

The Town of James Island held its regularly scheduled meeting at 7:00 p.m. by virtual platform (Zoom) (1122 Dills Bluff Road) on Thursday, April 16, 2020. The following members of Council were present: Councilmembers Boles, Mignano, Milliken, Mullinax, and Mayor Woolsey, who presided. Also, Town Administrator, Ashley Kellahan, Public Works Director, Mark Johnson, Island Sheriff's Patrol, Sgt. Shawn James, and Town Clerk, Frances Simmons. A quorum was present to conduct business.

Presenters: Jennifer Charzewski, Liollo Architecture, Raquel Sandman, RMF Engineers, Meghan Moody and Bob Horner, Weston & Sampson.

In compliance with the Freedom of Information Act and the requirements of the Town of James Island, members of the public were provided a link to log into the proceedings of the meeting.

Mayor Woolsey called the meeting to order at 7:00 p.m. He reminded Council to state their names before speaking and the Clerk to call the roll for votes.

Opening Exercises: Mayor Woolsey asked to dispense with the opening exercises, and it was granted without objection.

Consent Agenda

- a. Minutes: March 19, 2020 Regular Town Council Meeting
- b. Minutes: April 1, 2020 Special Town Council Meeting
- c. National Public Works Week Proclamation

Motion to approve the consent agenda was made by Councilman Milliken, seconded by Councilwoman Mignano.

Vote:

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Passed Unanimously	

Information Reports:

- a. Finance Report: The written report was provided to Council and Mrs. Kellahan gave a brief overview of March revenues and expenditures. She commented that a good amount of revenue was received in March. Councilman Milliken asked about the advertising cost under Administration and was informed that we were just invoiced for the 2019 Election from the County Election Commission.
- b. Administrator's Report: Written Report Provided to Council. Mrs. Kellahan pointed several items from her report including a letter from Town Attorney re: Corky's closing deadline on the easement at 896 Folly; letter from Town Attorney to Dominion re: breach of contract. The County's bids for the landscaping improvements at Camp and Folly received. The bid has not been qualified but the apparent low bidder is Truluck. The Town would be funding \$30,000 and the remainder would come from the Tree Mitigation and TST Funds. The Town continues to monitor COVID-19 and 14 press releases posted to date. The last release contained information on services offered through the 2-1-1 System.

Councilman Milliken said he is excited to see the landscaping improvements begin at Camp and Folly and Mrs. Kellahan and Mayor Woolsey gave Councilwoman Mignano information on the project's location.

- c. **Public Works Report:** Mr. Johnson gave an overview of the Public Works Report that was provided to Council.
- d. **Island Sheriff's Patrol Report:** Sgt. James shared sad news that a Sheriff's Deputy was killed in a tragic collision. He encouraged Council to go on the Charleston County website or Facebook to see the outpouring of support. The Island Sheriff's Patrol and Crime reports were given, and no significant crimes were reported. Councilwoman Mignano expressed condolences on the passing of the Deputy and welcomed Sgt. James back.

Requests for Approval

Removal of Pine Tree on Ptarmigan: Mrs. Kellahan reported that a pine tree in the Town's right-of-way is causing damage to the sewer lines of a residence and the PSD is recommending that the tree is taken down. Councilman Boles was given clarification on the location of the tree. Councilman Milliken said he looked at the tree and saw that it was fairly close to a water cutoff. He said the tree looked healthy and did not appear to be causing damage to the roadway. Mr. Johnson explained it is not the roadway, it is where the waterline is located, and the PSD has had to repair the lines several times. Councilman Boles asked Mr. Johnson if he recommended that the tree come down and Mr. Johnson confirmed that it should.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Passed Unanimously	

Amendment to 1248 Camp Rd. Building (Old Library) Lease: Mrs. Kellahan presented an amended lease from Charleston County for the old library building at 1248 Camp Road. The lease is for five years with the option to renew for an additional five years. Mrs. Kellahan also provided a memo detailing the history of the project and where it stands today. She said that Jennifer Charzewski, (Liollio), and Raquel Sandman, (RMF Engineering), were on the meeting to answer questions. Motion in favor was made by Councilman Mullinax, seconded by Councilman Milliken.

