

The Town of James Island held its regularly scheduled meeting at 7:00 p.m. at the Town of James Island, 1122 Dills Bluff Rd., James Island, SC, Thursday, May 20, 2021. Councilmembers present: Boles, Mignano (via Zoom), 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, Planning Director, Kristen Crane, Emergency Management Liaison, James Hackett, Island Sheriff's Patrol, Deputy Chris King, and Town Clerk, Frances Simmons. Elected Officials: JIPSD Commissioners: Clifford, Woolsey, Brown-Crouch. Media: Live 5 News.

Public Hearing Ordinance #2021-01, Town of James Island Comprehensive Plan: Mayor Woolsey opened the Hearing. No one signed in to speak.

Public Hearing Ordinance #2021-02 for Draft FY 2021-2022 Annual Budget: Mayor Woolsey opened the Hearing. No one signed in to speak.

Public Comment: Mary Ann Giges, 754 Larkwood Rd., addressed Council about a problem she said began in September two years ago. She stated that her house on Larkwood Rd. backs up to Canopy Cove. Behind her house was an empty lot that the Town made into a drainage ditch. (picture distributed). Mrs. Giges said so much dirt was dug out for the ditch that it destroyed the roots of the trees there. She noticed during Hurricane Dorian that the trees on the Town's property were bending towards her house and also on the neighbor's fence and it was torn to pieces. Mrs. Giges said she immediately began calling the Town to report it, speaking to Mr. Johnson, and requesting that the trees be taken down. She also began calling the Mayor but could never reach him so after a while she put a post on Facebook and that is when he responded to her that what Mr. Johnson said was correct.

Mrs. Giges noted a lot of back/forth between her and Mr. Johnson and once he and a tree expert met with her, they agreed that the trees needed to come down and marked them with a pink ribbon. She called the Town this past June fearing another hurricane and Mr. Johnson told her that the Town could not take down the trees because it was broke but promised that it would be done in August which did not happen. Mrs. Giges said she continued calling the Town since then and last spoke with the Mayor to tell him what Mr. Johnson said about the Town not having money when he screamed and hung up the phone. Mrs. Giges said in the spring she found someone to take the trees down. She commented that her picture shows the fence coming down and the neighbor has two small children and is terrified that they may get into the ditch. Mrs. Giges asked the Town to reimburse her the \$750 that she paid to have the Town's trees taken out; repair her and the neighbor's fence and do something about the drainage ditch.

Mary Ann Henry, 825 W. Madison Ave. lives in Centerville, the neighborhood adjacent to Brantley Park. She said although Brantley Park is technically not in the subdivision, the neighbors thought it was a done deal not knowing that it hit a snag at Council. She said while its proximity to the noise of Folly Rd is not ideal, many neighbors say the park is better than nothing. She understands that Council has issue with the five parking spaces and asked them to look at horseshoe parking and the Santee lot. The residents in Centerville want the park and is asking Council to approve it.

#### Consent Agenda:

Minutes of April 15, 2021 Regular Town Council Meeting: Motion to approve was made by Councilman Milliken, seconded by Councilman Mullinax. Passed unanimously.

#### Information Reports:

Finance Report: Finance Director, Merrell Roe, gave an overview of the Finance Report as information. Mrs. Kellahan provided clarification to Councilwoman Mignano regarding the Asset Management, Groundskeeping, and Hazard Mitigation line items. Councilman Boles asked where the expenditure for the gravel for Santee Parking Lot was placed and Mrs. Kellahan said under Hospitality.

Administrator's Report: Town Administrator Ashley Kellahan gave an overview of the Administrator's Report as information. Councilman Milliken asked the timeframe for hiring the Development Coordinator for JI Arts & Cultural Center and Mrs. Kellahan answered by end of June.

Public Works Report: Public Works Director, Mark Johnson gave an overview of the PW Report as information. Councilman Milliken thanked Mr. Johnson for training the Tree Interns and for the tree survey. Mayor Woolsey and Councilman Boles asked questions of Mr. Johnson regarding the Canopy Cove drainage/tree issues brought forth during the public comment.

