

The Town of James Island held its regularly scheduled meeting on Thursday, March 16, 2023 at 7:01 p.m. in person at the Town Hall, 1122 Dills Bluff Rd., James Island, SC. This meeting was also live streamed on the Town's YouTube Channel.

The following members of Council were present: Boles, Mignano, Milliken, Mullinax, and Mayor Woolsey, presided. Also, Niki Grimball, Town Administrator, Merrell Roe, Finance Director, Mark Johnson, Public Works Director, Attorney, Bonum S. Wilson, Deputy Chris King, Island Sheriff's Patrol, and Frances Simmons, Town Clerk. A quorum was present to conduct business. This meeting was held in accordance with the SC Freedom of Information Act and the requirements of the Town of James Island. Notification provided to the public.

Opening Exercises: Mayor Woolsey called the meeting to order at 7:01 p.m. Councilman Boles asked Council for a Moment of Silence for the recovery of Lt. Shawn James and wished him a happy birthday. The Pledge of Allegiance followed afterward.

Public Comment: No one signed in to address Council.

Consent Agenda:

Minutes: February 16, 2023, Regular Town Council Meeting: Councilman Milliken moved to approve the February 16, 2023 meeting minutes, Councilman Mullinax seconded. Passed unanimously.

Information Reports: Finance Director, Merrell Roe, gave an overview of the Budget Report highlighting the following: Franchise fees; LOST revenue for January; Pinckney Park Rentals; Insurance (second SC Municipal Insurance Reserve Fund payment); Dominion legal and professional fees, and correction made to postage of \$200.

Town Administrator's Report: Town Administrator, Niki Grimball, reported that work continues to familiarize the staff on the GoGov application. She stated that the marketing campaign will begin mid- to late March for information to the public. The bid opening for Oceanview-Stone Post drainage was awarded to Landscape Pavers who began work this week. Construction is expected to be completed by the end of 2023. Ms. Grimball noted that time will be spent reworking the signage project at the corner of Camp and Folly Road and the new concept would be presented to Council in the next month.

Councilman Milliken asked when the solar panels on the Arts & Cultural Center would go live. Ms. Grimball said a definite date has not been set but hopefully by April. Information will be provided to Council.

Presentation of Draft Fiscal Year 2023-2024 Annual Budget: Ms. Grimball presented the draft budget for the 2023-24 fiscal year. The council held a workshop last month and the recommended changes were incorporated into the presentation. Mayor Woolsey complimented the Town Administrator and Finance Director for doing a great job with the budget.



Budget Workshop
FY23-24 Presentator

Public Works Report: Public Works Director, Mark Johnson, reported there were no new requests for service in February. He noted during this period that staff transitioned to the new Work Order Request System. Staff participated in discussions with the Clemson Extension for a citizens training seminar on Low Impact Development Practices for Stormwater on residential property. Invitations to attend the 13th Annual James Island Hurricane Expo to be held at Lowe's on Saturday, May 6 have been mailed. A meeting has

been held with Sierras Construction to discuss the replacement of the Fort Johnson radar sign that was run over. Additional septic tank inspections were accomplished in January and provided the statistics of the project so far.

Councilwoman Mignano asked how many septic inspections had failed. Mr. Johnson said three (3) but he is getting responses daily from residents for inspections so that number could potentially change quickly.

Mayor Woolsey asked Mr. Johnson if, at the Drainage Committee meeting, he reported the results from the last James Island Creek TMDL testing that showed remarkably high counts of bacteria in that location found in February's report. He also asked Mr. Johnson if he had contacted Charleston Water Systems (CWS) about that and he responded that he had. Councilman Milliken asked if he received feedback after it was reported and Mr. Johnson said he had not. Councilman Milliken said he would imagine that if we had elevated levels of bacteria and they were told, they would be curious to do some of their own testing. Mayor Woolsey said that has been pursued. He said the Town, County and City receive reports, and staff has requested that the PSD and CWS also get notification. He said the significance of this very high result was missed but hopefully it won't happen again now that the PSD and CWS would be receiving the results every month.

Councilman Mullinax thanked Mark Johnson for his work in getting the issue resolved on Schooner Road with the SC Department of Transportation (SC DOT) for blowing out the pipes there. He appreciates the DOT and Mark Johnson's prompt action in this matter.

