

The Town of James Island held its regularly scheduled meeting on Thursday, June 20, 2024, at 7:00 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 website: www.jamesislandsc.us/livestream-townmeetings and held in accordance with the SC Freedom of Information Act and the requirements of the Town of James Island.

The following members of Council were present: Boles, Dodson, Mignano, Mullinax, and Mayor Lyon who presided. Also, Michael Hemmer, Town Administrator, Becky Heath, Finance Officer, Keith LaDeaux, PW Coordinator/Project Manager, Lt. Shawn James, Deputy Chris King, Island Sheriff's Patrol, Brian Quisenberry, Town Attorney, and Frances Simmons, Town Clerk.

Opening Exercises: Mayor Lyon called the meeting to order at 7:00 p.m. and called upon Councilman Boles to perform the opening exercises. The Pledge of Allegiance followed.

Public Hearing: Ordinance #2024-04: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations Ordinance: Number 2013-07: Exhibit A: General Provisions- Grand Tree Definition, Section 153.013; Subdivisions - Tree Preservation, Section 153.309; and Development Standards - Tree Protection, Section 153.334: Mayor Lyon opened the Public Hearing at 7:03 p.m.

The following persons provided their views in support of the Town Council passing the Ordinance to change the size of a grand tree from 24" DBH to 18" DBH.

John Peters, 1301 Hampshire Road
Ansley Wolfe, 1053 Windward Road
Cora Tyrell, 1043 Windward Road
Jennifer Tyrell, 1043 Windward
Garrett Milliken, 762 Fort Sumter Drive
Robin Hardin, 903 Preston Road
Melissa Luby, 1330 Whitehouse Blvd.
Wendy Teel, 1290 Hampshire Road
Teri Lynn Herbert

Opposition:

Edward Greene, 1115 Seaside Lane did not want the grand tree size changed.

Mayor Lyon called for a motion to close the Public Hearing at 7:18 p.m. Councilman Dodson moved, seconded by Council Mullinax, and passed unanimously.

Public Comment (General):

The following persons expressed their views about the Town cleaning the lots on Sea Aire Drive and are concerned that the Town plans to clean the lots by using taxpayer money rather than requiring the property owner to clean the lots prior to the Town's purchasing them.

Phyllis Cooper, 1212 Stone Post Road
April Williams, 1224 Stone Post Road
Michael Faust, 813 Burnett Drive
Al Williams, 1224 Stone Post Road
(*after Mr. Williams spoke Mayor Lyon said she would address his comments)
Theresa Slaughter, 1324 Teal Avenue
Brook Czartacki, 1334 Sea Aire Drive spoke in favor of the Town purchasing the lots on Sea Aire Drive

Crystal Matthews, 1509 Seaside Lane spoke about a problem she is having with Dominion Energy. She feels she is being harassed because she would not give permission for Dominion wants to run a wire from her property to a house being constructed on Green Hill Road for power. By her not giving permission for Dominion to do so, she feels she is being threatened and harassed.

John Austin, 850 Mellichamp Drive, spoke on behalf of Schuyler Blair thanked the Town for addressing the drainage issue at Hale and Mellichamp Roads.

Chad Covert, 857 Hale Street spoke about the upcoming drainage project on Hale and Mellichamp. He said that many of the residents did not receive notification about the project and they are confused about how this started. There were no flooding issues on Hale Street. He asked the Town to provide transparency, cost, and reanalyze a better option. He said some neighbors would have to move their fences if this project is done.

Mayor Lyon addressed comments that were made about the cleanup on Sea Aire Drive. She said the Town is complaint driven and we have not received any complaints until last Friday about the property, although it is a mess. Should the Town move forward to purchase the lot it has to be cleaned in order to do inspections and have surveyed. It would be nice if the owners would pay for it, however, if the owner does not respond, it takes time to get them to do so through the courts.

Consent Agenda:

Minutes of Town Council Regular Meeting of May 16, 2024: Motion in favor to approve the minutes was made by Councilwoman Mignano, seconded by Councilman Dodson, and passed unanimously.

Information Reports:

Finance Report: Finance Officer, Becky Health, provided the financial report for the period ending May 31st. The narrative represents 11 months into FY 24 and 92% of the total budget for this fiscal year. Report accepted as information.