Annual Emergency Plan Update: Emergency Management Liaison, James Hackett, gave an update of the Town's Comprehensive Emergency Management Plan. He reported that the Town's focus this year was on the pandemic (COVID-19); disseminating information to the public and providing information on places where vaccines were being given. Mr. Hackett announced the beginning of hurricane season in June and encouraged everyone to prepare. The National Weather Service has forecast an active hurricane season with 13-30 storms; 6-10 hurricanes; and 3 major storms. The Town held a rabies vaccination clinic on May 15 from 9-2 p.m. with Pet Helpers. 78 dogs and 34 cats were seen at the clinic.

Island Sheriff's Patrol Report: Deputy Chris King reported there were no major crimes in the Town but a few incidents with vandalism. Deputy King gave an overview of the Island Sheriff's Patrol Report. He also announced that the new Sheriff's vehicle will have the Town of James Island inscribed on the back and the Town's logo on either side of it. Everyone was encouraged to lock their vehicles and not leave valuables or firearms in them.

Requests for Approval: Award of Brantley Park, Phase I: This item was deferred at the April 15 Town Council meeting, so Mayor Woolsey announced that Council is continuing discussion. The Town Administrator was asked to provide additional information on the dock at Brantley Park and also permeable pavement for parking. Updated information was provided to Council in their meeting packet.

Councilman Boles asked if the park was opened, and Mrs. Kellahan responded that she does not consider the Park open and does not recommend telling people it is because it must be ADA compliant for handicapped accessibility. Councilman Boles said there is no fence around the park and asked if someone could ride a bicycle or walk the yards. Mayor Woolsey responded that it is important that people are not told that the park is open. He said no trespass signs are posted; however, it would be illegal if people are told that the park is open without compliance with ADA regulations and we cannot have benches or picnic tables there. Councilman Boles asked if ADA requirements and access to the dock were separate issues. He has received a number of emails from people saying that Council would not vote in favor of the park and some members do not want it. He commented there has never been a meeting where anyone has said they did not want the park but have different ideas about how it might best serve the Town. One of those concerns is the dock is extremely expensive. He said we don't have to spend a quarter of a million dollars on a dock when we could make it ADA accessible and give people a place where they can go and be responsible stewards with the people's money.

Mayor Woolsey said what was troubling at the April meeting were remarks made along the line that people do not want a park along Folly Road; however, the public has clearly stated that James Islanders do want a park. Mayor Woolsey asked Mrs. Kellahan to explain if a dock could be replaced in the existing footprint. Mrs. Kellahan explained that in October/November the engineers came back with a structural report concluding that the current dock was not structurally sound and proposed looking at a much larger dock and at adding a secondary floating dock. OCRM has told us that we could permit another dock but only one

in the same footprint. Greenbelt has told us that the dock component is important to have in regard to our grant agreement.

Councilman Milliken said he looked at the original Greenbelt application and one of the things the Greenbelt committee thought was attractive was that we were going to preserve a lot of the natural drainage patterns towards the marsh (that has been there for as long as the road has been). He does not see the purpose of putting in curbs and cutters to add to the cost of the project. He also does not see why we need four (4) parking spaces in addition to the ADA space. He recommended that we comply with ADA by putting a pervious cement pad in place making it the designated handicapped space and get rid of the rest of the pavement and cement because that adds cost to the project and develop the park as a passive park, which is what we applied for in the Greenbelt application. He see the park as a stop off point to the Battery to Beach and a great stop-off point going down Folly Rd. He thinks that is what the park is there for. He would also like to see a water fountain.

Councilman Milliken moved to approve an engineering study to eliminate the four (4) parking spaces and the associated drainage features and retain the ADA approved parking space made of pervious cement. Councilman Mullinax seconded.

Mayor Woolsey reminded Council that the motion on the floor is from the April meeting to accept the contract and Councilman Milliken’s motion is an amendment.

Mayor Woolsey said he believes having limited parking is desirable. He said in reading the response of the engineer and the DOT’s concerns about loose gravel, also his comments about parking similar to Dock Street Park, that is exactly what he thinks, and is worthwhile to have options for pervious parking and what the costs would be. He does not agree with having no parking.

Councilwoman Mignano asked if the Santee St. lot could serve as additional parking for non-ADA parking and Mayor Woolsey said yes.

