Attorney Guerard stated that the recommendation still stands that this ordinance be repealed.

Alderman Meek moved that we accept this recommendation and repeal this ordinance.

Alderman Casey seconded the motion.

Motion carried unanamously.

Attorney Guerard stated that the next item was the ordinance pertaining to the established hours for the sale of beer and wine- Sec. 3-9. There was no recommendation to repeal this, but now that the mini-bottle law has been enacted; we need to amend this to include the sale of liquor to conform with the state law.

Alderman Casey moved that we redraft the ordinance to conform with the state law on the sale of liquor.

Alderman Dangerfield seconded the motion.

Motion carried unanamously.

Alderman Larosa reported that the auditors were going over the books and hoped to have the end of the year financial statement ready by next Council meeting. He also reported that a letter had been sent to Mr. Brooks at the State House to apply for a $2,000.00 grant to finance the feasibility study in connection with the Water Company purchase. So far we have not received a reply.

Attorney Guerard stated that he had been exploring the competitive possibilities of municipal Bonds. He had talked with a representative of Johnson Lane, on the pros and cons of taking bids on the bonds, in the event we do purchase the water company. They were interested in meeting with Ways & Means and explaining what they had to offer.

Alderman Avant state that he was concerned about the fact that the city apparently had no insurance coverage to protect us in case of a suit, such as the one we were facing in connection with the accident on Sullivan's Island. He would like to see the necessary steps taken to correct this.

Mayor Pro-Tem Shaffer said that he too felt that we needed to enlarge upon our automobile liability coverage that we have and extend it to cover this. What we need is a comprehensive type policy that would cover non-owned vehicles. What we have is a policy that covers a schedule of vehicles and only those vehicles.

Alderman Casey asked if we didn't have an ordinance to prohibit the parking of industrial and commercial vehicles in the residential areas. He had had a number of complaints from island residents about this happening on their streets, particularly where people were operating businesses that involved heavy equipment out of their homes.

Mayor Pro-Tem Shaffer said that in his opinion, this would be a zoning violation unless they had obtained a variance.

The regular meeting of the Isle of Palms City Council was held January 14, 1976 at 8:00 P. M. at City Hall.

In the absence of Mayor White, the meeting was opened by Mayor Pro-Tem Larosa with a prayer.

Mayor Pro-Tem Larosa stated that Mayor White had been detained at work, but hoped to come in before the meeting was over. He pointed out that it had been the policy of Council to rotate the office of Mayor Pro-Tem by election of a new one at the beginning of each year. The first order of business would be to elect a new one for 1976 and the chair was open for nominations.

Alderman Avant moved that Council elect Henry Shaffer as Mayor Pro-Tem for 1976.

Alderwoman Preston seconded the motion.

Motion carried unanimously.

The chair was turned over to the newly elected Mayor Pro-Tem Shaffer who presided over the rest of the meeting.

Mayor Pro-Tem Shaffer asked the Clerk to call the roll.

Those present-Mayor Pro-Tem Shaffer, Alderwoman Preston, Aldermen Avant, Casey, Dangerfield, Jernigan, Meek and Larosa, Attorney Guerard.

Absent: Mayor White.

Mayor Pro-Tem Shaffer asked if everyone had seen the minutes of last meeting and if there were any corrections.

Alderman Larosa moved that we accept the minutes as written.

Alderman Avant seconded the motion.

Motion carried. Minutes approved.

Mayor Pro-Tem Shaffer called for Committee reports, starting with Ways & Means.

Alderman Larosa , Chairman Ways & Means, thanked the members of his committee and the other committee chairman for their cooperation in getting the proposed budget for 1976 ready to present to Council for approval. He reminded Council that it had been brought out at the special Council meeting on the budget last week that they would possibly have to increase the tax millage, 10 mills in order to raise the additional revenue needed to meet the proposed budget. He stated that they were submitting a copy of the proposed budget for 1976 in the amount of $306,000.00, to each member of Council. He pointed out that under General Government, they had again established a contingency fund, the same as last year. We have established an anticipated equipment fund and also an operational reserve fund. The bank balance as of today is $9,000.00, which means that we will have to borrow money again this year, possibly as soon as next month. We have included a 5% increase in salaries for all departments, except the police department, which will get a 10% increase. He asked if anyone had any thing to add or any questions concerning the budget.

Alderman Dangerfield asked if they had the breakdown on the police salaries, that was discussed at the meeting.

Mayor Pro-Tem Shaffer said that the mechanics of the increase was a built-in increase of 10% at the end of a 6 months probationary period for the two present part-time policeman, who are putting in full-time hours at present. This would make their increase effective June 1st. The Chief and the full time officer's 10% increase will become effective April 1st, as will the 5% increase for the other City employees. He asked if there was any futher discussion.

Attorney Guerard suggested that he tell Council about the possible need by the City for the $10,000.00 Contingency Fund.

Mayor Pro-Tem Shaffer said that one of the possible needs for the fund, was the fact that we had been put on notice that we were possibly going to be sued in connection with the death claim for the young man who was killed in an accident on Sullivan's Island involving Chief White. It seems that we are going to be considered as a party to this, since Chief White was answering a call by one of our policeman. In the process of answering the call, the accident occurred. It appears that our liability insurance to cover our employees, does not extend to cover someone who is not an employee or to any vehicle not listed on our policy. Therefore, it looks like if it does come to suit and the suit is successful, we could be liable up to $12,500.00.

Alderman Larosa said that he would like to point out a revisement in the Police Department budget. They had neglected to include the share of principal and interest on the loan made by the previous administration for purchasing vehicles for the Police, Fire and Sanitation Departments. This was added to the other two departments,but would still have to be added to the Police Department. It would not effect the balance of the budget, but would involve the transfer of some funds from the General Government Contingency to the Police Budget.

Mayor Pro-Tem Shaffer asked if there was any futher discussion about the proposed budget.

Alderman Larosa stated that it was the recommendation of the Ways and Means Committee that Council accept the Proposed Budget for 1976 as presented.

Alderman Meek moved that Council adopt the budget as presented.

Alderman Jernigan seconded the motion.

Alderman Dangerfield asked if it had not been decided to table the budget a week before voting on it after it was presented, to give the general public a chance to review it.

Mayor Pro-Tem Shaffer said that that point had been raised at the Ways & Means meeting and he had not been aware at the time that the request had been made that it was made for the general public, but rather for Council to have time to review the budget before being asked to vote on it. In view of this, he assumed that the meeting last week had taken care of this, but if he still felt like he needed an additional week, he could make a motion to this effect.

Alderman Dangerfield stated that his concern was that if we were going to increase taxes, that the public be made aware and have a chance to look at the budget.

Alderman Casey stated that he had discussed the possible increase with several residents and he felt that most people were expecting an increase.

Mayor Pro-Tem Shaffer said if there was no further discussion, he would call for a vote on the motion to adopt the budget.

Motion carried unanamously.

Mayor Pro-Tem Shaffer stated that it would be necessary to have a resolution from Council to increase the tax millage before a bill could be drawn to accomplish this.

Alderman Larosa moved that we have a bill drawn to increase the present millage of 70 mills by 10 mills to a total of 80 mills.

Alderman Jernigan seconded the motion.

Motion carried unanamously.

Alderman Larosa reported that a notice to the residents had been posted in the newspapers, asking them to comply with the request from the Census Bureau to fill out the block form on their income tax forms that will give them updated information to be used for general revenue sharing purposes. He stated that since there had been a change in editorial policy at the Moultrie News, they were no longer accepting our column as they had previously. Mr. Hale chooses to report it as a news item and lift out the parts he thinks are newsworthy or pertinant. If it is the wishes of Council, he would submit the budget for publication and the fact that we have a 10 mill increase in taxes.

Mayor Pro-Tem Shaffer suggested that they submit it to the East Cooper Pilot as well.

Alderman Avant, Chairman Police Committee, reported that the Committee recommended that as of April 1st, that all presently employed full time policemen, be given a 10% increase in salaries. This would exclude all other policemen, whether they are hired now or at a later date, until they had served a 6 months probationary period. He moved that Council accept this recommendation.

Alderman Casey seconded the motion.

Alderman Dangerfield asked how this would effect Patrolman Robinson, in view of his length of service. Would he be considered part-time or full time.

Alderman Larosa said he would be considered part-time until June 1st.

Alderman Avant stated that the committee had voted to waive his probationary period in view of his amount of experience with the department. He will be eligible for his increase as of June 1st when he becomes full time.

Motion carried unanamously.

Alderman Avant stated that Chief Thompson had recommended to the Police Committee that Patrolman Buckhannon be changed from part-time to full time immediately, at a starting salary of $7,000.00 per year. After a 6 months period, he will be eligible for a 10% increase. The Committee approved this recommendation and he moved that Council accept Committee's recommendation.

Alderman Casey seconded the motion.

Motion carried unanamously.

Alderman Avant stated that Chief Thompson had recommended to the Police Committee that we hire a part-time policeman at the minimum wage scale. He would like to do this as soon as possible, so that he could be trained and ready to work during the summer.

Mayor Pro-Tem Shaffer stated that he was aware that money had been allocated for a part-time policeman in the police budget, but this was only for a half year. He was a little reluctant to start too soon, for fear they would run out of money before the summer season was over.

Alderman Avant said that the new patrolman would have to attend the police school held by the county. This would take 80 hours to complete. He also needed to be familiar with the operation of the department and the streets on the island. Once he finishes his schooling, he will only be used part-time. He will be on a more or less stand-by basis. He moved that we approve hiring the new part-time policeman on this basis.

Alderman Casey seconded the motion.

Motion carried unanamously.

Alderman Avant stated that he had nothing to report from the Fire Department.

Alderman Dangerfield , Chairman Playground Committee, reported that the tennis courts had been completed. He had not gotten a report from the Building Inspector nor he had not been informed officially by the company. He expected a letter from them soon, but he would wait for the approval by Mr. Donald.

Alderman Dangerfield reported that the Sanitation Committee had been taking bids on the old Ford pick-up that Mr. Parrish had used. The highest bid was for $350.00 by Alvin Manigualt. He moved that we accept this bid.

Alderman Avant seconded the motion.

Motion carried unanamously.

Mayor Pro-Tem Shaffer reported that the Engrossed Bills and Ordinances Committee had met to review and evaluate all the bills being sent for codification. They had several recommendations for Council concerning this. All had been in favor of adopting a new set of election laws, but if they adopted the new Home Rule Legislation, they would have a new set of election laws anyway. It is Committee's recommendation that no action be taken on this until such time that the Home Rule situation has been clarified.

Alderman Avant asked what the deadline was for submitting our application in regard to Home Rule.

Mayor Pro-Tem Shaffer said we had until September on this. He further stated that since Attorney Guerard had met with the Committee , he would like for him to report on the meeting and the recommendations they had for Council.

Attorney Guerard stated that when Engrossed Bills Committee met, they went through all the material that was to be submitted for codification. Some of the Ordinances that have been enacted have been superseded by repeals and by ordinances this Council has enacted. In their evaluation, they tried to more or less weed out the ones that no longer apply. One ordinance was the amendment to Chapter 12, Health & Sanitation Article 3, that had to do with handling abandoned automobiles and junk. The Committee recommends that this remain in effect and be sent for codification. This also applies to the flood control Ordinance. The next ordinances considered were the ones on simple possession of drugs-Sec. 15-10A and the one on hard drugs- Sec. 15-10. They recommend that these be repealed, since there is a question as to the legal validity of these ordinances and the Committee felt that the state courts are set up to handle this type of offences.

After a discussion by Council, Alderman Meek moved that we accept Committee recommendation and repeal the two ordinances on drugs.

Alderman Casey seconded the motion.

Motion carried unanamously.

Attorney Guerard stated that the next item to be considered was one pertaining to the enactment of the Southern Standard Mechanical Code 1973 and the Southern Standard Housing Code. The recommendation of Committee is that these also be repealed as they are subcodes of the Southern Standard Building Code and are covered by the adoption of this. The rational being that these would be an unnecessary enactment, once you adopt the Southern Standard Building Code you adopt these as well.

Alderman Casey moved that we accept Engrossed Bills recommendation and repeal these two ordinances concerning the Southern Standard Mechanical Code 1973 and Southern Standard Housing Code 1973.

Alderman Meek seconded the motion.

Motion carried unanamously.

Attorney Guerard stated that the next item was the Zoning Ordinance adopted May 1972. This was specifically repealed when the new Zoning Ordinance was adopted in 1975. There was another one dealing with sub-division control. They were not sure if it had been repealed, but it had been superseded. To be on the safe side, he would suggest that these be included in the list to be repealed. Another ordinance concerning the mayor's salary had been superseded. The ordinance that read that a fee of $25.00 be charged in a variance of building permits. This was discussed previously, but he wanted to know if once the building permit was issued and the person came back requesting a change in the permit, did we charge them $25.00 to issue a new permit.

Mrs. Passailaigue said that this had nothing to do with the building permits, it was a fee to bring a request for a variance before the Variance and Zoning Board.

Alderman Jernigan moved that Council adjourn and reconvene in executive session.

Alderman Dangerfield seconded the motion.

Motion carried.

Regular meeting adjourned.

Respectfully submitted.

Marie S. Passailaigue
Marie S. Passailaigue
Clerk of Council

Henry Shaffer
Mayor Pro-Tem

A special meeting of the Isle of Palms City Council was held January 28, 1976 at 8:00 P. M. at City Hall.

Those present: Mayor Pro-Tem Shaffer,Alderwoman Preston, Aldermen Avant, Casey, Dangerfield, Jernigan and Larosa , Attorney Guerard.

Absent were: Mayor White and Alderman Meek.

Mayor Pro-Tem Shaffer stated that the purpose of this meeting was to consider a request from Isle of Palms Beach & Racquet Club to procede with the developement of a portion of the land that they bought on the east end of the island. The normal procedure would have been for the developer to go the County Planning Board for approval, but due to the state of confusion there, Mr. Kopacka, acting director, had not been able to work with them at this time. He had suggested that they consider the request, with the possibility of giving tentative approval, subject to the compliance of the County Sub-Division Regulations. We would have to see to it that water and sewage were provided. We have a letter from the water company confirming this.

Attorney Guerard read a letter from the Isle of Palms Water Co., dated January 22, 1976, stating that they agree to furnish water and sewage taps to this tract of land; which includes the area from 53rd Ave. through 55th Ave. bounded by Palm Blvd. and the Atlantic Ocean. The letter was signed by Charles S. Way for the Isle of Palms Water Company.

Attorney Guerard reported on his meetings with Mr. Don Guscio of Sea Pines Corporation in regard to their plans to develope a portion of the property the own on the Isle of Palms. He introduced Mr. Guscio, who presented their plans to Council.

Mr. Guscio showed Council a plat of the portion they planned to develope and stated that these would all be R-1 or single family dwellings. This tract is approximately 975 feet long. He explained the tentative plans for developement, such as where driveways may be and public beach accesses would be. He had worked with Davis & Floyd Engineers doing the actual property lines. They now need a tentative approval from Council so that they can proceed with their plans.

Mayor Pro-Tem Shaffer stated that Sea Pines was asking Council for tentative approval and permission to record this plat, so that they can begin developement. He would like to hear the views of Council or any questions that they might have.

Alderman Casey asked if this would adhere to the zoning regulations.

Mayor Pro-Tem Shaffer said that this portion had been zoned single family dwellings.

Alderman Larosa asked if this was a part of the previous master plan and a way of starting in a small way to implement this.

Mr. Guscio said that according to their information, market-wise today, it was not wise to start with a condimineum developement. So they were starting with single family lots to test the public acceptance of the property.

Alderman Dangerfield asked what the legal status of the road (Hwy. 703) from 53rd Ave. to the end of the island was, so far as ownership.

Attorney Guerard said that the road would remain state owned until the planned developement was implemented. Then at the request of the city, the road could be relocated. But at this point, the developement does not show a relocation of the road.

Mayor Pro-Tem Shaffer introduced Mr. Henry Finch, who is associated with the developement, and gave him an opportunity to talk to Council.

Mr. Finch stated that at this time, their plans call for 90% of the existing road remaining where it is .

Mr. Guscio stated that their plans were in compliance with the County Sub-Division Regulations except for possibly the T cul-de-sac. They usually require a turn around cul-de-sac instead. The Sea Pines Corp. had found that the T worked to better advantage in beach developements and used it successfully at their other developements. They do not hamper emergency vehicles, but do discourage every-day visitors, assuring property owners a greater degree of privacy. The size of lots will be 100' by 100' minimum or .251 acres. They have allowed a fifty foot right of way for the streets and a 50 foot strip of land as open space. There will be a 10 foot trail running through this open strip to be used as a pedestrian access to the beach. Developement would start 250 feet from mean high water mark. They will provide adequate drainage for this property.

Attorney Guerard stated that in his meetings with Mr. Guscio, they had discussed the culdesac and road right of way at length. He felt sure that it would not hamper emergency vehicles, since the head of the T was comparatively short. His main concern was in the event that the road was turned over to the city that it meet state requirements and not be another Forest Trail situation.

Mr. Guscio stated that the Isle of Palms Beach & Racquet Club would set up an Architectural Review Board to review the plans for anyone developeing any of this property. This would act as a safe-guard as well as the building permit applications that have to be submitted for approval.

After further discussion by Council, Mayor Pro-Tem Shaffer stated that he felt it was Council's responsibility to protect the residents and the island. Therefore, he thought in order for Council to give approval, we should have something in writing stipulating the conditions upon which approval was given.

Attorney Guerard said he had not drawn up anything prior to the meeting. Basically we need a letter of intent as to the conditions upon which the plat received its approval. The main concern is the basic compliance with the sub-division regulations as approved by Council. One item of variance has already been anticipated in the turn around situation. These plans will be submitted to the Charleston County Planning Board for review and make recommendations to Council. The final approval will be up to Council. Before the final approval is given to the plat, the significance of the conditional approval and final approval is that the building or occupancy permits would not be given until the conditions upon which this plat is recorded have been met. The drainage requirements would have to be met. The roadways would have to be constructed to state specifications. The sewer would have to be put in to basic state health standards. Water would have to be furnished to these lots. This is just the first step. There is still a lot more work to be done. When the basic plan was implemented, there was an agreement that only a certain percentage of the commercial developement would be done in a ratio with the residential developement. At this point, some restriction on the percentage of commercial developement should be initiated.

Mr. Guscio asked if this meant that with the 34 lots they were developing, they could develope ½ acre commercial or whatever the agreement was.

Attorney Guerard said he did not remember what the percentage was or if it was established.

Mayor Pro-Tem Shaffer said that since this was such a small part of the developement that we were being asked to approve, he would not think that it provided for any commercial approval until such time as they came back with futher plans.

After futher discussion, Attorney Guerard was asked to draft a motion giving tentative approval to the request by the Isle of Palms Beach & Racquet Club.

Alderman Larosa said that he had a resolution for Council to give its approval for going to the bank requesting a loan up to $60,000.00 for the year 1976 to be paid off out of anticipated revenues from taxes. This is part of the paper work that needed the signatures of the Mayor and Council members.

Mayor Pro-Tem Shaffer asked Alderman Larosa to read the resolution.

Alderman Larosa complied with the request. He then moved that Council adopt the resolution.

Alderman Dangerfield seconded the motion.

Motion carried unanamously.

Mayor Pro-Tem Shaffer asked Alderman Larosa if he would state the motion drafted by Attorney Guerard.

Alderman Larosa moved that the Sub-division Plat showing Tract A of Isle of Palms Beach & Racquet Club be granted "Conditional Approval" subject to the written conditions that sub-division regulations of Charleston County be complied with subject to the approval of City Council and that commercial developement within the planned unit development be restricted until request for such commercial development be presented to and approved by City Council.

Alderwoman Preston seconded the motion.

Motion carried unanamously.

Mayor Pro- Tem Shaffer recommended that Council make arrangements with the developer and other interested parties to meet to discuss future plans as the develope.

Alderman Larosa moved that the meeting be adjourned.

Alderman Jernigan seconded the motion.

Motion carried. Meeting adjourned.

Respectfully submitted.

Marie Passailaigue

Marie S. Passailaigue, Clerk of Council

Henry Shaffer, Mayor Pro-Tem

The regular meeting of the Isle of Palms City Council was held February 11, 1976 at 8:00 P. M. at City Hall.

Mayor White opened the meeting by asking Dr. Bowen to lead the group in prayer.

The roll was called by Clerk Passailaigue.

Those present: Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Larosa Meek and Shaffer. Also present Attorney Guerard.

Absent: Alderwoman Preston.

Mayor White introduced Mr. Darby and Mr. Staton, who had requested an opportunity to speak to Council .

Mr. Bud Darby, a member of the Charleston County School Board, gave a very interesting and informative presentation in support of the night adult classes now being held at Wando High School. The Community School Concept Program at Wando is funded in part by money from the three East Cooper communities, with Isle of Palms' share based on 26% of the total cost. He offered to come back at any time and show Council the film, "To Touch a Child", which shows the total concept of a community school. The classes taught in this program range all the way from courses to allow adults to complete their high school education to enrichment courses such as sewing or even belly dancing. This program is designed to get the most use out of the tax dollars spent to build and equip the schools.

Mr. David Staten, Director of the Community School Program, answered questions of Council members about the way the program was carried out in conjunction with regular school programs and the Recreation Departments of the three communities.

Mr. Darby briefly discussed the proposed athletic complex the the Wando Booster Club hoped to raise money to build. Any money they raised could be matched with Federal Funds through the B. O. R. Program, enabling them to build a first class complex.

Mayor White thanked them both for coming.

After a short discussion by Council, Alderman Jernigan moved that we table the discussion on the athletic complex until the next meeting.

Alderman Larosa seconded the motion.

Motion carried.

Attorney Guerard stated that at the special meeting held January 28, Council granted conditional approval of a plat for the sub-division development of approximately 13 acres, just north of 53rd Ave., into 34 single family lots. The stipulation was made that before occupancy permits could be issued, sewage water, roads and proper drainage must be installed; all in accordance with County and State regulations. Since then Davis & Floyd Engineers have run a cost estimate of the improvements planned for the 34 lots for a total of $113,300.00. The cost of the water system is $12,300, this is to tie into existing lines at 53rd Ave. The cost of sewer system is $67,000; this is to connect with the existing system in the Forest Trail area. The grading, drainage and paving will cost approximately $33,900. Sea Pines or Charleston Beach & Racquet Club has agreed to escrow 1½ times the total estimated cost. There is a fixed cost of $60,000.00 as a tap in and tie-in fee to existing water and sewer systems. The total amount to be escrowed is $230,000.00; which should adequately cover the cost of the improvements. The Isle of Palms Water Company has assured that the water and sewer tap-ins are available and have been approved by the S. C. Environmental Protection Agency.

Attorney Guerard briefly reviewed the Escrow Agreement that is being drawn up. This was discussed by Council.

Alderman Jernigan asked what effect running the sewer lines from 41st to 53rd Avenues would have on the lots in between,that now have septic tanks, Would it be mandatory that they tie into the sewer line.

He was told that it was doubtful that it would be available to them at this time. The preliminary report had only shown room in the present sewer system, for these 34 lots in addition to the new section of Forest Trail now being developed.