Ms. Charzewski and Ms. Sandman answered Council's questions and concerns regarding the status of the HVAC system at the building. Councilman Milliken asked about the quality of the HVAC systems; how far they could go, and what it might cost to bring them up to speed to assure that they would function for at least the next five years. He asked if there is an estimate of what that might cost. Ms. Charzewski said the units at the building is 25 years old and it cannot be predicted when it could fail. She said a system replacement with the new current code for validation and fresh air would be a significant undertaking; possibly \$100,000. She said the code does allow a swap out of a unit one-to-one with maintenance and RMF Engineers has looked at manufacturers and costs. Councilwoman Mignano mentioned options that could possibly result in a savings should a unit needs to be replaced. It was determined the cost would be upward of \$30,000 (\$45-50,000). Councilman Milliken also talked about the condition of the unit on the ground, whether it would work since the building has been vacant for a year, and whether Council should consider that in next fiscal budget. Ms. Sandman responded that unit on the ground has R22 refrigerants

that is no longer produced because it affects the ozone. The condenser could not be swap out for a new one, so it would have to be a new package. After questions were addressed, Mayor Woolsey called for the vote on the amended lease agreement.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Passed Unanimously	

COVID-19 Funding Assistance: Mayor Woolsey asked for a motion to add the item to the agenda. Motion was made by Councilman Milliken, seconded by Councilman Boles.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Passed Unanimously	

Mrs. Kellahan said funds were available in the Community Services budget since Sea Island Habitat would not be making repairs during this time and the Children's Commission did not host its Easter event. She said James Island Outreach always has financial needs; but especially at this time. JI Outreach served 80 people on last Saturday; 60 regular clients and an increase of 20 people. She expects that more people would need service. Councilman Boles asked how much money is available and Mrs. Kellahan said \$20,000. Mrs. Kellahan also requested a contribution to the United Way because they are also instrumental in helping with food, utility, rent, and financial assistance. Councilman Boles asked if the \$20,000 would go to our food bank (JI Outreach) and Mrs. Kellahan said she recommends \$15,000 to JI Outreach and \$5,000 to United Way. Councilwoman Mignano said since utility companies are not disconnecting service at this time, could the \$5,00 be used to help with rent assistance. Mrs. Kellahan said she did not know how United Way would divide it, but they help with those services as well.

Mayor Woolsey explained that the Lowcountry COVID-19 Relief and Recovery Fund supports various non-profits throughout the low country and local municipalities are supporting a drive to raise money for the fund. He said funds raised would be matched 100% by the Baker family. Mayor Woolsey requested that \$5,000 be given to the COVID-19 Relief fund; to the low country broadly. Councilman Boles asked for clarity for what the funding would go towards and Mayor Woolsey explained that it would go to various non-profits in the low country to support relief and recovery for COVID-19. He said this fund is sponsored by the Coastal Community Foundation, of which, the United Way is a part of. Councilwoman Mignano asked if \$5,000 would go to COVID-19 Relief, and \$15,000 to James Island Outreach. Mayor Woolsey stated he is an ex-officio member of the JI Outreach Board and could not speak to that.

Councilman Milliken suggested \$5,000 to the COVID-19 Relief and Recovery Fund; \$5,000 to United Way; and \$10,000 to the Lowcountry Food Bank (to ultimately get to the JI Outreach).

Mayor Woolsey moved for \$5,000 to the COVID-19 Relief and Recovery Fund, Councilman Milliken seconded.

Councilman Boles said he is pleased that the Town has the ability to help, but he would like more information because he is concerned that Town residents that needs the services would get it. He then moved to defer a decision to a special or an emergency meeting. He would like to defer the entire request because he wants to know how much money we have; and what the results would be. No second was offered, and the motion failed.

