

The minutes of the regular meeting of the Town Council of the Town of James Island held Tuesday, November 18, 2003 at 7:00 p.m. at Town Hall, 1246 Camp Road.

The meeting was called to order by Mayor Clark with Councilmen Joe Qualey, Bill Wilder, Parris Williams and Bill Woolsey present, as well as Town Attorney Mike Socha who arrived late and Clerk-Treasurer Marie Copeland. There was a quorum present to conduct business.

Councilman Parris Williams gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

A motion was made by Councilman Qualey to accept the minutes of the November 4, 2003 meeting as submitted with no corrections, additions or changes; Councilman Wilder seconded the motion which was unanimously approved. The minutes from the Roads, Drainage and Traffic Public Hearing was referred to that committee for approval.

Mayor Clark announced that the meeting was being held following Robert's Rules of Order and in compliance with the Freedom of Information Act.

Mayor's Comments:

Mayor Clark announced that she was honored to be able to represent the people of James Island at the opening of Brinson's Restaurant on November 7th. The VFW Patriotic essay contest was held on November 8. Mayor Clark, Peggy Moseley and June Waring judged essays submitted by our students. Mayor Clark was invited to speak to an Environmental Law class at the College of Charleston where she was able to share the history of the Town with them. The History and Preservation Committee has held its second meeting; both meetings were introductory in nature. We are fortunate to have persons such as Skipper Keith, a foremost authority on Civil War and Revolutionary History, and Doug Bostick, a local historian on this committee. Mr. Bostick was scheduled to speak at last Tuesday's meeting but did not because of a low turn out. He is scheduled to speak at the December 9th meeting. Anyone interested in history is encouraged to attend these meetings, which are held the 2nd Tuesdays of each month at 7:00 p.m. at the Town Hall. Mayor Clark was privileged to be able to address Mayor Riley's Council on November 12th. She said the Town of James Island's sovereign limits were breached when the City of Charleston's truck picked up Jimmy Bailey's signs early in the morning on Election Day; they almost cleaned the island of any signs except those of Mayor Riley and those he supported. In addition, she attended the Ady International luncheon at the Riviera Theatre on November 13th. She expressed gratitude in being able to represent the Town.

Citizens Comments: None

Committee Reports:

Grants - written report attached.

Public Safety - written report attached. Councilman Woolsey added that the Public Safety Committee is interested in refurbishing Neighborhood Watch signs because many of them are worn-out. Anyone who has a sign that need to be refurbished should contact Town Hall. The Public Safety Committee also voted unanimously to ask Town Council to approve the Emergency Plan and to have Council approve a policy posting 25 mile per hour speed limit signs in residential neighborhoods. The Committee also recommended that funds up to \$5,200 be provided for those signs. It was also decided that the Town should look into the FEMA Flood Maps and what could be done to make sure that all areas of James Island are treated fairly.

Ways and Means - Councilman Woolsey reported that the Ways and Means Committee voted unanimously to appropriate \$20,000 for traffic calming devices. The Ways and Means Committee also approved up to \$5,200 in funds to install 25 mile per hour speed limit signs on residential streets.

Councilman Woolsey asked to amend the agenda to add a budget resolution for posting residential speed limit signs. There were no objections and this item was added to the agenda.

Old Business:

Election Commission Appointments: Clerk-Treasurer Marie Copeland reported that applications were received from Susan Milliken, Alan Laughlin and Rose O'Neal expressing an interest in serving on the Election Commission.

Councilman Woolsey made a motion to appoint the slate of 3 interested parties: Susan Milliken, Alan Laughlin and Rose O'Neal to serve on the Town of James Island's Election Commission. The motion was seconded by Councilman Wilder and unanimously approved.

New Business:

Gevert Street Abandonment: Clerk-Treasurer Marie Copeland reported that it is a small piece of land at the end of a street that is being proposed for abandonment. The two property owners, Mr. Hollings and Mr. Ross had agreed that they would split the land. Letters were sent to residents in the surrounding area and no one had problems with the abandonment.