Attorney Guerard stated that the Isle of Palms Beach & Racquet Club had now decided they would like to dedicate the two T culdesacs that are planned to be built in the new developement. In their discussions, the question of the present status of the road (Hwy. 703) had been raised. It was his understanding at the time the bill was passed, that until the developement actually began, the status of the road remained unchanged. He had now been advised that a sign stating "State Maintenance Ends Here", had been erected by the state at 53rd Ave. The ownership of the road needs to be clarified.

After a short discussion by Council, Alderman Shaffer moved that the clarification of the status of the road be referred to the Streets Committee.

Alderman Casey seconded the motion.

Motion carried.

Attorney Guerard pointed out several modifications on the new plat, that would have to be approved by Council in order for it to be re-recorded.

Alderman Shaffer moved that we accept the modified plat showing the dedication of the streets and the pedestrian access easement as being a part of our conditional approval that was adopted at the last meeting.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Shaffer moved that Council give the Mayor authority to execute the document of the Escrow Agreement, when it is finalized.

Alderman Meek seconded the motion.

Motion carried unanimously.

Alderman Larosa, Chairman of Ways & Means, reported that $30,000.00 of the approved $60,000.00 tax anticipation loan, had been deposited. He also reported that the 1976 Financial Statement had been completed by the auditor and copies had been given to all Council members. He briefly reviewed the highlights of the audit report. He pointed out that we ended the year with a $14,300.00 balance. We need a $60,000.00 surplus in order to eliminate the need for borrowing money to get us through the first six months of the year. He referred everyone to the memo given to them along with a copy of the Revised 1976 Proposed Budget. This memo is an explaination of the changes that had been necessary due to the omission of items in the various departments when the budget was originally drawn up.

Alderman Shaffer suggested that the financial statement be published in the newspapers.

Alderman Dangerfield, Street & Lights, reported that the Boy Scouts were going to paint the street markers white with black lettering. The only cost to the City would be to furnish the paint.

Alderman Dangerfield reported that the Sanitation Committee had met. They recommended that we have one of the garbage trucks painted, to keep it from rusting; at a cost of $320.00. He moved that we accept the Committee's recommendation.

Alderman Shaffer seconded the motion.

Motion carried unanamously.

Alderman Dangerfield stated that the Committee recommended that we purchase 70 no parking signs and 30 poles to replace the ones that had rusted off or had been destroyed by vandalism. The cost of this would be approximately $275.00. He moved that this be done before summer to help with the parking problem.

Alderman Larosa seconded the motion.

Motion carried.

Alderman Dangerfield, Playground Department, reported that Mr. Donald, the Building Inspector, had checked the tennis courts after the contractor had said that he had completed the repair job. Mr. Donald did not think that the contractor had met the specifications and would not approve them. They planned to have ' another meeting and would try to work out a solution. There was no other report from this department, but he would lkie to request that Council go into to executive session at the end of the regular session to discuss personel.

Mayor White asked if there were any other committee reports.

Alderman Meek stated that Jack Key had been contacted by Mr. John McCrady of Cummings & McCrady Engineers, to see if we had shown any further interest in the Water Co. preliminary survey. He was interested in doing the study even if it meant taking a gamble on getting anything out of it.

Alderman Larosa stated that a letter had been sent to Mr. Brooks in November applying for a grant to do the study, but since we had heard nothing from him; he was due a call.

Alderman Shaffer asked if it was the recommendation of the committee that we accept this offer.

Alderman Meek stated that the Committee had not met with Mr. McCrady about this offer and also it had already made a recommendation to Council to use this firm. He felt that Council should meet with Mr. McCrady, if they were interrested in pursueing the offer.

Mayor White asked that a special meeting be set up with Mr. McCrady for the following Wednesday or as soon as possible.

Mayor White stated that he had received a letter from Time-Out and the East Cooper REACT asking permission to keep a boat at the Isle of Palms Police Department . This would be used at Breach Inlet with rescue squads in case of emergency during the summer. This will be manned on weekends by this group.

Mayor White stated that all Council members had received a copy of the new committees , along with the appointments of Marie Passailaigue - Clerk-Treasurer, Fred Thompson- Chief of Police, William Connelley-Fire-Chief, Whit Donald-Building Inspector. There are some changes due to resignations or people moving. These names have been deleted and will need to be replaced if anyone has any recommendations.

Alderman Dangerfield asked that before Council accepts the appointments, he would like to have an executive session to discuss them.

Mayor White said this could be done. He asked for any further business.

Alderman Casey asked if there had been any progress made on the insurance by the committee.

He was told that they were still working on it.

Alderman Casey asked about the trailer parked at 41st Ave. He had been approached by a resident as to why it was being permitted, since it was against City Ordinance.

Alderman Dangerfield suggested that it be referred to the Building Inspector for a report.

Mayor White asked that Mr. Donald be asked to check this out and report back.

Alderman Dangerfield moved that Council go into executive session.

Alderman Shaffer seconded the motion.

Motion carried, regular session adjourned.

The Council reconvened in open session. All committee appointments were approved.

Respectfully submitted.

Marie Passailaigue

Marie Passailaigue, Clerk of Council.

J. Blair White

J. Blair White, Mayor

A special meeting of the Isle of Palms City Council was held March 3, 1976 at 8:00 P. M. at City Hall.

Mayor White asked the Clerk to call the roll.

Those present: Mayor White, Alderwoman Preston, Aldermen Avant, Casey, Dangerfield, Larosa, Meek and Shaffer.

Absent: Alderman Jernigan and Attorney Guerard.

Mayor White stated that the purpose of the meeting was to have Mr. McCrady come over and tell us what he could in reference to the study of the feasibility of buying the Water Company. He asked Alderman Meek to bring Council up to date on what has transpired so far.

Alderman Meek read excerpts from the minutes of the December 10th City Council meeting that pertained to the preliminary investigation by the Committee. One of the fimrs that had contacted was Cummings & McCrady. He pointed out that they had offered to do the preliminary feasibility study on the purchase of the Water Co. at a cost of $1,500.00.

After reading further excerpts from these minutes, Alderman Meek introduced Mr. John McCrady and asked him to elaborate on just what the study would involve.

Mr. McCrady stated that it was hard to say just what all they would have to do, until they got into it. First of all his company would need to be furnished with drawings of the plans for the system and operating statements for the Water and Sewer Companies. At this point, they didn't know hwat else they might need as they went along. They would look into what improvements needed to be made and at what cost. If the preliminary studies show that it is feasible for the City to buy the Water Co. and operate it at a profit, then, subject to Council's approval, they would proceed to do a complete study. The cost of this study would be for a standard fee, payable when the bonds were sold. Phil Dixon will do most of the work in the beginning. He would like for him to be free to come to the City and the Water Company for information he needs to help him in his work.

Mayor White stated that he was sure this could be done.

Alderman Shaffer stated that in the minutes, a reference was made that the present system doesn't meet the 208 Plan. Just what was this?

Mr. McCrady stated that that was a federal study that was being done. He wasn't sure what their requirements were, but it would be no trouble to find out.

Alderman Shaffer said his first impression was, that maybe we weren't getting what we were supposed to be getting in the way of water.

Alderman Meek said that it seemed that none of the engineering firms knew if we were getting the quality of water we should to come up to the 208 standard.

Mr. McCrady said he would like to see the lab reports on the water before giving an answer on that.

Alderman Shaffer said all he knew was,that since we started using water from the deep well, it had affected the taste and it had a discoloring effect on food cooked in it.

Mr. McCrady said that that could mean it was high in flourides or some mineral.

Alderman Shaffer asked if in addition to an economic feasibility, if they would also determine if what now exists, meets all the tests.

Mr. McCrady said that they would determine whether a water treatment plant was needed

Alderman Shaffer asked if Mr. McCrady was familiar with Mr. Brooks and how the state grants worked, since we had heard nothing since applying.

Mr. McCrady said no, but if he did his work, he would eventually expect to be paid.

Mayor White said that he felt sure that if the grant did not come through, that Council would make other arrangements to pay him. This was something that all Council members had voted to have done.

Mr. McCrady stated that he would need a letter of authorization from the City to do the preliminary feasibility study. He would also need plats of the island showing the lot s and streets.

After further discussion by Council, Alderman Shaffer moved that Council approve the proposal of Cummings & McCrady Engineering, to do an engineering and economic feasibility study. That the Mayor be directed to draft a letter to the firm asking them to proceed with it, subject to condition of the $1,500.00 fee for the preliminary study.

Alderman Larosa seconded the motion.

Motion carried unanamously.

Alderman Casey pointed out that we still do not have a copy of the new zoning map in City Hall. This might be of help to the firm in their work.

Mayor White said that he would contact Mr. Way about the study being done and the documents that the firm would need.

Alderman Casey inquired as to how long the study would take.

Mr. McCrady said it would take approximately 3 months.

Mayor White thanked Mr. McCrady for coming.

Mayor White reported that Mayor Lipman had called him im reference to the need for a dog catcher for the two islands. He had approached him about the possibility of the two islands joining together and hiring a dog catcher and establishing a dog pound. The cost for this would be pro-rated on a population basis of 60% for the Isle of Palms and 40% for Sullivan's Island. The pound would have to come up to SPCA regulations. It was his understanding that the county will only take animals after they have been confined for a period, during which you are to try to locate the owners. He intended to check further into this.

Alderman Shaffer asked why we couldn't hire our own dog catcher, because he couldn't see us keeping Sullivan's Island's dogs and he did't believe that they intended to keep ours.

Mayor White said that we could hire our own, it would be a little more costly, but probably a lot more satisfactory.

Alderman Shaffer suggested that we build a portable pen to be placed on the Sanitation pick-up truck, hire some teenagers and let Mr. Parrish supervise them in picking up the dogs running loose. This would only require a couple of hours, 2 or 3 afternoons a week, except on special occasions.

Alderman Avant suggested that the part-time patrolman, be hired to patrol the island certain hours of the day, to take care of the dogs.

After further discussion, Alderman Shaffer moved that the dog catcher problem be referred to the Police and Sanitation Committees for recommendation.

Motion carried.

Alderman Larosa asked if this employee would come under law enforcement. If it did, he would check with the Regional Planning Council, to see if there were available funds for this.

Mayor White said he would stall Mr. Lipman until the Committees had a chance to try to work out a solution.

Alderman Shaffer informed Council that he had been contacted by the owner of one of the businesses on the front beach, about Mr. Burgis building on to the front of his business. The fellow seemed to think Mr. Burgis was building on the state right of way. He had asked Mr. Donald to check into it. When Mr. Donald and Mr. Parrish measured it, they were of the opinion that he was on his own property. since the City map showed a 66 ft. right of way and he was well beyond that with the wall he is building. He had a plat of the property that came from the county showing a 70 ft. right of way. All of the lots on the front beach are 5 ft. wide and 30 ft. deep. Apparantly, Mr. Donald is satisfied that Mr. Burgis is within his rights and has issued him a permit. He would like to hear the opinions of other members of Council, because he was sure the man was going to be looking for some answers.

Alderman Avant said he thought the first step would be to establish what the correct right of way width was.

Alderman Casey asked if the State Highway Dept. wouldn't survey this street for us.

Mayor White said he was sure that they had already surveyed this, but that we could contact them about it.

After further discussion by Council, it was decided that Alderman Dangerfield would contact the Highway Dept. about the correct right of way width and that the Clerk and Building Inspector were to try to settle the matter. If they couldn't, then Corporation Council would be asked for assistance.

Alderman Shaffer asked who was in charge of putting up no parking signs and who decided where they would be put.

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Alderman Dangerfield said that the Sanitation and Streets Committees had purchased the signs, but he didn't feel that it should be their responsibility to decide where they should go. He thought the Police Committee should be in charge of that, since it comes under public safety. In the past the Police Chief has decided where to put them.

Mayor White said he had had some inquiries about the ones that were placed along side of Dr. Pierce's property, back near the boat landing on the Marchant tract.

Alderman Shaffer said that those particular signs read no parking, towing zone.

Alderman Dangerfield said that those signs were placed there at the request of Mrs. Pierce. He had had the Chief of Police and Mr. Parrish to check it out and see if they thought a sign was needed. The Pierces contend that people using the boat landing, are leaving their trailers parked on their property.

Alderman Shaffer said that there was an easement going down to the landing that had been dedicated to the people owning property in that tract to use. They were within their rights to park along that easement, but now they were being told that they would be towed away if they did. He did not feel that that was right.

Alderman Casey said that the problem of wher signs should be placed had been discussed in Committee. Should we have them at all in areas where there is a state right of was along both sides of the street, where people might park.

Alderman Dangerfield said he still felt that the Police Chief and Police Committee should be in charge of placing public safety signs.

Mayor White said he did'nt feel that this could exactly be called a public safety sign. However, he did feel that it should be clarified as to who would be responsible for deciding where signs would be placed in the future. He futher stated that when he was police chief, he recommended signs to the Mayor and Council and they approved them before they were put up.

After further discussion by Council, Alderman Shaffer moved that Street and Street Lights Committee be responsible for establishing a policy for all street signs. This policy will be presented to Council for approval. Any exceptions to the policy, will have to be brought before Council.

Alderman Avant seconded the motion.

Motion carried.

Meeting adjourned.

Respectfully submitted,

Marie Passailaigue
Marie S. Passailaigue
Clerk of Council

J. Blair White
J. Blair White
Mayor

The regular meeting of the Isle of Palms City Council was held Wednesday, March 10, 1976 at 8:00 P. M. at City Hall.

The meeting was opened by Mayor White with a prayer.

The roll was called by Clerk Passailaigue.

Those present: Mayor White, Aldermen Casey, Dangerfield, Jernigan, Meek and Shaffer, Alderwoman Preston and Attorney Guerard.

Absent: Aldermen Avant and Larosa.

Mayor White called for committee reports starting with Sanitation and Streets and Lights.

Alderman Dangerfield reported that the Sanitation and Street and Street Lights Committees had met and he had been reappointed chairman. The Committee recommends that a street light be placed at 4th Avenue and Charleston Blvd. He moved that we approved Committee recommendation and install the light.

Alderman Shaffer seconded the motion.

Motion carried.

Alderman Dangerfield stated that at the last Council meeting, there had been a discussion about the width of right of way on Ocean Blvd. He had checked with the Highway Dept. and he had been given a copy of a letter dated May 21, 1968, showing an eighty foot right of way on Ocean Blvd. He had gone with Mr. Donald to measure the right of way in front of Mr. Burgis's place of business, and he is not building on state property.

Alderman Dangerfield reported that the Committee was still working on a parking sign policy. After doing some research, that had found that the two no parking signs that had been erected on Myrtle Blvd., had been placed on private property and had had to be removed. Any signs will have to be put up by the Beach Co., who owns this property; since it does not belong to the city or the state. We hope to have a policy for placing no parking signs in the future, so as to eliminate this kind of problem.

Alderman Dangerfield reported that the Committee had also discussed the need for installing a radio in Mr. Parrish's truck. This would operate on the Fire Dept. base station and provide communication between his truck and City Hall, in case of emergency. They recommended that Council approve the expenditure of $275.00 to purchase a radio. He moved that Council approve the Committee's recommendation.

Alderman Casey seconded the motion.

Motion carried unanamously.

Alderman reported that he had contacted the State Highway Dept. about the status of Hwy. 703 from 53rd Ave. to the end of the island and about the sign that had been erected by them at 53rd Ave. They had sent him a copy of a letter that was sent to the Mayor concerning this. The letter does not specifically state that the road was turned over to the city, it only says that the Committee met and decided on turning the road over. This meeting was held Sept. 18, 1975. The letter was dated Feb. 24, 1976.

Attorney Guerard stated that they still had not offically turned the road over to us, only the maintanance has been abandoned.

After further discussion, Alderman Shaffer moved that a letter be drafted to the State Highway Dept. stating the City's position, that we don't have the authority under the act to take over title to the road, therefore, we believe they should not abandon maintanance until that time.

Alderman Meek seconded the motion.

Motion carried.

Alderman Dangerfield reported that the Committee had discussed the problem of a dog catcher for the island. He had discussed the possiblilty of one of the firemen doing it part-time on his days off. This would involve paying him time and a half, which would be $3.40 per hour until April 1st and after that it would be $3.55 per hour. Mr Avant had also contacted the part-time policeman about doing it, but he had not gotten an answer. He would like to have Council's opinion on paying someone $3.55 per hour for approximately 20 hours a week to patrol the island.

Mayor White stated that he was sure that they would have to do some patroling to control the problem, but it was his understanding that they would be answering specific complaints for the most part. He would like to know if any planning had been done as to what procedure would be followed after the dogs had been caught.

Alderman Dangerfield said it was his understanding that the dogs would be held for 24 hours in a pen on the island and if the owner could not be found, the dogs would then be transferred to the County pound.

After further discussion by Council, Alderman Casey moved that the matter of the dog catcher be tabled until the committee had more information.

Alderman Jernigan seconded the motion.

Motion carried.

Alderman Casey reported that the new Playground Commission had met twice. It consists of Peggy Farmer, Gwen Bower, Clyde Frazier, Tom Woodward , Buzzy Weed and Bill Casey, Chairman. They had discussed the purchase of a tractor at a cost of $1400.00, a movie projector at a cost of $700.00.These were included in the proposed budget this year. A tennis clinic is being considered for the summer with the help of on instructor who is retired and living on the island. This will be open to children and adults. The Baseball program is getting in full swing, the coaches have been appointed and the teams are being outfitted with uniforms. These will cost approximately $2,100.00. The boxing tourniment sponsored by the Isle of Palms Recreation Dept. is being held at the National Guard Armory in Mt. Pleasant. That completed the Playground Dept. report with the exception of the tennis court report and he would ask Timmy to fill Council in on that.

Alderman Dangerfield reported that he and Attorney Guerard had drafted a letter on Feb. 25th to Landscape Pavers, giving them 10 days to complete the repair job. They listed four items that had not been completed. He received a letter from them on March 1st plus a phone call. The company feels that they have completed the job and want to be paid. They are now trying to set up a meeting with the president of the company, Arthur Schirmer and hope to have something settled soon. If they can't get any satisfaction, they might consider paying the company a percentage and open the courts for use.

Mayor White asked if he thought opening the courts before they got a final settlement, was wise.

Attorney Guerard said that the company had already breached the contract by not meeting the specifications, but they weren't sure that Mr. Schirmer was aware of the situation. That was the reason they had decided to meet with him personally and inform him of the items that needed to be completed.

After further discussion by Council, Alderman Meek moved that the tennis court situation be tabled until further study by Attorney Guerard and the others involved.

Alderman Shaffer seconded the motion.

Motion carried.

Alderman Meek stated that as a matter of information, he had been informed by one of the coaches, that of the top 16 baseball players at Wando, 8 had come through the program of the Isle of Palms Recreation Dept.

Alderman Casey stated that one more item that would have to be considered soon would be treating the building for termites. He had got several extimates, the lowest one was $1200.00.

Mayor White stated that he had one thing he would like carried to the Commission and that was that they try to see to it that the equipment that was being bought for the Playground Department be taken care of better. It seems that each year the same equipment has to be replaced over and over again. He felt that with just a little care, this expense could be eliminated , leaving money to buy other things that could be used. An inventory should be kept, so that things could be got back at the end of the season.

Mayor White presented the slate of members of the Planning Commission for Council's approval. They are as follows: Jim Colcoloughly, Charles Eisenhower, Henry Shaffer, Francis Meek, Joseph Larosa, Camille Mizell, Will Walter and Mack Fore. He also presented for approval the following slate of members for Playground Commission: Bill Casey, Clyde Frazier, Tom Woodward, Gwen Bower, Peggy Farmer,Buzzy Weed and Francis Meek.

Alderman Shaffer moved that Council approve the Mayor's appointments to these Committees.

Alderman Meek seconded the motion.

Motion carried.

Mayor White stated that the letter had been written to Mr. McCrady informing him of Council's decision to have his company go ahead with the study on the Water Co.

Mayor White read a letter from Mr. Woody Brooks stating that a grant to finance the study, had been approved. He also read the letter that was written to Mr. Brooks prior to this, applying for the grant.

Alderman Shaffer reminded Council that the time was growing short for a decision on Home Rule, the deadline being Sept. He felt that with all the things this requires, Council might be wise in getting some sort of schedule set up for getting started.

Mayor White stated that since all of Council needed to be familiar with it, it might be well for all of them to study it together in its entirety or it could start in Committee and come back to Council.

Alderman Casey said he would like to see it start with a committee of eight.

Mayor White said he would call a special meeting to get started. They could go through it together and proceed from there as to how they decided after that.

After further discussion by Council, a decision was made to hold a special meeting March 24th, to study the home rule.

The regular quarterly open Council meeting will be held March 31st at 8:00 P. M. at City Hall.

Alderman Shaffer asked that a notice or news release, be placed in the newspapers to inform the residents about the open meeting.

Alderman Dangerfield reported that the State Highway Dept. had started work on resurfacing Palm Blvd. from Breech Inlet to 21st Ave. They hope to be through before the summer season starts.

Mayor White stated that Mrs. Tetor had asked him to announce that the Garden Club had designated the week of March 27th through April 3rd, as "Clean Up Week." They asked that the City support this effort. He had assured her that they would and also give them the full co-operation of the Sanitation Dept. in helping pick up the trash that is collected.

Alderman Shaffer moved that we issue a proclamation declaring this period as "Clean Up Week".

Alderman Casey seconded the motion.

Motion carried.

Alderman Dangerfield asked that a letter be sent to the Garden Club, thanking them for erecting the sign at Breech Inlet.

Mayor White informed him that this had already been done.

Alderman Meek stated that at the beginning of the evening we had opened our meeting with a prayer. That prayer was written by Mr. Sally Sottile. As most of you know, Mr. Sottile is very ill tonight. I think it would be in order if this group, including the members of the audience, stood for a moment of silent prayer.

Mayor White said so be it.

.............................meeting adjourned.

Respectfully submitted,

Marie Passailaigue

Marie Passailaigue
Clerk of Council

J Blair White

J. Blair White
Mayor

March 24, 1976

The Isle of Palms City Council met March 24, 1976 at 8:00 P. M. at City Hall. The first portion of the meeting was used as a work session to study the Home Rule issue. The work meeting was adjourned and the Council was called to order in regular session to take care of City business.

Those present: Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Meek, Larosa and Shaffer. Also Attorney Guerard.

Absent was Alderwoman Preston.

Alderman Meek moved that Council refer the study of the Home Rule issue to the Engrossed Bills Committee ,with committee to bring a recommendation to Council. This is to be handled as Ordinance #8- Mayor and Council.

Alderman Larosa seconded the motion.

Motion carried unanamously.

Alderman Casey moved that Council approve the expenditure of $694.00 for a movie projector for the Playground Department, with a 60 day postponement in payment.but Purchase Order to be issued now.

Alderman Jernigan seconded the motion.

Motion carried unanamously.

Alderman Larosa moved that Council approve a $250.00 donation to Sullivan's Island Elementary School to help pay for the installation of the proposed air-conditioning of the school. This is in response to a request from the Sullivan's Island P. T. A.

Motion carried unanamously.

Alderman Shaffer moved that the present part-time patrolman, Ted Herold, be transferred to full-time and that a new part-time patrolman be hired, who would also serve as canine patrol officer for the island. The salary for this new position is to be paid by taking the $3,500.00 budgeted in the Police Budget for part-time help and adding an additional $2,000.00.