The motion on the floor continued for \$5,000 to the COVID-19 Relief and Recovery Fund and the vote follows:

Vote:

Councilman Boles	No Vote
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Motion Passed	

Councilwoman Mignano said she would like to make a motion to talk about the \$15,000 to the James Island Outreach. She spoke of knowing several people that work for JI Outreach and would like for the Town to support the citizens of James Island whether they reside in the City, County, or the Town, to make sure that our neighbors are not going hungry and cause them angst. Councilman Boles said this was his reason for wanting to defer to make sure as much as possible go to Town residents.

Councilman Milliken moved to support the James Island Outreach with \$15,000 to feed the people of James Island, seconded by Councilman Mullinax. Councilwoman Mignano spoke in support of the mission of James Island Outreach. She said if funds are available, we should move forward. She also talked about the possibility of having a food drive at the Town Hall. She asked if JI Outreach needs the full amount and Mrs. Kellahan said yes, because people are out of work with bills becoming due; and JI Outreach invests back into the community.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Abstained
Motion Passed	

Committee Reports

Land Use Committee: No Report

Environment and Beautification Committee: Councilman Milliken reported that James Island Pride held a gorilla litter pickup on Saturday, March 28, collecting 15 bags of trash. Councilman Milliken will look into getting more rolling bins to dispose of litter for compliance with PSD regulations. Another litter pickup is scheduled Saturday, April 25 at 9 a.m. adhering to social distancing. No lunch this time.

Children's Committee: No Report

Public Safety Committee: No Report

History Committee: No Report

Rethink Folly Road Committee: Mayor Woolsey announced an online meeting to be held on Wednesday, April 22.

Drainage Committee: Councilman Mullinax announced the next meeting is scheduled for May but whether it takes place and the format would be decided later.

Business Development Committee: No Report

Trees Advisory Committee: Councilman Milliken said no meeting was held but he attempted a pilot test for the proposed tree survey and learned that the Town does not have staff expertise or equipment to map tree location in right-of-ways. He said when the Tree Council meets again, they will reconceptualize procedures in a way that could make it happen.

James Island Intergovernmental Council: No Report

Proclamations and Resolutions:

Resolution #2020-07: Support of Temporary Solution on Taliaferro Avenue: Councilwoman Mignano spoke in favor of the Resolution. As she reached out to citizens regarding roadways and drainage, it was brought to her attention that Taliaferro is a failed road and has been in the "buck-heap" for 7 years with SCDOT, costing millions. She explained there is a large sinkhole in the road and the DOT does not have funding to repair. Resolution #2020-07 would request supporting a temporary solution for the residents on Taliaferro. Councilwoman Mignano would like the DOT to allow the Town to place gravel or oyster shells in the road to help alleviate some of the problems until the road can be properly repaired by SCDOT. Councilwoman Mignano moved to approve the Resolution, Councilman Boles seconded.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Passed Unanimously	

Resolution #2020-08: Naming Pinckney Park Pavilion in Honor of Petr M. McCoy, Jr.: Mayor Woolsey moved to add the item to the agenda, seconded by Councilman Mullinax.

Vote

Councilman Boles	No
Councilwoman Mignano	No
Councilman Milliken	No
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Motion Failed	

Emergency Ordinance:

Emergency Ordinance E-04-2020: Adoption of SC State Burn Ban: Mayor Woolsey moved for adoption, seconded by Councilman Mullinax. Mayor Woolsey said the SC Forester passed a Burn Ban related to the COVID-19 crisis that outside burning is undesirable for people with lung difficulties because it causes the same irritations as people that has COVID-19. He said while these burn bans apply to all unincorporated areas of the state including the unincorporated areas of James Island, they do not apply to municipalities and there is a state law that municipalities must develop their own policy. He said the Ordinance before Council adopts the Burn Ban the State Forester has proposed on an emergency basis.

Councilman Boles said he understands that the ban includes backyard campfires. Mayor Woolsey confirmed that it does with the exception of grilling food outside; but campfires are prohibited. Councilman Boles said the weather has been nice lately and families are spending more time outside so he would like the Ordinance to exclude backyard campfires. Councilman Boles moved to amend Emergency Ordinance E-04-2020 to exclude recreational campfires; Councilwoman Mignano seconded.

