

The minutes of the regular meeting of the Town Council of the Town of James Island held Tuesday, August 19, 2003, at 7:00 p.m. at the Town Hall, 1246 Camp Road.

Mayor Mary Clark called the meeting to order with Councilmen Joe Qualey, Bill Wilder, Parris Williams and Bill Woolsey attending as well as attorney Mike Socha and clerk-treasurer Marie Copeland; there was a quorum present to conduct business. Following the invocation given by Councilman Parris Williams, the group recited the Pledge of Allegiance.

A motion was offered by Councilman Wilder to accept the minutes of the August 5 meeting was submitted without any changes, additions or corrections; it was seconded by Councilman Qualey. The motion passed unanimously.

The Mayor noted that the meeting is being held in compliance with the Freedom of Information Act and was properly noticed.

**Mayor's Comments:**

My heart swelled last Wednesday night at the sight of 85 people in this room coming before our planning commission of the Town of James Island about a problem as they saw it in their neighborhood, and hoping that it would be corrected. That is what we all struggled so much for, that is what the marches were for, that is what waiting was for, and that is what the begging for the funds was for, and it came to fruition last week. And I am sure that some of you were there and were as proud as I am. We have had numbers of other. . . Well, I will just say that a man came to me today and had found a fourth acre not built on and asked if he could split it into two. A fourth acre right near the project from last week. As we all know and have seen, those of you who have spent the 5 or 6 years going to the City zoning meetings, if this Town of James Island were not here, the 7 acres would already be under construction. I have seen a grand tree cut, and they were fined \$500 and made to plant 22 one inch trees or whatever to make up for it. Slaps on the wrist!! And this is what our Town is in existence for. And it was a very proud moment for me. And I thank all of you who watched it with me.

**Citizens' Comments:**

**Committee Reports:**

Art: no report

Environment: written report attached

Grants: written report attached

Planning Commission: no report

Planning and Zoning: Councilman Qualey reported that the BZA will hear 2 cases on Wednesday, August 20, 2003, and he was hopeful that its members would act with "courage and steadfastness" in their decisions as the Planning Commission had done. He reported also that he has had a call from another

developer with a plan for the Grimball Farm area that they would, tentatively, like to pitch to the Town at the second meeting in September. Mayor Clark questioned the propriety of the Town hearing these proposals that are in the City since the Town is in litigation with the City? Mike Socha suggested that Bo Wilson, the attorney representing the Town in the Grimball suit, be consulted to see if he thought the Town hearing such a proposal would have an affect on the pending litigation. Councilman Qualey commented that he thought it was a free look without any commitment, but that he thought checking with Bo Wilson was a good idea. Councilman Qualey also commented to the high degree of interest in the community about what is happening there and that the Town will be in a much better position of knowledge to fight it if they are familiar with the proposal.

Public Safety: written report attached

Recreation: written report attached

Roads & Traffic: Councilman Williams reported that 4 signs had been place at the new James Island Elementary School on Grimball, i.e. 1 each school crossing and stop signs and 2 speed limit signs. He also reported that the CTC meeting for the distribution of C-funds was last night and James Island will receive money for the funds to correct the light at Camp and Folly and the construction of a left turn lane at Folly and Battery Island Drive. Of the \$1.7 million dollars available to CTC, the Town of James Island received less than 1%. The members of the CTC also gave the impression that there will be another distribution of funds this year, so, hopefully, the Town can receive additional funds at that time.

Ways and Means: Mayor Clark reported that Greg McLain of McLain, Moise and Associates, the Town's auditors, gave a presentation on what to expect from the audit.

Treasurer's Report: a written report is attached

### **Old Business:**

Councilman Wilder asked to amend the agenda; Councilman Woolsey seconded and there were no objections within the Council. Councilman Wilder added three items to the agenda, i.e. (1) the distribution of the remaining sports equipment that had belonged to the old town, (2) obtaining a grant writer, and (3) Recreation Center Fees.