Alderman Jernigan seconded the motion.

Motion carried unanamously.

Meeting adjourned.

Respectfully submitted,

Marie Passailaigue
Marie S. Passailaigue
Clerk of Council

J. Blair White
J. Blair White
Mayor

April 14, 1976

The regular meeting of the Isle of Palms City Council was held Wednesday, April 14, 1976 at 8:00 P.M. at City Hall.

The meeting was opened by a prayer by Mayor White.

The roll was called by Clerk Passailaigue.

Those present: Mayor White, Aldermen Casey, Dangerfield, Jernigan, Larosa, Meek, and Attorney Guerard.

Absent were: Alderwoman Preston, Aldermen Avant and Shaffer.

Mayor White began the meeting by taking committee reports.

Alderman Larosa, Chairman of Ways & Means reported that all departments seemed to be staying within their budgets. We have borrowed $30,000.00 of the $60,000.00 approved and now have a bank balance in the general fund of $15,000. We also have a balance of $7,000 in Revenue Sharing. Last year during the period of April through July we had a cash income of $69,000. If we have as much come in this year plus the $15,000 we have in the bank at present, we might possibly get by without borrowing more than 10 to 15 thousand more. The expenditures are averaging around $20,000 per month at present. We have approximately $4,000 in outstanding bills at present.

Alderman Larosa reported that the Planning Commission had met, with four members present. The board is short 3 members at present, with one member being rather inactive. He would like to see the vacancies filled, so that they could get more accomplished.

Mayor White asked for recommendations for replacements from Council.

Among those recommended were Helen Clarkin, Theo Holman, Sidney Allison and P. L. Branca. Mayor White is to contact some of these residents and appoint three new members.

Alderman Meek stated that the bridge situation had been discussed at the meeting and they would like Council to give consideration to writing letters to the individual Sullivan's Island Council members in support of the fixed span bridge.

After a discussion about the bridge situation by Council, Mayor White read a letter from Paul Cobb of the State Highway Department to Mayor Lipman, as to the state's position on the bridge. Council decided to wait and see what developed at the meeting scheduled for Monday night on Sullivan's Island, before doing anything else.

Mayor White asked for a report from the Playground Committee.

Alderman Casey, Chairman,reported that the "Baseball Jamboree" would be held in Mt. Pleasant April 24th and the regular season would begin April 26th. There will be 2 or 3 games per night played on our field. Some of the summer help will begin work the first of May. The purchase of the tractor has been postponed and someone will be hired to cut the field instead.

Alderman Dangerfield reported that the tennis courts were opened for play on April 13th. We had sent the contractor a letter dated April 6, stating that if they had not finished the job or notified us as to their intentions by April 13th, that the courts would be opened. We felt like they had been given every opportunity to honor their contract, since we had granted them two extentions. So far they have not been paid and any further developement, will be handled by the city attorney. The expansion joints need to be sealed against moisture immediately and the trash that was left by the contractor needs to be removed. This will be taken care of.

Attorney Guerard asked that a record be kept of any expense incurred in doing these things or any other things that needed to be done to finish the job to protect the City's investment in the courts. In case of a settlement, we will pass this expense along to the contractor.

Alderman Dangerfield is to check on getting the rest of the repair work done.

Alderman Casey reported that the Ladies Auxillary was inactive at this time and had relinquished their use of the Pepsi Wagon. The Sportsman Club will be using it this year.

Alderman Meek stated that the money that the Auxillary had donated to buy materials for the EMS quarters, had been discussed.

Alderman Casey said that they wanted to use some of that material to construct a scorer's box.

Mayor White said that they would have to take that up with the ladies, as he had promised to send the money back to them. Ann Moye had asked that the money be returned to her and he was going to do so.

Mayor White asked for the report from Sanitation.

Alderman Dangerfield, Chairman, reported that the Committee had met and the purchase of a radio for Mr. Parrish had been discussed again. The used one that had been approved for purchase, was no longer available and they recommended that Council spend $550 to purchase a new one. Mr. Parrish is using a walkie-talkie from the Fire Department at present.

Alderman Jernigan asked if this was satisfactory.

Mrs. Passailaigue said most of the time it was if he was on the island, however, sometimes it had quite a bit of static and it required a battery charge each night.

After further discussion, it was decided to refer it back to committee for further study.

Alderman Dangerfield stated that the Committee had decided that the policy for erecting any street signs from now on, would be for the Committee to take requests for signs under consideration and report out to Council for final approval.

Alderman Dangerfield stated that the committee had checked into setting fines for parking and had decided this would be left up to the jurisdiction of the recorder. The maximum fine he can levy is $100.00. He had met with Attorney Guerard about drawing up an ordinance on tow-in power. They had found that we already have one in our ordinance book in Chapter 14, Sec. 14-13. Cars can be towed and they would check into taking contracts from towing companies and report back to Council.

Alderman Dangerfield reported that it had come to his attention that pressure might be put on the cities for not providing proper parking areas for the public at the beaches. He was asking the police chief to keep a log on the count of cars parked in the Municipal Parking Lot and on the street at the front beach area for the rest of the summer. This way if anything came up, we would have some records to substantiate our answer.

Alderman Dangerfield reported that he had been informed that East Cooper REACT had donated a boat, to be kept at Breech Inlet to use in case of emergency. They were requesting $7,000 from County Council to be used for operating expenses. They need a letter from us supporting this effort.

After a discussion by Council, Alderman Dangerfield moved that we draft a letter to Council Council supporting the request.

Alderman Meek seconded the motion.

Motion carried, 4 for - 1 against.

Mayor White asked if anyone had a report from the Police Commission in the abense of the chairman, Alderman Avant.

Alderman Jernigan stated that he didn't have a report, but he would like to ask that the chairman of the Police Committee call a meeting. They had not met recently and several decisions had been made concerning the Police Department that should have come through committee.

Alderman Larosa gave a short report on the Regional Planning Committee Meeting.

Alderman Dangerfield stated that the Street Committee recommended that Council approve replacing all the rotten and rusty "no parking" signs.

Alderman Meek seconded the motion.

Motion carried.

Mayor White stated that the primary reason for placing these signs at the beginning, was to keep down the litter and it had helped some.

Attorney Guerard stated that our working relationship with the County Planning Board seems to be more or less at a stand-still at present, due to the constant turn over in staff members at their headquarters. In the meantime several things have come up that need attention. The first one for consideration is a plat of the Beach Company's planned sub-division along Palm Blvd. extending from the Exchange Club to Merritt Blvd. The soil work has been done, showing it suitable for septic tanks. This tract of land has been sub-divided into lots. They are asking for Council's approval to record this plat.

After a discussion by Council, Alderman Jernigan moved that Council grant approval to the Beach Company to plat and record a sub-division at 4th Avenue and Palm Blvd.

Alderman Casey seconded the motion.

Motion carried unanamously.

Attorney Guerard stated that he had been advised that the Beach Company would also be presenting a plat for approval, of a tract between 28th and 29th Avenues and bordered on one side by Hartnett Blvd.. In regard to approval of this tract, he recommended that we stipulate that they upgrade the street to state specifications before we grant an approval.

Mayor White stated that he would also recommend that we require them to provide adequate drainage for that area.

Attorney Guerard stated that he also had a request for a zoning variance of the corner lot on 21st Ave. across from the Methodist Church. The Beach Company wanted to build an office for the practice of dentistry there. He read a letter from the Beach Company stating their plans and also submitted a drawing of their plans for Council's inspection. This will come before Council for a decision at a later date.

Attorney Guerard stated that the Beach Company is planning to develope the airport property. He would like to see them present a master plan for this for approval, instead of submitting plans for a block or two at a time. This will require a lot of study for them and Council before it is ready for approval, but he wanted them to be aware of some of the things that were coming up.

Attorney Guerard stated that the Beach Company wanted approval to install sheet piling along the canal they have dredged at the end of 26th Avenue.

Mrs. Passailaigue stated that Mr. Burkett had filed an application for this with the City that morning.

Mayor White said that he could see no reason for not granting approval of the application as this was just for protection against erosion.

Mayor White stated that it had come to his attention that a property owner had redone a small building behind his house at 404 Carolina Blvd. to use as living quarters for himself while he rents out the house. This was done without a building permit being issued to the contractor. They have now moved in and the complaints are coming in , as this is strictly against zoning regulations.

Alderman Casey read a letter of complaint from Mr. Robert Lorance of 406 Carolina Blvd., in regard to this same zoning violation.

After a discussion by Council, this matter was turned over to the City Attorney for study and recommendation.

Mayor White stated that he had attempted to get theft insurance on the city property, but could not find any company who would insure it because most of the articles were ones that were easily stolen and disposed of. He read a letter he had received from Worth Agency in regard to this.

Mayor White read a letter from Mrs. Betty Chaconas in regard to the excessive amount of litter on the beach.

There being no further business, Mayor White declared the meeting adjourned.

Respectfully submitted,

Marie Passailaigue
Marie S. Passailaigue,
Clerk of Council

J. Blair White
J. Blair White
Mayor

The regular meeting of the Isle of Palms City Council was held May 14, 1976 at 8:00 P. M. at City Hall.

The meeting was opened with a prayer by Mayor White.

The roll was called by Clerk Passailaigue.

Those present were: Mayor White, Alderwoman Preston, Aldermen Dangerfield, Jernigan, Larosa, Meek and Shaffer, Attorney Guerard.

Absent were: Aldermen Avant and Casey.

Mayor White asked if there were any corrections or additions to the minutes of the last meeting.

Alderman Shaffer moved that the minutes be approved as presented.

Alderman Larosa seconded the motion.

Motion carried.

Mayor White reminded Council, that the names of Helen Clarkin, P. L. Branca and Theo Holman had been recommended for appointment to the Planning Commission. He had contacted them and they had agreed to serve.

Alderman Shaffer moved that Council approve the nomination of these as read.

Alderman Larosa seconded the motion.

Motion carried.

Mayor White stated that he would confirm their appointment by letter.

Mayor White stated that at that this time he would take the committee reports, beginning with Ways & Means.

Alderman Larosa, Chairman of Ways & Means,reported that the City has on hand a bank balance of $21,253 and less than $8,000 in outstanding bills to be paid. If everyone continues to keep expenditures at this level, we could possibly not have to borrow the full amount of money from the bank that was approved.

Alderman Larosa reported that on May 1st, on behalf of Council, he attended the Home Rule Seminar at the College of Charleston. The seminar was a general explaination of the book on Home Rule, we all have.

Alderman Larosa gave a very informative report on the Chats meeting he had attended. He stated that a written report on the meeting along with a map would be posted on the bullentin board for those interested. This gives a 6 year projection on all projects and their cost. The part that concerns us most, being the fixed span bridge that is to be built on the 703 causeway across the inland waterway.

Mayor White stated that he was sure all the residents of both islands would be be glad to see the bridge become a reality, for both an alleviation of traffic congestion and the safety factor.

Alderman Meek reported that the Planning Commission had attempted to meet, but since they were short so many members, they had not accomplished a great deal.

Mayor White asked Alderman Dangerfield for the reports on his committees.

Alderman Dangerfield reported that the tennis courts were open, but no payment had been made to the contractor. We have paid out approximately $135.00 for clean up and repair and have possibly $500.00 more to pay out for painting the court. The city attorney is in the process of negotiating a settlement with the contractor and there is a possiblilty that it will go to court.

Alderman Dangerfield reported that the Sanitation and Street and Street Lights Committees had met. They had discussed the problem of litter on the beach. Some of the business operators had asked that more attention be given to picking up the trash on the beach, as well as empting the cans. They offered to pay ½ of the cost of this extra expense. The committee felt we couldn't take on this at this time,b ut we would approach it from a preventive standpoint, by enforcing the ordinance Sec. 6-4. The lifeguards will be responsible for keeping people from littering the section assigned to them. The part-time policeman will be put on the beach to issue tickets to people for littering. We need approval to have four more anti-litter signs made. These signs will cost approximately $125.00 He moved that Council approve the purchase of these signs.

Alderman Meek seconded the motion.

Motion carried.

Alderman Dangerfield stated that a letter had been sent to the county, requesting that they clean up the beach. They will be here May 15th to clean the beach from Breech Inlet to 53rd Avenue.

Alderman Dangerfield reported that the Committee had asked the Building Inspector to enforce Sec. 12-2, that provides for adequate toilet facilities.

Alderman Dangerfield state the St. Marks Lutheran Church had requested that a street light be placed between 3rd and 4th Avenues on Palm. He moved that we install a street light on pole #46-876.

Alderman Shaffer seconded the motion.

Motion carried.

Alderman Dangerfield stated that the ordinance that gives us the authority to tow cars that are parked in prohibited zones, will be enforced. We have talked with several towing companies and the one giving the lowest bid was Mt. Pleasant Auto Service. It is the recommendation of the committee that we have the City Attorney draw up a contract to use the Mt Pleasant Auto Service.

After a discussion by Council, Alderman Dangerfield moved that we accept the Committee's recommendation.

Alderman Shaffer seconded the motion.

Motion carried.

Alderman Dangerfield stated that the Sanitation Department was trying to get by without buying a new truck this year. They were using the oldest truck to haul leaves and limbs. He further stated that Palm Blvd. had been resurfaced from Breech Inlet to 21st Ave. and extended out to include the bicycle path. Merritt Blvd. is scheduled for paving some time this summer.

Mayor White asked if anyone had a report from the Police Committee.

It was reported that the Police Committee had not met.

Alderman Shaffer reminded Council that we still had the business of "Home Rule" pending.

Attorney Guerard stated that he had talked with Dave Williams of the State Municipal Association. They will set up a meeting either the end of June or the first part of July with a representative of the Municipal Association on this.

Mayor White said he didn't want to wait too late to start, as the deadline was sometime in September.

Attorney Guerard reported that he had a request from the Beach Company to rezone the lot on 21st Ave. across from the Methodist Church to allow an office to be built for the practice of dentistry by Dr. Terrill Lewis. The request is dated March 29th, we have 90 days to answer.

After a discussion by Council, it was referred to Engrossed Bills to get the input from the adjoining property owners and report back to Council.

Attorney Guerard stated that he also had a request from the Beach Company for plat approval for a sub-division of the old school property located between 28th and 29th Avenue beginning at Hartnett Blvd. He pointed out that 29th Ave, needed to be brought up to state standard as this would be the main ingress and egress to this property. He also reminded them that the federal deadline for the sewage system, was the end of 1977. The more septic tanks we allow now, the more problems we will have later. This plat is divided into 21 lots. The last time he checked, there were still 120 approved taps remaining on the existing treatment system. Thirty-four of these are to be used by the lots Sea Pines sold. Most of the remainging ones will be used in the new Forest Trail section. He had checked with the Health Department and they would approve an expansion of the plant, to service the airport property.

After a discussion by Council, Attorney Guerard is to advise Mr. Way that conditional approval is being considered on the basis, that the 28th and 29th Avenues be brought up to state standards, adequate drainage is to be provided and that Council be shown documentation of perk tests for septic tank approval.

Attorney Guerard informed Council that he had met with Mr. Way and Mr. Burkett concerning the airport property. He had advised them that Council needed a comprehensive plan for the overall tract, rather than a piece-meal, block by block plan.

Attorney Guerard stated that Joe Webster, projects director of Sea Pines request that we set up a meeting between his organization and City Council to discuss the situation of the 34 lots above 53rd Street. They also hope to be able to give us some information as the their long range plans.

Alderman Meek asked if anyone knew if Mr. McCrady had started work on the Water Company study.

Mayor White stated that he had not heard anything from him since the meeting.

Alderman Jernigan stated that he was concerned about the effect that the increase in Blue Cross Blue Shield would have on the city.

Mayor White said that he understood that several cities had gone to other companies for their insurance because of the increase. He felt that we should investigate some other companies also.

This was referred to the Ways & Means Committee.

Mayor White read a letter from Mrs. Dorothy Lorance- 406 Carolina, protesting the second building at 404 Carolina being converted to living quarters.

After a discussion by Council, Alderman Shaffer moved that this be referred to Ways & Means Committee for investigation.

Alderman Meek seconded the motion.

Motion carried.

Mayor White read a letter from Mr. Thomas May of Waterway Blvd., in support of the possibility of the Isle of Palms adopting the Homestead exemption.

Mayor White stated that he had been approached by Mr. Cal Cochrane about sub-leasing the picnic area from the city if they lease it from the Beach Company. He would take care of furnishing anything it needs and maintaining it and would operate it charging the public a fee. He stated that he wasn't sure this would be legal. In any case, no decision had been made about leasing it as yet. He would like to take a vote as to how many were in favor of re-opening the picnic area.

After a discussion by Council, a vote was taken as follows;
5 against re-opening the picnic area, 1 for.

Mayor White read a report from Mr. Donald about what appeared to be a violation of the sand dunes ordinance in the area of 3606 Palm Blvd. The dunes had been flattened and the vegetation stripped.

Alderman Dangerfield moved that this be referred to the Beach Patrol & Control Committee.

Motion carried.

Mayor White read a report from the Board of Adjustment & Appeals, which included a letter of resignation from Joe Thornton. They recommended that Council approve a variance requested by Dr. Michael Pierce as to the placement of his house on his lot.

Alderman Dangerfield reminded Council that they had an amendment to the ordinance on dog control, pending.

Attorney Guerard stated that he had drawn up an admendment to strengthen the existing ordinance. He read the amendment.

Alderman Dangerfield said he felt that they should have at least the 1st reading tonight, since we now have a dog catcher.

Mayor White asked if Council was ready to proceed with this tonight.

Alderman Shaffer said he saw no reason no to, since we have discussed this on a number of occasions. He moved that Council suspended the rules of Council and have all three reading tonight.

Alderman Meek seconded the motion.

Motion carried unanimously.

Alderman Shaffer moved that we have the second and third readings by title only.

Alderman Larosa seconded the motion.

Motion carried unanamously.

Alderman Shaffer read the ordinance by title only to comply with the second and third readings required.

Alderman Shaffer moved that the ordinance be approved.

Alderman Larosa seconded the motion.

Motion carried unanamously.

Alderman Shaffer stated that as everyone knew, this was Alderwoman Preston last meeting. He moved that the Mayor draft a resolution of appreciation for Alderwoman Preston for her service to the community.

Alderman seconded the motion.

Motion carried unanamously.

Mayor White thanked Alderwoman Preston for her services and expressed his and Councils best wishes for her in the future.

Alderwoman Preston thanked them and expressed her confidence in the administration to continue to do a good job.

Meeting adjourned.
Respectfully submitted,

Marie Passailaigue
Marie Passailaigue
Clerk of Council

J. Blair White
J. Blair White
Mayor

June 9, 1976

The regular meeting of the Isle of Palms City Council was held Wednesday, June 9, 1976 at 8:00 P. M. at City Hall.

Alderman Francis Meek, who served as Mayor Pro-Tem, opened the meeting with a prayer.

The roll was called by Clerk Passailaigue.

Those present: Mayor Pro-Tem Meek, Aldermen Dangerfield, Casey, Jernigan and Larosa.

Absent were: Mayor White, Aldermen Avant and Shaffer, Attorney Guerard.

Mayor Pro-Tem Meek stated that Mayor White had been unavoidably detained at work and Mayor Pro-Tem Shaffer was home sick, so he had been asked to preside at the meeting. He further stated that as the first item on the adgenda, it was his pleasure to present Mr. Ed Godshall, District Manager of Southern Bell. Mr. Godshall is here to bring us up to date on the progress of the new switching station to be built on the Isle of Palms in the near future.

Mr. Godshall introduced the following members of his staff, who were with him, Ed Butler- PBX District Manager, Jerry Hall- who is in charge of repairs on the Isle of Palms, Bill Bruce- District Traffic Mgr., James Vaughn- District Engineer, Reed Silver- District Manager of Network Services, Jim Spann- Marketing Manager for sale of larger services, Reta Mendelson- Public Relation Manager.

Mr. Godshall stated that Southern Bell would be building what is called an "ESS Office" on the Isle of Palms. Plans have been completed and bid are due July 2nd. It is to built on the corner of Pavillion and Harbor Oaks Drive, with construction due to begin Sept. 1st. The building is to be completed August 1, 1977 and operation is scheduled to begin April 15, 1978. The overall cost of the project is to be $1,831,000.00. A break-down of the cost would be: land- $65,000, building- $365,000, Electronic equipment -$1,084,000, and connecting cable- $317,000. This office will serve the Isle of Palms and Sullivan's Island. Some of the new services this office will make possible will be touch tone service, call waiting and call forwarding service, 3 way calling and speed calling. The cost of the total phone consept, which includes all the new features, would increase the present phone basic bills approximately $6.50 per month.

Mr. Godshall and the other representatives from Southern Bell answered questions from members of Council and other residents, about the building and its operation. and what it would mean in the way of improved service to the island.

Mayor Pro-Tem Meek thanked Mr. Godshall and his group for coming and told him how pleased the residents of the Isle of Palms were with Southern Bell's decision to build the switching station here. He invited them to come back anytime.

Mayor Pro-Tem Meek stated that the Police Committee had met and Alderman Avant had been re-appointed chairman. The litter law will be strictly enforced by the police and the lifeguards have been instructed to do what they can to keep their area clean by being responsible for keeping people from littering.

Alderman Dangerfield reported that four anti-littering signs were being erected. The tow-in of cars blocking the streets and emergency exits is being enforced. Mt. Pleasant Auto Service is keeping a wrecker stationed here on weekends. The charge for towing is $12.50 plus $10.00 for the parking ticket. We have a municipal parking lot for use by the public as well as on street parking. A record is being kept by the police chief of the number of cars using the lot on weekends during the summer.

Mayor Pro-Tem Meek stated that the canine problem seemed to more under control now. We had had some good reports from residents since employing the officer to take care of this.

Alderman Dangerfield reported that when the County came over to clean the beach, they filled 70 large garbage bags in one day with litter off the beach. We have 2 boys picking up trash from the cans on the beach on Saturday and Sunday. Emptying the cans every day, helps to keep down the scattered litter quite a bit.

Alderman Dangerfield reported that the street light approved at 3rd and Palm Blvd. had been installed.

Mrs. Passailaigue asked for clarification of the amount a purchase had to cost to require Council's approval before a purchase order could be issued. She had been under the impression that anything over $100.00 had to be approved by Council but had been told that the Playground Commission could approve their own expenditures. The lights were now being replaced on the tennis court at a cost of approximately $600.00 and no purchase order had been issued.

Alderman Larosa stated that with money as short as it is, it should be brought before Council before a purchase order is issued.

Alderman Dangerfield stated that according to the by-laws of the Commission , they have the power to approve their own expenditures, as long as they stay with-in their budget.

Alderman Casey stated that he had not been informed of the cost and he was aware that if the money was not available, you couldn't spend it. He would check into it.

After a short discussion by Council, Alderman Jernigan moved that the tennis court lights be referred to the Playground Commission.

Alderman Dangerfield seconded the motion.

Motion carried.

Mayor Pro-Tem Meek asked for the Ways & Means report.