Island Sheriff's Patrol Report: Deputy Chris King announced that Lt. James is doing better and he is expected to return to light duty on the 22nd. Deputy King's report included offenses that occurred in the Town, auto break-ins; gift card frauds; property scams; and drive by shootings.

Requests for Approval by Staff:

Refresh Mulch @ Camp & Folly Roads: Ms. Grimball presented a quote from Heart Pine Landscaping to refresh the area at Camp @ Folly Roads in the Town's easements. The cost of \$4,575 includes annual trimmings; installing/removing sweetgrass, and maintenance. Motion in favor by Councilman Mullinax, second by Councilman Boles. Councilman Milliken asked if the area is where the bank is located. Mayor Woolsey explained that the Town has no responsibility to place mulch at the bank. The area is on the other corner in front of the bus stop and along Camp Road by Walgreen's. He said there are several places that are part of the Camp & Folly Intersection Improvements which would be included in this job. The Town paid to place palm trees, sweetgrass, shrubbery, and to refresh the mulch in this area. He said the Town has an easement at the bank but they have planted grass on it and are maintaining it. The mulching at the bank is not a part of this request.

Councilman Milliken spoke that an area by the Cornercopia shop at the intersection of Camp and Dills Bluff Roads could also use some landscaping. Mayor Woolsey said the Town paid to have landscaping there years ago and was mostly maintained by him and Town staff and the owners of the Cornercopia maintain it now but could talk to them about a shared responsibility. Passed Unanimously.

Quote for Dock Street Fence: Ms. Grimball requested to defer this agenda item to the April Town Council meeting and it was granted without objection.

Action Items:

Allocation of \$15,000 for pruning, vine removal, and care of Camp Road Grand Trees (between Dills Bluff & Fort Johnson Road: Motion in favor by Councilman Milliken, second by Councilwoman Mignano. Councilman Milliken spoke in favor of the request stating that we have a number of reports from arborists for a subset of these trees near the Camp Road/Ft. Johnson Road intersection. He stated in those reports it

was indicated that the trees were not in the best shape because of an abundance of vines growing in them and some of trees needs to have dead branches removed. Councilman Milliken said the idea is to begin a process in caring for our right-of-way trees. There are a number of grand trees along this stretch of road and this would be a good opportunity to begin the process of caring for our right-of-way trees, particularly in this location because it is close to the Town Hall and near the churches. Passed Unanimously.

Committee Reports:

Land Use Committee: No Report.

Environment and Beautification Committee: Councilman Milliken reported that the James Island Pride, the Citizens Council of the Environment and Beautification Committee hosted an Adopt-A-Highway Litter Pickup last Saturday along Dills Bluff, Camp, Folly, and Harborview Roads. 23 volunteers removed 32 bags of litter from our island's roadways. He thanked volunteers from the JI Exchange Club, James Island Pride and JI Charter High School Trojan Baseball Team for picking up litter. He also thanked Mark Johnson, Brian Stokes, and Conor Stickney, Public Works Department, for planting four trees last week. Three of them are in the right-of-way next to First Baptist Church Cemetery. He also thanked Mayor Woolsey and Town staff for participating in the solar panel "turn on" at Town Hall. He said it was great to see the demonstration of the software that accounts for the kilowatt hours generated by the new panels, and to see the equivalent of three trees of carbon savings realized after just five days of use, for which the statistics are impressive. Councilman Milliken said he hopes to get more updates on how trees are being saved with the help of solar panels as time goes on. He thanked Lowe's for donating an electric mower and battery to Helping Hands. The Helping Hands service event and the Seaside Lane/Greenhill Road litter pickup for Saturday morning has been cancelled due to inclement weather. The rescheduled dates are April 22 (Helping Hands) and April 29 (Seaside Lane/Greenhill).

Children's Committee: No Report.

Public Safety: Councilman Mullinax announced the next meeting of the Neighborhood Council on Thursday, March 23 @ 7:00 p.m. at the Town Hall.

History Committee: Mayor Woolsey reported that the members of the History Council terms have all expired. He asked Council to please consider reappointing the current members as they all have expressed interest in continuing to serve.

Members appointed in 2021 by Council:

Councilwoman Mignano – Melissa Dority
Councilman Milliken – Susannah Sheldon (no longer active)
Councilman Boles – Jim Morrisette
Councilman Mullinax – Paul Hedden

Mayor Woolsey recently appointed Mike Corbo to the History Council.