Vote on Amendment

Councilman Boles	aye
Councilwoman Mignano	aye
Councilman Milliken	aye
Councilman Mullinax	aye
Mayor Woolsey	nay

Passed 4-1

Councilman Boles asked if we could wait 5 years for a new dock permit to be issued and Mrs. Kellahan answered yes. Mayor Woolsey added that the permit would be to request the same footprint and asked Council to approve having the Administrator reach out to the engineering firm to develop preliminary designs while we obtain permission for a permit to replace the dock. Councilman Boles said he was at the park this week during a low tide and took pictures. He said the dock barely touches any water and he would hate for us to throw a lot of money at it; and it is not a smart way to spend people’s money on engineering or anything. Councilwoman Mignano said she does not agree to building a new dock because it is not a good use of Town money. She said the tidal creek is very small and people kayaking in the creek may only be able to go a few feet before getting stuck in the mud and need rescuing. Mayor Woolsey noted the dock

has a great view at hightide when fishing is available, but the water is not deep. He would like Council to obtain a preliminary design and permitting and decide whether to build a dock later. Constructing a new dock would be less expensive. Councilman Boles asked how much we are paying for engineering design and schematic of the dock and Mrs. Kellahan estimated \$7,000.

Mayor Woolsey offered an amendment to request the engineering firm to development preliminary design and permitting for the replacement of the dock, Councilman Milliken seconded

Vote on Second Amendment

Councilman Boles	nay
Councilwoman Mignano	nay
Councilman Milliken	aye
Councilman Mullinax	aye
Mayor Woolsey	aye

Amendment Passed: 3-2

Mayor Woolsey announced that Council would now be discussing the main motion and offered clarification to Councilwoman Mignano.

Main Motion: Approve the contract as modified and have the Town Administrator look into options for permeable parking spaces and report to Council in July.

Councilwoman Mignano asked if the motion would allow money to be funded for a dock and spend \$7,000 for the permit? Mayor Woolsey said no, the vote on the floor is to approve the contract and have the Town Administrator look into permeable options for handicapped parking space. Councilwoman Mignano asked how would this impact the bids we have gotten for the dock; and does it commit us in any way. Mayor Woolsey said we would ask the contractor to make an adjustment to the bid for the handicap parking space and the cost should be less. Councilwoman Mignano said she wants to be sure what we are voting on does not include approving potential funds for the dock because that is not where we need to go now.

Mrs. Kellahan reiterated that the vote would be moving forward with the contract, contingent upon redesigning parking for one permeable space and she would bring the numbers back to Council for reevaluation in July or August. The motion also includes engineering costs for preliminary design and permitting of the dock.

Councilwoman Mignano asked about the preliminary cost and Mrs. Kellahan estimated \$7,000 but did not have a firm number. Mrs. Kellahan added that the vote is not to accept any of the alternatives and Councilman Milliken said we are not accepting any bids, we are just planning.

Councilman Boles said the agenda item is to award the contract. Mayor Woolsey said we are accepting the contract, but it would require a change order. Councilwoman Mignano asked if the vote passes to accept the contract and Council decides not to rebuild a dock, are we on the hook for this. Both Mayor Woolsey and Mrs. Kellahan said no, there is no contract clause for rebuilding a dock, there is for demolishing the dock, but we are not doing that. Councilman Boles said the prudent thing to do is to shoot the entire process down, find the cost for one ADA parking space with permeable surface, and what it would cost to apply for the dock permit. Mayor Woolsey said we would like to negotiate with the low bidder for these costs. Councilman Boles said this vote could be perceived as receiving, in an altered form, the low bid and

Councilwoman Mignano expressed the same concern. Mayor Woolsey said we are accepting the bid and would get a change order to remove the paved parking, have permeable parking for a handicapped space, and included in the motion is to ask the engineer for preliminary designs and permitting the dock. Councilman Milliken added that before any groundbreaking is approved, it would come before Council.