Town Administrator's Report: Town Administrator, Mike Hemmer, presented an overview of his projects and activities for the month of June. Report accepted as information.

Island Sheriff's Patrol Report: Lt. James updated the Council with a summary of crimes and incidences that occurred in the Town this month; those that were solved and those under investigation. Lt. James shared success of a stolen vehicle that was recovered through the use of the use LPR cameras.

Public Works Report: Public Works Report: Public Works Coordinator/Project Manager, Keith LaDeaux provided an overview of the Quail Run, Woodhaven, and Oceanview projects. Report accepted as information.

Requests for Consideration by Staff:

Request for Proposal 2024-03: Hale Street/Mellichamp Drive Bid Tabulation and Recommendation: Town Administrator, Mike Hemmer, gave an overview of the Hale Street/Mellichamp Drive project. He reported that approximately 12 residents are impacted by flooding that occurs there. He shared information that the wetlands there were filled-in with a drainage easement (on the right side next to lot #12) that is 40 feet and goes to a drainage easement at the back that should be 60 feet. Staff will meet with Mrs. Reed, the resident at lot #12, about moving her fence. Estimates received were from: CW Earthworks, \$35,800. J. Evans Services, LLC \$38,480; and at a resident's recommendation, On Point Forestry Mulching, LLC, \$50,000. Staff recommends the award to J. Evans Services, LLC, although CW Earthworks is the low bidder J. Evans only requires that Mrs. Reed's fence be moved. He said there may be other issues in the back, but J. Evans

will do them hand by hand. The move on the side to get into there is perhaps 11 feet that the fence needs to be moved which will also assist the County in the future when they have to get there for maintenance. Further there was a clean out that went to Mellichamp at the corner but the area in question is what is at the back where the issues are. Mr. Hemmer stressed that flooding is an entire backyard that affects six to eight residents that has that issue. Mayor Lyon added that the 35 trees that were addressed are saplings that have grown into the pipes. She has toured the area with staff and noticed that the flooding is bad.

Councilwoman Mignano asked about the wetlands behind lot #6 and asked if the Town would be filling those in. Mr. Hemmer replied that the wetlands were filled in when Hale Street was constructed. Councilman Dodson asked what year it was done, and Mr. Hemmer confirmed that it was probably '08 or '09. Councilwoman Mignano asked if we are leaving it filled in and Mr. Hemmer said Mr. Evans' plan is to leave it as a ditch and clarification was given about the fences that has to be moved. Mayor Lyon explained that the fence that has to be moved is on the end and to allow access and equipment where the illegal pipes were put in.

Councilman Dodson spoke about flooding issues that is at the highest point on James Island where there were never any flooding. He said the wetlands were filled improperly which resulted in not having a good flow. He asked if the Town is doing enough, also if the Town Engineer (Laura Cabiness) has looked into this. Mayor Lyon said Ms. Cabiness has not but that she along with staff and Ray Beaudrot (Charleston County) investigated. Chris Wannamaker with Charleston County Stormwater also looked at it, but she could ask Ms. Cabiness to look into it as well. Councilman Dodson asked if there was recourse against the County or is the Town fully responsible. Mayor Lyon commented that she could ask the Town Attorney to do this. After discussion, Councilman Dodson moved to approve the bid offered by J. Evans Services, LLC, seconded by Councilman Mullinax. Passed unanimously. Mayor Lyon added that communication would be provided to the residents on Hale Street and Mellichamp so the work there is the least invasive as possible.

Request for Thermofoam Work on Peregrine Pipe Estimate (Stormwater Fund vs. County Replacement Estimate): Mr. Hemmer explained that the pipe under Peregrine Drive (at the corner of Peregrine and Ptarmigan) is collapsing but Charleston County has placed a plate over it. This request should be considered an emergency to avoid problems there. The estimate for the repair from Charleston County is \$78,848; and from Pipeline Drainage and Consultants (PDC) \$24,274. Mr. Hemmer explained how the work would be performed. He said the money for this expenditure could come from the Stormwater fund in addition to the funds the County holds for the Town. Staff recommends award to PDC. Motion to approve the estimate from PDC was made by Councilwoman Mignano, seconded by Councilman Dodson. Councilwoman Mignano asked about the longevity of the repair and Mr. Hemmer said approximately 50 years. There was a brief discussion about the cost of the road repair that is unknown at this time; however, Charleston County may pick up some of the costs. Motion passed unanimously.