Vote on Amendment

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	No

Amendment Passed.

Vote on the Ordinance as Amended:

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes

Passed Unanimously

Ordinances up for First Reading:

Ordinance #2020-03: An Ordinance Amending the Town of James Island Zoning and Land Use Regulations Number 2013-07, Section 153.093 Folly Road Corridor Overlay District (Prohibiting Hotels and Motels in North Village, South Village, Neighborhood Preservation and Conservation Areas and adding Hotels or Motels as a Use Requiring Special /exception in the Commercial Core Area: Mayor Woolsey moved for adoption. No second. Motion Failed.

Ordinance #2020-04: Proposed Amendments to the Town of James Island Zoning and Land Use Development Regulations Ordinance (ZLDR), Section 153.093 Folly Road Corridor Overlay District (FRC-O) Adding "Hotels and Motels" as a Prohibited Use in all Five Areas of the Folly Road Overlay Corridor: Motion in favor made by Councilman Milliken, seconded by Councilwoman Mignano.

Councilman Boles thanked everyone listening and those that sent in emails. He has received a ton of emails from people opposing hotel/motel and he appreciates their input.

Councilman Milliken said he received 54 emails opposing hotels and motels in the Folly Road Corridor; a pretty large outcry.

Councilwoman Mignano thanked everyone listening and that she read every email. She commented that her job is to represent what the people want our Town to be, so she heard their comments loud and clear.

Councilman Mullinax said he also read the emails and agreed with the comments made by Councilwoman Mignano.

Mayor Woolsey said that he counted 51 emails; not 54. He said there are 10,300 voters in the Town, and this represents less than a fraction of 1% of the people that participated; it is not a random sample of our population; rather an effort by a small group to organize protest. He commented that many of the points did not add up so misinformation was shared by a small fraction of people, including a policy of changing the current rules that we have had for decades that allows hotels, to one that restricts hotels to a Special Exception as the same thing as allowing hotels so that the Commercial Core of Folly Road would become similar to Highway 17. Mayor Woolsey said our Commercial Core is mostly strip malls and he feels that many of the people that looked at the information shared with them were under the impression that this rule did not apply to the area around Camp and Folly; but to the open areas of Folly Road that is not in the Town. Mayor Woolsey further commented that a ban in all areas of the Town's Commercial Core is undesirable and a drastic and unreasonable response to a possibility of one person having an interest in putting a hotel on Folly Road.

Councilwoman Mignano said she spoke personally to people and 99.9% were concerned with traffic and pollution in our creeks, height restrictions, and the character of James Island. She believes based on that information and until we can get a handle on the cleanliness of our waterways, we should not add huge developments, whether it is a hotel or large apartment buildings to task what we are already not managing well. Flooding and e-coli issues in the creek are major concerns.

Councilman Milliken spoke in favor of passing this Ordinance because of the infrastructure issues that Councilwoman Mignano pointed out. He said this does not exclude passing an ordinance in the future once infrastructure issues are solved and we have decent public transportation, sewer, and water quality. At that point, the Town could consider revising the Land Use Plan, but we are not ready now.

Councilman Boles asked if anyone on the meeting could speak to the benefits of having a hotel or motel if so, he would like to hear their comments.

Mayor Woolsey further commented that a small, nice hotel would enhance the community and now all of the Commercial Core is developed. He thinks many of the 50 people that were urged to contact Council were under the impression that we were talking about building something on vacant land. He explained that our Commercial Core is currently strip malls, all of which were constructed when there were no stormwater restrictions and any redevelopment, including a hotel, would be subject to current stormwater regulations. He has asked Toole Design Group to look into hotels and motels, the costs and benefits of allowing them. He said rather than taking a drastic step in banning hotels in all areas; especially in the Commercial Core where it is most appropriate, we should wait and see what Toole has to say and talk with the PSD to determine if there is a sewage capacity problem. If there is insufficient sewage capacity for a hotel, it would not be built. He said the action to ban hotels is an inappropriate response. Councilwoman Mignano responded that according to the PSD there is a 20% capacity before reaching the maximum. However, her opinion is there are already traffic issues and by comparison a large amount of the people does not want hotels or motels.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	No
Motion Passed	

Emails: C:\Users\fsimmons\OneDrive - Town of James Island, SC\Desktop\TC Packet 052120\Emails hotel and motel.pdf

Ordinance #2020-05: Adoption of Supplemental Stormwater Design Manual Standards: Motion in favor was made by Councilman Mullinax, seconded by Mayor Woolsey.