Alderman Larosa, chairman of Ways & Means, stated that he would start with the report on the unfortunate circumstances at 404 Carolina Blvd. We have a family who owns this piece of property, which is a duplex apartment, with what was originally a tool shed in back, when it was built in 1970. A local contractor was hired by the owner to convert this building into living quarters. No permit was requested for improvement on this tool shed, therefore, the city was not aware of the work in the beginning, when it could have been stopped. The owner apparently assumed everything was all right and proceeded to spend $3,000.00

renovating this building. When the City began getting complaints from adjoining property owners, the contractor was told to apply for a permit by the building inspector, this was not done. The work was completed and the owners proceeded to move in. Council received letters of complaint and it was turned over to Ways & Means for investigation. We had a meeting of the owner, building inspector contractor and adjoining property owner. These were talked with individually and then we had our discussion. It is the unanimous opinion of the Ways & Means Commission that this third unit not be allowed to be occupied as a residence and that the request for it to be used for that purpose be denied. It would set a bad president. If a permit had been requested , as it should have been at the beginning, this whole set of unfortunate circumstances could have been avoided. We feel that our investigation has been through and we have tried to be fair to all concerned.

Alderman Larosa moved that this 3rd unit be denied for occupancy as living quarters on this piece of property.

Alderman Dangerfield seconded the motion.

Motion carried unanimously.

Mayor Pro-Tem Meek stated that Mr. Nau had requested to be allowed to address Council.

Mr. Nau stated that he had checked the state law and it states that the building contractor and not the owner is responsible for getting a permit. He inquired as to whether he would be allowed to use the building, if he connected it to the main house by a breezeway or was any sleeping in that building ruled out.

Mayor Pro-Tem Meek said his questions would have to be referred to the building inspector and the city attorney.

Alderman Larosa stated that we have borrowed $15,000 more in tax anticipation loan money, bringing the total borrowed to $45,000. He further stated that he had gone back and investigated the tax situation again. If we go along with sending out a combined city and county tax notice, it will possibly be January or February before we get any money. It will cost us 20¢ per tax bill. Last year duing the period from July 1- December 31, we had a total of $34,000 in income other than tax money. The operating expenses average around $20,000 per month which would be $120,000 for the same 6 month period. This would mean borrowing more money from the bank. He stated that he had also discussed this matter with the treasurer of the City of Charleston, since they also sent their own tax notices.

After further discussion by Council, Alderman Larosa moved that we send out our own tax statements this year.

Alderman Casey seconded the motion.

Motion carried unanimously. 5 members voting.

Alderman Larosa stated that he was sure that everyone was aware that Blue-Cross and Blue Shield had increased their premium rate. The Committee had not had time to do a through study of the matter but they have proposals from 5 different companies. Mrs. Passailaigue had verified, by phone, that even though we pay the July premium, this will not comit us to keep this insurance for another year. In veiw of this and since the committee had not had sufficient time for study, he moved that the city continue on a temporary basis with Blue Cross-Blue Shield and request a statement from them in writing stating that this does not comit us for a full year.

Alderman Jernigan seconded the motion.

Motion carried.

Alderman Larosa reported that on May 26th Ways & Means had met with representatives from Sea Pines Corporation, Mr. Joe Webster and Jim Light concerning their Isle of Palms project. They have sold 30 ot the 34 lots approved for sale. They informed the committee of their need to generate capital and they need permission to continue selling lots to be used as single family dwellings. In order to do this the status of the road needs to be clarified. The city attorney is to check into this.

Alderman Larosa reported that the Planning Commission had met and elected new officers. Chairman- Camille Mizell, Secretary- Mack Fore, Vice-Chairman- Theo Holman. They had had a very productive meeting and some of the topics discussed were:

1. Bicycle Path- the path is not being used, the bicycles are still using the street.
2. Sanitation- the abuse of the sanitation laws, police need to follow through on enforcing them. Realtors might be approached to design literature informing new residents of the sanitation laws, these could be mailed our with the tax notices.
3. Public Boat Landing- investigate the possibility of getting one through the Parks & Recreation Commission.
4. The possibility that we approach and license a Port-O-Let franchise to service the beach area.
5. Kudzu- this weed needs to be distroyed before it spreads further.

These items were discussed in turn by Council and taken under consideration for possible further study.

Alderman Larosa reminded Council that the time was growing short for our decision on "Home Rule" and urged the members to consider getting a time set for a public hearing. He also stated that a decision needed to be made on how we would go about replacing Alderwoman Nancy Preston, who had resigned.

Alderman Dangerfield moved that Council ask the Mayor to call a special meeting this month on the 4th Wednesday for the purpose of clearing up pending business.

Alderman Casey seconded the motion.

Motion carried.

Mayor Pro-Tem Meek reported that Mr. McCrady had not been able to get the necessary information from the Beach Co. to make the Water Co. study.

Alderman Larosa reported that the Planned Use Report for Revenue Sharing had been filled out and published.

There being no further business, meeting adjourned.
Respectfully submitted,

Marie Passailaigue

Marie Passailaigue, Clerk of Council — Francis Meek, Mayor Pro-Tem

June 23, 1976

A special meeting of the Isle of Palms City Council was held Wednesday, June 23,1976 at 8:00 P. M. at City Hall.

The meeting was opened with a prayer by Mayor White.

The roll was called by Nell McDuffie.

Those present were: Mayor White, Aldermen Casey, Dangerfield, Larosa, Jernigan, Meek and Shaffer, Attorney Guerard.

Absent was: Alderman Avant.

Mayor White stated that this meeting had been called primarily for going into the Home Rule. This had been referred to Committee at an prior meeting.

Alderman Shaffer state that Engrossed Bills had asked Attorney Guerard to explore the possibility of setting up a meeting with a representative from the Municipal Association. He had reported back the they had seemed to feel that since there was no hurry, we might be better off to wait until some of the legal questions that had come up were cleared. However, we could still schedule the required public meeting. Unless requested by petition to vote on a form of government, we are required to adopt the one nearest to the form , we now have.

Mayor White asked if there was a deadline as to when the public meeting, was to be held.

Attorney Guerard said it had to be held at least 30 days prior to the September 25th deadline for filing.

After further discussion by Council, Alderman Casey moved that we schedule the public meeting Thursday, July 15th for the purpose of informing the public of Home Rule.

Alderman Shaffer seconded the motion.

Motion carried unanimously.

Attorney Guerard is to submit the legal notice of the public meeting to the newspaper and the Exchange Club is to reserved for the meeting.

Mayor White asked for any further business.

Alderman Shaffer stated that a request for a change of zoning for the lot on the corner of Palm and 21st Ave. had been referred to his Committee. They had contacted the adjoining property owners and had gotten no dissent.

After a discussion by Counci, Alderman Shaffer moved that we grant approval of the zoning change.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Larosa reported that Ways & Means had met and discussed the proposals from the insurance companies for hospital insurance for the city. They had narrowed it down more or less to 3 companies those being- Midland Mutual, Durham Life and Life of Virginia. They were still studying the proposals.

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All companies were including life insurance along with the hospital insurance in their proposals and they were still lower than Blue Cross- Blue Shield's new premium rate.

After a discussion by Council, Alderman Casey moved that Council let Ways & Means make the decision as to the selection of an insurance company for the city.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Larosa reported that we were going to have to borrow the last $15,000 of the $60, 000, that was approved. Due to the apparent possibility of our tax notices being late going out, there is a possibility that we may have to borrow an additional $15,000. We have a projected income of $34,000 from July1-December 31 and a projected expence of $120,000 for this same period.

After a discussion by Council, Alderman Larosa moved that Council approve Ways & Means to borrow an additional $15,000, if the need arises.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Meek reported that Mr. McCrady had stated that he still could not get any cooperation from Mr. Way in connection with the Water Company survey.

Mayor White asked if there was anything from Sanitation.

Alderman Dangerfield reported that they needed to purchase some orange trash cans for use by the garbage men in picking up the garbage behind the houses. He moved that Council approve $150.00 for this expenditure.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Dangerfield reported that one of the garbage trucks had broken down and had to be towed in that day. It might cost as much as $1,000 to repair it. The mechanic would check it out and let him know tomorrow.

There being no further business, meeting adjourned.

Respectfully submitted,

Marie Passailaigue
Marie S. Passailaigue
Clerk of Council

J. Blair White
J. Blair White
Mayor

The regular meeting of the Isle of Palms City Council was held July 14, 1976 at 8:00 P. M. at City Hall.

Mayor White opened the meeting with a prayer.

The roll was called by Clerk Passailaigue.

Those present were: Mayor White, Aldermen Avant, Dangerfield, Jernigan, Larosa, Meek, and Shaffer, Attorney Guerard.

Absent was Alderman Casey.

Mayor White asked if there were any corrections or additions to the minutes of the last meeting. If not, they would stand approved as presented.

Mayor White stated that Mrs. Koger had asked to speak to Council about our allowing the County to send our the tax notices, but due to illness, she was unable to attend. Since this had been discussed previously and a decision made, unless someone else had some comment, he would move on to the Committee reports.

After a discussion by Council, the decision to send our own tax notices was still considered necessary, due to our financial situation and the time factor.

Mayor White called for the report from Ways & Means.

Alderman Larosa, Chairman of Ways & Means, reported that the present bank balance was $10,000. He had had Attorney Guerard draw up a resolution to borrow an additional $15,000,if it became necessary, and it needed all the Council member's signature on it.

Alderman Larosa reported that the Ways & Means Committee had held several work meetings to try to evaluate the porposals submitted to them by the insurance companies in regard to furnishing a group health policy for the city employees.

Alderman Shaffer stated that all the companies that had submitted bids for the group hospitalization insurance had required that the city also carry group life insurance. The city would pay for the hospital insurance but the employee would pay for their own life insurance at a cost of 93 cents per week.

Alderman Larosa stated that he had checked the hospitals to see if the company they had selected was certified. He had been told that only 3 companies were certified with Roper and this company was not one of the three listed. This needs to be clearified before we make the final decision.

Mayor White asked if the employees had been contacted and were they agreeable with this offer.

Alderman Larosa stated that all departments had been contacted and all were in agreement.

Mayor White asked for the report from the Sanitation and Street and Lights Depts.

Alderman Dangerfield stated that he had obtained a copy of the State Regulation pertaining to bicycle paths. It requires bikes to use the paths or be ticketed. He was going to pass this along to the Police Commission for consideration. The signs marking the bike path will be posted. Some are already up and the others will be put back in the next week or two.

Alderman Dangerfield reported that the Sanitation Committee had met and one thing discussed had been front yard pickup for garbage. They were considering goint to this as of January 1, 1977.

After a discussion, Council was poled as to whether they were for or against front yard pick up. The pole showed 4 for and 2 against.

Alderman Dangerfield stated that the Committee had approved and they would have an ordinance to present to Council in regard to not picking up any major appliances such as refrigerators, stoves, washing machines, etc. We don't have the proper equipment for doing this anymore.

Mayor White stated that he could understand the situation from their standpoint, but he hoped that they wouldn't find themselves with the problem of finding them abandoned along the street.

Alderman Shaffer stated that he could appreciate the problem, but he felt that if we couldn't provide the regular service anymore, we should consider helping them by perhaps providing a central point for the individual to bring them until they could be disposed of properly.

Alderman Avant requested that Council go into executive session after the regular meeting.

Mayor White asked if there were any other Committee reports.

Alderman Meek reported that the Planning Committee had met. The topics discussed were:
1. Kudzu- Mrs. Mizell had reported receiving numerous letters in support of their previous recommendation of eradicating it.
2. Rash of "Letters to the Editor"- They felt that these needed answering by Council or the Mayor.
3. Ben Boozer of PRT- Is to release a survey on the public parking provided in the 3 beach areas. In a preliminary statement, he had said Sullivan's Island provided the most.
4. Sanitation- A study had been made of the Code of Ordinances and no real sanitation code could be found. They recommended that Council adopt a uniform trash and garbage ordinance as soon as possible.
5. Water Company- They are cooperating in the feasibility study. They are to get a chemical analysis of the water. It is bacteria free, if not very palatable.
6. Recommend that Council give letters of commendation to the Sanitation Dept. Personnel for the outstanding job they are doing.
7. Recommend that a letter of commendation be sent to the Mosquito Control Board for their work this year.

Mayor White stated that he had been approached by several residents about answering the letters to the editor. He had discussed doing this with several people, among them were 2 attorneys. Their advise was to not answer them because they weren't looking for the facts, only something else to argue about. He pointed out that Mrs. Grant had given them a very good answer in her letter published several days ago.

Alderman Meek asked if there had been any progress on the kudzu problem.

Alderman Dangerfield stated that the state would not do anything about the kudzu vine. The chemical that they would have to use to spray with, would also kill all the other vegetation in the area. This would make them liable for all the shrubs and trees in the adjoining yards. He had checked with Clemson University and they had given him the name of a chemical to use. They were going to get some and the Sanitation Dept. would do the spraying.

After a discussion by Council, Alderman Dangerfield said he would check with the Highway Department again about spraying the right of way.

Alderman Jernigan stated that he had had several inquiries as to who was responsible for cutting the area between the sidewalk and the street on Palm Blvd. from 21st to 35th Avenues.

Mayor White stated that so far as he knew it was the state's responsibility. They cut it 2 or 3 times a season. That doesn't keep it neat all the time, but that's probably as often as they can get to it.

Alderman Larosa read a recommendation from Mr. Donald, the Building Inspector, that all the beach accesses shown on the map, be cleared and marked with a sign stating "Beach Access, Walkway Only". Purpose is to stop people from trespassing on private property.

Mayor White asked if this had been requested by the residents who live next to these accesses.

Alderman Larosa stated that apparently Mr. Donald had had several complaints in regard to this.

Alderman Shaffer moved that this be referred to the Street and Street Lights Committee.

Alderman Larosa seconded the motion.

Motion carried.

Alderman Larosa read a letter from Mr. Donald about an apparent Sand Dune Ordinance violation behind 2400 Palm Blvd. An area of about 8 feet wide had been flattened through the dunes.

Alderman Shaffer moved that it be referred to the Beach Patrol and Control Board.

Alderman Larosa seconded the motion.

Motion carried.

Mayor White stated that he had a request from Chief Connelley for the purchase of a nozzle for the fire truck. This will cost about $155.

Alderman Shaffer moved that Council approve the purchase.

Alderman Meek seconded the motion.

Motion carried.

Mayor White read a letter from Mr. Ed Rhodes, Director of Soul Winning, Charleston Heights Baptist Church, requesting permission to hold a concert and rally in the Municipal Parking Lot Tuesday, July 27th. The program would begin at sundown and last approximately one hour.

Alderman Avant moved that we grant the request, provided they clean up afterwards.

Alderman Jernigan seconded the motion.

Motion carried.

Mayor White stated that he had received a letter of resignation from Johnny Moye as Assistant Director of the playground effective July 9th.

Alderman Dangerfield moved that a letter be sent to Johnny expressing the appreciation of Council for the fine job he has done.

Alderman Shaffer seconded the motion.

Motion carried.

There was a discussion as to the proceedure they would use at the open meeting on Home Rule on July 15th. This meeting will be held at 8:00 P. M. at the Exchange Club.

Alderman Avant moved that Council go into executive session.

Alderman Shaffer seconded the motion.

Motion carried unanimously.

Regular meeting adjourned.

Respectfully submitted.

Marie Passailaigue

Marie S. Passailaigue
Clerk of Council

J. Blair White

J. Blair White
Mayor

July 15, 1976

The Isle of Palms City Council held an open meeting on Home Rule July 15, 1976 at 8:00 P. M. at the Exchange Club.

Mayor White opened the meeting with a prayer.

The roll was called by Clerk Passailaigue.

Those present were: Mayor White, Aldermen Dangerfield, Jernigan, Larosa, Meek, and Shaffer, Attorney Guerard.

Absent were: Aldermen Avant and Casey.

Mayor White stated that the purpose of the meeting was to inform the residents about the Home Rule. This has been broken down into three forms of government the people can choose from to be governed in the future years. Mr. Guerard, the City Attorney, will state the various forms of government and give you what relative information we can in this short time.

Attorney Guerard gave a very informative presentation to the residents present, in which he outlined the different forms of government listed below.

1. Mayor-Council Form, which we now operate under.
2. Council Form- (described as the weak mayor form)
3. Council- Manager Form

He explained in detail the proceedure that would be used in adopting a form of government.

Alderman Shaffer pointed out that one of the ordinances we were required to adopt was a new election law. We have a choice of going to a 2 year term or a staggard 4 year term for office.

Questions from the residents attending the meeting were answered by the Mayor, Members of Council and Attorney Guerard.

Mayor White stated that if there were no more questions on Home Rule, he would open the meeting to questions on other matters of concern to the residents.

Mr. Grant asked to brought up todate on plans for the east end of the island.

Attorney Guerard complied with his request,as well as answered questions from others.

Mayor White stated that Council had one business matter to take care of.

Alderman Dangerfield stated that the Beach Company had submitted a plat of 10 lots, Lots 7-16, Blk. L, on 28th and 29th Avenues. He had met with Mr. Way and Attorney Guerard on Tuesday. The Beach Company has agreed to pave Hartnett Blvd. Between 28th and 29th Avenues, bringing it up to state requirements. This will be put in writing. Twenty-ninth will not be paved at the present time, but will be taken care of later. Twenty-eighth is already a state road. He moved that Council approve Lots 7-16, Blk. L, for recordation, subject to their agreement to pave Hartnett between 28th and 29th Avenues with a 50 foot right of way allowed.

Alderman Jernigan seconded the motion.
Motion carried unanimously.
Meeting adjourned.

Respectfully submitted,
Marie Passailaigue
Marie S. Passailaigue, Clerk of Council

J Blair White
J. Blair White, Mayor

August 11, 1976

The regular meeting of the Isle of Palms City Council was held Wednesday, August 11, 1976 at 8:00 P. M. at City Hall.

The meeting was opened with a prayer by Mayor Pro-Tem Shaffer.

The minutes of the previous meeting were approved.

The roll was called by Clerk Passailaigue.

Those present were: Mayor Pro-Tem Shaffer, Aldermen Avant, Casey, Jernigan, Larosa, Dangerfield and Attorney Guerard.

Absent were: Mayor White and Alderman Meek.

In the absence of Mayor White, Mayor Pro-Tem Shaffer presided at the meeting.

Mayor Pro-Tem Shaffer called for the committee reports beginning with the Sanitation Department.

Alderman Dangerfield reported that the Sanitation Committee had met and had approved a plan for marking and signing of the intersection of 21st Ave. and Highway 703 and the s curve in the same area. This recommendation was being presented to Council for approval. He moved that Council approve the Committee's recommendation.

Alderman Jernigan seconded the motion.

Motion carried.

Alderman Dangerfield stated that they had received two letters opposing the use of the end of 11th Ave. and Harbor Oak for a boat ramp and parking. He further stated that he had received a letter from the Corp of Engineers requesting that the barricade be replaced at the end of 11th Ave. The Committee could not come to a decision so he was bringing it to Council for discussion.

After a discussion by Council, Alderman Jernigan moved that the barricade be replaced on 11th Ave.

Alderman Avant seconded the motion.

Motion carried.

Alderman Dangerfield reported that they had come up with a letter to be sent to the island residents regarding regulations that pertain to dogs kept on the island and garbage pick-up schedules and regulations that have to be adherred to in regard to trash pick-up. They would like to include this in with the tax notices.

After a discussion by Council, Alderman Larosa moved the Council approve including this letter in with the tax notices.

Alderman Jernigan seconded the motion.

Motion carried.

Mayor Pro-Tem Shaffer suggested that it also be published in the newspapers, since we have so many rental properties on the island that would not be reached with the tax notices.

Alderman Dangerfield reported that the Committee had approved getting bids on a new garbage truck. It will be January or February before we can get one even if it is ordered by next Council meeting.

Mayor Pro-Tem Shaffer reported that he had a recommendation from the Planning Committee that signs be erected to mark the bike path.

Alderman Dangerfield stated that a letter had been sent on July 29th requesting that the signs be replaced.

Mayor Pro-Tem Shaffer called for a report from Ways & Means.

Alderman Larosa reported that his committee had accepted the proposal from Durham Life for insurance for city employees. Mr. Cash will furnish us with standard forms to be used for hospital admittance. He has made arrangement for certification with Baker, Roper, St. Francis and Medical University Hospitals. The employees will have 93¢ per week deducted from their salary to pay for the $6,000 life and accident insurance they are required to carry.

Alderman Larosa called everyone's attention to the auditor's financial statement for the first 6 months. After completion of the audit and review of the City's books, the auditor recommended that we consider going to the peg board system for payroll, disbursements and receipts. This would cost approximately $250. to purchase supplies to set up the system.

Mayor Pro-Tem Shaffer asked if they had recommended an appropriate time to implement this systems.

After further discussion, Alderman Jernigan moved that it be referred to Ways & Means for further investigation.

Alderman Larosa seconded the motion.

Motion carried.

Mayor Pro-Tem Shaffer called for a report from the Police Committee.

Alderman Avant said that he had no report other than he had received a request from a resident for a hearing before the Committee on a complaint against the Police Department. This will be granted the first of next week.

Alderman Casey reported that the Fire Department had met and they requested approval to purchase a 18,000 BTU air conditioner for the Fire Department at a cost of $280.00. He moved that Council approve the request.

Alderman Larosa seconded the motion.

Motion carried.

Alderman Casey reported that Marion Inmon had resigned from the Fire Department. Steve Bond had been hired as a replacement on a temporary basis. The Fire Chief has been pleased with him and would like to recommend that he be hired as a full time employee and buy uniforms for him. He moved that Council approve the Chief's recommendation.

Alderman Avant seconded the motion.

Motion carried.

Alderman Casey gave a very informative report on the summer programs that had been carried out at the Recreation Department. He further reported that John Moye had resigned and had been replaced with Ted Hart. Keelie Farmer has also been employed to assist at the playground.

Attorney Guerard reminded Council of the Plat that had been submitted by the Beach Company for recordation approval of the .32 acres next to the Exxon station between Palm Blvd. and the marsh. He also reported that Lenora Cable and Charlie Way both had requested verbally that we look into the possibility of closing the boat ramp right of way adjacent to the Exxon station. He needed to know how Council felt about this before he did any legal research to see how it could be closed, because if they decided not to close it, there would be no need to get into the research.

Mayor Pro-Tem Shaffer asked if he knew the intentions behind the requests.

Attorney Guerard stated that the Beach Company wanted the plat recorded so they could sell it to Mrs. Cable. As to the right of way, she intends to put it to commercial use. He was not sure how this would affect the public's use of the boat ramp and he had not been able to determine what the Beach Company is doing with the old dump area boat ramp. We have nothing in writing at this point.

Mayor Pro-Tem Shaffer stated that the question of a boat ramp seems to be coming up more and more often. He thought it might be a good idea to set up a special committee to look into this subject in general and do some reasearch.

Alderman Dangerfield moved that we refer this to a special committee.

Mayor Pro-Tem asked Aldermen Casey, Dangerfield and Jernigan if they would serve on this committee.

Alderman Casey asked to not be included on this committee.

Mayor Pro-Tem Shaffer stated that he would ask Alderman Meek to serve instead and to also serve as chairman, as well.

There was a lengthy discussion by Council on this matter.

Mayor Pro-Tem Shaffer reported that the Mayor had two names to submit for approval for appointment to the Board of Adjustment and Appeals. These names are P. L. Branca and Carolyn Kizer.

Alderman Larosa moved that Council approve the appointments.