Mayor Woolsey announced that the History Council is working on preparations for the annual Civil War event, First Shot, scheduled on April 16th at Fort Johnson and the History Council's subcommittee is working on a History Trail within the new GoGov app.

Rethink Folly Road: Mayor Woolsey stated that the preliminary report was received on Phase I and he gave a brief update on Phase II, which includes a sidewalk that will run along Folly Road from George Griffith Blvd. to South Grimball Road. The City of Charleston stated that they will add this to their list of requests through Transportation Sales Tax (TST) funds.

Drainage Committee: Councilman Mullinax announced the quarterly meeting of the Drainage Committee on Wednesday, May 10 @ 3:00 p.m.

Business Development Committee: No Report.

Trees Advisory Committee: Councilman Milliken announced the Trees Advisory Council met and elected new officers: David Tomblin, Chair; Kathy Woolsey, Vice Chair, and Robin Hardin, Secretary. The Council discussed plans to identify future areas on James Island where they'd like to do work on the trees in the right-of-way.

James Island Intergovernmental Council: The next meeting is scheduled for Wednesday, April 26 at 7:00 p.m. at the Town Hall.

Proclamations and Resolutions:

American Red Cross Month Proclamation: Motion in favor by Councilman Milliken, second by Councilman Mullinax. Passed Unanimously.

Resolution #2023-04: Camp Road Grand Trees Preservation Project: Motion in favor by Councilman Milliken, second by Councilman Mullinax. Councilman Milliken said the location of the trees in this project is the same area that Council allocated money for maintenance of the trees. This Resolution states the specifics of what is to be done with those trees. The Resolution also calls for a public ceremony to recognize the good work of the Town in caring for these trees and to commemorate the occasion by starting a process to move forward to other locations.

Mayor Woolsey said in his review of the Resolution some of the checks and balances that Councilman Milliken added are inconsistent with state law and Town's ordinances. He does not think it is of much significance procedurally but will vote in opposition for that reason. Councilman Milliken asked Mayor Woolsey what sections was he referring to and Mayor Woolsey said the various procedures for instructions for the Town Administrator and procedures for trees that may be dead, dying or hazardous. He said the fundamentals of the project are sound and with the powers of Council. He added that the Town worked previously with one property owner at this intersection to remove vines from a tree and the Charleston Tree Experts Company were the people who actually removed it. The homeowner paid for part of the cost and the Town paid for the other part, so this Resolution would extend the program without requiring homeowners participation as was beneficial in the past. Mayor Woolsey added that his concern would be in educating property owners to keep up with removing the vines may be lost if the Town were to take on all of the responsibility and work to clean them up. He said it is easy to keep up with it when they first appear but today would be difficult for someone to take care of. Councilman Milliken said we are looking at seven (7) years of vine growth. No further discussion. Motion passed. Mayor Woolsey opposed.

Resolution: #2023-05: Usage of Town Hall and Town Hall Facilities: Motion in favor by Councilman Milliken, second by Councilman Mullinax. Councilman Milliken spoke that the Resolution is basically a mechanism to specify the timeframe for the Anglican Church to utilize the Town Hall and Town Hall Facilities. He said their current application has expired and this would allow them to extend through Easter services, and then reapply. It also provides a mechanism for the Council to evaluate applications for the usage of the Town facilities; not only the Town Hall, but also the parks. Councilman Milliken said it is okay to have groups to use the facilities frequently, but sometimes an abundance of use gets in the way of other things that are designed for the municipal use of the space. He said this is a way to keep everything fair and gives everyone a chance to use the space.

Councilman Boles asked about the use of the Pavilion at Pinckney Park. Ms. Grimball explained the procedure for reserving the Pavilion and the fee someone pays (\$150.00). She said the Pavilion is reserved

two weekends/month, and the other times on a first come basis. Dock Street is reserved by a special permit; however, the Town does not get many requests for usage there. Councilman Boles said he would imagine in the summer months, even with our solar panels, which using indoor space would increase utilities, specifically use of air conditioning. He asked why would we charge for the Pavilion at Pinckney Park and not for the Town Hall, which is nicer. Ms. Grimball said she believes the intention to use the Town Hall is for community groups, HOA's, Civic Clubs, meetings, trainings, and educational; (i.e., DHEC trainings). She said the Council Chambers is available for a wide variety of community and education purposes. She said typically there are no conflicts with scheduling the space. When a meeting is taking place in the Council Chambers it does not interfere with the staff in the administrative offices.

