

MINUTES OF THE JANUARY 24, 1990 REGULAR CITY COUNCIL MEETING

A. INTRODUCTION OF MEETING

The meeting was called to order at 7:00 p.m. by Mayor Carmen Bunch who began the meeting with the Invocation by Rev. Joyce Eblen followed by the Pledge of Allegiance. All Council members were present except Council member Orvin who arrived late. Also in attendance were City Administrator Mark Williams, Attorney Bill Dreyfoos, Clerk/Treasurer Nellie McDuffie and Secretary Loretta Barnhill.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

Mayor Bunch asked for motion to suspend the rules of order and procedure and defer the reading of the minutes of previous meetings. Motion to defer made by Council member Ward, seconded by Swanson. Motion carried.

C. CITIZENS' COMMENTS

1. Gunnar Sorknes - Mr. Sorkes addressed Council in regard to permitting by the South Carolina Coastal Council of the Isle of Palms Connector. (See attached as Appendix A)

D. 1. ELECTION OF MAYOR PRO TEMPORE.

Mayor Bunch briefly explained duties and responsibilities of Mayor Pro tempore after which she placed in nomination the name of Council member Swanson. Council member Holden nominated Council member Ward. Results of secret ballot vote - Swanson, 4 votes, Ward, 3 votes. Swanson elected to serve as Mayor Pro tempore.

2. APPOINTMENTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS.

Mayor Bunch read appointments to committees, boards and commissions and advised that copies would be provided to Council members. (See attached as Appendix B)

Motion to confirm appointments made by Council member Swanson, second by Council member Simon. Motion carried.

3. SWEARING IN OF APPOINTED OFFICIALS.

Clerk/Treasurer McDuffie administered the Oath of Office to Police Chief James Arnold and Fire Chief Laurent Britton. Mayor Bunch administered the Oath of Office to Clerk/Treasurer Nellie McDuffie. Motion to accept appointment of Police Chief, Fire Chief and Clerk/Treasurer made by Council member Ward, second by Council member Simon. Motion carried.

4. APPOINTMENT OF CITY JUDGE.

Council member Ward asked about appointment of City Judge and was advised by Mayor Bunch that this appointment would be discussed in Executive Session.

E. REPORTS FROM STANDING COMMITTEES

No reports. Mayor Bunch stressed importance of Council members attending all committee meetings, asking that Council consider holding committee meetings on the last

Wednesday night of the month, following Planning and Zoning Committee meeting, so Council members could receive copies of minutes in sufficient time to read and study them and therefore be prepared to discuss and act on committee recommendations at regular monthly Council meeting. Council member Ward suggested that Police and Public Safety meeting be held on a different night since this meeting tends to run long. Mayor Bunch stated that this could be "played by ear" and final meeting dates established after members determine what works best.

F. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

No reports.

G. REPORTS FROM SPECIAL OR JOINT COMMITTEES

No reports.

H. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

I. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Emergency Ordinance 1990-1(E), An Ordinance to Allow the Use of Mobile Homes and Travel Trailers for Temporary Housing (Extends Ordinance 1989-11(E)).

Motion to accept Emergency Ordinance 1990-1(E) made by Council member Ward, second by Council member Watson. On discussion, Ward asked for brief explanation by Dreyfoos for the benefit of the public. The attorney stated that the emergency ordinance was initially adopted by Council on October 4, 1989 in response to the housing situation created by the hurricane, and advised that the permanent ordinance under consideration was currently in Engrossed Bills Committee pending Public Hearing and third reading. Dreyfoos continued by saying that it was necessary to continue emergency ordinance until next Council meeting. When called for the question, motion carried.

2. Emergency Ordinance 1990-2(E), An Ordinance Amending the Definition of Substantial Improvement (Extends Ordinance 1989-14(E)).

Motion to accept Emergency Ordinance 1990-2(E) made by Council member Ward, second by Council member Swanson. On discussion, Attorney Dreyfoos explained that this change in definition of substantial improvement under Flood Zone Regulations (5-2-5(25)), stating that a permanent ordinance has passed two readings but Public Hearing has not been held yet. Dreyfoos explained that this ordinance relates to the fifty percent rule as regards reconstruction and elevation of structures; i.e., in determining percentage of damage, only the damage caused by the storm is considered and not the cumulative value of repairs and improvements made over the life of the structure. Council member Holden asked if liberalizing this definition of substantial improvement would jeopardize the City's participation in the FEMA flood insurance program and was advised by Mayor Bunch that the language for the original definition of substantial improvement recommended by FEMA is more stringent than current FEMA regulations require. When called for the question, motion carried.

J. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

Council member Ward made motion that Council recommend that the Mayor form a highway connector (High C) committee composed of all Council members and four

residents, the purpose of subject committee to research issues, gather information and propose methods to minimize any adverse ~~calamities~~ ^{IMPACTS} related to the Isle of Palms Connector project and the Isle of Palms highways and streets - this committee to serve a critical role as information source and means of communication between local and state authorities. Taxpayers of the Isle of Palms would be recommended and voted on individually at next Council meeting by members of Council on recommendations from Council members. Committee would function as a standing committee and make monthly reports to Council.

Mayor Bunch asked that City Council and the City's attorney study the matter further to determine whether or not the proposed function of such a committee would be appropriate, further stating that in the form submitted, she did not believe a standing committee could be created. Council member Ward asked that motion be voted on, so moving, with motion seconded by Council member NesSmith-Picard.

On discussion, Council member Simon said he had problem with Council naming committee and would prefer that the Mayor handle it. Council member Swanson stated that she was not sure this could legally be a standing committee, asking attorney for determination. Attorney Dreyfoos stated that a standing committee could only be established if motion was presented in ordinance form and Council then follow normal procedure for same, but ad hoc committee could be established.

Council member Watson asked that consideration be given to expand the motion to include expeditious replacement of Ben Sawyer bridge. Council member Ward introduced motion to create the High C committee as an ad hoc committee rather than a standing committee, second by Council member NesSmith-Picard. Motion carried.

Council member Ward stated that purpose was to keep people involved and aware of what was going on with the Connector. Council member Holden asked if this could be an obstacle to the Connector and was advised by Council member Ward that he hoped not, but committee could be made to serve whatever purpose the members desired. Council member NesSmith-Picard stated that the Connector was a real issue for everybody, stating that information needs to get out to the people and Council needs to receive input from the public. (Addition: SEE BOTTOM OF PAGE)

Mayor Bunch stated her opposition to creation of the High C committee, citing the City's continued endorsement of the Isle of Palms Connector for several years. She added that review of Connector issues; i.e., environmental, would best be handled by governmental agencies responsible for such. The Mayor further stated that while Council would continue to endorse and work for Ben Sawyer bridge replacement, it was not up to the Isle of Palms since, according to the law, Sullivan's Island would have to vote for it.

Council member Swanson asked that motion be re-read. After re-reading by Council member Ward, Council member Holden stated that he felt Council would be irresponsible if they did not acknowledge there ~~was going to be~~ ^{COULD BE} an adverse affect on the community, and something should be done soon or the City would miss their change to do anything. Council member Simon, while acknowledging agreement with Council member Holden, stated he felt the timing was not good and perhaps something could be done when Council has more time to consider their actions.

Council member Swanson agreed with Council member Simon that motion needs a little more study, suggesting it could be referred to attorney and returned to Council at a later date. Council member NesSmith-Picard reiterated her support of the motion, stating that she felt time was right for establishing such a means of communication. Mayor Bunch suggested that each member of Council read environmental impact statement and look at the plans for the Connector, further suggesting that each member get a copy of the traffic study.

When called for the question, roll call vote called for by Mayor Bunch: Holden, no; NesSmith-Picard, yes; Simon, no; Swanson, no; Ward, yes; Watson, yes, Bunch, no. Motion defeated by 4 - 3 vote.

K. MISCELLANEOUS BUSINESS

1. Mayor Bunch read resignation from Council member Leo McDonald, asking for motion to accept resignation with deep regrets and gratitude. Motion made by Ward, second by Watson. Motion carried.

2. Mayor Bunch advised Council of election to fill unexpired term of Council member McDonald on March 27, 1990, stating that everyone would be notified as to exact polling places.

3. Mayor Bunch advised Council that she had been working with postal officials about a site for the new post office, further advising that Charles Way has offered Palm Boulevard site for post office.

4. Mayor Bunch advised Council that in meeting with the City's staff, she has asked for moratorium on spending, explaining that all expenditure requests will be scrutinized. The Mayor further advised that a freeze on hiring is in effect and only those positions wherein a vacancy would jeopardize City services would be filled at the present time.

L. EXECUTIVE SESSION

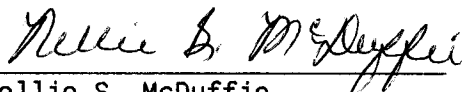
Mayor Bunch asked for motion to enter Executive Session. Motion made by Council member Swanson, second by Council member Ward. Motion carried.

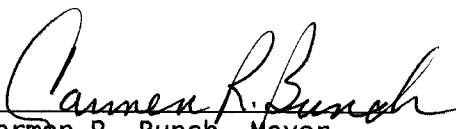
Motion to come out of Executive Session made by Council member Swanson, second by Council member Ward. Motion carried.

Mayor Bunch advised that the purpose of the session was to receive briefing by the City's attorney and no action was taken.

Motion to adjourn made by Council member Ward, second by Council member Orbin. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie
Clerk/Treasurer

APPROVED: 
Carmen R. Bunch, Mayor

APPENDIX A

1/24/90

PERTAINING TO APPLICATION BY
SC HWY DEPT TO COASTAL COUNCIL
FOR PERMIT FOR CONNECTOR CONSTRUCTION.

YOU'LL RECALL RECENT COASTAL COUNCIL
MTG. AT WHITESIDES SCHOOL. MANY
OF YOU WERE PRESENT. IF I'M
CORRECT, ALL BUT TWO SPEAKERS
EXPRESSED CONCERNS ABOUT RUN-OFF
OF POLLUTANTS WITH RESULTANT
DAMAGE TO THE ECO-SYSTEM.

COUNCILWOMAN M. N-S PICARD SUGGESTED A
RUN-OFF COLLECTION/TREATMENT
SYSTEM AT AN EST'D. \$2 MILLION

MY CONCERN AND HOPE IS THAT THE
MAYOR AND COUNCIL WILL INITIATE
AN ACTIVE ROLE IN ASCERTAINING
THAT THE ENVIRONMENT IS NOT
ONLY PROTECTED BUT IMPROVED.

ACTION
SUCH A MIGHT BE STARTED BY APPOINTING
3 COUNCIL MEMBERS AS A STANDING
SUB-COMMITTEE TO ASSEMBLE FACTS
AND ^{PROPOSALS} TO PRESENT TO THE MAYOR AND
TO COASTAL COUNCIL + HWY DEPT.

PTD

A SPECIFIC PROPOSAL TO MAKE
MONIES AVAILABLE FOR RUN-OFF
TREATMENT:

1. REDUCE THE QUANTITY OF
RUN-OFF AND, REDUCE THE
COST OF THE COLLECTION
AND TREATMENT SYSTEM,
BY ELIMINATING SURFACE
NOT NEEDED.

2. REFERRING TO SHEET 6
OF THE NOV 16 '89 APPLICATION:

- THE PROPOSED BRIDGE HAS A
USABLE WIDTH OF 54 FT
(APPROX. THE COMBINED WIDTH
OF THE TWO COOPER RIVER BRIDGES)
I.E. IT IS A FULL 4 LANE HWY!
- REDUCE THE WIDTH TO
34 FT (BY 37%) 12-10-12
MEDIAN
OR
- REDUCE TO 8+12+12+8
TO 40 FT (APPROX. 7 MILE BR)
IN FLORIDA
(BY 26%).

THE PRESENT - NOR THE FUTURE - REQUIRES A
4 LANE BRIDGE - HUGO PROVED THAT - CONCLUSIVELY

APPENDIX B

STANDING COMMITTEES

	<u>Address</u>	<u>Telephone</u> <u>Home</u>	<u>Work</u>
<u>Ways and Means</u>			
Marge Swanson, Chairman	1700 Dunes Blvd.	886-4417	886-4738
James Ward	2207 Hartnett Blvd.	881-8380	886-8013
Dan Watson	29 - 32nd Avenue	724-4213	849-6322
<u>Police and Public Safety</u>			
Jeff Simon, Chairman	7 Lauden Street	745-7093	883-3210
Marge Swanson	Above		
Carmen Bunch (Acting)			
<u>Public Works</u>			
James Ward, Chairman	Above		
Melinda Picard	521 Carolina Blvd.	728-2727	886-6645
Heath Orvin	243 Forest Trail		886-8814
<u>Recreation</u>			
Heath Orvin, Chairman	Above		
Dan Watson	Above		
Carmen Bunch (Acting)			
<u>Engrossed Bills</u>			
Barry Holden, Chairman	916 Palm Blvd.		886-5844
Melinda Picard	Above		
Jeff Simon	Above		

STANDING COMMITTEES AND COMMISSIONS
1990

	<u>Address</u>	<u>Telephone</u> <u>Work</u>	<u>Home</u>
<u>Planning Commission</u>			
Dr. Arnold Karig	5102 Palm Blvd.		886-6991
Ken Palka	2 - 19th Avenue		886-6128
Guy Taylor	625 Ocean Blvd.	886-4619	886-6074
Kathryn Carroll	3403 Palm Blvd.	886-9600	886-6679
John Gardner	3907 Hartnett Blvd.	884-7242	886-8472
Jan Wilson	7 Ocean Park Court		886-4553
Darlene Smith	5 - 56th Avenue	886-6871	886-8288
<u>Board of Adjustment</u>			
Ed Fellabom	4 Live Oak Drive		886-4313
Howard Garvin	6 Sand Dollars		886-5476
David Somers	10 - 43rd Avenue		886-6294
Mary Schall	27 Sand Dollar		886-5275
Betsy Smiley	16 - 44th Avenue	724-5197	886-8535
<u>Code Board of Appeals</u>			
George Porcher	225 Forest Trail		886-6092
John Stanley	3904 Waterway Blvd.		886-5209
Sidney Allison	13th Avenue		886-8204
David Matthews	12 - 2nd Avenue	884-2033	886-6064
Steve Weavil	28 Dune Ridge Lane		886-6420
Charles Blair	810 Carolina		886-4400
<u>Board of Beach Patrol & Control</u>			
Dr. James Smiley, Chair	16 - 44th Avenue	792-5504	886-8535
David Matthews	12 - 2nd Avenue	884-2033	886-6064
Thomas Harper	102 Carolina		886-6872
William Sandeford	108 Charleston		886-8279
Beverly Ballow	20 - 24th Avenue	886-9600	886-5873
Debby Jeter	2201 Palm Blvd.		886-6279
Jeff Simon (non-voting)	7 Lauden	745-7093	883-3210
<u>Recreation Commission</u>			
Sharon Neal	20 - 41st Avenue	554-5800	886-8197
Tony Strelkauskas	26 - 27th Avenue	792-2078	886-6104
Tom Widlowski	107 Forest Trail		886-6790
Deb Strickler	10 Driftwood		886-6199
Joanne Emerick	1 Cross Lane		886-8018
Zack Geraci (Teen Rep)	3006 Waterway Blvd.		886-4538

STANDING COMMITTEES/COMMISSIONS 1990

Advisory Committee (Accommodations Tax)

Henry Finch, Jr.	25 Beachwood West	886-5678	886-8739
Diane Shiver	2305 Waterway Blvd.		886-6871
Buddy Thomas	2703 Cameron Blvd.	886-8809	886-8690
Nancy Van Cott	Wild Dunes Recpt.	886-6000	886-5788
Dena Wall	1100 Pavilion		886-8787
Jack Lammey	11 - 43rd Avenue		886-8023
Nancy Fiedler (CA Rep)	11 - 55th Avenue		886-8251

Election Commission

Helen Clarkin	21 - 31st Avenue	886-6697	886-6074
Harry O'Neal	20 - 41st Avenue	554-5800	886-8197
Laura Taylor	625 Ocean Blvd.		886-4619

Deweese (Ad Hoc) Committee

Bill Anderson	3 Forest Trail	795-6350	886-8108
Page Hansen	128 Sparrow		886-4709
Bob Hooker	5 - 10th Avenue		886-4552
Toby Van Buren	1261 Calais Dr., Mt. Pleasant		881-2055
Skip Shaffer	32 - 21st Avenue		886-6481

Revitalization and Beautification

David Crosby	2303 Cameron Blvd.		886-4138
Malcolm Burgis	3-A 22nd Avenue		886-6567
Trudy Rakar	c/o The Beach Company	722-2615	
Martha Lammey	11 - 43rd Avenue		886-8023
(Others to be named by Chairman)			

Building Committee

Harry O'Neal	20 - 41st Avenue	554-5800	886-8197
Jack Johnston	14 - 41st Avenue		886-8426
Tom Murph	29 Beachwood West	Beeper/720-0678	886-8588
J. D. Hines	3 - 51st Avenue		886-9925

Emergency Preparedness Committee

Jim Burke, Chairman	32 - 32nd Avenue		886-6204
Police Chief James Arnold		886-6522	
Fire Chief Laurent Britton		886-4596	
Gary Haglund	3 Waterway Blvd.		886-8025
Tom Murph	29 Beachwood West	Beeper/720-0678	886-8588
Col Cochrane	9 - 41st Avenue	886-4460	886-6275
Gerald Johnson	3102 Cameron Blvd.		886-6996
Robert Timmons	4 Chapman		886-8123

Recycling Committee

Joan Olsen, Chairman	7 Dolphin Row		886-2988
Gunnar Olsen	7 Dolphin Row		886-2988
Andy Parrish	26 - 29th Avenue	886-8956	886-6959
Andy Savage	174 East Bay Street	722-6319/577-5805	
Susan Down			
Leola Hanbury	3203 Hartnett		886-6458
Bob Hooker	5 - 10th Avenue		886-4552

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 14, 1990

A. INTRODUCTION OF MEETING

The regular meeting of the City Council was held at the Isle of Palms Exchange Club on February 14, 1990 at 7:00 p.m. with all Council members present. The meeting was called to order the Mayor Carmen Bunch. Also attending were City's Attorney Bill Dreyfoos, City Administrator Mark Williams, Clerk-Treasurer Nellie McDuffie and Secretary Loretta Barnhill. The invocation was given by Rev. Joyce Eblen.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. November 1, 1989 - Special City Council Meeting/Briefing

Motion to approve minutes of November 1, 1989 as submitted made by Council member Ward; second by Council member Orvin. Council member Simon asked to make comments on the minutes (See Attached as Appendix A) and further asked to amend motion and approve minutes on the condition that comments made by Guy Taylor be deleted from the record in that those comments are unjust, inappropriate and beyond the bounds of conduct acceptable to the Council and among the residents of the Isle of Palms. Motion to amend seconded by Council member Watson.

On discussion, Council member Ward stated that he felt comments should not be deleted; that anyone appearing before Council has a right to say anything that they feel as long as they don't use bad language or vulgar terms. After brief discussion pertaining to procedure, Council member Simon re-read motion; i.e., City Council accept minutes of November 1, 1989 Council meeting/briefing but in doing so repudiate the personality characterizations contained in the Citizen's Comments submitted by Guy Taylor as being unjust, inappropriate and beyond the bounds of conduct acceptable to the Council. Simon stated that he did not dispute Mr. Taylor's right to say what he said; however, by not making a comment to his statements, Council is allowing something to be said that should be considered "bad language" and conduct beyond acceptable bounds. Ward stated that in his opinion, if Council silenced Mr. Taylor, who would be the next person silenced that Council didn't agree with, further stating that this was the United States of America and people have a right to free speech. Council member Orvin, agreeing with Council member Ward, stated that no such precedent should be set.

Council member Simon asked for vote on amendment. Council member Holden asked for clarification of amendment and was advised by Simon that his motion was to amend Council member Ward's motion as follows: Council state that they repudiate the personality characterizations contained in the comments of Guy Taylor; that such comments are unjust, inappropriate and beyond the bounds of acceptable conduct. Holden stated that he never felt comfortable in engaging in any form of censorship and would hesitate to make a judgment call on Mr. Taylor's comments since he has not had time to study them. However, he would agree to state that Mr. Taylor's opinions are not necessarily those of Council. Simon asked for roll call vote on his amendment: Holden, no; Orvin, no; NesSmith-Picard, no; Simon, yes; Swanson, yes; Ward, no; Watson, yes; Bunch, no. Motion to amend defeated by 4 - 3 vote. When called for the question, motion to approve minutes as submitted carried by voice vote.

2. January 24, 1990 - Regular City Council Meeting.

Motion to approve minutes made by Council member Ward; second by Council member Watson. Council member NesSmith-Picard asked for additions to minutes; i.e., Page 3,

Paragraph 1, substitute word "catastrophe" with "impact". Additionally, on Page 3, Paragraph 5, add statement by Council member NesSmith-Picard as follows: "Council should not neglect our responsibility as residents and elected officials and the intent of the Committee is in no way to direct the S. C. Highway Department. It should serve as a means of input and information." Council member Holden asked that, in second to last paragraph, Page 3, "was going to be" be changed to read "could be". No further changes, additions, deletions forthcoming, motion to approve with additions and corrections carried. Ward asked to receive corrected copy and was advised that minutes were changed manually in pen and copy would be in minutes book at City Hall. Ward asked could Council members receive copies of appendixes individually and was advised that if members asked, they could receive copies of any appendixes.

C. CITIZENS' COMMENTS

1. Rev. Joyce Eblen - Rev. Eblen advised Council members that disaster recovery consultants are now available to assist those people suffering from "post traumatic stress syndrome", advising of workshops to be held on the Island. Rev. Eblen stated that she had been asked to target groups on the Isle of Palms and present workshops to deal with the stress. Stating that she would like to begin with the people who are in public service or like areas of responsibility, Rev. Eblen asked for a time during March or April when a workshop could be held for City officials, employees and volunteers. Mayor Bunch thanked Rev. Eblen and advised that all department heads have been notified of this service.

Mayor Bunch introduced Leola Hanbury, recently appointed Public Information Officer, and asked that she disseminate information pertaining to workshops.

2. Clay Cable - Not in attendance.

3. Cynthia Carpenter - Ms. Carpenter addressed the issue of Wild Dunes proposal to increase subdivisions on Waterway Boulevard, asking for Public Hearing so that residents would have input prior to Council vote being taken on approving the submitted plats. Ms. Carpenter cited the density of the houses in the area as well as the traffic increase on Waterway Boulevard.

The Mayor asked that Ms. Carpenter stop by City Hall and see the proposed plats, advising that Planning Commission had met, and while she agreed with many things that were said, it must be understood that the City cannot tell people they cannot build on their property. The City can only see that building is done to conform to City policy.

Mayor Bunch asked for motion to suspend rules of order and procedure and allow presentation of Proclamation at this time. Motion to suspend made by Council member Holden, second by Council member Swanson. Motion carried. The Mayor presented Proclamation declaring February "Red Cross Month" on the Isle of Palms to Ms. Anne Moye, representing the Red Cross. (See Attached as Appendix L.)

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Council member Swanson read minutes of meeting (See Attached as Appendix B). Council member NesSmith-Picard asked if Committees, Boards and Commissions would advise when their meetings are scheduled. The Mayor advised that Standing Committees would meet on a regular date each month, but Boards and Commissions

would generally meet at the discretion of the Chairman, further advising that all meeting dates would be posted in City Hall.

Council member Orvin asked status on FEMA and was advised by City Administrator that City was being reimbursed for quite a few expenses, but this would be an ongoing process for quite some time.

2. Police and Public Safety - Council member Simon highlighted minutes of meeting (See Attached as Appendix C), advising that minutes reflected a recommendation by the Committee to purchase three police cars through Governor's grant; however, such purchase is not permitted with these funds; therefore, budget will have to be examined to determine where such monies may be obtained. Police Chief Arnold, upon request of the Mayor, outlined the vehicular needs of the department. Administrator Williams explained that, under State contract, orders must be placed by the City between November and March; otherwise, City must wait for next contract cycle. In addition, delivery takes ninety to one hundred twenty days. Williams further advised that as far as funds go, perhaps more will be known when January is closed out in the next few days. Insurance claims are still not settled, but City should receive \$300,000 on Police/Fire Station contents - based primarily on value of two reserve fire trucks lost in the storm. However, capital expenses will no doubt run several hundred thousand dollars since one fire truck (\$125,000) as well as two tractors and the police vehicles are needed. The Administrator suggested possible lease/purchase as alternative to large capital expenditure from funds on hand.

The Mayor asked that Ways and Means consider recommendation of City Administrator concerning lease/purchase. Council member Ward asked about number of replacement vehicles purchased since the hurricane and insurance on same. The Administrator explained that City received only cash value and not replacement value on vehicles, further advising that the City must buy vehicle insurance from the State because municipalities are not considered by private companies to be a "good risk". Council member Swanson stated she felt that once the City gets into a cycle of lease/purchase, it is difficult to break that cycle. Administrator Williams agreed that this was indeed a risk.

3. Public Works - Council member Ward read minutes of meeting (See Attached as Appendix D). The Mayor expressed thanks to Amoco Chemical Company for their donation of fifty-five gallon drums to be used for trash containers on the Island.

The Mayor advised that the City has ordered employee I.D. cards and is also looking into ordering stickers for Isle of Palms cars. Council member Ward asked about cost to citizens for stickers and further asked would Council discuss this issue. The Mayor stated that if this was a minimum charge, City would give stickers to the residents provided they would use them. Ward asked would this go through Ways and Means and was advised by the Mayor that, since the cost would obviously be less than \$1000, it was an administrative decision and did not need approval of Council. Ward stated that while he thought the use of vehicle stickers was an excellent idea, he would request that when the plan was ready to go, Council have an opportunity to look at it. Mayor Bunch advised that a copy of the sticker and samples would be placed in Council boxes. Council member NesSmith-Picard asked would stickers be renewable, and was advised by the Mayor that sticker would be permanent and not renewable each year.

Council member Watson asked about additional debris removal and was advised by Administrator Williams that FEMA will allow the City to hire a contractor for a final pass; however, the amount of funds available is not yet known. The Mayor advised that this would be announced in all the newspapers and signs would be placed in visible areas around the Island. Watson requested that residents be informed about this so

they will not be paying contractors to haul debris from the Island when such is unnecessary. The Mayor stated that the City's ordinance does require contractors to remove construction debris from the Island; however, this ordinance has not been enforced because of the FEMA funded debris removal contracts. Council member Ward stated that he felt citizens did not fully understand what they were allowed to do regarding hurricane debris and City should so advise.

4. Engrossed Bills - Council member Holden summarized minutes of meeting (See Attached as Appendix E).

5. Recreation - Council member Orvin read minutes of meeting (See Attached as Appendix F). Orvin made motion that Council take necessary steps to install fans in the recreation building since such funds have previously been approved; motion seconded by Council member Ward. On discussion, Administrator Williams advised that repairs at recreation building were ongoing - fencing, grading and restoration - at an approximate cost of \$14,000. To replace lights in tennis, basketball and ball fields areas will cost around \$19,500. Recreation expenses are in excess of \$33,000, and FEMA estimated damages of \$26,000; therefore, the City will underwrite a good portion of these expenses without hope of reimbursement from FEMA. In addressing the matter of fans for the building, the Administrator advised that he had talked with the contractor last week and they were ready to proceed; further advising that \$6,000 was in special fund with balance to come from general fund. Council member Swanson commented that a lot of hard work had been done last year by Council in considering how to provide fans so that residents could enjoy the recreation building. Council member Ward asked would Council need to go through a budget process and amend the budget if there is going to be a shortfall. Mayor Bunch stated that the money was in the bank and the past Council had approved this project. When called for the question to begin installation process of fans at recreation building, motion carried on voice vote.

Council member Orvin passed out facility rental form for Council's consideration. (Attached as a part of Recreation Committee minutes, Appendix F). Mayor Bunch stated that she felt a staff person should be in attendance when the gym is in use, further stating that any group using the gym should pay the City so someone could be employed to be there. Council member Ward made motion to refer to Ways and Means Committee to consider appropriate fee schedules; second by Council member Orvin. Motion carried. The Mayor asked that Attorney Dreyfoos check the document for legality prior to its presentation to Ways and Means.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - No meeting.

2. Planning Commission -

Planning Consultant David Canteley introduced himself to new Council members before reading minutes of January 31, 1990 meeting (See Attached as Appendix G).

Plats Received:

(a) 1990-1 - Plat of Lots 13 - 21, Block 29, Ocean Boulevard. Council member Ward moved to approve as submitted; second by Council member Orvin. On discussion, Council Swanson made motion to amend and approve plat conditional on standard language being printed on plat; i.e., "The Isle of Palms City Council at the time of the approval of this existing plat stated for the record that it strongly opposed any future issuance of any permit for any kind of beach erosion control

structures (I.E., Sea walls, Riprap, Bulkheads, Etc.) should such measures be requested by property owners as a result of erosion to these properties shown on this plat." Motion to amend seconded by Council member Watson. Motion to amend carried.

Council member NesSmith-Picard asked that Council receive plats one week before meeting so that members will have time to study them, also requesting that zoning code be put on maps prior to receipt by council member. NesSmith-Picard further asked if fire chief and public works superintendent had seen these plats. Mayor Bunch stated that she has requested Planning Consultant to ensure that fire chief, public works official and City engineer review the plats before Planning Commission acts on them. Council member Ward asked about legal liability with regard to a time limit for reviewing plats submitted for approval and was advised by attorney that he hoped Council would adopt some modifications in subdivision ordinance as relates to time frame City Council has in which to act on submitted plats. When called for the question, motion to approve plat as amended carried.

(b) 1990-2 - Conditional Subdivision Plat of Parcels 11 -14, Tract "A", Block "T", Wild Dunes. Council member Ward made motion to approve as submitted; second by Council member Orvin. On discussion, Council member NesSmith-Picard asked was right of way included in calculating density and was advised by Cantey that it was not. Council member Swanson asked where was 250' setback line, and Cantey responded that a setback line would not be shown on this plat. Council member Ward amended original motion and moved that approval be conditional upon acceptance by fire chief, public works and City engineer; second by NesSmith-Picard. Motion to amend carried. When called for the question, motion to approve plat as amended carried.

Planning Consultant David Cantey suggested a workshop be held for new Council members.

3. Building Committee - No Report.

4. Beach Patrol & Control Board - Council representative Jeff Simon read minutes of January 25, 1990 meeting (See Attached as Appendix H). Mayor Bunch advised that she had spoken with Coastal Council regarding riprap at Mariner's Walk and had been informed that homeowner's association has gone out to bid on renourishment of beachfront. The Mayor further reported the Coastal Council would be meeting with City officials and Board of Beach Patrol in the near future about revegetation of the beach and the dunes. Council member NesSmith-Picard advised that a resident had asked her about dune walkover constructed in vicinity of 3600 Palm Boulevard. Council member Simon inquired about exact location and was advised that no exact address was known. Mayor Bunch asked that anyone seen dumping riprap or big rocks on the beach near 52nd Avenue be reported since was against City ordinance and beach management laws.

5. Personnel - No Report.

6. Dewees (ad hoc) Committee - No Report.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES

None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

None.

H. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Third Reading, Ordinance 1989-11, An Ordinance to Allow the Temporary Use of Mobile Homes and Trailers. Motion to accept Ordinance 1989-11 made by Council member Ward; second by Council member NesSmith-Picard. Motion carried. Motion to accept with amendment made by Council member Ward; second by Council member Orvin. Motion to accept as third reading with amendment carried unanimously.

2. Third Reading, Ordinance 1989-14, An Ordinance Amending the Definition of Substantial Improvement. Mayor Bunch asked for motion to refer back to Engrossed Bills Committee as well as Planning Commission. Council member Swanson so moved; second by Council member Ward. Motion carried unanimously.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. First Reading, Ordinance 1990-3, An Ordinance to Amend Section 5-4-22 (SR-1 District). Mayor Bunch asked for motion to accept as first reading by title only and referral to Engrossed Bills Committee and Planning Committee. Council member Swanson moved to refer to Engrossed Bills and Planning Committees; second by Council member Ward. Swanson amended her motion to include acceptance as first reading; second by Council member Simon.

Council member Ward stated that he preferred this ordinance to go to Planning Commission prior to first reading for their recommendations. Mayor Bunch stated that Council always accepted as first reading by title only; time to do the work is at Engrossed Bills, Planning and second reading by Council. Council member Holden asked if there was any intention to apply the SR-1 amendment to pending plats and was advised that this could not be applied retroactively. Attorney Dreyfoos stated that procedurally, he very much preferred Council to pass these ordinances at first reading and then refer to committee; otherwise, it is not a subject matter that is properly before Council - first reading is only the mechanism that gets the ball rolling; anything involving a zoning matter requires a public hearing as well as two additional readings and the matter may be dropped completely at any time during this process.

Council member NesSmith-Picard objected strongly, stating she had not had opportunity to review the proposed ordinance. Council member Ward stated he still preferred it to go to Planning before acceptance of first reading so that public can be very well informed about what is going on. Mayor Bunch stated that each council member campaigned for less density on the Island; there now are people planning to subdivide their lots; and acceptance as first reading tonight could make the difference in how the Island is rebuilt. Council member Holden inquired about zoning map so he could determine what was zoned SR-1 and was told that all the Island was SR-1 except the business district. Attorney Dreyfoos further explained Island zoning.

Council member Simon stated that he understood potential problem some members had with this procedure; however, with demolition taking place all over the Island, there was a clear risk that present lots will be subdivided into smaller lots. Simon continued that this was a simple ordinance designed to protect residential density and requested that no one use first reading procedure as an opportunity to delay this. Council member NesSmith-Picard still objected, stating she did not appreciate having something dropped on her at the last minute, asking that she have at least one week to review any proposed ordinance. NesSmith-Picard stated that while council members did run on protecting residents' rights, they all ran on being informed and she did not believe they were being informed, and she felt this procedure was therefore an abuse. In response, the Mayor stated that this matter had only come up during the past week

and that she personally knew of several lots that would be sub-divided if Council did not vote for this.

Council member Holden asked would a 10,000' plat be approved if Council accepted as first reading. Attorney Dreyfoos advised that it would not be the law, but under the Pending Ordinance Doctrine in the State of S.C., submissions that are inconsistent with the proposed ordinance would not be approved. Holden continued that this would make a tremendous impact on zoning ordinance and, while the ordinance appeared simple on the surface, it might well not be as simple as it looks. When called for the question of accepting as first reading and referring to Engrossed Bills and Planning for review, roll call vote: Holden, no; Orvin, yes; NesSmith-Picard, no; Simon, yes; Swanson, yes; Watson, yes; Ward, no; Bunch, yes. Motion carried 4 -3.

J. MISCELLANEOUS BUSINESS

Mayor Bunch advised Council:

-A preliminary draft of flood insurance for the Isle of Palms has been received from FEMA and the map will be available in City Hall. Council members will receive copies.

-Council member Swanson attended meeting of the Trident Community Foundation. Linda Tucker of the Council of Governments is assisting in preparing grant to be submitted on February 15, 1990.

-Council of Governments is working with the Air Force on a program called "Prime Beef" wherein assistance is provided to cities in the building of public buildings.

-Letters have been received from Senator Thurmond and Representative Ravenel regarding the City's request to have the 1990 census postponed on the Island. Both officials are working to assist the City in securing postponement.

-Council of Governments has replied to Mayor's letter regarding revitalization of front beach business area and appear to be receptive to the ideas presented.

-Mayor signed "Re-Leaf Tree Request" for over 200 trees to be planted on City property. Thanks were extended to Bob Hooker for his work on this project. Leola Hanbury and Phyllis Shaffer have \$500 with which they have started a fund for "Plant A Palm" project for residents of the Island.

-The Young Charleston Theater Company has advised that the "Our Town" production on Friday, March 2, 1990 has been declared "Isle of Palms Night" and residents will receive a \$1.00 discount. Council members are asked to let the Mayor know if they are interested in attending.

-The Mayor serves on the Governor's Board for the S. C. Aquarium and has been advised that the design is ready with construction starting at the end of this year. Anyone wishing to see the design may come by City Hall and get a copy.

-Letter from Isle of Palms Water Company concerning relocation of water and sewer lines (See Attached as Appendix M).

-The S. C. Highway Department has announced they will include a bridge design

never before used in S. C. for storm run-off, and have agreed to install pipes on Connector for wastewater to be treated in Mt. Pleasant. The Highway Department and the Water Company will bear the cost of installation.

-The Winter Conference of Municipal Association will be held in Columbia on March 28 and 29. Administrator Williams advised that a program of activities are scheduled for Wednesday and Thursday. Four rooms for Council members have been reserved; however, rooms may be canceled should no one choose to attend. Council members are asked to let the Administrator know if they plan to attend.

Council member Orvin inquired about status of post office and was advised by the Mayor that Charlie Way was going to bid on it for the Palm Boulevard site which is zoned commercial.

Helen Clarkin advised that she would be representing Charleston Trident Board of Realtors, stating she will be present at the Council meeting so realtors would be able to assist Council in any way possible.

K. EXECUTIVE SESSION.

None.

Council member Ward moved to adjourn; second by Council member Holden. Motion carried and meeting ended.

Respectfully Submitted,

Nellie S. McDuffie
Nellie S. McDuffie, Clerk/Treasurer

APPROVED:

Carmen R. Burch

MADAM MAYOR MEMBERS OF CITY COUNCIL. BEFORE WE MOVE TO ADOPT THE MINUTES OF THE MEETING OF NOVEMBER 4, 1989 I FEEL THERE IS A MATTER CONTAINED ~~ON~~ THOSE MINUTES THAT MUST BE BROUGHT TO YOUR ATTENTION. AT THAT MEETING A RESIDENT OF ISLE OF PALMS MR. GUY TAYLOR GAVE A STATEMENT TO COUNCIL WHICH IS LISTED IN YOUR COPY OF THOSE MINUTES AS APPENDIX A. NORMALLY EACH MEMBER OF COUNCIL DOES NOT RECEIVE A COPY OF LENGTHY STATEMENTS AS PART OF THE ADOPTION PROCESS. THEREFORE; I HAVE TAKEN THE LIBERTY OF PROVIDING EACH OF YOU WITH A COPY SO YOU MAY MORE EASILY SEE THE PART OF THIS STATEMENT TO WHICH I OBJECT SO STRONGLY.

THE BULK OF MR TAYLOR'S COMMENTS CONCERN THE CHALLENGE OF BALLOTS CONDUCTED DURING THE CONNECTOR REFERENDUM AND THOUGH I FEEL HE HAS MISREPRESENTED THE FACTS THIS IS NOT THE PART WITH WHICH I TAKE ISSUE. THOUGH I DO WANT TO POINT OUT THAT THE CHALLENGING OF INDIVIDUAL BALLOTS OR THE CONDUCT OF AN ELECTION AS A WHOLE IS A RIGHT PROTECTED BOTH BY PROCEDURE AND STATUTE. I NEED NOT REMIND COUNCIL THAT OUR MOST RECENT ELECTION IS CURRENTLY UNDER CHALLENGE AND I HAVE HEARD NO PUBLIC RECRIMINATION OF THE INDIVIDUALS WHO MADE THAT CHALLENGE THAT EVEN APPROACHES WHAT IS BEFORE YOU NOW.

BE THAT AS IT MAY. THE PART OF MR TAYLOR'S STATEMENT THAT I WISH TO CALL COUNCILS ATTENTION TO HAS BEEN UNDERLINED BY ME ON YOUR COPIES AND I WILL READ IT TO YOU. IT READS , HIMMLER, GOEBBELS AND THE REV. JIM JONES MUST BE LOOKING UP FROM THEIR PERPETUAL PLACES IN HELL AND THINKING HOW PROUD THEY ARE OF THESE PEOPLE AND THEIR TECHNIQUES AS FEAR MONGERS. I HOPE THEIR FOLLOWERS ARE NOT ASKED TO DRINK KOOL-AID. MR TAYLOR REFERS TO THE INDIVIDUALS (TWO OF WHOM HE NAMES EARLIER IN HIS STATEMENT) WHO DISAGREED WITH HIS POSITION ON THE CONNECTOR REFERENDUM. AMONG THE PEOPLE THAT MR TAYLOR HAS CALLED THE EQUAL OF NAZIS AND OTHER MASS MURDERERS ARE MANY RESIDENTS OF THE ISLE OF PALMS, INCLUDING MEMBERS OF THIS VERY COUNCIL AND THEIR IMMEDIATE FAMILIES, PAST COUNCIL MEMBERS, LOCAL DOCTORS, LAWYERS, PUBLIC AND SUNDAY SCHOOL TEACHERS AND RESPECTED VETERANS. MR. TAYLOR STATES THAT NAZIS WOULD BE PROUD OF THESE PEOPLE. HE HAS IN A PUBLIC FORM AND FOR THE PUBLIC RECORD EQUATED A GROUP OF RESIDENTS OF THIS ISLAND WITH THE MASS KILLERS OF WOMEN AND CHILDREN.

FELLOW COUNCIL MEMBERS WE CANNOT, WE MUST NOT LET THIS SMEAR GO INTO THE PERMANENT AND HISTORICAL RECORD OF OUR ISLAND WITHOUT COMMENT AND CHALLENGE. TO EQUATE ANY RESIDENT OF THIS ISLAND TO SOME OF THE MOST NOTORIOUS AND DESPICABLE INDIVIDUALS OF OUR TIME IS BENEATH THE DIGNITY OF THIS COUNCIL AND BEYOND THE BOUNDS OF ANY BEHAVIOR WE SHOULD EVER CONDONE. TO FAIL TO CLEARLY REPUDIATE THESE STATEMENTS IS TO BE COMPLICIT IN THE ACT ITSELF

I ASK THAT WHEN WE MOVE TO ACCEPT THE RECORD OF THE MINUTES OF THAT MEETING THAT WE DO SO IN THE FOLLOWING FORM.

MOVED, THAT THE CITY COUNCIL OF THE ISLE OF PALMS ACCEPTS THE MINUTES OF THE SPECIAL MEETING/BRIEFING OF NOVEMBER 4, 1989 AS WRITTEN, BUT THAT IN DOING SO WE ^{repudiate} REJECT THE PERSONALITY CHARACTERIZATIONS CONTAINED IN THE CITIZENS COMMENTS SUBMITTED BY MR GUY TAYLOR AS UNJUST, INAPPROPRIATE AND BEYOND THE BOUNDS OF CONDUCT ACCEPTABLE TO THIS COUNCIL AND AMONG RESIDENTS OF THE ISLE OF PALMS.

APPENDIX B

The Ways and Means Committee met following the Planning Commission meeting on January 31. The December budget report was handed out. Mark Williams pointed out significant information not in that report includes \$1.3 million income in January including FEMA and insurance checks totaling \$447,190.38. He pointed out that the police department has received a \$141,000 grant which can be used for many expenses FEMA didn't allow. He suggested we may have to amend the budget in March, for by then we should have a better idea of where we stand on hurricane expenses and reimbursements. Hurricane expenses are at \$765,000, and without those expenses we are at 41% of budget. Mr. Williams says we won't have totals on cost and what payments were made on Hugo for two years!

Jimmy Ward requested to see preliminary budgets by April 16 so The Ways and Means Committee can start work on the budget.

It was pointed out that invitation for bid on the police, fire and public works building project have not been requested because of inflation of building costs.

It was recommended that council ask for forms to be filed to the city to have non-profit status.

Minutes: Public Safety Committee, 1-31-90

Present: Councilmembers: Simon, Chair
Swanson
Mayor Bunch, Acting Member

Fire Chief Britton submitted and highlighted the annual report. Individual copies of the report will be given to each member of the council. Chief Britton reviewed the highlights of the report, including property saved, medical calls answered and the amount of training received by members of the Fire Department including volunteers.

The report was accepted and Fire Chief Britton and the members of the Isle of Palms Fire Department complimented on the continued quality of the Isle of Palms Fire Department.

Mr. Simon asked the Chief to review current activities. One fire occurred in the area of the trailers camped at the burn site. The property damage was negligible but one serious injury occurred. The injured party was transported by private vehicle. The Fire Department was not called to deal with the injured party. This event, plus resident concerns lead the Mayor, Police and Fire Chiefs to clarify the temporary trailer ordinance to insure better compliance with the intent of the measure.

The Fire Department is currently doing chimney inspections to help returning residents insure the safety of their fireplaces after damages caused by the hurricane.

Councilmember Holden asked for clarification on the Fire Departments responsibilities in the areas of Radiologic Monitoring, Hazardous Materials Control and Elevator Rescue.

Police Chief Arnold expanded the information regarding the removal of temporary trailers as discussed by Chief Britton. Residents are asked to help the Police Department monitor this situation by informing them of any trailers that will be temporarily placed on their property. The police are and will continue to check out trailers to insure they meet the clarified ordinance.

Chief Arnold submitted the Police Departments annual report and highlighted some some areas and some additional information. One area of particular interest is the relationship of the department to the residents in the area of traffic stops/traffic tickets. Chief Arnold pointed out that in August 1989 the average number of stops (per day) was 25 with 7 of those stops resulting in a ticket being issued. The Chief pointed out that

this is traditionally an area of friction, but that most people stopped were warned.

The Chief discussed the condition and age of the cars used by the department. Several of the cars are old and past their useful service life. The department has received monies through FEMA that can be used to purchase new cars. The current price of Crown Victorias through the state contract system is approximately \$13,000.

Mayor Bunch pointed out that it had been recommended that the department replace 2 cars on an annual basis, but that this recommendation had not been followed by previous administrations. This had left us with a fleet of cars that was older than should be and was forcing us to replace more cars than we would have to if we had followed the recommendation to continuously replace cars at the rate of 2 a year.

Councilmember Swanson introduced a motion to recommend to council that we purchase 3 cars through state contract. The motion was passed unanimously.

All of the current police cars will be repainted using FEMA monies. Some have already been done. We have changed the stripping to solid blue.

The goals for the department were discussed, they include. A reduction in property crimes, continued strong pressure against drug activity, programs to reduce teenage alcohol activity and increased traffic enforcement.

Chief Arnold indicated that he anticipates asking council for 2 new positions. One officer and one civilian employee.

A brief discussion was held on a letter of complaint received from a resident. Chief Arnold will replay to in writing to this individual.

Chief Arnold and the members of the Isle of Palms Police Department were complimented on their continued outstanding service to the residents.

Submitted 2-1-90

Jeffrey Simon

APPENDIX D

The Public Works Committee met on January 31. The meeting was called to order at 7:55 p.m. by Jimmy Ward. In attendance was Andy Parish, Heath Orvin & Melinda Nesmith-Picard.

Mr. Parish updated the committee on the possibility of FEMA doing another sweep in February. As soon as the city knows whether or not they will conduct another sweep, he suggests that we advertise in the local papers to let citizens know that after the last pass, debris removal will be the responsibility of the citizens.