Chris Holmes, the attorney, representing Mr. Ross stated that the land at the end of Gevert Street was never paved or used as a road. The owner had applied to Public Works for the abandonment, but once the Town came into existence,

it was referred to the Town for action. Mr. Holmes said once the road is abandoned, it would still need to have action filed in Circuit Court; the right-of-way area will be divided down the middle so that the lots are equal.

Citizens' Comments re: Gevert Street Abandonment

Thelma Bus, 1974 Frampton - was concerned because they live next to the road. She was unclear with the term abandonment and thought that the entire road was going to be abandoned.

Sabrina Bajan, 1473 Woodview Lane, a student at Garrett Academy - asked what the purpose of this is. Mayor Clark responded that this is the end of a County maintained street that serves no purpose. The owners want to have the land divided between the two of them.

After discussion, Councilman Woolsey made a motion that the Town of James Island abandons the right-of-way to the property owners, seconded by Councilman Qualey and unanimously approved. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Request for Funds for Installation of Speed Humps:

Councilman Williams made a motion to request funds in the amount of \$20,000 to fund a speed hump program for traffic calming, the motion was seconded by Councilman Wilder. Council Woolsey stated that he supports the motion, and that a sub-line of \$20,000 for speed humps be added to the Roads, Drainage and Traffic Committee's budget. Councilman Williams also added that the speed humps will be installed on 5 streets @ 2 speed humps per street. Councilman Joe Qualey and the Planning Commission will assist the Roads Committee with the type or design of the speed humps. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Councilman Woolsey presented **Resolution 2003-20** stating that the Town of James Island allocates funds up to \$5,200 for the purchase and installation of speed limit signs from the Roads and Drainage budget. A line item will be added to account for the funds budgeted. The motion was seconded by Councilman Williams and unanimously approved. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Councilman Qualey asked and received permission that the agenda be rearranged to allow Mary Jo Thomas of the Council of Governments to present the contract with COG to develop a Needs Assessment.

Contract with COG:

Bob Kline stated that two months ago the Grants Committee made a recommendation for the allocation of \$3,000 for the purpose of developing a needs assessment. He requested that Council take action on this contract tonight. Ms. Thomas gave an overview of the Needs Assessment. She noted that the information that had been gathered from various public hearings will be mapped out to show which areas had strong participation and what areas did not. In addition, this information will be used as a direct mailer to the people in the area that were not represented in the public hearings. Public meetings will be scheduled to encourage participation and follow-up will be done. The information from the Needs Assessment Hearing tonight with Phil LaRoach of the County will be a part of the Needs Assessment. Ms. Thomas asked Mayor and Council to encourage the people to give their input about the kinds of services that they would like to see done. After compiling the data and its funding sources, information will be given to the Grants Committee for its review and prioritization for presentation to Council. The deadline for completion is March 31, 2004. Councilman Qualey commented that the plan looked good.

Councilman Woolsey made a motion to accept the contract, seconded by Councilman Qualey. Councilman Williams asked and received clarification that \$3,000 will be requested for a needs assessment to be done. Councilman Qualey asked Mr. Kline if he recommended entering into this agreement, to which Mr. Kline responded that the Grants Committee cannot look for or expect to receive grants without a needs assessment. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Councilman Woolsey commented that the Grants Committee did not have enough funds in its budget to cover this expense. It was determined that it would be brought before the next meeting of the Ways and Means Committee.

Emergency Plan:

Councilman Woolsey presented **Resolution 2003-21** for the adoption of the Emergency Plan, which was seconded by Councilman Williams (copy attached). Councilman Qualey thanked Councilman Woolsey for the work he has done. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Residential Speed Limit Policy:

Councilman Woolsey presented a motion for Residential Speed Limit Policy - Resolution 2003-22. He stated that, consistent with the laws of the State of South Carolina, the speed limit on residential streets that are not otherwise posted is 30 miles per hour. It is the policy of the Town of James Island to post the speed limit of 25 miles per hour on residential streets upon the request of one or more residents. When a request has been made for a street under the

Town's maintenance, a proposal will be placed on the agenda for Town Council and a list of the requests will be publicly posted and communicated to the press. Once approval has been given, the Town will have the signs installed. Councilman Wilder made a second to this motion.