Alderman Jernigan seconded the motion.

Motion carried.

The clerk was instructed to inform them of their appointment.

Mayor PrO-Tem Shaffer asked that the Mayor be directed to place a member of Council on the Beach Patrol and Control Board and that the members be notified of its reorganization and a meeting be called.

Mayor Pro-Tem Shaffer read a letter from Eugene Shannon registering a complaint about the lack of supervision at the Recreation Department.

Mayor Pro-Tem Shaffer reported a recommendation from the Planning Commission that a vacancy on Council be filled at the general election in November.

After a discussion by Council, Alderman Larosa moved that the recommendation be accepted and acted upon contingent upon the feasibility of the proper procedures.

Alderman Casey seconded the motion.

Motion defeated. 2 for, 3 against.

Mayor Pro-Tem Shaffer read a letter from David L. Ostrander requestion a zoning change for the Lot 1, Blk. 3 Sec. A, located at Breech Inlet across the street from the Exxon station, from U-1 to commercial.

After a discussion by Council, the clerk was instructed to write a letter to Mr. Ostrander, requesting a formal presentation stating his plans for use of this property.

Mayor Pro-Tem Shaffer read a letter from Mr. R. L. Oliver requesting permission to change the properties located at 7-36th Ave. and 3-37th Avenue, from single family dwellings to duplex units.

After a discussion by Council, Alderman Larosa moved that we deny the request.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

The clerk was instructed to inform Mr. Oliver by letter that his request was denied.

Mayor Pro- Tem Shaffer reminded everone of the special meeting set for the following Wednesday to finalize the four ordinances dealing with home rule.

There being no further business, meeting adjourned.

Respectfully submitted.

Marie Passailaigue
Marie S. Passailaigue
Clerk of Clerk

J. Blair White
J. Blair White
Mayor

Mayor White read a letter from the Beach Company asking for approval to record a plat located between Palm Blvd. and the marsh next to the Exxon station.

After a discussion by Council, Alderman Shaffer moved that we approve the plat for recordation, but that they be reminded that this area is zoned single family dwelling and cannot be used for any commercial purpose.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Mayor White stated that he would write them a letter informing them of Council's decision.

There being no further business, meeting adjourned.

Respectfully submitted,

Marie Passailaigue

Marie S. Passailaigue
Clerk of Council

J Blair White

J. Blair White
Mayor

A special meeting of the Isle of Palms City Council was held Wednesday, August 25, 1976 at 8:00 P. M. at City Hall

The roll was called by Clerk Passailaigue.

Those present were: Mayor White, Aldermen Casey, Dangerfield, Jernigan, Meek and Shaffer.

Absent were: Aldermen Avant and Larosa and Attorney Guerard.

Mayor White stated that the purpose of the meeting was to vote on the ordinances in reference to home rule. We had had the first reading last week and it was his understanding that we would have the second and third readings tonight.

Alderman Shaffer said that the statute governing this makes provisions for this, but we would have to suspend our rules in order to do it this way. The normal procedure would be to have the three readings , one at a time, at separate meetings held at least one week apart. Since we have time to accomplish this, he would recommend that we proceed in this manner.

Mayor White stated that if it was agreeable with everyone, we would have the second reading tonight and set another meeting for the following week to have the third and final reading.

After a discussion by Council, it was decided to have the second reading and set a meeting for the following Wednesday night to have the third reading.

Alderman Shaffer read the four ordinances pertaining to adopting the Mayor-Council form of government for the Isle of Palms, in their entirety. (See attached copy of ordinances in minutes of August 19, 1976.)

Alderman Casey moved that Council accept the second reading.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Casey asked that the members of the Beach Patrol and Control Board be notified and a copy of the letters that had been referred to that committee be sent to them.

Mayor White asked Alderman Casey to serve as the Council representative on this board for the remainder of the year along with the residents who had been appointed to the board.

Alderman Casey agreed to do so and asked that a meeting be called for Tuesday, August 30th at 8:00 P. M.

The clerk was instructed to send the notices and the copies of the letters that had been received and referred to this board previously.

September 1, 1976

A special meeting of the Isle of Palms City Council was held Wednesday, September 1, 1976 at 8:00 P. M. at City Hall.

The roll was called by Clerk Passailaigue.

Those present were: Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Larosa, Meek and Shaffer.

Absent was Attorney Guerard.

Mayor White stated that the purpose of the meeting was to have the third reading of the four ordinances in reference to home rule. At this time Alderman Shaffer would proceed with the third reading.

Alderman Shaffer read the four ordinances adopting the Mayor-Council form of government for the Isle of Palms in their entirety. (See attached copy of ordinances in minutes of August 19, 1976.)

Alderman Casey moved that Council accept the third reading.

Alderman Shaffer seconded the motion.

Motion carried unanimously.

Alderman Larosa asked if Attorney Guerard would handle the legal procedure required from here on toward filing our application.

Alderman Shaffer stated that he would.

Alderman Dangerfield reported that the Sanitation Committee had met and they recommended that Council approve the purchase of a new garbage truck. They had got bids and the lowest one was a truck through the fleet plan with Palmetto Ford. The truck will cost $12,841.71. The body (a rear loader) will cost $8,425.00. Total cost including tax will be $22,116.71. Even if the order is placed now, it will be January before we will received delivery. There will be no down payment, with the first payment due in 1977.

Alderman Shaffer moved that Council approve the purchase of the new garbage truck.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Dangerfield stated that one of the trucks needed a new motor and that a used one had been located that could be purchased at a cost of $375.00 plus the cost of installation. He feels that this will get us through the year, until the new truck arrives.

Alderman Shaffer moved that Council approve the purchase of the used engine.

Alderman Larosa seconded the motion.

Motion carried unanimously.

September 1, 1976

Alderman Avant reported that the Police Committee had met and as everyone knew Jimmy Wear was leaving the police department to go to Sullivan's Island. They had reviewed the applications submitted and had selected Mr. David Luther Gibson. He is to start Friday September 3rd at a beginning salary of $7,000.00. After a six month probationary period, he will receive a 10% raise.

Mayor White stated that he had received a letter of resignation from Officer Wear.

Mayor White read a letter from Jim Mathews of the Beach Company requesting that the zoning for the plat approved for recordation at the last meeting be changed to U-3 commercial.

After a short discussion by Council, it was decided to table this matter until the regular meeting to be held September 8th.

Mayor White brought a news article that had appeared is this week's issue of the East Cooper Pilot to Council's attention. The article concerned the Mayor, Council and the Police Department. A discussion about the news article followed.

Meeting adjourned.

Respectfully submitted,

Marie Passailaigue
Marie S. Passailaigue
Clerk of Council

J. Blair White
J. Blair White
Mayor

September 8, 1976

The regular meeting of the Isle of Palms City Council was held Wednesday, September 8, 1976 at 8:00 P. M. at City Hall.

Mayor White opened the meeting with a prayer.

The roll was called by Clerk Passailaigue.

Those present: Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Larosa, and Meek, Attorney Guerard.

Absent was: Alderman Shaffer.

Mayor White stated that he had several requests from residents to address Council. Mr. & Mrs. Grant and Mr. and Mrs. Hill had designated Mr. Hill as their spokesman. and at this time he would like to invite Mr. Hill to come forward and give his presentation.

Mr. James Hill stated that he would present the facts as they knew them to Council and if anyone had any questions, he would direct them to the person in their group most qualified to answer. They were here to request the enforcement of the existing zoning laws prohibiting the rental of a separate apartment in a structure for which a single family residence was issued in an area which has been zoned for single family occupancy only, since 1953. He had previously requested a permit to convert the bottom portion of his home into an apartment for rental and had been told that this was illegal. The house located at 5-53rd Ave., owned by Mr. Hoover, has an apartment they are now renting. At the time the certificate of occupancy was issued in late '72 or early '73, this unit was not completed. It has been comfirmed that no permit has ever been issued for alteration or construction in that portion. This improvement was completed in early 1975 and to the best of our knowledge, was first rented out Memorial Day weekend 1975. The current zoning regulations were ratified April 7, 1975. This was reported to a city official by Mr. Grant during the summer of '75. He was told he needed proof and he preceeded to collect data to this effect. About this time, the owners let him know that they were selling the property, so the matter was not pursued at that time. The new owners were told by Mr. Grant that it was illegal to rent the apartment, at which time Mr. Hoover stated that he would not rent it, but would let friends, relatives and business acquaintances use it. When the building inspector talked to Mrs. Hoover, she admitted renting it and said they could not afford the house without the additional income from the rent. They had been told by the realtor, that they could rent it. This is in direct violation of the zoning regulations that have been in effect since 1953. With the present septic tank and drainage field, the burden of an additional family is sure to create a health hazard.

Mr. & Mrs. Hill and Mr. & Mrs. Grant answered questions from the Mayor and Council concerning this possible zoning violation. During this discussion, it was determined that the city attorney had represented the Hoovers at the closing and therefore, could not advise the city on this matter. It was suggested that the city consider seeking an independent legal opinion.

Mayor White state that he felt that in view of the fact that there was some doubt about the zoning prior to the present zoning ordinance,Council did need legal counsel. He suggested we table the matter until this could be accomplished. He assured them that this would be done as quickley as possible and they would be notified as to the proceedings.

Mrs. Grant asked that someone check into the zoning laws to see if a non conforming use of property could be transferred to a new owner.

Mrs. Hill asked that they also check to see if it wasn't illegal to put the apartment there in the first place, without getting a permit.

Mayor White stated he was sure that it was, but he still felt that Council needed legal advice and this would be taken care of this week , if possible.

The Grants and Hills thanked Council for their time and consideration and assured them that they would be available to assist in any investigative proceedings, should their presense be required.

Mayor White introduced Mr. James Johnson, who had asked to speak to Council.

Mr. Johnson stated that he would like to speak in regard to a decision that had been made by Council to barricade the end of 11th Avenue. It was his understanding that the end of this street had been reported as being used for a public boat landing. This was not true, the only boats that had been launched from there, were 2 small 14 ft. boats belonging to his son and a friend of his. He stated that he had signed statements from others living in the vicinity to back up his statement. He asked that this barricade not be placed on this street, unless they planned to barricade all the other dead end streets in that area.

Mr. Johnson answered questions from Council on his position regarding the placing of the barricade. Alderman Dangerfield explained the basis for Council's decision. Mayor White told Mr. Johnson that it would be taken under consideration for further study.

Mayor White called for Committee reports beginning with Sanitation and Streets.

Alderman Dangerfield reported that he had placed the order for the new garbage truck. It will be a 1977 Ford truck total price $12,940.38. The body will cost approximately $8,700.00, bringing the total cost to approximately $21,000. It will be in around January 1. They are drafting an ordinance on front yard pick-up for garbage and hope to have it ready to present to Council at the October meeting. The third truck is now repaired and is back in operation picking up trash.

Mayor White called for a report from the Police Department.

Alderman Avant reported that Jimmy Wear had left the Police Department and had been replaced by David Luther Gibson.

Alderman Casey reported that the Playground Department had selected the football coaches for this year and the football season was getting underway at present.

Alderman Dangerfield asked if any consideration had been given to doing something about the replacing of the building at the playground.

Alderman Casey said the committee was looking into this at the present time to see what could be done. He hoped to have something to report in the near future.

Mayor White stated that he thought the lease had kept this from being done before, so they might start by looking into this first.

Mayor White called for Ways & Means report.

Alderman Larosa reported that we have borrowed the additional $15,000. All departments are staying within their budgets. We have a present bank balance of $18,000 in general funds and $9,200 in Revenue Sharing coming in in Ocotber.The bank needs a form signed for authorizing municipal borrowing. This needs to be taken care of tonight. The bank feels that the bonds on the Mayor and Clerk needs to be increased. He had arranged a preliminary meeting with Ed Owens on insurance. Ways and Means will meet on this later.

Attorney Guerard stated that the bank's auditors had requested the bond increases on the Mayor and Clerk-Treasurer. The banks have been provided with resolutions to obtain the loans on tax anticipation and it's not that the city is not financially sound, the cash flow simply does not coincide with the need. He saw no reason not to comply with their request. Another point he wanted to bring out, was that under the state constitution, the county assessor sets the assessment but the cities can now, under Home Rule can now set the millage without going through the state legislature. The city might well want to change the fiscal year to coincide with the cash flow and do away with the need for borrowing.

Alderman Dangerfield asked if the Home Rule Ordinances had been mailed.

Attorney Guerard said that Alderman Shaffer had the originals and a few small changes had been made and the errors corrected. He would get them and take care of sending them off the next day.

Mayor White stated that if there was no other business ,he had some letters he had received that needed to be brought to Council's attention.
1. A letter from Mr. & Mrs. R. L. Oliver asking for a hearing in regard to her request for a zoning change being turned down. He had no objections to her having a hearing, but it was in direct violation of the zoning ordinance and had been heard by Council once and turned down.

2. A letter from Mayor Lipman asking that they sign a joint resolution against a boat landing at Sullivan's Island. He read the resolution and the opinions of supporting or not supporting it, were expressed by several members of Council. After the discussion by Council, Alderman Dangerfield moved that it be tabled until the next meeting.
Alderman Jernigan seconded the motion.
Motion carried.

3. A letter from Mr. J. C. Long requesting a meeting with the Mayor, to review the Tidelands Bill. Mayor White asked if any Council members would like to be present. Several expressed a desire to do so, if time permitted.

Mrs. Passailaigue reported that a letter had been written to Mr. Ostrander asking for his specific plans for the property he had asked to be reqoned commercial, but she had not received a reply.

Mayor White stated that he had received quite a few letters opposing a rezoning of this property.

Mayor White stated that he had a letter from Mr. James Mathews requesting a change in zoning to U-3 for the 0.32 acres, located next to the Exxon Station, that had been approved for plating.

After a discussion by Council, Alderman Larosa moved that this be referred to a committee to check out the adjoining property owners to see if this is satisfactory with them.

Alderman Casey seconded the motion.

Motion carried.

Mayor White appointed Aldermen Avant, Larosa and Dangerfield to serve on this committee.

Alderman Dangerfield recommended that in the interest of serving time, a form letter be drafted to send out to adjoining property owners, when a request for rezoning is received in the future.

Alderman Larosa asked if anyone had checked into the procedure for appointing an election committee for the general election coming up.

Attorney Guerard stated that he would check into it.

Mayor White stated that if he found it was necessary, he would take care of appointing one.

Alderman Larosa stated that he wanted to bring up the possibility of making available the opportunity for someone to fill the vacancy on Council.

After a discussion by Council, Alderman Larosa moved that we fill the vacancy on City Council subject to appropriate procedures, rules and regulations of the election commission, who will serve during the November General Election.

Alderman Casey seconded the motion.

Motion carried. 4 for , 2 opposed.

Meeting adjourned.

Respectfully submitted.

Marie S. Passailaigue
Marie S. Passailaigue
Clerk of Council

J. Blair White

J. Blair White
Mayor

A special meeting of the Isle of Palms City Council was held Wednesday, September 22, 1976 at 8:00 P. M. at City Hall.

The roll was called by Clerk Passailaigue.

Those present: Mayor Pro-Tem Shaffer, Aldermen Casey, Jernigan, Avant, Larosa, Dangerfield and Meek, Attorney Guerard.

Absent was Mayor White.

Mayor Pro-Tem Shaffer read a letter from Michael Burkett in reference to the Isle of Palms Beach and Raquet Club Company, Inc., stating that they had received verbal conditional approval for the central water and sewer system to be located on the Isle of Palms to service the property under development consideration as well as the property which has already received conditional approval by the City of Isle of Palms. The corporation does not desire to do any physical work whatsoever on this property until such time as they have obtained design approval, proper zoning and permits. He introduced Attorney Michael Burkett and Mr. Henry Finch, who had requested to address Council.

Mr. Burkett stated that the name of the corporation was officially changed to the Isle of Palms Beach and Racquet Club Company, Inc. on August 27th. He presented the plans for the sewer system, using a sprayer type system, consisting of 6 sprayers, to Council. He and Mr. Finch gave a very informative explaination of how the system would work. He pointed out that they would start out with only 3 spaayers, with the possiblilty of adding the others later as needed. He stated that 27 acres of land had been allocated for the the sprayer system and lagoon. This system would be built to state health specifications, so far as land elevation, the capacity to take care of the estimated gallons of sewage per family per day, etc. Based on recommendations of the state and the engineers, they asked that Council approve the relocation of the sewage plant from the place originally approved in the initial master plan to the new site recommended.

Mr Finch and Mr. Burkett answered questions from members of Council concerning the relocation and operation of the sewer system. Mr. Finch pointed out that they would use the effluent from the system to spray the golf course, once it was completed.

After a discussion by Council, Alderman Jernigan moved that Council approve the relocation of the sewer system.

Alderman Avant seconded the motion.

Motion carried unanimously.

Alderman Dangerfield asked if they would explain the organization of the company.

Mr. Burkett state that in February, an agreement was made to bring the stock held by Sea Pines and Finch Properties, to a 50-50 proportion. At an August 27th meeting, an agreement was made that Finch Properties own 100% of the stock, providing they deliver to Sea Pines free and clear of leins, 6 acres of land for single family dwellings. The site of this 6 acre tract, begins at 56th Ave. They ask that Council allow the plating of the 6 acre tract that Finch Properties wants to convey to Sea Pines Corporation.

After a discussion by Council, Alderman Casey moved that we give conditional approval to the plat as presented, subject to conditions filed with the clerk to be worked out by Corporation Counsel.

Alderman Avant seconded the motion.

Motion carried unanimously.

Mr. Burkett, in behalf of the Isle of Palms Beach and Racquet Club, requested that Council zone the plat single family residential property.

Alderman Jernigan moved that a 6.468 acre tract of land located to the south of Palm Blvd. depicted on a plat of survey by Thomas & Hutton Engineers, which plat received conditional approval by Council , September 22, 1976, be zoned as single family residential as requested by the owner.

Alderman Larosa seconded the motion.

Motion carried unanimously.

Mayor Pro-Tem Shaffer recommended that Council appoint or refer to an existing committee, the task of working with the Isle of Palms Beach and Raquet Club concerning their plans for development.

Alderman Meek moved that it be referred to Ways & Means.

Alderman Jernigan seconded the motion.

Motion carried.

Mayor Pro-Tem Shaffer reported that Mrs. Passailaigue had received this notation from the Secretary of State that they had received our ordinance adopting the Mayor-Council form of government and had approved the incorporation as such.

Mayor Pro-Tem Shaffer stated that the question of the feasibility of filling the vacancy on Council in the general election was pending.

Attorney Guerard stated that he had checked into it and it seems that any election law adopted by this Council has to be submitted to the Justice Department under Civil Rights Bill of 1964. We have adopted the staggered term for Council, meaning we have to submit this to the Justice Department for approval. They have 60 days to file their approval or rejection. In addition, public notice has to be given 90 days prior to the election. It's obvious we don't have even the required 90 days left. We have to come up with a new election commission, also.

Alderman Larosa asked if there was anything to prevent the Mayor from appointing the person who received the next highest number of votes in the last election to fill the vacancy.

Mayor Pro-Tem Shaffer said there was nothing in the election law to provide for this.

Alderman Larosa reported that the sub-committee had met on the change of zoning request for the tract of land next to the Exxon Station. They recommend that we hold a public hearing, since they had received several petitions and letters on this request. He moved that Council approve the committee's recommendation and set up a public hearing.

Alderman Casey seconded the motion.

Motion carried.

Mayor Pro-Tem Shaffer asked Alderman Larosa to proceed with getting the public notices published and set up the time and place for the meeting.

Alderman Avant reported that the fire station needed a new radio for the fire department. This would cost approximately $1200. He asked that Council approve the expenditure of half of this amount, as they would take $600.00 from the voluntary firemen's fund to pay the other half.

After a discussion by Council, Alderman Avant moved that Council approve spending $600.00 to pay half of the $1200.00 for a new base set for the Fire Department.

Alderman Meek seconded the motion.

Motion carried. 5 for, 1 opposed.

Attorney Guerard stated that in regard to the election procedure, he would recommend that this be referred to a committee for consideration, so that everything required to satisfy the Justice Department would be implemented. One thing for consideration, is that Council appoint an election committee, now rather than the old way of having to have it approved by the governor.

Alderman Avant moved that it be referred to Ways & Means.

Alderman Jernigan seconded the motion.

Motion carried.

Meeting adjourned.

Respectfully submitted.

Marie S. Passailaigue

Marie S. Passailaigue
Clerk of Council

Henry D. Shaffer

Henry D. Shaffer
Mayor Pro-Tem

September 28, 1976

A special meeting of the Isle of Palms City Council was called September 28, 1976.

The meeting was called to order by Mayor White.

Those present: Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Larosa and Shaffer.

Absent was Alderman Meek.

The purpose of the meeting was to set the millage for the year 1976.

After much discussion, Alderman Larosa moved that the millage be reduced from 80 mills to 58 mills in view of the new assessment being used for 1976.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Meeting adjourned.

Respectfully submitted.

Marie Passailaigue

Marie S. Passailaigue
Clerk of Council

J. Blair White

J. Blair White
Mayor

October 13, 1976

The regular meeting of the Isle of Palms City Council was held Wednesday, October 13, 1976 at 8:00 P. M. at City Hall.

The meeting was opened with a prayer by Alderman Larosa, who served as Mayor Pro-Tem in the absence of Mayor White.

The roll was called by Clerk Passailaigue.

Those present were: Mayor Pro-Tem Larosa, Alderman Avant, Casey, Dangerfield, Jernigan and Meek, Attorney Guerard.

Those absent: Mayor White and Alderman Shaffer.

Mayor Pro-Tem Larosa stated that Mayor White would not be able to attend the meeting due to his work. He asked if everyone had read the minutes of the previous meetings and if there were any corrections or additions anyone wished to make. Hearing none, he declared they stood approved as presented.

Mayor Pro-Tem Larosa stated that Council had a request to be heard tonight from Mr. James N. Hill. He asked if Mr. Hill would like to be heard at this time.

Mr Hill stated that he would like to have Mr. Jennings speak for him.

Mr. David Jennings stated that he was a Charleston attorney. He had been contacted by a number of Isle of Palms residents concerning a problem in the 53rd Avenue area, where they live. He believed Council was aware of this problem. There is a residence in that area, that the people in the neighborhood feel is in violation of the zoning ordinance of the City of Isle of Palms. It has been in violation for some time. The residents are concerned because they live in an area that is zoned single family, yet there is a residence in this area that is quite obviously not being used as a single family dwelling. A portion of the building is being rented, in addition to the owning family living there. Apparently this has been the status of the building under both the present and the previous owners, for well over a year. This would have been under the old zoning law and the new zoning ordinance recently passed. They have documented the situation to at least one committee of Council. They know that they are not going to be allowed to have renters in their houses and are disturbed that someone else has for the past year and so far nothing has been done about it. They are here before you, as tax paying citizens of the city, to try to get the matter resolved. They don't want the area to go the way of a multi-family area. It wasn't developed that way. It wasn't zoned that way. When they purchased their property, they did so with the understanding that it was a single family area. These people have had mentioned to them,at some time, that this was a non-conforming use. In order for this to be a non-conforming use, it has to have been legal at some point. Based on the information he had, at no point was this house legally developed into a multi-family dwelling, because it was built after the institution of the zoning ordinance of 1972. It can't be non-conforming, because it never conformed to anything and never was legal. He was not sure how many members of Council were involved with the committee, but there might be some items of clarification that someone would like, that either he or someone else in his group could answer. They would like an answer as to what the city's position is, so that they would know what action, if any, they need to take.