Vote, Main Motion

Councilman Boles	nay
Councilwoman Mignano	nay
Councilman Milliken	aye
Councilman Mullinax	aye
Mayor Woolsey	aye

Main Motion Passed: 3-2

Peregrine Drainage Culvert Repair: Mr. Johnson requested approval for the repair of a sinkhole and drainage culvert at Peregrine Drive. The holes in the pipes has caused the fill material to wash away and created a sinkhole in the roadway. Charleston County will repair @ \$12,329. Motion in favor by Councilman Milliken, seconded by Councilman Boles. Passed unanimously.

JI Arts & Cultural Center Alarm System: Mrs. Kellahan requested approval for cameras and a security system at the JI Arts & Cultural Center, from Coastal Burglar Alarm @ \$2,950 along with a monthly fee @ \$35.00. Motion in favor by Councilman Milliken, seconded by Councilman Boles. Mrs. Kellahan answered Councilman Milliken's question about data storage capacity. Passed unanimously.

MOU with the City of Charleston for Cost-Sharing the Highland Drainage Project: Mrs. Kellahan requested approval for the Memorandum of Agreement with the City of Charleston for the Highland drainage project. The total cost of the project is \$130,000; the Town would be responsible for 50% of the total cost and the City would reimburse the Town 50%; not exceeding \$65,000. Motion in favor by Councilman Milliken, seconded by Councilman Mullinax. Passed unanimously.

Easement Clarification for Compliance with Folly Rd. Overlay Corridor: Planning Director, Kristen Crane gave an overview of the Site Plan and features of Chase Bank that has been approved. There are 23 total parking spots with one van accessible space and one ADA space. All parking is to the rear or the side of the building, per the Folly Road Corridor Overlay Standards in our Ordinance. They also have five pervious spots, per Ordinance, at the rear of the site. They have a 12' multi-use path that is separated from Folly Road with a landscaped strip, per our Ordinances. The multi-use path runs the length of the adjacent parcel, which is the former Pizza Hut parcel. They are placing a bus stop bench and pad for a future shelter at the existing bus stop. They were not able to place a full bus pull-out due to SCDOT's requirements and space restraints that would have caused the pull-out to breach onto the neighboring parcel belonging to Hyam's Garden Center. They have a 15' Folly Road buffer, as well as a 10' rear land use buffer.

Councilman Milliken asked if parking would be available after hours and Mrs. Kellahan replied on Saturday after 1 p.m. and all day Sunday. Councilman Milliken asked what was changed from the original right-of-way and Mrs. Kellahan said the public parking on the original site plan was changed to comply with the Folly Road Overlay standards. Motion in favor by Councilman Mullinax, seconded by Mayor Woolsey. Motion passed 4-1; Councilman Boles voted 'no.

Committee Reports:

Land Use Committee: No Report.

Environment and Beautification Committee: Councilman Milliken announced a James Island Pride Litter Pickup on Saturday (May 22) from 8:30 a.m.- 11:30 a.m. Pick up supplies at the Town Hall. The Adopt-A-Highway Litter Pickup will be Saturday, June 12. Stan Kozikowski, Helping Hands Chair is in need of volunteers. Stan can be reached at (860) 847-0455.

Children's Committee: No Report.

Public Safety Committee: Councilman Mullinax announced the Neighborhood Council meeting on Thursday, May 27 @ 7 p.m. This will be a hybrid meeting with options for Zoom at the Town Hall.

Nomination to Neighborhood Council: Councilman Mullinax moved for the nomination of Brad Hauss to represent the Harbor Woods neighborhood; Councilman Boles seconded, and the motion passed unanimously.

History Committee: No Report.

Nomination to History Council: Councilman Milliken moved for the nomination of Susannah Sheldon, Councilman Boles seconded, and the motion passed unanimously.

Rethink Folly Road: Mayor Woolsey announced that the consultants will be arranging a meeting with elected officials to review the State of the Plan and to share accomplishments Rethink Folly has made. Mayor Woolsey said the Steering Committee recommends the Town move forward with Brantley Park.

Drainage Committee: Councilman Mullinax announced that the Drainage Committee met on May 11 and discussed items such as the James Island Creek and Lighthouse Point Basins. The next meeting will be held in August with the date to be determined.

Business Development Committee: No Report.

Nomination to Business Development Council: Mayor Woolsey moved for the nomination of Joseph Walters, Councilman Boles seconded, and the motion passed unanimously.