Committee Reports:

Land Use Committee: No Report. There were no BZA or Planning Commission meetings in June.

Environmental and Beautification Committee: Councilwoman Mignano said she was unable to attend the James Island Pride meeting on June 19 and asked Stan Kozikowski to give a report. Stan reported that a service day will be held on Saturday, June 29, from 9-11 a.m. and announced that the new secretary for JI Pride is Kennedy Alexander.

Children's Committee: No Report.

Public Safety Committee/Neighborhood Council: Councilman Boles reported that the former James Island PSD Fire Chief gave a report on hurricane preparedness. He also announced that the time of the meeting was changed to 6:00 pm., on the fourth Thursday. Everyone is invited to attend.

The following persons were recommended for appointment to the Neighborhood Council. Councilman Boles moved for the appointment of: Nancy Luhrs, Dean White, and Melissa Luby. Mayor Lyon seconded and the motion passed unanimously. Councilman Boles moved to amend the agenda to appoint Marilyn Clifford to the Neighborhood Council Committee, seconded by Mayor Lyon and passed unanimously. A motion to add Marilyn Clifford to the Neighborhood Council was made by Councilman Boles, seconded by Mayor Lyon, and passed unanimously. Mayor Lyon congratulated and thanked everyone for their service to the Town.

History Committee: Town Administrator, Michael Hemmer, gave a summary from the last History Committee meeting. He announced that Evans Byrd is the potential contractor for the audio tour the committee is working on. There was also discussion on improvements at Pinckney Park. Mayor Lyon added that two historical markers are in the works, one for the Seashore Farmers Lodge and the other for Grimball Road. These markers will be ordered and erected next year.

ReThink Folly Road: No Report.

Drainage Committee: Councilman Mullinax will be scheduling a Drainage meeting in early August. He said this meeting will be similar to what was held in May to prepare residents for hurricane preparedness. The peak hurricane season is from August to September. The date and time of the meeting will be announced.

Business Development Council: No Report.

Trees Advisory Committee: Mayor Lyon reported that at the last meeting the committee spoke in support of the Planning Commission's amendment to change the Grand Tree size to 18". She stated that people will have recourse through the Board of Zoning Appeals (BZA) if they purchase a lot that cannot be built on because a protected tree is in the way, or if the tree affects a foundation. She said this is important for people to know. The Trees Advisory Committee also chose an Ancient Cedar Tree for the Tree Canopy Award. Mayor Lyon said as she understands, this is the second oldest Cedar tree in SC and it is in Lighthouse Point on the historical Indian Mound. The Lighthouse Point Civic Club will be given a Tree Steward award because they have spent a considerable amount of money to preserve the tree. The Civic Committee hopes to have the media present (Live 5) when the event is held and everyone is welcome to attend. Keith LaDeaux is helping the committee to obtain tools to care for these trees and those along Ft. Johnson Road and other areas to keep them healthy and preserve the character of James Island. Mayor Lyon briefly spoke about the importance of having healthy trees.

James Island Intergovernmental Council: No Report.

Accommodations Tax Committee: Councilman Dodson reported that the Accommodations Tax Committee held its first organizational meeting. He then moved to appoint John Peters to serve as Chair of the Accommodations Tax Committee. Mayor Lyon seconded and the motion passed unanimously. Mayor Lyon congratulated Mr. Peters and thanked him for his service. Councilman Dodson said another meeting will be scheduled soon in order to complete the application process for people to petition the Town for monies to attract people to the Town; a requirement from the County and State. Mayor Lyon complemented Councilman Dodson for doing a wonderful job on forming the committee as its makeup is specific. Councilman Dodson explained that the members consists of: two person in Hospitality; two in Accommodations; one in Arts; and two At-large.

Proclamations and Resolutions: None.

Ordinances up for First Reading: Ordinance 2024-05: Amending the Fiscal Year 2023-2024 Budget for the Town of James Island, SC: Mr. Hemmer provided an overview of the Amended Fiscal Year 2023-2024 Budget comparison. He gave a brief explanation of the General Fund and Departmental Budgets noting an overall change of 74,000. Motion to approve the Amended Budget was made by Councilman Dodson, seconded by Councilwoman Mignano.