There was a discussion of the recycling committee meeting February 14. Mr. Parish stated that refuse will need to be segregated into bottles, batteries, plastic, tin & household garbage. The committee agreed that the city should start educating the citizens about the benefits of recycling now. Also, there will be some financial rebate to the city.

Councilmember Orvin made a motion that the committee recommend to council that ID cards be issued to city employees seconded by Councilmember Nesmith-Picard. The motion passed.

Christmas trees have been placed on the dune line at 5th, 25th & 53rd Avenues to help prevent erosion.

Councilmember Nesmith-Picard made a motion that the public works committee meetings be held at 7:00 p.m. the last Monday of every month. Seconded by Councilmember Orvin. The motion passed.

Mr. Parish requested that the committee ask that the public works, fire & police departments be allowed to see plots approved by the planning commission before they are given to city council for action.

Councilmember Orvin was elected Vice Chairman of the committee.

Councilmember Nesmith-Picard asked about 5th Avenue and the fallen roadway. Mr. Parish stated that the Highway Dept. Supervisor has it on the list and it will be fixed. I understand that it is now repaired.

Mr. Parish informed the committee that the parking lot is being soil tested now in preparation for the summer season. The fence needs to be replaced. We hope FEMA will pick up this cost.

The need for 55 gallon drums for trash cans for the beach and public areas was discussed. Mr. Parish stated that they cost \$9 each and we had 250 before Hugo. We need at least 100 more.

Discussion was had on the possibility of someone donating the drums. Councilmembers Nesmith-Picard and Orvin volunteered to gather information about possible donations.

There was no further business, the meeting was adjourned at 8:50 p.m..

Jimmy Ward

CITY OF ISLE OF PALMS
Engrossed Bills Committee
Special Meeting
Monday February 12, 1990
1:30 P.M. at City Hall Council Chambers

Meeting began at 5:40 with Mr. Holden, Mr. Simon, Ms. Nesmith-Picard and Mayor Bunch in attendance constituting a quorum. Previous committee meeting Minutes were unavailable and therefore substituted by briefing by Bill Dreyfoos, city attorney as to matters currently pending.

First considered was a third reading referred to committee dealing with a proposed permanent ordinance permitting trailers and similar accommodations on private property on the Island until June 30, 1990. Issue referred by Council at Planning Commission recommendation was whether or not above should be restricted to only permit owners of the private property involved to live in above such accommodations. After discussion concerning numerous problems with persons lacking property owners consent "setting up camp" about the Island, it was moved by Ms. Nesmith-Picard, seconded by Mr. Simon that an amendment to the ordinance be recommended to Council to the effect that Non-Owners of property wishing to avail themselves of this ordinance be required to file written permission from the property owner whose property they are on with the police department. Such motion passed unanimously.

Second it was recommended by Mr. Holden that Council members wishing to propose ordinances/motion/resolutions may "pre-file" them with the Engrossed Bills Committee before the next upcoming council meeting at which they are to be introduced. He elaborated that such procedure would not be mandatory, but would at least help insure a minimum standard of technically acceptable wording would be met and also provide the ability of copies of pre-filed motions to be placed in council packets prior to meetings, potentially expediting passage of ordinances by decreasing drafting time. This would give councilmembers more time to consider the substance of such ordinances and would likely work well as the City Attorney usually attended Committee Meetings. Such was accepted unanimously.

Third, it was set by the Committee Chairman, with unanimous consent that regular meetings shall be held the first wednesday of each month.

Fourth, a motion concerning forming a Committee to consider Connector impact, which had been once considered in another form and may be re-introduced by its original sponsor, (Councilmember Ward), or another in the future, was considered. After lengthy discussion it was agreed that there remained several drafting concerns, (in addition to substantive matters, more relevant to full council debate), that council would have to deal with, regarding this motion if made in its present form. For the above reason it was moved by Mayor Bunch that formal consideration on such motion's present wording be tabled at this time. Mr. Holden seconded and offered as an amendment that since the motion had never formally been referred to committee but was voluntarily submitted, the original sponsor be notified of this. This amendment and motion passed unanimously.

Lastly, the City Attorney noted that a "subdivision ordinance", of which he presented copies, was technically pending at second reading within the committee but that it would be appropriate to defer its consideration until after a "work session" was scheduled for full council. It was noted that a "work session" for Water and Sewerage questions was likely to take scheduling precedence and numerous points of information and questions relating to Water and Sewerage were raised.

The Meeting adjourned upon motion made by Mr. Simon, seconded by Ms. Nesmith-Picard, and passed unanimously at approximately 7:15 P.M.

RECREATION COMMITTEE MEETING

The monthly meeting of the recreation committee was held on Tuesday, February 13, 1990 at 7:00 p.m. at the Recreation Center. The meeting was called to order by Chairman Heath Orvin. Present were Council members Watson and Swanson and Recreation Director Stacy Wilson.

The immediate needs of the recreation department were discussed and what needs to be repaired. Stacy informed the committee that fences around all fields are now being put in place. The baseball field is being landscaped by Garden Art Landscaping. The possibility of installing lighting in various areas was also discussed with priority given to ballfields. New "see through" dugouts will be installed on the big ballfield, dugouts constructed of wire mesh.

Priority was given to the installation of fans in the rec building at a cost of \$12,600. The fans take six weeks to order and three weeks to install. (This item has been budgeted and approved.)

Stacy also notes that she still needs 40 - 60 truckloads of topsoil to fill in the clear land adjacent to the center. Stacy stated the need for a new maintenance person to replace the employee terminated last week. Also discussed was the employment of the two recreation assistants because when the FEMA funds run out, Stacy will be forced to cut back and the recreation staff needs to be full time.

It was also discussed about the use of the gym during the evening hours when no one is on duty; i.e., wherein lies the responsibility for teams using the City facilities without a City employee in attendance.

Heath Orvin, Chairman

Civic group - value fee

FACILITY RENTAL FORM

PERSON RENTED TO: _____

ADDRESS: _____ PHONE: _____

DRIVER'S LICENSE # _____ S.S. # _____

DATE OF USE: _____ TIME OF USE: _____

GROUP REPRESENTING: _____ PHONE: _____

SET UP (tables, chairs, etc.): _____

I, _____, will be responsible for any losses, injuries, or damages to person or property which may occur while using or in control of the Recreation Center on 28th Avenue. I agree to indemnify, save and hold harmless the City of Isle of Palms from any and all claims connected with in whole or in part, by act or omission of said organization or any person admitted to the premises by the organization. I assume full responsibility for the conduct of all persons admitted to the premises.

I also agree that the following conditions are met upon completion of renting the facility in order to be refunded the security deposit:

1. Key must be returned the following day by noon.
2. All lights, including bathrooms and office, must be turned off.
3. Heaters/AC must be turned off.
4. Video games must be unplugged.
5. All doors must be locked.
6. Trash must be picked up.
7. No alcoholic beverages on premises.

DEPOSIT: _____ DATE: _____

RENTAL FEE: _____

SIGNATURE OF PERSON ISSUING KEYS: _____

DATE: _____

CONDITION FACILITY WAS IN AFTER USE:

GOOD _____ FAIR _____ POOR _____

WERE ALL CONDITIONS MET AFTER USE?

YES _____ NO _____

COMMENTS: _____

DEPOSIT RETURNED: NO _____ YES _____ DATE _____

SIGNATURE OF PERSON ACCEPTING KEYS: _____

DATE: _____



ISLE OF PALMS
RECREATION DEPARTMENT

PHONE: 886-8294
Located on 28th Avenue

ISLE OF PALMS PLANNING & ZONING COMMISSION

JANUARY 31, 1990

Attending: Guy Taylor, Ken Palka, Jan Wilson, Darlene Smith, Kathy Carroll, Arnold Karig and John Gardner.

Guy Taylor and Kathy Carroll were nominated to serve as Chairman for the year 1990. Guy Taylor was elected to serve as Chairman by a 4 to 3 vote. Ms. Carroll was subsequently elected Vice-Chairman.

Ms. Carroll motioned to approve the minutes of November 29, 1989, as written. Mr. Palka second. Motion carried.

1. Plat of Lots 13 - 21, Block 29, Ocean Boulevard.

Cliff Rios of Beach Biz was the applicant. Mr. Gardner stated that he was involved in the project and abstained from discussion. Mr. Rios proposes to replace Beach Biz with a larger, permanent structure. This plat will eliminate the crossing of two property lines.

Mr. Cantey stated that this request was similar to the redevelopment efforts that have occurred over the past two years. These lines should be abandoned to avoid construction over property lines. The property is Zone GC-2, General Commercial, which has no specific setback requirements.

Mr. Palka motioned, second by Ms. Wilson, to recommend approval. Motion carried. Mr. Gardner abstained.

2. Item #2 was tabled because no one was present to represent the applicant.

3. Conditional Plat of Parcels 11 - 14, Tract "A", Block "T", Wild Dunes.

Bill McKenzie represented Wild Dunes Associates. The previous plat permitted forty-four (44) condominium units on these parcels. The proposed plat represented twenty-two (22) single family lots. The 250' setback line does not impact these parcels. Parcel 12 is an amenity parcel. Parcels 20 and 21 are owned by different individuals and are not being revised at this time. The lots range in size from 2600 to 3000 square feet.

Ms. Carroll motioned to recommend approval. Second by Ms. Smith. Motion carried 7 to 0.

4, 5, 6. Conditional Plats Showing Subdivision of Tract "G", Block "D", 16 Lots; Subdivision of Tract "G", Block "B", Parcel 1 - 29 Lots and Tract "G", Block "B", Parcel 2 - 4 Lots; Subdivision of Tract "G", Block "C", 29 Lots and Tract "G", 1 Block "B", Parcel 3, 2 Lots, Waterway Boulevard. (The Commission agreed to hear the request for items 4, 5, and 6 at the same time.)

Mark Permar presented the request on behalf of The Beach Company and the subsequent purchaser, Wild Dunes Associates. The plat includes property from Forty-first Avenue to Twenty-seventh Avenue along Waterway Boulevard (a portion of the Harbor Course). The layout of the golf course is being revised. Fewer lots will be platted

along Waterway Boulevard than previously approved. Some areas along Waterway Boulevard will be part of the golf course. Areas to the rear of the property will be platted as lots. All newly platted lots meet or exceed the minimum lot requirements of the Zoning Code.

Mr. Taylor stated that the property is zoned SR-1, Single Family Residential, with a minimum lot size of 10,000 square feet. Mr. Cantey advised that a couple of lots on the cul-de-sac did not meet minimum street frontage requirements. Revised plats are being submitted to meet this requirement.

Ms. Smith motioned, second by Mr. Palka, to approve the request.

Ms. Wilson asked if the project infringed on marsh or wetlands. Mr. Permar stated that the entire plan designates the location of the critical area which will not be encroached upon. She further asked if a seawall would be constructed. Mr. Permar stated that a seawall is not included in this submittal.

Sandy Sandeford of 108 Charleston Boulevard asked if the critical area or wetlands will be subject to construction. Mr. McKenzie stated there would be no construction without appropriate permits.

Mayor Carmen Bunch asked if the city engineer, fire chief or public works had reviewed the plats. Mr. Cantey stated that these groups meet after the Planning Commission and before City Council. He added that the cul-de-sac has a radius of 50' which complies with state and county standards, and that the city engineer does not review drainage plans.

Council member Marge Swanson asked for further clarification on the number of lots. Mr. Permar stated that the plat of record includes 57 lots. The proposed plat consists of 80 lots with 21 of the 80 lots being previously approved.

Kathy Carroll asked if any guarantees existed so that the golf course will remain in the future. Mr. Permar stated that he could not guarantee that there will not be any future revisions.

Larry Wright of 5 Driftwood Lane stated that Tabby Land and Driftwood Lane were subdivided with restrictive covenants by The Beach Company in 1977. The smallest lot size is 12,300 square feet with a required setback of 65 feet from the seawall. Mr. McKenzie stated that the properties would be under the control of the Wild Dunes Architectural Review Board. Mr. Cantey stated that the minimum lot size on Seashore Court as proposed is 13,199 square feet. The minimum rear yard setback requirement for this zoning district is 30 feet. Mr. Permar added that the properties will be served by underground utilities and sanitary sewer. The streets will be privately owned and maintained by a homeowners' association. There are no intentions of constructing gates.

Mayor Bunch asked if owners will have "right-of-view" protection to Hamlin Creek. Mr. Permar did not have an answer at this time.

Dan Watson of 29 - 32nd Avenue questioned the future of the bike path. Mr. Permar stated that the path will be crossed by driveways. The proposed plan will have fewer driveways than the plat of record.

Ms. Smith amended her original motion to conditional approval provided that the lots on the cul-de-sacs meet minimum street frontage requirements. Mr. Gardner seconded. Amendment passed. The Commission voted 7 to 0 to recommend approval of the plats with the condition.

7. Conditional Plat showing Subdivision of Tract "F", Block "E", Lots 38 - 58, Morgan's Cove, Wild Dunes.

Mr. Cantey stated that the Planning Commission and City Council required a buffer strip along Wildwood Road and the commercial tract on the previously submitted plat to prevent access. This plat removes the buffer and provides for a cul-de-sac to be placed within the commercial tract.

Mr. Permar stated that no attempt is being made to provide another gate. The development plan for the commercial tract is being revised and probably should be submitted at the same time to adequately explain the plans. He requested that this item be withdrawn from the agenda.

The Planning Commission agreed to hold a worksession on Wednesday, February 7, 1990 at 7:00 p.m. at City Hall.

Meeting adjourned.

Respectfully Submitted,

David Cantey
Planning Consultant

Simon

APPENDIX H

Isle of Palms Board of Beach Patrol and Control

Beverly Ballow
Tom Harper
Debby Jeter
David Matthews
W.H. (Sandy) Sandeford
Jeff Simon (ex officio)
Jim Smiley - Chairman

Minutes Meeting of January 25, 1990

The Board met at 7:00 PM on January 25th in City Hall. All members were present.

Permit Application 1-90: A request by Mr. Robert Chestnut of 3200 Palm Blvd. to construct a wood gazebo in the protection district on property owned by the Beach Company seaward of the Chestnut property. A letter signed by Mr. Gordon Darby stating the lack of objection by the Beach Company to the proposed construction was presented. After initial discussion, a motion to approve the permit was made by David Matthews with a second by Tom Harper. The board postponed action on the motion until a site visit could be made.

The Board agreed to meet Saturday January 27th at 8:30 AM at 3200 Palm Blvd. to continue discussion at the permit site. After having assembled at 3200 Blvd. and after discussion, the Board voted to approve the permit.

Permit Application 2-90: A request by Mr. Perry Leonardis to construct a home in the protection district at 51st Avenue. Mr. Leonardis was represented by Mr. Joe Tucker Sr. This permit application was considered at the site on Saturday January 27. The Board voted to approve the application with the following provisions: (1) The decking in front of the home would be reduced in size by moving the seaward-most edge of the deck 10' landward. (2) The Board did not permit the reconstruction of the storm-damaged swimming pool.

APPENDIX I

CITY OF ISLE OF PALMS
ORDINANCE NO. 1989-11
Third Reading Draft - 2/14/90

[Changes from second reading shown in bold type.]

AN ORDINANCE TO ALLOW THE TEMPORARY USE OF MOBILE HOMES AND TRAILERS

WHEREAS, many homes within the City have been severely damaged or destroyed as a result of Hurricane Hugo; and

WHEREAS, the displaced residents of these homes need safe, temporary housing while their homes are being repaired or replaced; and

WHEREAS, mobile homes and travel trailers can be used to provide such temporary housing; and

WHEREAS, Sections 5-4-31(a)(1) and 5-4-12(1) of the City Code currently prohibit the use of mobile homes and travel trailers for residential habitation; and

WHEREAS, City Council adopted an Emergency Ordinance on October 4, 1989, and extended such Emergency Ordinance on January 24, 1990, to allow the use of mobile homes and travel trailers for temporary housing; and

WHEREAS, City Council believes that the temporary residential use of mobile homes should be limited to residents and those who are helping with the Hugo recovery effort and who have the authorization of the property owner; and

WHEREAS, City Council believes that similar provision should be made for the use of mobile homes as temporary replacement structures for local businesses; and

WHEREAS, City Council is authorized to adopt ordinances affecting the health, safety and property of the people pursuant to Section 5-7-30 of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this Ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Ordinance No. 1989-11
Third Reading Draft
2/14/90

Section 1. Purpose. This Ordinance is adopted to allow the use of mobile homes and travel trailers for temporary housing, under the conditions set forth hereinbelow.

Section 2. Temporary Provisions Adopted.

New Sections 5-4-16(c) and (d) are added to the City Code, to read as follows:

(c) Temporary Residential Use of Mobile Homes and Travel Trailers. Notwithstanding the prohibition on the residential use of mobile homes and trailers, as set forth in Sections 5-4-31(a)(1) and 5-4-12(1) of the City Code, in response to the housing crisis created by Hurricane Hugo, mobile homes and travel trailers may be used for residential habitation under the following conditions:

(1) As limited hereinbelow, mobile homes and travel trailers, as defined in Sections 5-4-2(18) and (28) of the City Code, may be used for temporary housing by City property owners and others having written authorization of the property owner filed with the City Police Department, in all zoning districts within the City until June 30, 1990. City Council may extend this deadline by resolution.

(2) The size and weight of mobile homes and travel trailers transported to the City via the Ben Sawyer Bridge must conform to the limitations placed by the SC Department of Highways and Public Transportation on traffic crossing the Bridge.

(3) Double-wide mobile homes shall not be allowed. City Council may, by resolution, further restrict the allowable size and weight of mobile homes used for temporary housing pursuant to this ordinance. Trailers shall be located at least ten (10) feet from the property line if possible.

(4) All foundations and utility connections must be approved by the City Building Department and all appropriate agencies pursuant to the requirements of the City Code. All self-contained vehicles/structures (i.e., those without utility connections) must provide certification of an adequate method for the disposal of wastewater.

(5) A certificate of occupancy is required prior to the occupation of any mobile home or travel trailer pursuant to this ordinance.

(d) Temporary Commercial Use of Mobile Homes and Trailers. Mobile homes and trailers may be used as temporary structures for businesses damaged by Hurricane Hugo under the following conditions:

(1) As limited hereinbelow, until June 30, 1990, mobile homes and trailers, as defined in Sections 5-4-2(18) and (27) of the City Code, may temporarily be used for all permitted commercial uses in all commercial zoning districts within the City. City Council may extend this deadline by resolution.

(2) The size and weight of mobile homes and trailers transported to the City via the Ben Sawyer Bridge must conform to the limitations placed by the SC Department of Highways and Public Transportation on traffic crossing the Bridge.

(3) City Council may, by resolution, restrict the allowable size and weight of mobile homes and trailers used as temporary structures pursuant to this ordinance.

(4) All foundations and utility connections must be approved by the City Building Department and all appropriate agencies pursuant to the requirements of the City Code. All self-contained vehicles/structures (i.e., those without utility connections) must provide certification of an adequate method for the disposal of wastewater.

(5) All applicable requirements of the SC Department of Health and Environmental Control, the City's Building Codes, particularly including the City's Fire Code, and all regulations and restrictions pertaining to the commercial activity in question must be met, and all applicable permits must be secured, prior to the issuance of a certificate of occupancy by the City.

(6) A certificate of occupancy is required prior to the use and occupation of any mobile home or trailer pursuant to this ordinance.

Ordinance No. 1989-11
Third Reading Draft
2/14/90

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective immediately upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 10/11/89

Second Reading: 11/8/89

Public Hearing: 11/29/89

Third Reading:

Ratification:

CITY OF ISLE OF PALMS
ORDINANCE NO. 1989-14
Third Reading Draft - 2/14/90

AN ORDINANCE TO REVISE THE DEFINITION OF "SUBSTANTIAL IMPROVEMENT" IN CITY CODE SECTION 5-2-5(25)

WHEREAS, as a result of Hurricane Hugo, structures throughout the City of Isle of Palms have been damaged; and

WHEREAS, an assessment of damage that adds the cumulative costs of prior repairs to the hurricane-caused damage may unreasonably prevent or add to the cost of reconstruction of damaged homes and buildings; and

WHEREAS, such addition of the cumulative costs of prior repairs is not required pursuant to current FEMA regulations; and

WHEREAS, City Council desires to facilitate the reconstruction of damaged homes and buildings, and to eliminate unnecessary costs associated with such reconstruction; and

WHEREAS, City Council is authorized to adopt ordinances affecting the health, safety and property of the people pursuant to Sections 5-7-30 and 6-7-710 of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to revise the definition of "substantial improvement" in City Code Section 5-2-5(25).

Section 2. City Code Section 5-2-5(25) Revised. The first sentence of City Code Section 5-2-5(25) is revised to read as follows:

(25) Substantial improvement means any combination of repairs, reconstruction, alteration or improvements to a structure, taking place within a continuous period of five (5) years, in which the cumulative cost equals or exceeds 50 percent of the market value of the structure; provided that for purposes of this calculation, Hurricane Hugo-related improvements for which City permits are issued between October 1, 1989 and December 31, 1990 shall not be added to improvements made prior to or subsequent to this period of time.

Ordinance No. 1989-14
Third Reading Draft
2/14/90

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1989.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 11/8/89
Second Reading: 12/13/89
Public Hearing: 2/14/90
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-3
First Reading Draft - 2/14/90

AN ORDINANCE TO AMEND SECTION 5-4-22 (SR-1 DISTRICT)

WHEREAS, in 1989, City Council amended the City's zoning ordinance and zoning map to provide for an orderly pattern of development within the City; and

WHEREAS, said amendments did not focus on the problems of redevelopment, which the City now faces in the aftermath of Hurricane Hugo; and

WHEREAS, City Council desires to maintain the integrity of established residential neighborhoods, and wishes to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots; and

WHEREAS, City Council notes that in its most restrictive zoning district (SR-1), the minimum lot size is currently 10,000 square feet, as contrasted with a minimum size of 17,500 square feet at Seabrook Island and 30,000 square feet at Sullivan's Island; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 6-7-710 et seq. and 5-23-10 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend Section 5-4-22 (SR-1 District) of the City Zoning Ordinance.

Section 2. SR-1 District Amended.

Section 5-4-22 of the City Code is amended as follows:

- (a) In subsection 5-4-22(4)(a), the minimum lot area requirement of "10,000 square feet" is changed to read "15,000 square feet".
- (b) Subsection 5-4-22(1)(a) is revised to read as follows:
 - a. To provide for quiet, low-density residential neighborhoods on comparatively large lots.

Ordinance No. 1990-3
First Reading Draft
2/12/90
Page 2

(c) A new subsection 5-4-22(1)(e) is added, to read as follows:

e. To maintain the integrity of established residential neighborhoods, and to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Public Hearing: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

P R O C L A M A T I O N

WHEREAS, The Carolina Lowcountry Chapter of the American Red Cross, having been chartered in 1910, has perpetually kept faith with the high principles set down by the founder of the International Red Cross, Henri Dunant, and the American Red Cross Nurse, Clara Barton; and

WHEREAS, The Carolina Lowcountry Chapter of the American Red Cross has continued to serve citizens of the Lowcountry regardless of race, creed, color, religion, sex, or age in times of disaster and need; and

WHEREAS, The Carolina Lowcountry Chapter of the American Red Cross now serves more than 500,000 people through Disaster Services, Safety Programs, Service to Military Families, Home Health, Senior Volunteer Programs and the Blood Program.

NOW, THEREFORE, I, Carmen R. Bunch, as Mayor of the City of Isle of Palms, South Carolina, do hereby designate the month of March of 1990 as

" R E D C R O S S M O N T H "

in the City of Isle of Palms, South Carolina, and urge the volunteers, staff and supporters of the Red Cross to rededicate themselves to the mission established by its founders, and set a new agenda for service to the community.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed.

This _____ day of _____, 1990.

Carmen R. Bunch, Mayor
City of Isle of Palms, S.C.



Isle of Palms Water Company

1300 PALM BOULEVARD

ISLE OF PALMS, SOUTH CAROLINA 29451

February 12, 1990

Mr. William P. Seaborn 7953617
Post Office Box 70744
Charleston Heights, South Carolina 29415

In re: Relocation of Isle of Palms Connector

Dear Mr. Seaborn:

The relocation of the water and sewer lines in association with the Isle of Palms Connector will be performed by the Isle of Palms Water Company at no cost to the Highway Department. Please note that the Isle of Palms Water Company will be interested in the placement of the water and sewer lines in the right-of-ways required by the Isle of Palms Connector at a later date.

If you should have any questions concerning the removal of the water and sewer lines during construction of the Isle of Palms Connector, please call Timmy Griffith, Manager of the Isle of Palms Water Company, at (803) 886-6148.

Regards,



Charles S. Way, Jr.
President

CSWjr/ms
021290.5

cc: Honorable Carmen R. Bunch
✓ Mayor
City of Isle of Palms

Mr. Ashley T. Griffith
Manager
Isle of Palms Water Company

Carmen,
Bill Seaborn
Hwy Dept
795-3617

345

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF MARCH 12, 1990

A. INTRODUCTION OF MEETING

A special meeting of the City Council was held at City Hall on March 12, 1990 at 6:10 p.m. with all Council members present. Also attending were City's Attorney Bill Dreyfoos, City Administrator Mark Williams, Clerk/Treasurer Nell McDuffie and Secretary Loretta Barnhill. Police Chief Jim Arnold and Building Inspector Ben Brinson were also in attendance. Mayor Carmen Bunch called the meeting to order and advised Council that the special meeting had been called to amend Ordinance 1989-11, an Ordinance to Allow the Temporary Use of Mobile Homes and Trailers as well as Executive Session involving personnel matters, contractual matters concerning water and sewer and beach renourishment.

The Mayor stated that things had gone awry with the temporary mobile homes/trailers ordinance, citing numerous violations within the City and informing Council of the difficulty the police have in enforcing the existing ordinance.

Attorney Dreyfoos distributed copies of Emergency Ordinance 1990-5.E, An Emergency Ordinance to Limit the Temporary Use of Mobile Homes in Residential Areas (See Attached as Appendix A), advising Council that because Ordinance 1989-11 had gone through three readings, he believed it not proper to amend at this point. Dreyfoos pointed out that the original ordinance (Page 2, Section on Trailers in Residential Areas) lists five criteria, advising that he had drafted four additional criteria, suggesting Council adopt this as an Emergency Ordinance and go through necessary procedure to make permanent.

Council member Ward made motion to adopt Emergency Ordinance 1990-5.E as presented; second by Council member Orvin. Council member Ward made motion to suspend rules of order and procedure allowing Police Chief Arnold and Inspector Brinson to address Council; second by Council member Orvin. Motion carried.

Chief Arnold cited problems police were having in enforcing ordinance, giving examples of problems being encountered by his department. Council member NesSmith-Picard recommended that Paragraph (9), Section 2, be deleted, stating that the emergency was over and housing could now be located. Mayor Bunch distributed information sheet regarding motel accommodations in the area, indicating that there is housing available for construction workers.

After discussion regarding contractors/workers who reside in trailers on property where they are not working, Council member Ward moved to amend Ordinance as follows: Section 2, Paragraph (9), to add the word "exclusively" after words ". . . same lot" and before the words ". . . where the mobile home . . ."; second by Council member Orvin. Council member Orvin asked Chief Arnold if that provision would be workable and Arnold advised that it would be. When called to the question to amend, motion to amend carried.

Council member Simon asked duration of emergency ordinance and was advised sixty days. Attorney Dreyfoos advised that, for the sake of continuity, Ordinance 1990-5.E title should read ". . . Temporary Use of Mobile Homes and Trailers in Residential Areas". Council member Ward moved to amend Ordinance 1990-5.E to add "\Trailers" after ". . . Homes" in the title and would switch Paragraph (6) and Paragraph (7) in Section 2 with the new Paragraph (7) to say "only one mobile home". Second by Holden. Motion carried.

Council member NesSmith-Picard made motion to amend Ordinance 1990-5.E, Section 2, (new) Paragraph (7) to read: "Only one mobile home or trailer may be situated on any platted lot or tract that was developed (e.g., with a house) on or prior to

September 21, 1989." Second by Council member Ward. Motion to amend carried.

When called for the question to adopt Emergency Ordinance No. 1990-5.E with amendments, motion carried unanimously.

Motion to go into Executive Session made by Council member Ward; second by Council member Orvin. Mayor Bunch advised that Executive Session was to discuss personnel and contractual matters. Motion carried.

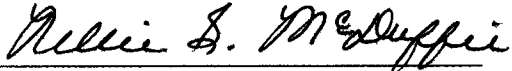
Coming out of executive session, Mayor Bunch advised that contractual matters concerning water and sewer for the Isle of Palms as well as a contract with the Soil Conservation Service for beach renourishment were discussed with no action taken.

Council member Orvin made motion to permit the administration to enter into a contract to ask for qualifications for an engineer; second by Ward. Motion carried.

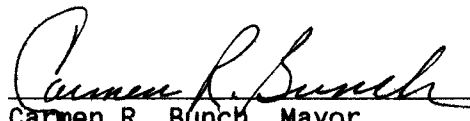
Council member Swanson made motion to permit administration to sign a contract permitting beach renourishment program to be undertaken by Soil Conservation Service; second by Council member Orvin. Motion carried.

Council member Ward moved to adjourn; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-5.E
Adopted 3/12/90

AN EMERGENCY ORDINANCE TO LIMIT THE TEMPORARY USE OF MOBILE HOMES IN RESIDENTIAL AREAS

AND TRAILERS

WHEREAS, City Council has passed and extended Emergency Ordinance 1989-11.E, and has passed three readings of permanent Ordinance 1989-11, to help City residents whose homes were damaged or destroyed by Hurricane Hugo; and

WHEREAS, said Ordinances permit the temporary residential use of mobile homes and trailers in zoning districts where such use is otherwise not allowed; and

WHEREAS, Council is aware of abuses of this temporary allowance to use mobile homes, including the use of multiple trailers on individual lots and the use of trailers for transient housing not associated with repair of the home on the lot; and

WHEREAS, Council wishes to allow residents additional time to return to their homes, but believes these abuses must be ended immediately, and that the integrity of the City's zoning ordinance must be upheld; and

WHEREAS, Council is authorized to adopt emergency ordinances affecting the property and safety of the people pursuant to Section 5-3-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the residential use of mobile homes in the aftermath of Hurricane Hugo.

Section 2. Residential Use of Mobile Homes and Trailers Further Restricted

The following new subsections are added to Sections 5-4-16(c) of the City Code, to read as follows:

- (6) Only one mobile ^{Home} or trailer may be situated on any platted lot or tract ~~that~~ was developed, i.e., with a house, on or prior to Sept. 21, 1989.
- (7) No mobile home or trailer may be situated on a lot which was not developed (i.e., no house) on September 21, 1989.

- (8) If a house has been demolished subsequent to September 21, 1989, only the owner may occupy a mobile home or trailer on the lot while a replacement house is being constructed.
- (9) Except as further limited hereinabove, occupancy of mobile homes and trailers is limited to the owner of the property, a tenant in possession of the property as of September 21, 1989, a general contractor while said contractor is actively engaged in repair of the house on the same lot ^{exclusively} where the mobile home/trailer is situated, or volunteers who are actively engaged in repair of the house on the same lot where the mobile home/trailer is situated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Emergency Ordinance shall be effective upon its adoption by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 12th DAY OF March, 1990.

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-5.E
Adopted 3/12/90

AN EMERGENCY ORDINANCE TO LIMIT THE TEMPORARY USE OF MOBILE HOMES/TRAILERS IN RESIDENTIAL AREAS

WHEREAS, City Council has passed and extended Emergency Ordinance 1989-11.E, and has passed three readings of permanent Ordinance 1989-11, to help City residents whose homes were damaged or destroyed by Hurricane Hugo; and

WHEREAS, said Ordinances permit the temporary residential use of mobile homes and trailers in zoning districts where such use is otherwise not allowed; and

WHEREAS, Council is aware of abuses of this temporary allowance to use mobile homes, including the use of multiple trailers on individual lots and the use of trailers for transient housing not associated with repair of the home on the lot; and

WHEREAS, Council wishes to allow residents additional time to return to their homes, but believes these abuses must be ended immediately, and that the integrity of the City's zoning ordinance must be upheld; and

WHEREAS, Council is authorized to adopt emergency ordinances affecting the property and safety of the people pursuant to Section 5-3-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the residential use of mobile homes in the aftermath of Hurricane Hugo.

Section 2. Residential Use of Mobile Homes and Trailers Further Restricted

The following new subsections are added to Sections 5-4-16(c) of the City Code, to read as follows:

- (6) No mobile home or trailer may be situated on a lot which was not developed (i.e., no house) on September 21, 1989.
- (7) Only one mobile home or trailer may be situated on any platted lot or tract that was developed (e.g., with a house) on or prior to September 21, 1989.

- (8) If a house has been demolished subsequent to September 21, 1989, only the owner may occupy a mobile home or trailer on the lot while a replacement house is being constructed.
- (9) Except as further limited hereinabove, occupancy of mobile homes and trailers is limited to the owner of the property; a tenant in possession of the property as of September 21, 1989; a general contractor while said contractor is actively engaged in repair of the house on the same lot, exclusively, where the mobile home/trailer is situated; or volunteers who are actively engaged in repair of the house on the same lot where the mobile home/trailer is situated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Emergency Ordinance shall be effective upon its adoption by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 12th DAY OF March, 1990.

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. McDUFFIE, CLERK-TREASURER

MINUTES OF THE MARCH 14, 1990 REGULAR CITY COUNCIL MEETING

A. INTRODUCTION OF MEETING

The regular City Council meeting was held on March 14, 1990, at the Isle of Palms City Hall. The meeting was called to order by Mayor Carmen Bunch at 7:00 p.m. with all Council members present. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk/Treasurer Nellie McDuffie and Secretary Loretta Barnhill. Following the Pledge of Allegiance, the Mayor had the invocation.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. November 8, 1989 - Regular City Council Meeting
2. December 13, 1989 - Regular City Council Meeting
3. February 14, 1990 - Regular City Council Meeting

Motion to accept minutes of November 8, 1989 and December 13, 1989 as submitted made by Council member Ward; second by Council member Swanson. Motion carried. Motion to accept minutes of February 14, 1990 as submitted made by Council member Swanson; second by Council member Watson. Motion carried.

Motion made to suspend rules of order and procedure and change order of Agenda made by Council member Watson; second by Council member Ward. Motion carried.

Mayor Bunch introduced Thomas Frizon, Grand Knight of the Knights of Columbus, who accepted Proclamation (See Attached as Appendix A.) Mr. Frizon thanked the Mayor and City Council for taking the time to support the Knights of Columbus.

C. CITIZENS' COMMENTS

1. Millie Wald - Ms. Wald was not present.
2. Bob Hooker - Mr. Hooker addressed Council concerning citizen's survey of City services he took on the Isle of Palms (See Attached as Appendix B).
3. Clay Cable - Mr. Cable addressed Council concerning assessment procedures, stating that a lot of people don't realize the implications of not contacting the tax assessor's office, asking City Council to request the Legislature to make special provisions for those cases where people were not aware they should ask for re-assessment and grant extensions for such cases.

Mayor Bunch asked for motion to suspend rules of order and procedure to allow for appointment of Municipal Judge. Council member Ward so moved; second by Council member Swanson. Motion to suspend carried.

The Mayor asked for Council's consideration of Michael O'Dowd as new Judge, citing his qualifications. Motion to accept O'Dowd made by Ward; second by Simon. Motion carried with Council member Holden abstaining.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Council member Swanson read minutes of last meeting (See Attached as Appendix C).

2. Police & Public Safety - Council member Simon read minutes of last meeting (See Attached as Appendix D). Council member Ward asked about construction of dog kennel, stating he was concerned about safety of the animals as well as the expenditure of the City, asking that Council consider building four kennels and advising that several volunteers were willing to donate time to the City to feed the animals and clean the kennels.

Mayor Bunch stated that, while it was certainly necessary for the City to provide humane treatment for all animals, it was incumbent on citizens of the Island to obey the leash laws. Council member Orvin advised that he was pleased to learn that a holding pen would be on the Island where dogs could be picked up locally rather than owners having to go downtown. Council member NesSmith-Picard stated she wished to see the public informed about dog licensing. The Mayor advised that the rabies clinic held in April was well publicized. Council member Ward stated that strong enforcement of the law was necessary with fines paying for upkeep of the shelter.

3. Public Works - Council member Ward read minutes of last meeting (See Attached as Appendix E).

City Administrator Williams advised that FEMA was expected to approve the City's request for a final debris removal sweep. Mayor Bunch advised that Coastal Council informed her that they would be doing a debris sweep in the ocean in the near future, further advising Council of letter of March 7 concerning closing the ditches on the Island by installing pipe.

Council member Holden inquired about signs at Breach Inlet and was advised by the Mayor that the "Grim Reaper" signs had been ordered.

4. Engrossed Bills - Council member Holden read minutes of last meeting (See Attached as Appendix F). Holden advised Council of worksession scheduled for April 3 at 5:30 p.m. at City Hall.

5. Recreation - Council member Orvin reported that no meeting was held, but advised that tennis courts have been re-surfaced and have new nets. Re-seeding has taken place on the ball fields with good results. Orvin advised that the dugouts are still a problem and bids came in high. Ventilation fans have been ordered for the recreation building. Orvin continued by stating that needs remain for a tractor, drag and television set. Supervision at night is also a problem and the gym is locked at night and no one is allowed in. Orvin asked Council members to consider keeping assistant full time after FEMA funds run out.

Council member Orvin distributed information about swimming pool on the Island (See Attached as Appendix G), making motion that swimming pool issue be brought before the people in the form of a referendum; i.e., "Do you favor the sale of 1.5 acres of land adjacent to the recreation center to the non-profit organization known as the Isle of Palms Swim Club for the purpose of constructing a member-guest swimming facility? Yes or No." Orvin asked for roll call vote of Council for approval of public referendum. Council member Ward seconded. Council member Holden asked how much referendum cost and was advised by Mayor that City has overspent on elections, stating that there would be an election in November, and City cannot afford cost of one-issue referendum now. Orvin objected, stating November was down the line and, while he did not wish to burden the residents, this was an issue that had been buried for too long and decision should be made now. Attorney Dreyfoos advised that it would take seventy-five to ninety days for proper procedures to be carried out allowing for such referendum, further advising that election would probably cost approximately \$1500 to \$2000. Council member Ward expressed his support for private swimming pool that was

privately maintained; however, Ward stated that he would want the Isle of Palms Swim Club to have enough money in escrow from private donations to pay for the pool and maintenance for three years. Council member Simon stated that this was extremely complex issue, suggesting that sufficient time should elapse to allow for discussion so that everyone is fully informed, and expressed support for referendum later in the year. The Mayor advised that SC PRT had informed her that cities have gone bankrupt from litigation over swimming pools, further stating that there was some question over whether the property could be sold. Council member Swanson agreed that City was over budget on elections and, additionally, a November date would allow time for necessary discussion. Orvin asked again that Council consider his motion for referendum, amending his original motion to call for referendum on November ballot; second to amendment by Council member Ward. Motion to amend carried. When called for the question to accept motion as amended, roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Simon, yes; Swanson, yes; Ward, yes; Watson, yes; Bunch, yes. Motion to put question on ballot in November carried unanimously.

Council member Swanson moved to suspend rules of order and procedure and allow Millie Wald, who had arrived late, to address Council; second by Council member Ward. Motion carried. Ms. Wald addressed Council concerning signs on the Island (See Attached as Appendix H).

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - Administrator Williams read minutes of last meeting (See Attached as Appendix I).

2. Planning Commission - Council in possession of minutes of last meeting (See Attached as Appendix J).

Council member NesSmith-Picard asked to make statement to Council (See Attached as Appendix K). Council member Ward stated that he recognized how difficult it was to get plats to Council members as soon as would be preferable; however, status sheet would be most beneficial to Council when considering plats for approval.

Planning Consultant David Cantey advised that first six plats (listed below) were existing acreage plats and involve no property line changes, new streets or easements, advising that most municipalities usually have staff sign off on such plats.

1. 1990-3 - Plat of a Portion of Wild Dunes Links Golf Course, Tract "G", Block "Y", Parcels 1 and 2, and Tract "E", Block "P". Sheets 1 and 2.
2. 1990-4 - Plat of a Portion of Wild Dunes Links Golf Course, Tract "G", Block "X", and Tract "G", Block "Z", Parcels 1 and 2. Sheets 1 and 2.
3. 1990-5 - Plat of a Portion of Wild Dunes Links Golf Course, Tract "G", Block "V", and Tract "G", Block "W", Parcels 1 and 2.
4. 1990-6 - Plat Showing Tract "G", Block "A", Parcel 1, and Tract "G", Block "A", Parcel 2.
5. 1990-7 - Plat Showing Tract "G", Block "F", The Harbor Course, Wild Dunes.
6. 1990-8 - Plat Showing Tract "G", Block "G", and Tract "G", Block "G", The Harbor Course, Wild Dunes.

Motion to approve the six acreage plats as submitted made by Council member Holden; second by Council member Ward. On discussion, Council member Swanson asked was

* REQUESTING THE PLAT APPROVAL PROCESS BE DOCUMENTED AND THAT A STATUS SHEET BE ATTACHED TO EACH PLAT UNDER CONSIDERATION.

City's 250' setback line indicated and was advised by Cantey that setback lines did not impact on these plats. Holden asked why marsh setback was not shown on Plat 1990-6 and was advised by Cantey that the setback only applied if home was being constructed. NesSmith-Picard asked that Wild Dunes be requested to note on plat zoning designation of area as well as percentage of allowable density of housing units within the Master Plan. When called for the question, motion to approve acreage plats as submitted carried unanimously.

7. 1990-9 - Plat for Lots 3 and 4, Block "H", and a 30' Strip of Undedicated Right of Way Being Added to Lot 3.

Motion to approve made by Council member Ward; second by Council member Orvin. On discussion, Mayor Bunch read letter of explanation regarding plat 1990-9 from E.M. Seabrook (See Attached as Appendix L). Council member Holden expressed concern with clouding of title. Attorney Dreyfoos stated that without seeing underlying deeds, he could not answer question concerning clouding of title; however, approval of plat by Council does not make plat official - recording is required prior to plat becoming effective. Council member Simon asked when did owner acquire property and was advised by Mayor Bunch that property was obtained in 1986. Council member Ward stated that it was his understanding from past actions of Council that City probably did not want right of ways in the middle of the Island because of upkeep and liability. When called for the question, motion to approve as submitted carried unanimously.

8. 1990-10 - Plat Showing the Abandonment of a 30' Right of Way and the Subdivision of Lot 44 and Lot 45, Block "M".

Motion to approve made by Council member Swanson; second by Council member Watson. On discussion, Council member NesSmith-Picard noted that plat should show SR-1 zoning, asking also that corrected plat show Lauden Drive (Street?) rather than Lauder. When called for the question, motion to approve carried unanimously.

Consultant Cantey recommended that plats 1990-11, 1990-14, 1990-15, 1990-16 be considered together. Motion to consider together made by Council member Orvin; seconded by Council member Ward. After brief discussion, motions were withdrawn after Cantey suggested that 1990-12 be considered prior to further discussion on plats 11, 14, 15 and 16.

10. 1990-12 - Final Plat Showing Re-Subdivision of Tract "A", Block "T", Parcel 17 - 12 lots, Wild Dunes.

Motion to approve as presented made by Council member Ward; second by Council member Orvin. On discussion, NesSmith-Picard inquired about density, stating she could only find one acre rather than 2.703 acres. Mr. Cantey advised that portion of included density was not shown on plat. NesSmith-Picard asked that such be noted on plat. When called for the question, motion to approve carried unanimously.

11. 1990-13 - Plat of Lot 1, Block 10, Containing 9755 Sq. Ft. owned by the Uxbridge Company Limited Partnership and a 3388 Sq. Ft. Lot owned by Ocean Properties About to be Conveyed to The Uxbridge Company Limited Partnership.

Motion to approve made by Council member Ward; second by Council member Watson. On discussion, NesSmith-Picard noted that plat said IPS and should say IPF, asking that such correction be made, further asking if there were any fire hydrants adjacent to the lot and was advised by Mickey Seabrook, engineer, that plat had previously been approved by City Council and Fire Chief. Cantey advised that hydrants would not be shown on the plat. When called for the question, motion to approve carried unanimously.

15. 1990-17 - Plat Showing Property Line Abandonment Between Lots 3 and 4, Block "H", Tract "A", Wild Dunes. Withdrawn.

9. 1990-11 - Plat Showing Tract "G", Block "A", Parcel 1, and Tract "G", Block "A", Parcel 2, Waterway Boulevard.

12. 1990-14 - Conditional Plat Showing Subdivision Tract "G", Block "D", - 16 Lots, Seahorse Court and Waterway Boulevard.

13. 1990-15 - Conditional Plat Showing Re-Subdivision of Tract "G", Block "B" - 12 Lots, Waterway Boulevard and Ensign Court.

14. 1990-16 - Conditional Plat Showing Subdivision of Tract "G", Block "B" - 29 lots and Tract "G", Block "B", Parcel 3 - 2 Lots, Intracoastal Waterway and Waterway Boulevard.

Motion to accept for discussion made by Council member Watson; second by Council member Ward. Mark Permar, representing Wild Dunes, made presentation to Council using graphic display of area. Council member Ward asked if streets in Seahorse Court and Ensign Court were public and was advised by Mr. Permar that they were private streets; however, there would be public access because none of the streets were gated. Permar further stated that it was intended to dedicate the streets to the State if they should choose to accept them. Council member Swanson asked if signs restricting access would be posted and was advised by Mr. Permar that such was not the intent; however, there were no guarantees that this could not happen.

Fire Chief Britton addressed issues involving water pressure and fire hydrants in the area, asking that Council request that something be done to increase water supply and water pressure in area and, if not, restrict size of houses or require that any house over 2000 sq. feet have sprinkler system.

Council member NesSmith-Picard asked that responsibility for maintenance of roads and zoning designation be specified on plats. Council member Simon asked if marshland was included in the overall lot size calculation and was advised by Mr. Canteley that the lot size indicated on plat was basically the dimensions of the property. Simon further asked if property owner would own the marsh and was advised that he would.

Council member Ward suggested it may be discriminatory to restrict size of houses on new plats and not restrict size of houses on previously approved plats in same area. Chief Britton responded that as more houses were built in the area, the water pressure decreased proportionately.

Mr. Rosen, attorney for Wild Dunes, urged Council to accept plats, citing his belief that Wild Dunes had complied with all regulations and ordinances and were morally, if not legally, entitled to have approval at meeting tonight. Mayor Bunch advised Mr. Rosen that plats were not put on Agenda last month because comments had not been obtained from City Engineer, Fire Chief or Public Works Supervisor.

Mr. Seabrook, engineer for the water company, advised Council that he had tested water from 26th Avenue to 41st Avenue on Waterway Boulevard, results of which indicate that water pressure in the area is adequate. Council member NesSmith-Picard asked if tree removal permit would be obtained prior to clearing this area. Administrator Williams advised that it had been discussed and the developers were aware of the requirements, but no trees had been removed except those downed by Hugo.

