more than five non-resident employees.
- (B) All activities related to the specialized manufacturing use shall be confined to a structure that is entirely enclosed.

(C) All specialized manufacturing uses shall comply with the site plan review requirements of this chapter.

Motion to approve was made by Councilman Blank, seconded by Councilman Stokes. No discussion. Motion passed unanimously.

**Table 153.110: MANUFACTURING AND PRODUCTION**

Beverage or related products manufacturing, including alcoholic beverages. (Add an "S" in "CC" box)

Motion to approve was made by Councilman Stokes, seconded by Councilman Blank. No discussion. Motion passed unanimously.

**§153.334 TREE PROTECTION AND PRESERVATION**

(E) *Tree removal*

(1) *Generally*. Permits for tree removal may be approved where one or more of the following conditions are deemed to exist by the Zoning Administrator:

- (a) Trees are not required to be retained by the provisions of this section.
- (b) Trees are diseased, dead, or dying (as determined by the Zoning Administrator or a qualified arborist);
- (c) Trees pose a safety hazard to nearby buildings or pedestrian or vehicular traffic (as determined by the Zoning Administrator or a qualified arborist); and/or
- (d) Removal of required trees has been approved by the Board of Zoning Appeals.

Motion to approve was made by Councilman Stokes, seconded by Councilman Blank. No discussion. Motion passed unanimously.

**§153.334 TREE PROTECTION AND PRESERVATION**

(A) *General (4) Measurements and definitions.*

GRAND TREE. Any species of tree measuring 24 inches or greater diameter breast height (DBH) except pine and sweet gum. All GRAND TREES are prohibited from removal unless a grand tree removal permit is issued.

Councilman Blank moved to approve, seconded by Councilman Stokes. Councilman Milliken stated that he remained opposed on account that it will limit tree species on the island. He thinks 18 inches is a far better way to do it; and, if you accept the 24 inch diameter breast height as a tree that you can cut down; you can cut down a tree that is 23.5 inches at breast height. He said in an effort to record his opinion one more time, he is for tree diversity on the island; for there being more than Oak Trees, that is why he want to see the size remain at 18 inches. No further discussion. Motion passed; Councilmen Milliken and Mullinax cast dissenting votes.

**Appendix A (Ordinance 2012-06, Attachment C) PRIVATE ROAD STANDARDS**

§A.2.2 Ingress/Egress Easement (Maximum of 4 Lots)

ADDITIONAL LANDOWNER/DEVELOPER RESPONSIBILITIES: The landowner/developer shall determine the location of easement(s) and the type of access to be provided. The location of

the easement(s) shall be clearly depicted and labeled on submitted plats or plans.

Councilman Stokes moved to approve, seconded by Councilman Blank, No discussion. Motion passed unanimously.

Ordinances up for First Reading

- a. Ordinance #2016-02: An Ordinance Amending the Municipal Code of the Town of James Island to Provide a New Subchapter to be Known as "Hospitality Tax": Councilman Blank moved to approve, seconded by Councilman Stokes. Councilman Milliken said he would be opposed to this tax because as Mr. Patterson (public comments) indicated it would probably cause a burden on taxpayers that live on the island; and it is not so much of a draw from tourists that come through here. He believes this is something we should carefully consider as a referendum rather than an ordinance. No further discussion. Motion passed. Councilman Milliken cast the dissenting vote.
- b. Ordinance #2016-03: Proposed Fiscal Year 2016-2017 Annual Budget: Councilman Stokes moved to approve; seconded by Councilman Blank, No discussion. Motion passed. Councilman Milliken cast the dissenting vote.
- c. Ordinance #2016-04: Authorization of Lease Purchase Financing for Town Hall: Councilman Blank moved to approve, seconded by Councilman Stokes. Mrs. Kellahan announced that Samuel Howell, Town Bond Attorney, is present and will answer questions. Councilman Milliken questions regarding the James Island Public Facilities Corporation in Section 4 and Appointment of Trustee in Section 11 were answered by Mr. Howell. No further discussion. Motion passed; Councilmen Milliken and Mullinax cast the dissenting vote.
- d. Ordinance#2016-05: Amendment of Town of James Island Zoning and Land Development Regulations Ordinance, Sections 153.110 and 153.52: Mrs. Kellahan stated this Ordinance came from the staff level and refers to Boarding Small Animals and Grooming Services. She said this use is allowed in Community Commercial; however, The Town's Community Commercial District along Folly Road backs up to residential properties. This amendment would require this type of Use to be a Special Exception to the Board of Zoning Appeals (BZA). She also stated that the amendment would allow the Planning Director to review a parcel, and make recommendations if additional buffering is required, or to limit the number of dogs at the facility. It would also give residents an opportunity to voice their concerns before the BZA. This amendment will also be changed in the Agriculture District to a Special Exception; and removes the Conditional Use from Multi-Family Residential, (would not be allowed in RSM). Councilman Blank moved to approve, seconded by Councilman Stokes. No discussion. Motion passed unanimously.

Adjournment: There being no further business to come before the body, the meeting adjourned at 7:32 p.m.

Respectfully submitted:



Frances Simmons  
Town Clerk