Mayor Woolsey added that private parties are not allowed at the Town Hall. He said the parks are used on a first-come basis unless it has been reserved. He said when the Town Hall was built, it availed itself to the community for civic uses and has never been rented. He continued by explaining that parties in many places, and not just at Town facilities, would require a special event permit and it wouldn't allow for an exclusive use of that facilities as other people are allowed on the park property if an event is happening. Councilman Milliken said with respect to Town Hall, the intent is to have a municipal purpose and it is okay to let others do that through an application process but sometimes if there is too much use by a particular group it might impede the use by other groups. Councilman Milliken said it is a good idea to have a public schedule for groups meeting so people would know when space is available. Mayor Woolsey noted that generally we would not want to have a public schedule (i.e., for a little girl's birthday party) at Pinckney Park, but for other uses at Town Hall, which should not be an issue. He said the notion that during business hours this place generally has municipal uses is not correct and generally during the day there is no one in Chambers except when other groups come. But, we do have people come for different classes, such as DHEC. He said if we go to a system of Council input then we would basically require a month's notice for any use, which he does not think is necessary or desirable. On the other hand, if we think about the groups that are meeting weekly, that is very limited and if there are some groups that want to meet weekly for some extended period of time, he thinks it is reasonable to say *"you can do that but you have to go to Council and wait for approval"*. He thinks it would be better if people wanted to go weekly, they could start immediately then the request would come to Council at its next meeting. Councilman Milliken noted that this is what the Resolution speaks to. Mayor Woolsey said rather than two consecutive Saturdays and Sundays to think about weekly meetings requiring Council's approval. He also thinks that the "all meetings" during the business day requiring Council approval having a month lead time (and it depends on the date of the Council meeting) does not seem desirable, and he opposes that portion of the Resolution. Mayor Woolsey then moved to amend the Resolution to strike the portion that references meetings during the business day and leave the consecutive Saturday and Sunday.

Mayor Woolsey said if the Council is willing, he would like to defer this agenda item and have Council come up with a policy that is consistent with this approach. Councilman Boles seconded the amendment to defer and said he would rather take the time to get the policy right the first time rather than having to amend it later. Councilman Milliken agreed that Council come up with a policy to have it done correctly the first time. Mayor Woolsey added that the Church plans to meet at First Baptist in a joint service on Palm Sunday and will be in their new facility on Easter and their weekly Bible Studies will also be in there. Councilman Boles said he would like to see a calendar to better understand the types of meetings that are held here. Ms. Grimball has a calendar and will provide a pdf copy to him. The motion to defer passed unanimously.

Ordinances up for First Reading:

Ordinance #2023-02: Amending Ordinance #2021-09 Authorizing the Town of James Island to continue participating in South Carolina Local Revenue Services with Municipal Association of South Carolina (MASC): Ms. Grimball reported that the Municipal Association (MASC) offers collection programs for certain business license taxes. The programs include the Insurance Tax Collection Program; Brokers Tax

Collection Program; and Telecommunication Tax program. The Municipal Association has collectively rebranded these programs as Local Revenue Services and has renamed the three business license programs as the Insurance Tax Program (ITP), the Brokers Tax Program (BTP); and the Telecommunication Tax Program (TTP). Ms. Grimball said this request is for the Town to continue to participate in these programs under the rebranded name through MASC. Motion in favor by Councilman Boles, second by Councilwoman Mignano. Passed unanimously.

Ordinances up for Second/Final Reading: None.

Old Business: None.