Vote:

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed Unanimous	

Ordinances up for Second/Final Reading: Ordinance #2024-03: An Ordinance Adopting the Fiscal Year 2024-2025 Town of James Island Annual Budget: Mr. Hemmer stated that the budget had not changed from the last meeting. The exhibit is through April and 83%, however, when the fiscal year is completed, the published version will not show an estimated column. Motion to approve the 2024-2025 Annual Budget was made by Councilwoman Mignano, seconded by Councilman Boles.

Vote:

Councilman Boles	Aye
Councilman Dodson	Aye
Councilman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed Unanimous	

Ordinance #2024-04: An Ordinance Amending the Town of James Island Zoning and Land Development Regulations Ordinance, Number 2023-07 (Exhibit A): General Provisions – Grand Tree Definition, Section 153.013; Subdivisions- Tree Preservation, Section 153-309; and Development Standards – Tree Protection, Section 153.334: Motion to approve was made by Councilwoman Mignano, seconded by Councilman Boles.

Councilwoman Mignano commented that she is looking forward to keeping James Island with the character that we all love and hopefully this Ordinance will help us to do that.

Vote:

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed Unanimous	

Old Business: Mayor Lyon reported that the major temporary repair that Council approved for the Cultural Center has been completed. She said there were substantial rains since the repair and there were no reports of leakage. The building inspection has been completed and if the Council decides to move forward with the purchase we have that information. An update of the flagpole was given. The flagpole will be erected on Folly Road. The pole and flags have been ordered.

New Business: None.

Executive Session: Mayor Lyon announced that the Town Council will enter into an Executive Session in accordance with the Code of Laws of South Carolina 30-4-70(A)(2) regarding discussion of proposed contractual matters, the proposed purchase of properties, including property at 1335 and 1349 Sea Aire Drive, (TMS#s, 4280100052, and 4280100054), potential condemnation litigation, and legal advice relating to Town Ordinance Section 153.212. Upon returning to Open Session the Council may act on matters discussed in the Executive Session.

The motion to enter the Executive Session was made by Councilman Dodson, seconded by Councilman Mullinax.

Vote:

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed Unanimous.	

The Council entered the Executive Session at 8:29 p.m.

Return to Regular Session: Mayor Lyon asked for a motion to return to Open Session. Councilwoman Mignano moved, and Councilman Dodson seconded at 9:40 p.m. Mayor Lyon announced that no votes were taken during the Executive session.

Councilwoman Mignano moved to approve a contractual agreement between Jack O'Toole and the Town of James Island for public information assistance, seconded by Councilman Dodson.

Vote:

Councilman Boles	Nay
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed 4-1	

Councilman Boles moved for Mayor Lyon to approve the purchase properties at 1335 and 1349 Sea Aire Drive and to host community input meetings should the purchase go through on the potential uses of the property, seconded by Councilwoman Mignano.

Vote:

Councilman Boles	Aye
Councilman Dodson	Aye
Councilwoman Mignano	Aye
Councilman Mullinax	Aye
Mayor Lyon	Aye
Passed Unanimous.	

Announcements/Closing Comments: Mayor Lyon announced that the Town Market will be held on Friday, July 5, 6-9 p.m. and invited everyone to attend. This is the third market sponsored by the Town. Live music, vendors and food trucks will be offered along with fun for the entire family.

Councilman Dodson commented that Council is looking to purchase property on Sea Aire Drive and is seeking the best use for it. He commented that if anyone is upset about the tree ordinance, he understands that, but to realize that the Town is here to help get done, not to stop or burden them. He encouraged people to reach out to Town Council, Planning Commission, and the BZA because there will be times when trees need to be taken down but we need regulations to make sure inappropriate things do not happen.

Councilwoman Mignano thanked staff and the Island Sheriff's Patrol for all their hard work and the citizen involvement that we had tonight.


Councilman Boles thanked everyone for coming out tonight.

Councilman Mullinax agreed with Councilman Dodson's comments and thanked everyone that came out tonight.

Mayor Lyon added that we are excited about the opportunity to have Greenspace and parks, Sea Aire, and Dills Bluff. She said that we love our trees, greenspace and our citizens and will work hard to make our Town better. She is grateful to have a wonderful Council and staff.

Adjournment: There being no further business to come before the body, the meeting adjourned at 9:45 p.m.

Respectfully submitted,



Frances Simmons
Town Clerk