Mayor Pro-Tem Larosa thanked Mr. Jennings and assured him Council had been concerned with the matter for the past several weeks. As Ways and Means Chairman he would like to cover this matter, give you our view on it and explain briefly to Council what has happened. This involves the property at 5-53rd Ave., which was given a permit as a 2 story dwelling back in 1972 to a Mr. Turner. When they constructed the house, they also framed in the plumbing downstairs. Since that time, Mr. Turner started framing in the bottom part of this building. In time, he finalized the building and later started renting this part of the building. We found ourselves with a complaint from Mr. & Mrs. Grant and Mr. & Mrs. Hill, about this matter about five weeks ago. At that time, when we were faced with the problem, we discovered that Mr. Guerard was representing Mr. Vincent Hoover, who had purchased the property from Mr. Turner. The Council turned the matter over to the Ways & Means Committee to study and pursue to see what could be done about it. We employed, in place of Mr. Guerard, to act as our attorney, one of the best qualified men in Charleston who's whole background is tied up in reasearch in this type of litigation. This gentleman's name is Attorney Robert Hollings. We called him in and created a form of inquiry hearing. We heard all parties individually, 1st Mr. & Mrs. Hill, 2nd Mr. & Mrs. Grant, 3rd Mr. Hoover and 4th Mr. Guerard. This was all taped and taken down by Mr. Hollings. He did a lot of research and submitted an 18 page report stating his findings. He made his decision and gave his opinion on the basis of the legality of the situation on the basis of documents, that were available to him and to the public. On that basis, after going through the total study here, the opinion of Attorney Hollings was as follows: I am therefore of the opinion that the Hoovers have a lawful right, under sub-paragraph a & b of Section 22-16, of the zoning law, to continue to use the premises of the first floor of their residence for rental as a separate apartment.

Mrs. Grant asked that Mayor Pro-Tem Larosa read the sub-paragraphs referred to.

Mayor Pro-Tem Larosa complied with her request to read these referenced items and also read other pertinent excerpts from the report, as well. He explained that when this administration came into office, they were told that a zoning ordinance had been adopted and sent to be codified. When they had not heard from the company in a reasonable length of time, they wrote to them inquiring as to what had been sent and what the hold up was. They were informed that the company had been sent a lot of extra things that had to do with references on flood control and books from other states, etc. and not knowing what to do with all this extra material, had done nothing with any of it. They returned it to the city to get straightened out. They found the document pertaining to zoning in this material, but could find no reference in any minutes to substantiate its being adopted, no reference in the document of its being an amendment to the existing zoning ordinance or any record of public hearings being held in regard to it. Therefore, they spent the first year putting together Articles 5-8, getting maps and zoning that would cover and protect the entire island, adopted. He further stated that the material in this report would be attached to the minutes and would be available to them.

A lengthy discussion on this matter followed, in which both members of Council and residents attending the meeting, participated stating their opinions both pro and con.

Attorney Guerard stated that the reason that the ordinance of 1975 was enacted was because at that time Sea Pines petitioned for extensive multi-family development on the upper end of the island. At that point we had no provision to deal with a planned residential development under any zoning ordinance, valid or invalid. Other than a brief mention in this so called ordinance of 1972, the planned residential development would be allowed with no restraints. Sea Pines petitioned under that ordinance and had it been effective, you would have Miami Beach on the upper end of the island right now. The city could not have done one thing to have prevented it. At that point, we had this document in hand and I determined it was not worth the paper it was written on. Dewey Wise represented Sea Pines at the time and I turned over all my research to him. Even though the ordinance would have been beneficial to them, they realized if they pushed for approval at that time, they would have no zoning foundation whatsoever. The decided they could not make that kind of financial committment based on that ordinance. They sat down with Council, with the advice of the Charleston County Planning Board and a comprehensive zoning ordiance was drawn up and enacted to afford protection for the area above 41st Avenue. All this is documented in Mr. Hollings report and as Alderman Larosa said copies will be made available to all of you that want them.

Attorney Guerard stated that one other point he wanted to put on the record was that the first complaint he had was a call from Mr. Donald the latter part of August stating that he had received a complaint from the Grants & Hills about Mr. Hoover's use of his premises. At that point, I told Mr. Donald that I had represented the Hoovers at the closing and I didn't think it was proper for me to advise one way or the other as to what course of action the Grants & Hills should take. I told him I would give him the benefit of why I arrived at the conclusion that I did. I had determined that it was a non-conforming use and I explained it to him briefly. Mr. Donald said that he would report this to the Grants and Hills. I told him that if the Grants and Hills did not want to take my evaluation as to the assessment of the situation, the proper forum would be for them to come to City Council. At the next Council meeting they asked to be placed on the agenda. They presented a formal complaint to Council and provided the information and documents that they had at hand. At that time, I was asked for a legal opinion. I said I did not feel it was proper to give one because obviously I was in a position where I would be in a conflict,if I attempted to represent the city. At that time I suggested that another attorney be retained by the city to look into the matter. A Council member moved that it be tabled until such time as an independent attorney could be retained. I was advised that Mr. Hollings was going to represent the city and I turned over my complete file to him on the Hoover transaction, made the city records available to him and he obtained all the documents the Hills and Grants had. A hearing was held 3 weeks ago, at which time everyone was given the opportunity to go into this in great detail. At the hearing, and the tapes will reflect this, I did not represent Mr. Hoover in an adversary position at that time. Mr. Hoover came in, made his statement, answered questions from Mr. Hollings and the three members on the panel. I did not question Mr. Hoover or offer any conclusion or advise. At the conclusion of Mr. Hoover's testimony, I simply stated what my position was and answered any questions put to me by Mr. Hollings and the three Council members present.

Mayor Pro-Tem Larosa stated that this had not been an easy thing for any of us. We are sympathetic to the situation and all we can do is go by the lawyer we did employ and who has done a trememdous research. I will reiterate again that on the basis of the imformation given to us,it was the decision and the recommendation and it is the motion of the Ways and Means Committee that the opinion as submitted by Attorney Robert Hollings be supported and that this be declared a non-conforming use.

Alderman Jernigan moved that the opinion as rendered by Attorney Robert Hollings be supported and the property at 5-53rd Avenue be declared a non-conforming use on the basis of the document that had been researched and presented by Mr. Robert Hollings.

Alderman Meek seconded the motion.

Motion carried. 4 voting for and 1 abstained

Attorney Jennings asked if Council would make the tapes of the September 20th Ways & Means hearing available to his group.

Mayor Pro-Tem Larosa stated that it would be available here at City Hall.

Mrs. Grant asked if a tape of the September 8th meeting would be available.

Mayor Pro-Tem Larosa stated that there were tapes of all meetings available with the exception of executive sessions.

Mayor Pro-Tem Larosa stated that he had had a resolution drawn up authorizing the borrowing of funds not to exceed $15,000. The reason for this is that the County is just now mailing their personal property tas notices and we will be behind them with ours. The real estate tax notices are going to be even later. We can expect them sometime around the 1st of December. We have $24,000 in unpaid bills, the payroll runs around $3,200 per week and we have a bank balance of $6,500 in general funds. We won't use the resolution unless absolutely necessary, but we ask that everyone sign it so that it will be ready should the need arise.

Alderman Meek moved that we approve and sign the resolution to borrow funds, not to exceed $15,000, if it becomes necessary.

Alderman Casey seconded the motion.

Motion carried unanimously.

The resolution was signed by all Council members present.

Mayor Pro-Tem Larosa distrubuted copies of a Ways & Means reprot on insurance. The insurance has been too low and it has been recommended that we upgrade it as follows: City Hall from $12,000 to $28,000, Police Station from $12,000 to $24,000. Playground from $6,500 to $10,000. This will ve a total increase in premium of $379.00.

After a lengthy discussion by Council, Alderman Jernigan moved that we table it and refer it to Ways and Means for further study.

Alderman Meek seconded the motion.

Motion carried.

Mayor Pro-Tem Larosa stated that an endorsement to our existing insurance policy has been submitted and is now in force. This will protect us in case we have another situation come up like the one on Sullivans Island involving the police car accident.

Attorney Guerard explained that this was a rider put on the policy that covered non city owned vehicles, that were being used in carrying out city business by city officials or employees, with liability insurance to protect them in case of an accident that resulted in a law suit.

Mayor Pro-Tem Larosa stated that in checking the bonding on city employees, they found that the Mayor was bonded for $10,000 and the clerk for $5,000, yet the clerk handled the greater amount of money. The chief of police had a $10,000 bond with all the patrolmen having $1,000. The recommendation was that the clerk be bonded for $10,000. In the interest of saving money, all other will be covered by a blanket coverage. All others, this includes the mayor, chief, 4 policemen, secretary, and supervisor of public works for a total coverage of $10,000. The total cost of this will be $253.00.

After a discussion by Council Alderman Casey moved that Council accept the committee recommendation for bonding.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Dangerfield reported that the Sanitation and Street Lights Committees had met. Before he gave his report, he wanted to try to clarify the status of Palm Blvd. from 53rd Avenue extending to the east end of the island.

Attorney Guerard stated that the road, under that ordinance, was granted to the city at the point in time when we put in alternate roads in the highway system. At that time, the road becoms ours. The state highway department has so notified the city. They did not need to formally deed it to the city. The proviso said the city cannot close the road until development starts. Since development has started, the city could now, if it saw fit, close the road and relocated it.

Alderman Dangerfield reported that the committee had requests for street lights at 37th Ave. and at 52nd Avenue. They reviewed the requests and recommended that the one at 37th Ave. be denied and the one at 52nd Ave. be approved. He moved that Council approve the installation of the street light at 52nd Ave.

Alderman Meek seconded the motion.

Motion carried.

Alderman Dangerfield reported that an additional study had been made on the barricade at the end of 11th Avenue, after we had heard from Mr. Johnson at the last meeting. They had again consulted the highway department and their recommendation was that the original motion be upheld and a barricade be installed at the end of 11th Avenue. He moved that Council approve the committee's recommendation.

Alderman Meek seconded the motion.

Motion carried. 4 voting for and 1 abtained.

Alderman Dangerfield reported that the Committee had discussed the possibility of purchasing the gas tank now is use by the city. Gulf Oil Company has discontinued installing tanks, repairing meters and had offered to sell us the tank and pump for $100.00 or they would have it removed. The committee recommends that Council approve the purchase of the tank and pump for $100.00. He moved that Council approve this purchase.

Alderman Casey seconded the motion.

Motion carried.

Alderman Dangerfield stated that is August Council approved in concept front yard pick-up of garbage. They worked on drawing up an ordinance and when it was presented to committee for approval, the vote was a 2-2-tie. After consulting the city attorney, he would like to bring the ordinance before the entire Council for a first reading.

Attorney Guerard reviewed the procedure of adopting an ordinance for Council.

Alderman Dangerfield gave the first reading of the Ordinance to amend Chapter 18 by adding Section 18-4 to 18-16, that had to do with refuse, garbage and weeds.

Alderman Jernigan moved that it be referred back to the Sanitation Committee for further study.

Alderman Avant seconded the motion.

Motion defeated. 2 for, 3 opposed.

Alderman Casey moved that the bill be referred to Engrossed Bills.

Alderman Dangerfield stated that since he heard no second to the motion, he moved that it be referred to Ways & Means.

Alderman Casey seconded the motion.

Alderman Dangerfield withdrew his motion.

Alderman Casey moved that the bill be referred to Engrossed Bills.

Alderman Dangerfield seconded the motion.

Alderman Casey withdrew his motion.

Alderman Jernigan moved that the bill not be referred to committee and have the second reading in its entirety at the next meeting.

Alderman Casey seconded the motion.

Motion was not passed due to one opposing vote, (4 for and 1 opposed)

Alderman Dangerfield moved that the bill be referred to Engrossed Bills.

Alderman Casey seconded the motion.

Motion carried . 3 for, 2 opposed.

Alderman Dangerfield stated that he would like to have Council consider giving Mr. Parrish the ability to enforce the Business License Ordinance. He started doing some of this under the previous administration. We have a building inspector who looks after the construction part, but the police department, who is supposed to enforce the business license, are not doing it. Since we are paying the man to work anyway, he could not see why he could not be permitted to check for people working without a business license as he made his rounds, checking the sanitation routes.

Alderman Avant stated that that was not Mr. Parrish's job, it was the building inspector's and he was getting paid to do this.

Alderman Dangerfield stated that no one seemed to be doing it, if he felt that the building inspector was not doing his job, someone needed to meet with him. He would like to know who was in charge of the building inspector.

Mayor Pro-Tem Larosa stated that he came umder Way & Means but it had been left more or less at loose ends as to who he got his instructions from.

Alderman Jernigan stated that he felt like Mr. Parrish had a full time job as it was, and he couldn't see putting a job that should be taken care of by the building inspector on him.

Alderman Dangerfield stated that he was interested in getting it settled as to who's responsibility it was to enforce the ordinance. After further discussion Alderman Dangerfield moved that we table the problem of who the building inspector is responsible to until the next meeting.

Alderman Jernigan seconded the motion.

Motion carried.

Alderman Dangerfield asked if something was being done to collect back taxes.

Mrs. Passailaigue said we had sent out warrants and collected quite a few.

Attorney Guerard stated that he would bring her some more warrant forms . The copy of the delinquent tax notice is attached to this form summoning them to court.

Alderman Avant reported that Chief Connelley had been in the hospital, but was home and doing well.

Alderman Avant stated that Patrolman Gibson had resigned from the police department and had been replaced by Patrolman Butch Skinner. The committee had discussed the salaries being paid to the police department and were trying to come up with a solution to increase their pay. He moved that in view of Skinner's experience and training, Council waive the six month probationary period and start him at a salary of $7,700.00 per year.

Alderman Meek seconded the motion.

Motion carried unanimously.

Alderman Casey stated that everything was progressing smoothly at the playground with the football season getting underway. He would have more to report later.

Alderman Meek reported that the planning board had met and received a report on the Cummings & McCrady study on the Water Company. The water will probably have to go through a chemical treatment sometime in the future and considerable money will have to spent to enlarge the lines. The study is not complete. They recommend that some of our cross streets need the no parking signs removed.

They recommend that all abandoned cars on the island be required to have current tags on them or removed from the island.

Alderman Dangerfield reported that a list was being compiled of those cars.

Mayor Pro-Tem Larosa read a letter from Attorney Peter Deluca requesting that the city building inspector be allowed to give his approval for electrical service to be connected at a mobile office at the boat landing at 41st Ave. This unit was purchased to be used as an office and will not be used as a mobile home residence.

After a discussion, Alderman Jernigan moved that we grant permission to the Beach Company to use the trailer for an office and have the electricity connected.

Motion was seconded.

Motion carried.

Alderman Dangerfield asked if all the ordinances that had been passed since this administration took office had been codified.

Mrs. Passailaigue stated that part of them had been sent to be codified, but we had not heard from them since then.

Attorney Guerard stated that the Home Rule had taken care of all that. Everything will have to be recodified. including the home rule. I have written the Municipal Association and they sent me a brochure on uniform municipal ordinances. It is going to cost us money regardless of what we do, so we might as well update everything.

Alderman Meek moved that Council go into executive session.

Alderman Casey seconded the motion.

Motion carried unanimously.

Regular meeting adjourned.

The Isle of Palms City Council reconvened 11:15 P. M.

Alderman Meek moved that council go back into regular session .

Alderman Dangerfield withdrew his motion concerning the tabling the problem of the building inspector.

Alderman Jernigan withdrew his second.

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Alderman Dangerfield moved that Ways & Means look into the responsibilites of the building inspector.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Attorney Guerard read a letter with admendments attached asking approval of the admendments. South Carolina National will periodically disburse funds from the escrow accounts to pay for services at the east end of the island. These bills are to be approved and certified before payment can be made. Thomas & Hutton will be prujject engineers for the subdivision being developed by the Isle of Palms Beach & Raquet Club.

Alderman Meek moved that we approve the amendment as read.

Alderman Jernigan seconded the motion.

Motion carried.

Meeting adjourned.

Respectfully submitted.

Marie Passailaigue
Marie S. Passailaigue
Clerk of Council

Joseph M. Larosa
Joseph M. Larosa
Mayor Pro-Tem

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA:

The Isle of Palms is a unique community in that the entire undeveloped portion of the corporate limits of the City until recently was in a single ownership, The Beach Company, which, in its own name or by other legal entities having essentially identical ownership, had developed almost the entire Island. Because of this situation, The Beach Company and its ownership group generally were responsible for the forming of this municipality and generally had great influence on the activities of the new municipality in the early years of its formation.

Before the incorporation of the Isle of Palms, The Beach Company controlled the development of land on the Island by its sale policies and by the imposition of restrictions on property as it was placed on the market. After incorporation, the Beach Company continued to control the development of land on the Island in the same manner with the apparent addition that it began to use the Officials of the new municipality to police observation of and to enforce the provisions of such restrictions as it imposed upon land which it developed and sold. For example, there is testimony that when Mr. and Mrs. Everett B. Turner first proposed to build a residence upon Lot 8, Block 60, Section D of the Isle of Palms in April of 1972, Mr. Shad (an employee of the City of the Isle of Palms) informed them that their dwelling had to be 30 feet from the road without variation. Although the Turners were ultimately permitted to build their home considerably farther from the road than 30 feet, the fact remains that the City of the Isle of Palms apparently had no authority over building set-back lines in that area and were merely seeking to enforce the Beach Company restrictions over this lot.

It might not be out of place here to point out the distinction between restrictions and zoning laws: restrictions are a matter of private contract, for the general enforcement of which the offended contracting party has recourse only to the courts. Zoning laws, on the other hand, have the force and effect of law and may be enforced by appropriate public officials directly without the intervention of a private citizen. Since they are the creation of a private contract, restrictions can impose requirements the zoning laws cannot. A zoning law has to have for its purpose and result some motive of general welfare and, since zoning laws are an infringement upon the free use of property by an owner, they are subject to the due process requirements of the Constitution. Where persons by private contract have become obligated to restrictive covenants, it has been held that these restrictive covenants can be incorporated into the zoning laws of a community so that the restrictions have the force and effect of a zoning law and may be enforced by public officials. Zoning laws frequently have provisions to this effect. This has not been the case in any of the zoning laws which the Isle of Palms has enacted. The City Officials have apparently, however, operated on the basis that these private restrictive covenants had the practical force and effect of a zoning ordinance. This probably accounts, in part, for the City's failure to amend its zoning map prior to 1975 to cover the entire Island or even to cover areas being developed by The Beach Company. It is quite probable that the Beach Company, not wanting restrictions upon its undeveloped land, discouraged the imposition of zoning on the whole Island, including undeveloped areas.

When Lot 8, Block 60, Section D, Isle of Palms, was accordingly sold to Mr. and Mrs. Everett B. Turner by The Beach Company on June 21, 1971, the land regulation situation on the Isle of Palms was as follows:

Restrictions which had been imposed by The Beach Company on April 14, 1953 over certain lots in Section D of the Isle of Palms by instrument recorded in the R. M. C. Office for Charleston County in Book G-56 at page 583 and which were extended by instrument dated August 24, 1962, recorded in said R. M. C. Office in Book Y-76 at page 174, to lots on the west side of 53rd Avenue were apparently applicable to this lot in question. I say "apparently" because several years later, on March 1, 1966, The Beach Company recorded an instrument in Book A-85 at page 89, which stated that whereas The Beach Company had from time to time imposed restrictions of various kinds either by the filing and recording of said restrictions or by setting them forth in deeds of conveyance, and, whereas, it was desirable that the restrictions be uniform, the purpose of this instrument was to make the restrictions set forth therein applicable to all lots on the Isle of Palms <u>to which they are specifically made applicable in deeds of conveyance</u> by The Beach Company. In other words, the March 1, 1966 instrument applies to all of the Isle of Palms property owned by The Beach Company to the extent that the Beach Company in conveyances makes it applicable to a particular lot, whereas previous conveyances were restricted to certain specific platted areas owned by The Beach Company. There exists a strong argument that the March 1, 1966 restrictions were intended to supplant all other Beach Company restrictions, so that a conveyance by The Beach Company thereafter of a lot without imposing these restrictions on the lot had the effect of conveying the lot without restrictions even though the lot had been subject to restrictions under an instrument previously recorded. If this result is correct, then The Beach Company conveyed Lot 8, Block 60, Section D to Mr.and Mrs. Turner without restrictions because said deed of conveyance failed to mention or to impose published restrictions on that lot.

It would take a court of law to determine whether the August 24, 1962 instrument which extended the restrictions recorded in Book G-56 at page 583 to the lot in question was superseded by the instrument dated March 1, 1966 recorded in Book A-85 at page 89. Since existing restrictions were not incorporated by reference and made a part of any Isle of Palms zoning laws, resolution of this question does not serve the purpose of this inquiry. The government of the Isle of Palms can only enforce its Zoning Ordinances — not private restrictions.

Turning to the zoning laws applicable to Isle of Palms lots, it appears that, on October 25, 1956, the City of Isle of Palms adopted a comprehensive zoning law, but limited its application to zoning classifications set forth on a zoning map which formed a part of this zoning ordinance. This zoning map imposed classifications on the Isle of Palms as far eastward as 41st Avenue but did not extend to Lot 8, Block 60, Section D, which is located on 53rd Avenue. The result was that in 1956 no public zoning was extended to the area in question. This zoning ordinance was incorporated in and became a part of the Code of Laws of the City of Isle of Palms adopted in 1970 and became designated Chapter 22 of said Code. The Code, Section 22-2 incorporated by reference and made a part of the new zoning provision the zoning map which had been attached to the October 25, 1956 Ordinance so that in 1970 no public zoning legally existed with respect to the area in question.

It appears that there was a substantial change in the political makeup of the government of the City of the Isle of Palms in the late fall of 1972. Questions arose as to whether the Mayor of the City under existing Ordinances could be elected by plurality or whether a majority vote was required. It was contended that prior to the election the governing body of the City had adopted an ordinance settling this point; no evidence of the existence of this ordinance could be found and information was given out that this ordinance had been sent to the City's codifier for inclusion in a revision of the Code. There were other similar disputes regarding the prevailing law in the Isle of Palms, with the result that the new administration of the City contacted the codifier, and in the spring of 1973 secured from the codifier a return of all purported legislation which had been submitted by the out-going administration. Included in items of this category returned by the codifier was an "Isle of Palms Zoning Ordinance — May 10, 1972". This Ordinance purported to extend the single-family residential zoning over the entire City of the Isle of Palms except certain designated areas, which, incidentally, did not include the area in which the lot in question lies. I am advised that no minutes of meetings of the City Council of the Isle of Palms have been located which reflect the due adoption of the purported May 10, 1972 Ordinance. I am also advised that no evidence has been located that the necessary public advertisements or the necessary public hearings prerequisite to the adoption of this zoning law were had. I am, therefore, of the opinion that this zoning ordinance was of no legal force and effect.