Council member Holden expressed opinion that City could have a lot worse than what was being submitted, stating that he did not know if Council would not be jeopardizing the potential of having the golf course for the sake that the City needs to upgrade water pressure, a long standing problem.

When asked by Holden if he had objections to approving the plats tonight, Chief Britton stated he had none as long as Council knew that water pressure needs to be upgraded. In the event of a fire, the Chief stated he wanted Council to know that he

had informed them of potential problem.

Council member Swanson asked had any marshland been filled along Waterway and was told that no marsh had been filled, and was further advised that Coastal Council had been on site.

Attorney Dreyfoos advised Council that they could not approve plat conditional upon the issue of water pressure since ordinances do not allow for imposition of such conditions.

Council member Simon stated that Council was being asked to review a very significant change in Island's layout without satisfactory answers to so many questions, further saying that such problems should be resolved by Planning Commission and Council informed accordingly.

Council member Watson withdrew his motion to accept. When asked about possibility of returning plats to Planning Commission, Mr. Cantey advised that there would be a problem with returning plats since Planning Commission had already approved them.

The Mayor recommended that Council hold plats in abeyance until receipt of legal advice in Executive Session, voting on approval after such advice. Council member Ward withdrew his second to original motion and moved to table the four plats and vote on them later in meeting; second by Council member Holden. Motion carried.

3. Building Committee - No meeting. Mayor advised that meeting would be called soon.

4. Beach Patrol & Control Board - No report.

5. Personnel Committee - No meeting.

6. Dewees (ad hoc) Committee - No meeting.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES

None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

None.

H. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Ratification, Ordinance 1989-11, An Ordinance to Allow the Temporary Use of Mobile Homes and Trailers (See Attached as Appendix M).

Motion to ratify Ordinance 1989-11 made by Council member Swanson; second by Council member Watson. Motion to ratify carried unanimously.

2. Third Reading, Ordinance 1989-14, An Ordinance Amending the Definition of Substantial Improvement (See Attached as Appendix N).

Motion to suspend rules of order and procedure for the purpose of determining unanimous consent for allowing discussion of Ordinance made by Council member Swanson; second by Council member Watson. Roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Simon, yes; Swanson, yes; Ward, yes; Watson, yes; Bunch, yes. Motion carried unanimously.

Motion to substitute Third Reading Draft which had been recommended by Engrossed

Bills Committee for revised Third Reading Draft made by Council member Ward; second by Council member Orvin. Motion carried unanimously.

When called for the question to accept as Third Reading of Ordinance 1989-14 as amended, motion carried unanimously. *Note: Council member Holden wished to explain vote and read prepared statement to Council (See Attached as Appendix O).

Mayor Bunch thanked Council for work put into this Ordinance, stating that because the City had been more restrictive than FEMA required, the City had less property damage, particularly on front beach, than otherwise might have been suffered had not Ed Haselden, the Building Inspector, enforced the City's building codes.

Council member Ward commented that he was glad it was part of the public record that the City had been more restrictive, because it was conceived by the public that the City was blaming FEMA for not being able to re-build their houses.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Proclamation - "Knights of Columbus Day" March 29, 1990

Signing and presentation previously executed.

2. First Reading, Ordinance 1990-5, An Ordinance to Limit the Temporary Use of Mobile Homes or Trailers in Residential Areas (See Attached as Appendix P).

Motion to accept as First Reading of Ordinance 1990-5 by Title Only made by Mayor Bunch; second by Council member Ward. Motion carried unanimously.

J. MISCELLANEOUS BUSINESS

1. Upon request from The Beach Company for two large signs advertising Ocean Boulevard properties, Administrator Williams advised Council that the signs proposed were smaller than signs previously used, but were approximately ten feet larger than allowed by ordinance. Council member Ward expressed his disfavor with the request, making motion not to allow deviation from existing sign ordinance and deny request; second to motion by Council member Orvin. Motion to deny request carried unanimously.

2. Mayor Bunch advised Council that she had written the Highway Department requesting signs for Breach Inlet catwalks and had been informed by the Department that it was the responsibility of the City to maintain or restrict catwalks; however, the Highway Department has now placed signs at Breach Inlet.

3. The Mayor advised that Council members were in receipt of new plans for the Connector.

4. Mayor Bunch advised that there were no funds through PRT or SC Coastal Council for purchase of a beach sweeper.

K. EXECUTIVE SESSION

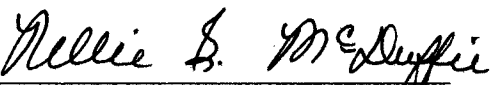
The Mayor informed Council that purpose of Executive Session was to discuss personnel as well as receive advice from City's Attorney. Motion to enter Executive Session made by Council member Ward; second by Council member Orvin. Motion carried.

Coming out of Executive Session, the Mayor advised that Council received legal advice from attorney and discussed contractual matters; however, no action was taken.

Motion to approve Plat Agenda Items 9, 12, 13 and 14 (Plats 1990-9, 1990-14, 1990-15 and 1990-16) as submitted made by Council member Ward; second by Council member Orvin. Council member Ward moved to amend motion requiring (1) language on plat stating that the roads will be dedicated to the State if so offered (2) verification of the survey data (3) zoning of SR-1 be stipulated on the plat; second by Council member Holden. Holden asked how plat is verified and was advised by Attorney Dreyfoos that the building official would make such determination. When called for the question to amend original motion, motion to amend carried unanimously. When called for the question to approve plats as amended, roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Simon, abstain; Swanson, no; Ward, yes; Watson, yes; Bunch, no. Motion carried 5 -2 with Simon abstaining.

Motion to adjourn made by Council member Ward; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

P R O C L A M A T I O N

WHEREAS, on March 29, 1882, the Knights of Columbus was chartered by the General Assembly of the State of Connecticut; and

WHEREAS, on March 29, 1990, the 1.5 million members who belong to over 10,000 councils in the United States, Canada, Mexico, the Philippines, Puerto Rico, Guam, Guatemala, Cuba, Canal Zone, Virgin Islands, and the Dominican Republic will observe the granting of the Charter; and

NOW, THEREFORE, I, Carmen R. Bunch, as Mayor of the City of Isle of Palms, South Carolina, in tribute to the record of the Knights of Columbus on behalf of Country, Church, Community and fellowmen and in recognition of its contributions in the field of religion, family life, social welfare, civic involvement, youth work and patriotic endeavor, March 29, 1990, is hereby proclaimed as

"KNIGHTS OF COLUMBUS DAY"

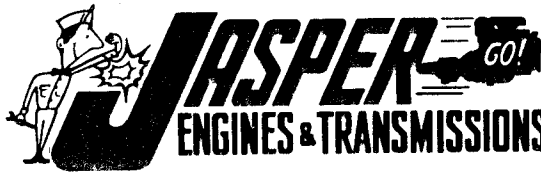
in the City of Isle of Palms, South Carolina, and every official and citizen of ISLE OF PALMS, SOUTH CAROLINA is urged to take note of and extend congratulations to the Knights of Columbus on its anniversary.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed.

This _____ day of _____, 1990.

{SEAL}

Carmen R. Bunch, Mayor
City of Isle of Palms, S.C.



APPENDIX B

1854 Mt. Zion Road - PH. 404-968-4734 - Morrow (Atlanta), GA 30260
Georgia Wats: 800-282-1491 Outside Wats: 800-241-2492

Mayor Bunch,

I called 292 people out of a population of 2,632 registered voters. This gave me a confidence interval and sampling error of $\pm 6\%$ and a 95% confidence level. This is considered very good in scientific surveying.

ISLE OF PALMS CITIZENS' SURVEY
Summer 1989

1. Which service provided by the Isle of Palms are you most satisfied with? See Pages 3 and 4
Why?
2. Which service provided by the Isle of Palms are you most dissatisfied with? See Pages 4-6
Why?
 - A. Would you favor a tax increase if it would improve this service? See Page 6
Yes _____ No _____
3. Should the Isle of Palms contract its garbage and trash collection service to a private firm?
Yes 22 (8%) No 244 (84%) No Response 26 (9%)
4. Presently, water service on the Isle of Palms is provided by a private company. Would you be willing to pay more for water and sewer service provided by a public entity?
Yes 86 (29%) No 164 (56%) No Response 42 (14%)
(If Yes) Should the city go into debt or raise taxes to provide this service?
Yes 60 (21%) No 24 (8%) No Response 2 (1%)
5. If funds were available, to which of the following areas in the police department would you like to see funds allocated:
 - A. More police officers 94 (32%)
 - B. More police vehicles 31 (11%)
 - C. Buying a police boat 78 (27%)
6. If funds were available, to which of the following areas in the fire department would you like to see funds allocated:
 - A. More firemen 100 (34%)
 - B. More fire trucks 65 (22%)
7. Do you think we need public rest rooms on the Isle of Palms in the commercial area of the beach?
Yes 244 (84%) No 44 (15%) No Response 4 (1%)
(If Yes) Should any city funds be used to build and maintain public rest rooms located in the commercial area of the beach?
Yes 158 (54%) No. 82 (28%) No Response 4 (1%)
(If No) Would you support the construction of these facilities if no city funds are used?
Yes 11 (4%) No 23 (8%) No Response 10 (3%)
8. Should the Isle of Palms use local revenues for beach renourishment?
Yes 97 (33%) No 173 (59%) No Response 22 (8%)

9. In order to provide better control over the use of public streets and right-of-ways for parking and traffic, should the city take over some of the roads from the state and assume financial and liability responsibility for maintenance?

Yes 98 (34%) No 181 (62%) No Response 13 (4%)

10. Should the city install parking meters along Ocean Boulevard in the business district to generate city revenues?

Yes 161 (55%) No 120 (41%) No Response 11 (4%)

11. Do you support a tree ordinance for the Isle of Palms that regulates the removal of trees?

Yes 253 (87%) No 36 (12%) No Response 3 (1%)

Do you support a tree ordinance that requires replanting of trees as compensation for removal?

Yes 250 (86%) No 37 (13%) No Response 5 (2%)

12. Do you think council provides city services in the best interest of all island residents?

Yes 176 (60%) No 94 (32%) No Response 22 (8%)

If No, which of the following groups do you think has more effect on influencing city services?

A. Front Beach Businesses or Merchants:	31 (11%)
B. Wild Dunes	47 (16%)
C. Realtors/Developers	43 (15%)
D. The Average Citizen	14 (5%)
E. Tourists	9 (3%)
F. Other See Page 6	19 (7%)

1. Garbage	149 (51%)
Why:	
Efficient	84 (29%)
Prompt	70 (24%)
Dependable	34 (12%)
Responsive	6 (2%)
Polite	5 (2%)
Conscientious	5 (2%)
Pleasant	4 (1%)
Professional	1 (.3%)
Clean Beach & Roads	1 (.3%)
Recreation	9 (3%)
Why:	
Efficient	2 (1%)
Many Services For	
Children	1 (.3%)
Good Effort	1 (.3%)
Lots of Facilities	1 (.3%)
Access	1 (.3%)
Lots of Services	1 (.3%)
Thorough	1 (.3%)
Enjoyment	1 (.3%)
Police	49 (17%)
Why:	
Efficient	21 (7%)
Prompt	13 (4%)
Responsive	12 (4%)
Diligent	8 (3%)
Professional	4 (1%)
Attention to Detail	3 (1%)
Courteous	3 (1%)
Pleasant	2 (1%)
Low Crime	2 (1%)
Fully Staffed	1 (.3%)
Protective	1 (.3%)
Community Oriented	1 (.3%)
Strict	1 (.3%)
Active	1 (.3%)
Training	1 (.3%)
Fire	26 (9%)
Why:	
Efficient	12 (4%)
Prompt	9 (3%)
Responsive	8 (3%)
Diligent	6 (2%)
Low Insurance	1 (.3%)
Training	1 (.3%)
Fully Staffed	1 (.3%)
Volunteers	1 (.3%)
Conscientious	1 (.3%)

Trash	32 (11%)
Why:	
Efficient	17 (6%)
Prompt	13 (4%)
Reliable	10 (3%)
Frequent	1 (.3%)
Polite	1 (.3%)
Responsive	1 (.3%)
Council	1 (.3%)
Why:	
Accountable	1 (.3%)
General Government	1 (.3%)
Why:	
Prompt	1 (.3%)
Efficient	1 (.3%)
Fire Support	3 (1%)
Why:	
Prompt	2 (1%)
Well Trained	1 (.3%)
Efficient	1 (.3%)
Permits	1 (.3%)
Why:	
Orderly	1 (.3%)
Business Permits	2 (1%)
Why:	
Prompt	1 (.3%)
Efficient	1 (.3%)
All Services	51 (17%)
Why:	
Good Job	8 (3%)
Efficient	6 (2%)
Prompt	3 (1%)
Responsive	2 (1%)
Well Run Government	1 (.3%)
2. Garbage	9 (3%)
Why:	
Inefficient	2 (1%)
Not Consistent	2 (1%)
Separate, Recycling	1 (.3%)
Not Prompt	1 (.3%)
Unprofessional	1 (.3%)
Back Into Yard	1 (.3%)
Cleanliness	1 (.3%)
Recreation	9 (3%)
Why:	
Cleanliness	1 (.3%)
Lack of Activities	1 (.3%)
Closed on Sundays	1 (.3%)
Swimming Pool	1 (.3%)
New	1 (.3%)

Recreation Continued:	
More Publicity	1 (.3%)
Supervision	1 (.3%)
Administration	1 (.3%)
Facility	1 (.3%)
Lack Adult Programs	1 (.3%)
 Police	 27 (9%)
Why:	
Unprofessional	5 (2%)
Aggressive	3 (1%)
Lack of Knowledge	2 (1%)
Lack of Enforcement	2 (1%)
Unattentive	2 (1%)
Low Pay	1 (.3%)
Part Time Officers	1 (.3%)
More Attention to Parking	1 (.3%)
Not Responsive	1 (.3%)
Not Enough Patrols	1 (.3%)
Undertrained	1 (.3%)
Over Protective	1 (.3%)
Not Enough Police	1 (.3%)
Responsive	1 (.3%)
 Planning & Zoning	 4 (1%)
Why:	
Lack of Enforcement	2 (1%)
Lack of Control	2 (1%)
More Emphasis	1 (.3%)
 Administration (Form of Government)	 8 (3%)
Why:	
Decision Making	8 (3%)
 Trash	 8 (3%)
Why:	
Not Prompt	4 (1%)
Erratic	1 (.3%)
Inefficient at Breach Inlet	1 (.3%)
Cleanliness	1 (.3%)
 Council	 4 (1%)
Why:	
More Efficient Use of Money	1 (.3%)
Lack Strong Planning and Zoning	1 (.3%)
Financial	1 (.3%)
 Animal Control	 1 (.3%)
Why:	
Pit Bulls Loose	1 (.3%)

6

Drainage	3 (1%)	
Why:		
Need Pipes and		
Bad Roads	1 (.3%)	
Stagnant Water		
in Ditches	1 (.3%)	
IGR	1 (.3%)	
Why:		
Uninformed, Lack		
Communication	1 (.3%)	
Building Inspection	1 (.3%)	
Why:	No Response	
Fire	1 (.3%)	
Why:		
Not Large Enough	1 (.3%)	
Public Works (Grounds)	2 (1%)	
Why:		
Not Kept Up	2 (1%)	
2.A. Garbage:	Yes: 2 (1%)	No: 7 (2%)
Recreation	Yes: 4 (1%)	No: 2 (1%)
Police	Yes: 12 (4%)	No: 11 (4%)
Planning & Zoning	Yes: 2 (1%)	No: 1 (.3%)
Drainage	Yes: 2 (1%)	No: 1 (.3%)
Trash	Yes: 3 (1%)	No: 5 (2%)
Animal Control	Yes: 1 (.3%)	No: 0
Fire	Yes: 1 (.3%)	No: 0
Administration		
(Form of Government)	Yes: 3 (1%)	No: 4
Building Inspection	Yes: 0	No: 1 (.3%)
Council	Yes: 0	No: 3 (1%)
IGR	Yes: 0	No: 1 (.3%)
Public Works (Grounds)	Yes: 1 (.3%)	No: 1 (.3%)
12.F. Other		
Form of Government	2 (1%)	
Certain People	2 (1%)	
Different Groups	2 (1%)	
Situations	1 (.3%)	
Personal Interest	1 (.3%)	
New Residents	1 (.3%)	
Council Changes		
Opinions	1 (.3%)	
Anti-Wild Dunes	1 (.3%)	
Priorities	1 (.3%)	
Council Members	1 (.3%)	

APPENDIX C

The Ways and Means committee met following the planning commission and police and public safety ~~committee~~ meeting, on February 28. A new time for the meeting was discussed. Next month the committee will meet on the first Monday at 7 p.m. ^(April 2) ~~Both~~ ID cards ^{for staff} and car stickers for Isle of Palms ~~area~~ residents are ~~being~~ in process.

Mark Williams said that the city does have the money to be returned to the building fund. If the money is returned, the city may have to borrow ^{from that fund again} to cover a final FEMA financed sweep (before the FEMA money arrives) or for other projects to be FEMA financed.

During a discussion of fee schedules for the rec center, Jimmy Ward moved that the part-time employee be ~~made~~ made full time for the rest of the fiscal year if the money is in the budget. Mr. Williams said it probably was.

Since the police department has received a grant for the needed police cars, the total amount needed will not exceed \$3,000.

The committee asked that all expenses related to Hugo go into a special category so it will be obvious what it is costing the city over reimbursed amounts.

There was a brief discussion about lease/purchase for the police/fire and public works buildings.

The meeting ended after a lively discussion about how to finance next year's budget.

APPENDIX E

Public Works Committee Meeting February 26, 1990

The meeting was called to order at 7:30^{03 9m}pm by Councilmember Ward. In attendance were Councilmember Nesmith-Picard, Mayor Bunch & Andy Parish.

Trees have been moved off Waterway. There is no word yet from FEMA about another debris sweep.

Discussion was held on debris still on the beach and in the water, and also unsafe buildings on Front Beach. Andy Parish suggested that in cases where the buildings are no longer there, the city could write to the owners and ask them to clean up their sites.

We have not heard from Coastal Council about when they will be cleaning the water.

Andy Parish reviewed some plots with the committee. Councilmember Nesmith-Picard asked Mr. Parish what he looks for in order to approve plots. He said the main thing was to make sure there is enough room in cul-de-sacs to turn garbage trucks around.

Councilmember Nesmith-Picard asked the mayor about the drainage study. The mayor said that when the study is completed she will let the committee know. Discussion was also held on residents piping the ditches in front of their houses. Citizens who have questions about piping ditches should contact Mr. Parish for details. He said he felt he could save citizens quite a bit of money compared to if they tried to do it themselves.

Potential parking problems around 9th & 10th Ave. at Carolina Blvd. during the summer season were discussed. The committee felt that everything that could be done to protect the residents in that area from hazardous parking by day visitors should be made a priority.

The bike path was discussed. It was suggested that the issue be brought before full council especially since the committee as a group could not come up with a solution to the problem without extensive research. Everyone agreed however that something must be done.

The meeting was adjourned at 7:54pm.

CITY OF ISLE OF PALMS
Engrossed Bills Committee
Monthly Meeting
Wednesday, March 7, 1990
5:30 P.M. at City Hall Council Chambers

APPENDIX F

Meeting commenced at 5:40 with Mr. Holden, Mr. Simon, and Mayor Bunch in attendance constituting a quorum. City Attorney Dreyfoos was also in attendance. Previous committee meeting Minutes were offered as unchanged from those submitted at the previous council meeting and were unanimously approved.

First order of business was the consideration of Ordinance 1989-11 (An ordinance to allow the temporary use of mobile homes and trailers). Such ordinance had passed the three required readings previously but had not been ratified. Motion to recommend ratification to full Council was made by Mayor Bunch, seconded by Mr. Holden and passed unanimously.

Ms. Nesmith Picard arrived and was updated by the Chairman as to action taken. Consideration of ordinance 1989-14, (ordinance to revise the definition of substantial improvement) began. This was referred at third reading by Council at February meeting for consideration of amendatory language. It was moved by Mr. Simon and Seconded by Mayor Bunch that language providing for a cumulative effect over five year periods beginning January 1, 1991, (see attached text for exact wording), be recommended to council for members unanimous consent, amendment, and passage. In debate it was noted by all that this seemed to be a compromise between no cumulative affect and the previous definition. Mr. Holden noted a philosophical problem with the ordinance's restriction which he had. Motion to recommend carried 3-1 with Mr. Holden voting no.

Ordinance 1990-3, (an ordinance to amend section 5-4-22 (SR1 district)) referred simultaneously to the Planning Commission and this Committee was considered. It was noted that this committee would meet one more time before the Planning Commission's consideration of this ordinance and thus immediate action was not required. Debate included a presentation by Ms. Picard showing lot sizes throughout much of the Island and with potential for subdivision highlighted. Potential for more selective application of zoning classifications more restrictive than those in effect was considered in conjunction with or in alternative to Ordinance 1990-3. Motion to Table and reconsider following the Planning Commissions consideration of the ordinance was made by Mayor Bunch, seconded by Mr. Simon and passed unanimously.

Also considered again from last month was Ordinance 1989-4 (an ordinance to amend the city's requirements relating to the subdivision of property. It was noted by the City Attorney upon further review of the situation that the length of time this had been pending led him to recommend that a "work session" of full council be scheduled as soon as practical so that more active consideration of the ordinance could commence. It was noted that the Planning Commission had earlier passed on this ordinance contrary to earlier thoughts. The Chairman agreed to propose a work session at the next council meeting, and such was unanimously agreed to.

Lastly, Ordinance 1990-4 (an ordinance to establish standards for fences) was presented as a potential ordinance for enactment by Mayor Bunch. Mayor Bunch noted numerous problems with fences throughout the community. City Attorney Dreyfoos noted that this ordinance mostly just clarified the existing situation by giving clearer and more technically correct standards to supplement current interpretations of existing ordinances. Mayor Bunch having brought this voluntarily before committee requested that this be included for consideration at the above work session and the Chairman agreed.

There being no further business Mayor Bunch move to adjourn, seconded by Ms. Nesmith-Picard and passed unanimously at approximately 7:20.

attch.

APPROVED: DRAFT

Section 2. City Code Section 5-2-5(25) Revised. The first sentence of City Code Section 5-2-5(25) is revised to read as follows:

(25) Substantial improvement means any combination of repairs, reconstruction, alteration or improvements to a structure,

a. taking place between October 1, 1989 and December 31, 1990, or

b. beginning January 1, 1991, taking place within a continuous period of five (5) years, measured from the date of the improvement, but excluding improvements made prior to January 1, 1991,

in which the cumulative cost equals or exceeds fifty (50%) percent of the market value of the structure.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1989.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 11/8/89
Second Reading: 12/13/89
Public Hearing: 2/14/90
Third Reading:
Ratification:

Crystal Pools, Inc.

Commercial Division
1525 Ashley River Road
CHARLESTON, SOUTH CAROLINA 29407
(803) 571-0400
SC 1-800-323-3194

APPENDIX G

PROPOSAL SUBMITTED TO Mr. Heath Orvin <i>Loretta</i>		PHONE 886-4623	DATE September 12, 1988
STREET 243 Forest Trail		JOB NAME "The Future Swimmers"	
CITY, STATE and ZIP CODE Isle of Palms, S.C. 29451		JOB LOCATION Isle of Palms, S.C.	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We Propose hereby to furnish material and labor — complete in accordance with specifications below, for the sum of:

_____ dollars (\$ _____)

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature _____

Note: This proposal may be withdrawn by us if not accepted within sixty (60) days

We hereby submit specifications and estimates for:

3,454 surface square feet of swimming pool, 3'6" to 9'0" in depth, safety long-lip coping,

- 4- 500watt underwater lights with brass junction box
- Stainless steel shallow-end handrail with steps
- 3- Three tread stainless steel ladders
- 1- 1-1/2" fillspout with 40' of pipe
- 3- MA 35 chlorinators with flow meters
- 2- Lifeguard chairs with safety equipment

Haul-off and dewatering at excavation, all filtration, safety and cleaning accessories required by South Carolina DHEC, swimming pool construction plans and specifications with engineer's seal, South Carolina DHEC approval, permit and permitting fees, local city or county permit and a "Lifetime Structural Guarantee".

Proposed Investment: \$76,504.00

80 surface square feet of tot pool, 1'0" to 1'6" in depth, safety long-lip coping,

MA 18 chlorinator with flow meter, 2- anti-vortex main drain grates for safety, required plumbing and filtration to meet South Carolina DHEC, construction plans and specifications with engineer's seal, South Carolina DHEC approval, permit and permitting fees, local city or county permit and a "Lifetime Structural Guarantee".

Proposed Investment: \$ 4,460.00

4,766 square feet of decking for which we offer the following options:

Broom finish	\$10,962.00
Rock-Salt finish	\$11,439.00
inCrete (reflective deck) with sub-deck	\$18,901.00

Our deck cost includes a 6" toe footing at back edge of deck, white cap lateral expansion joints and foam expansion between coping and deck.

Proposal

Page No.

of

Pages

Crystal Pools, Inc.

Commercial Division
1525 Ashley River Road
CHARLESTON, SOUTH CAROLINA 29407
(803) 571-0400
SC 1-800-323-3194

DESIGN SUBMITTED TO Heath Orvin		PHONE 886-4623	DATE September 12, 1988
JOB NAME Forest Trail		JOB LOCATION Isle of Palms, S.C.	
STATE and ZIP CODE Isle of Palms, S.C. 29451		JOB PHONE	
PROJECT	DATE OF PLANS		

We ~~Propose~~ hereby to furnish material and labor — complete in accordance with specifications below, for the sum of:

_____ dollars (\$_____).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature _____

Note: This proposal may be withdrawn by us if not accepted within sixty (60) days

We hereby submit specifications and estimates for:

Swimming pool options to consider:

2" tiled racing lanes with 12- 12" tiled wall crosses	\$5,688.00
<u>or</u>	
5" tiled racing lanes with 12- 6" wall crosses	\$2,844.00
- 1/2 meter diving board	\$ 500.00
- wall anchors for lane markers (used in competition meets)	\$ 490.00
- 25 yard lane markers	\$2,800.00
- deck anchors for competitive flags	\$ 550.00

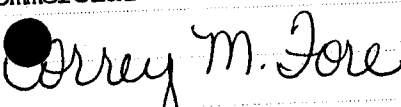
This proposal does not include:

Electrical hook-up to pump motors and underwater lights, sump and drain for backwash water from filters, main water source hook-up to fillspout, swimming pool rule signs, emergency equipment, hosebib and footshower in swimming pool area, fencing, 0.6 watts of area lighting per square foot of decking and start-up chemicals.

We will be happy to furnish any of the above at a retail cost.

Crystal Pools, Inc. will be happy to meet with you at your convenience and location to discuss design and cost alternatives.

Respectfully,
CRYSTAL POOLS, INC.
Commercial Division


Correy M. Fore
Commercial Sales Manager

OWNER'S RESPONSIBILITIES:

1. Per square foot of deck area there will be .6 watts of lighting.
2. To provide required number of hosebibs with backflow device and 100' hose.
3. To provide footshowers at all major entrances to outside swimming pools.
4. To provide separate housing for chemicals from equipment room.
5. Equipment area must be locked, well ventilated and illuminated.
6. Any overhead wiring not in conduit must be at least 20' horizontally away from the swimming pool.
7. There must be no light fixtures directly over water surface.
8. All wiring and grounding must conform to the latest edition of the National Electrical Code.
9. There must be ground fault interruptors on all electrical circuits in possible contact with the swimming pool.
10. Any 2nd floor balcony within 10' of the swimming pool area must be screened.
11. There shall be no steps between swimming pool and adjacent structures.
12. Bathhouse facilities to comply with DHEC Regulation 61-51 PG. 16-19.
13. To provide telephone with emergency numbers with 25' of the swimming pool area.
14. Provide first aid kit and emergency equipment within 25' of swimming pool area (definition of emergency equipment: 2 woolen blankets, first aid kit, backboard stretcher, lifehook and ring) owner.
15. Provide 2 signs reading "SHALLOW WATER - NO DIVING ALLOWED" for swimming pool less than 8'0" in depth per DHEC Reg. 61-51 owner.
16. Provide signs - 2 - Swimming Pool Rules, 1 - Emergency telephone numbers and 1 - Capacity sign owner.
17. All electrical wiring for pump motors, underwater lighting and any timing devices will be furnished by owner.
18. Main water source hook-up to fillspout owner.
19. Sump and drain for swimming pool filtration backwash water owner.

OTHER: fencing, bathhouse.

CRYSTAL SALES REPRESENTATIVE

Correy M. Jore

OWNER

APPENDIX H

March 14, 1990

The rules concerning signs on the Isle of Palms should be updated. All of us remember how tacky our island looked during the connector battle. The graffiti of slogans and isms, hand-drawn pictures and letters, do-it-yourself mounting, etc. made our little town resemble the subways of the big cities. The hurricane brought out a new bunch of sign makers. The election brought out some more. Every time something unusual happens the sign makers populate the sides of our main road and shopping center with their home grown placards.

The Council has some good rules about the placement of signs in our community. More are needed. The setback from the road should be greater. The average driver has enough to do without having his attention diverted by signs in his line of vision. And do we really need signs that are lighted at night? Headlights are enough of a problem for drivers on our narrow main road. The colors for the lettering should be standardized. The size, shape, and height should be limited. Specifications should include graphics and methods of hanging or posting signs.

The appearance of our streets and public areas makes an initial impression on visitors to our island. It is important for that impression to be a positive one. We keep our homes and yards attractive, neat and clean. The same standards should apply to every area of our town. The signs our government allows should not detract from the beauty or safety of our hometown.

I urge the Council to review and revise the present requirements concerning the display of signs, both political and commercial, in the Isle of Palms.

Mrs. Mildred Wald
2 Marsh Island Lane
Isle of Palms, SC 29451

CITY OF ISLE OF PALMS
BOARD OF ADJUSTMENTS
February 22, 1990

The meeting started at 6:30 P.M. Present: Edgar Fellabom, Chairman; Howard Garvin; Mary Schall, Secretary, Betsy Smiley; David Somers; and Ed Haselden, Building Inspector.

Chairman Fellabom introduced Betsy Smiley as the new member of the Board replacing Burt Rhodes.

1. Mr. & Mrs. John Zarvos, 415 Ocean Blvd. request for a variance from Section 5-4-23 (5)c. Minimum rear yard requirements. They asked for a variance of 9.68 feet on the rear yard line. The Board voted unanimously to approve the variance request.

2. Martha Fleming, 31 Marsh Island, Wild Dunes request for variance from Section 5-4-18 (1) Required Marsh Setbacks. Because the Board did not have the exact measurements of the proposed deck and circular stairway in relation to the retaining wall, the case was suspended.

3. Wesley & Dena Wall, 1100 Pavillion Blvd. request for a variance from Section 5-4-37 (b) Non-conforming Structures. For structural alteration and use the vote being: Fellabom yes, Garvin yes, Schall yes, Smiley yes, Somers no. Passed.

4. Patricia M. Hall, 23 Beachside Drive request for a variance from Section 5-4-22 (5)a. Minimum Front Yard Requirements. She asked for a total variance of 14.1 feet (construction front setback of 7 feet was given on 9-24-85) to extend the front deck. Vote being: Fellabom yes, Garvin yes, Schall yes, Smiley no, Somers yes. Passed.

5. Thomas P. Gear, 8 Fifth Avenue request for a variance from Section 5-4-37, Non-conforming Structures. He plans to build a deck on the front of the building and recess the entry. Vote being: Fellabom yes, Garvin yes, Schall yes, Smiley yes, Somers no. Passed.

The meeting adjourned at 8:35 P.M.

Mary Schall
Secretary

ISLE OF PALMS PLANNING & ZONING COMMISSION

February 28, 1990

Attending: Guy Taylor, Ken Palka, Jan Wilson, Kathy Carroll and Arnold Karig. David Cantey also attended.

Ms. Carroll motioned, second by Mr. Palka, to approve the minutes of January 31, 1990. Motion carried.

1. Plat Showing the Abandonment of a 30' right of way and the Subdivision of Lot 44 and Lot 45, Block "M", Twenty-Ninth Avenue.

Ms. Vionne Roberts of #24 Twenty-Ninth Avenue stated that the two property owners have maintained the right of way for over twenty years. It has never been used or could it be used for access.

Mr. Karig motioned, second by Ms. Carroll, to recommend approval. Motion carried 5 - 0.

2. Plat Showing Property Line Abandonment Between Lots 3 and 4, Block "H", Tract "A", Dolphin Way, Wild Dunes.

Ms. Finch stated that the approval of the plat would create a more proper backyard configuration for both concerned parties.

Ms. Carroll motioned, second by Ms. Wilson, to recommend approval. Motion carried 5 - 0.

3. Plat Showing Tract "G", Block "A", Parcel 1; and Tract "G", Block "A", Parcel 2, Waterway Boulevard.

The acreage plat would establish the new boundaries of the golf course provided that the previously submitted Waterway Boulevard plats were approved. The property is zoned SR-1, single family.

Mr. Karig stated that Tract "G", Block "A", Parcel 2 should be identified as a buffer and show the easements to the sewer pond.

Mr. Palka motioned, second by Ms. Carroll, to recommend approval provided that Tract "G", Block "A", Parcel 2 be so noted. Motion carried 5 - 0.

4. Final Plat Showing Re-subdivision of Tract "A", Block "T", Parcel 17, 12 Lots, Grand Pavilion Boulevard, Wild Dunes.

Bill McKenzie represented Wild Dunes. The Coastal Council construction lines and the 250' setback line do not impact the plat. This property was previously approved for 16 lots. The request was for 12 lots. The maximum density allowed for the area is 12 units per acre.

Mr. Karig motioned, second by Mr. Palka, to recommend approval. Motion carried.

5. Conditional Plat Showing Subdivision of a Portion of Tract "F", Block "E", Lots 28 - 59, Morgan's Cove Drive, Wild Dunes; and Plat Showing Subdivision of Tract 3 into 20 Tracts, Tract 3b through 3u, Forty-first Avenue.

Mr. Taylor briefed the Commission on the deliberate attempts to restrict vehicular access from Wild Dunes to Forty-First Avenue and Wildwood Road.

Mark Permar represented The Beach Company and Wild Dunes. The plat would restrict traffic to "normal" vehicles from Wild Dunes to Forty-First Avenue and Wildwood Road. The only access would be via the cart path for the golf course. He referenced a letter from Neil Robinson, attorney representing Wild Dunes, that committed Wild Dunes to providing appropriate notations on the plat concerning access restrictions. Two separate parking areas would be constructed, one access from Wild Dunes and the other from Forty-First Avenue. The two lots would be physically separated.

Mr. Palka stated that the commercial tracts did not have the required street frontage and may not be buildable. Mr. Cantey added that the buffer requirement (25 feet adjacent to residential uses, five feet adjacent to street with residential uses across the street) could not be met if developed as shown. He also questioned if the buildings could meet setback requirements (25' front yard, 15' rear yard, and 10' side yard). The development would need variances. Also, Morgan's Cove Drive deadends into the commercial area.

Mr. Permar stated that the previous plan allowed for buildings to run the length of the property. As now proposed, the buildings would be smaller in scale similar to structures in adjacent neighborhoods. Parking would be provided in the common areas which were represented as the larger tracts on the plat.

Mr. Karig stressed the need for a buffer and restricted access along Wildwood Road. Ms. Wilson noted that the plan would not meet the zoning and requirements for commercial development.

Mr. Taylor stated that the plan needs further study to weigh the pros and cons of breaking the established line between Wild Dunes and the commercial tracts. The concept appears good. The Commission could make a recommendation to the Zoning Board of Adjustment.

Mr. Palka motioned, second by Ms. Carroll, to defer a recommendation due to the need for further study focusing on required variances and the language to restrict access. Motion carried 5 - 0.

6. Plat of Lot 1, Block 10, Containing 9755 sq. ft., owned by the Uxbridge Company, Limited Partnership and a 3388 sq. ft. lot owned by Ocean Boulevard Properties about to be conveyed to the Uxbridge Company, Limited Partnership, Charleston Boulevard.

A portion of the Ocean Boulevard extension right of way that is outside the 66' right of way would be combined to Lot 1, Block 10, to create a 13,143 sq. ft. parcel. The property is zoned SR-1, Single Family.

Mr. Palka motioned, second by Ms. Wilson, to recommend approval. Motion carried 5 - 0.

Meeting adjourned.

Respectfully Submitted,

David Cantey
Planning Consultant

First, I would like to request, for the second time, that Council be given at least one week to review plats and other documents that are coming before Council for consideration and voting. This will allow adequate time for Council members to review, formulate questions, obtain answers to their questions and then make a decision.

The 15 plats being considered tonight were not provided to Council in time for adequate review and resolution of concerns. However, my intent is not to penalize the applicant for circumstances beyond his or her control. I do request that I be allowed to ask questions tonight and explain my concerns regarding these plats. In advance, I requested that the applicants be notified and apprised of my specific comments. Hopefully, they are here tonight to answer questions. If so, this should avoid any delays.

Secondly, I am an engineer and enjoy reviewing plats in detail but I know there are others on council who do not share my enthusiasm. Even though I enjoy poring over plats, detailed review is not Council's responsibility. That function lies appropriately with the Planning Commission. I am not implying in any way that the Planning Commission is not doing their job rather that Council's job would be greatly simplified if the plat application status was known so that review work is not repeated.

Therefore, I would like to request the Planning Commission have a cover sheet attached to each plat application. I understand that this idea is "in the works" and I want to encourage its accomplishment, if possible, by next month.

A cover sheet could provide one-glance information regarding: who has reviewed the plat thus far, if the reviewers had any comments, and provide answers to commonly asked questions. It would make everyone's job much easier and streamline the review process.

Attached is my list of commonly asked questions. Other council members may also want to provide input.

ISLE OF PALMS PLAT APPLICATION STATUS SHEET

- (1) What is the purpose of this plat? (Subdivision, Property Line Abandonment, Development, Other) _____
- (2) What is the zoning district (subdistrict if plat within PRD)? _____
- (3) Is the survey current? YES ____ NO ____
- (4) Is the rip-rap statement provided? YES ____ NO ____ N/A ____
- (5) Is square footage/acreage provided? YES ____ NO ____
- (6) Was a tree removal permit obtained? YES ____ NO ____ N/A ____
- (7) Are fire hydrants shown? YES ____ NO ____ N/A ____
- (8) Is the critical line shown? YES ____ NO ____ N/A ____
- (9) PRD PLATS—Is the density provided? YES ____ NO ____ N/A ____
- (10) PRD PLATS—Are land use percentages provided? (% Open Space, % RV, % RA1, etc.) YES ____ NO ____ N/A ____
- (11) PRD PLATS—Are elevations provided? (4' MSL minimum)
YES ____ NO ____ N/A ____
- _____
- (12) Has the Planning Commission reviewed this plat? DATE _____
YES ____ NO ____
- (13) Is a public hearing scheduled? DATE _____
YES ____ NO ____ N/A ____
- (14) STATUS
Date plat referred to Public Works Dept. DATE _____
Date plat referred to Fire Dept. DATE _____
Date plat referred to Council DATE _____
- PLANNING COMMISSION COMMENTS AND RECOMMENDATION _____
- _____
- _____

ISLE OF PALMS PLAT APPLICATION STATUS SHEET (Cont'd)

(15) Has the Public Works Department reviewed this plat? DATE _____
YES _____ NO _____ N/A _____

(16) Is roadway width adequate for garbage truck access?
YES _____ NO _____ N/A _____

PUBLIC WORKS DEPT. COMMENTS AND RECOMMENDATION _____

(17) Has the Fire Department reviewed this plat? DATE _____
YES _____ NO _____ N/A _____

(18) Is roadway width and lot configuration adequate for fire truck access?
YES _____ NO _____ N/A _____

FIRE DEPT. COMMENTS AND RECOMMENDATION _____

(19) Did Council approve plat? DATE _____
YES _____ NO _____ OTHER _____

APPENDIX L

E. M. Seabrook, Jr., Inc.
Engineers - Surveyors - Planners

March 8, 1990

E. M. Seabrook, Jr., P. E.
PRESIDENT

Lewis J. Cauthen, Jr., P. E.

E. M. Seabrook III, P. E.

Lewis E. Seabrook, P. E.

3/8/90
Please call TO
Councilmember
for Wed Meeting
CB

P. O. Box 96
1081 Highway 17 Bypass
Mount Pleasant, SC 29465
(803) 884-4496

Mayor and Council
City of Isle of Palms
P. O. Drawer Q
Isle of Palms, South Carolina 29451

Re: Plat for Clyde and Pauline Dangerfield dated Aug. 24, 1989

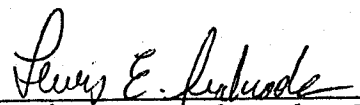
Ladies and Gentlemen:

Mr. David Cantey asked that I write you a letter of explanation regarding this survey. This property consists of three separate parcels of land. These parcels are Lots 3 and 4 Block H (which were combined sometime in the past to form TMS 568-08-00-114) owned by Pauline N. Dangerfield and the unopened portion of 22nd Avenue (TMS 568-08-00-126) owned jointly by Pauline N. Dangerfield and Marguerite F. Craver. The tax records describe TMS 568-08-00-126 as: extension of 22nd Avenue unopened and undedicated street. The Dangerfields would like to have an approved plat showing all of their holdings (Lots 3 and 4 and their 1/2 interest in the unopened street) combined into one parcel containing 80,028 square feet or 1.84 acres.

I hope this explanation is sufficient for your needs and will allow you to approve this plat.

Yours very truly,

E. M. Seabrook, Jr., Inc.
Engineers-Surveyors-Planners



Lewis E. Seabrook, P. E.

LES/mw

CITY OF ISLE OF PALMS
ORDINANCE NO. 1989-11
Adopted 3/14/90

AN ORDINANCE TO ALLOW THE TEMPORARY USE OF MOBILE HOMES AND TRAILERS

WHEREAS, many homes within the City have been severely damaged or destroyed as a result of Hurricane Hugo; and

WHEREAS, the displaced residents of these homes need safe, temporary housing while their homes are being repaired or replaced; and

WHEREAS, mobile homes and travel trailers can be used to provide such temporary housing; and

WHEREAS, Sections 5-4-31(a)(1) and 5-4-12(1) of the City Code currently prohibit the use of mobile homes and travel trailers for residential habitation; and

WHEREAS, City Council adopted an Emergency Ordinance on October 4, 1989, and extended such Emergency Ordinance on January 24, 1990, to allow the use of mobile homes and travel trailers for temporary housing; and

WHEREAS, City Council believes that the temporary residential use of mobile homes should be limited to residents and those who are helping with the Hugo recovery effort and who have the authorization of the property owner; and

WHEREAS, City Council believes that similar provision should be made for the use of mobile homes as temporary replacement structures for local businesses; and

WHEREAS, City Council is authorized to adopt ordinances affecting the health, safety and property of the people pursuant to Section 5-7-30 of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this Ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to allow the use of mobile homes and travel trailers for temporary housing, under the conditions set forth hereinbelow.

Section 2. Temporary Provisions Adopted.

New Sections 5-4-16(c) and (d) are added to the City Code, to read as follows:

(c) Temporary Residential Use of Mobile Homes and Travel Trailers. Notwithstanding the prohibition on the residential use of mobile homes and trailers, as set forth in Sections 5-4-31(a)(1) and 5-4-12(1) of the City Code, in response to the housing crisis created by Hurricane Hugo, mobile homes and travel trailers may be used for residential habitation under the following conditions:

(1) As limited hereinbelow, mobile homes and travel trailers, as defined in Sections 5-4-2(18) and (28) of the City Code, may be used for temporary housing by City property owners and others having written authorization of the property owner filed with the City Police Department, in all zoning districts within the City until June 30, 1990. City Council may extend this deadline by resolution.

(2) The size and weight of mobile homes and travel trailers transported to the City via the Ben Sawyer Bridge must conform to the limitations placed by the SC Department of Highways and Public Transportation on traffic crossing the Bridge.

(3) Double-wide mobile homes shall not be allowed. City Council may, by resolution, further restrict the allowable size and weight of mobile homes used for temporary housing pursuant to this ordinance. Trailers shall be located at least ten (10) feet from the property line if possible.

(4) All foundations and utility connections must be approved by the City Building Department and all appropriate agencies pursuant to the requirements of the City Code. All self-contained vehicles/structures (i.e., those without utility connections) must provide certification of an adequate method for the disposal of wastewater.

(5) A certificate of occupancy is required prior to the occupation of any mobile home or travel trailer pursuant to this ordinance.

(d) Temporary Commercial Use of Mobile Homes and Trailers. Mobile homes and trailers may be used as temporary structures for businesses damaged by Hurricane Hugo under the following conditions:

(1) As limited hereinbelow, until June 30, 1990, mobile homes and trailers, as defined in Sections 5-4-2(18) and (27) of the City Code, may temporarily be used for all permitted commercial uses in all commercial zoning districts within the City. City Council may extend this deadline by resolution.

(2) The size and weight of mobile homes and trailers transported to the City via the Ben Sawyer Bridge must conform to the limitations placed by the SC Department of Highways and Public Transportation on traffic crossing the Bridge.

(3) City Council may, by resolution, restrict the allowable size and weight of mobile homes and trailers used as temporary structures pursuant to this ordinance.

(4) All foundations and utility connections must be approved by the City Building Department and all appropriate agencies pursuant to the requirements of the City Code. All self-contained vehicles/structures (i.e., those without utility connections) must provide certification of an adequate method for the disposal of wastewater.

(5) All applicable requirements of the SC Department of Health and Environmental Control, the City's Building Codes, particularly including the City's Fire Code, and all regulations and restrictions pertaining to the commercial activity in question must be met, and all applicable permits must be secured, prior to the issuance of a certificate of occupancy by the City.

(6) A certificate of occupancy is required prior to the use and occupation of any mobile home or trailer pursuant to this ordinance.

Ordinance No. 1989-11
Adopted 3/14/90

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective immediately upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:	10/11/89
Second Reading:	11/8/89
Public Hearing:	11/29/89
Third Reading:	02/14/90
Ratification:	03/14/90

CITY OF ISLE OF PALMS
ORDINANCE NO. 1989-14
Third Reading Draft - 3/14/90

AN ORDINANCE TO REVISE THE DEFINITION OF "SUBSTANTIAL IMPROVEMENT" IN CITY CODE SECTION 5-2-5(25)

WHEREAS, as a result of Hurricane Hugo, structures throughout the City of Isle of Palms have been damaged; and

WHEREAS, an assessment of damage that adds the cumulative costs of prior repairs to the hurricane-caused damage may unreasonably prevent or add to the cost of reconstruction of damaged homes and buildings; and

WHEREAS, such addition of the cumulative costs of prior repairs is not required pursuant to current FEMA regulations; and

WHEREAS, City Council desires to facilitate the reconstruction of damaged homes and buildings, and to eliminate unnecessary costs associated with such reconstruction; and

WHEREAS, City Council is authorized to adopt ordinances affecting the health, safety and property of the people pursuant to Sections 5-7-30 and 6-7-710 of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to revise the definition of "substantial improvement" in City Code Section 5-2-5(25).