Mrs. Kellahan reported that Weston and Sampson have reviewed our guidelines. Adoption is for a Supplemental Standard from what Charleston County has. She said it is more restrictive in nature in response to a lot of our issues in allowing fill and build and what we can do to curb those issues. Bob Horner and Meghan Moody, Weston, and Sampson, are in attendance to answer questions from Council. Ms. Moody provided a technical overview of the Supplemental Standards.

Councilman Boles questions about rain collecting/harvesting and fill and build were addressed.

Councilman Milliken, Page 4; pertaining to buffers to change the word “may” to “must” because “may” implies runoff onto adjacent parcels. Page 5. Section 3.6 Soil Infiltration omit language “where practical”. Weston and Sampson had no problems with the corrections being offered.

Councilman Milliken moved to amend that the word “where practical” Page 5, Section 3.6, Soil Infiltration be omitted, Councilman Mullinax seconded.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Passed Unanimously	

Councilman Boles addressed the issue of fill and build noting that the Town does not have to follow the City’s style of development. He likes that we have supplemental standards but his concerns echoes those of Councilman Milliken’s and there are some sections that do not go far enough and would like to see the manual amended. Mayor Woolsey stated that the supplements greatly enhance what we have today, and that Council could make amendments at a later time to include stricter regulations. He said the stormwater regulations are the same as the County’s and these are additional regulations for the Town. Mayor Woolsey asked Ms. Moody to speak on to the similarities of our plan to that of the City of Charleston and Ms. Moody gave explanation. After discussion, Mayor Woolsey called for the vote.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes

Councilman Milliken Yes
Councilman Mullinax Yes
Mayor Woolsey Yes
Passed Unanimously with amendment

New Business

Councilman Boles made a motion to add to the agenda to revisit Emergency Ordinance #E-01-2020, Regarding Electronic Meetings, Councilwoman Mignano seconded.

Vote

Councilman Boles Yes
Councilwoman Mignano Yes
Councilman Milliken Yes
Councilman Mullinax Yes
Mayor Woolsey Yes
Passed Unanimously to add to the agenda

Councilman Boles said at the last meeting he had intended that the Town suspend the taking of applications that would require a public hearing to run concurrent with the Emergency Ordinance that was adopted.

Councilman Boles moved that the Town suspend taking applications where the process would involve a public hearing to expire in 60 days. Councilwoman Mignano seconded. Mayor Woolsey said he would like to have legal counsel to consider. Mayor Woolsey explained the process of public hearings with the BZA and noted that those meetings were not being held electronically; however, if suspending applications is something that cannot be done it would be revisited.

Vote

Councilman Boles Yes
Councilwoman Mignano Yes
Councilman Milliken Yes
Councilman Mullinax Yes
Mayor Woolsey No
Motion Passed

Councilman Milliken made a motion to add to the agenda the extension of Emergency Ordinance E-1-2020 and E-2-2020 because they are slated to expire May 19; 48 hours before the May 21 Town Council meeting. Councilwoman Mignano seconded

Vote:

Councilman Boles Yes
Councilwoman Mignano Yes
Councilman Milliken Yes
Councilman Mullinax Yes
Mayor Woolsey Yes
Passed Unanimously

Councilman Milliken moved to extend Emergency Ordinance # E-1-20 and E-2-2020 by 48 hours to the May 21 Town Council Meeting, Councilman Boles seconded.

Vote:

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	Yes
Mayor Woolsey	Yes
Passed Unanimously	

Adjourn: There being no further business to come before the body, the meeting adjourned at 8:55 p.m.

Respectfully submitted:


Frances Simmons
Town Clerk