Just about that time (mid 1973), The Beach Company sold its vast land holdings on the eastern end of the Isle of Palms to Sea Pines Company and the matter of the proper zoning of this area as well as other areas of the Isle of Palms heretofore unzoned became a matter of pressing interest to the new City government. The Sea Pines Company also had a large interest at stake in this and numerous conferences, meetings, public hearings and discussions ensued, during which a comprehensive zoning ordinance for the entire Isle of Palms was formulated. The resulting Zoning Law was finally adopted on April 7, 1975. This Ordinance, interestingly, incorporated major portions of the old 1956 Ordinance which had been codified in 1970. The block in which the Turner lot is located was zoned U-1 - Single Family Residential. The property on the other side of 53rd Avenue which belonged to Sea Pines was zoned "Planned Unit Development- Single Family" and the land on the north side of the block in question was zoned Planned Unit Development- Public Recreational and Commercial.

The April 1975 Zoning Ordinance defines (Section 22-2) a one-family detached dwelling as "a separate detached building designed for <u>and</u> occupied exclusively as a residence by one family". It defines a two-story dwelling as "a separate detached building designed for <u>or</u> occupied exclusively as a residence by two families" and it provided in Section 22-16 regarding con-conforming uses as follows:

> a. The lawful use of land existing at the time of the adoption of this chapter, or of an amendment thereto, although such use does not conform to the provisions hereof, may be continued; but if such nonconforming use is discontinued, ad evidenced by lack of use for a period of at least one year or by substitution of a conforming use, any future use of said land shall be in conformity with the provisions of this chapter.
>
> b. The lawful use of a building or structure, existing at the time of the adoption of this chapter, or of an amendment thereto, although such use does not conform to the provisions hereof, may be continued and such use may be extended throughout the buildings; provided no structural alterations are made, other than those necessary to assure the safety of the building or structure; and provided, further, that such extension does not displace a conforming use in a district established by this chapter.
>
> c. A nonconforming use of a building may be changed to another conforming use of the same or of a more restrictive classification, provided no structural alterations are made, other than those necessary to assure the safety of the building or structure.
>
> d. Whenever a nonconforming use of a building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.
>
> e. Whenever a nonconforming use of a building, or a portion thereof, has been discontinued, as evidenced by the lack of use, or vacancy for a period of at least one year, or by substituting a conforming use, such nonconforming use shall not thereafter be re-established and the future use shall be in conformity with the provisions of this chapter.

Let us now turn to the use of Lot 8, Block 60, Section D Isle of Palms from the time of its conveyance by The Beach Company to Mr. and Mrs. Turner in June of 1971 to date:

On April 18, 1972, the Jack DeStefano Construction Company applied for a building permit on behalf of Mr. Turner which stated that the proposed building complied with the Building Code. This application enclosed the structural specifications of the proposed residence as well as plans therefor. From the strictly legal standpoint, this application was for the purpose of enforcing the Building Code and could not be for the purpose of enforcing the Zoning Law since none existed with respect to the lot in question. The City Officials at the time seemed, however, to regard zoning regulations as being applicable to the lot, because, as I have mentioned before, they invoked the requirement of a 30-foot setback. The issue was referred to the Board of Adjustment and Appeals of the City of Isle of Palms on April 19, 1972 as a zoning ordinance matter and the Turners were permitted to set their house back on the lot 65 feet by the Board of Adjustment on April 25, 1972. The City Officials at the time apparently assumed that the Zoning Ordinance of 1956, codified in 1970, applied to this lot. On May 1, 1972, as a result, a building permit was issued to Mr. Turner for the construction of a new home two stories high containing six rooms, two baths and four bedrooms. The building permit stated that the use to be made of the improvements was "residential" and the classifications "Duplex", "Apartment" and "Commercial" were not checked as uses to be made of the improvements. The plans and specifications accompanying the application for this permit had shown clearly that a bath would be roughed in on the first floor for later installation. The plans and specifications also showed that the first floor was to be completely enclosed, a concrete slab floor installed; that internal partitions and walls were to be erected and that windows would be so placed in the outside walls of the first floor as to presuppose ultimate completion of the first floor for occupancy. Whether this occupancy was to be for servants' quarters or occupancy as guest quarters for visitors and guests of the family on the second floor or whether the first floor was to be used by the family on the second floor as a part of its living arrangements were not set forth. It is strictly my analysis and impression from the facts of the building application and attached documents that they presupposed the use of the first floor as guests' or servants' quarters. The connection of the first and second floors by stairs which led through a garage area is not to my mind compatible with the use of the first floor by the family upstairs as a part of its living quarters. The absence of a provision for a kitchen in the plans negatives in my mind any indication from the application and supporting documents that a separate apartment downstairs was intended; a kitchen, to my way of thinking, is necessary for any such use.

I have not seen the construction on the premises but it is my impression from the testimony that before the initial construction was complete and before the Turners moved into the property, the contractor not only provided the rough-in plumbing for the proposed bath room called for in the application but likewise installed the rough-in plumbing for the kitchen. I say this because it would have been impossible to have installed said plumbing under the concrete slab and within the cinder-block walls of the first floor after construction without said work being observed by the neighbors and it may well be that the major electric work serving the kitchen was likewise installed during the first phase of construction, although, admittedly, said electric work could have been installed later without as much chance of detection. Corroborative of this is the fact testified to by both Mr. and Mrs. Grant and Mr. and Mrs. Hill that the

Turners told them shortly after they moved into the property in September 1972 that they intended to complete the first floor of the premises as a separate apartment for rental. It is my impression that this statement by the Turners to their neighbors, coupled with the fact that at the time provision had already been made in the house for a kitchen and a bath on the first floor, that the Turners perhaps all along intended to improve the first floor of their residence as a separate living unit for rental purposes. Whether, in view of the probability of this intention, their contractor's application for a building permit was deceptive or fraudulent or whether their contractor at the time of the application did not fully understand what the Turners as owners of the property intended, I do not know. Testimony from the Turners would undoubtedly clear up this point. It would appear to me, however, that the City of Isle of Palms' right to know the intended use of the property would have to be grounded upon its right to regulate said use, and if, through inadvertence, the City's Zoning Ordinance did not, in fact, extend to the area in question, the misstatement in the application would not have rendered an otherwise lawful use of the premises unlawful.

After moving into the premises and advising their neighbors of the intended use of the first floor, the Turners apparently worked from time to time on the finishing out of the ground floor area into an apartment. There is testimony of work from time to time during 1973, 1974 and the spring of 1975. Starting on June 7, 1975 and ending on September 1, 1975, the first floor was rented to a series of individuals on a summer rental basis. The testimony is that in the fall of 1975, Mr. and Mrs. Turner became estranged, with the result that Mrs. Turner obtained a Court Order authorizing her to live apart from her husband, whereupon Mr. Turner moved into the first floor apartment while Mrs. Turner continued to occupy the second floor.

This condition persisted until May 1976 when Mr. and Mrs. Vincent E. Hoover purchased the property and moved into the premises. Mr. Hoover testified that he paid $84,500.00 for the premises, which was an amount greatly in excess of what he could afford unless he could rent the first floor for the production of income. He stated that the circumstance that the Turners had so rented the property induced him to believe that he could legally do the same, and that when he borrowed the money necessary for his purchase of the premises his lending institution considered the income productivity of the property as a factor in approving his loan. Apparently, the Hoovers rented the premises fairly constantly throughout the summer of 1976.

The testimony is that Mr. and Mrs. Hill applied for a building permit to renovate the lower level of their home for separate rental on August 16, 1976, and, upon being turned down, they raised the question of the legality of such rental by Mr. and Mrs. Hoover if the use of their property was denied. Mr. and Mrs. Grant have joined Mr. and Mrs. Hill in protesting the Hoovers' use of the lower floor of the Hoover home for rental. Mr. ~~Hoover~~ GRANT testified that several years ago he applied for permission to convert an outbuilding on his lot into an apartment but was refused. It is my impression from the testimony of Mr. and Mrs. Grant and Mr. and Mrs. Hill that, while they considered the restrictions on this block as prohibiting more than one single-family residence per lot, they had observed numerous violations of restrictions on the Island and had considered that a certain laxity prevailed. On finding that this laxity would not be extended to them in their use of the property, they have naturally called into question the use of the property by Mr. and Mrs. Hoover.

As will be seen by reference to the present zoning law provision regarding non-conforming uses, if the property in question, while rented by the Turners as an apartment was a lawful non-conforming use, then its similar use by the Hoovers continues to be permitted under the City Zoning Law. There is clear evidence that the Turners rented the ground floor as an apartment to September 1, 1975 and that the Hoovers similarly rented the premises sometime before August 1976. There has, accordingly, been no cessation in a non-conforming use for the period of at least one year as is required by law for its extinguishment.

The question then is, was the rental of the first floor as an apartment by the Turners during the summer of 1975 lawful? The answer to this question, of course, depends on whether the building was lawfully a two-family residence at the time that the Isle of Palms Zoning Law became effective in April 1975. It occurs to me that we should look at the Turner property in April 1975 to determine what, according to the Zoning Law definitions, existed on the property in April 1975, and, according to these definitions (which are set forth in Section 22-2 of the Isle of Palms Code) the Turners' building fits exactly the definition of a two-family dwelling as defined in the Code. It is, in fact, "a separate detached building designed for or occupied exclusively as a residence by two families". While this building may have violated the private restrictions covering the lot on which it was located, the City of Isle of Palms had no zoning law applicable to this area until April 1975, and, in my opinion, the two-family dwelling on the premises at that time was lawfully there.

I realize that the Turners had never been given a building permit specifically for the erection of a two-family dwelling and that furthermore the completion of the two-family dwelling by them was done without the benefit of a building permit. In my opinion, however, the building permit requirement of the City of the Isle of Palms in 1972 with respect to this particular property could only have been a requirement in connection with the applicable laws of the City of the Isle of Palms at that time and zoning and a prohibition of multi-family use were not applicable to this property at that time. The building permit was an adjunct to the enforcement of the City Zoning Code. Work on the interior of the building should not have been done without a further building permit for Building Code purposes. Taking into account the fact that the rough-in plumbing for the kitchen and bath of the ground floor apartment had already been installed and that the only work done by the Turners without the building permit was apparently the carpentry in internal finishing out of a structure which had already been erected under a building permit, I am of the opinion that the first floor improvements were lawful in April 1975. Any unlawfulness which may have accompanied the installation of these improvements by Mr. Turner were not relevant to the zoning considerations here involved. There is some evidence that Mr. Turner may have continued to do carpentry work on the premises during April and May of 1975. This work, without a permit, would be of a different legal status than that which existed before the Zoning Law went into effect. There is, however, dispute and uncertainty as to any work done after the Zoning Law became effective. The testimony is that the Turners had completed the property to the point of furnishing it in all respects except a dinette and that they were awaiting delivery of the dinette until the property was offered for rental in May or June of 1975.

It can also be argued that the Zoning Law which became effective in April 1975 by specifying for continuing non-conforming uses that "the lawful <u>use</u> of land existing at the time of the adoption of this chapter, may be continued" and that "the lawful <u>use</u> of a building or structure existing at the time of the adoption of this chapter, may be continued", meant use in a restrictive sense applicable to a specific date- the date of the adoption of the Zoning Law, and that, while the Turners had substantially completed the separate apartment on the first floor of their residence in April 1975, they were not <u>using</u> said apartment in said strict sense at the time the Zoning Law became effective and, therefore, there was no non-conforming use at that time. And it can be argued that my analysis above that a lawful two-family dwelling <u>existed</u> on the premises fails to qualify said premises as a non-conforming <u>use</u> because the use was absent on the day that the Zoning Law came into effect.

The purpose of the non-conforming use provision of the Zoning Law is to give the property owner the constitutional protection of not being deprived of his property without due process. If the property owner has at cost and expense erected improvements or has established a business or other activity on the premises lawfully before the adoption of the Zoning Law, the Zoning Law cannot summarily rob him of this use and investment. I do not think it can be argued that the Turners had made a substantial investment and improvement to their property in personal labor and expense in fitting out the first floor into a separate apartment and that the real purpose of the non-conforming use provision of the Code of the Isle of Palms is to protect this. Apartments in a resort area, such as this, are subject to a rapid turnover of tenants and to seasonal demand for rental. If the Turners had rented their apartment before April 1975, but it just so happened that the apartment happened to be vacant on April 7, 1975, would this reasonably have meant they would have lost their rights to the use of the property? I do not believe such a result would be reasonable. I believe the nature and existence of the improvements on the property, coupled with the intention to devote them to the particular use for which they were designed is important here, and where a property owner has designed a building for the use as a residence by two families, the design and the intent, coupled together, amount to the "use" of the premises which the non-conforming provision of the Zoning Law had reference to.

This is not a strained interpretation. The Supreme Court of this State in 1970 decided a case similar but weaker on the facts than this in favor of the property owner; that case was Conway vs. City of Greenville, 173 S.E.(2) 648. In this case, the person bringing the action was the owner of property recently merged into the City of Greenville. The plaintiff operated a construction business on the premises prior to its annexation and the lawsuit was to require the City of Greenville to permit the construction of a shopping center on it. The tract was large; it contained a lake on which the plaintiff had constructed two residences; it bordered on a busy highway and had primarily been used by the plaintiff for storing heavy construction equipment.

When the case was originally brought, the plaintiff had a right to continue the construction business as a non-conforming use, but he argued that under proper zoning practices the contract was not susceptible to use for single-family residential and it should have been zoned commercial if not industrial. While this case was wending its way through the courts, the plaintiff died and his wife was substituted as plaintiff in the case. The construction business previously conducted on the premises was closed down. The City of Greenville immediately argued that this amounted to an abandonment of the non-conforming privilege and argued that this development further strengthened their position that the property should be zoned residential. Our court held that "in order to constitute abandonment, it must appear that there was a discontinuance of the non-conforming use with the intent to relinquish the right to so use the property".

Following the reasoning of the Conway Case, it is my opinion that the term "use of a building existing at the time of the adoption" is intended to be interpreted in the broad sense, that is, the existence of physical improvements necessary to devote the property exclusively for a specific use and an existing intention so to use the property at the time the Zoning Law went into effect. This is borne out by the fact that the Zoning Law's definition of a two-family dwelling clearly indicates that the physical arrangement and the intended use are elements of two-family residential use. I may say, however, that this interpretation of the term "use" is restricted to determination of the use of land at the time of the adoption of the zoning law, that is, it is restricted to sub-paragraphs (a) and (b) of Section 22-16 of the Zoning Code. This interpretation, in my opinion, would not apply to sub-paragraphs (d) or (e) where by definite action the property owner surrenders his intention to use the property non-conformingly by substituting a more restricted or a conforming use or where he evidences abandonment of said intention by failing to use the property non-conformingly for a period of one year. In sub-paragraphs (d) and (e), the Zoning Law sets up criteria for determining the intention. These criteria do not apply in sub-paragraphs (a) and (b) and the determination of actual intent governs the existence of a use.

I am, therefore, of the opinion that the Hoovers have a lawful right under sub-paragraphs (a) and (b) of Section 22-16 of the Zoning Law to continue to use the premises on the first floor of their residence for rental as a separate apartment.

My opinion is, of course, restricted to the specific case here presented and is based upon the facts made available to me relating to this particular case. Over one year has elapsed since the adoption by the City of the Isle of Palms of its Zoning Law and if any citizen had the right to continue a non-conforming use, such as I have concluded the Turners had at the adoption of this Ordinance, such right would have now been lost by lack of use if said use had not been instituted and continued as was the case with reference to the property under consideration.

I must caution you, therefore, that this decision should not be regarded as a precedent for or as controlling the decision in any other case which may arise under the City's Zoning Law.

Respectfully submitted,

Robert M. Hollings

September 29th, 1976

November 10, 1976

The regular meeting of the Isle of Palms City Council was held Wednesday, November 10, 1976 at 8:00 P. M. at City Hall.

The meeting was opened with a prayer by Mayor White.

The roll was called by Clerk Passailaigue.

Those present:Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Meek , Shaffer and Larosa and Attorney Guerard.

Mayor White stated that he had several requests from people to speak to Council and as was customary, he would allow them to be heard before taking the Committee reports. He further stated that we would start with Mr. Jennings.

Attorney David Jennings stated that he was back in behalf of the group he represented to see where they stood on the 1972 Zoning Ordinance. At the last meeting, Council was presented with an 18 page report from Attorney Robert Hollings indicating that the ordinance was invalid, based on certain facts that had been given to him. We have found that those assumptions weren't quite accurate, in that public advertisements were had in the newspaper. There was a public hearing. There were minutes of a meeting where the ordinance had been passed. What we are back for this month, after I had written you a letter and got no response, is to keep the thing going. We filed a lawsuit, but we would rather settle it here than to go to court. Since the reasons given last month weren't valid, we want to know whether there are any new reasons this month as to why the zoning ordinance is invalid. Everything we have seen seems to indicate that it ought to be valid. The problem still exists out in that area and the people want it resolved. Regardless of what you decide, there is going to be a hardship created on somebody, but a lot of people bought property in that area in reliance of that ordinance. We want to know if the new evidence has been considered, and what Council's position is now.

Mayor White stated that in view of what had transpired and the fact that we were being sued, he didn't see much the City could say, until they decided what action they were going to take to protect themselves. However, if the city attorney wanted to answer him, he had no objections.

Attorney Guerard stated that first , he felt that he and Council were due a public apology from the Grants and Hills for the libelous dissemination that had been circulated. He had talked with their attorney and he had stated that he was unaware of it and apologized for it. To respond to the point that was raised concerning the validity of the 1972 zoning ordinance, the assumption was made based on the evidence at hand when Mr. Hollings arrived at his conclusion. The material was subsequently found,that Mr. Jennings referred to, that certain of the requisites required for passing an ordinance had been complied with. However, the minutes for May 10, 1976, show conclusively that the whole ordinance was given no reading. Rule 17 of City Council, which was in effect then and now, requires that all laws passed by Council be in the form of ordinances. They shall receive three readings unless the Council unanimously agrees, without debate, to dispense with same. Rules 18, 19 and 20, provide for the methods by which the bill is to be read before it is enacted into law. The first reading shall be by title only. The second reading at the next consecutive meeting shall be read section by section, line by line and word by word. After the bill is so read and after all amendments and motions have been disposed of, the question shall be, shall this bill be ordered to a third reading. If it is affirmatively passed, then it goes to a third reading, which shall be by title only. He read excerpts from the May 10, 1972 minutes, that had to do with the zoning. There was no reference to the ordinance ever being read, before they went on to other matters. Because of that, in addition to other legal reasons, we felt that the zoning ordinance was ineffective.

Attorney Jennings stated that last month they had heard two reasons why the 1972 zoning ordinance was invalid and tonight they had heard one more. If there were other reasons, they would like to hear them all tonight. So they could handle them all at one time.

After further discussion by Council and Attorney Jennings, Mayor White stated that at the time they took office in 1973, they had checked into the zoning ordinance with the advice of several attorneys and were told that our zoning ordinance was no good. They had found they had two zoning ordinances in effect which was the same as having no zoning ordinance. They studied both of the zoning ordinances and developed one which they believed would provide the most protection for the island. They did this, believing that it was the only zoning ordinance the city had, since they had been told the others were illegal. It stands to reason,that no one on the Council would have worked as hard as they did to pass a zoning ordinance, if they had not believed in it and the need for one. This is probably not the only violation of this ordinance that has been created in the same manner by people buying, getting a permit and building and later coming back and changing the inside without getting a permit. These things happen and unless it is reported, we might never know because from all outside appearances, it seems to be a single family dwelling.

Attorney Jennings stated that no one questioned Council's good faith until recently. He filed the lawsuit because he couldn't get an answer.

Mayor White stated that Council only met regularly once a month and he had not had time to arrange a special meeting since he received the letter, before they were all served papers, notifying them of the lawsuit. He did not write anyone before he brought the matter before Council.

After further discussion by Mayor White, Council and Attorney Jennings, the matter was left to be resolved in court, if necessary.

Mayor White stated that Mrs. R. L. Oliver had asked to be heard and Council would hear her at this time.

Mrs. Oliver stated that she had previously requested a change in zoning for two pieces of property she owned, from single family to two family dwellings. She had received a letter stating that her request had been denied by unanimous vote but no reason had been stated. She would like to know the reason and the procedure to take to try to get it approved, since she had been told there were going to be some others built in that area.

Mrs. Oliver was told she was turned down because the area was zoned U-1, single family. She would have to get a petition signed by all the property owners in that area stating that they did not object to the change, and present it to Council, along with a request for a change in zoning in order for Council to consider the request again.

Mrs. Oliver asked Mayor White if he would object to the change, since he lived in the area.

Mayor White said that at this point, he would object to anyone on the island building two dwellings in one house.

Mrs. Oliver stated that she would get the petition signed and resubmit her request.

Mayor White thanked her for coming and that they would welcome her back at that time. He stated that he had received a phone call from Mr. Charles Way prior to the meeting requesting to meet with Council on either the 16th or 24th of Nov. He knew that they had promised to make a decision on the request for rezoning the property, located on Palm Blvd. next to the Exxon Station, tonight, but he would like to hear Council's feelings on the matter of waiting until they heard Mr. Way before making a decision.

After a discussion by Council, it was decided to set a tentative date for a special meeting on the 24th of November.

Alderman Shaffer moved that Council make a committment to not make a decision on this, until after this meeting.

Alderman Meek seconded the motion.

Motion carried unanimously.

Mayor White called for the report from the Sanitation Committee.

Alderman Dangerfield stated that at the last meeting they had had the first reading of an ordinance of garbage and trash. It had been referred to Engrossed Bills. He would like to bring it back before Council again tonight for a second reading.

After a discussion by Council, Alderman Casey moved that Council have the second reading of the ordinance in its entirety.

Alderman Dangerfield seconded the motion.

Motion carried unanimously.

Alderman Shaffer read the ordinance, designated as an amendment to Chapter 18, by adding Section 18-4 through 18-16, concerning refuse, garbage and weeds, in its entirety. This was in compliance with rules of Council as a requisite for the second reading of a proposed ordinance and constituted same.

Alderman Casey moved that Council accept the second reading of the ordinance as read.

Alderman Dangerfield seconded the motion.

Mayor White called for any discussion.

Alderman Dangerfield stated that by going to front yard pick-up, the city would save between 11 to 18 thousand dollars per year in salaries as they could eliminate two to three men from the payroll.

Alderman Jernigan spoke in opposition to the bill as a whole. He stated that we had 1,387 garbage pick-ups, 1,500 electric meters and 1,500 water meters. These added together and divided by 3, will average 1,462. Multiply this by 2 pick-ups a week, this totals 152,048 pick-ups per year. This will cost approximately $10.00 per family per year for garbage pick-up. The residents he had talked to seemed to be willing to pay that much in order to keep the convenience of back yard pick-up. He distrubuted and read copies of a proposed amendment to the ordinance. He moved that Council adopt the amendment.

Alderman Avant seconded the motion.

Alderman Casey withdrew his motion.

After a discussion by Council, Mayor White called for a vote on the amendment.

The vote was 2 for and 5 against, motion defeated.

Alderman Jernigan moved that Council delete the section of the ordinance calling for front yard pick-up.

Alderman Avant seconded the motion.

The vote was 2 for and 5 against, motion defeated.

Alderman Avant spoke in opposition to front yard pick-up.

Mayor White asked shall this bill be ordered to a 3rd reading.