Mayor Clark said there are many streets that the City claims because of dual ownership and asked if we would have problems with this. Councilman Woolsey said if the street belongs to the Town, we can put signs on them. If the street belongs to the City, he cannot put signs on them, and the residents that live on those streets will have to contact the City about posting their streets at 25 miles per hour. The City has a program to post residential streets at 25 miles per hour. There are many State maintained roads on James Island; Councilman Woolsey stated that while he supports the 25 mile per hour speed on James Island and State roads, our policy will not apply to State maintained roads on James Island. Mayor Clark asked if an inquiry could be made to cover the 25 mile per hour speed limit, perhaps we could send a letter of request to the State. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

FEMA Flood Maps:

Councilman Woolsey gave highlights of Resolution 2003-23 stating that the Town of James Island seeks fairness in flood insurance rates for all citizens of the Town of James Island. The Town Attorney shall be instructed to discover what role the Town may play in promoting the revision of the maps so that no property is unjustly charged. Councilman Woolsey made a motion to accept Resolution 2003-23, which was seconded by Councilman Bill Wilder.

Councilman Wilder announced that he was pleased with the Resolution; there is a great concern about what is happening on Sol Legare and perhaps other communities on James Island. The residents of Sol Legare feel they are unfairly zoned, being zone as V7, the highest and most critical flood zone. An adjacent community near Sol Legare is now in the A-flood zone because the community came together to have it changed. Councilman Wilder asked Council and the Planning Commission to take a good look at the zoning; he stated that it is causing considerable hardship for the people of Sol Legare. The County received a letter from FEMA giving it 90 days to appeal this decision. The people of Sol Legare will be putting a petition together to see if the zoning can be changed.

Mayor Clark asked Attorney Socha how we go about having this done. Mr. Socha replied that he will research the matter and will have a response at our next Town Council meeting. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Letter to HUD to request participation in Urban Entitlement Grant Program: Resolution 2003-24. Mr. Kline referred to the letter prepared by Town Attorney Mike Socha to HUD. The Town must formally send a letter to HUD to request participation in this program along with a Resolution from the Town. Councilman Woolsey then made a motion that the resolution committing the Town to participate in the Urban Entitlement Grant Program be accepted, the motion was seconded by Councilman Wilder and unanimously approved.

Resolution for Agreement between Charleston County and Town for Urban County Entitlement Status:

Mr. Kline reported that this **Resolution 2003-25** authorizes the Mayor to execute a cooperative agreement between Charleston County and the Town for the purpose of qualifying for Urban Entitlement Grants. Mr. Kline referred to several items of concern and noted that these are Federal guidelines that the Town must abide by if it wishes to apply for HUD Grants. A motion to accept the agreement was made by Councilman Qualey and seconded by Councilman Wilder. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Mayor Clark asked and received clarification on the amount of money she is able to spend on the purchase of items that are needed. Attorney Mike Socha verified that she is able spent \$500.00 without having the request come before Council for approval.

Citizens' Comments:

Barbara Pinckney- a resident and realtor from James Island asked how many dwelling per acre is allowed on a 1.71 tract of land. She is the realtor for Apostle Nathaniel Grant, who has a church community on Dawson Road and would like to sell the property. Councilman Qualey stated that 5 dwellings would be permitted. Leonard Blank, Chairman of the Planning Commission explained the infill development policy from the ordinance. He gave an example of the perimeter of 500 feet; the average sizes of the lots are calculated within the 500 foot area and this is the size lot you must have. In addition, the character of the residential neighborhood must be met. The Planning Commission will be working on this matter at its meeting next week, but this is how this policy presently is.