Section 2. City Code Section 5-2-5(25) Revised. The first sentence of City Code Section 5-2-5(25) is revised to read as follows:

(25) Substantial improvement means any combination of repairs, reconstruction, alteration or improvements to a structure,

a. taking place between October 1, 1989 and December 31, 1990, or

b. beginning January 1, 1991, taking place within a continuous period of five (5) years, measured from the date of the improvement, but excluding improvements made prior to January 1, 1991,

in which the cumulative cost equals or exceeds fifty (50%) percent of the market value of the structure.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1989.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 11/8/89
Second Reading: 12/13/89
Public Hearing: 2/14/90
Third Reading:
Ratification:

First and foremost I must compliment the Mayor on a well structured compromise which I find acceptable , at least in the short run. However, In the midst of this technical ordinance is a more basic debate and a lingering philosophical division which I hope and commit tonight to not let simply die. It is that the Isle of Palms has or should have a FDPO only so as to allow participation in the NFIP. Restrictions beyond those required to garner that benefit are unnecessary, impose upon resident's rights and remain unjustified in my mind. While negligible benefits of restrictions beyond those FEMA requires for participation in the NFIP may be cited they are not in my mind sufficient to tilt the balance in favor of this ordinance or any other going beyond the maximum regulation Congress has allowed FEMA to impose on coastal residents.

Fema Has promised to add future benefits to the more restrictive communities but at present none exist and it is pie in the sky. What is real is the restriction this ordinance places on the residents. Again because of very fair action on the part of the mayor the excessive restriction while present is minimal and in the spirit of compromise almost dead on this Island I can support it at the present time. I hope that this fairness and good government did not come as a sole result of fear a procedural loophole would be used to thwart the will of council and superimpose my own and the fact I made "news" with this earlier.

Directly on that point I must note that back when the least restrictive permissible version of this ordinance was whizzing through council votes unanimously and I brought this up some chastised me as twisting the facts. Tonight I feel vindicated. The new restrictions placed in this ordinance tonight are exactly why I tried to draw attention to this situation. I do not like them. On the same point I have praised this administration earlier and will again but I cannot condone and reject publically the restriction of access to information which I faced when I tried to find out who was likely being affected by this ordinance.

Ultimately I cannot escape the conclusion this is passed to protect residents from their own decisions. I will always support protecting residents from each others misdeeds but if you want to go to Las Vegas I am not prepared to outlaw trips there. Frankly I am not smart enough to say only I know the best way to do things. And this country was not made great by people who feel that they are. Individual freedom is its greatest strength. I restrict it when necessary, lament it when unnecessarily restricted, and work to change the situation when I can. I will so work again. Bank it.

Presently the votes to fairly reduce this restriction to its proper level do not appear to be on council. I hope as time goes on members will see the folly of giving Fema free milk among the other problems. Because I see this as a Long "war" I do not want to make the mistake of focussing on this battle. In large measure even it has been won. The perpetual nature of Cumulative provision is gone replaced with something sane. Thank you for your help to the residents, to council for hearing me and to Mayor Bunch an excellent fair and reasoned approach to an honest difference of opinion which I hold with her.

STATEMENT BY C/M HOLDEN.

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-5
First Reading Draft - 3/14/90

AN ORDINANCE TO LIMIT THE USE OF MOBILE HOMES AND TRAILERS IN
RESIDENTIAL AREAS

WHEREAS, City Council has passed and extended Emergency Ordinance 1989-11.E, and has passed Ordinance 1989-11, to help City residents whose homes were damaged or destroyed by Hurricane Hugo; and

WHEREAS, said Ordinances permit the temporary residential use of mobile homes and trailers in zoning districts where such use is otherwise not allowed; and

WHEREAS, Council is aware of abuses of this temporary allowance to use mobile homes, including the use of multiple trailers on individual lots and the use of trailers for transient housing not associated with repair of the home on the lot; and

WHEREAS, lodging for transient workers was not readily available within the area in the months following Hurricane Hugo, but can now be easily obtained; and

WHEREAS, Council wishes to allow residents additional time to return to their homes, but believes these abuses must be ended immediately, and that the integrity of the City's zoning ordinance must be upheld; and

WHEREAS, Council has acted to address this problem in Emergency Ordinance 1990-5.E, adopted on March 12, 1990; and

WHEREAS, Council is authorized to amend its zoning ordinance pursuant to Sections 5-23-10 et seq. and Sections 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this Ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the residential use of mobile homes in the aftermath of Hurricane Hugo.

Ordinance No. 1990-5
First Reading Draft
3/14/90
Page 2

Section 2. Residential Use of Mobile Homes and Trailers
Further Restricted

The following new subsections are added to Sections 5-4-16(c) of the City Code, to read as follows:

- (6) No mobile home or trailer may be situated on a lot which was not developed (i.e., no house) on September 21, 1989.
- (7) Only one mobile home or trailer may be situated on any platted lot or tract that was developed (e.g., with a house) on or prior to September 21, 1989.
- (8) If a house has been demolished subsequent to September 21, 1989, only the owner may occupy a mobile home or trailer on the lot while a replacement house is being constructed.
- (9) Except as further limited hereinabove, occupancy of mobile homes and trailers is limited to the owner of the property; a tenant in possession of the property as of September 21, 1989; a general contractor while said contractor is actively engaged in repair of the house on the same lot, exclusively, where the mobile home/trailer is situated; or volunteers who are actively engaged in repair of the house on the same lot where the mobile home/trailer is situated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

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First Reading Draft
3/14/90
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PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Public Hearing: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

MINUTES OF THE APRIL 11, 1990 REGULAR CITY COUNCIL MEETING

A. INTRODUCTION OF MEETING

The regular City Council meeting was held on April 11, 1990, at the Isle of Palms City Hall. The meeting was called to order by Mayor Carmen Bunch at 7:00 p.m. with all Council members present. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk/Treasurer Nellie McDuffie and Secretary Loretta Barnhill.

Following the Pledge of Allegiance, the Mayor had the invocation. Mayor Bunch also congratulated Michael Sottile on his election to Council, advising that he would be sworn in on April 12, 1990.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. November 15, 1989 - Special City Council Meeting/Briefing
2. November 21, 1989 - Special City Council Meeting/Briefing
3. December 4, 1989 - Emergency City Council Meeting
4. December 6, 1989 - Special City Council Meeting/Briefing
5. March 12, 1990 - Special City Council Meeting
6. March 14, 1990 - Regular City Council Meeting

Motion to approve minutes as submitted (Items 1, 2, 3 and 4) made by Council member Swanson; second by Council member Orvin. Motion carried. Council member Ward asked for footnote to November 15, 1989 minutes (See Attached as Appendix A).

Motion to approve minutes of March 12, 1990 as submitted made by Council member NesSmith-Picard; second by Council member Ward. Motion carried.

Motion to approve minutes of March 14, 1990 as submitted made by Council member Ward; second by Swanson. NesSmith-Picard asked for addition to Page 3, Paragraph E.2, to wit: "... requesting the plat approval process be documented and that a status sheet be attached to each plat under consideration." When called for the question, motion to approve with addition carried.

C. CITIZEN'S COMMENTS

1. Dr. Frank R. Brown, III - Dr. Brown addressed Council on the issue of the proposed 41st Avenue shopping center, asking Council for a brief review of Island zoning as well possiblibility of change from present zoning. Dr. Brown further asked, should no recourse for change be available, what control over development do homeowners have and, specifically, how to prevent the proposed shopping center from becoming a gate into Wild Dunes.

Mayor Bunch advised she would write Dr. Brown brief history of zoning as soon as information was researched, further advising that submitted plats for shopping center would be discussed later as they are listed on the Agenda.

2. Thomas Murph - Mr. Murph was not present.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Swanson read minutes of last meeting (See Attached as Appendix B). Council member Ward moved that Council approve reimbursement to William Dudley for the use and damage to his 4-wheel ATV which was used by the National Guard immediately following the hurricane; second by Council member Watson. Council

member NesSmith-Picard asked how National Guard got key to the vehicle and was informed by Swanson that vehicle was apparently hot-wired. When called for the question, motion carried.

NesSmith-Picard asked why Ways & Means did not offer specific recommendations to Council, suggesting such was their role. Chairman Swanson stated that it was the opinion of the committee that an issue of the magnitude of hiring two additional fireman was a decision for the entire Council. Mayor Bunch advised that committee does not have to make recommendations, further advising that an issue pertaining to monetary matters must be approved by full Council. Council member Orvin asked would it not be beneficial to the City to hire the two firemen in this fiscal year. Mayor Bunch responded that in her opinion it would be, citing that this additional personnel had been budgeted in the current fiscal year; however, freeze on hiring had prevented their employment.

Council member Ward moved that City approve addition of two firemen commencing May 1, 1990; second by Orvin. On discussion, Ward stated that he was of the opinion that there should be excess funds from insurance proceeds. Swanson stated she was unsure of this, suggesting the possibility of having to terminate their employment in the new fiscal year because of obvious financial constraints. Watson agreed, saying he was concerned about next year. Administrator Williams stated that, in discussing insurance claims with the insurance carrier, the City had what amounted to double insurance on fire trucks - both vehicle coverage and fire station contents coverage - and no decision had yet been made about actual amount City would receive as compensation for loss. Ward asked was there a possibility that funds would not be as much as originally anticipated and was advised by Williams that the City should know a more definite figure within the next week or ten days. Council member Ward withdrew his motion and requested tabling of motion until more information is available; Orvin withdrew his second.

Administrator Williams brief Council about restoration of parking lots and motel site, previously used as burnsites, and advised that bids came back higher than approved by FEMA. City had requested reimbursement for graveling of parking lots; however, FEMA will only approve funds for re-seeding.

Williams informed Council that City may choose to lease or purchase a mobile bathroom facility for front beach - purchase price of at least \$8,900 or lease price of \$340 per month with air conditioning. If purchased, unit must be returned in exact condition as when delivered, and Williams stated that he believed such would be impossible. Cost of sewer tap approximately \$3000; water tap estimated at \$225 (+ -). Alternative to mobile facility would be placement of port-a-lets. Mayor Bunch recommended that Council defer this matter until special meeting and Council was in agreement.

2. Police & Public Safety - (See minutes of last meeting-Attached as Appendix C.) Mayor Bunch introduced Gerald Johnson, representing the volunteer firemen, who asked Council to consider allowing the volunteers to be general contractor on rebuilding of 41st Avenue Fire Station, citing the collective experience of the firemen. Mr. Johnson advised that assistance was being solicited from fire departments nationwide and support was expected from other areas. The Mayor thanked Mr. Johnson, but pointed out the guidelines which must be met for such a project. Keith Williams, full time firefighter with the Island department, advised Council of his personal credentials as well as the expertise within the fire department to design and complete the building. Council member Orvin recommended that this project be turned over to the

firemen. Council member Ward commended the department, expressing appreciation for their work, and asked for round of applause for the fire department.

Police Chief Arnold asked Council for approval to purchase a Lanier recording system for police department, specifically for use in recording 911 calls, at a cost of \$13,244. Arnold advised that insurance only covered \$5,000, leaving a balance of around \$8,000. Administrator Williams advised that most of the funds to replace police equipment had been purchased with grants, therefore insurance funds should be available for purchase of recording system. Council member Orvin moved to approve request to purchase Lanier system; second by Council member Ward. On discussion, Ward asked was money definitely going to be available from insurance, and Williams responded that he would not know until all department needs had been considered. Council member Simon stated that he felt this item had to be prioritized. Council member Swanson asked for assurance that money would not be coming from budget but from insurance proceeds. Orvin stressed importance of this item, saying that police had purchased most of their equipment with grant money. When called for the question, motion to purchase system carried.

Mayor Bunch advised that EMS service would be starting on the Island on April 15 at no cost to the City. County has agreed to once again pay entire cost.

State Highway Department has made offer for purchase of City property for Connector right of way - Tract 11, 1980 square feet and Tract 12, 3113 square feet. The Mayor advised this would be discussed in executive session.

3. Public Works - Chairman Ward read minutes of last meeting (See Attached as Appendix D). Ward advised that the Public Works Committee recommended that the City attempt to notify owners of vacant lots to clear them as required by Ordinance and was advised by the Mayor that such was being done. Recycling began on April 11, and approximately 100 pounds of aluminum cans were picked up, Ward stating that this was a good start.

Council member Orvin asked about accepting donations and allowing advertising on the trash cans on front beach, recommending that Council allow this type of advertising, thereby saving the City the expense of purchasing paint. NesSmith-Picard stated that she would like ~~to see equality, citing Amoco's donation of the barrels.~~* Swanson asked would logo be small and was advised by Orvin that advertising would be scaled down, probably the size of a bumper sticker. Motion to suspend rules of order and procedure, allowing Leola Hanbury to speak, made by Council member Ward; second by Council member Swanson. Ms. Hanbury, representing the Isle of Palms Garden Club, advised that the club had done this for years and, while they cannot afford the paint from their limited budget, the project would be dropped by the club if such advertising was allowed. The Mayor advised that she felt the City should "stick" with the Garden Club. Council member Orvin agreed, withdrawing his recommendation. LMB

4. Engrossed Bills - Chairman Holden read minutes of last meeting (See Attached as Appendix E). Council member Ward asked for brief description of proposed fence ordinance and was advised by Attorney Dreyfoos that Engrossed Bills had briefly looked at preliminary draft for the purpose of establishing criteria for fences in residential areas. Holden stated that proposed ordinance pertained to standard height, etc.

5. Recreation - Chairman Orvin read minutes of last meeting (See Attached as Appendix F). Council member Ward asked be to allowed to briefly discuss item from Engrossed Bills report, and inquired about allowing mobile deliveries on the Island. Mayor Bunch cited illegality of such food service as determined by Ordinance. Attorney Dreyfoos advised that it was not legally possible to have variance from the ordinance

* THIS TO BE DONE PROPORTIONATELY IF DONOR ADVERTISING IS APPROVED, NOTING AMOCO HAD MADE NO STIPULATION FOR ADVERTISING AS A REQUIREMENT FOR THE DONATION.

and that any deviation would require ordinance to be amended.

The Mayor advised Council of deed restriction on recreation property to be considered as possible site for swimming pool, informing that permission to sell such property would have to be received from Department of the Interior. Mayor Bunch advised that the scheduled meeting with County PRC representatives, which they subsequently canceled, had been for purpose of discussion of County's purchase of the 14th Avenue motel site property for use as a County park. Charles Way of The Beach Company has said property is worth several million dollars, and the parcel of land is for sale. Ward asked when meeting might be held and was advised by the Mayor that she was unaware of the County's reason for postponement; however, meeting would apparently be rescheduled. Orvin asked could City still have referendum on the swimming pool and was advised that it could be held.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

Mayor Bunch asked for motion to suspend rules of order and procedure and allow Beach Patrol & Control Board report to be heard at this time. Council member Swanson so moved; second by Council member Ward. Motion carried.

Mr. Perry Leonardis of #1 -51st Avenue appealed to Council to allow repair to his swimming pool, such request having been turned down by the Board of Beach Patrol & Control. Mr. Leonardis presented letters to Council from South Carolina Coastal Council as well as Atkinson Pool Company (See Attached as Appendix G). Council member Ward asked why this issue was coming before Council and was advised by the Mayor that this was the appeal process. Council member Simon, ex-officio member of the Beach Board, cited current demands being placed on the Board in the aftermath of the hurricane, and advised of need for guidelines from Council. Council member NesSmith-Picard asked Mr. Leonardis if any restorative work had been done and was told that none had been. Dr. James Smiley, chairman of the Board of Beach Patrol & Control, briefly described criteria used by Board in determining construction and/or repair on the beach front; specifically with regard to Mr. Leonardis request and cited reasons for Board's decision to deny request. The Mayor advised that Council had fifteen days to consider this appeal. Motion to table until request can be further studied made by Council member Swanson; second by Council member Orvin. Motion to table carried.

Council member Orvin asked Chairman Smiley about construction of dune walkovers and was advised by Dr. Smiley that Board's position was same as Coastal Council's and that such walkovers are encouraged as the alternative to walking through the dunes, further advising that requests from individual's for such walkovers did not come before the Board unless request deviated from guidelines established by the Board and enforced by the Building Department.

1. Board of Adjustment - (See minutes of meeting, Attached as Appendix H).
2. Planning Commission - David Canteay, Planning Consultant, read minutes of meeting (See Attached as Appendix I).

Plats Received:

(1.) 1990-17 - Plat Showing Property Line Abandonment Between Lots 3 and 4, Block "H", Tract "A", Wild Dunes.

Motion to approve as submitted made by Council member Ward; second by Council member Orvin. On discussion, Council member NesSmith-Picard inquired about access onto Palm Boulevard, asking was such access approved or was this a penetration of PRD boundary. Foster Clark, representing Wild Dunes, advised that Review Board had

approved driveways in some areas because of the need to get vehicles into garages, etc. Mayor Bunch stated that, according to PRD agreement, no ingress or egress onto Palm Boulevard was permitted. Mr. Clark replied that there was no restriction he was aware of concerning these lots; however, lots on opposite side of the street (53rd to 57th Avenues) have covenants wherein ingress and egress to Palm Boulevard is specifically restricted. Council member Simon asked were the driveways legal or illegal and was advised by Attorney Dreyfoos that the existing driveways were not relevant to the issue at hand. Council member Watson asked would it cloud the issue to any degree if Council approved plat, and Dreyfoos responded that turning the plat down would have no effect because access was already there. NesSmith-Picard asked was the intent of plat to gain another access. Dreyfoos advised that this could be made a condition for plat approval. NesSmith-Picard moved to amend motion making approval contingent upon restriction that no access be allowed, such as asphalt driveway from lot 3A to Palm Boulevard, to provide vehicular penetration of the PRD boundary without first going through a PRD amendment process; second by Council member Orvin. Motion to amend carried. When called for the question to approve as amended, motion carried.

(2.) 1990-18 - Conditional Plat Showing Subdivision of a Portion of Tract "F", Block "E", Lots 38 - 59, Morgan's Cove Drive, Wild Dunes.

(3.) 1990-19 - Conditional Plat Showing Subdivision of Tract 3 Into 24 Tracts and Morgan's Cove Roadway Located on 41st Avenue.

Mr. Cantey recommended that plats 1990-18 and 1990-19 be considered together. Motion to accept 1990-18 and 1990-19 made by Council member Ward; second by Council member Orvin. On discussion, Mayor Bunch asked Bill McKenzie, representing Wild Dunes, about emergency accesses per request from fire chief and was advised by Mr. McKenzie that site for such accesses would be chosen at a later date rather than approximating such location now.

Council member Ward asked would there be penetration of the PRD boundary. Mr. Cantey advised that notes 3 and 4 on plat addressed that issue. Ward continued by asking for further clarification about access from 41st to Wildwood. Attorney Dreyfoos advised that there are two parking areas, each with a separate entrance - one area to ingress/egress from 41st Avenue with no entry into Wild Dunes and one area with ingress/egress from Morgan's Cove Drive with no entry onto 41st Avenue. As proposed, there is no access from Morgan's Cove to 41st Avenue. Council member NesSmith-Picard asked did this violate the PRD agreement and was advised by Mr. Dreyfoos that he would "throw this" back to Council, citing general rule of municipal law whereby City Council is arbiter of its own ordinances. After further procedural discussion, Council member Ward withdrew original motion and made motion to table; second by Council member Watson. Motion to table carried. Motion to refer to Engrossed Bills made by Ward; second by Orvin. Ward stated that Engrossed Bills Committee was open to all Council members as well as the public. Council member Swanson stated she would like to encourage Wild Dunes representatives to come to Engrossed Bills meeting. Representatives from Wild Dunes asked to make presentation at Engrossed Bills meeting and were advised by the Mayor that such would be allowed. When called for the question to refer to Engrossed Bills, motion carried.

Council member Ward made motion to recess for five minutes due to cramped conditions; second by Orvin. Motion carried.

3. Building Committee - No report.

4. Beach Patrol & Control Board - Order of Agenda changed - See E.

5. Personnel Committee - No report.

6. Dewees (ad hoc) Committee - No report.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES

None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

None.

H. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Ratification, Ordinance 1989-14, An Ordinance Amending the Definition of Substantial Improvement. (See Attached as Appendix J.)

Motion to ratify Ordinance 1989-14 made by Council member Watson; second by Council member Ward. Motion to ratify carried.

2. Second Reading, Ordinance 1990-3, An Ordinance to Amend Section 5-4-22 (SR-1 District). (See Attached as Appendix K.)

Motion to accept as second reading of Ordinance 1990-3 made by Council member Swanson; second by Council member Holden. Motion to accept as second reading carried.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATION

1. Proclamation - "Child Abuse Prevention Month" April 1990. Mayor Bunch advised Council of signing of proclamation. (See Attached as Appendix L.)

2. Proclamation - "Earth Day 1990" (See Attached as Appendix M.) Mayor Bunch thanked Ms. Hanbury for Proclamation and urged each resident to plant trees or make like effort to promote "Earth Day".

4. Resolution - Needs Assessment. (See Attached as Appendix N.) Motion to accept made by Council member Ward; second by Council member Orvin. Motion carried. Mayor Bunch thanked legislators for assisting in the securing of funds necessary for water/sewer study.

5. Revised Emergency Ordinance 1990-5.E, An Emergency Ordinance to Limit the Temporary Use of Mobile Homes or Trailers in Residential Areas. (See Attached as Appendix O.)

Motion to accept Emergency Ordinance 1990-5.E made by Council member Swanson; second by Council member Holden. Motion carried.

J. MISCELLANEOUS BUSINESS

1. Adoption of Guidelines - Trident Community Foundation. (See Attached as Appendix P.) Motion to accept Guidelines made by Council member Watson; second by Council member Swanson. Mayor Bunch expressed appreciation to Council member Swanson for attending meeting and advising of availability of funds. The Mayor also thanked Linda Tucker of the Council of Governments for her assistance in securing these funds

through the Trident Community Foundation, citing need to assist Island residents in their recovery from Hurricane Hugo. When called for the question to accept guidelines, motion carried.

2. Mayor Bunch advised Council that there would be a temporary post office located at the shopping center for a period of approximately one year prior to completion of new facility on Palm Boulevard.

3. The Mayor informed Council of Public Hearing to be conducted by FEMA representatives on May 1, 1990 at 1:00 p.m. at the Exchange Club concerning the proposed revision of Flood Zone Maps.

4. Mayor Bunch expressed disappointment in some of the derogatory signs appearing on the Island, citing need for unity, and discouraged any further activity of this type.

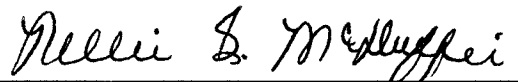
K. EXECUTIVE SESSION

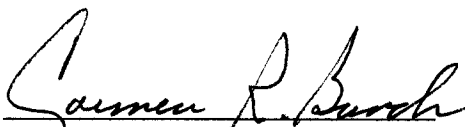
Mayor Bunch asked for motion to enter Executive Session for the purpose of discussing contractual matters and receive legal advice. Council member Orvin so moved; second by Council member Swanson. Motion carried.

Coming out of Executive Session, the Mayor advised that no action was taken. Mayor Bunch further advised that Council had agreed the Mayor could negotiate with the Highway Department about the purchase of City property for Connector right of ways.

Motion to adjourn made by Council member Ward; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED: 
Carmen R. Bunch, Mayor

WAYS AND MEANS COMMITTEE MEETING

The Ways & Means Committee came to order at 7:15 p.m. on April 2, 1990. Present were Mayor Bunch, Dan Watson, City Administrator Williams and Chairperson Swanson. Council member Ward arrived a few minutes late.

Jeff Truesdell brought a proposal to open a mobile delicatessen which would serve sandwiches and soft drinks on construction sites. He feels this would cut down on Island traffic congestion. He stressed no alcohol would be served and it would be a Monday through Friday business only. The Mayor pointed out that this would be in violation of City ordinance. After discussion, it was decided to refer proposal to Engrossed Bills.

William Dudley asked that the City reimburse him for the use and damage of his four-wheel all terrain vehicle which was used immediately following Hurricane Hugo. It seems the National Guard took the vehicle without permission but refuses to pay. It was recommended that Ways & Means recommend payment to Council which will then try to recover the money.

The Fire Chief brought a proposal from the Police and Public Safety Committee to hire two budgeted firemen. The post-Hugo hiring freeze has kept him from adding them to staff. He feels it will improve the safety on each shift. The chief wants to hire the men as of May 1. Although the Committee felt they would like to see the Fire Department have the men, concern about next year's budget, with reduced property tax revenues, led them to decide to bring the issue to Council with no recommendation. It was pointed out that 85% of the budget is fixed, with 70% being personnel costs.

The possibility of building dog pens was discussed. No recommendations were made. It is possible the cost of such pens could run upwards of \$5,000.

There was a brief discussion of what to do about the parking lots. FEMA probably will not grant enough money to gravel them . . . insisting on re-seeding. The City feels the grass won't have a chance to start because of parking.

Another debris contract has been let . . . for a total of \$166,500. FEMA is to reimburse the City for this. Debris should be put out by April 25 to qualify for the final pick up. After that time it will be the responsibility of individual citizens.

27 March 1990

Memo To: Mayor, Ways and Means, and City Council

From: Mark M. Williams, City Administrator *MMW*

Subject: Franchises for vending sandwiches to construction sites

Since the spring of 1985, City Council has opted not to allow sales of food products for immediate consumption on either the beach or public streets. Based on this policy over the years the City has turned down many applicants who have wanted to sell a variety of products from vending carts or trucks. In part, a denial has referenced the City's ordinance that restrooms be provided at the point of sale of any food products. There have been at least a half dozen applicants who have been turned down for permission to engage in street side vending after the hurricane. Until now none of these applicants have asked that the City's policies regarding these operations be reconsidered.

We now have an applicant who primarily wants to service construction sites Mondays through Fridays, and makes a valid point that his service could help to reduce the amount of lunch time traffic on the island by eliminating the need for construction workers to leave their construction sites to find something to eat.

There is no specific ordinance that addresses this type of operation. Enforcement of the City's policies has been in the form of broadened interpretation of requirements that use of the public streets for a commercial activity requires the granting of a franchise rather than issuance of a business license, which is sufficient permission for commercial operation on private property. This distinction has enabled the City to restrict this type of activity.

As you know, other communities such as the City of Charleston, allow street vending by franchise.

In the wake of the hurricane, with the number of applications we are being faced with, and since there has been at least a couple of changes in the composition of Council, it is probably desirable for the City Council to either re-affirm the City's policies regarding vending, or make whatever policy changes the Council decides are in the best interest of the community.

I have enclosed the business license application completed by the applicant (for want of a better form), and a short note in which he describes what he would like to do here. It is his intention to meet with the Ways and Means Committee, and the full Council to explore his chances to operate here.

CITY OF ISLE OF PALMS

P. O. Drawer Q Isle of Palms, S. C. 29451

886-6428

APPLICATION FOR BUSINESS
AND PROFESSIONAL LICENSE

LICENSE DUE JANUARY 1
5% PENALTY PER MONTH
AFTER JANUARY 31

FOR THE LICENSE YEAR

MAKE SEPARATE APPLICATION FOR EACH BUSINESS TO BE LICENSED AT EACH LOCATION

PAYMENT MUST
ACCOMPANY APPLICATION

FOR OFFICE USE ONLY	
LIC. NO.	PROCESSED BY
CODE	DATE ISSUED
CLASSIFICATION	

BUSINESS NAME: ISLE OF PALMS SANDWICH CO.

MAILING ADDRESS: 2305 CAMERON BLVD
ISLE OF PALMS SC.

IF INFORMATION IN THIS HEADING IS CORRECT CHECK HERE ☒ AND SKIP TO LINE 3.

1. BASIC LICENSE FEE	\$
PLUS	
2. SCHEDULE RATE CHARGE	\$
3. TOTAL LICENSE FEE (1 + 2)	\$
4. PLUS PENALTY _____ %	\$
5. TOTAL AMOUNT DUE (3. + 4.)	\$

ALL APPLICABLE BLANKS ON THIS APPLICATION MUST BE COMPLETED BEFORE A LICENSE WILL BE ISSUED

1. NAME OF BUSINESS

2. MAILING ADDRESS: STREET

CITY STATE ZIP

3. BUSINESS LOCATION ☒ IN CITY ☐ OUT OF CITY

886-9843
PHONE NO.

4. MOBILE DELICATESSEN
TYPE OF BUSINESS

5. THIS APPLICATION IS FOR:

CHANGE OF OWNERSHIP ☐ PREVIOUS OWNER

CHANGE IN LOCATION ☐ PREVIOUS LOCATION

NEW BUSINESS ☒ 5-1- 1990
STARTING DATE

RENEWAL OF LICENSE ☐

6. OWNERSHIP:

PROPRIETORSHIP ☒
PARTNERSHIP ☐
CORPORATION ☐

7. NAME OF OWNER: JEFF TRUSDELL

8. ADDRESS OF OWNER:

STREET 2305 CAMERON BLVD

CITY ISLE OF PALMS STATE SC ZIP 29451

9a. FOR RENEWAL:

TOTAL GROSS RECEIPTS FOR PRECEDING CALENDAR YEAR
ENDING DECEMBER 31, _____ OR FOR LAST
PRECEDING FISCAL YEAR PERIOD FROM _____
TO _____; GROSS RECEIPTS \$

b. FOR NEW BUSINESS OR CHANGE OF OWNERSHIP:

ESTIMATED GROSS RECEIPTS \$ 49,000

10. SOC. SEC. NO. 248-02-3524

FED. IDENT. NO.

WRITE SAME NUMBER PROVIDED TO S.C. TAX COMMISSION

11. STATE SALES TAX NO.

12. NAME OF YOUR ACCOUNTANT:

JAUN DENMAN

13. TOTAL LICENSE FEE IS BASED UPON GROSS RECEIPTS USING THE FOLLOWING FORMULA:

BASIC LICENSE FEE OF \$ _____ ON GROSS RECEIPTS NOT EXCEEDING \$ _____

PLUS SCHEDULE RATE CHARGE OF \$ _____ PER \$1000 FOR REMAINING GROSS RECEIPTS.

FOR NEW BUSINESS, CHANGE OF OWNERSHIP,
OR CHANGE OF LOCATION:

APPROVED ☐ BUILDING DEPARTMENT

APPROVED ☐ POLICE DEPARTMENT

APPROVED ☐
DISAPPROVED ☐

I CERTIFY THAT ALL OF THE INFORMATION STATED ABOVE IS TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT
THE CITY ORDINANCE PROVIDES FOR PENALTIES AND LICENSE REVOCATION
FOR MAKING FALSE OR FRAUDULENT STATEMENTS ON THIS APPLICATION.

Jeff Trusdell
SIGNATURE

Owner
TITLE

3-27-90
DATE

3-27-90

To The City of Isle of Palms Regarding
the proposed Isle of Palms Sandwich
Company,

The Isle of Palms Sandwich Co.
would exist as a mobile delicatessen
with pre-made sandwiches, hot
dogs, canned drinks, etc. Its
primary purpose would be to
serve the construction workers,
It has no intention of competing
with other businesses on the front
beach or anywhere else. In the
fashion of a mobile delicatessen
food would be served from the
vehicle and not eaten in it or
around it. No alcoholic beverages
would be served from the vehicle.
I am hoping that by offering this
service it will help alleviate
traffic congestion, for example,
at the Pantry on Palm Blvd. which
is so close to our Police and
Fire Stations.

It will be a Monday through Friday
business and will be run mainly
to serve contractors and their employees,
not tourists visiting our island.

Sincerely,
W. H. H. H.

1105 Oak Harbor Lane
Isle of Palms, SC 29451
April 2, 1990

The Honorable Carmen Bunch, Mayor
Members of the Ways and Means Committee
Isle of Palms City Council
Isle of Palms, South Carolina

BY HAND

Re: 1988 All Terrain Vehicle Honda owned by
William L. Dudley

Dear Madam Mayor and Members of Council:

As you are aware, I am the owner of an 1988 All Terrain vehicle Honda which was utilized, without my permission, by employees of the Isle of Palms following Hurricane Hugo. This vehicle suffered substantial damage as a result of salt water intrusion during its use by the City employees and by the National Guard and I enclosed, for your consideration, a photocopy of a repair estimate received from Champion Honda of Charleston.

At your request, I have previously attempted to make recovery for the damages to my vehicle through the South Carolina National Guard. I have been informed by the South Carolina National Guard that it will not pay me for the damage to my property.

It is absolutely undisputed that my vehicle was used by City employees following Hurricane Hugo. There is, likewise, no dispute that my vehicle was damaged by City employees. This is to request that the City of the Isle of Palms promptly make payment to me in the amount of \$3,053.62, in order that I may have my vehicle repaired. This vehicle is used extensively by me in my work to show tracts of land to prospective purchasers and my business is being damaged by its continued lack of availability.

I respectfully request the immediate written response to this request for payment. It has been more than six (6) months since my property was damaged. The benefit of an immediate written response of the responsibility of the Isle of Palms will be greatly appreciated.

Sincerely,



William L. Dudley

*see letter
attached from
Nat Guard*

The State of South Carolina
Military Department



T. ESTON MARCHANT
MAJOR GENERAL
THE ADJUTANT GENERAL

OFFICE OF THE ADJUTANT GENERAL
1 NATIONAL GUARD ROAD
COLUMBIA, S.C. 29201-4766

March 16, 1990

Mr. William L. Dudley
1105 Oak Harbor Lane
Isle of Palms, South Carolina 29451

Re: 1988 ATV Honda

Dear Mr. Dudley:

This is in furtherance of my letter of January 12, 1990, to you relative to your claim for damages to your 1988 ATV Honda.

As alluded to in my previous letter, my Chief of Staff did, in fact, cause an investigation to be conducted, a fact of which you are, of course, aware inasmuch as the investigating officer met with you. He concluded, and I concur, that the South Carolina Army National Guard should not accept responsibility for any damages to your vehicle. There are several reasons for our position, but a primary one has to be that our actions were consistent with our primary mission of assistance under the direction of civil authorities.

I am providing a copy of this letter to the City of Isle of Palms with whom you filed your claim. Of course, this department ventures no opinion on the merits of any claim against the city. We will cooperate with all parties to every extent possible.

Very truly yours,

A handwritten signature in cursive script, reading "Sidney S. Riggs III".

SIDNEY S. RIGGS, III
Major, SC Army National Guard
Staff Judge Advocate

CF:
Honorable Carmen R. Bunch

my 6th
APR 22th

Public Safety Committee Meeting Minutes April 2, 1990

Present: Councilmembers Simon
Swanson
Mayor Bunch

Police Department Report:

Lt. Buckhannon reported for Chief Arnold.

The Dept. has received the grant monies from the Governor's office and the vehicles have been ordered. The pickup truck has been received.

The Dept. received \$3,000 in forfeiture monies from cases made with the Metro Narcotics Unit.

Signs have been ordered to control beach access, parking and traffic, particularly in the Front Beach area and to stop people from passing cars by driving in the bike lane.

The generator for the police station is in and will be installed shortly.

This was purchased using grant money.

A Beach Patrol Officer has been hired for weekends and will start work April 7.

A Departmental inspection was held March 23. Lt. Buckhannon reported that results indicated all areas to be in excellent shape. A Dept. photograph was also taken at this time.

A general discussion followed on the status of crime on the Island. Lt. Buckhannon reported that in general property crimes which were up in the post Hurricane period are starting to decrease and that current problems seem now to be more associated with the increase in day visitors coming because of the mild weather, particularly on the weekends.

The Chief will distribute the monthly report for March as soon as it's completed.

Fire Dept. Report:

Chief Britton reported on monthly activity. The majority of calls were medical assist calls.

EMS will station an EMT on the Island beginning April 15.

The ladder truck is still out for repairs, the Chief is not certain when it will be finished or the exact cost of the repairs. Two more weeks is the best estimate on the repair time.

A lengthy discussion was held regarding the Chief's request to fill two personnel positions that were budgeted, but have been frozen. The discussion involved the impact these positions have on the Safety of his men during a fire, the impact of our reduced population on the need to fill these positions, scheduling alternatives that could help meet the need, the status of volunteers, the impact on next years budget and the Depts. five year plan.

A motion was made to make a recommendation to the Ways and Means Committee to approve these two positions if in their judgment it is fiscally possible, with the understanding that additional positions previously recommended would not be requested in next years budget. A vote was called. Mayor Bunch and Councilmember Simon voted yes, Councilmember Swanson abstained.

The Chief reported that the Depts. Zodiac boat was not repairable. We would receive \$1500 in insurance and would need an additional \$1200 for replacement. Discussion on approval of replacement followed. A motion was made to approve replacement if monies could be found from already budgeted department funds. The motion was approved without dissent. Insurance for the pumper trucks destroyed by the Hurricane have not yet been received. The Chief requested approval to begin the bid process in order to determine the exact current cost of a replacement truck and in anticipation of the receipt of a sufficient insurance settlement. Motion made and approved.

Submitted,
Jeffrey Simon

PUBLIC WORKS COMMITTEE MEETING
MARCH 26, 1990

THE MEETING WAS CALLED TO ORDER AT 7:19PM BY JIMMY WARD. COMMITTEEMEMBERS ALSO IN ATTENDANCE WERE ANDY PARISH AND COUNCILMEMBER MELINDA NESMITH-PICARD.

AS USUAL, MR PARISH UPDATED THE COMMITTEE ON THE IMPORTANT ACTIVITIES OF THE PUBLIC WORKS DEPARTMENT. 38 REFUSE CANS FOR THE BEACH HAVE BEEN PAINTED AND ARE IN SERVICE. COUNCILMEMBER ORVIN IS IN THE PROCESS OF HAVING MORE PAINT DONATED SO THE CITY WILL HAVE EVEN MORE CANS FOR OUR BEACHES AND ROADWAYS. MR PARISH STATED THAT THE NEW TRACTOR FOR THE DEPARTMENT IS IN CUSTOMS AND SHOULD BE DELIVERED IN A COUPLE OF DAYS. SHORTLY THEREAFTER, THE DEPARTMENT WILL BE ABLE TO MAKE REGULAR PICKUPS OF TRASH ON THE BEACH. MR WARD THANKED COUNCILMEMBERS NESMITH-PICARD AND ORVIN AND MR PARISH FOR THEIR HARD WORK IN THIS PROJECT. HE SAID GETTING THE SUPPLIES DONATED BY BUSINESSES SAVE THE CITY QUITE A BIT OF MONEY.

SIXTY THOUSAND SEA OATS HAVE BEEN PLANTED ON THE BEACH IN THE DUNES. THE SOIL AND CONSERVATION SERVICE IS ALSO INSTALLING SNOW FENCES ALONG THE DUNE LINE.

THE COMMITTEE ONCE AGAIN DISCUSSED CONSTRUCTION OF THE PUBLIC WORKS BUILDING. MR WARD RESTATED HIS FEELINGS THAT BIDS SHOULD GO OUT AS SOON AS POSSIBLE ONLY ON THE PUBLIC WORKS BUILDING.

THE PLATS ON MORGAN CREEK DRIVE WAS DISCUSSED. MR PARISH STATED THAT THE PROPERTY OWNERS IN THE RESIDENTIAL SECTION SHOULD BE NOTIFIED THAT CITY ORDINANCE REQUIRES THAT GARBAGE CAN RACKS BE PLACED ALONG THE SIDE OF THE ROAD. THE RACKS SHOULD OPEN FROM THE TOP AND FRONT. ALSO, THE PROPERTY ZONED GC-1 WILL BE REQUIRED TO HAVE DUMPSTERS ON THE PROPERTY.

THE NO LIFEGUARD ON DUTY SIGNS ARE BEING PAINTED AND WILL BE PLACED IN SERVICE AS SOON AS THEY ARE FINISHED.

THE FEMA CONTRACT FOR THE FINAL DEBRIS SWEEP WILL BE PICKED UP MARCH 30. SOME OF THE RULES AND GUIDELINES OF THE SWEEP WAS DISCUSSED BY THE COMMITTEE. ONCE THE SWEEP STARTS PEOPLE WILL HAVE TWENTY DAYS TO GET ALL DEBRIS BY THE SIDE OF THE ROAD. IT IS ESTIMATED THAT IT WILL TAKE 25 DAYS TO COMPLETE THE SWEEP.

RECYCLING WILL START ON WEDNESDAY APRIL 11. THAT DAY ALUMINUM CANS WILL BE PICKED UP. ON APRIL 25TH NEWSPAPERS WILL BE PICKED UP. AFTER THAT THERE WILL TWO PICKUPS EVERY MONTH--ON SECOND WEDNESDAYS CANS WILL BE PICKED UP AND NEWSPAPERS WILL BE PICKED UP ON THE FOURTH WEDNESDAYS.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 7:40PM .

[This meeting was rescheduled from April 4, due to scheduling conflicts with other city meetings. It further attempted to consolidate within it a work session scheduled for April 3 originally which also was moved due to scheduling conflicts.]

The meeting began at 5:35 at City Hall with Councilmember Holden and Mayor Bunch in attendance. Councilmember Picard arrived a few minutes late and Councilmember Simon had earlier indicated scheduling conflicts would preclude him from attending. The meeting began with a discussion of the sign ordinance. After lengthy discussion and including public input from Ms. Millie Wald, a motion to table further consideration of this matter pending (1) the end of the political campaigns ongoing since before Hugo, and (2) some stabilizing of the high degree of post Hugo construction activity. This motion made by Mr. Holden was seconded by Mayor Bunch and passed unanimously. Due to a scheduling conflict the committee relocated to the police trailer after this motion passed.

Next presented for by Attorney Dreyfoos was ordinance 1989-14 an ordinance amending the definition of substantial improvement which had inadvertently not been ratified earlier. Recommending ratification was made by Mayor Bunch seconded by Councilmember Holden and passed unanimously.

An ordinance to amend existing ordinances permitting use of trailers on lots which had homes destroyed by Hugo by owners of the land rebuilding such homes was found to have not provided the desired relief in the instance where an owner had purchased adjoining land, and was building in some part on that land as well as the original lot. An emergency ordinance amending the above to provide such relief was offered by Mayor Bunch, seconded by Councilmember Holden and recommended for passage by full council unanimously.

Mr. Jeff Truesdall who had been denied a permit to operate a mobile sandwich business on the Island presented his proposal to do such to the committee. (Ways and Means had referred this to Engrossed Bills for consideration of legal options as a conflict with existing ordinance existed. It was determined that a variance procedure was legally inappropriate. An amendment of the ordinances to permit this might be possible but would be difficult to draw narrowly enough to simply not amount to a repeal of the prohibition on all such businesses on the Island which now exist. The congestion around mealtimes on the Island in the business district was noted. It was also noted that a recommendation to not approve such a change from the committee would still leave full council able to recommend such a change and send the matter back to engrossed bills for consideration of possibilities. Mayor Bunch moved for recommending no changes, seconded by Councilmember Holden, this passed unanimously.

Following this consideration of ordinance 1990-3, an ordinance to amend section 5-4-22 (SR1 District). This had been recommended to be passed by the Planning commission as written. The benefits of raising the requirement to 17,500 feet were presented by Councilmember Picard as reducing approximately an additional 30% of the subdivision possibilities on the Island over the 15,000 foot ordinance. Mr. Holden expressed concern about the number of non-conforming lots this created and the need for comprehensive rezoning of numerous areas of the Island in the wake of Hugo. Concern was expressed that this might be perceived as "lowering" of zoning restriction in some area where 17,500 foot lot size does not fit well. Councilmember Picard handed out the attached suggestions regarding zoning which referred to this problem. It was suggested that possibly an amendment could serve as a short term solution to "getting a handle" on the redevelopment/zoning questions by Councilmember Picard who moved the an amendment to 17,500 feet be made. Such was seconded by Councilmember Holden and passed unanimously.

At this point Attorney Dreyfoos requested Executive session be entered into to receive legal advice relevant to item of proposed legislation he was aware of. Motion made by Mayor Bunch, seconded by Councilmember Holden, passed unanimously. [By this time Councilmembers Watson and Swanson had arrived for the "Subdivision/Fence" work session. They were invited to join in the executive session]. No action was taken in executive session.

Following this the Work Session began. As the executive Session had been quite long, Mayor Bunch had to attend another meeting and only four councilmembers remained present it was suggested a second attempt to schedule a work session be made. A cursory review of materials was undertaken first. Attorney Dreyfoos informed that it had been some time since he had

reviewed the ordinance in depth as the executive session preparation had arisen unexpectedly and consumed much of his time, but that they were in essence a distilled version of Mount Pleasant's ordinance. It was suggested members of council be provided the full version prior to a second attempt at a work session. The Fence ordinance was briefly mentioned but as the Mayor who proposed it was not present to explain her concerns regarding it, consideration was suggested to be tabled. A motion to table the Fence ordinance consideration and reschedule the work session at a later date was made by Councilmember Holden seconded by Councilmember Picard and Passed unanimously.

Motion to Adjourn by Councilmember Holden seconded by Councilmember Picard passed Unanimously.

Recreation Committee met Mon. 26th at 7: P.M. at the Rec. Ctr. Meeting called to order at 7:00 P.M. by Chairman Heath Crow. Present were Councilmembers Dan Watson, & Marge Swanson, Mayor Bunch & Director Stacey Wilson.

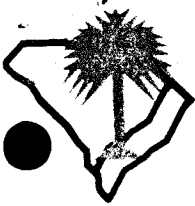
Items discussed at the meeting included:

- (1.) Tennis courts have been resurfaced, lines painted, new nets - ready to play. Lights are in the future.
2. Bleachers have been repainted and judged sound & safe to use.
3. Thanks to administration for the Dept.'s new John Deere tractor - complete with mower & drag for fields.
4. New maintenance person is Stephanie Hugove, who is doing an outstanding job, facility is looking better each day - a great asset to the Dept.
5. Karate tournament is Sat. May 16th at the Rec. Ctr. The following proposals were made to help ensure everything runs smoothly this year.
 - (1.) Chief Arnold will assign 2 police officers to handle the traffic, assist in parking directions, & generally to help with any other problems that might arise.
 - (2.) There will be someone from the Rec. Ctr. on duty also in a supervising capacity.
 - (3.) To save the just mowed fields for being

overrun by parked cars, they will be roped off with yellow police lines - "Do Not Cross".

4. Port-a-lets 1 or 2 will be placed outside the Gym
5. Anytime there are no 'rec' dept. personnel on hand - the doors are locked to avoid any unwanted mishaps.
6. Basketball courts, field lights, all in good order - bids complete on dugouts - repairs scheduled to start soon.
7. Rec. Ctr. acknowledges the generosity & assistance of Chief Jim Arnold who has loaned us his personal computer enabling Stacey to do her budget, schedules, rosters, equipment bids, orders, etc.
& with the aid of a laser printer that will be purchased. This computer & printer were very needed & we appreciated the Chief & adm. Williams for the O.K. on the Printer. Thanks!
9. all locks have been changed at the Rec Ctr. this week as there were too many extra keys floating around.
10. Schunper's Easter Egg Hunt this Sat at 10: A.M. at the Rec Ctr.

Heath
Rec. Center



**SOUTH
CAROLINA
COASTAL
COUNCIL**

Ashley Corporate Center
4130 Faber Place
Suite 300
Charleston, S.C. 29405
(803) 744-5838
FAX 744-5847

John C. Hayes, III
Chairman

H. Wayne Beam, Ph.D.
Executive Director

April 6, 1990

Mr. Perry Lenardis
#1 51st Avenue
Isle of Palms, South Carolina

Re: Lot 6, Block 62, Section D
Isle of Palms

Dear Mr. Lenardis:

SUBJ: Release for Repair and Renovation of Recreational Amenity

Pursuant to Section 48-39-290 Code of laws of the State of South Carolina, 1976, as amended, the South Carolina Coastal Council has determined that your recreational amenity located at #1 51st Avenue, Isle of Palms, Charleston, County, South Carolina, has not been destroyed beyond repair and as such may be repaired.

No permit is needed from the South Carolina Coastal Council.

Sincerely,

Stephen Parker
Enforcement Officer

SP:00860(30)mm
cc: Dr. H. Wayne Beam
Mr. Christopher L. Brooks



Atkinson
Pool
Company.

P.O. Box 656
735 Coleman Boulevard
Mt. Pleasant, SC 29464
(803) 881-3068

878 Folly Road
James Island, SC 29412
(803) 762-2000

April 9, 1990

Perry Lenardis
#1 51st Ave.
Isle of Palms SC 29451

Re: swimming Pool

Dear Mr. Lenardis,

Having inspected your swimming pool I have come up with some figures regarding various options for the removal and or repair of your swimming pool.

As to removal and replacement I can see no reasonable purpose to do so unless you are unhappy with the present design. The structure is intact and it needs at a minimum a new filtration system and some deck work. However should you desire to replace the pool you are looking at \$4500.00 for demolition and haul off and around \$18,500.00 to build a new pool in that location.

As I stated above there is no reason not to repair the present structure and the approx. cost would be around \$1800.00. Of course it depends on the amount of decking that you desire.

I hope this will clarify the situation for you. Should you have any further questions please feel free to contact me.

Best Regards,

Rex Atkinson
Atkinson Pool Co. Inc.

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
March 22, 1990

The meeting held at City Hall started at 6:30 P.M. Present: Edgar Fellabom, Chairman; Howard Garvin; Mary Schall, Secretary, Betsy Smiley; David Somers; and Ed Haselden, Building Inspector.

1. H. R. Hahn, 10 44th Street request for a variance from Section 5-4-22 (5)a. Minimum front yard requirements. He asked for a variance of 12 feet on the front yard line. The Board voted unanimously to disapprove the variance request.

2. Wild Dunes Yacht Harbor, 41st Avenue request for variance from Section 5-2-19 (2) Non-residential construction. The Board voted unanimously to approve the variance request with the following stipulations:

1. New construction of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.
2. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
3. The bottom of all openings shall be no higher than one foot above grade.
4. Openings may be equipped with screens, louvers, valves or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
5. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
6. All electrical wiring, fixed machinery, heating & air conditioning components are to be installed above flood level.

3. John & Linda Hallman III, 710 Palm Blvd. request for a variance from Section 5-4-14 (3) Accessory buildings. The Hallmans asked for a variance to build a garage in their side yard. The Board voted unanimously to disapprove the request.

4. John Fanning, 704 Palm Blvd. request for a variance from Section 5-4-23 (5)c. Minimum Rear Yard Requirements. He asked for a variance of 8 feet. Vote being: Fellabom yes, Garvin yes, Schall yes, Smiley no, Somers yes. Passed.

5. Rick & Claire Eads, 2300 Hartnett request for a variance from Section 5-4-23 (5)c, Minimum Rear Yard Requirements. They asked for a variance of 15 feet so they could add onto their house. Vote being: Fellabom no, Garvin no, Schall yes, Smiley no, Somers no. Disapproved.

6. Bonnie Alexander, Rte 3 Box 202, New Matamoras, Ohio request for a variance from Section 5-4-37 Non-conforming structures at her property 515 Carolina Blvd. Bob Csigay, contractor, represented Ms. Alexander. The Board discovered that there had been considerable structural changes and outside deck additions completed before a stop order was issued by the Building Department. There was considerable discussion as to the location and nature of these changes. It was agreed that Mr. Csigay would accompany the Building Inspector and provide a specific rundown of each violation. This information would be provided to the Board for a vote on the appeal at a special meeting on Thursday, April 5, 1990, 6:30 P.M. at City Hall.

The meeting adjourned at 8:30 P.M.

The next regular meeting will be held April 26, 1990, 6:30 P.M. at City Hall.

Mary Schall
Secretary

APPENDIX I

ISLE OF PALMS PLANNING & ZONING COMMISSION

March 28, 1990

Attending: Guy Taylor, Jan Wilson, Kathy Carroll, John Gardner, Darlene Smith and Arnold Karig. David Cantey also attended.

PUBLIC HEARING

1. Request to amend the Zoning Code of the City of Isle of Palms to increase the maximum lot size for the SR-1, Single Family Residential District from 10,000 to 15,000 square feet.

Mr. Cantey read the proposed amendment (copy attached). Mr. Taylor opened the meeting for public comment.

Melinda NesSmith-Picard, Carolina Boulevard, noted that by her count approximately 34 lots exceeded 30,000 square feet and could possibly be subdivided under the proposed amendment. She suggested increasing the minimum size to 17,500 square feet.

James Nicholson asked if the amendment would prevent reconstruction of damaged structures. Mr. Cantey stated that the amendment would not impact existing lots of record.

The public comment portion was closed.

Mr. Karig motioned, second by Ms. Wilson, to recommend approval of the amendment as written.

The Commission members expressed support for increasing the minimum lot size. Mr. Karig stated that 15,000 is more adequate for the Island and would not pose a hardship in that setbacks will remain the same. Ms. Wilson recommended increasing to a 17,500 square foot minimum. Ms. Smith stated that 15,000 square feet is more realistic.

The Commission voted to recommend approval as written. Motion carried 6 - 0.

NEW BUSINESS

1. Plat showing the Resubdivision of Lots 1 and 2, Block "U", into Lots 6A and 7A, Cameron Boulevard.

Mr. Dave Nichols stated that the line adjustment will eliminate a driveway encroachment of Lot 6A and 7A.

Mr. Cantey added that the new line would create a parcel with less than sixty (60') square feet of width.

The Commission agreed to refer the plat to the Board of Adjustment prior to review.

2. Conditional Plat showing Subdivision of Tract 3 into 24 tracts and Morgan's Cove Roadway, located on 41st Avenue; and Conditional Plat showing Subdivision of a Portion of Tract "F", Block "E", Lots 38 - 59, Morgan's Cove Drive, Wild Dunes.

Mr. Gardner motioned, second by Mrs. Carroll, to recommend approval.

Mr. Brewton Hagood, of Rosen, Rosen & Hagood, represented the plats. The commons areas will represent parking lots. Access will be prohibited from Wild Dunes to Wildwood Road and 41st Avenue. The fire chief has requested access to Wildwood Road for emergency vehicles.

As previously required, the City has not reached a determination on whether the plan will require an amendment to the Wild Dunes PRD agreement. If so, the Commission

will have to hold a public hearing. Mr. Cantey suggested that wording to prohibit access to Wildwood Road be included on both plats.

Dr. Karig asked if a traffic study has been conducted to analyze the relation of curb cuts to 41st Avenue and the fire station. Mr. Cantey stated that curb cuts must meet the requirement of the City and State Highway Department. Bill McKenzie of Wild Dunes stated that the location of the main access was previously approved by the highway department.

Ms. Wilson asked if Morgan's Cove Roadway would meet the requirements for frontage on a street. Mr. Cantey stated yes.

Jeff Simon requested that the plans be reviewed and be conditioned as thoroughly as possible to ensure that the development corresponds with the conceptual plan. Plans show the majority of parking off 41st Avenue.

Mr. Taylor stated that the Commission needs to make a proper recommendation regarding access to 41st and Wildwood Road, and a physical boundary to prevent access from 41st Avenue to Wildwood Road.

Ms. Wilson motioned, second by Mr. Gardner, to amend the motion to prohibit access from Tracts 3d, 3e and 3f to any other tract on the plat. Motion carried.

Mr. Karig motioned, second by Ms. Wilson, to also amend the motion to provide that the commons areas be restricted to parking and landscaping. Further, with the exception of public safety vehicles, ingress and egress shall be prohibited to Wildwood Road. Motion carried.

Mr. Taylor called for a vote on the motion to approve as amended. Motion carried 6 - 0.

Meeting adjourned.

Respectfully Submitted,

David Cantey
Planning Consultant

CITY OF ISLE OF PALMS
ORDINANCE NO. 1989-14
Adopted 3/12/90

AN ORDINANCE TO REVISE THE DEFINITION OF "SUBSTANTIAL IMPROVEMENT" IN CITY CODE SECTION 5-2-5(25)

WHEREAS, as a result of Hurricane Hugo, structures throughout the City of Isle of Palms have been damaged; and

WHEREAS, an assessment of damage that adds the cumulative costs of prior repairs to the hurricane-caused damage may unreasonably prevent or add to the cost of reconstruction of damaged homes and buildings; and

WHEREAS, such addition of the cumulative costs of prior repairs is not required pursuant to current FEMA regulations; and

WHEREAS, City Council desires to facilitate the reconstruction of damaged homes and buildings, and to eliminate unnecessary costs associated with such reconstruction; and

WHEREAS, City Council is authorized to adopt ordinances affecting the health, safety and property of the people pursuant to Sections 5-7-30 and 6-7-710 of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to revise the definition of "substantial improvement" in City Code Section 5-2-5(25).

Section 2. City Code Section 5-2-5(25) Revised. The first sentence of City Code Section 5-2-5(25) is revised to read as follows:

(25) Substantial improvement means any combination of repairs, reconstruction, alteration or improvements to a structure,

a. taking place between October 1, 1989 and December 31, 1990, or

b. beginning January 1, 1991, taking place within a continuous period of five (5) years, measured from the date of

Ordinance No. 1989-14
Adopted 3/12/90

the improvement, but excluding improvements made prior to January 1, 1991,

in which the cumulative cost equals or exceeds fifty (50%) percent of the market value of the structure.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 12th DAY OF MARCH, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:	11/8/89
Second Reading:	12/13/89
Public Hearing:	2/14/90
Third Reading:	3/12/90
Ratification:	

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-3
Second Reading Draft - 4/11/90

AN ORDINANCE TO AMEND SECTION 5-4-22 (SR-1 DISTRICT)

WHEREAS, in 1989, City Council amended the City's zoning ordinance and zoning map to provide for an orderly pattern of development within the City; and

WHEREAS, said amendments did not focus on the problems of redevelopment, which the City now faces in the aftermath of Hurricane Hugo; and

WHEREAS, City Council desires to maintain the integrity of established residential neighborhoods, and wishes to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots; and

WHEREAS, City Council notes that in its most restrictive zoning district (SR-1), the minimum lot size is currently 10,000 square feet, as contrasted with a minimum size of 17,500 square feet at Seabrook Island and 30,000 square feet at Sullivan's Island; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 6-7-710 et seq. and 5-23-10 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend Section 5-4-22 (SR-1 District) of the City Zoning Ordinance.

Section 2. SR-1 District Amended.

Section 5-4-22 of the City Code is amended as follows:

(a) In subsection 5-4-22(4)(a), the minimum lot area requirement of "10,000 square feet" is changed to read "17,500 square feet".

(b) Subsection 5-4-22(1)(a) is revised to read as follows:

a. To provide for quiet, low-density residential neighborhoods on comparatively large lots.

Ordinance No. 1990-3
Second Reading Draft
4/11/90
Page 2

(c) A new subsection 5-4-22(1)(e) is added, to read as follows:

e. To maintain the integrity of established residential neighborhoods, and to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 02/14/90
Public Hearing: 03/28/90
Second Reading: 04/11/90
Third Reading:
Ratification:

P R O C L A M A T I O N

WHEREAS, the incidence and prevalence of child abuse and neglect have reached alarming proportions in the United States, where 17,940 cases of child abuse and neglect were reported in South Carolina during fiscal year 1988-1989; and,

WHEREAS, our communities face a continuing need to support innovative programs to prevent child abuse and assist parents and family members when child abuse occurs; and

WHEREAS, every child is entitled to be loved, cared for, nurtured and secure; and

WHEREAS, there is no test of a society more important than that of how it treats its children; children are our community's most precious resource; and

WHEREAS, The Exchange Club Center for the Prevention of Child Abuse, the Exchange Clubs of the Trident Area, and Carolina Youth Development Center through their treatment and prevention programs are successfully combating child abuse and neglect;

NOW, THEREFORE, I, Carmen R. Bunch, as Mayor of the City of Isle of Palms, South Carolina, do hereby proclaim that the entire month of April, 1990, shall be observed as

"CHILD ABUSE PREVENTION MONTH"

in the City of Isle of Palms, South Carolina, and I urge all citizens of this community to learn to better understand, recognize and respond to this serious problem.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed.

This _____ day of _____, 1990.

Carmen R. Bunch, Mayor
City of Isle of Palms, S.C.

(SEAL)

P R O C L A M A T I O N

WHEREAS, the environment of our world is undergoing rapid change; and

WHEREAS, solutions to the problems such as pollution of air and water, soil loss, acid deposition, deforestation, solid and hazardous waste disposal, global warming and ozone depletion will depend upon the commitment and cooperation of all citizens; and

WHEREAS, the education of individuals to recognize the environmental impacts of their own lives, and the development of responsible consumerism and management by individuals is essential to solving the problem; and

WHEREAS, the Isle of Palms contained varied and bountiful wildlife, miles of ocean beach and other natural resources which sustain life as well as a very special quality of life, and its citizens wish to sustain a healthful life and enjoy the beauty and environmental quality of this barrier island well into the future;

NOW, THEREFORE, I, Carmen R. Bunch, as Mayor of the City of Isle of Palms, South Carolina, do hereby proclaim that April 22, 1990 shall be observed as

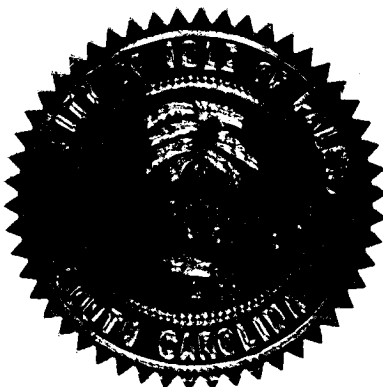
"EARTH DAY 1990"

in the City of Isle of Palms, South Carolina, and I encourage both public and individual participation.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed.

This _____ day of _____, 1990.

Carmen R. Bunch, Mayor
City of Isle of Palms, S.C.



R E S O L U T I O N

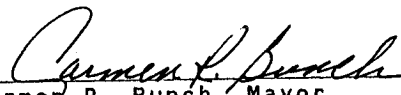
WHEREAS, support of a safe, clean environment with sanitary means of waste disposal and good potable water is an objective of the City of Isle of Palms and this action documents our Needs Assessment finding as it relates to community needs; and

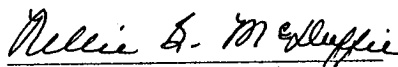
WHEREAS, the City proposes to obtain the necessary data to provide such services within the City for the most economical price to the residents; and

WHEREAS, in order to obtain the necessary information it will be necessary for the City of Isle of Palms to secure an engineering feasibility study of all the possible options and their costs; and

NOW, THEREFORE, BE IT RESOLVED THAT the City of Isle of Palms shall apply for \$30,000 from the Governor's Office, Division of Economic Development, and authorizes Carmen R. Bunch, in her capacity as Mayor, to sign and submit the necessary application materials.

ADOPTED this 11th day of April, 1990.


Carmen R. Bunch, Mayor

ATTEST: 
Nellie S. McDuffie
Clerk/Treasurer

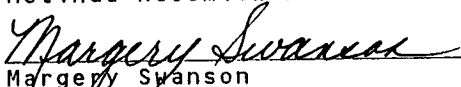
MEMBERS OF CITY COUNCIL



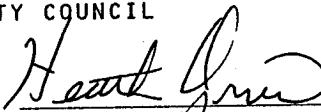
Barry Holden



Melinda NesSmith-Picard



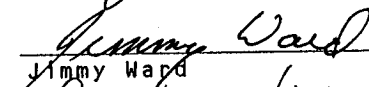
Margery Swanson



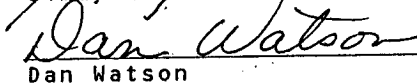
Heath Orvin



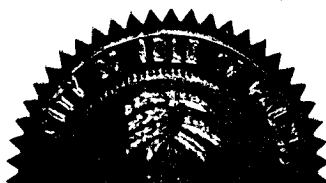
Jeff Simon



Jimmy Ward



Dan Watson



*signed
original
4/12/90*

CITY OF ISLE OF PALMS, SC
REVISED EMERGENCY ORDINANCE NO. 1990-5.E
4/11/90

AN EMERGENCY ORDINANCE TO LIMIT THE TEMPORARY USE OF MOBILE HOMES/TRAILERS IN RESIDENTIAL AREAS

WHEREAS, City Council has passed and extended Emergency Ordinance 1989-11.E, and has passed three readings of permanent Ordinance 1989-11, to help City residents whose homes were damaged or destroyed by Hurricane Hugo; and

WHEREAS, said Ordinances permit the temporary residential use of mobile homes and trailers in zoning districts where such use is otherwise not allowed; and

WHEREAS, Council is aware of abuses of this temporary allowance to use mobile homes, including the use of multiple trailers on individual lots and the use of trailers for transient housing not associated with repair of the home on the lot; and

WHEREAS, Council wishes to allow residents additional time to return to their homes, but believes these abuses must be ended immediately, and that the integrity of the City's zoning ordinance must be upheld; and

WHEREAS, Council adopted Emergency Ordinance 1990-5.E on March 12, 1990 to address this situation; and

WHEREAS, Council has since determined that minor modification of Emergency Ordinance 1990-5.E is needed, pending adoption of a permanent ordinance; and

WHEREAS, Council is authorized to adopt emergency ordinances affecting the property and safety of the people pursuant to Section 5-3-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the residential use of mobile homes in the aftermath of Hurricane Hugo.

Section 2. Residential Use of Mobile Homes and Trailers Further Restricted

The following new subsections are added to Sections 5-4-16(c) of the City Code, to read as follows:

- (6) No mobile home or trailer may be situated on a lot which was not developed (i.e., no house) on September 21, 1989; provided that a property owner who is building a house on a previously undeveloped lot to replace a home on the Isle of Palms destroyed by Hurricane Hugo, or demolished as a result of damage caused by Hurricane Hugo, may occupy a mobile home or trailer on the previously undeveloped lot while the replacement house is being constructed.
- (7) Only one mobile home or trailer may be situated on any platted lot or tract that was developed (e.g., with a house) on or prior to September 21, 1989.
- (8) If a house has been demolished subsequent to September 21, 1989, only the owner may occupy a mobile home or trailer on the lot while a replacement house is being constructed.
- (9) Except as further limited hereinabove, occupancy of mobile homes and trailers is limited to the owner of the property; a tenant in possession of the property as of September 21, 1989; a general contractor while said contractor is actively engaged in repair of the house on the same lot, exclusively, where the mobile home/trailer is situated; or volunteers who are actively engaged in repair of the house on the same lot where the mobile home/trailer is situated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Emergency Ordinance shall be effective upon its adoption by the City Council for the City of Isle of Palms.

Revised Emergency Ordinance No. 1990-5.E

4/11/90

Page 3

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS 11th DAY OF April, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS
GUIDELINES FOR HOUSING ASSISTANCE
APRIL 11, 1990

General Intent

The City of Isle of Palms has received a grant from Trident Community Foundation to assist Island residents in their recovery from Hurricane Hugo. It is the intent of Isle of Palms to provide limited amounts of monies to citizens, to help re-establish their homes. Individual grants will be awarded based on critical needs of the recipients.

Public Information

All residents inside the incorporated area will be notified of the availability of funds. Additionally, the City will utilize the various religious organizations to find worthy recipients.

Applicant Eligibility

A. General Conflict of Interest

No member of the governing body of the locality and no other official, employee, or agent of the City government who exercises policy, decision-making function or responsibilities in connection with the planning and implementation of the program shall directly or indirectly be eligible for this program without approval of the City. This stipulation shall continue for one year after an individual's relationship with the City ends.

B. Income Eligibility

The level of income will be used as a means of prioritizing applicants; however, the level of expenses of an individual

applicant shall also be considered in determining recipients.

C. Critical Needs Eligibility

Special extenuating circumstances of applicants shall be given priority. Situations such as fixed income, elderly, under or uninsured shall be given priority.

Property Eligibility

A. Unit Characteristics

Only owner-occupied units will be eligible for assistance unless the City makes a specific exception due to extenuating circumstances.

B. Location

Recipients must have resided within the corporate limits of Isle of Palms prior to Hurricane Hugo and have experienced a substantial loss as a result of the storm.

C. Types of Assistance

The mission of the program is to offer assistance in the restoration of the island and its residents, but is generally intended to fill gaps not covered by other sources.

Application Rating and Selection

All applications will be reviewed by BCDCOG and will be evaluated and ranked based on the family's income level and special conditions as outlined in the assistance application.

A. Non-Discrimination

No person shall on the grounds of race, color, religion,

national origin, or sex be excluded from participation in whole or in part from the City's program.

B. Notification

Applicants will be notified by letter concerning acceptance or rejection of their request for assistance. Recipients will be required to submit a letter back to the City indicating how these funds assisted them in their recovery from Hurricane Hugo.

C. Complaint Procedures

The recipient and the City's agent, BCDCOG, shall attempt to resolve any disputes; however, if a resolution of the problem is not forthcoming, complaints concerning the program shall be in writing to: Mayor Carmen Bunch, City of Isle of Palms, P. O. Drawer Q, Isle of Palms, SC 29451.

A written response shall be made within 30 days of the letter.

**CITY OF
THE ISLE OF PALMS**

**HURRICANE HUGO
1990**

**SOUTH CAROLINA COMMUNITY DEVELOPMENT
BLOCK GRANT APPLICATION**

City of Isle of Palms

BLOCK 1 — CONTROL INFORMATION (STATE OFFICE USE ONLY):

GRANT NO.: _____ AWARD DATE: _____ GOV. UNIT: L ADV/REIMB: _____
 AGENCY CODE: _____ DISTRICT: _____ COUNTY: _____ PROGRAM AREA: _____

BLOCK 2 — PROJECT TITLE:

ENGINEERING ANALYSIS - INFRASTRUCTURE

BLOCK 3 — GENERAL INFORMATION:

Grant Period:

From: April 90 To: April 91

Advance/Reimbursable: A

Grantee Name and Address:

City of Isle of Palms

P. O. Drawer Q

Isle of Palms,

SC

Zip Code: 29451

Telephone No.: 803-886-6428

BLOCK 5 — NATIONAL OBJECTIVES TO BE MET:

(See Instructions)

A: _____ B: _____ C: X

BLOCK 4 — FUNDING SOURCES:

	AMOUNT	PERCENT
A. CDBG Federal Funds Requested:	<u>\$30,000</u>	<u>100%</u>
B. Local Cash/Force Account:	_____	_____
C. Local Inkind:	_____	_____
D. GRANT TOTAL:	<u>\$30,000</u>	<u>100.0</u>
E. *Other:	_____	_____
F. GRAND TOTAL:	<u>\$30,000</u>	_____
*Identify Sources:	_____	
_____	_____	
_____	_____	

BLOCK 6 — PROGRAM CATEGORY TO BE ADDRESSED:

1. Economic Development: X
 2. Community Revitalization: _____

BLOCK 7 — FUNDING SOURCE:

- _____ -ARC _____ -Other**
 _____ -Single Year
 _____ -JEDA **Identify:
X -Set-A-Side
 _____ -Infrastructure

BLOCK 8 — TYPE OF APPLICATION:

Individual: X
 In Behalf Of: N/A
 Joint: _____

BLOCK 9 — ADMINISTERING AGENCY:

Contact Person: Linda Tucker

Address: BTC Box 1120

Agency: BCD Council of Governments

701 East Bay Street

Telephone No.: 803-577-6990

Charleston, SC Zip Code: 29403

BLOCK 10 — PROJECT SUMMARY:

The City proposes procurement of consultant services to accomplish a thorough engineering analysis of infrastructure needs, costs and alternatives to mitigate health threats created and exacerbated by Hurricane Hugo.

BLOCK 11 — AUTHORIZED SIGNATURE:

Carmen R. Bunch, Mayor
 (Chief Executive Official & Title)

Carmen R. Bunch
 (Signature)

4/9/90
 (Date Signed)

City of Isle of Palms
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

PAGE 2
REVISED 3/88

GRANT NUMBER

A 471

DESCRIPTION	DETAIL CODE	CDBG FEDERAL FUNDS REQUESTED (COLUMN 1)	GRANTEE DETAIL CONTRIBUTION (COLUMN 2)
1. Acquisition	12001A	: : 00	: : 00
2. Street Improvements.....	12005A	: : 00	: : 00
3. Relocation Payments and Assistance.....	12020A	: : 00	: : 00
4. Rehabilitation of Private Properties.....	12030A	: : 00	: : 00
5. Rehabilitation — Personnel.....	12031A	: : 00	: : 00
6. Code Enforcement.....	12035A	: : 00	: : 00
7. General Administration.....	12040A	: : 00	: : 00
8. Clearance Activities.....	12055A	: : 00	: : 00
9. Planning and Urban Environmental Design.....	12075A	: : 00	: : 00
10. Flood and Drainage Facilities.....	12085A	: : 00	: : 00
11. Water Facilities.....	12096A	: : 00	: : 00
12. Sewer Facilities.....	12097A	: : 00	: : 00
13. Public Utilities Other Than Sewer and Water.....	12100A	: : 00	: : 00
14. Pedestrian Paths and Walkways.....	12115A	: : 00	: : 00
15. Public Facilities and Improvement.....	12125A	: : 00	: : 00
16. Parks, Playgrounds, and Other Recreational Facilities.....	12135A	: : 00	: : 00
17. Historic Preservation.....	12195A	: : 00	: : 00
18. Neighborhood Facilities.....	12145A	: : 00	: : 00
19. Fire Protection Facilities and Equipment.....	12155A	: : 00	: : 00
20. Parking Facilities.....	12160A	: : 00	: : 00
21. Public Services.....	12170A	: : 00	: : 00
22. Engineering.....	12240A	30, : 000 : 00	: : 00
23. Contingency.....	12045A	: : 00	: : 00
*TOTAL — PAGE TWO.....		30, : 000 : 00	: -0- : 00

*NOTE: STOP HERE if no detail entries are made on Page 3.

PART A Description is Problem/Need to be addressed
=====

Port-a-lets on each block of the Isle of Palms look so odd, but they, as much as the houses in the middle of the street, are an indication of what occurred on this barrier Island on September 21, 1989--the night that Hurricane HUGO's eye passed over the Isle of Palms.

For weeks there was no electrical service, no water, and no access except by boat or helicopter and then only for emergency crews. A once resort community of approximately 7000 permanent residents and some 20,000 seasonal visitors was reduced to a broken mess--ill equipped to deal with a major disaster such as HUGO.

Many outsiders have a perception of the Isle of Palms as a wealthy community. This perception exists for several reasons. First, it is a beach community. The Island is home to the Wild Dunes Resort which is famous for its wonderful golf courses, championship tennis courts and beautiful beaches. In Wild Dunes and in other parts of the Island, some wealthy families have homes. However, the bulk of the Island is made up of middle America--young families where both mom and dad work in order to make ends meet--and retirees--older Americans who came to this quiet, small community and decided to invest their savings and live out their lives. The Island's origins speak to this kind of attitude. J.C. Long, one of the original owners of the Island, constructed inexpensive starter homes for veterans of World War II. Many of these homes were totally destroyed by

HUGO and, in these homes, the wealthy did not live.

The damage to Isle of Palms from Hurricane HUGO is extensive.

One hundred and six (106) homes were totally destroyed and are being demolished. One of the fire departments was destroyed, as well. Town Hall had to be relocated temporarily. Every home (100%) on the Island sustained some damage--some of the worst tragedies being flooding inside homes. Eighty percent (80%) sustained serious damage and 300 homes will require elevation to FEMA standards due to being damaged more than 50%. Those who owned boats--if they were fortunate--found them piled up on the neighboring Goat Island. Most sustained substantial damage, many were capsized.

When dealing with a disaster such as this, one of the first activities to be accomplished is to make the Island safe.

Officials went about this by securing downed power lines, clearing roads and containing propane tanks which had broken loose and were floating about. The second order of business is the restoration of essential services such as power, water and sewer. For the Isle of Palms, this was a little more complicated.

The Isle of Palms has public water provided by two private utility companies--Wild Dunes Utilities and the Isle of Palms Water Company. Wild Dunes Utilities serves residences and amenities --1880 -- customers in the Wild Dunes Resort. The Isle of Palms Water Company serves the balance of the Island both residential and commercial. While the Isle of Palms Water Company earnestly attempted to restore service to their

customers, the company only had one individual available to work the entire service area -- a customer base of 3,080. Understandably this was an overwhelming task since water mains were busted and lateral lines literally lifted from the ground when giant oaks and pine trees were uprooted. The system was exposed at points where the surrounding soil was eroded. The water was contaminated and electrical power only available by portable generators.

The Wild Dunes Resort, which employs between 450-600 people depending on the season, had a massive layoff of employees immediately following the storm. It was obvious to the management that the resort would suffer a severe loss in tourism as a result of the storm. Located in another state, the Chief Executive Officer of the Utility Company, aware of the negative economic impact of the storm, delayed the necessary repairs to restore service. This viewpoint severely inhibited the recovery of those Isle of Palms residents who lived in the resort on a permanent basis.

Therefore, for both water and sewer service restoration, Isle of Palms officials were dealing with substantial damage of infrastructure i.e. open lines, erosion, lack of power and with inadequate ability to rectify the situation or an unwillingness to respond expeditiously.

Further, with regard to sewer, Isle of Palms residences are only partially sewered. Wild Dunes Utilities provides service within the Wild Dunes Resort. Isle of Palms Water Company services the commercial district of the Island and a

portion of the residential area; however, prior to HUGO residential sewer service was provided primarily by the use of individual, residential septic systems.

Prior to the storm, many of the residential septic tanks were marginal. In fact, in recent years, the City has been instrumental in investigating how many of these septic systems were causing runoff which was contaminating recreational and commercial fishing areas. Further, many of the homes serviced by these septic tanks are located next to tidal drainage ditches which ultimately drain into the Intracoastal Waterway where swimming, skiing and hydroskiing are popular weekend pastimes. At one time, shellfish zones near these areas were closed or restricted.

During HUGO, these individual septic systems backed up into residences combining flood waters and pluff mud with raw sewage. When the water receded, the pluff mud and raw waste were left behind CREATING A HEALTH THREATENING SITUATION.

Uprooted trees damaged drain fields and those tanks which were not damaged during the storm, were damaged or threatened with heavy equipment during the debris removal process.

Exposure to raw waste on the ground threatened residents as they travelled back and forth trying to salvage their lives.

PART B Proposed Solution
=====

For some years, Isle of Palms officials have deliberated over the need to have an Island-wide publicly controlled utility. Additionally, the City has pursued concerns over the septic tank waste disposal method utilized by the majority of residences on the Island. The hurricane event of September 21, 1989 documented this tremendous need and made officials aware of the need to mitigate any further occurrence of the problems encountered during HUGO. While water service is available for residences whose plumbing is working, many septic systems and indoor plumbing facilities are not functioning making homes uninhabitable and making it necessary to have port-a-lets available for a time on the rights-of-way. The City intends to mitigate further danger to its citizens by pursuing the following:

- **the acquisition of the privately operated water and sewer utilities,**
- **the elimination of the use of septic tanks,**
- **the extension of public sewer to residences served previously by septic tanks,**
- **contracting with Mount Pleasant Waterworks and Sewer Commission to treat waste and the elimination of the Island treatment facility and discharges, and**
- **contracting with Mount Pleasant Waterworks and sewer Commission for the provision of**

public water.

In order to successfully pursue these beneficial changes, the City needs a thorough engineering feasibility study of all the proposed alternatives and the costs associated with those alternatives. The City proposes to competitively procure the services of an engineering consulting firm to study the City's needs with respect to infrastructure and make recommendations concerning possible actions.

PART C Impact of Project
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Prior to HUGO, the City of Isle of Palms' officials had concerns over the privately owned utilities on the Island. Further, the City had concerns over the negative environmental impact of the many septic tanks located on the Island. Those concerns stemmed from the fact that some shellfish zones had to be closed and it was felt that septic tank drain fields were leaching into tidal drainage ditches and then into the Intracoastal Waterway which is used for swimming, fishing, skiing and hydroskiing.

One privately held utility, while they have always had a cooperative relationship with the City, has not been willing to utilize their limited wastewater treatment plant capacity to assist the Island in abandoning the residential septic tanks and completely sewer the Island.

Further, growth on the Island has gone from a population of 2,657 in 1970 to approximately 7,000 according to recent estimates. A sampling of five prominent resident businesses shows gross receipts increased from \$5,504,123 in 1985 to \$7,766,633 in 1988.

While small privately held utilities might have been adequate for the Island some years ago, the recent growth plus the emergency of HUGO has made officials acutely aware of the need to acquire the existing privately held water and sewer systems, seek alternate (better quantity and quality) water source, seek alternate treatment outfall, and extend service

to those areas currently served by septic tanks. An engineering study will provide the City with a road map to accomplish this task.

Cost Analysis

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The City of Isle of Palms expects to be able to accomplish a thorough engineering analysis of the water & sewer needs of the City for \$30,000. These costs are proposed to be covered 100% by a Community Development Block Grant. The City has asked several engineering firms concerning the expected cost for this service and expects that \$30,000 should be sufficient.

City of Isle of Palms

QUALIFICATION OF A PROJECT ACTIVITY

1. Name of Activity: Engineering
2. National Objective Being Used: Elimination of Threat to Health and Safety
3. Briefly describe identified community need being addressed by this activity.

This activity addresses the identified community need of safe and sanitary means of waste disposal and sufficient quantity of quality potable water.

4. Briefly describe the activity to be undertaken.

The City proposes procurement of consultant services to accomplish a thorough analysis of the needs, alternatives and costs associated with eliminating threats to health and safety created and exacerbated by Hurricane Hugo.

5. Describe how this activity meets the standard for the National Objective selected.

This activity meets the standard of eliminating a threat to health and safety by being the initial step in the City's efforts to rectify problems associated with failing, damaged septic tanks and privately controlled, partially provided utility services.

Direct Benefit (If Applicable)

6. Total number of persons benefiting _____
7. Total number of LMI persons benefiting N/A
8. Percentage of persons benefiting who are LMI _____

Area Benefit (If Applicable)

9. Total number of persons benefiting _____
10. Total number of LMI persons benefiting N/A
11. Percentage of persons benefiting who are LMI _____

The total population of the City of Isle of Palms will benefit as will the tourist and business economy.

CERTIFICATIONS

I, James R. Bunch, Mayor of
(Name) (Title)
City of Asheville certify that the City
(Unit of Local Government) (Town, City, or County)

1. has furnished its citizens information concerning the amount of funds available for proposed community development and housing activities and the range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income.
2. is following a detailed citizen participation plan for the use of Title I Community Development Block Grant (CDBG) funds which -
 - a. provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which funds are proposed to be used;
 - b. provides citizens with reasonable and timely access to local meetings, information, and records relating to this unit of local government's proposed use of funds, as required by regulations of the Secretary of the United States Department of Housing and Urban Development and the State of South Carolina, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
 - c. provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
 - d. provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of the proposed activities, any substantial change in proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;
 - e. provides for a timely written answer to written complaints and grievances within 15 working days where practicable.

- f. identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.
3. is following a residential antidisplacement and relocation assistance plan.
 4. will provide its citizens with reasonable access to records regarding the past use of Title I CDBG funds.
 5. will minimize displacement of persons as a result of activities assisted with Title I CDBG funds.
 6. will not attempt to recover any capital costs of public improvements assisted in whole or part with Title I CDBG funds by assessing any amount against properties owned and occupied by persons of low and moderate income including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (a) CDBG funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than CDBG funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, this unit of general local government certifies that it lacks sufficient CDBG funds to comply with the requirements of clause (a).
 7. will conduct and administer the grant in conformity with Public Law 88-352 and Public Law 90-284 (Civil Rights Laws), and will affirmatively further fair housing.
 8. will comply with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and with other applicable State and federal laws.

I declare that I am duly authorized, under the laws of the above named unit of general local government, to make the foregoing certifications and acknowledge that these certifications may not be construed to restrict the responsibility or authority of the above named unit of general local government for the development and execution of its community development program as required by Title I of the Housing and Community Development Act of 1974, as amended, and the laws, regulations, and policies of the State of South Carolina.

Carmen R. Burch
(Signature of Certifying Official)

April 9, 1990
(Date)

*On Council Agenda
4/11/90*

RESOLUTION

WHEREAS, support of a safe, clean environment with sanitary means of waste disposal and good potable water is an objective of the City of Isle of Palms and this action documents our Needs Assessment finding as it relates to community needs;

WHEREAS, the City proposes to obtain the necessary data to provide such services within the City for the most economical price to the residents;

WHEREAS, in order to obtain the necessary information it will be necessary for the City of Isle of Palms to secure an engineering feasibility study of all the possible options and their costs;

NOW, THEREFORE BE IT RESOLVED THAT the City of Isle of Palms shall apply for \$30,000 from the Governor's Office, Division of Economic Development and authorizes Carmen R. Bunch in her capacity as Mayor to sign and submit the necessary application materials.

ADOPTED this _____ day of April, 1990.

Carmen R. Bunch, Mayor

ATTEST:

Nellie McDuffie, Clerk

Members of City Council

**RESIDENTS OF THE ISLE OF PALMS
REVIEW OF CITIZENS PARTICIPATION PLAN
AND NOTICE OF PUBLIC HEARING
ON COMMUNITY DEVELOPMENT NEEDS**

APRIL 11, 1990

6:30 P. M.

CITY HALL

COMMUNITIES ANTICIPATING PARTICIPATION IN THE STATE OF SOUTH CAROLINA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM MUST PROVIDE FOR PARTICIPATION OF THEIR CITIZENS IN THE PLANNING AND IMPLEMENTATION OF COMMUNITY AND ECONOMIC DEVELOPMENT PROJECTS WHICH WILL INVOLVE CDBG FUNDS IN ACCORDANCE WITH TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED THROUGH 1987. ALSO, THE CITY OF ISLE OF PALMS MUST SOLICIT INPUT ON COMMUNITY NEEDS AND PRIORITIES FOR HOUSING, PUBLIC FACILITIES AND ECONOMIC DEVELOPMENT.

THEREFORE, A CITIZEN PARTICIPATION PLAN HAS BEEN DEVELOPED BY THE CITY OF ISLE OF PALMS FOR THE PURPOSE OF PROVIDING THE CITIZENS OF THE ISLE OF PALMS WITH A WRITTEN, DETAILED PLAN FOR THEIR PARTICIPATION IN THE PLANNING AND IMPLEMENTATION OF COMMUNITY AND ECONOMIC DEVELOPMENT PROJECTS WHICH MAY INVOLVE CDBG FUNDS.

NOTICE IS HEREBY GIVEN THAT ON APRIL 11, 1990, AT 6:30 P.M. AT THE CITY OF THE ISLE OF PALMS CITY HALL, THE CITY WILL HOLD A PUBLIC HEARING TO REVIEW AND SOLICIT PUBLIC COMMENTS ON THE BEFORE MENTIONED CITIZEN PARTICIPATION PLAN. THE PLAN IS ALSO AVAILABLE FOR REVIEW AT THE TOWN HALL. ALSO, AT THIS PUBLIC HEARING, THE CITY OF ISLE OF PALMS WILL PROVIDE INFORMATION CONCERNING THE AMOUNT OF FUNDS AVAILABLE FOR PROPOSED COMMUNITY AND ECONOMIC DEVELOPMENT ACTIVITIES AND THE RANGE OF ACTIVITIES THAT MAY BE UNDERTAKEN, AND WILL PRESENT FOR PUBLIC COMMENT, THE RESULTS OF THE NEEDS ASSESSMENT AND THE ESTIMATED AMOUNT PROPOSED TO BE USED FOR ACTIVITIES THAT WILL BENEFIT PERSONS OF LOW AND MODERATE INCOME.

PERSONS WITH QUESTIONS OR COMMENTS CONCERNING THE PUBLIC HEARING ON THE CP PLAN MAY CONTACT CARMEN BUNCH, MAYOR, CITY OF ISLE OF PALMS, CITY HALL, POST DRAWER Q, ISLE OF PALMS, SC 29451, 886-6428.

**NELLIE S. McDUFFIE
CLERK TO COUNCIL**

77C 440C71

**City of Isle of Palms
Residential Antidisplacement and Relocation Assistance Plan
Under Section 104 (d) of the Housing and Community
Development Act of 1974, as amended through 1987.**

If the City of Isle of Palms is proposing to undertake only activities which would not result in the displacement of persons from their homes, for example, economic development loans to business for equipment, working capital, then the following statement would meet the requirements of this section:

The City of Isle of Palms is not proposing to undertake any activities which will result in the displacement of person(s) from their homes(s); however, if displacement should become necessary, the City of Isle of Palms will not undertake any activity requiring displacement prior to:

- a. Considering any available alternatives to displacement and the City of Isle of Palms making a determination that such displacement is necessary to accomplishing the objectives of the project.
- b. providing the public an opportunity to comment upon the proposed displacement activity.
- c. informing the Jobs-Economic Development Authority (JEDA) in writing of (1) its decision to displace person(s) from their home(s); (2) the alternatives considered; and (3) the reason(s) that displacement will be necessary to accomplish the objectives of the proposed project.
- d. providing to JEDA a relocation assistance plan for JEDA's approval.
- e. making the approved relocation plan available to those person(s) to be displaced; verbally explaining to them the procedures and benefits; and providing a reasonable estimate of when displacement will occur.

City of Isle of Palms
CITIZEN PARTICIPATION PLAN

Statement of Intent

This plan describes how the City of Isle of Palms will provide for participation by its citizens in the planning and implementation of community revitalization and economic development projects which involve Community Development Block Grant (CDBG) funds. The CDBG program provides U.S. Department of Housing and Urban Development funds to small cities on a competitive basis from the Governor's Office, Division of Economic Development. These funds must be used for projects which benefit low and moderate income persons, aid in the elimination of slums and blight or meet an urgent community need. The program is intended to assist small cities in undertaking community revitalization and economic development programs. The regulations give ultimate responsibility for the design and implementation of the program to the local elected officials and also require that citizens be given an opportunity to serve in an advisory role to these elected officials.

Scope of Citizen Participation

Citizens will be given the opportunity to participate in all phases of the CDBG program, including the development of the application, program implementation, assessment of performance and the design of the citizen participation plan. The general mechanisms for involvement will be public

hearings, ad hoc neighborhood committees and individual citizen efforts in the form of comments, complaints or inquiries submitted directly to the Mayor's Office.

Planning and Development

Participation in the planning and development of the application will take the form of two public hearings, open to the entire community which will be held during the preapplication and application development process. The first hearing will be held at the beginning of the project planning period and the second will be held prior to the submission of the final application.

The first hearing will be a "Needs Assessment" hearing and will provide an opportunity for citizens to comment on identified community development and housing needs, especially those of low and moderate income persons, propose projects and assist in the development of an overall CDBG strategy for the City of Isle of Palms. The City will present information concerning the CDBG program, including the amount of CDBG funds available, State funding guidelines and the range of activities which may be undertaken with such funds, particularly in relation to the identified community needs. The hearing will also be used to solicit comments on the proposed citizen participation plan. Written copies of the plan will be available for citizen review and comment.

A second hearing will be held to review and solicit public comment on the proposed activities prior to submission of the application to the Governor's Office, Division of Economic Development.

Citizen input for the application will receive timely response. If submitted in writing to the City, a written response will be provided within 15 working days. Every effort will be made to respond to all proposals prior to the second and final hearing on the application.

Informal, individual contact with citizens, initiated either by citizens or City officials, will also provide input to the application. Individuals may contact the Mayor's Office, City Hall, 886-6428 to request consideration of a special project. Likewise, City officials may seek the opinion of local business persons and residents as to special needs in the community.

City officials will also be available to advise citizens of the procedures for filing objections to the approval of the application with the Governor's Office, based on those grounds for objection acceptable to that office.

Program Implementation

Citizen participation in the program implementation phase will occur through individual community contacts, and any ad

hoc neighborhood committee established. The ad hoc committee would be made up of appointed community members from the project target neighborhood, as applicable. The committee would serve as liaison in the neighborhood, dispersing project activity information to the residents and communicating residents' inquiries and complaints to the City. When appropriate, the City will provide information about project progress, proposed changes, etc., for publication in the Post/Courier. A public hearing will be held prior to making any substantial change in a CDBG funded project. All citizens, especially those who might be affected by the proposed changes, will be informed of the proposed changes and given an opportunity to comment.

Assessment of Performance

When all activities are complete and prior to project close-out, the Town will hold at least one public hearing to review program performance and accomplishments. Public comment will be sought in evaluating the overall program effectiveness.

Complaints and Grievances

As part of the process for evaluating performance, citizens will be invited to submit comments on all aspects of project performance throughout the program period. Complaints should be submitted in writing, to Carmen Bunch, Mayor, City of Isle of Palms, P. O. Drawer Q, Isle of Palms, SC 29451. A response will be made within 15 working days. If the

response is unsatisfactory the complainant may write his/her appeal directly to City Council, who shall respond within 15 working days. Prior to any response to a written grievance which involves State law or policy, State CDBG program guidelines, or federal regulations governing the CDBG program, the City will provide the written grievance and its proposed response to the Governor's Office, Division of Economic Development which will review and approve the response. If the complainant is unsatisfied with responses from the Mayor's Office and City Council, a final appeal may be made to the Governor's Office, Division of Economic Development, 1205 Pendleton Street, Columbia, SC 29201. However, the Governor's Office will deny those appeals which involve the consistent application of the community's local program policies. After the appeal process is exhausted, the complainant may seek relief in the appropriate court of law.

Technical Assistance

Technical assistance will be provided to individuals, citizen organizations and groups of low and moderate income persons upon request to the Town. Such assistance will support citizen effort to develop proposals, define policy and organize for the implementation of projects. The Town will, upon request, provide copies of program guidelines and other written information as relevant. Assistance will also be available in the form of group meetings with technical assistance staff from the Berkeley-Charleston-Dorchester

Council of Governments or representatives from the Governor's Office staff as pertains to the specific assistance required. The Town will provide technical assistance only for requests concerning proposals whose activities are consistent with identified community development and housing needs and with State CDBG guidelines. The City will also require that there is available CDBG funding for the proposed activities, and that, in certain cases, the Council first approve the request for technical assistance where provision of that assistance would require possible fees for consultants or major City staff time.

As part of on-going assistance to the community, citizens will be provided with reasonable access to records concerning any project undertaken with CDBG funds. Records are generally kept at Town Hall and at the Berkeley-Charleston-Dorchester Council of Governments, 701 East Bay Street, Suite 1-548, Charleston, S.C. Requests for information must be made to the City in writing and a response will be made within 15 working days of receipt of the request.

Confidential information normally protected under the State and Federal Freedom of Information Acts will not be made available for public review.

Public Notice

Notices for all public hearings will be published in the Post-Courier. The notice will appear as a display and will

be published at least seven days prior to the date of the public hearing. In addition, meeting information will be sent to the newspaper. Notices also will be circulated to area churches and posted at City Hall. Where hearings concern members of a particular neighborhood or group of citizens, special efforts will be made to notify key members of the neighborhood and notices will be posted in neighborhood shops.

All public hearings will be held at a time deemed most convenient to the majority of the public, particularly those who may potentially be directly affected. No meetings will be held before 6:00 p.m. on weekdays, or 2:00 p.m. on Sundays, or scheduled to begin later than 8:30 p.m. All public hearing will be held in locations easily accessible to the handicapped.

Participation of Non-English Speaking Persons

According to the 1980 U.S. Census Report, less than 10% of the residents speak English not well or not at all. Of the total population, non-English speaking groups were identified. It is assumed, therefore, that there will be no occasion to make special provisions for the participation of non-English speaking persons in the Town's citizen participation plan. However, should the situation arise where 10% or more of the potential or actual beneficiaries of a CDBG project are determined to be non-English speaking,

provision will be made at the appropriate public hearings for translation of comments and documents into the native language of the majority of the non-English speaking residents affected.

ing coke-fired boilers and a new gas turbine. Remaining sulfur and slag will be marketed.

When the project becomes operational in the mid-1990s, it will generate 125 Mw of power, nearly doubling the output of the existing cogen plant and slashing sulfur emissions. The Star refinery will use some of the power and Delmarva will market the rest. ■

TRANSPORTATION FUNDING

Boston breaks ground, but big project's future is in 'lap of Congress'

When Gov. Michael S. Dukakis ceremoniously broke ground in Boston, he uncovered a pile of financial problems. The groundbreaking started a job to clear the way for building a haul road for the Central Artery/Third Harbor Tunnel project.

Massachusetts has no trouble paying the \$100,000 demolition contract, but it may face difficulties putting together the remaining \$4.2 billion to finish the project. Last week the Federal Highway Administration proposed to shift the costs of the nation's Interstate program to the states (ENR 3/15 p. 9). This policy has intensified fears for the future of the Central Artery project.

The last two allotments of FHWA Interstate funds authorized by Congress in 1987 will be made to the project in the next two years. FHWA will pay \$830 million in October, then \$415 million a year later.

"There is no federal legislation for funds beyond that," says Edwin Holahan, FHWA's assistant division administrator. He says the agency approved funding for the Third Harbor Tunnel project to will extend Interstate 90 from Boston under the harbor to Logan International Airport. But putting underground the mile-long elevated section of the Central Artery is not eligible for such funds. The questions of money and eligibility "are in the lap of Congress," says Holahan.

A spokeswoman for the Massachusetts Dept. of Public Works says the department is confident that funds will be available to complete the project.

Holahan says that if FHWA's plan to shift the burden to the states is adopted, Massachusetts could use other federal highway aid for the Central Artery, but that would be at the expense of the state's other transportation requirements. ■

BRIDGES

Healing the ravages of time

The St. Lawrence Seaway Authority will spend \$26 million to replace the deck on part of the Champlain Bridge in Montreal. About 2,500 ft of the 2.5-mile-long, six-lane crossing's concrete deck will be replaced with a steel orthotropic deck.

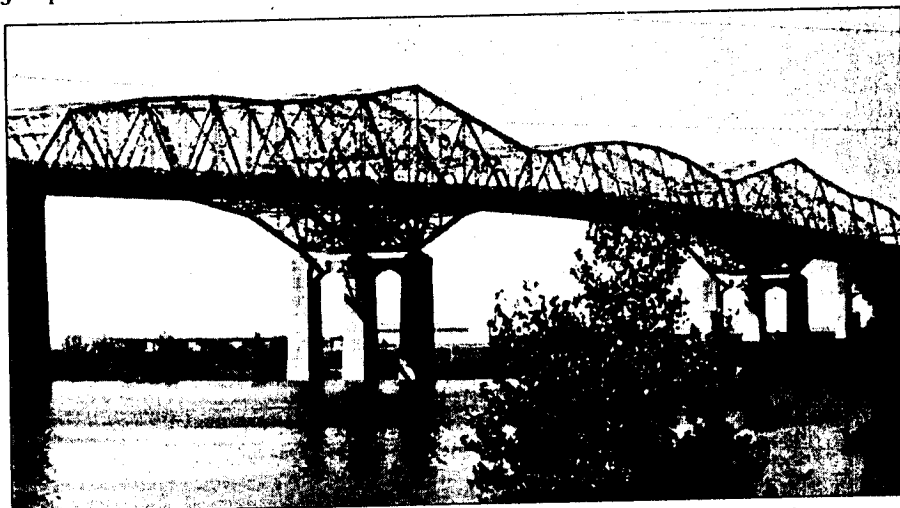
When the bridge was built in the late 1950s at a cost of \$28 million, the 2 miles of short, simple side spans were topped with an asphaltic overlay. In an effort to reduce weight and costs on the 2,504-ft main and approach spans, the designers omitted a deck overlay. To have added protection later would have increased dead loads and reduced the safety factor.

Glen Carlin, senior engineer with Jacques Cartier and Champlain

Bridges Inc., says a contractor will begin replacing the main and approach spans' concrete deck and steel stringers with a $\frac{3}{8}$ -in.-thick steel orthotropic plate early this summer. Simard Beaudry Inc., Laval, Quebec, is the apparent low bidder.

A fabricator will assemble 186 deck panels, which will extend 63 ft in length and vary in width between 13 and 28 ft. They will be shop-coated with a thin, durable asphaltic overlay and field-coated with an epoxy asphalt overlay.

Carlin says the overlays should withstand freeze-thaw cycles and deicing salts used during Montreal winters for about 25 years, compared to five years for a conventional pavement. ■



Montreal bridge will be redecked with orthotropic steel plates and protective overlays.

March 22
1990

BRIDGES

Pans will protect clams from runoff

An innovative but inelegant solution to collecting runoff from a bridge is clearing the way for construction to start this spring on a \$30-million project near Charleston, S.C.

The state Dept. of Highways and Public Transportation and its consultants had labored to satisfy concerns by federal and state environmental agencies that runoff from the proposed 2.2-mile-long crossing might adversely affect fragile oyster and clam beds beneath it (ENR 2/8 p. 26).

Now, engineers say they have achieved a \$1-million-plus solution that is acceptable to the South Carolina Coastal Council—and most likely to the federal agencies as well. They propose a series of "gutter pans" that will flank both sides of the 7,500-ft-long low-level portion of the bridge. The 16-ft-long, 2.5-ft-wide and 1-ft-deep pans will receive deck runoff and trap pollutants for later cleanup.

Runoff from the arcing 4,000-ft long high-level portion of the bridge will be

collected and gravity-piped to nonsensitive discharge areas.

State highway engineers say the gutter pans, which will be made of plastic, fiberglass or aluminum, will be attached to the bridge superstructure "just below the cantilevered slab." Scupper drains will feed deck runoff into one end of each pan, and heavy metals will drop out and hydrocarbons rise before clean overflow is discharged from a point just above the

expected level of heavy metal and silt at the other end.

"It's like an oil-water separator" used in cooking, says Gerald Martin, the department's bridge plans coordinator. Maintenance workers will clean out the pans with a vacuum device about once a month.

Martin admits the solution will be maintenance-intensive and the pans "certainly won't add to the appearance" of the structure. ■

BRIDGES

Fast work on bridge detour

The Corps of Engineers' plan to close southbound U.S. Route 13 over the Chesapeake & Delaware Canal temporarily this spring has prompted the Delaware Dept. of Transportation to undertake an unprecedented three-week, \$3.1-million detour and improvement project.

The Corps plans to close the two southbound lanes of the St. Georges Bridge late this month for two months of interim repairs by IA Construction Corp., Concordville, Pa. The major part of the Corps's \$2.1-million project is to beef up the span's structural elements and patch its crumbling deck (ENR 1/4 p. 5). The Corps hopes to remove its three-ton load limit, then reopen the span by Memorial Day.

However, before the bridge repairs begin, DelDOT plans to complete a fast-paced project that John T. Davis, director of its highway division, terms

"the most ambitious... in the history of Delaware."

Work started on March 2 and will continue through this week. The work includes adding a second southbound lane to 9 miles of State Route 896. The project also calls for improvements to a highway and a bridge that will serve as a secondary detour.

Two contractors are working on the DelDOT projects. John Julian Inc., Wilmington, Del., is performing three contracts totaling \$1.6 million. George & Lynch Inc., New Castle, Del., is working on two contracts worth more than \$1.4 million.

DelDOT required bidders to submit proof that they had the manpower, equipment and materials to perform their tasks, and told them they were expected to work around the clock, seven days a week to finish the jobs on schedule. ■

HIGHWAYS

Norfolk needs a fourth tunnel tube

Officials in southeastern Virginia are scrambling for the \$200 million they need to build a fourth two-lane tunnel between Norfolk and Portsmouth and a connector to link the tunnel to new expressways.

The tube would be a 4,200-ft-long twin for the Midtown Tunnel under the Elizabeth River. A four-lane connector that would be built along the Portsmouth waterfront would include a ½-mile bridge.

A draft environmental impact statement by Hayes Seay Mattern & Mattern, Roanoke, Va., indicates that the

new Midtown tube and connector are needed to relieve already bad traffic congestion that will grow far worse when two major new expressways are opened in Portsmouth toward the end of the 1990s.

Richard A. Hartman, Portsmouth's director of public works, says, "We want this project out for bids by 1995." But before design and construction work can proceed, officials must find a funding source. The most likely option: a special bond issue that would be repaid with tolls or a regional tax on motor fuels. ■

POST OFFICES

Second-choice location becomes prime site for Chicago facility

The U.S. Postal Service said last week that it would build a mammoth new facility for Chicago at its second-choice location, on land it owns adjacent to the current main Chicago post office. Mayor Richard M. Daley had opposed the Postal Service's preferred site—a former railroad yard in the Dearborn Park section.

The March 12 announcement of



Smith: "We have to have that building."

plans to build on the 16.35-acre downtown site, just south of the Loop, came a week after the Postal Service Board of Governors approved the new facility for the railroad yard site. The board said, however, that if postal officials could not "negotiate a satisfactory resolution" on that site, they should construct the building at the downtown location. Daley strongly opposed the Dearborn Park site, favoring residential development there.

No cost estimate was released for the planned 950,000-sq-ft building. A design firm has been selected, but Dennis L. Bryan, manager of the major facilities branch in the Postal Service's Chicago Facilities Service Center, will not disclose the firm's name because negotiations have not been completed. Bryan says the Postal Service probably will go out to bid on construction contract in the spring of 1991, with completion scheduled for May 1993.

Stanley W. Smith, assistant postmaster general for facilities, said the new facility is "critical to us. We have to have that building." It would replace

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF APRIL 26, 1990

YBB The special City Council meeting was called to order at 7:00 p.m. by Mayor Carmen Bunch with Council members Swanson, Watson, NesSmith-Picard, Holden, Orvin, Sottile and ~~Swanson~~ present. Council member Ward was absent, but excused. Also in attendance were the City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk/treasurer Nell McDuffie and Secretary Loretta Barnhill.

Mayor Bunch asked for a motion to suspend the rules of order and procedure, allowing for presentation of petition to Council. The Mayor further asked for suspension of rules to allow discussion on Emergency Ordinance 1990-9.E and Ordinance 1990-10. Council member Swanson so moved; second by Council member Watson. Motion to suspend carried.

Ms. Myla Ebeling, representing certain residents in the area of 41st Avenue, addressed issue of proposed shopping center on 41st Avenue, stated opposition to same, and presented petition to Council from neighborhood residents likewise in opposition. (See Attached as Appendix A.)

1. Proposed Park - 14th Avenue Property. Representatives of Charleston County Parks and Recreation Commission. WILLY

YBB Mayor Bunch introduced Mr. Wiler from PRC who, in turn, introduced Mrs. Charlie Wannamaker, Mr. Anderegg of Sullivan's Island, Jack Berry, Administrative Assistant and PRC Director Tim Eubanks. Mr. Eubanks gave Council a brief history of PRC and cited existing parks in the County. He specifically advised Council of ongoing negotiations for the acquisition of 10.4 acres of beachfront property, formerly the Isle of Palms Motel site, from The Beach Company and Motel Associates, Inc., both companies controlled by Charles Way. While there is no binding contractual document, the opportunity for PRC to acquire this property does seem favorable, according to Eubanks. Funding for purchase would be by general revenue bond issue, and the Director stated that such process would require sufficient time for input from all interested parties. He cited the excellent location of the property at the base of the Isle of Palms Connector and cited the need for County and City to work together. Mr. Eubanks expressed interest in having a member of City Council or a citizens' advisory committee work with PRC.

Mayor Bunch stated that in 1986 funding had been sought from both County PRC and State PRT to acquire property for municipal parking lots (prior to residents agreeing by referendum to purchase the property at a cost of \$1.5 million) and advised that such assistance was refused on both levels. The Mayor further cited close proximity of property to residential area. In addition, the Mayor pointed out that under City's commercial usage zoning requirements, there is no provision for parks, stating that a public hearing would have to be held and the current zoning ordinance amended.

Council member NesSmith-Picard asked about any possible benefit to Isle of Palms residents; Eubanks advised that the Island was going to be much more accessible with completion of the Connector and the park's location could cut down on traffic congestion in other areas of the Island as well as provide additional parking for visitors. Mr. Eubanks further emphasized the attractiveness of the park and the services which will be provided; i.e., parking, boardwalks, lifeguards, full time manager, etc. NesSmith-Picard inquired about ways to minimize the effect on adjacent residential area and was advised that buffer zones, such as berms with vegetation, could be created; Eubanks stressed that the park would be a controlled environment.

NesSmith-Picard inquired about the amount of increased taxes the average resident could expect and was advised that such would be minimal.

Council member Watson asked had any consideration been given to using the school on Sullivan's Island, since such facilities were often used in connection with County projects, and was advised that the school had not been considered. Watson further asked if there was a target date for acquisition and was told there was a limited time frame in which to complete negotiations since property will probably be sold in the next few weeks.

Council member Simon expressed concern with loss of control over the Island neighborhoods, asking if City would have input into design, residential considerations, etc., citing need for early and heavy input by local Council.

Council member Orvin cited three options available at the present time on the property; i.e., (1) County park (2) Commercial venture (3) City take control.

Council member Swanson stated that she would like to hear opinions from the residents before any decision was made. Mayor Bunch reiterated that public hearing would be required and that would be the time for input from the residents.

The Mayor also expressed the need for additional municipal property, citing lack of property for the use of the City, stating that agreement for the purchase of such property could be brought before the people by way of referendum.

Mayor Bunch thanked representatives from the County PRC for coming and advising Council of their intentions.

2. Engrossed Bills.

Chairman Holden read minutes of last meeting (See Attached as Appendix B).

3. Consideration of Ordinances.

(a.) Emergency 1990-6.E, An Ordinance to Change the Regular Meeting Date of City Council (See Attached as Appendix C).

Motion to accept Emergency Ordinance 1990-6.E made by Council member Sottile; second by Council member Swanson. Motion carried.

(b.) First Reading, Ordinance 1990-6, An Ordinance to Change the Regular Meeting Date of City Council (See Attached as Appendix D).

Motion to accept as First Reading of Ordinance 1990-6 made by Council member Orvin; second by Council member Swanson. Motion carried.

(c.) Emergency Ordinance 1990-7.E, An Ordinance to Amend Zoning Requirements Re: Non-Conforming Structures (See Attached As Appendix E).

Motion to accept Emergency Ordinance 1990-7.E made by Council member Holden; second by Council member Orvin. On discussion, Holden asked did any wording change after Engrossed Bills meeting and was told by Attorney Dreyfoos that small language changes were suggested by Ed Haselden, Building Inspector, and such changes were made. When called for the question to accept, motion carried.

(d.) First Reading, Ordinance 1990-7, An Ordinance to Amend Zoning Requirements Re: Non-Conforming Structures (See Attached as Appendix F).

Motion to accept as First Reading and refer to Engrossed Bills Committee made by Council member Orvin; second by Council member Sottile. Motion carried.

(e.) First Reading, Ordinance 1990-8, An Ordinance to Clarify Portions of City Code Section 5-4-29 (See Attached As Appendix G).

Mayor Bunch asked for clarification of ordinance, stating she had been unable to

attend Engrossed Bills meeting. Attorney Dreyfoss stated that, based upon discussion at meeting, it was determined that under current wording of City Code, amendment to PRD could be required prior to Council's approval of the plat submitted by Wild Dunes for shopping center. This proposed modification of ordinance would state that ingress in or egress from PRD via public road would require amendment; however, by implication changes which would not involve ingress/egress from public road would not require an amendment; thereby giving limited ingress/egress without amending the PRD agreement. Council member Holden made motion to accept as First Reading of Ordinance 1990-8; second by Council member Orvin.

On discussion, Holden stated that he felt accepting as First Reading would allow for further discussion to see if there is a problem with existing ordinance. Council member Watson stated that in dealing with ingress/egress issue, Council must take conservative approach which would mean amending the PRD, stating that if PRD penetration were allowed, a bad precedent would be set which could haunt present and future Councils. Council member Simon stated his objection to this ordinance - opining that any crossing of the PRD boundary causes either an ingress or an egress. Additionally, Simon cited the numerous crossings such as driveways, entrances into parking lots, etc. that presently exist.

Council member Holden asked Attorney Dreyfoos if First Reading would make this ordinance effective immediately and was advised that it would not since this was amendment to existing ordinance. Mayor Bunch stated that no one knew intent of Council except those members serving on Council at the time of the PRD agreement, advising that intent had been for no penetration of the boundary in any way. Council member NesSmith-Picard voiced support for ordinance, saying this proposal could clarify existing ordinance. She cited need to have ordinances with broad applications rather than react to isolated incidents. She emphasized the need to amend the PRD, stating such was a "mess"; however, this proposal was perhaps an opportunity for Council to strengthen existing ordinance.

When called for the question to accept, roll call vote: Holden, yes; Orvin, no; NesSmith-Picard, yes; Simon, no; Sottile, yes; Swanson, no; Watson, no; Bunch, no. Motion to accept as First Reading defeated 5 - 3.

(f.) Emergency Ordinance 1990-9.E, An Emergency Ordinance to Abate Hurricane-Caused Public Nuisances (See Attached as Appendix H).

Motion to accept Emergency Ordinance 1990-9.E made by Council member Swanson; second by Council member Watson. Motion carried. Council member Holden questioned legality of Council considering this ordinance since it was not listed on Agenda. Attorney Dreyfoos advised that an emergency ordinance could be considered without Agenda listing. Council member Orvin asked about debris removal and Administrator Williams gave brief update on final sweep of the Island. Mayor Bunch advised that because the City had been unable to take any action to remove houses located in City streets following the hurricane - no such legislation exists allowing for removal - she was asking legislators to introduce a bill giving cities the right to remove safety hazards should circumstances warrant such removal in the future.

(g.) First Reading, Ordinance 1990-10, An Ordinance to Require Registration of the Locations of Containerized Gas Tanks (See Attached as Appendix G).

Motion to accept as First Reading of Ordinance 1990-10 and refer to Engrossed Bills Committee, Fire Chief and Police Chief made by Council member Swanson; second by Council member Orvin.

Council member Holden again asked if Council could consider ordinance without Agenda listing. Attorney Dreyfoos advised that if Council wanted to adopt as First

Reading, they could go ahead and do so and he would check; should it be necessary, Council could go back through the process. The Mayor stated that the County Emergency Preparedness was meeting prior to next scheduled Council meeting and it was necessary to receive their input at that time. In addition, the Mayor pointed out that in order to have this ordinance in effect prior to the upcoming hurricane season, it was necessary to take action as soon as possible. When called for the question, motion carried.

4. Plats.

(a.) Plat 1990-18, Conditional Plat Showing Subdivision of a Portion of Tract "F", Block "E", Lots 38 - 59, Morgan's Cove Drive, Wild Dunes. Wild Dunes submitted revision of Plat 1990-18; i.e., Conditional Plat Showing Subdivision of a Portion of Tract "F", Block "E", Lots 38 - 57, Morgan's Cove Drive, Wild Dunes. (See Attachment as Appendix J for explanation.)

Council member NesSmith-Picard moved to accept revised Plat 1990-18 as submitted; second by Council member Orvin. Mr. Brewton Hagood, representing Wild Dunes Associates, introduced Mr. Mark Permar who explained difference in revised plat and plat previously submitted, pointing out that revised plat precludes ingress/egress and eliminates the two roads. In addition, the current plat has lower density. Council member Watson said he was pleased with lower density as well as no ingress/egress situation; however, he needed more time before a vote since he had only seen revised plat in the last few minutes.

Council member Simon stated that he had no specific objections to plat, but felt strongly about following proper procedure and therefore moved to amend motion and send plat to Planning Commission for consideration; second to motion by Council member Watson. On discussion, Council member Swanson asked disposition of 41st Avenue shopping center plat and was advised by Mr. Permar that the two plats were no longer tied together - the plat of property outside the PRD boundary had been withdrawn. Swanson stated that she still considered that the two plats were tied together, further stating that she would like to see entire concept prior to making a decision. Council member Holden stated that, in his opinion, the applicant had now met all the requirements of Council. Mayor Bunch stated that, procedurally, this was wrong because the revised plat arrived too late to be considered by Council, and plat should be referred to Planning Commission.

Council member Orvin asked about changes in golf course, and Mr. Hagood pointed out changes. Orvin then expressed opinion that he would rather see a green fairway with trees than more houses. Council member NesSmith-Picard expressed frustration at having to review plats over again, stating that this problem with the proposed plat is the result of a previous zoning error, further stating that Council could do nothing but approve plat if developer has meet requirements of zoning ordinance. She voiced the opinion that zoning could not legally be changed, and if such change was implemented, the City would surely lose in Court. NesSmith-Picard stressed need for Council to work together, take action and try to expedite procedures, citing need to facilitate process of plat review.

When called for the question of approving the amendment; i.e., to send plat to Planning Commission, roll call vote: Holden, no; Orvin, yes; NesSmith-Picard, no; Simon, yes; Sottile, yes; Swanson, yes; Watson, yes; Bunch, yes. Motion to refer to Planning carried 6 - 2.

Council member Holden withdrew his original motion; Council member Orvin withdrew his second to original motion.

(b.) Plat 1990-19, Conditional Plat Showing Subdivision of Tract 3 into 24

Tracts and Morgan's Cove Roadway Located on 41st Avenue.
Plat 1990-19 withdrawn by Wild Dunes.

5. Public Restroom Facilities.

Administrator Williams briefed Council on alternatives for restrooms on front beach, advising that two Port-a-lets were in place. Council might choose to place mobile facility instead, either leased (\$340/month) or purchased (\$10,000 plus \$3,000 for sewer/water taps); however, facility would be difficult to clean because of flat, vinyl floor. Council member NesSmith-Picard asked about location of Port-a-lets and was told they were on beach front property owned by City. Mayor Bunch asked would Council like to put four Port-a-lets on the beach since mobile unit could not be kept clean. Council member Orvin moved to approve installation of two additional Port-a-lets; second by Council member Watson. Following discussion, Council agreed not to consider enclosures for the portable toilets. When called for the question, motion carried.

6. Municipal Parking Lots.

The Administrator advised that parking lots were being cleared and the contractor must know immediately if gravel is to be placed on the lots although FEMA is still not inclined to pay for gravel. Mr. Williams stated that the City might wish to go with three inches of larger gravel rather than the two inches of smaller gravel as originally discussed. Cost for two inches of "pea" gravel was at least \$19,000; therefore three inches of larger gravel will run proportionately higher. Mayor Bunch stated that she had requested \$25,000 from County Accommodations Tax since primarily tri-county area residents use the beach. The Mayor reported that Mrs. Helen Clarkin presented the request to Advisory sub-committee and had reported that they were in favor of granting the request. The Mayor stressed priority of getting lots in shape because they are needed so desperately.

Council member Swanson asked about fencing around parking lots and was advised that fencing cost as much as gravel; however, FEMA will reimburse for fencing. Swanson inquired about available funding and Williams advised that City should receive approximately \$621,000 in insurance proceeds within a few days, also mentioning the revenues being generated by the Building Department. Council member NesSmith-Picard asked had thought been given to re-enforcement of parking lots surfaces and was advised by the Administrator that the cost for such was prohibitive. Council member Simon asked would this graveling preclude planting grass in the future and was advised that it might; however, surface could be re-excavated although cost would probably be excessive. Council member Watson asked why was fencing and gravel necessary, stating he would like to try it without gravel and see what happened.

Council member Orvin moved to approve necessary funds for three inches of gravel in the municipal parking lots; second by Council member Swanson. Motion carried.

7. Miscellaneous.

Administrator Williams reported on status of tree removal permit for Wild Dunes for Waterway Boulevard project, advising that after initial refusal, a revised plat has been submitted and no significant trees are scheduled for removal. Williams further advised that Jay Clingman, State Urban Forester, is inspecting the trees.

Mayor Bunch advised that CHATS Regional Transportation Authority's Green Light Committee has requested to meet with new council members and brief them on proposed bus transportation plan scheduled to be on the ballot by referendum in November, asking that new Council members notify City Hall of convenient date and time for such meeting.

Council member NesSmith-Picard inquired about "No Lifeguards on Duty" signs for front beach and "Grim Reaper" signs for Breach Inlet and was advised by the Mayor that they are being placed on the beach and at the Inlet now.

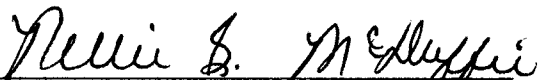
8. Executive Session.

Motion to enter Executive Session made by Council member Swanson; second by Council member Orvin. Motion carried.

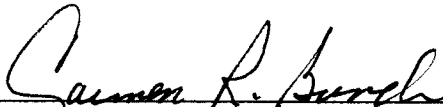
Coming out of Executive Session, the Mayor announced that reason for the session was discussion of personnel and contractual matters but no action was taken.

Motion to adjourn made by Council member Orvin; second by Council member Sottile. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

PETITION

We, Homeowners, Residents, and Taxpayers residing in the areas adjacent to the proposed commercial developments to be located in the Wildwood/Marina vicinity express our concern and indignation with respect to problems of increased traffic, pollution, noise, crime, crowding, environmental damage and decreased quality of life engendered by establishing further commercial and business operations in this principally residential area.

Therefore we request that these commercial proposals be re-evaluated with the goal of eliminating or minimizing these deleterious effects, or if this is not feasible, to reinstate the original non-commercial individual home owner status. This change is particularly urgent now in view of the serious damage already done to our island environment by the recent disastrous hurricane.

Name	Address
<i>[Signature]</i>	10 41 st AVE
Mr. John Wardley	12 41 st Ave
Beverly D. Worth	22 41 st AVE.
Carol A. Works	22 41 st AVE
<i>[Signature]</i>	20 41 st Avenue
Anna H. O'Deal	20 41 st Ave.
<i>[Signature]</i>	10 41 st Ave.
Sachin Mehta	218 Forest Trail
Lee M. Howes	3601 Hartnett
Andrea Hopperd-Cookman	2402 Cameron

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Name	Address
Carolyn S. Watson	29-32nd Ave., Isle of Palms
Henry B. Hargrove	20-23rd Ave IOP
Jerry L. Grady	3302 Hartnett Blvd IOP
Jandra Flade	7-34th Avenue IOP
Patricia M. Harrison	13 32 nd Isle of Palms
Robert M. Indig	2505 Hartnett IOP
Susan M. Haynie	14-26 th Ave. IOP
Ulien Williams	231 Forest Trail IOP
Teri Holton	108 Palm St. IOP
Laragne Burke	32 32 nd Ave IOP
James H. Burke	32 32 nd Ave IOP
Bonny Gifford	13 32nd Ave IOP
Cynthia W. Tindley	2005 Waterway Blvd. IOP
Blaise P. Marshall	#11 32 nd Ave
James A. Moore	#11 32 nd Ave
Kusan B. Thompson	#10 32nd Ave.

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Name	Address
Jim Stone	505 Ocean Blvd. I.O.P.
Is M. Kelly	266 Forest Tr. I.O.P.
Ann Maughan	7 Wells Way IOP
Joyce L. Lick	209 Carolina IOP
Walter Cannon	22 32nd Ave IOP

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Name

Address

Patty Hanning
B. Randall Clark

#15 24th Ave Isle of Palms S.C.

#15-24th Ave Isle of Palms S.C.

Thomas S. Dorsey

619 Carolina Blvd Isle of Palms

Larry S. Haffner

3302 Hawthorn Blvd

Wm. N. Evans

#12-31st AVENUE

W. C. Anderson

30-21st Ave IOP

①

Kim S. Anderson

30-21st Ave IOP

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Name	Address
Martha J. Brown	19 42nd Ave.
Earl Kelly	25 42nd Ave
John Kelly	28 42nd Ave
Robert Kelly	33 42nd Ave.
James Kelly	33 42nd Ave.

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Name	Address
<i>[Signature]</i>	23-42 nd Avenue
<i>Alfred H. Dugan</i>	25 42 nd Ave
<i>Albert W. Schmidt</i>	31 42 nd Ave
<i>Frank R. Brown III m.d.</i>	19 42 nd Ave.
<i>Bill Rogers</i>	26-42 nd
<i>Barbara J. Fossers</i>	26 42 nd
<i>Arthur H. Busch</i>	18-41 st Ave
<i>Ronald L. Mitchell</i>	30-42 nd Ave
<i>W. L. Toul</i>	30-42 nd Ave
<i>Stephanie Hargrave</i>	32 42 nd Ave
<i>Eddie Hargrave</i>	38 42 nd Ave
<i>[Signature]</i>	28 42 nd Ave
<i>Frank G. Brown</i>	Lot B2-Lot 8-42 nd Ave-
<i>Martha J. Brown</i>	19 42 nd Ave.
<i>Wm. H. Jones</i>	6 42 nd Ave
<i>Cornelia De Franco</i>	29 41 st Ave

12

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Name	Address
Nancy Houery	31 41st Ave
Robert Pagon	27 41st Ave
George De France	29 41st Ave
Richard C Bartell	25 41st Ave
Don Coste	15 - 41st Ave
Lee Coste	"
Marc Coste	"
Robert Coste	"

8

[after presentation of general "merits" of the proposed plan by Wild Dunes Officials and expression of concerns on the part of council and members of the public including presentation of a petition of Councilman Simon opposing the development, discussion turned to the immediate question whether a PRD amendment was required for the plats to be approvable.]

Mr. Brew Hagood was given the floor to present Wild Dunes Position in this matter. He suggested it was an ordinance of 9/13/89 (attached) originally designed to clarify concerns about "gates" and not the basic PRD agreement which created the most difficulty as only the ordinance used the "points of ingress and egress" wording which clearly conflicted with what the plats showed occurring. He further suggested council could amend the ordinance to retain control of any "gate" or access to public roadways but not include situations such as this at 41st avenue and the one already present on Waterway Island.

Councilmember Holden moved that the clarifying language "to a public roadway." be recommended to council for insertion following the "point of ingress and egress" language of the above ordinance. Councilmember Picard seconded. Councilmember Holden requested Mr. Dreyfoos opinion as to whether this would be a workable alternative to a PRD amendment. He stated (1) the wording would probably need to be more detailed than the above and (2) a Clarification by Resolution would be desirable as well if this method was to be used. Mr. Holden moved to amend his motion to include both of the above and that the Mr. Dreyfoos would draft the exact language for presentation at the upcoming special council meeting on the 26th. Seconded by Councilmember Picard. [debate on the motion continued] Councilman Ward from the floor ask if this was really making any recommendation to council. Councilman Simon expressed concern over what such recommendation was. Councilmember Holden explained his belief that implicit in this motion were the understandings (1) a PRD amendment is not required if this motion passes and the resulting ordinance and resolution are adopted by full council. (in direct answer to the referred question whether a PRD amendment was required). (2) if this motion and the resulting ordinance and resolution did not pass, debate could continue on the PRD amendment question or any other aspect of this matter but an amendment would likely be required as the only remaining way to address the situation, and (3) full council remains the final decisionmaker in this matter. [Note: as to the merits of the plats, such were presented at this meeting at the chairman's request for the benefit of Councilmembers who had not yet seen them and members of the public, but that once the PRD question is answered the remaining more general question as to approval had been answered by the planning commission and this motion did not seek to alter that recommendation. Debate continued.] On roll call vote Councilmember Simon voted No, Picard and Holden Yes, Motion carried. No further motions were recieved concerning this matter and discussion moved on to presentation rights of individuals at city council meetings.

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-6.E
4/26/90

AN EMERGENCY ORDINANCE TO CHANGE THE REGULAR MEETING DATE OF CITY COUNCIL

WHEREAS, Section 1-3-1 of the City Code provides that regular meetings of City Council shall be held the second Wednesday of each month, and such meetings have traditionally been held at City Hall; and

WHEREAS, under the City's fire code, prior to Hurricane Hugo, Council chambers in City Hall could accommodate only 30 people; and

WHEREAS, such limitation caused inconvenience for the public, interested parties and City Council, and interfered with the public's ability to attend City Council meetings; and

WHEREAS, as a result of the repairs and renovations to City Hall following Hurricane Hugo, the fire code limits occupancy of Council chambers to 20 people; and

WHEREAS, Council finds such limited capacity is inadequate for purposes of the regular monthly City Council meetings; and

WHEREAS, the Exchange Building, having capacity for very large numbers of people, has been offered for use for City Council meetings; however, its availability is limited, and its use will require Council to change its regular meeting schedule; and

WHEREAS, Council desires to move its regular monthly meetings to the Exchange Building immediately, to enable all interested parties and members of the public to attend Council meetings; and

WHEREAS, modification of City Code Section 1-3-1 by emergency ordinance, pursuant to the authority granted in Section 5-7-250, South Carolina Code of Laws, 1976, as amended, will facilitate such immediate change pending adoption of a permanent amendment to the City Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to change the regular meeting date of City Council.

Section 2. Section 1-3-1 Amended

Section 1-3-1 of the City Code is amended to read as follows:

Sec. 1-3-1 Regular meetings.

The regular meeting of city council shall be held the fourth Thursday of each month; provided that when such Thursday shall fall on a legal holiday, the meeting for such month shall be held the following Thursday. Council shall announce and publish the place where regular meetings shall be held. Each regular meeting shall be called to order at 7:00 p.m. Council may by resolution change the date, place or time of any regular monthly meeting, provided that such change is published and posted.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26th DAY OF April, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-6
First Reading Draft - 4/26/90

AN ORDINANCE TO CHANGE THE REGULAR MEETING DATE OF CITY COUNCIL

WHEREAS, Section 1-3-1 of the City Code provides that regular meetings of City Council shall be held the second Wednesday of each month, and such meetings have traditionally been held at City Hall; and

WHEREAS, under the City's fire code, prior to Hurricane Hugo, Council chambers in City Hall could accommodate only 30 people; and

WHEREAS, such limitation caused inconvenience for the public, interested parties and City Council, and interfered with the public's ability to attend City Council meetings; and

WHEREAS, as a result of the repairs and renovations to City Hall following Hurricane Hugo, the fire code limits occupancy of Council chambers to 20 people; and

WHEREAS, Council finds such limited capacity is inadequate for purposes of the regular monthly City Council meetings; and

WHEREAS, the Exchange Building, having capacity for very large numbers of people, has been offered for use for City Council meetings; however, its availability is limited, and its use will require Council to change its regular meeting schedule; and

WHEREAS, Council desires to move its regular monthly meetings to the Exchange Building immediately, to enable all interested parties and members of the public to attend Council meetings; and

WHEREAS, City Council is authorized to set its regular monthly meeting dates and amend City Code Section 1-3-1 pursuant to the authority granted in Sections 5-7-250 and 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose

This Ordinance is adopted to change the regular meeting date of City Council.

Section 2. Section 1-3-1 Amended

Section 1-3-1 of the City Code is amended to read as follows:

Ordinance No. 1990-6
First Reading Draft
4/26/90
Page 2

Sec. 1-3-1 Regular meetings.

The regular meeting of city council shall be held the fourth Thursday of each month; provided that when such Thursday shall fall on a legal holiday, the meeting for such month shall be held the following Thursday. Council shall announce and publish the place where regular meetings shall be held. Each regular meeting shall be called to order at 7:00 p.m. Council may by resolution change the date, place or time of any regular monthly meeting, provided that such change is published and posted.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Second Reading:
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-7.E
4/26/90

AN EMERGENCY ORDINANCE TO AMEND ZONING REQUIREMENTS RE: NON-CONFORMING STRUCTURES

WHEREAS, Section 5-4-37 of the City Code sets forth the standards under which non-conforming structures may be repaired and altered; and

WHEREAS, such standards do not provide for cosmetic, interior and facade alterations which are not needed to maintain the structural integrity and safety of the structure; and

WHEREAS, in the aftermath of Hurricane Hugo, many owners of non-conforming structures wish to make repairs that would constitute such alterations; and

WHEREAS, City Council believes such alterations are essentially non-structural in character, and may be made without subverting the general intent of Section 5-4-37, provided that the extent of the original non-conformity is not increased; and

WHEREAS, City Council is authorized to make amendments to its zoning requirements pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, City Council is authorized to adopt emergency ordinances involving the property of the people pursuant to Section 5-7-250, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Emergency Ordinance is adopted to amend the City's zoning requirements regarding non-conforming structures.

Section 2. Section 5-4-37 Amended.

- a. In Section 5-4-37 of the City Code, existing subsections (d) through (f) are re-numbered as subsections (e) through (g).
- b. A new subparagraph 5-4-37(d) is created, to read as follows:
 - (d) The following alterations are considered to be non-structural, and may be made to a non-conforming structure, provided that the extent of the non-conformity is not

increased:

- (1) Non-structural facade alterations
- (2) Modification or removal of interior walls
- (3) Modification of existing windows and exterior doors
- (4) Construction or modification of decks and patios, provided that there is no increase in any encroachment into required setbacks

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Emergency Ordinance shall be effective upon its adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26th DAY OF April, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-7
First Reading Draft - 4/26/90

AN ORDINANCE TO AMEND ZONING REQUIREMENTS RE: NON-CONFORMING STRUCTURES

WHEREAS, Section 5-4-37 of the City Code sets forth the standards under which non-conforming structures may be repaired and altered; and

WHEREAS, such standards do not provide for cosmetic, interior and facade alterations which are not needed to maintain the structural integrity and safety of the structure; and

WHEREAS, in the aftermath of Hurricane Hugo, many owners of non-conforming structures wish to make repairs that would constitute such alterations; and

WHEREAS, City Council believes such alterations are essentially non-structural in character, and may be made without subverting the general intent of Section 5-4-37, provided that the extent of the original non-conformity is not increased; and

WHEREAS, City Council is authorized to make amendments to its zoning requirements pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the City's zoning requirements regarding non-conforming structures.

Section 2. Section 5-4-37 Amended.

- a. In Section 5-4-37 of the City Code, existing subsections (d) through (f) are re-numbered as subsections (e) through (g).
- b. A new subparagraph 5-4-37(d) is created, to read as follows:
 - (d) The following alterations are considered to be non-structural, and may be made to a non-conforming structure, provided that the extent of the non-conformity is not increased:

- (1) Non-structural facade alterations
- (2) Modification or removal of interior walls
- (3) Modification of existing windows and exterior doors
- (4) Construction or modification of decks and patios, provided that there is no increase in any encroachment into required setbacks

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-8
First Reading Draft - 4/26/90

AN ORDINANCE TO CLARIFY PORTIONS OF CITY CODE SECTION 5-4-29

WHEREAS, City Council recently revised portions of City Code Section 5-4-29 in Ordinance No. 1989-9, adopted on September 13, 1989; and

WHEREAS, Section 5-4-29(6) of said revisions sets forth the procedures under which changes to a PRD may approved; and

WHEREAS, Council finds that the provisions relating to ingress to and egress from a PRD were intended to require PRD amendment for changes involving through-vehicular passage (i.e., a gate), and not more limited forms of ingress or egress; and

WHEREAS, Council further finds that said provisions of Section 5-4-29(6) are worded ambiguously, and require clarification to identify which changes do and do not require a PRD amendment; and

WHEREAS, the City is authorized to adopt and revise its zoning regulations pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to clarify portions of City Code Section 5-4-29.

Section 2. Section 5-4-29 Revised.

Section 5-4-29 of the City Code is revised as follows:

a. Subsection 5-4-29(6)(a)

Subsection 5-4-29(6)(a) is revised to read as follows:

(a) changes in the location of minor roads within the PRD, including penetrations of the PRD boundary which do not afford vehicular ingress to and egress from the PRD via a public road

Ordinance No. 1990-8
First Reading Draft
4/26/90
Page 2

b. Subsection 5-4-29(6), last paragraph

The beginning of the last sentence of the subsection is amended by adding the phrase "Except as limited hereinabove," before the words "City Council".

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Ratification:

APPENDIX H

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-9.E
4/26/90

AN EMERGENCY ORDINANCE TO ABATE HURRICANE-CAUSED PUBLIC
NUISANCES

WHEREAS, City Council finds that although more than six months have elapsed since Hurricane Hugo, some unimproved, privately-owned properties have not been cleared of debris generated by the hurricane; and

WHEREAS, City Council finds that the worsening condition of such properties constitutes a public nuisance and safety hazard, and that there is great and immediate danger to the public health and safety resulting therefrom; and

WHEREAS, City Council believes that many of the owners of such properties are out-of-state residents, and finds that use of the abatement process set forth in City Code Sections 6-1-16 through 6-1-18 would unduly postpone addressing this situation, and further would cause an undue administrative burden on City staff; and

WHEREAS, funding assistance is now available from the Federal Emergency Management Agency to defray the costs of lot clearing and debris removal from said properties; and

WHEREAS, the City is authorized to adopt emergency ordinances affecting the health, safety and property of the people pursuant to Section 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to abate hurricane-caused public nuisances.

Section 2. Section 6-1-17 Amended.

The existing Section 6-1-17 of the City Code is re-numbered as Section 6-1-17(a).

A new Subsection 6-1-17(b) is created, to read as follows:

(b) If hurricane-caused debris, constituting a great and immediate danger to the public health and safety, is not

Emergency Ordinance No. 1990-9.E
Adopted 4/26/90
Page 2

removed from unimproved private property within six months of the storm event, the City Administrator may cause the immediate abatement of such hazard as an emergency action, without the provision of notice to the property owner as set forth in Section 6-1-16.

(1) To the extent feasible, such action shall take advantage of funding assistance for hurricane recovery. The City may charge to the property owner any abatement costs not paid by other sources.

(2) For purposes of this section, the term "debris" shall include, but is not limited to, masonry materials; metal products; glass; rubber; creosoted construction materials; refrigerators; stoves; clothes washers; clothes dryers; lawnmowers; bicycles; bathroom fixtures; grills; roofing materials; damaged or disturbed trees, bushes and shrubs; broken, partially broken and severed tree limbs; structural lumber; wood products; plastic; wood furniture; wood cabinets; and cloth items.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

Emergency Ordinance No. 1990-9.E
Adopted 4/26/90
Page 3

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS _____ DAY OF APRIL, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

Emergency Ordinance No. 1990-9.E
Adopted 4/26/90
Page 4

CITY OF ISLE OF PALMS

DECLARATION OF NUISANCE AND HEALTH/SAFETY HAZARD

City records indicate that the property designated hereinbelow is improved and privately owned, and that debris generated by the Hugo has not been cleared to date.

Said property is hereby declared to constitute a public nuisance and safety hazard, causing great and immediate danger to the public health and safety.

Pursuant to Isle of Palms Emergency Ordinance 1990-6.E, the City is authorized to enter onto said property to abate such nuisance.

Identification of Property

Mark M. Williams
City Administrator

Date: _____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-10
First Reading Draft - 4/26/90

AN ORDINANCE TO REQUIRE REGISTRATION OF THE LOCATIONS OF
CONTAINERIZED GAS TANKS

WHEREAS, City Council finds that leaking propane and other gas tanks created a major safety hazard immediately following Hurricane Hugo; and

WHEREAS, the City's Emergency Preparedness Committee has recommended that the location of all containerized gas tanks be mapped, to facilitate the resolution of such a safety hazard if another hurricane hits the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public safety pursuant to Section 5-7-30, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to require the registration of the locations of containerized gas tanks.

Section 2. New Sections Created.

A new Chapter 3, Containerized Gas Tanks, is created and added to Title 2 of the City Code.

New Sections 2-3-1 and 2-3-2 are created, to read as follows:

CHAPTER 3

Containerized Gas Tanks

Sec. 2-3-1 Preparation of Containerized Gas Map

The Fire Chief is hereby directed to prepare a map of all propane and other containerized gas tanks in use within the City. Said map shall be used by the Fire Chief to identify the locations of potential public safety hazards in the event of hurricane or other disaster.

Sec. 2-3-2 Registration of Containerized Gas Locations.

(a) The owners of all gas appliances and heating systems fueled by propane or other containerized gas shall register with the City Fire Department the addresses where such containerized gas tanks are permanently located. Registration

Ordinance No. 1990-10
First Reading Draft
4/26/90
Page 2

shall be made on forms to be provided by the Fire Department. Registration shall not be required for gas barbeque grills or camping equipment.