The vote was 5 for and 2 against, motion carried. Those voting for were Aldermen Dangerfield, Casey, Meek, Larosa and Shaffer. Those voting against were Aldermen Avant and Jernigan.

Mayor White called for a report from Ways & Means.

Alderman Larosa reminded Council that they had passed the new bonding coverage for City employees at the last meeting, but had tabled the insurance on fleet vehicle coverage for further study.They had checked on increasing the coverage from 100,000 to 300,000. The premium would increase from $379.00 to $1,020.00.

After a discussion by Council, Alderman Shaffer moved that we leave the insurance coverage as it is.

Alderman Meek seconded the motion.

Motion carried unanimously.

Alderman Larosa reported that data processing had the Real Estate Tax for the county and that we should be getting the city Real Estate Tax notices by the end of next week.

Alderman Dangerfield stated that the State Highway Dept. had approved paving Merritt Blvd. and we had a resolution giving the right of way that needed to be signed by the Mayor and Council. He moved that Council sign the resolution.

Alderman Shaffer seconded the motion.

Motion carried, unanimously.

Mayor White called for the reports from the Fire and Police Departments.

Alderman Avant stated that Chief Connelley had been in the hospital but was home now. Other than that everything was fine in the Fire Department. As to the Police Department, he would like to request an executive session to discuss personnel, after the regular meeting.

Mayor White asked if there was a report from the Playground Dept.

Alderman Casey stated that they had budgeted $3,000 for improvements to the basketball court. They were now taking bids for these improvements. He further stated that the heating system at the playground was in such bad condition that they were having trouble finding anyone to light it and it was beyond repair. They had taken bids on a new one and had received bids of $500.00 from Bozelli Heating, $554.00 from Suburban Gas and $1,200.00 from Sears. He moved that Council approve the bid from Bozelli Heating and install a new heating system at the playground.

Alderman Shaffer seconded the motion.

Motion carried unanimously.

Alderman Casey reported that they had been investigating the possibility of purchasing the playground property. There was a possibility that they could get a 50% reimbursement on the purchase price from the PRT Funds.

Alderman Dangerfield reported that the state has given us a $6,000 grant to purchase pipe for drainage on the island.

Regular meeting adjourned, Council to reconvene in executive session.

Following the executive session, Alderman Meek moved that Council reconvene in regular session.

Alderman Shaffer moved that Attorney Lawrence Richter be retained as legal council for the city to represent us in the pending lawsuit, should it go to court, with the provision being made that should he decline, Ways & Means be given the authority to get another attorney.

Alderman Casey seconded the motion.

Motion carried unanimously.

Alderman Meek moved that Council approve a change in project engineers for the Isle of Palms Beach & Racquet Club Company, Inc. from Thomas & Hutton to Wilbur Smith.

Alderman Jernigan seconded the motion.
Motion carried unanimously.
Meeting adjourned.
Respectfully submitted.
Marie Passailaigue
Marie S. Passailaigue
Clerk of Council

J Blair White
J. Blair White
Mayor

December 1, 1976

A special meeting of the Isle of Palms City Council was held Wednesday, December 1, 1976 at 8:00 P. M. at City Hall.

Those present were: Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Meek and Shaffer.

Absent were: Alderman Larosa and Attorney Guerard.

The meeting was called to order by Mayor White. He stated that Mr. Charles Way had requested that a special meeting be held so that he could have an opportunity to speak to Council in regard to The Beach Company's plans for the island in the future. At this time Council would hear Mr. Way.

Mr Charles Way stated that he was happy to be here and have the opportunity to advise Council of their plans. He had taken over active management of the Beach Company in September 1975. First, as everyone knew, the Isle of Palms Water Company, which is a subsidiary of the Beach Company, has a sewer treatment plant located at 41st Ave. and Waterway Blvd. That plant presently has a capacity of 100,000 gallons per day. I have made application through E. M. Seabrook to the Department of Health and Environmental Control, to triple the size of the plant to a capacity of 300,000 gallons per day. We have received the permit to do that. The plans and specifications are about 75% complete. To protect the shellfish in the area of the outfall, the effluent coming out of the plant, will go through a serpentine canal with a 48 hour retention period. In the event the plant should break down, it would take the effluent 48 hours to get into the marsh or waterway. It will have a standby power supply. If it should break down, a telephone would begin ringing in the office of the Departmental Health & Control, also one in the home of Bill Connelley and the Water Company Office. These phones will not stop ringing until someone answers them and will only ring if the plant breaks down. A red light will also go on at the plant in case of a break down. This is a safeguard agreement to which we have agreed. This increased capacity will give me approximately one thousand new sewer taps. The standard measure is 400 gallons per family per day, we are not running that much per family per day at present.

We have applied for and received a permit for the sewer distribution line, which we call Extention #3 to the existing sewer system, to bring sewer lines down Waterway Blvd. from 32nd Ave. to the 25th St. canal property. This can go into operation as soon as it is installed, as the present capacity is adequate for the number of lots on the canal property. This will be completed by June of next year. We will have laterals running off up 28th and 29th Avenues to bring sewer to the 19 lots we have plated. The line is of sufficient size to run on down Waterway Blvd. to 20th Avenue and across to the motel. We have a strip of land that lies between the motel and 14th Ave. and are presently in the process of planning to build additional units on this property. They will be approximately 60% one bed-room apartments and the other 40% motel rooms. We have done real well, business-wise, with the duplex on Carolina Blvd. and feel there is a market for this smaller type unit for people without children for short period stays. We are having septic tank problems at the present units and feel this line is necessary. We have have shallow wells behind the Water Company and you cannot use septic tanks within so many feet of these wells, as the water from these wells is used to mix with the deep well water.

Getting back to the 25th St. Canal property, we have installed sheet piling, as a cost of approximately $30.00 per foot and have about 2000 feet of this piling, bringing the cost to approximately $60,000.00. This is an experiment and we won't be sure it is worth the cost, until we come up with the final cost figure. This canal will have to be dredged with a dragline rather than a dredge, because of the danger of undermining the sheet piling. We had planned to install a boat ramp for the use of these property owners, but have decided this isn't feasible. We have applied to the Corp of Engineers for a permit to put floating docks in the canal, suitable for small boats for the exclusive use of the owners of the property. The access roads leading off Waterway Blvd. to this property, are presently named Tabby Lane and Driftwood Lane and it is our present intention not to dedicate these roads to the public. We find that people want as much privacy as possible. We plan to put a redwood fence down Waterway Blvd. from 25th Ave. to the lots on the eastern side of Driftwood Lane and put up gates that will operate with an American Express type plastic card. These lots will be the most highly restricted lots on the island. We have not set a price on these lots as yet, but to give you an idea, an approximate price of the two lots next to the Intercoastal Waterway, which are ½ Acre in size, will be $60,000.00 each.

Mr. Way explained the procedure for building the seawall.

Alderman Meek asked how the canal would be dredged, once the project is completed.

Mr. Way stated that this would be accomplished by using a dragline operating from a barge.

Alderman Dangerfield asked how these gates would operate for emergency vehicles, such as police cars and fire trucks.

Mr. Way stated that they had not come up with a solution to that as yet, but it would be worked out in the event they did put up gates.

Alderman Shaffer asked if this would be developed under the planned residential section of the zoning ordinance.

Mr. Way stated that he would prepare restrictive covenents and agreements, which would be a part of the deeds. These would be extremely tight restritions.

Mr. Way stated that the next thing he would like to discuss, was the marina they had built on 41st Ave. He had discussed this with Attorney Guerard and he believed they were operating this as a non-conforming use. It was his understanding, that this was approved as a non-conforming use last year.

Mrs. Passailaigue stated that she did not recall this, but that Attorney Guerard had received a letter on this from Mr. DeLuca. However, she did not have a copy of the letter.

Mr. Way stated that he would wait to discuss this when Attorney Guerard was present, since he was the city attorney. They had opened up the marina, but were going slow with the improvements as ir had proved to be an expensive proposition and they wanted to see how it would do before investing a lot more. They have one concrete boat ramp and one floating dock and the permit for one more. We are in the process of putting in gas tanks there now and already have a small office on the location. We aren't doing much business at present, but look forward to an increase in the spring.

Alderman Dangerfield asked if this was ever zoned commercial.

Mr. Way said there was no zoning when a boat landing was put there. It has continued as a non-conforming use, as that was where they kept the dredge and boats for the dredging operation.

Mayor White stated that it was his understanding, that this was passed by Council at a meeting, he had been unable to attend.

Mr. Way stated that this was his understanding also, but he would discuss this further with Attorney Guerard.

Mr Way stated that he had had discussions with Attorney Guerard and Alderman Bill Casey in regard to the playground property. At present, the Beach Company leases what amounts to 4.82 Acres of land to the city for $1.00 per year or something like that, these terms are to last for 99 years. It was his understanding that the city would like to purchase this property, as they no longer want to spend money for upkeep and improvements unless they own it. He had come up with a proposition that might possibly work. It was his understanding that the city could get federal grants for X percentage of the cost. The Beach Company owns 19 lots in what is known as Block L, this is located across 28th Avenue adjacent to the playground. They plan to run a lateral off the sewer line to serve the lots. There is a provision in the lease that will not be taken out so long as the Beach Company owns the property. This will not be taken out, because of assurances Mr. Long has made over the years to other people, that so long as there was breath in his body, it would not be taken out. I can not buck that . I am agreeable to the lease as it stands. The lots across from the playground will not be as desirable, because of the natural results of a playground. With the sewer line being added, we could sell them for approximately $8,000. I propose that the Beach Company have the playground property appraised by MAI, using a mutually agreeable MAI appraisor. After the appraisal came in, the Beach Company would convey the present playground property to the city for 50% of the appraised value. They would also convey to the city, the 19 lots at a cost of $6,500.00 each. At this time the city could close this portion of 28th Avenue, since they would own both sides. This would make a large playground, that the city would own without any restrictions.

Alderman Meek asked how many acres were contained in the 19 lots.

Mr. Way stated that there were 6.1 Acres, this combined with the 4.85 Acres and the 50 feet road right of way would be a total of approximately 12.5 Acres. He would like an answer from the city in 45 days. He would make a formal proposal by letter, but the increase in taxes made holding land for speculation unprofitable especially plated lots. The only requirement they would make would be that the land be used for city related purposes and not be sold to John Doe as lots.

Mr. Way stated that the Beach Company had a lot on Hartnett Blvd. known as 16-A and ½ of 17. He would like to sub-divide these lots and build 2 single family dwellings. The lots would meet the necessary requirements for size in that they would be 67½ feet on the front by 150 feet in depth. He would submit a formal letter and plat to request this change.

Mr. Way stated that that concluded his presentation, but he would like to come back again, when they had other things to present. The lots on the canal were an experimentation and probably would have a bearing on the way the property from 27th to 41st Avenues on Waterway Blvd. would be developed. The sewer line will be there to serve it, when it is developed. They would come back, when they decided. He would answer any questions from Council.

Alderman Meek asked if the sewer line would be available to the present property owners located in the area it is to placed.

Mr. Way said he was not sure, at the present time, they did not know how many taps would be required for their undeveloped property.

Alderman Casey asked if the homeowners on the canal property would be responsible for dredging the canal.

Mr. Way stated that they would. It will be by contractural agreement and be so stated on the recored plat and on the deeds.

Mr Way stated that they had made application to the Corp of Engineers to place rip-rap at the marina to stop the erosion.

Mayor White and members of Council expressed their appreciation to Mr Way for coming and advising them of his plans.

There being no further business, the meeting adjourned.

Respectfully submitted.

Marie Passailaigue

Marie S. Passailaigue
Clerk of Council

J. Blair White

J. Blair White
Mayor

December 8, 1976

The regular meeting of the Isle of Palms City Council was held Wednesday, December 8, 1976 at 8:00 P. M. at City Hall.

The meeting was opened with a prayer by Mayor White.

The roll was called by Clerk Passailaigue.

Those present: Mayor White, Aldermen Avant, Casey, Dangerfield, Jernigan, Meek, Larosa and Shaffer.

Absent was: Attorney Guerard.

Mayor White asked if there were any corrections to the minutes of the last meeting There being none, the minutes stand approved as presented. He called for old business.

Alderman Shaffer stated that they had the third reading of the Sanitation Ordinance scheduled.

Alderman Jernigan asked that this be continued until the January regular meeting for further study.

Alderman Shaffer asked if he had any specific reason for postponement.

Alderman Jernigan stated that he didn't feel the people had had adequate time to respond and he would like a delay. He moved that it be tabled until January.

Alderman Larosa seconded the motion.

Mayor White called for discussion.

Alderman Dangerfield stated that they had taken a survey by passing out letters to residents and having them vote to retain back yard pickup or go to curbside. Of the ones returned to City Hall, 130 indicated they supported front yard and 101 wanted to stay with back yard.

Alderman Casey stated that another reason for not delaying, was budget planning.

Alderman Dangerfield stated that they would save approximately $13,100 in labor costs, by going to front yard pickup.

Alderman Jernigan stated that he did not agree with the letter sent to the residents and he did not feel that the number of letters returned was large enough per cent of the residents to be an accurate account of their feeling. He would like for the mayor to read some of the letters, he received on this matter.

Mayor White stated that he would read one of the letters that was similar to others he had received. He read one from Mr. Horace Wheeler, opposing going to front yard pickup.

Alderman Shaffer stated that they could not ignore the 130 people that had indicated they supported front yard pickup, in order to cut expenses and thereby hold down taxes.

After further discussion, Mayor White called for the vote on the motion to table the third reading until the January meeting.

Motion defeated. 3 voting for and 4 against.

Mayor White directed Alderman Shaffer to proceed with the 3rd reading.

Alderman Shaffer read the ordinance adopting a bill to amend Chapter 18 by adding Sec. 18-4 through 18-16 by title only to comply with the requirements of rules of Council for a 3rd reading.

Mayor White adked shall this bill be passed.

Motion carried. 5 voting for and 2 against.

The ordinance will be ratified at the next regular meeting.

Mayor White stated that they had one other matter from last meeting concerning the Finch Properties.

Alderman Larosa stated that Ways and Means had met with Finch Enterprises and discussed some amendments to their original proposal. They have a proposal to present to Council and he would like for them to be heard at this time.

Mr. Michael Burkett, representing the Isle of Palms Beach and Racquet Club Company, stated that Wilbur Smith and Associates were now stock holders in the company. He introduced Mr. Tom Cook, Director of Land Developement, Mr. Joe Pell, Mr. Bruce Johnson, Mr. Foster Clark and Mr. David Carr, who were associated with the company. They requested permission to lay sewer lines along Palm Blvd. from the State Highway Department and the city. He reviewed the progress of the developement of the sub division for Council. He stated that in lieu of the road, that the corporation would convey to the city,two parcels of land within the developement, ten and one half acres beginning at 41st Ave. and one acre further down in the developement . This property is to be used for community services, such as recreation or fire station, for the betterment of the community. The corporation would at this point, request the the city relinquish ownership of the remainder of the road. He pointed out the changes in zoing that had been changed to a lower density than the orginal plan had called for. The maximum residents for the entire area, will be 2,500. They would like conseptual approval of these changes by Council.

Alderman Shaffer moved that Council endorse the proposal in consept, with legal documents to be drawn up by the city attorney and Attorney Michael Burkett.

Alderman Larosa seconded the motion.

After a discussion by Council, Mayor White called for a vote on the motion.

Motion carried unanimously.

Alderman Dangerfield reported that Street and Street Lights Committee had met and discussed the Isle of Palms Beach and Racquet Club's application for encroachment on the right of way from 53rd to 60th Ave. He moved that Council approve a permit for encroachment.

Alderman Shaffer seconded the motion.

Motion carried unanimously.

Alderman Dangerfield stated that the right of way from 49th to 53rd Ave. belongs to the State Highway Department, but they said the permit application had to come from the city. He moved that we grant a permit for encroachment for sewer lines for this area.

Alderman Shaffer seconded the motion.

Motion carried unanimously.

Alderman Casey stated that we had a request from Mr. Charles Way for permission to subdivide the 1½ lots on Hartnett into 2 lots to be used for construction of 2 single family dwellings. He moved that Council approve the re-platting of Lot 16-A and a portion of Lot 17-A into Lot 16-A and 16-B, Ft-2 Forest Trail Subdivision.

Alderman Jernigan seconded the motion.

Motion carried unanimously.

Alderman Larosa reported that Attorney Logan has filed an answer to the mandamus petition filed by Attorney Jennings on the 53rd Street property, asking that it be thrown out of court. The hearing is scheduled for December 29th.

Alderman Larosa stated that we have on hand $66,000 and we have $25,000 in unpaid bills plus the $75,000 note. We want to pay the note first and then clear up the bills. We would like to hold up payment of salaries to the Aldermen until we see where we stand financially.

Alderman Larosa reported that Ways and Means had held a public hearing on the request to zone the property adjacent to the Exxon station on Palm Blvd. commercial. He moved that the request to change the zoning to commercial be denied.

Alderman Shaffer seconded the motion.

Alderman Jernigan stated that he would like to have this tabled until the January meeting for further discussion.

After a discussion by Council, Alderman Jernigan moved that it be tabled until the January meeting.

Alderman Avant seconded the motion.

Motion defeated.

Mayor White stated that he would take another vote as he had recended the first in order for Alderman Jernigan to do that as he saw fit. He called for a show of hands of all in favor of turning this down and not changing the zoning.

Alderman Larosa stated that turning it down, was denying the request.

Mayor White called for the vote.

Motion carried, 5 voting for the motion to deny the request and 2 against the motion.

Mayor White called for report from Ways & Means.

Alderman Larosa reported that the finalized budgets for 1977 would be late due to the delay in taxes coming in and it was hard to see where each department stands before the bill are paid. But the budgets will be established as soon as possible.

Alderman Casey asked if the bills would be postponed until we saw if we could recoop enough money to pay the bank note.

Alderman Larosa stated that the bank note would be paid first.

Alderman Casey asked when he anticipated paying this.

Alderman Larosa stated that this was due by December 31st. We have about $63,000 of it now, but we still have the day to day operational expenses to take care of. Since penalties are not due until December 31st, a lot of people will wait until the last minute, but we still hope to have the money in on time.

Mayor White called for a report from Streets & Street Lights and Sanitation.

Alderman Dangerfield stated that the new garbage truch had come in and he would like to present the bill to Ways & Means. We want to work things out with the bank sometime after the first of the year. The total price is $21,652.92. We can pick it up anytime, but we want to get insurance on it before we do.

Alderman Dangerfield stated that he would like to get approval of Council for the Sanitation Department to use their Christmas Bonus, which is the $350.00 we budgeted. This will buy everyone a turkey and give them a $10.00 check. I would like now at this time to let Mr. Parrish receive the $350.00 to purchase the turkeys and give the Christmas Bonuses to the Sanitation workers.

Alderman Larosa seconded the motion.

After a discussion by Council, Alderman Avant suggested that all departments be allowed to disburse their Christmas Bonuses.

Mayor White asked if someone would make a motion to that effect.

Alderman Dangerfield stated that he would change his motion to say that all monies be disbursed for all departments for Christmas Bonuses as budgeted.

Alderman Avant seconded the motion.

Motion carried.

Alderman Dangerfield reported that a hearing on the new bridge and causeway would be held January 31,1977 at 7:30 P.M. at the visitor's center at Ft. Moultrie on Sullivan's Island. The plans,maps and drawings will be there and it is open to the public.

Alderman Larosa stated that he would like to explore this a little further to see what was expected of us as a community in the way of representation at this type of hearing.

Alderman Shaffer stated that it seemed like we hadn't had representation at some of these meetings.

Alderman Larosa stated that there had been several meetings that he did not know anything about, such as the one on beach access.

Mayor White stated that he had not been informed either. He had read an article in the paper about it being held.

Alderman Larosa reported that he had attended a 2½ hour meeting Tuesday on the 201 for the north part of Charleston because it will effect us in the long run and he wanted to see what the procedures were going to be.

Alderman Larosa stated that he had not attended the last meeting, but a discussion was held on exploring the possibility of negotiating with the Beach Company for several pieces of property. One was the playground and another the parking lot. Last year there was $886,000 available for community developement. Sullivan's Island got a small portion of this for their public building, with larger amounts going to Summerville, Moncks Corner and St. Stephens for water treatment, playground or whatever else they wanted to use it for. We have been notified that if we want to apply for funds, we have to file an application between Januray 17th and February 15th. There is one million dollars available for the asking, but you have to file an application and get in there and fight for it. We need to get started, so as to have something firm by the last of this year and begin the procedures with the Regional Planning Council to get our name in there for a share of the developement grant that will be available.

Mayor White stated that we had received a proposal at the last meeting from Mr. Way on the playground. A committee should be set up to study the feasibility of his proposal and work with the Beach Co.

After a discussion by Council, Alderman Avant moved that Ways & Means Committee be appointed to take care of the necessary procedures to get appraisals and work with the Beach Company.

Alderman Larosa seconded the motion.

Motion carried unanimously.

Mayor White called for the report from Police and Fire Departments.

Alderman Avant said he had nothing to report from these departments.

Mayor White read a memo from Chief Thompson regarding Officer Robinson's promotion to corporal, effective December 3rd.

Alderman Casey reported that the baseball fields needed repair and reseeding. It would cost approximately $1,550. In order to have the fields playable by baseball season, it needs to be done now. Mr. Hindman has said he would do the work now and wait until January to be paid. He also would like to have Mr. Bozelli paid for the heater he installed at the playground building.

After a discussion by Council, Alderman Casey moved that permission be granted to the Playground Department to spend $1,550 to get the work done on the fields and anticipate paying the bill in January.

Alderman Meek seconded the motion.

Alderman Casey reported that the Playground Dept. was planning a Christmas party for the children and a boxing tournament. The boxing team had participated in a tournament in Myrtle Beach. Our boxing team is the only one east of the Cooper and has members from Sullivan's Island and Mt. Pleasant as well as the Isle of Palms.

Alderman Casey reported that we had spent $2,057.00 this year in support of the adult education courses at Wando High School. He had attended a dinner sponsored by the Mt. Pleasant Recreation Department and was given a tour of the community school project and saw a large number of Isle of Palms residents participating.

Alderman Shaffer stated that he would like to set a date and time for Ways & Means to meet, as there might be some other Council members interested in attending.

After a discussion by Council, the meeting was set for Wednesday, December 15th at 7:30 P. M.

Mayor White read a letter from Southern Bell requesting permission to place underground facilities within the city limits of Isle of Palms.

Alderman Shaffer moved that this be referred to Streets and Street Lights.

Alderman Avant seconded the motion.

Motion carried.

Mayor White asked that this committee take care of this as soon as possible.

Alderman Casey stated that a committee was appointed to study boat landings at one time. He would like to know if they had met and if they had any report to make.

Alderman Avant stated that he didn't believe they had met, as he had not been notified of a meeting.

Alderman Casey stated that in his discussions with the PRT people about the playground, he had been given the name of James White as the person to contact about doing the work on public boat landings.

Alderman Dangerfield stated that first you had to own the property.

After a discussion by Council on the pros and cons of public boat landings, the motion was made to adjourn. Motion carried, meeting adjourned.

Respectfully submitted,

Marie Passailaigue
Marie S. Passailaigue
Clerk of Council

J. Blair White
J. Blair White
Mayor