New Business: Discussion of Potential Election Ballot Referendum to Create a President of Town Council Position: Councilman Mullinax said this topic is something that he's thought about for some time and have spoken to some members of Council casually about in the past few months. He said a lot of other municipalities and cities have done this throughout the country. He said in some cases it is no more than a ceremonial position and in others it is like a mayor that presides over meetings and acts as the parliamentarian but he doesn't want to go that far. He is looking at a way, (not to diminish the role of the mayor) but is looking to form a balance between the two sides for better and a more direct route of communication, i.e., agendas. He said the President position would have to be voted on by the public because Council cannot make that type of decision. For agendas, when they are set he would like to see that the Mayor and Council have an equal say. He said this position would be elected by the Council and the Mayor so everyone has a say in what goes on the agendas. He also thinks the position should appoint Town committees. He said since the position is on Council, it is better that the person elected by Council make that call. Also, in extraordinary or emergency situations or if a state of emergency agency arises this person would be contacted along with the mayor so both sides know what is going on. Councilman Mullinax said he would like to offer a balance; not to weaken the office of the mayor, but to have better and direct communication. Councilman Milliken said, if he understands correctly, the position would not be as a mayor pro-tempore who acts in the stead of the mayor, but as the President of Council would be a spokesperson for Council and have direct communication with the Mayor and sets agendas. Councilman Mullinax describe the position such as in the legislative branch of the state and federal governments that has a majority leader. Whereas, our mayor pro-tempore is like a Lt. Governor or a Vice President with largely ceremonial duties, but steps in if something happens with the executive. He said the Mayor Pro-Tempore and President of Council are different position operating in two opposite directions. He said these positions are called by different titles in other places. In New York City it is speaker of City Council, in Los Angeles and Baltimore, President of Town Council. Councilman Mullinax said this is something he read about and thought to be interesting. Something that he toyed with for quite some time and wanted to bounce around in public forum, and if approved would be voted on by the public through a referendum on an election ballot.

Mayor Woolsey said that this question was posed to the Municipal Association (MASC) and they said under the Mayor/Council form of government this is not possible. Under state law, the mayor presides on Council. We asked our Town Attorney for his opinion and he referred to various Attorney General opinions and cases that in South Carolina. Mayor Woolsey shared the three forms of governments in SC: Mayor/Council; Council/Mayor, and Council/Manager. He said the examples that Councilman Mullinax gave in Baltimore, New York State, and California are not in South Carolina. He is unsure what kinds of governments they have but thinks to have a position called President of Council or Speaker of Council the first step would be to get the state legislature to create a new form of government that allows for this, and then if that were to happen, Town Council could approve moving to this new form of government, then it would go to a referendum. He said it is not possible for us to create our own system of government through the referendum process. He said we could move to a Council/Mayor form of government, or we could move to a Council/Manager form of government to occur next November. Exactly how that phases in with the

new people elected, he is unsure. Adding a President of Town Council does not appear to be, according to the Municipal Association and the Town Attorney, legal in South Carolina. If we move to a Council/Mayor form of government that would be flexible for what Council chooses to do and all administrative responsibilities of Council is more feasible under that form of government. He said under the status quo, our agendas are developed by the Town Clerk. As a practical matter those things the Town Clerk places on the agenda are items the Town Administrator asks for and things we need to do. All members of Council are free to add items to the agenda; however, there is a deadline of Thursday close of business so we are not under a system where the mayor forms the agenda and say to Council that we're not going to put their item on the agenda. He knows there is conflict with the PSD where their rules are the Manager/Administrator creates the agenda with the advice and consent of the officers, but we don't have that system. All members of Council can place items on the agenda. He said in some municipalities the mayor does appoint council committees, as he understands how the City of Charleston and the PSD does. Their chairperson appoints all committees and chairs, but our committees are done by resolutions and includes all members of Council and committees elects the chairs. He said the mayor does not appoint the chairs of committees or decides who serves on committees. Unlike the City of Charleston and the PSD, we don't need to have a President of Town Council to appoint committees. He does not think that we can move in this direction and if there is interest in changing our form of government the choices are limited. He has always thought that the Council/Manager form of government is best for our size operation. This is his opinion, but that would require a referendum to change. The other possibility is the Council/Mayor form of government and if we do nothing, it stays the same. Councilman Mullinax said it was his hope to promote better communication so things don't happen without Council's knowledge. He had requested guidance on the legal part. This is the first time he had heard it and would not have proposed this if he had known that the Municipal Association had so many good ideas and didn't think this was a good idea themselves. He thanked the Mayor for his enlightened speech. Ms. Grimbball stated that the deadline to put a question on this year's election ballot is August 15.

Executive Session: Not Needed.

Announcements/Closing Comments:

Councilman Boles asked everyone to keep Lt. James in their thoughts; wished him a Happy Birthday and thanked the staff for their hard work

Councilwoman Mignano thanked the staff for their hard work and stated that the BZA awaits an apology from the PSD Commission Chair for her actions leading to the removal of the tree on Camp Road for which the BZA had ruled on.

Councilman Milliken announced the cancellation the Helping Hands and Seaside/Greenhill Road litter pickup this Saturday.

Councilman Mullinax sated that Lt. James is in his thoughts for a speedy recovery.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:21 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk