

The Town of James Island held its regularly scheduled meeting on Thursday, December 16, 2021 at the Town Hall, 1122 Dills Bluff Rd., James Island, SC. Mayor Woolsey requested, and it was granted to begin the meeting at 6:58 p.m. Councilmembers present: Boles, Mignano, Milliken, Mullinax, and Mayor Woolsey presided. Also, Town Administrator, Ashley Kellahan, Town Attorney, Bonum S. Wilson, Finance Director, Merrell Roe, Public Works Director, Mark Johnson, Island Sheriff's Patrol, Sgt. Herman Martin (for Lt. Shawn James) Planning Director, Kristen Crane, and Town Clerk, Frances Simmons. A quorum was present to conduct business.

Opening Exercises: Councilman Milliken opened by saying that we are very fortunate to live where we live but we cannot always rely on providence to deliver safety to us. This is the Christmas Season, a time of happiness, but we have a terrible tragedy that has taken place in the middle of our country where hundreds of people have lost their homes and lives and he think it would be appropriate for us to take a moment of silence and think about how grateful we are to be where we are. After the moment of silence, Councilman Milliken led Council in the Pledge of Allegiance.

Public Comments: Mayor Woolsey opened the floor to comments. The following persons spoke:

Daniel Jacobsohn, 1230 Stone Post Rd., thanked Council for their time and hope they can solve his problem. Mr. Jacobsohn played a recording of dogs howling and barking stating that a neighbor has between 15-30 hunting dogs that barks and howls all day and night. He complained about the smell of feces from the yard and has spoken to the neighbor but to no avail. He said the neighbor is irrational and has knocked on his door to say he is trespassing. He asked Council to imagine hearing dogs barking day and night. He said the people here tonight did not come to scare the neighbor; they just want sometime done because it is so bad. He said another neighbor has had to install \$5,000 windows to block the sound and another has moved away. The neighbors have tried to solve the problem by going to the magistrate, law enforcement, and the Town's code enforcer. Mr. Jacobsohn asked the Town to follow its ordinance because he is unable to sleep at night and is tired all the time.

Louis Kines, 1234 Stone Post Rd., thanked Council for their work. Mr. Kines address the same concerns as Mr. Jacobsohn that the dogs barking is a serious quality of life issue, and he will not rest until a solution is found. He asked Council for help about the neighbor with the 15-30 hunting dogs. He also complained about the barking day and night and the smell. He isn't asking for special attention, he is asking to be able to sleep at night for a long day of work the next day, to breathe fresh air, and to talk with friends and neighbors without having to yell. He said the neighbor is in violation of Town ordinance and something needs to change immediately. He has gotten written complaints from other neighbors who are afraid to come forward because of payback from the neighbor. He said if ever there is a time the Town could help its citizens that don't have power, it is now.

Comments from 21 Rivers Point Row Residents:

Melissa Golden, opposed to having a brewery in her back yard. The brewery is supposed to be family friendly but only to the people to don't live there; not to the mother who has to put a two-year old to bed at 7; the critical care nurses or firefighters that works 24-hour shifts. After a long day of work she does not want to deal with drunk people in her back yard. She is a critical care nurse and needs to rest to be able to take care of her family and ours. She asked Council if they would want this in their back yard..."no" so why would they allow it in hers. There are 136 families in the complex and this is the time for the Town's support. She is not against a brewery, just not 15ft from her back porch.

Bob Felan opposes the brewery for traffic reasons and talked about the amount of traffic already on Camp Rd at 5 pm. He said more traffic is not needed, also with people under the influence turning left onto Camp

Rd. trying to get into a place that doesn't have adequate parking or with golf carts. He asked Council to think about this.

Terry Wallace asked if any Councilmembers walked behind the brewery to see how close it is to people's property. She stressed that the comments made here are not exaggerated. She mentioned that people will go to the back of the property to relieve themselves and that is against SC law. She said the brewery sounds like a beautiful idea as a family-friendly place but encouraged Council to go there before taking a vote because it is so close. She said if the vote passes, a meeting should be held with the HOA, residents, and the owners; perhaps install a tall privacy fence.

Lauren Platt reiterated the comments made by the other residents. She met with WCBD today and they came and videotaped the area to see the close proximity of the brewery to residents' homes. She presented a petition to Council from residents opposing the brewery. She mentioned already having discussions about loud noise and music from a tenant in the garage next to the fence and imagines sounds amplified that would impact her quality of her life. Asked Council for its consideration.

Allison Hanf, read a portion of an article in the November 22 P&C about the opening of the bourbon bar in Park Circle and its effects on residents that lives less than half a mile. She told Council that she bought her property because it is James Island with great schools and for her son to attend Harbor View, not to have a brewery in her backyard. She asked Council to consider having the tower taken down. She also informed Council of an allergic reaction that she has to brewer's yeast and does not know how the brewery would affect her health.

Grace Cole, opposed.

Matt Woolsey said he cannot top anything that was already said. He is insulated from the property line of the brewery by being the third row in, but he feels for the residents whose patios are close and about the noise. He heard that some other businesses may be looking at the property such as a boat storage or dog kennel, but dogs makes a lot of noise.

Roman Rozek, owner of the brewery stated he has been looking at buildings for three years and wants to win over the residents who lives behind the brewery. He said parking would not be a problem as people could park at Hyams or at the bank.

Hilary Rozek, owner of the brewery said she understands the opposition and wants to be a good neighbor. They will do all they can if the business is allowed. They will not have anything late at night and will follow the ordinances.

Consent Agenda: Minutes of November 18, Regular Town Council Meeting and 2022 Town Council Meetings and Holiday Schedule: Motion to approve was made by Councilman Milliken, seconded by Councilman Mullinax, and passed unanimously.

Councilman Boles brought up that the meeting minutes of June 18, 2020 regarding the use of alcohol at Pinckney Park. He went back and listened to the tape and the motion passed to allow alcohol. He asked if the minutes could be amended to reflect that correction. Mayor Woolsey said it could and told Council if they ever notice a correction to speak to it.

Information Reports:

Finance Report: Written report was provided and summarized by Finance Director, Merrell Roe, who reviewed revenues and expenditures for the month.

Administrator's Report: Written report provided and summarized by Town Administrator, Ashley Kellahan.

FY 2022-2023 Budget Schedule: Provided and accepted as information.

Public Works Report: Written report provided and summarized by Public Works Director, Mark Johnson and answered Councilman Mullinax question regarding the speed limit signs on Ft. Johnson Rd.

Island Sheriff's Patrol Report: Sgt. Herman Martin provided the updated crime report in the Town in the absence of Lt. James.

Requests for Approval by Staff:

Pole Installation for HBVR LPR Camera: Mrs. Kellahan requested approval for the installation of the pole for the Harbor View LPR Camera of \$2,675.00 by Sierras Construction. Motion to approve by Councilman Milliken, seconded by Councilman Mullinax. Councilman Boles asked if the rep from NDR-IS who had given a presentation to Council be invited back at some point to give an update. Motion passed unanimously.

Scope and Fee – Dock St. Park Improvements: Mrs. Kellahan requested to defer this request to the January Town Council meeting for more information. Granted without objection.

Action Items:

Hire Legal Counsel to Assist with Tax Relief Restructuring: Motion in favor by Councilman Boles, seconded by Councilman Milliken.

Mayor Woolsey spoke that the Town Attorney is capable of providing any information that we need and moved to amend the motion that the Town Attorney assist with the tax relief restructuring; seconded by Councilman Mullinax.

Mayor Woolsey said we do not need to go through the process of finding an outside attorney when we could use our own Town Attorney if Council approves the amendment. Councilman Milliken said he is sure that our Town Attorney would do a good job; but it is not a bad idea, and it might be good to have a fresh set of eyes from someone familiar with these types of operations and not associated with our municipality. Councilman Boles agreed, he said the plan should not be for reasons it would not work, and he would be shocked if the County would not be interested in getting \$1 million from us for tax relief. Councilman Boles spoke in opposition to the amendment and asked Council to pass the motion as presented. He also spoke of having a fresh set of eyes and perhaps engage the public with the process. He said until we can examine our options we can't make good decisions and we owe it to the residents to be able to lower their taxes, which is the primary function of the Town. He asked Council not to pass the Mayor's amendment. Mayor Woolsey commented that it is inappropriate to the staff for the work they've done and to the Town Attorney who has the most expertise in this area. He is opposed to spending money to hire outside legal counsel to develop a plan to restructure taxes and it would not lower taxes. After further discussion, the vote follows:

Amendment Vote:

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

Councilman Milliken No
Amendment Failed

Main Motion

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

Provide Additional Funds to Assn. of the Blind and Visually Impaired: Motion in favor by Councilman Boles, seconded by Councilman Mullinax. Mayor Woolsey informed Councilman Boles that his motion was vague; it did not include an amount or where the funds would be taken. Councilman Boles explained that a rep from the Assn. of the Blind and Visually Impaired contacted him and asked if the Town would provide \$50,000 in additional funding. The Town had previously awarded them \$2,000. However, due to their struggles with COVID, they are asking for additional funds. Councilman Boles said he told the rep. (Anne Smith Reid), that he would put the request on Council's agenda, not that Council could provide the funds and no commitments were made by him. He said the Assn. is appreciative of the Town's past support but is in need. The Assn. of the Blind and Visually Impaired serves the low country and West Ashley areas for persons with degenerate eye diseases (i.e., cataracts, and diabetes). Councilman Boles moved to amend to provide \$50,000 to fund to the Assn. and it failed lacking a second. As discussion continued, Councilwoman Mignano expressed the good work that the Assn. does. She said some of her patients speak of good benefits they have received from them. She asked if we could look at some line items (i.e. Repair Care) for unused funds that could be given. Councilman Mullinax moved to defer the request to January; to have staff look at the budget to see where and what amount could be given. Councilman Milliken seconded and the motion to defer passed.

Committee Reports:

Land Use Committee: No Report.