Trees Advisory Council: Councilman Milliken announced the Tree Council met on May 11 and is gathering information for a Tree Ordinance. An update on the Tree Seedling Program was given.

James Island Intergovernmental Council: No Report.

Proclamations and Resolutions: Proclamation: National Safe Boating Week: Mayor Woolsey read the Proclamation recognizing National Safe Boating Week May 22-28. Motion in favor by Councilman Mullinax, seconded by Councilman Boles. Motion passed unanimously. The Proclamation was accepted by Bill Garvey, US Coast Guard.

Resolution #2021-05: CTC Funding for FY 2022 Regatta Rd. Sidewalk Project: Mrs. Kellahan presented a Resolution in support of the Town funding a 50% match (\$125,000) of the projected construction cost of \$250,000 for the Regatta Rd. Sidewalk Project. The match is allocated in the Capital Projects Budget. Motion in favor by Councilman Boles, seconded by Councilman Mullinax and passed unanimously.

Resolution #2021-06: Request for Planning Commission to Recommend Regulations for Placement of Small Cell Wireless Facilities: Motion in favor by Councilman Mullinax, seconded by Councilman Milliken. Councilman Mullinax presented a Resolution requesting that the Planning Commission review and recommend appropriate ordinance amendments and guidelines for small cell wireless facilities in the Town's jurisdiction. He stated that at the last Neighborhood Council meeting a resident expressed interest in this matter, especially regarding health concerns of children. Motion passed unanimously.

Resolution #2021-07: To Censure Mayor for Conduct Unbecoming an Elected Official and Request Apology: Motion in favor by Councilman Boles, seconded by Councilman Milliken. Councilman Milliken presented a Resolution to censure the Mayor and to request an apology for his conduct during the Tax Workshop held on April 28. Councilman Milliken spoke about having decorum when conducting business for the Town and with one another. He said when questions are asked, they should be answered and not displayed with a performance. Councilwoman Mignano also spoke about the display of the Mayor elaborating on what occurred when she questioned the tax credits going to the citizens rather than to the PSD. Councilman Boles said he was embarrassed because people came from Columbia to explain the process. He noted still not understanding it all, but that Council should be able to ask questions and have civility with each other, which is the oath they all took. Mayor Woolsey said he was trying to make a point about the tax credit and the Resolution introduced by Councilman Milliken is making a mountain out of a mole hill. He said when the Town mailed checks in 2008 it was extremely burdensome on the staff. Mayor Woolsey further commented that some attendees at the workshop, including staff and PSD Commissioners said his point was made well and they do not expect an apology. Councilman Mullinax commented that Council addressed a lot of important issues tonight; however, he feels this is what people would remember. Councilman Milliken commented that he is looking forward to having his letter of apology by June 1 and that it also be sent to members of the PSD. Passed 3-2; Mayor Woolsey and Councilman Mullinax voted 'no.

Ordinances up for Second/Final Reading:

Ordinance #2021-01: Town of James island Comprehensive Plan: Motion to approve the Comprehensive Plan was made by Councilman Milliken, seconded by Councilman Boles, and passed unanimously.

Ordinance #2021-02: Draft FY 2021-2022 Annual Budget: Motion to approve the FY 2021-2022 Annual Budget was made by Councilman Boles, seconded by Councilman Mullinax, and passed unanimously.

Ordinances up for First Reading: None.

New Business:

Raising the Salary for the Mayor: Councilman Boles said he requested this item on the agenda to begin thinking of amending the Ordinance to raise the salary for the Mayor. The next election is November 2023.

Executive Session: Not Required.

Announcements/Closing Comments:

Councilman Boles thanked everyone for coming tonight and is pleased about the updated mask mandate.

Councilwoman Mignano thanked everyone.

Councilman Milliken thanked everyone and asked them to take care because there are still variants to the virus. He said it is ok to wear masks, even if you are vaccinated.

Councilman Mullinax thanked everyone.

Mayor Woolsey announced that 57% of people have gotten the first vaccination and encouraged everyone to get vaccinated.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:39 p.m.

Respectfully submitted:  
Frances Simmons  
Town Clerk