Councilman Qualey also asked to amend the agenda to include a Family Night with a photographer on hand; this also met with no opposition. The motion was then made

**THAT** the Town of James Island have a family night on September 16, 2003 where pictures of elected officials and their families will be taken to begin a pictorial history of the town.

The motion was seconded by Councilman Wilder and passed unanimously.

Councilman Wilder moved

**THAT** the baseball equipment remaining from the old Town of James Island be given to the James Island Little League.

The motion was seconded by Councilman Williams. Councilman Woolsey was told that the equipment consisted of 1 baseball, 4 aluminum bats and 3 gloves, all of which was quite old and maybe worth \$25-\$30 total. The motion passed unanimously.

Councilman Wilder moved

**THAT** the Environment Committee is given the use of the reflective vests that were with the equipment.

Second came from Mayor Clark and the motion was unanimously accepted.

The next motion from Councilman Wilder was

**THAT** the games and other remaining balls, etc. are given to local churches and community centers.

Councilman Woolsey seconded the motion. Once discussion had begun, he stated that he believed that the recipients should be named. At this time, Councilman Qualey offered an amendment to the original motion

**THAT** the Recreation Committee is allowed to distribute the remainder of the property as they deem appropriate.

Councilman Woolsey seconded the amendment. The vote on the amendment passed unanimously.

The vote was then taken on the main motion as amended, and it too passed without dissent.

Another motion from Councilman Wilder was

**THAT** the Town of James Island hires a grant writer at \$20.00 per hour to a maximum of \$100 to write grant(s) for the James Island Little League.

The second again came from Councilman Woolsey. Councilman Wilder reported that Chris Inglese had attended the Recreation meeting and stated that he could find a lot of funds for this league since they already have 501C3 status. The Mayor reminded Councilman Wilder that the Town has a Grants Committee. Councilman Qualey moved

**THAT** the issue of a grant(s) for the James Island Little League is referred to the Grants Committee for them to investigate the potential for recreation grants.

The motion was seconded by Councilman Woolsey. The vote on the amendment passed unanimously.

The vote followed on the motion as amended; it also passed unanimously.

An additional motion from Councilman Wilder was

**THAT** the Town defrays the \$30 of additional fees that children who reside in James Island must pay to participate in sports at the Recreation Center.

Second for the motion came from Councilman Williams. Generally the Council agreed that this is a worthy project, but that there are many questions that have been left unanswered at the moment. With information still to be gathered, Councilman Wilder withdrew his motion.

### **New Business:**

The Action Plan for the Town of James Island for hazard mitigation was offered by way of a resolution from Councilman Woolsey (**Resolution 2003-15**). If accepted, this plan must be sent to the Charleston County Hazard Mitigation Committee. It is based upon the plan Charleston County developed for the unincorporated areas; many of the small municipalities, including the PSD, are basing their individual plans on this one. The Public Safety Committee reviewed the Charleston County Plan to determine just what was relevant to the Town and adjusted accordingly. Councilman Woolsey added that there are things that Charleston County Planning is doing and this plan is based on the assumption that the County continues to serve in that capacity for the Town. This will only become important if the Town chooses to have its own planning department. The motion was seconded by Councilman Wilder and received unanimous approval by Council.

Also from the Public Safety Committee is **Emergency Ordinance 2003-04 - AN EMERGENCY ORDINANCE ADOPTING THE CHARLESTON COUNTY ORDINANCES REGULATING ANIMAL CONTROL**, which represents 5 separate ordinances enacted by County Council. Councilman Woolsey moved that the Town accept this emergency ordinance; Councilman Wilder seconded. The vote was unanimous to accept.

The same provisions as those in Emergency Ordinance 2003-04 were offered as first reading for a permanent ordinance to be **Ordinance 2003-17**. Motion for acceptance was made by Councilman Woolsey with a second from Councilman Williams. Council voted unanimously to accept as a permanent ordinance, and it was sent to Public Safety for study.