(b) To facilitate the City's identification of the location of containerized gas tanks, each individual or company engaged in the business of installing, filling or repairing containerized gas tanks or appliances within the City shall provide a quarterly report to the City Fire Chief that identifies the types and locations of containerized gas tanks installed, filled or repaired. Such reports shall be filed on forms to be provided by the Fire Department.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Second Reading:
Third Reading:
Ratification:

MORRIS D. ROSEN
ROBERT N. ROSEN
RICHARD S. ROSEN
H. BREWTON HAGOOD
MARK O. ANDREWS
ALICE F. PAYLOR
SUSAN C. ROSEN
S. C., MASS. & R. I.
LON H. SHULL, III
DONALD B. CLARK
S. C. & I.A.
IRVIN G. CONDON
DIANE C. CURRENT
KAREN E. McCORMICK
M. THERESE TROUCHE

ROSEN, ROSEN & HAGOOD
ATTORNEYS AND COUNSELLORS AT LAW
45 BROAD STREET
CHARLESTON, SOUTH CAROLINA 29401
(803) 577-6726

MAILING ADDRESS
POST OFFICE BOX 893
CHARLESTON, S. C. 29402

FAX NUMBERS
(803) 724-8036 BROAD ST.
(803) 724-8045 CHURCH ST.

April 26, 1990

BY HAND

The Honorable Carmen R. Bunch
Mayor
City of Isle of Palms
P. O. Drawer Q
Isle of Palms, SC 29451

RE: Withdrawal of Plat 1990-19, Conditional Plat showing
subdivision of Tract 3 into 24 tracts and Morgan's Cove
Roadway located on 41st Avenue.

Dear Mayor Bunch:

The above plat, along with Plat 1990-18, appear on the City
Council Meeting Agenda for the meeting scheduled for April 26,
1990.

Wild Dunes Associates hereby withdraws its application for
approval of Plat 1990-19 subdividing Tract 3 into 24 tracts. It
appears unlikely that City Council will approve Plat 1990-19 unless
an amendment is applied for to the Wild Dunes PRD to allow access
from the PRD to the commercially zoned area for parking purposes.
As I explained to the members of City Council who were present at
the Engrossed Bills Committee meeting on Thursday, April 19, 1990,
Wild Dunes is attempting to reopen the resort in July of 1990 and
is unable to wait an additional sixty to ninety days to undergo the
PRD amendment process. Wild Dunes Associates has made a business
decision to change the method of marketing this property from the
previously proposed fee simple conveyance of title to individual
tracts. Instead, a condominium form of ownership will be utilized.
This change makes it unnecessary to subdivide Tract 3 into the 24
parcels proposed on Plat 1990-19. Wild Dunes Associates does plan
to continue with its previously stated intention of reducing the
total square footage of commercial space for this site from over
60,000 square feet as shown on the zoning permit obtained in 1987
to 35,900 square feet allocated among a number of smaller buildings
as opposed to having all the square footage contained in one large
building.

Wild Dunes Associates would like to keep Plat 1990-18 showing
the subdivision of a portion of Tract F, Block E, Lots 38-59, and
Morgan's Cove Drive on the agenda for the City Council meeting on
April 26, 1990. I am submitting with this letter 11 copies of this

The Honorable Carmen R. Bunch
April 26, 1990
Page 2

plat showing the deletion of the extension of Morgan's Cove Drive over the Wild Dunes PRD boundary and substituting a cul de sac. This change also results in the deletion of two lots in order to accommodate the cul de sac. This deletion should remove the crossing of the PRD boundary as an obstacle to approval of the plat.

Mark Permar, Bill McKenzie, and I will be present at the Council Meeting to discuss these minor changes to Plat 1990-18. We would like an opportunity to make brief comments concerning Plat 1990-18 prior to the submission of the plat for approval by Council.

Sincerely yours,

ROSEN, ROSEN & HAGOOD

H. Brewton Hagood

H. Brewton Hagood

HBH/lac

cc: William W. Dreyfoos, Esquire
Mr. Barry C. Holden
Ms. Melinda NesSmith-Picard
Mr. Heath Orvin
Mr. Jeffrey C. Simon
Mr. Michael F. Sottile
Ms. Margery Swanson
Mr. James Ward
Mr. Dan Watson
Mr. Mark Permar
Mr. Foster C. Clark
Mr. William McKenzie
Brian F. Kernaghan, Esquire

MINUTES OF SPECIAL EMERGENCY CITY COUNCIL MEETING OF MAY 11, 1990

An emergency meeting of City Council was held on May 11, 1990 at City Hall with Council members Simon, Swanson, Watson, Sottile and Holden in attendance. Council member NesSmith-Picard arrived late. Council members Orvin and Ward were absent. Also present were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk-Treasurer Nell McDuffie and Secretary Loretta Barnhill. Mayor Carmen Bunch called the meeting to order at 5:10 p.m.

1. Information Pertaining to 14th Avenue Property -

Mayor Bunch advised that she had called this emergency meeting based on information received in the last few days regarding the 14th Avenue property; stating that she felt she should advise Council prior to disseminating information to the media.

The Mayor informed Council that the important issue she wished to discuss concerning this property was the post office, advising that postal authorities had rejected the latest bid for location of the post office at 10th Avenue because the bid exceeded the fair market value of the property for either lease or purchase.

Briefing Council of prior action taken by the City concerning possible post office sites, the Mayor stated that no City property previously offered for such site has been acceptable to postal officials. In light of recent developments, the postal authorities are now preparing to send out bids once again, and, if suitable property is not located, there will be no post office on Isle of Palms.

Continuing to advise Council of sequence of events leading to current discussion, the Mayor told of efforts to obtain assistance from County PRC and State PRT prior to referendum to authorize purchase of 5.5 acres of property now used as municipal parking lots. Unable to obtain such funding assistance from either agency, voters agreed for purchase of property, purchase of which resulted in two mill tax increase.

The Mayor stressed the importance of the City owning property, citing the lack of available land on which to build much needed facilities. Mayor Bunch pointed out that it was now necessary to hold all Council meetings, public hearings, etc. at the Exchange Club, and the City cannot continue to depend on the generosity of the Exchange Club. In addition, facilities must be provided for the Building Department, temporarily located in trailers on State Highway Department property, by the end of this year, the Mayor said.

Mayor Bunch stated that the post office would require approximately two acres of land and desired to locate on Palm Boulevard location; therefore, she recommended City acquisition of the 14th Avenue property on which to build City Hall and County library and also sell or lease portion of property to post office on which to construct facility. The Mayor proposed that Council move to have immediate referendum in June, suggesting that perhaps volunteers could man the polls, and allow the people to decide if property should be purchased. If people vote "yes", City will then be in position to offer some two acres to post officials, according to the Mayor, who further suggested to Council that, even though everyone is hurting as a result of the hurricane, it should be remembered that future needs must be met and property must be acquired to assure that the City's needs can be met. The Mayor stated that she knew there would be those people who would say the City cannot afford to buy this property, but, in her opinion, the City cannot afford not to buy the property.

Council member Watson expressed agreement with taking the issue to the people; however, he questioned whether post office would be interested in 41st Avenue property. The Mayor advised that officials wanted Palm Boulevard location in the same general

vicinity as presently located. Council member Simon stated that Mayor's point was well taken, that people should vote on such a critical issue affecting the Island, just as they had done on the connector. Council member Swanson moved that City have referendum on purchase of 14th Avenue property as soon as possible; second by Council member Simon.

Council member Holden stated he felt Agenda did not allow for voting on any issue and pointed out that two council members were absent, one of whom had been assured there would be no vote of Council taken. Mayor Bunch advised that Agenda did allow for voting, further advising that at the time she talked with the council member referred to, she did not expect that a vote would be taken. However, because of conference with Charlie Way and his attorneys, additional information had been received, necessitating expediency. Council member Holden, expressing opinion that this looked like a railroad to him, asked for meeting to be postponed until Monday at which time vote could be taken. The Mayor stated that anyone who did not wish to vote could abstain; however, vote would be taken at present meeting and not postponed. Holden then asked if withdrawing from meeting would defeat quorum and was advised by Attorney Dreyfoos that quorum is at the beginning of a meeting.

On further discussion, Council member NesSmith-Picard stated that she did not believe this meeting was in accordance with parliamentary procedure and advised that flexibility in scheduling was necessary because council members also work at other jobs. She continued by agreeing that this decision does need to be brought to the people and stated that she felt time was of the essence. Ms. NesSmith-Picard stressed the need for additional information from County PRC about their plans for park, thereby enabling everyone to have facts on which to base decisions made now. Mayor Bunch stated that she felt she owed it to Council members to advise them as soon as she confirmed information and also reminded Council that emergency meetings may be called at any time and the ability to meet when necessary should be considered at the time one seeks public office.

Council member Sottile likewise agreed that issue should be decided by the people, but expressed opinion that issue has been rushed and would like some more time to evaluate all the facts. Council member Swanson stated she thought it was critical to keep post office on the Isle of Palms and expressed her concern about the loss of the post office, stating that community's identity would change if such loss occurred.

Council member Simon stated that Council often faces critical issues on short notice. Issues can and will come forth before referendum, stated Simon, and Council does not need to play around with this any further - issue at hand is does Council want to have referendum on purchase of this property or not.

Council member NesSmith-Picard reiterated her objection on the grounds of parliamentary procedure, but continued by saying that fiscal responsibility must be shown, citing tight financial situation at present time, and emphasizing the necessity to work in such a way so as not to excessively burden taxpayers. Mayor Bunch stated that the people would decide, not Council, but the City must look ahead and plan for the future.

Council member Holden moved to amend motion to postpone vote until after Executive Session, further moving that Executive Session be entered immediately; second by Council member Watson. Roll call vote: Holden, yes; NesSmith-Picard, yes; Simon, no; Sottile, yes; Swanson, no; Watson, yes; Bunch, no. Motion to postpone vote and enter Executive Session carried 4 - 3.

2. Executive Session -

Coming out of Executive Session, Mayor Bunch advised that purpose of session was

to discuss financial and contractual matters and receive attorney's advice as well as Council's receipt of privileged information the Mayor received from The Beach Company representatives. The Mayor reported no action taken during session.

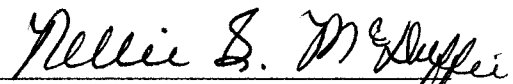
Council member Swanson reiterated motion that City take the issue of the 14th Avenue property to the people as soon as legally possible, probably sometime in June; second reiterated by Council member Simon. Roll call vote: Holden, abstain; NesSmith-Picard, yes; Simon, yes; Sottile, yes; Swanson, yes; Watson, yes; Bunch, yes. Motion to have referendum carried with Council member Holden abstaining.

Motion to suspend rules of order and procedure to allow discussion of an item not listed on Agenda made by Council member NesSmith-Picard; second by Council member Watson. Motion to suspend carried.

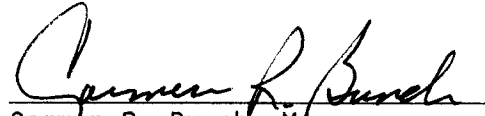
Mayor Bunch advised that Mt. Pleasant Waterworks & Sewer wished to meet with Isle of Palms City Council members for discussion of their purchase of the Isle of Palms Water Company, suggested meeting dates being May 16, 21 and 23. After discussion, Council agreed to meet with Mt. Pleasant representatives on May 21 at 6:00 p.m. at City Hall.

Motion to adjourn made by Council member Watson; second by Council member Sottile. Motion carried and meeting ended.

Respectfully Submitted,


Nellie McDuffie, Clerk-Treasurer

APPROVED:


Carmen R. Bunch, Mayor

MINUTES OF THE MAY 21, 1990 SPECIAL CITY COUNCIL MEETING

A special meeting of the Isle of Palms City Council was held on May 21, 1990 at 6:00 p.m. at City Hall. Mayor Carmen Bunch called the meeting to order with Council members Holden, NesSmith-Picard, Simon, Sottile, Swanson and Watson in attendance. Council member Orvin was excused and Council member Ward was absent. Also present were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk/Treasurer Nell McDuffie and Secretary Loretta Barnhill.

1. The Mayor recognized Foster Coleman of the Department of Health and Environmental Control, Linda Tucker from the BCD Council of Governments and Clay Duffie from the Mt. Pleasant Waterworks & Sewer Commission, and then turned the meeting over to Mr. Duffie.

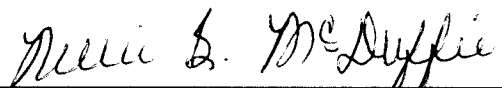
Mr. Duffie introduced Dr. Bill Golightly, Chairman of the Mt. Pleasant Commission, who was also in attendance, and briefed Council about ongoing activities involving the Isle of Palms Water Company and the Commission's proposed courses of action concerning the potential acquisition of the water company, asking that Council members ask questions and offer comments during the course of the presentation.

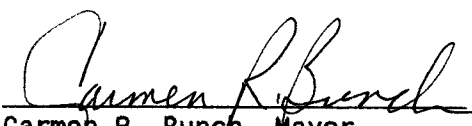
After receipt of informational material by Council and audience, Mr. Duffie began presentation (See Attached as Appendix A). Following such presentation and brief discussion by Council, Mayor Bunch asked for motion to have the Mt. Pleasant Waterworks Commission meet with the Mt. Pleasant Town Council and determine what their ideas and intentions were concerning the acquisition of Isle of Palms Water Company by the Mt. Pleasant Water & Sewer Commission and report the findings back to Isle of Palms City Council. Council member Sottile so moved; second by Council member Simon. Motion carried unanimously.

2. Mayor Bunch advised Council that she had asked Attorney Dreyfoos to draft several options for Council's consideration for the wording to be used on ballot in forthcoming referendum concerning purchase of Fourteenth Avenue property, distributing copies of same to members (See Attached as Appendix B). The Mayor asked that the members consider the different choices, advising that discussion would be held at a later meeting.

Motion to adjourn made by Council member Swanson; second by Council member Holden. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

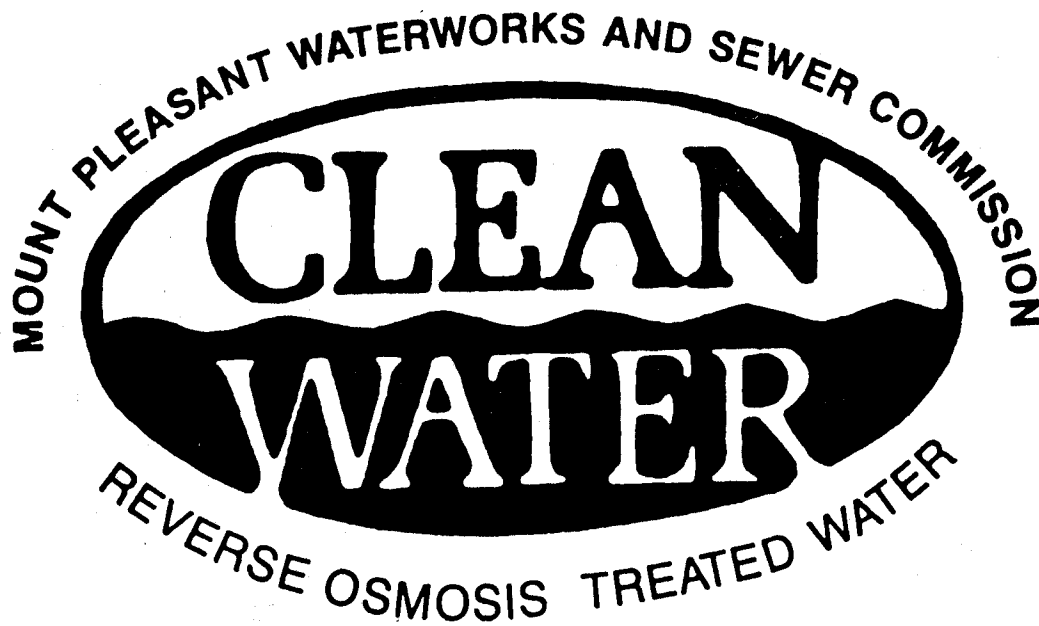
APPROVED: 
Carmen R. Bunch, Mayor

APPENDIX A

CITY COUNCIL MEETING
MAY 21, 1990

PRESENTATION BY:

CLAY DUFFIE



POST OFFICE BOX 330
MOUNT PLEASANT, SC 29465-0330
(803) 884-9626

MAY 21, 1990

PRESENTATION TO
ISLE OF PALMS CITY COUNCIL

PRESENTATION TO

**CITY OF ISLE OF PALMS
CITY COUNCIL**

REFERENCE

**MOUNT PLEASANT WATERWORKS
AND SEWER COMMISSION**

**PURCHASE OF
ISLE OF PALMS WATER COMPANY**

May 21, 1990

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 - Water System Improvements
 - Sewer System Improvements
 - Rates
- III. Isle of Palms Water Company
 - Background
 - Necessary Water Improvements
 - Sewer System Improvements
 - Rates
- IV. Purchase Agreement
 - Funding and Rate
 - MPWSC Proposed Impact Rate Structure
 - Service Area Agreement
 - Political Considerations
- V. Conclusion
 - Course of Action and Schedule

I. **INTRODUCTION:**

Purpose of Meeting:

- o Inform City of Isle of Palms Council of current events relating to purchase of Isle of Palms Water Company by Mount Pleasant Waterworks and Sewer Commission.
- o Inform City Council of water and sewer alternatives for City of Isle of Palms.
- o Seek input from City Council relative to the transaction currently being discussed.
- o Propose a course of action necessary to complete the transaction

II. MOUNT PLEASANT

Mount Pleasant Waterworks and Sewer Commission is a Commission of Public Works with a water and sewer system that serves approximately 11,000 customers in the Town of Mount Pleasant and rural areas of Charleston County. The Commission has a staff of 54 employees and 5 member elected Commission. Of the 54 employees we have 15 certified water operators (plus 7 with trainee permits), 8 certified wastewater operators, and a staff Professional Engineer. Mount Pleasant and Bulls Bay Rural Water District have completed merging operations.

Mount Pleasant uses six (6) groundwater wells to supply an average daily flow over 4 mgd. May 11, 1990 Mount Pleasant broke ground on construction of three (3) reverse osmosis treatment facilities with a combined capacity of 5.5 mgd. The Mount Pleasant water will provide water of high quality which meets all safe drinking water standards. These plants should be on line fall of 1991.

The Center Street wastewater treatment facility is currently flowing 80% of its 3.7 mgd capacity. This plant discharges into the recently activated Charleston Harbor outfall line which has a flow capacity of more than 17 mgd. This outfall has been determined to be the most environmentally acceptable means of wastewater disposal East of the Cooper. This discharge pipe is 50 feet beneath the waters surface and is well within Rebellion Reach some 4600 feet from shore. Since Mount Pleasant's discharge is in the main channel of the harbor and well mixed with diffusers it provides the best assimilation of wastewater as possible.

Mount Pleasant owns forty (40) acres of land on Rifle Range Road just south of Venning Road. A major wastewater transmission system is in place from Highway 41/Highway 17 area to the proposed site. (Please see the enclosed map for locations). Mount Pleasant is currently updating the 201 facilities plan to allow Mount Pleasant to qualify for a State Revolving Fund loan for construction of a 3.0 mgd wastewater treatment facility. This facility should be on line in 1992.

RATES

MOUNT PLEASANT WATERWORKS AND SEWER COMMISSION

CURRENT (QUARTERLY)

JULY 1, 1990 (MONTHLY)

JULY 1, 1991 (MONTHLY)

WATER:

\$15.75 Minimum

\$2.30 Customer Charge
(per 3/4" customer)

\$2.85 Customer Charge
(per 3/4" customer)

\$ 1.05/1000 gals. over
Minimum 15,000 gals.

\$1.65/1000 gals. Vol. Chg.
No Minimum

\$2.05/1000 gals. Vol.Chg.
No Minimum

SEWER:

\$2.24/1000 gals. residential

\$2.24/1000 gals. residential

\$2.75/1000 gals.
(estimated)

\$2.63/1000 gals. all other users

\$2.63/1000 gals. all other users

\$3.23/1000 gals.
(estimated)

MOUNT PLEASANT WATERWORKS AND SEWER COMMISSION

AVERAGE BILL

3/4" RESIDENTIAL METER

BASED ON 7,000 GALLONS/MONTH

	<u>CURRENT</u>	<u>JULY 1, 1990</u>	<u>JULY 1, 1991</u>
WATER	\$ 7.35	\$13.85	\$17.20
SEWER	\$15.68	\$15.68	\$19.25
TOTAL	<u>\$23.03</u>	<u>\$29.53</u>	<u>\$36.45</u> (estimated)

III. ISLE OF PALMS

The Isle of Palms Water Company is a privately owned and operated utility. It has six (6) employees. The Water Company serves about 1800 water customers and about 500 sewer customers.

The Company owns two (2) deep wells which produce about 600,000 gallons per day. The company is currently under Consent Order 88-32-WS by the South Carolina Department of Health and Environmental Control to meet the maximum contaminant limit for fluoride. The schedule is as follows:

June 25, 1990	Submit Plans and Specifications for Water Treatment System
90 Days from Permit	Start Construction
15 Months	Complete Construction (May 1992 estimated)

Reverse Osmosis is the treatment process selected by the water company. The water company's engineer, E. M. Seabrook, Jr., Inc., developed a Preliminary Engineering Report in September of 1988 for the Reverse Osmosis Treatment project. Project cost were estimated at \$1,355,000.00. Rates were estimated to increase by \$2.02 per 1000 gallons. This projected rate increase is two years old and did not include additional labor costs for certified operators. Including a 10% increase in project costs and two certified operators will increase the cost by 51 cents per 1000 gallons for a total rate increase of \$2.53 per 1000 gallons.

The Isle of Palms Water Company owns Forest Trails Wastewater Treatment Plant. The plant has a permitted capacity of 300,000 gpd and discharges into the Atlantic Intracoastal Waterway. There is no capacity available. Considering pending applications for service, request to increase this plant capacity has been denied by DHEC.

Expansion of this facility to serve the unsewered areas of the Island is unlikely. Available land for a large treatment facility and/or spray irrigation sites is limited. Property values would also make large land-intensive treatment facilities cost prohibitive.

An alternative for expansion would be to pump raw sewer over the IOP Connector to a regional wastewater treatment facility and discharge treated effluent through the Charleston Harbor Outfall or spray irrigate on mainland golf courses.

Quarterly

RATES

ISLE OF PALMS WATER COMPANY

	<u>CURRENT</u>	<u>EXPECTED WITH R.O.</u>
WATER		
Basic Facility Charge	\$30.00	\$30.00
Volume	\$1.00/1000 gals.	\$3.53/1000 gals.
SEWER		
Basic Facility Charge	100% of water bill	\$30.00
Volume		\$1.00/1000 gals.

MONTHLY

ISLE OF PALMS WATER COMPANY

AVERAGE BILL

3/4" RESIDENTIAL METER

BASED ON 7,000 GALLONS/MONTH

	<u>CURRENT</u>	<u>EXPECTED WITH R. O.</u>
WATER	\$17.00	\$34.71
SEWER	\$17.00	\$17.00
TOTAL	<u>\$34.00</u>	<u>\$51.71</u>

ALTERNATIVES

1. Purchase the Isle of Palms Water Company
 - a. Referendum required
 - b. Start up Water and Sewer Department or Contract out O & M
2. Wild Dunes purchase Isle of Palms Water Company
3. Do nothing — continue w/ 2 private water companies on Island
4. Isle of Palms Water Co. can be purchased by Mt. Pleasant Waterworks Sewer Commission

IV. PURCHASE AGREEMENT

FUNDING - Mount Pleasant Waterworks and Sewer Commission proposes to purchase system from Isle of Palms Water Company with annual installments made to Isle of Palms Water Company or the Corporate Stockholders. Estimated payment not to exceed \$150,000 per year.

RATE IMPACT - Mount Pleasant proposes to hold the same rates for IOP customers as Mount Pleasant's customers except for the cost of the purchase (which should be fixed) and any extraordinary capital expenditures, ie, major line relocations, capital improvements for fire flow, connection to Mount Pleasant water or sewer system, etc.

DEBT SERVICE FOR PURCHASE

\$150,000/year = \$33,000 Sewer + \$117,000 Water

WATER	$\frac{\$117,000/\text{year}}{185,000 \text{ gals. sold}}$	= .632 = \$.64/1000 gals.
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SEWER	$\frac{\$33,000/\text{year}}{40,000 \text{ gals. sold}}$	= .825 = \$.83/1000 gals.
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SERVICE AREA AGREEMENT

- o City Council agrees to grant long term (30 years) service area agreement or franchise to Mount Pleasant Waterworks and Sewer Commission.
- o City Council agrees to pay back Mount Pleasant for net capital improvements if purchased by City of Isle of Palms.
- o Mount Pleasant agrees to honor City Council's adopted plan for sewerage island based on findings of current or subsequent studies.
- o City of Isle of Palms agrees to honor purchase agreement provisions between Mount Pleasant Waterworks and Sewer Commission and Isle of Palms Water Company, subject to Council review prior to closing.

MPWSC/IOP WATER COMPANY

Monthly PROPOSED RATE STRUCTURE

WATER:

	MPWSC JULY 1, 1990 1991	MPWSC/IOP JULY 1, 1991
Customer Charge	\$2.85	\$2.85 / PER MONTH ^{3/4" METER}
Volume	\$2.05	
Debt Service RO	- .67	
Net O & M	\$1.38	\$1.38
Debt Service IOP RO		\$1.17
Debt Service Purchase		.64
Net Volume Charge		\$3.19 / PER 1,000 GAL.

SEWER:

Volume	\$2.24 / PER 1,000 GAL.	
Debt Service	- .69	
Net O & M	\$1.55	\$1.55
Debt Service Purchase		\$.83
Net Volume Charge		\$2.38 * / PER 1,000 GAL.

AVERAGE BILL PER 7,000 GALLONS:

Water	\$17.20	\$25.18
Sewer	\$19.25	\$16.66
TOTAL	\$36.45	\$41.84

*No participation in regional sewer facilities nor sewerage the unsewered areas on the Island included.

RATE COMPARISON

JULY 1, 1991

	MOUNT PLEASANT	MOUNT PLEASANT/ IOP	ISLE OF PALMS WATER COMPANY
WATER	\$17.20	\$25.18	\$34.71
SEWER	\$19.25	\$16.66	\$17.00
TOTAL	\$36.45	\$41.84	\$51.71

POLITICAL CONSIDERATIONS

- o Isle of Palms Referendum
- o Island Approved Plan for Sewer
- o Options Still Open

COURSE OF ACTION

1. Council agrees to grant service area agreement
2. Mount Pleasant negotiates Sale terms and conditions, Isle of Palms approves.
3. Council grants service area agreement prior to closing
4. Mount Pleasant closes purchase by September 30, 1990

APPENDIX

I. CUSTOMER SERVICE CHARGE:

STEP I and II = Residential and Commercial Customers
STEP Ia & IIa = Seasonal Customers and Irrigation Meters

METER SIZE	STEP I	STEP Ia	STEP II	STEP IIa
3/4"	\$ 2.30	\$ 2.30	\$ 2.85	\$ 2.85
1"	16.30	\$ 3.91	20.20	\$ 3.91
1.5"	31.60	7.59	39.20	7.59
2"	50.75	12.19	62.90	12.19
3"	95.70	23.00	118.60	23.40
4"	159.85	38.41	198.10	38.41
6"	318.70	76.59	394.95	76.59

II. COMMODITY CHARGE (Per 1,000 GALLONS)

METER SIZE	STEP I	STEP Ia	STEP II	STEP IIa
3/4"	\$1.65	\$2.20	\$2.05	2.70

III. WATER IMPACT FEES:

METER SIZE	FEE
3/4"	\$ 715.00
1"	1,215.00
1.5"	2,360.00
2"	3,790.00
3"	7,150.00
4"	11,940.00
6"	23,810.00

BE IT FURTHER RESOLVED that the rates will be effective on the following dates:

	STEP I & Ia	STEP II & IIa
Monthly Service Charge	7/1/90	7/1/91
Commodity Charge	7/1/90	7/1/91
Water Impact Fee	7/1/89	

DONE AND RATIFIED THIS 20th DAY OF March 1989.

MOUNT PLEASANT WATERWORKS AND SEWER COMMISSION

William L. Golightly, Jr.
William L. Golightly, Jr., Commission Chairman

WITNESSES:

Charles H. Hindman
Charles H. Hindman, Commissioner

Harmon I. Shade
Harmon I. Shade, Commissioner

ATTEST:

H. Clay Duffie
H. Clay Duffie, Manager

WATER

QUARTERLY CHARGE

Basic Facilities Charge	\$ 30.00
Commodity Charge	\$ 1.00/1,000 gal.

When because of the method of water line installation utilized by the developer or owner, it is impractical to meter each unit separately, service will be provided through a single meter and consumption of all units will be averaged; a bill will be calculated based on that average; and the result will be multiplied by the number of units served by a single meter.

Reconnection Fee	\$ 20.00
New Customer Charge	\$ 50.00
Water Service Connection per Single Family Equivalent	\$300.00
Water Tap Fees	
Standard 3/4" tap	\$225.00
All other taps	Cost

SEWER

QUARTERLY CHARGE

100% of water bill	
Sewer Service Connection per Single Family Equivalent	\$400.00
Sewer Tap Fees	
Standard 4" tap	\$300.00
All other taps	Cost

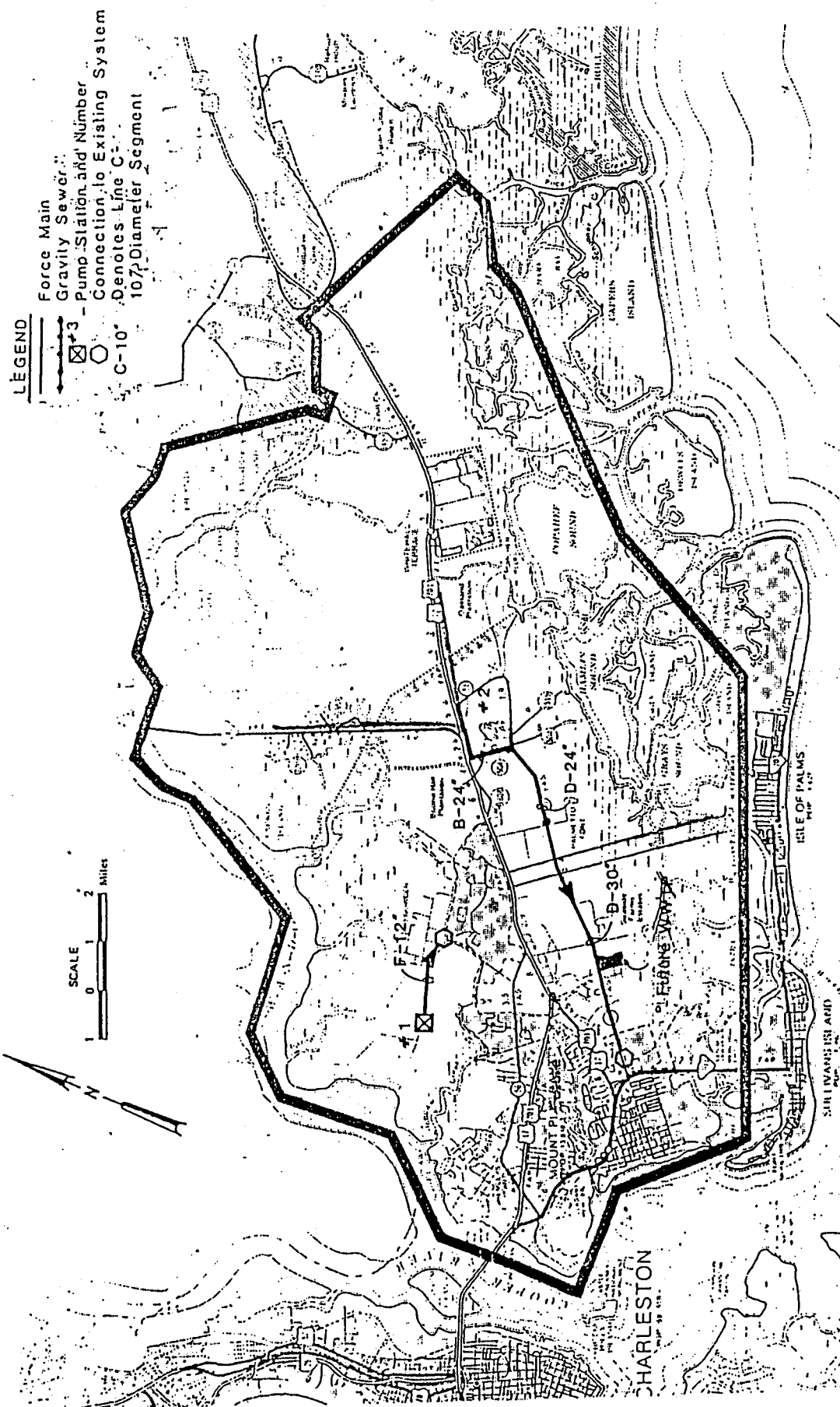


Figure 2
PROPOSED PHASE 1 FACILITIES

05/21/90

Sample Referendum Questions
Acquisition/Use of Property on Palm Boulevard at 14th Avenue

1. Do you favor the use of the former Isle of Palms Motel site (on Palm Boulevard at 14th Avenue) for a public park, similar to Folly Beach County Park, that would include a parking lot, bathhouse, concessions and lifeguards, managed by Charleston County PRC?

Yes _____ No _____

2. Do you wish the City of Isle of Palms to purchase approximately 10 acres of property on Palm Boulevard at 14th Avenue (the former Isle of Palms Motel site) and provide for public uses of this property consistent with the adjoining residential uses?

Yes _____ No _____

3. Do you wish the City of Isle of Palms to purchase all of the former Isle of Palms Motel site (approximately 10 acres of property on Palm Boulevard at 14th Avenue), offer approximately 2 acres to the US Postal Service at fair market value, and use the balance for public purposes consistent with the adjoining residential uses?

Yes _____ No _____

4. Do you wish the City of Isle of Palms to purchase approximately _____ acres of the former Isle of Palms Motel site (on Palm Boulevard at 14th Avenue) for relocation of the Post Office and other public uses consistent with the adjoining residential uses?

Yes _____ No _____

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 24, 1990

A. INTRODUCTION OF MEETING

The regular meeting of the Isle of Palms City Council was called to order at 7:00 p.m. by Mayor Carmen R. Bunch with Council members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward and Watson present. Council member Orvin arrived late. Also in attendance were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk/Treasurer Nell McDuffie and Secretary Loretta Barnhill. Following the Pledge of Allegiance, Mayor Bunch had the invocation.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. April 11, 1990 - Regular City Council Meeting
2. April 26, 1990 - Special City Council Meeting
3. May 11, 1990 - Special Emergency City Council Meeting

Motion to suspend rules of order and procedure and accept all minutes as corrected or amended made by Council member Ward; second by Council member Swanson. On discussion, Council member NesSmith-Picard asked that April 11, 1990 minutes, Page 3, Paragraph 3, read "...be done proportionately if donor advertising is approved, noting that Amoco had made no stipulation for advertising as a requirement for the donation." When called for the question to approve minutes of April 11, 1990, with addition, motion carried.

Council member Swanson noted that minutes of April 26, 1990 listed her as being present twice. Ms. NesSmith-Picard asked that minutes of April 26, 1990 show the following correction/addition: Page 1, Mr. Wiley instead of Mr. Wiler; Page 5, Paragraph 6, "... fabric reinforcement." When called for the question to approve minutes with correction/addition, motion carried.

When called for the question, to approve May 11, 1990 minutes as submitted, motion carried.

C. CITIZENS' COMMENTS

1. Tom Murph - Mr. Murph was not present.

2. Robert Nuttall - Mr. Nuttall, President of the Beachside Homeowners' Association, addressed Council concerning Charleston County PRC acquisition of the 14th Avenue property for a beachfront park, stating that proposed referendum should address only the issue of whether residents of the Island wanted a County park at that location. Mr. Nuttall stated that plans appeared to be a for "glorified parking lot", and offered options for Council's consideration such as: passive park; City owned property; private purchase for low density club. Mr. Nuttall asked Council to focus on question, "Do the residents of the City of Isle of Palms want a County Park on the Isle of Palms Motel site?", urging council members to bury the political hatchet and present a united front.

3. Sandy Sandiford - Mr. Sandiford addressed issue of 14th Avenue property, stating that the one big political question on the Isle of Palms is residential quality on the Island, further stating that a County park in the middle of the residential area would hasten and enlarge the qualities of the Isle of Palms being a resort town. Mr. Sandiford expressed the opinion that Council would have to bear the burden of how to

solve the problem of increased drugs and crime, traffic, decreased property values, etc. if such a park were approved and stated it was not a matter of political integrity but the personal integrity of each council member that was at stake.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Swanson advised that the Committee had been waiting to receive copies of the budget before meeting, announcing a worksession to be held May 25 at 3:00 p.m. at City Hall to discuss the first draft which would be available at that time.

Council member Ward asked how Council could legally approve a budget in time, and was advised by the Mayor that only two readings were required and there was time for those readings before the end of the fiscal year. Ward stated this was the most critical budget period in the Island's history and, because of the late start, there was a lot of work to be done in a short period of time.

Mayor Bunch read an excerpt from a letter she had received in which the writer stated that the work done to date on the budget was "... inept ... good strategy if one wanted to push a particular budget through ... inexcusable." The Mayor expressed her resentment at such accusations, citing the many ongoing tasks that the City Administrator has been working on in addition to the budget. Mayor Bunch further advised that both she and the Administrator had been attempting to determine how to project revenue figures and had been discussing same with the Tax Assessor.

Administrator Williams advised that the expenditure side of the budget was ready; however, the revenue side of the budget will be guesswork, further advising that Tax Assessor's office has informed him that no tax figures will be available until perhaps the latter part of June. The Administrator explained that the purpose of meeting with Ways & Means prior to distribution of budget draft to full Council was to provide explanations as to what budget figures represent, stating that lack of FEMA reimbursements in this fiscal year will distort the figures. Council member Holden asked the Administrator could he make a guess and was advised by Williams that he would not feel comfortable even making an educated guess since he did not have access to the kind of information which would allow him to do that.

Mayor Bunch addressed the personnel portion of the budget, citing Council's agreement to 5.5% salary increase for employees (3.5% step increase on anniversary date of hire plus 2% cost of living except for Department Heads who would receive 5.5% cost of living for fiscal year), but advised that she and City Administrator had determined that this was too high. She advised that employees had chosen to keep insurance coverage intact rather than have 2% raise. The Mayor stated that it would be Council's responsibility to make further cuts in personnel budget.

The Mayor advised that per Council's authorization, she had signed agreement with the Highway Department for sale of City property for Connector right of ways, stating that more compensation for the land was received than had originally been expected.

The Advisory Board for Accommodations Tax met on May 15 (See Attached as Appendix A). The Mayor asked for a motion to approve Charleston Trident Convention and Visitors Bureau as the recipient of City tourism promotion funds, stating that City would have "hands on" accountability for how money is spent, advising that there would be a liaison person who would report plans and details to the City on a continuing basis. Council member Swanson so moved; second by Council member Ward. On discussion, Ward pointed out that minutes read "tourism related" funds and should read "tourism promotion" funds, asking that minutes be corrected. Council member NesSmith-Picard asked what Charleston Trident Chamber had done that was unsatisfactory and was advised by the Mayor that the City had never received an accounting of how the money was used. When called for the question, motion carried.

2. Police & Public Safety - Chairman Simon read minutes of last meeting (See Attached as Appendix B). Point of order called by Council member Ward, after which he made motion to suspend rules of order and procedure allowing firemen to address Council. Motion seconded by Council member NesSmith-Picard. Motion to suspend carried. Julian Blair, Battalion Chief, introduced Keith Williams who addressed issue of rebuilding of Fire Station 2. Mr. Williams advised Council that an architect had been engaged who was willing to donate the bulk of his time but funds were needed. In order to raise the needed revenues, the fire department was considering putting on a festival at the end of the summer, and Williams advised that negotiations were nearing completion with a well-known band for a concert. Stating that some \$100,000 was expected from ticket sales and concessions, Williams continued by saying that "Raise the Roof" campaign had received contributions amounting to \$5,000 with more donations expected. Council member Sottile asked if commitment had been obtained from owners of property (current owner and prospective buyer) and was advised that both parties were willing to work with the fire department. Williams further advised that a blanket insurance policy could be purchased to indemnify the City. Council member Ward asked date of concert and was advised that tentative date was August 26. Council member Simon told Council that Committee had instructed the fire department to proceed with plans and come back to Council with full package. Council member Orvin asked what was fire department's position on allowing coolers inside the gate and was advised by Williams that beer might be sold within the fenced area. Mayor Bunch expressed appreciation to the firemen, but suggested parking might be a problem. Williams stated that some two dozen buses had been committed to transport people from designated parking areas in Mt. Pleasant and Sullivan's Island. Simon advised that the Committee had many reservations when approached by the firemen; however, the firemen were working their way diligently through the problems, suggesting that Council think through the idea and help cover all the bases.

3. Public Works - Chairman Ward read minutes of last meeting (See Attached as Appendix C). Ward added footnote to minutes: Isle of Palms is only community of the eighteen or so Trident area communities that has taken the lead in curbside recycling. The Chairman commended members of the Recycling Committee and Mayor Bunch for these efforts.

Council member Orvin asked the Administrator if there was a FEMA time limit on repairing a structure that has more than 50% damage. Administrator Williams advised there was no time limit; if cost of repair to a structure exceeds 50% of its value, it must be elevated out of the flood plain. Council member Watson asked if new 50% threshold started January, 1991 and was told that City ordinance was so written.

Orvin further asked about kennels for Island dogs and cats and was advised by Council member Ward that cost was the problem; however, he advised of a fund recently started to raise money to help defray this cost - starting the fund with a \$200 personal contribution -and has, to date, some \$1000 in donations. Administrator Williams stated that kennels could probably be constructed for \$4,000 and must be sited to the right rear of the police station next to the post office because of sewer connection. Ward said he knew of several volunteers who would be willing to assist with construction.

Council member Sottile inquired about debris removal, particularly in the Forest Trail area, asking who was responsible for removing debris from in front of vacant lots. Williams advised that the City has been working with FEMA for several weeks in identifying some 126 lots slated for clearing because of hurricane debris. There are several surveys and lists now being consolidated, and the project will probably begin within the next three weeks.

4. Engrossed Bills - Chairman Holden read minutes of previous meetings (See Attached as Appendix D).

5. Recreation - Chairman Orvin read minutes of last meeting (See Attached as Appendix E). Administrator Williams advised that Smoak's Heating & Air has been given a deadline of June 1 to begin installation of ventilation fans at the recreation building. Williams further advised that contract for repairs to the recreation building would be let on May 31.

The Administrator read letter from William C. Walters, Assistant Director, National Recreation Programs, Department of the Interior, in which the City was advised that if property on 28th Avenue is offered for sale, such sale would be contingent upon the City providing adequate replacement land which must be of at least equal fair market value (See Attached as Appendix F). Council member Orvin stated that he felt the City should proceed with referendum as planned. Council member Holden asked was there any way the City could buy out the grant and return the money and was advised that there was no way. Council member Ward asked would Department of the Interior accept fair market value compensation for land and the Administrator stated that Department of the Interior was not interested in money, they wanted comparable land. Ward, stating that entire tract may not be under restriction, asked attorney to research and determine which portions of City property were not subject to such restrictions and report findings to Council.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - No report. (See minutes Attached as Appendix G.)

2. Planning Commission - David Cantey, Planning Consultant, read minutes of previous meeting (See Attached as Appendix H).

Plats Received:

(1.) 1990-18 - Conditional Plat Showing Subdivision of a Portion of Tract "F", Block "E", Lots 38 - 59, Morgan's Cove Drive, Wild Dunes.

Motion to accept as submitted made by Council member Ward; second by Council member Sottile. On discussion, Council member NesSmith-Picard asked about cover sheet which has been requested to be submitted with each plat and was advised by Cantey that he would inform Planning Commission that she had made inquiry. Council member Watson asked about forty foot bulkhead maintenance and ingress/egress and utility easement shown on plat, appearing to go up to PRD boundary, stating he would like to see five foot buffer there. Cantey advised that such was approved last year and Wild Dunes representatives stated at that time that such was needed for maintenance vehicles.

After point of order raised by Council member Ward, motion to suspend rules of order and procedure and allow input from Wild Dunes representative was made by Council member Watson; second by Council member Holden. Watson asked Foster Clark of Wild Dunes if they would object to a five foot buffer and was advised by Mr. Clark that the portion being questioned was not under consideration, such having been approved previously. In response to question concerning delineation of Tract "F", Block "E" by NesSmith-Picard, Cantey pointed out same, after which NesSmith-Picard asked about calculation of density. Mr. Clark stated that density shown was for entire tract. When called for the question to approve as submitted, motion carried with one "no" vote by Council member Watson.

(2.) 1990-20 - Plat Showing Resubdivision of Lots 24 and 25, Block "D", Tract "B", Into Lots 24A and 24B.

Motion to accept as submitted made by Council member Ward; second by Council

member Holden. On discussion, NesSmith-Picard asked that zoning be shown as well as owners of lots. Cantey advised that request for property line change was being made to allow owner to ingress/egress from Conk Drive rather than Edgewater and two owners had agreed. When called for the question, motion carried.

(3.) 1990-21 - Plat Showing Resurvey of Lots 13 - 16, Block 30.

Motion to accept as presented made by Council member Ward; second by Council member Orvin. Cantey asked was proper name of street J. C. Long Boulevard or Oak Harbor Drive and was advised by the Mayor that street name was changed to J. C. Long Boulevard. On discussion, NesSmith-Picard asked for zoning to be shown on map, further asking if purpose was to take over any portion of alley. Cantey advised there was no intent to do so. When called for the question, motion carried.

(4.) 1990-22 - Plat of Lot 12, Block "P", Owned by Phyllis F. Fleishel, and 1/2 Unopened Portion of 33rd.

Mr. Cantey noted that 85' property line should be shown as abandoned. Council member Holden moved to accept with condition that plat shown such abandonment; second by Council member Ward. Motion to accept with condition carried.

(5.) 1990-23 - Plat of 1.48 Acre Tract Owned by Coastal Property Co., a 0.59 Acre Tract Owned by Coastal Property Co., and a 0.23 Acre Tract Owned by The Beach Company.

(6.) 1990-24 - Plat of a 1.48 Acre Tract Owned by Coastal Property Co., a 0.59 Acre Tract Owned by Coastal Property Co., and a 0.23 Acre Tract Owned by The Beach Company.

Mr. Cantey pointed out that plats were basically the same; however, post office wanted a plat showing lines being abandoned and existing plat did not indicate such. Council member Ward moved to accept Plat 1990-23 as submitted; second by Council member Orvin. Motion to approve carried.

Motion to accept Plat 1990-24 as submitted made by Ward; second by Council member Holden. Motion to approve carried.

Mayor Bunch advised Council that David Cantey was leaving his position of Planning Consultant and moving to Seattle. She thanked Mr. Cantey for his service to the City.