Environment and Beautification Committee: Councilman Milliken announced that James Island Pride in conjunction with the Town and the JI Arts & Cultural Center hosted the SC Arbor Day event on Friday, Dec. 3rd and planted three Red Cedar Trees at the JI Arts & Cultural Center. He thanked JI Pride, Town staff, JI Arts & Cultural Center, the Mayor and Councilman Mullinax for their support. James Island Pride will host a litter pickup on Saturday, Jan. 15 at 9 a.m. at the Town Hall. This event will include other adopt-a-highway teams in Charleston. A pizza lunch will be provided after the pickup. A gorilla litter pickup was held Dec. 11 and 20 bags of litter were picked up along Harbor View Rd and Dills Bluff Rd.

Children's Committee: No Report

Public Safety Committee: Councilman Mullinax announced no meeting in December. Next meeting will be Jan. 27.

History Committee: Mayor Woolsey announced no meeting in December. Next meeting Jan. 4. The committee continues to work on information for the history trail.

ReThink Folly Road: Mayor Woolsey announced that the Steering Committee met Dec. 16 and discussed the next phase of the Folly Rd. Project. He also announced that Councilwoman Mignano has been added as a member of the Steering Committee.

Drainage Committee: Councilman Mullinax announced that the next meeting will be held in January. The date to be announced.

Business Development Committee: Councilman Boles announced no report but plan to have a meeting next week.

Trees Advisory Committee: Councilman Milliken announced that the committee did not meet in December.

James Island Intergovernmental Council: Mayor Woolsey announced that the next meeting will be held in January. Date to be announced.

Proclamations and Resolutions: None.

Ordinances up for First Reading: Ordinance #2021-12: An Ordinance amending the Town of James Island Zoning and Land Development Regulations Ordinance. Number 2013-07, Table 153.110, Replacing the Special Exception (S) Requirement in the RSL Zoning District for Apiculture (bee keeping) with Conditions (C) and Corresponding Applicable Ordinances in Livability Regulations (90.18) and ZLDR Section 153.211. Adding Provisions for Apiculture (bee keeping) on Residential Property. Motion in favor by Councilman Mullinax; no second. Motion failed.

Councilman Boles brought forth a point of order for the development of a plan and Mayor Woolsey advised to bring it up under New Business.

Ordinances up for Second/Final Reading: Ordinance #2021-11: Request to Rezone Property @1622 Camp Rd. from General Office (OG) to Community Commercial (CC) for Beverage and Related Products Manufacturing and Retail Sales and Services Uses. Motion in favor by Councilman Boles, seconded by Councilwoman Mignano. Councilman Boles stated that a lot of people have come out and spoke in opposition to this request. He went there, drove around the back, and looked at it. He has heard the people's concerns, but still think the brewery is a good idea. He asked the residents not to feel like their concerns have been disregarded. Councilman Milliken asked if conditions could be attached to the request. Mayor Woolsey answered that if the request passes, the property would be rezoned by the Planning Commission and then it would go before the BZA as a Special Exception for conditions, such as adding a fence or other restrictions. Motion passed. Mayor Woolsey voted in opposition.

New Business:

Councilman Boles moved to amend the agenda to add an action item to remove bee keeping from all sections and elements of Town Ordinances. Councilwoman Mignano seconded. Councilman Boles spoke briefly about neighbor relationships and that the Town should not make rules just because there are conflicts. He spoke to keeping the government small. Councilman Milliken asked if bee keeping is currently in our Land Use Ordinance, to which Mayor Woolsey answered yes, that it is permitted as a Special Exception in residential areas. He said the Ordinance proposed by staff would have made it an allowed use and not require a Special Exception, but there would be certain conditions. There was discussion of having less regulations and small government in the Town. Councilman Boles commented that just because there is no Ordinance, it does not mean that a law cannot be enforced, giving examples, and reiterating that we should not make Ordinances every time people complain.

Mayor Woolsey recognized that a vote did not come forward to amend the agenda. He then called for the vote to amend the agenda to continue discussion. Motion to amend the agenda was made by Councilman Boles, seconded by Councilwoman Mignano, and passed. After further discussion on ordinances and the enforcement of laws, Mayor Woolsey called for the vote to remove bee keeping from all elements of the Town's Ordinances. He said if the vote passes the Planning Commission it would amend the Zoning and Land Use Ordinance which would require a Public Hearing and two readings. Councilman Boles moved for approval; seconded by Councilwoman Mignano. Councilman Milliken asked about the Land Use Table and Mayor Woolsey answered that if it were to be allowed instead of completely removing it from the Use Table, an "A" would be placed on the table as an allowed use. Councilman Milliken raised concerns about the Town getting sued if it passes and if someone is allergic to bees. And more discussion followed. Mayor Woolsey explained that Ordinances cannot be amended by motions and Councilman Boles stated that is why he wanted a plan to be developed.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	No
Mayor Woolsey	No
Passed 3-2	

Executive Session: Not needed.

Announcements/Closing Comments: All members of Council wished everyone a Merry Christmas and Happy New Year.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:19 p.m.

Respectfully submitted:



Frances Simmons
Town Clerk