Mike Socha then presented the following four re-zoning ordinances for second reading:

- (1) **Ordinance 2003-12** 1406 Folly Road from Low Density Suburban Residential (RSL) to Residential Office (OR). Motion: Qualey, Second: Wilder. Unanimous Council acceptance

(2) **Ordinance 2003-13** 1120 Folly Road from Low Density Suburban Residential (RSL) to Residential Office (OR). Motion: Qualey, Second: Wilder. Unanimous Council acceptance

(3) **Ordinance 2003-14** 1226 Folly Road from Low Density Suburban Residential (RSL) to Residential Office (OR). Motion: Qualey, Second: Wilder. Unanimous Council passage

(4) **Ordinance 2003-15** This Ordinance did not pass first reading.

Another ordinance presented was **Ordinance 2003-16 - DRUG FREE WORKPLACE ORDINANCE**. This is necessary for the Town to have in order to participate in the County Development Block Grant program. Councilman Qualey moved for the acceptance of the ordinance as presented; Councilman Wilder again offered a second. There was no discussion and the Council vote was unanimous for passage of the ordinance for a drug-free workplace. This, too, was sent to the Public Safety for review.

**Emergency Ordinance 2003-05** was also offered for passage. This is the ordinance that establishes zoning regulations for the Town and will stand until such time as the zoning ordinance being prepared by the Planning Commission is completed, which should be ready for first reading by the first meeting in September. Councilman Qualey moved for acceptance and Councilman Woolsey seconded. The vote by Council was unanimous for acceptance. As a memo to file, Mike Socha noted that this ordinance had been approved in February and numbered 2003-08 in error; that February ordinance has been re-numbered 2003-04.

The next topic to be discussed came from Councilman Qualey in the form of a motion to have a Family Night beginning at 5 p.m. on Tuesday, September 16. He would like to have a photographer on hand to do pictures of elected officials, staff, committee chairmen, and families who choose to do so; the photos of officials will hang in the Town Hall as the pictorial history of this Town. Councilman Wilder seconded the motion. Councilman Qualey asked that staff be responsible for acquiring a photographer for the event, which he feels will conclude in plenty of time for the Ways and Means Committee meeting.

#### **Citizens' Comments**

Leonard Blank remarked that he had received an e-mail stating that the City of Charleston has given preliminary approval for construction of a 6 story office building on Folly Road adjacent to the Queensborough subdivision; reports are that, in addition, preliminary approval has been given for a heliport on the building. The Mayor was hopeful that a concerted effort on the part of James Islanders could stop this from being finalized. With the proposed heliport, the Mayor even thought of using the Town's noise ordinance as a hindrance.

Councilman Wilder questioned if the 3 story condominium development was still coming to Sol Legare. Both Leonard Blank and Councilman Qualey said that it was still "a go."

Mike Socha was asked to see if the Folly Road builders had been granted a height variance by the city.

Mike Socha reported that the City of Charleston has been granted a second extension to file their brief with the state Supreme Court meaning that the due date for them is now mid-September. The Mayor suggested that the Town charter a bus to Columbia to hear the oral arguments, whenever they are, as the residents did in years past when they were working to get the Town off the ground. There is plenty of time for people to think about whether or not to participate.

Sandy Just wanted it in the record that her Environment Committee is only interested in the use of the reflective vests, not in taking possession of them. She also spoke to Councilman Wilder's motion about the \$100 for the grant writer for the Little League; it is her understanding that the \$20/hour Mr. Inglese quoted was not to write a grant, but for time spend in developing ideas to get funding and support for the Little League.

Carol Jacobsen referenced the letter she had submitted about the long term contract with the PSD. She remarked that, if one were to look at the hazard plan approved this evening, there are things referencing fire department responsibilities, and other things where James Island and the PSD are so interconnected.

With no further business to come before the Council, Councilman Wilder moved for adjournment, Councilman Qualey seconded and the vote passed unanimously.