Councilman Woolsey stated that this policy is being interpreted to say that subdivisions have to be the same size of the neighboring area whether inside an existing subdivision or not. He sees no evidence that this was an existing subdivision; there is a difference between a neighborhood and a subdivision; he felt this is clear injustice. Mayor Clark asked what could be done about this. Mr. Blank stated Council will need to decide what it wants to do about this requirement, infill was a part of the original ordinance we used, not newly added by the Planning Commission. As it stands, the County interprets this policy to mean all residential parcels of land within 500 feet. Currently, no

more than 4 lots can be built on this parcel of land Ms. Pinckney is inquiring about. Mike Socha stated that Council need to decide generally about the infill provision; it can be taken out or changed. Mr. Blank added that before a decision is made on this parcel of land, that everyone take a look at it and decide if it is within the character of the neighborhood. Mrs. Pinckney said she has had a contract listed on the property since September, long before the infill policy came into being. Will this infill policy have an impact on the decision by Council? She felt the land is able to accommodate 12 homes.

Apostle Nathaniel Grant - commented that when the property was purchased, he contemplated annexing it to the City of Charleston, but decided to keep it in the Town. He stated that the City was willing to give him permission to build 12 houses on the property. He wants to have the property developed and so that it can be sold.

Mayor Clark clarified that normally during the citizen comment portion of the meeting; the participant is given 3 minutes to speak with no response back from Council. However, because this issue is of special concern, discussion from Council was allowed.

Mary Bates, 1118 Bradford Avenue - asked for helped with fireworks being shot-off on her street.

Mayor Clark received correspondence from Ms. Teresa Tidestrom who represents a charitable organization called "Neighbors Helping Neighbors". She is asking for permission to have cheerleaders collect money on various streets on James Island; this would be a one-time request. Councilman Woolsey made a motion to allow the group to collect money, seconded by Councilman Williams. Mr. Williams commented that they should be allowed to do this because when the Town was trying to organize itself, we had a lot of problems trying to collect funds. Councilman Woolsey commented that when these issues arise, that they be placed on the agenda as a part of New Business. Councilman Qualey also stated that at some point we must adopt a policy to determine who will be allowed to solicit for money in public places. It was determined that a policy would be established at a later date. **Vote:** Councilman Qualey-aye; Councilman Wilder-aye; Councilman Williams-aye; Councilman Woolsey-aye; Mayor Clark-aye.

Councilman Qualey shared a few planning and zoning items. He stated that he frequently logs onto the City of Charleston's website. There is an amendment to their zoning map to put Central Park Road into their Commercial Corridor Review. He also asked the Clerk-Treasurer and Frances Simmons to monitor through the City of Charleston's website anything that comes up on the City's and Planning Commission's agenda regarding James Island.

Leonard Blank, 1324 Relyea Avenue- stated that the largest crowds we've ever had at Town Hall have been people concerned about infill developments; this is when you go into their neighborhoods taking undeveloped parcels of land for development. Most of the time the people are here to protest greed; where people want to make the most they possibly can out of a small piece of land. All people want is for their neighborhoods to remain as they are; utilizing the same character. You cannot please all of the people all of the time but you can certainly please James Island as a whole. We have had people totaling 75- to 85 saying that they want their neighborhoods to remain as they are. If we let developers come in and use up the land and put as many houses on it as they possibly can, they become offended. Mr. Blank agreed that the infill development policy is hard to administer and we may need to get rid of it. People saying that the City offered them 12 houses need to develop in the City. James Island will not let that happen here - the people don't want this to happen. Mr. Blank suggested that everyone look at this property. What is a neighborhood? People want their neighborhoods protected; this is what we owe the residents of James Island. If he is wrong, Council needs to find someone else to run the Planning Commission.

There being no additional business to come before the Council, the meeting adjourned at 8:30 p.m.

The next meeting will be held on Tuesday, December 2, 2003.