3. Building Committee - No Report.

4. Beach Patrol & Control Board - No minutes of last meeting; however, Council member Simon reported that a request was received to rebuild a property which was approved with some alteration to plans. Another request had been received to repair a piece of revetment, such being permitted by Coastal Council and City Ordinance, stating that it was emphasized to property owner that revetment must be returned to its exact pre-hurricane condition.

5. Personnel Committee - No Report.

6. Dewees (ad hoc) Committee - No Report.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES

None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

None.

H. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Third Reading, Ordinance 1990-3, An Ordinance to Amend Section 5-4-22 (SR-1 District). (See Attached as Appendix I.)

Motion to approve third reading and ratification of Ordinance 1990-3 made by Council member Swanson; second by Council member Watson. Motion carried.

2. Second Reading, Ordinance 1990-6, An Ordinance to Change the Regular Meeting Date of City Council. (See Attached as Appendix J.)

Council member Ward moved to accept second reading of Ordinance 1990-6; second by Council member Watson. Motion carried.

Mayor Bunch, explaining that since Council meetings were already being held on the fourth Thursday, asked for suspension of rules of order and procedure and ratify on second reading. Council member Ward so moved; second by Council member Swanson. Motion to suspend rules and ratify carried.

3. Second Reading, Ordinance 1990-7, An Ordinance to Amend Zoning Requirements Re: Non-Conforming Structures. (See Attached as Appendix K.)

Council member Ward moved to accept as second reading; second by Council member Swanson. Motion to accept carried.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Resolution - Economic Development. (See Attached as Appendix L.)

Motion to accept Resolution made by Council member Ward; second by Council member Swanson. On discussion, Mayor advised that this was affording business the opportunity to rebuild. Council member Ward stated that Council might see several of these because when businesses apply through the Jobs-Economic Development Authority, such applications require Council approval. When called for the question, motion to accept Resolution carried.

2. First Reading, Ordinance 1990-¹⁰~~7~~, An Ordinance to Require Registration of the Locations of Containerized Gas Tanks.

Motion to accept as first reading by title only made by Council member Ward; second by Council member Holden. Holden asked to refer bill back to Engrossed Bills so size of tanks could be determined. When called for the question, motion to accept carried.

J. MISCELLANEOUS BUSINESS

1. RTA Information - The Mayor advised she did not believe agreement should be executed until exact amount of fee assessed per vehicle is set. Council member Watson asked was agreement approved by previous City Council and was advised by the Mayor that previous Council agreed to place on referendum ballot. Council member Watson pointed out that even if 95% of the residents of the Island did not want RTA, City was still committed simply by putting it on the referendum. Council member Swanson stated that she believed Council would have to vote again about City participation in the referendum since the agreement had changed, stating she was not yet willing to do that. Mayor Bunch advised that several communities had put this off for awhile, and that RTA representatives could return and make presentation to entire Council prior to signing of agreement.

2. Mayor Bunch recommended the appointment of Council member Heath Orvin to Police & Public Safety Committee. She also announced resignation of Ken Palka from Planning & Zoning Commission, recommending that John Stanley be appointed to serve Mr. Palka's remaining term. Motion to approve the Mayor's recommendations made by Council member Watson; second by Council member Swanson. Motion carried.

3. Mayor Bunch advised that a date would have to be set for the 14th Avenue property referendum as well as wording on ballot. (See Attached as Appendix N.) The Mayor expressed the opinion that she did not care what went on the property as long as it was not a County park, citing loss of revenue to City as well as the competition from such a park with the municipal parking lots. The Mayor stated that she believed the question was whether or not the people of the Island wanted the park. Council member NesSmith-Picard, on point of order, stated that according to Roberts Rules of Order, Article 10, Section 53, the Chair was not to participate in debate. The Mayor responded that there was no motion on the floor, therefore she could make presentation. Attorney Dreyfoos advised that the Mayor, as Chair of the Council meeting, has the floor until such time as a motion is made, stating that Mayor has right to make presentation until she recognizes another Council member. The Mayor added that she could enter into discussion after motion if she stepped down from the Chair.

The Mayor read a portion of letters concerning 14th Avenue property written to her and to County Council members which indicated that most residents of the Island wanted the park. Mayor Bunch stated that County Council felt dissention here and that the issue has become political, and she felt politics must be kept out of the discussion. The Mayor said this issue must be decided by the people but she wanted everyone to know that the City would lose the tax revenues from this property if the County acquires the land and the City's costs for police and public works will increase.

Council member Watson moved to use wording expressed earlier by Mr. Nuttall; i.e., Do you favor the construction of a County park on the 14th Avenue property constructed by the Parks & Recreation Commission, such wording subject to modification by City's attorney. Second to motion by Council member Ward. On discussion, Ward stated he wished to see the City use original motion which had been voted on unanimously by Council which he understood from the minutes to be "Do you favor the City purchasing the 14th Avenue property". Ward pointed out that he felt asking a question such as "Is it important to keep a Post Office on the Isle of Palms" was not relevant because, of course, everyone wants a Post Office. Ward continued by saying that he felt Council jumped the gun and had to address the issue that night on whether or not the Citizens wanted to purchase the property and he therefore felt Council should stick with that.

Council member Watson stated that, although he had never spoken with Mr. Nuttall prior to this meeting, in listening to him address the issue, he believed Mr. Nuttall to be very logical and reasonable and agreed with him that main issue was whether or not people wanted the County park. Council member Swanson stated she had asked in her motion that the language be drawn by the attorney. Swanson cited cost to the City as indicated previously by the Mayor but stated she would only be interested in buying the property if frontbeach lots were rezoned and sold for single family residences, thereby generating monies to offset cost of property.

Council member NesSmith-Picard reiterated what she recalled to be original motion, stating that if Council wanted to start again and have a different referendum because members have been overcome by events, then a motion should be made asking whether or not residents favor a park. With reference to the City's responsibilities for a park, NesSmith-Picard asked if any Council members had been to Folly Beach County Park since the hurricane, citing that she visited the Folly park and found it to be immaculate, mostly families with small children, buildings were well laid out and adequately maintained. In talking with the Assistant Manager of the park, Ms.

NesSmith-Picard stated that she was advised the County pays for all the maintenance. Citing the issue of the potential loss of revenue for the City, she continued by saying that the PRC was willing to take over some City owned parking spaces and pay for them; however, what monies were lost could be offset in the provision of showers, restroom facilities and a place for people to park - rather than an attractor, the park could be a facilitator - and help eliminate the right of way parking in the residential areas. Council member NesSmith-Picard suggested that everyone take a look at the Folly Beach facility so that a decision can be made based on first hand knowledge, stating the public should also do research so that an informed decision can be made rather than one based on misconceptions.

Mayor Bunch, after stepping down from the Chair, indicated she had talked with the Mayor of Folly Beach and he had agreed with her stand and cited problems Folly Beach has had with the park. The Mayor stated the County would have parking, concessions, bathhouses and lifeguards and the City had been attempting to provide for all of those things, except lifeguards. Agreeing with Mr. Nuttall's earlier comments, the Mayor stated that she had talked with no one who wanted this kind of park and the traffic congestion it would bring.

Council member Simon addressed two separate issues, stating that issue was critical - at the previous Council meeting, when a referendum was discussed, intent was to get advice from citizens as to what to do - in order to receive input from citizens, question needs to be framed so that Council will know what the Island residents really want. Simon continued by saying he was astonished that Council was so willing to give this piece of property away, citing that each Council member had been elected to serve the residents of the Island, and questioning what was in it for the residents. Mr. Simon stated that Council only has responsibility for what is best for citizens of the Island. He further stated that residents of the Isle of Palms would be triple taxed: (1) taxed as residents of the County to float the bond issue (2) taxed as residents of the City to support whatever services the park needs even if it is simply police patrol around the perimeter (3) taxed because PRC will advertise the park and residents will pay for advertising; i.e., pay to buy, pay to patrol, pay to get people to come. Mr. Simon addressed the issue of parking, stating cars would be spread out in all areas around the park once the park lot was full extending into residential areas.

Council member Sottile stated that the original question needed to be addressed, saying it was his understanding that Council voted to have referendum on whether or not the City would buy this piece of property, advising, however, that he did not feel he had enough information about the park at this point to know whether he wanted it or not. Council member Holden stated that, while City purchase of the property was not the most feasible thing, information about the park had been slow coming out. Holden stated it was tough to have a referendum on a park when no one knew, in fact, what kind of park was planned, stating there were positives and negatives, but to date there is no concept drawing.

Council member Orvin stated he felt original question should be stuck to, let the people decide whether or not they wish the City to purchase the property.

Council member NesSmith-Picard stated she likewise felt the referendum should address the original question. Mayor Bunch stated there would not have been a reason to buy the property except for the question of a post office location as well as the possibility of the property being bought by PRC for a park. Ms. NesSmith-Picard, reminding the Mayor that she had not completed speaking, continued by stating that she felt original referendum vote should be retracted, advising that she understood that the option had been signed, the check had been cut and Council was therefore discussing a moot issue.

Attorney Dreyfoos advised Council that information he had received from County Attorney's office was that PRC's acquisition of the property will require bonds that must be approved by County Council and the indication to him is that approval for such acquisition would have to be done by ordinance and ordinance has not yet been

introduced at County Council. The bond issue arrangements have likewise not been drafted, according to the County Attorney's office; PRC has proposal, as indicated by material already distributed, but deal has not been finalized and will not be finalized until County Council gives its approval. Mr. Dreyfoos advised further that there was still the issue that the 14th Avenue property is not zoned for a park, saying that County Attorney's office agrees with him that County must abide by City's zoning; therefore, it appears this is some way away from being a "done deal".

The Mayor asked, should Council not vote to ask question "Do you want a County Park", and 15% of residents subsequently petitioned for referendum, would such referendum question be based on the wording requested by petitioners. The attorney advised that wording would be essentially the same as requested.

Council member Watson, speaking for the record, stated that he had never spoken with Mr. Nuttall prior to this meeting, but in agreeing with Mr. Nuttall's statements expressed earlier, said that the main point clearly was whether or not the residents wanted a park. Mr. Watson stated that, while it is only right that this issue go to the people, it was not right to go with a confusing question or with a question that when it's answered sends a confusing statement to County Council, and advised Council that his motion stood.

Council member Simon stated he was bothered that such a critical issue was being turned into a political football. Simon reiterated that the issue was the City was either going to have a park or not have a park, stating that no one at the table knew what would happen if there is no park and no one was committing to anything beyond the question of park or no park. He continued by saying that if this was played like a political game the Island could be put in jeopardy, stating that such a game would "burn" the voters of the Island.

Council member Ward, commenting that he would continue to see that rules of order were enforced, suggested that if any Council members did not know these rules, they should learn them because that is what separates a civilized governing body from utter chaos. Ward continued by saying that in reading the minutes of the emergency meeting, it appeared that Council's intent was to determine if the residents wanted to purchase the property, further stating that since there were no corrections to the minutes, he presumed that what the minutes stated was accurate. Ward stated that he had made no comment on the park other than it was the least obnoxious of the three choices Council had, but he had commented that he did not believe the City could afford to purchase the land. Mayor Bunch stated that everything that was said at a Council meeting was not and could not be recorded verbatim, but advised that each member had received a sheet from the Attorney with several options for wording including one concerning the City purchase of property. The Mayor advised that she had suggested to Council members that they go home from the meeting, check the papers and make whatever changes they desired.

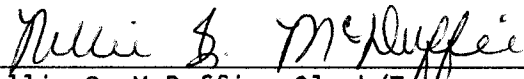
Council member Holden stated that he still considered it premature to have a referendum on the park, but said that he loved the Mayor's idea on petitions, and expressing that when the voters say "you step aside and pass us the ball", then that is what should be done. However, Holden stated that passing the ball to the voters each time there is a tough play is abdicating Council's responsibility and he was not prepared to do that.

Upon request, Council member Watson reiterated his motion, i.e. That a referendum be held to ask the question "Do you favor construction of a County park on the 14th Avenue property, constructed by the Parks & Recreation Commission?", such wording subject to modification by the City's Attorney.

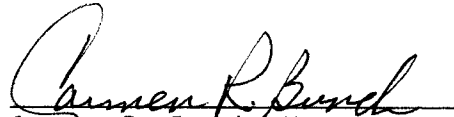
When called for the question, roll call vote: Holden, no; NesSmith-Picard, no; Orvin, no; Simon, yes; Sottile, no; Swanson, yes; Ward, no; Watson, yes; Mayor Bunch, yes. Motion defeated by 5 - 4 vote.

Motion to adjourn made by Council member Ward; second by Council member Holden.
Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

W/M Bunch 4P

APPENDIX A

ADVISORY BOARD FOR ACCOMMODATIONS TAX

Meeting Date Tuesday, May 15, 1990

Present: Mayor Bunch	Dena Wall	Absent: Daine Shiver
Mark Williams	Buddy Thomas	Nancy Fiedler
Nancy Van Cott	Jack Lammey	
Henry Finch		

The Isle of Palms Advisory Board for Accommodations Tax met at City Hall on Tuesday, May 15, 1990. Mayor Bunch thanked the members for attending this meeting which she called to discuss whom will be appointed to manage and direct the City's Tourism Promotion Funds. The Mayor advised members that she had met with Ms. Helen Stansell, Vice President of the Charleston Trident Convention and Visitors Bureau to discuss her proposals for handling the City's fund. After a brief discussion of the services the Convention and Visitors Bureau could offer the City, and the Mayor's dissatisfaction with the handling of funds by the Charleston Trident Chamber of Commerce, the Mayor asked for a motion to select the Charleston Trident Convention and Visitors Bureau as the agency to promote and advertise tourism for the City. Motion made by Nancy Van Cott, seconded by Buddy Thomas and voted on by all members in the affirmative. Nancy Van Cott was voted Chairperson of the Advisory Committee and as recommended by members of the Board it was agreed that she would contact Ms. Stansell and discuss with her what promotional programs, and cost thereof, she could prepare to commence advertising for the City commencing Labor Day. The Mayor advised that by working with Ms. Stansell the City would have a more "on hand" relationship with the "body" spending the City's fund. She advised that she would recommend to City Council that they officially select the Charleston Trident Convention and Visitors Bureau to handle the 25% of the City's tourism ~~related~~ ^{promotion} funds. It was decided that a meeting would be called by the Advisory Committee as soon as Ms. Stansell could outline her promotional program to the Committee. The meeting was adjourned at 5:00 p.m..

LBB

CORRECTION PER COUNCIL MEETING/
ON MOTION FROM C/M WARD.
05/24/90

Minutes: Public Safety Committee Meeting 5-17-90

Present: Councilmembers Simon, Chair
Swanson
Mayor Bunch

Report by Police Chief Arnold;

The Police Department will receive a Federal Drug Enforcement Improvement Grant for approximately \$64,000. This grant will be used for one officer and vehicle. The Dept. has hired a part time Animal Control Officer, this permits 7 day a week coverage. Work will begin on the new generator June 1st.. If necessary this generator has the capacity to also power City Hall.

A general discussion was held on the anticipated Dept. budget for FY 90-91. Chief Arnold informed the committee that his budget request would be for approximately a 15% increase in operating funds. New line items were in the neighborhood of \$3500. Some new accounting procedures for drug seizure and escrow monies were also recommended. No action or in depth discussion took place. All parties recognized that this was the Chief's recommendation for department operations and did not reflect an analysis of expected city revenues anticipated for FY 90-91.

The committee then asked both the Police and Fire Chiefs to comment on possible changes to the cities fireworks ordinance that had been briefly discussed at a previous Engrossed Bills Committee meeting. Both Chiefs expressed reservations regarding changes that would permit the use of fireworks within the city limits. Further discussion was also held during Chief Britton's report, at that time Chief Britton pointed out that the current ordinance was drawn at the request of the Fire Dept because of the danger caused by the possible ignition of pine straw mulch which is frequently used on the Island and the subsequent risk of a residence fire. No action was taken on this issue.

Report by Fire Chief Britton:

Chief Britton asked Keith Williams to address the committee regarding a fund raising to help rebuild Station #2. Because of the detailed and unique nature of the activity the committee asked Mr. Williams to brief council directly. The committee compliments Mr. Williams, Chief Britton and all those involved in the planning stages of this activity for their energy and willingness to take on such an ambitious project.

The Chief will also brief council on the status of bids for a new fire truck.

ISLE OF PALMS PUBLIC WORKS COMMITTEE MEETING
MAY 1, 1990

THE MEETING WAS CALLED TO ORDER AT 7:08PM BY JIMMY WARD. IN ATTENDANCE WERE COUNCILMEMBER NESMITH-PICARD AND PUBLIC WORKS SUPERVISOR ANDY PARISH. MAYOR BUNCH ARRIVED A FEW MINUTES LATER.

DISCUSSION WAS HELD ABOUT THE FINAL DEBRIS SWEEP. MR PARISH SAID THE SWEEP WAS GOING WELL. FEMA HAS AGREED TO PICK UP EVERYTHING EXCEPT VACANT LOTS. MR PARISH SAID MARK WILLIAMS WILL TRY TO WORK WITH FEMA TO TRY TO ARRANGE FOR ANOTHER SWEEP TO PICK UP DEBRIS FROM VACANT LOTS.

THE PARKING LOTS ARE BEING LEVELED FOR THE SUMMER SEASON.

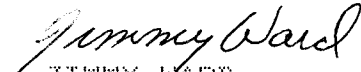
MR PARISH GAVE THE COMMITTEE A REPORT ON RECYCLING. THE FIRST PAPER SWEEP NETTED TWO TONS OF NEWSPAPER. (THE MAY 23RD SWEEP NETTED OVER FOUR TONS.) ON THE FIRST CAN SWEEP OVER 100 POUNDS WERE PICKED UP. EVERYTHING IS GOING WELL AND MR PARISH LOOKS FORWARD TO INCREASES IN PICK UPS IN THE FUTURE. MR PARISH NOTED THAT PEOPLE DO NOT HAVE TO TIE UP THEIR BUNDLES OF PAPER. THEY CAN PUT THE NEWSPAPERS IN PAPER BAGS OR JUST PLACE THEM BESIDE THE ROAD WITH A BRICK ON TOP TO KEEP THEM FROM BLOWING AWAY.

MORGAN COVE PLATS WERE REVIEWED. MR PARISH SAID THE PUBLIC WORKS DEPARTMENT FELT THEY COULD BE APPROVED AS PRESENTED. A VOTE WAS TAKEN AND THE PLATS WERE APPROVED.

EXTENSIVE DISCUSSION WAS HELD ABOUT THE OLD ISLE OF PALMS MOTEL SITE. NO ACTION WAS TAKEN AND THE COMMITTEE MADE NO RECOMMENDATIONS.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 8:03PM .

RESPECTFULLY SUBMITTED,


JIMMY WARD

Minutes Of Engrossed Bills Committee
Regular Meeting
6:00 P.M. May 2, 1990 - City Hall

APPENDIX D

The Meeting commenced at the above time with Committeemembers Holden, Nesmith-Picard and Simon in present at the above time and place. Also present were councilmembers Sottile and Swanson. The Chairman noted that while this was a regular meeting it was expected the date of regular meetings would be changing following Council moving its meeting date and that this meeting therefore represented a chance to "tie up" some loose ends of committee business. The Chairman noted for information that the following matters were before the committee;

- (1) Recall of consideration of Sign Ordinance
- (2) Recall of Fence Ordinance
- (3) Recall/scheduling of Subdivision work session
- (4) Recall of presentation speaking rights at council
- (5) Recall of Debris ordinance amendment (3-2-5)
- (6) Ordinance 1990-7 referred to committee by Council
- (7) Selection of new meeting time

It was also noted that only the last two items had to be dealt within any strict time limit but that the rescheduled, (several times), subdivision work session should be set up again as soon as possible.

Meeting time was first discussed and by unanimous consent it was agreed that committee meetings would be held the third wednesday of the month at 6:00 P.M. As a problem could arise with council meetings in some months, how to word this was debated. It was also noted that the whole new city meeting schedule probably will not last past october anyway. [The most accurate reflection of when we will meet would actually be the Wednesday falling 8 days before the regular council meeting as held on the fourth thursday of each month.]

Next discussed was ordinance 1990-7, an ordinance dealing with non-conforming structures. Final wording supplied by the Building Inspector reflected (1) The ordinance was a relief provision and (2) the relief afforded only extended to non-structural changes. It was noted that the Board of Adjustment and the Building Inspector had requested this ordinance as a way to deal with a mounting problem they were facing. Motion to recommend approval to council was made by Councilmember Nesmith-Picard and seconded by Councilmember Swanson. Passed unanimously.

It was noted that as this was all the business that "must" be handled at this meeting by the chairman, but that if the committee wanted to discuss any other matters and dedicate its next newly scheduled regular meeting to the subdivision regulations that was possible. The committee and councilmembers in attendance agreed.

It was noted that our present sign ordinance still had probably not had a fair trial run at being enforced fully following Hugo and its great impact on signs by Councilmember Simon. Others agreed and for this reason further consideration remained deferred.

The amendment of section 3-2-5 requested by Public Works was discussed. It was noted by the councilmember Holden that while on first blush it seemed to be a difficult ordinance, he believed it could be drafted and suggested a "provided however" clause be inserted into the ordinance. (See Attachment). It was noted that there remained a question of practical enforceability. Councilmember Holden said he felt that would be a big problem but that it would be "Sarge's" problem and he seems to think he can handle it. Councilmember Simon indicated this was similar to ordinance 1990-7 in that an employee familiar with his job was requesting a tool to help him do it better. Everyone agreed it certainly represented a "fair" request which would only stop something, (moving trash in front of neighbor's lots and homes without permission), no one on the committee or otherwise present approved of. Councilmember Nesmith Picard agreed that the way to address the situation would be an amendment of section 3-2-5. After noting fear for his life should "Sarge" not get this ordinance Councilmember Holden moved the City Attorney be requested to draw such amendment. Seconded by Councilmember Nesmith-Picard, the motion passed unanimously.

It was noted by the chairman that the Fence ordinance had been "severed" from the subdivision work session but that since the Mayor who introduced it was not present it would be best to "re-attach" it to that work session.

Speaking order rights at council meetings were discussed. Councilmember Holden noted he agreed with Councilmember Ward's statement at an earlier meeting this issue belonged before full

Speaking order rights at council meetings were discussed. Councilmember Holden noted he agreed with Councilmember Ward's statement at an earlier meeting this issue belonged before full council, but that it was already technically "pending" and if it was never dealt with here it might be assumed resolved when many people including the city attorney on occasion have acknowledged some action probably is called for. Councilmember Holden noted that he did feel presenters had some right to speak. Councilmember Simon noted the citizen's comment period afforded everyone that right and suspension of the rules at the pleasure of council added even more flexibility. Numerous concerns about "losing control" of meeting were expressed. Councilmember Holden noted his only problem was letting everyone know "the rules" and right now conflicting directions are before the public. He further noted that upon consultation with Robert's Rules of Order he had concluded several things led to the specific instance which precipitated this discussion. Chief among them was the use and eventual passage of an undebatable motion to table rather than a debatable motion the postpone consideration. The former being cited as appropriate only when "something else of immediate urgency has arisen" (The Scott, Foresman Robert's Rules of Order Newly Revised, 1990 edition, page 207, see also following comments). It was agreed no direct recommendation would come from committee, but that ample councilmembers were present to be aware that some action and dissemination of information to the public was called for.

Finally, the status of the Park ordinance suggested by councilmember Swanson several meetings earlier was mentioned by councilmember Simon. It was noted by Councilmember Holden that he felt from discussions he had had that the City Attorney felt the Zoning ordinances as written protected the city fully and that the mayor had cited a "required" zoning change if a park was to be built at the last council meeting. Councilmember Holden and several others noted that the PRC did not seem to concur with this in statements they had made. Councilmember Holden stated he just did not know how this legal question would come out and that the city attorney would be the one to ask anyway. Councilmember Swanson reiterated her concern the ordinance she proposed had been drafted. Councilmember Nesmith-Picard asked if specific list of items had been made such as hours of operation, lighting, parking and activities. This would guide attorney in drafting the ordinance. After debate about the correct procedure to follow a motion was made by Councilmember Nesmith-Picard seconded by Councilmember Simon to submit several questions to Mark Williams for answer. (see attachment).

Motion to adjourn made by Councilmember Nesmith-Picard, seconded by Councilmember Simon unanimously passed.

DRAFT COPY AS OF: May 16, 1990

PASSED AS FINAL MINUTES: May 16, 1990

ATTESTED TO:

x Barry C. Holden
Barry C. Holden - Chairman

Ordinance 3-2-5 Amendment

... provided however no refuse of any kind shall be moved to the right of way adjoining any other improved or unimproved property without first receiving the consent of the owner to whose property such right of way adjoins.

— Trespass- privately enforced, Remains a Remedy - This deals with Right of ways & Collections

May 4, 1990

Barry Holden, City Councilman

#7 - 916 Palm Boulevard

Mark Williams, Administrator
 City of Isle of Palms City Hall
 1301 Palm Boulevard
 Isle of Palms, SC 29451

Isle of Palms, SC 29451

Phone 886-5844

Re: Engrossed Bills Committee Request

Dear Mark;

Recently the Engrossed Bills Committee met and certain questions arose which the members desired answers to. In accordance with the Mayor's new policy of not corresponding directly with the City Attorney the committee requested I follow the procedure she had earlier outlined. Therefore if you could have the city attorney either by your previous discussions or by direct submission answer the below questions the committee would greatly appreciate it. (Though it goes against every fibre of my being they made me promise to keep it short and simple.)

(1) Do our current ordinances allow the proposed county park to be built?

(2) If "yes" what is the status of the "parks" ordinance proposed by Councilmember Swanson and then requested by Committee at the Engrossed Bills Committee meeting in March?

These are the two questions as framed by the committee under the "KISS" principle. Please do not delay response to them while pondering my own personal questions below. While the committee wanted a short rapid answer to the above, our discussions lead me to feel answers will undoubtedly also be required to at least some of the following:

(3) If a change in ordinance is required in answer to question 1 above, is it of a nature that without it;

- (a) a park could definitely not be built.
- (b) significant negotiating leverage will be created in favor of the city, (please elaborate on the extent), but ultimately a park of some kind could not be legally prevented.
- (c) a park can most likely be built without the city's further input, but there are technical and/or political considerations favoring a change in ordinance.

(4) If numbers (3)(a) or (3)(b) apply could you please reference some controlling authority for such opinion.

(5) Would the "parks" ordinance suggested by Councilmember Swanson and requested by Committee likely be treated as any other Zoning ordinance or attempt to re-zone the property, and/or could it be crafted to avoid rezoning/"taking clause" problems?

(6) In light of all of the above would the "parks" ordinance suggested by Councilmember Swanson and requested by Committee materially strengthen the city's posture in this matter in the event the PRC proposal became a "runaway train"?

Sincerely,

Barry C. Holden

Minutes Of Engrossed Bills Committee
Special Meeting
6:00 P.M. April 12, 1990 - City Hall

The Meeting commenced at the above time with Council/Committee members Holden, Nesmith-Picard and Simon and Councilmembers Swanson, Ward, Watson, and Sattile in attendance. Also present were the City Attorney, representatives from Wild Dunes and Andy Parish of the Public Works Department. (several interested members of the public arrived slightly later)

Mr. Parish of the Public Works Department requested the committee look into the need to alter section 3-2-5 of the municipal code so as to prohibit the "dumping" of debris in front of other individuals property most notably vacant lots. Councilmember Ward as an owner of a vacant lot stated that this problem had personally cost him money in the past and upon questioning by the City Attorney revealed it occurred even before the hurricane. It was Moved by Councilmember Holden seconded by Councilmember Nesmith-Picard and passed unanimously that further consideration of this matter be postponed to later in the meeting.

Following this The Chairman introduced the matter of the Wild Dunes Plats on 41st street and Morgan Cove. He suggested they divide their presentation into any general discussion of merits they wished to make first and the direct discussion of the PRD amendment question second. A lengthy presentation of general "merits" of the proposed plan by Mark Permar a Wild Dunes Official and expression of concerns on the part of council and members of the public including presentation of a petition by Councilman Simon opposing the development, ensued. Councilmembers noted numerous items of concern including (1) penetrability of the parking lot buffer and not allowing traffic in and out of Wild Dunes PRD; (2) parking space allocation inside and outside Wild Dunes PRD; (3) traffic concerns on 41st street; (4) the buffer on Wild Wood road and the numerous negative impacts any commercial venture would bring to the adjoining residential area. (i.e. dumpsters, noise, deliveries ect.); (5) other general aesthetics such as building design ect. Mr. Permar pointed out ways in which some of these concerns had been, were, and might be addressed within the development plan. It was noted among several councilmembers that the plan had many positive elements which might be lost if Wild Dunes chose to pursue another avenue of development for this property. (at this point the Committee took a break and Mr. Permar explained the plan to several members of the public who had arrived late. Upon return from the break discussion turned to the immediate question whether a PRD amendment was required for the plats to be approvable.

Mr. Brew Hagood, Attorney for Wild Dunes, was given the floor to present Wild Dunes Position in this matter. After noting his general concerns that his client was in need of relatively fast action due to the financial effects of the hurricane and might not be able to wait an extended length of time, he suggested it was an ordinance of 9/13/89 (attached) originally designed to clarify concerns about "gates" and not the basic PRD agreement which created the most difficulty as only the ordinance used the "points of ingress and egress" wording which clearly conflicted with what the plats showed occurring. He further suggested council could amend the ordinance to retain control of any "gate" or access to public roadways but not include situations such as this at 41st avenue and the one already present on Waterway Island.

Councilmember Holden moved that the clarifying language "to a public roadway." be recommended to council for insertion following the "point of ingress and egress" language of the above ordinance. Councilmember Nesmith-Picard seconded. Councilmember Holden requested Mr. Dreyfoos opinion as to whether this would be a workable alternative to a PRD amendment. He stated (1) the wording would probably need to be more detailed than the above and (2) a Clarification by Resolution would be desirable as well if this method was to be used. Mr. Holden moved to amend his motion to include both of the above and that the Mr. Dreyfoos would draft the exact language for presentation at the upcoming special council meeting on the 26th. Seconded by Councilmember Nesmith-Picard. Debate included opinions from the floor from councilmembers in attendance. Councilmember Watson stated he felt the motion was a bad idea. Councilmember Swanson stated she felt the previous ordinance was purposefully made broad. Councilmember Ward stated he recalled the ordinance as a "quick" action taken to prevent a second gate being opened into the PRD. Councilmember Holden stated his belief a clarification eliminating the Waterway Island situation from the original ordinance would in fact make it stronger by effectively doing away with an existing "nonconformity". Councilman Ward ask if this was really making any recommendation to council. Councilman Simon expressed concern over what such recommendation was. Councilmember Holden explained his belief that implicit in this motion were the understandings (1) a PRD amendment is not required if this motion passes and the resulting ordinance and resolution are adopted by full council. (in direct answer to the referred question whether a PRD amendment was required). (2) if this motion and the resulting ordinance and resolution did not pass, debate could continue on the PRD amendment question or any other aspect of this matter but an amendment

would likely be required as the only remaining way to address the situation, and (3) full council remains the final decisionmaker in this matter. Debate continued and on roll call vote Councilmember Simon voted No, Nesmith-Picard and Holden Yes, Motion carried. No further motions were received concerning this matter and discussion moved on to presentation rights of individuals at city council meetings.

Mr. Brew Hagood stated his concern at the last council meeting that he was not allowed to speak concerning these plats. He cited an earlier letter from the city stating that in situations such as this presenters of plats would be allowed to speak. Councilmember Holden stated his belief that this earlier letter presented a problem in his opinion and that something should be done to clarify this. As the Rules of Order and Procedure are in the Municipal Code he felt such could be done under the general Engrossed Bills Committee "examining" charge and recommended to council for action. Councilmember Ward disagreed expressing his belief the discussion should be before full council. Councilmember Watson stated he felt each side of an issue should be allowed to present their case if either was. The utility of the citizen's comment period and potential problems with it were discussed. Councilmember Nesmith-Picard made 2 suggestions. (1) Applicants make comments during the citizen's comments and Council may suspend the rules of order to ask for clarification on questions during plat submittal portion of agenda or (2) give applicant's an opportunity to make brief comments prior to the call for vote. Motion to postpone further discussion was made by Councilmember Holden, Seconded by Councilmember Simon. Councilmember Ward noted the previous problem was caused mainly since a motion to table (his) was on the floor at the earlier meeting. Chairman Holden noted that this ironically was the same situation before the committee right then and ruled Councilmember Ward out of order. [Such has since been determined to have been done by the Chairman in error.] Motion passed unanimously.

Ordinance #1990-7E & 1990-7, a pairing of a permanent and emergency ordinance designed to immediately Amend Zoning requirements Re: Non-conforming structures upon passage by council were presented. Final wording was not available but it was indicated by the City attorney that The Building Inspector and the Board of Adjustment desired this as a way to deal with a large load of "cosmetic" repairs technically requiring variances but having minimal community impact. It was further noted that the present situation was delaying people's repairs and that this was designed to be a relief provision. The extent of the relief was discussed and the possibility the City might not want to grant too much relief as the City's policy is to favor bring non-conforming structures into compliance. Councilmember Holden noted that without the exact wording it would be of limited utility to debate what was before the committee and moved to recommend to council a relief provision with wording suggested by the Building Inspector. Seconded by Councilmember Nesmith-Picard, the motion passed unanimously.

Next presented were a similar "pairing" of ordinances #1990-6E and 1990-6, Ordinances relating to the change of regular City Meeting times. It was noted that the City Hall was down to a fire-safe occupancy of 20 people following Hugo. The Exchange Club was available on the proposed fourth thursday of each month. Councilmember Ward asked if the word "Place" should be included in the title of the ordinance. It was noted the City Code never mentioned "where" to begin with and that only a change of time would thus be required. Upon motion of Councilmember Holden, seconded by Councilmember Simon and passed unanimously it was recommended to council these ordinances both be passed.

Councilmember Holden moved that consideration of the matter earlier brought up by Public Works be postponed. Seconded by Councilmember Simon this passed unanimously.

At the request of the City Attorney it was moved by Councilmember Holden, Seconded by Councilmember Nesmith-Picard, and unanimously passed that the Committee go into an executive session to be briefed by the attorney concerning legal matters. Motion to come out of executive session made by Councilmember Holden seconded by Councilmember Nesmith-Picard and passed unanimously. No action was taken in executive session.

Motion to Adjourn was made by Councilmember Holden. Councilmember Simon corrected that this motion may not be made by the Chair and made same, seconded by Councilmember Nesmith-Picard and passed unanimously.

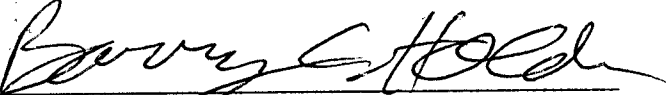
DRAFT COPY AS OF:

May 16, 1990

APPROVED AS FINAL MINUTES:

May 16, 1990

ATTESTED TO:


x Barry C. Holden - Chairman

Special Engrossed Bills Committee Meeting
April 19, 1990 - City Hall

AGENDA

1. Introductory comments

41st Street/Morgan Cove Plats

- 2. Presentation by Wild Dunes Representatives
(including presentation rights at council meetings)**
- 3. Public Comment**
- 4. Motions/disscussion**

Other Business

- 5. Ordinance # 1990-7.E Ordinance to
Amend Zoning requirements Re:
Non-conforming structures**
- 6. Ordinances 1990-6.E & 1990-6 Ordinances
relating to the change of city council
regular meetings time and place**
- 7. Public Works Department Request**

CITY OF ISLE OF PALMS
ORDINANCE NO. 1989-9
Third Reading Draft - 09/13/89

AN ORDINANCE TO CLARIFY REQUIREMENTS FOR THE ESTABLISHMENT AND
AMENDMENT OF MASTER PLANS IN THE CITY'S PRD ZONING DISTRICT

WHEREAS, Section 5-4-29 of the City's Zoning Ordinance establishes a Planned Residential Development (PRD) District for large tract development; and

WHEREAS, development within the City's existing PRD District for the Wild Dunes development has occurred pursuant to an overall Master Plan approved by City Council; and

WHEREAS, the purpose of such a Master Plan is to establish a flexible pattern of land uses, including streets, utilities and open areas; and

WHEREAS, since the adoption of the existing Wild Dunes PRD Master Plan, development activities involving changes to Master Plan have, as a matter of standard procedure, been reviewed and approved by the Planning & Zoning Commission and City Council; and

WHEREAS, City Council desires to retain this procedure, and to continue to exercise its rights to approve all material changes to the approved Master Plan within each PRD District; and

WHEREAS, City Council expressly finds that streets and traffic circulation within and associated with the PRD, including access to the PRD and the locations and use of points of ingress to and egress from the PRD, are material portions of an approved PRD Master Plan, which may be changed only by amendment to the Master Plan; and

WHEREAS, City Council believes the provisions of City Code Section 5-4-29 should be expanded to clarify these points, and to confirm the City's intent to retain the procedures and requirements presently in use with respect to modification of PRD Master Plans; and

WHEREAS, the City is authorized to adopt zoning regulations, and specifically to exercise control over the uses of land and associated vehicular traffic within Planned Residential Districts, pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq. of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to to clarify requirements for the establishment and amendment of master plans in the City's PRD zoning district.

Section 2. Section 5-4-29(4) Amended. Section 5-4-29(4) of the City Code is revised to read as follows:

(4) Specific standards for development within a PRD District shall be set forth in a Master Plan, which shall be submitted to the Planning & Zoning Commission for review, public hearing and comment, and then approved by City Council. Such Master Plan shall include, at a minimum:

- (a) Residential density standards, showing the maximum allowed number and type(s) of dwelling units at build-out.
- (b) Standards for single-family and multi-family structures, including height limitations, required setbacks and buffers, minimum lot size, limitations on impervious surface coverage and other appropriate standards.
- (c) Standards for commercial development, including limitations on commercial uses, height limitations, required setbacks and buffers, minimum lot size, limitations on impervious surface coverage and other appropriate standards.
- (d) A map showing sub-districts within the PRD, if any, identifying the permissible uses within each sub-district.
- (e) A traffic access study and traffic circulation plan, showing traffic patterns and volume within and leading to the PRD, as well as the locations and uses of points of ingress to and egress from the PRD.

Boat

- (f) A drainage plan for the PRD which complies with all City requirements and provides for the (future) integration of the PRD's drainage system into City's drainage system.
- (g) A plan for the preservation and management of any beach, dune, marsh, wetland, riverine or open space areas within the PRD.
- (h) A plan for the proposed phasing and buildout schedule of development within the PRD

All portions of the Master Plan shall comply with the requirements of this Ordinance and other applicable City Ordinances.

Section 3. New Sections 5-4-29(5), (6) and (7) created.
The following sections are added to City Code Section 5-4-29, to read as follows:

(5) Establishment of a PRD District: Any request for the establishment of a PRD District shall be considered an amendment to the Zoning Ordinance and shall be administered accordingly. The request, including all the requirements set forth in Section 5-4-29(d) and other applicable City Ordinances, shall first be submitted to the Planning & Zoning Commission for review, public hearing and recommendation.

(6) Amendment of an approved Master Plan: Approved Master Plans may be revised subject to the approval of the Zoning Administrator without additional review and approval by the Planning & Zoning Commission and City Council in the following limited situations:

- (a) changes in the location of minor roads within the PRD, but excluding points of ingress/egress to the PRD
- (b) change in the allocation of housing density within the PRD, so long as the overall approved density is not increased and appropriate perimeter development standards are maintained
- (c) change in the location of any open space found in the project

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09/13/89

- (d) change in the proposed phasing and buildout schedule of the project

Any site plan approvals, subdivision plats or permits needed for these enumerated changes may be secured using normal procedures therefor.

Any changes to a Master Plan not listed above shall require that a revised Master Plan be submitted to the Planning & Zoning Commission and City Council for approval prior to any approvals of site plans or subdivision plats involving such change(s). City Council explicitly intends that all Master Plan components required in Section 5-4-29(4), including streets and traffic circulation, drainage, and natural resource management, shall be subject to these requirements and procedures.

- (7) Wild Dunes PRD: The existing approved Master Plan and PRD for the Wild Dunes development are herewith recognized, approved as a Master Plan in effect under this Ordinance, and made applicable to the entire geographic area encompassed within the Wild Dunes development. Any future modification to the Master Plan or PRD for Wild Dunes shall be subject to the requirements of this Ordinance.

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

Ordinance No. 1989-9
Third Reading Draft
09/13/89

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS 13th DAY OF September,
1989.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 07/12/89
Public Hearing: 07/26/89
Second Reading: 08/09/89
Third Reading: 09/13/89
Ratification: 09/13/89

Engrossed Bills Committee Meeting
(SEE BELOW)
April 5, 1990 - Minutes

[This meeting was rescheduled from April 4, due to scheduling conflicts with other city meetings. It further attempted to consolidate within it a work session scheduled for April 3 originally which also was moved due to scheduling conflicts.]

The meeting began at 5:35 at City Hall with Councilmember Holden and Mayor Bunch in attendance. Councilmember Nesmith-Picard arrived a few minutes late and Councilmember Simon had earlier indicated scheduling conflicts would preclude him from attending. The meeting began with a discussion of the sign ordinance. After lengthy discussion and including public input from Ms. Millie Wald, a motion to table further consideration of this matter pending (1) the end of the political campaigns ongoing since before Hugo, and (2) some stabilizing of the high degree of post Hugo construction activity. This motion made by Mr. Holden was seconded by Mayor Bunch and passed unanimously. Due to a scheduling conflict the committee relocated to the police trailer after this motion passed.

Next presented by Attorney Dreyfoos was ordinance 1989-14 an ordinance amending the definition of substantial improvement which had inadvertently not been ratified earlier. Recommending ratification was made by Mayor Bunch seconded by Councilmember Holden and passed unanimously.

An ordinance to amend existing ordinances permitting use of trailers on lots which had homes destroyed by Hugo by owners of the land rebuilding such homes was found to have not provided the desired relief in the instance where an owner had purchased adjoining land, and was building in some part on that land as well as the original lot. An emergency ordinance amending the above to provide such relief was offered by Mayor Bunch, seconded by Councilmember Holden and recommended for passage by full council unanimously.

Mr. Jeff Truesdall who had been denied a permit to operate a mobile sandwich business on the Island presented his proposal to do such to the committee. (Ways and Means had referred this to Engrossed Bills for consideration of legal options as a conflict with existing ordinance existed. It was determined that a variance procedure was legally inappropriate. An amendment of the ordinances to permit this might be possible but would be difficult to draw narrowly enough to simply not amount to a repeal of the prohibition on all such businesses on the Island which now exist. The congestion around mealtimes on the Island in the business district was noted. It was also noted that a recommendation to not approve such a change from the committee would still leave full council able to recommend such a change and send the matter back to engrossed bills for consideration of possibilities. Mayor Bunch moved for recommending no changes, seconded by Councilmember Holden, this passed unanimously.

Following this consideration of ordinance 1990-3, an ordinance to amend section 5-4-22 (SR1 District). This had been recommended to be passed by the Planning commission as written. The benefits of raising the requirement to 17,500 feet were presented by Councilmember Nesmith-Picard as reducing approximately an additional 36% of the subdivision possibilities on the Island over the 15,000 foot ordinance. Mr. Holden expressed concern about the number of non-conforming lots this created and the need for comprehensive rezoning of numerous areas of the Island in the wake of Hugo. Concern was expressed that this might be perceived as "lowering" of zoning restriction in some area where 17,500 foot lot size does not fit well. Councilmember Nesmith-Picard handed out the attached suggestions regarding zoning which referred to this problem. It was suggested that possibly an amendment could serve as a short term solution to "getting a handle" on the redevelopment/zoning questions by Councilmember Nesmith-Picard who moved that an amendment to 17,500 feet be made. Such was seconded by Councilmember Holden and passed unanimously.

At this point Attorney Dreyfoos requested Executive session be entered into to receive legal advice relevant to item of proposed legislation he was aware of. Motion made by Mayor Bunch, seconded by Councilmember Holden, passed unanimously. [By this time Councilmembers Watson and Swanson had arrived for the "Subdivision/Fence" work session. They were invited to join in the executive session]. No action was taken in executive session.

Following this the Work Session began. As the executive Session had been quite long, Mayor Bunch had to attend another meeting and only four councilmembers remained present it was suggested a second attempt to schedule a work session be made. A cursory review of materials

was undertaken first. Attorney Dreyfoos informed that it had been some time since he had reviewed the ordinance in depth as the executive session preparation had arisen unexpectedly and consumed much of his time, but that they were in essence a distilled version of Mount Pleasant's ordinance. It was suggested members of council be provided the full version prior to a second attempt at a work session. The Fence ordinance was briefly mentioned but as the Mayor who proposed it was not present to explain her concerns regarding it, consideration was suggested to be tabled. A motion to table the Fence ordinance consideration and reschedule the work session at a later date was made by Councilmember Holden seconded by Councilmember Nesmith-Picard and Passed unanimously.

Motion to Adjourn by Councilmember Holden seconded by Councilmember Nesmith-Picard passed Unanimously.

DRAFT COPY AS OF: May 16, 1990

APPROVED AS FINAL MINUTES: May 16, 1990

ATTESTED TO:

x Barry C. Holden
Barry C. Holden - Chairman

OUTLINE FOR COMPREHENSIVE UPDATE OF ISLE OF PALMS ZONING

IMMEDIATE OBJECTIVE

Preclude developers from buying adjacent or vacant lots and subdividing.

OVERALL OBJECTIVE

Protect residential character of Isle of Palms from intrusion of commercial development and high density residential development.

METHOD TO ACCOMPLISH OBJECTIVES

Revise Isle of Palms zoning map and ordinances as needed to be accurate utilizing zoning and planning practices.

COMMENTS

The proposed 15,000 SF ordinance will almost accomplish the immediate objective. However, there are approximately 38 SR-1 lots greater than 30,000 SF that could still be subdivided. If 17,500 SF is used in lieu of 15,000 SF, the effectiveness of this ordinance will be increased from 51 % to 82 %.

In either case, this is a temporary solution. This "minimum lot size" ordinance does not reflect existing lot sizes (which are much smaller). It only prevents subdivision of large lots. Developers and residents alike will not be able to subdivide. Therefore, to accomplish the overall goal there must be a 1) comprehensive review of the tax and zoning maps to determine an average lot size that is congruent/uniform and 2) determine if establishing additional districts (such as a waterfront district) is appropriate.

Specific Steps Include:

- Establish appropriate minimum lot size for each district
- Establish new districts as needed
- Establish buffer zoning
- Revise zoning map
- Revise zoning ordinances

CONCLUSION

So, the SR-1 minimum lot size ordinance will serve the purpose of preventing subdivision and later it may need revision or reduction to accurately reflect the zoning plan for that district. The key is for developed areas to have viable zoning requirements that impose uniformity.

Melinda NesSmith-Picard
4/5/90

TAKE
PRIDE IN
AMERICA



United States Department of the Interior

NATIONAL PARK SERVICE

P.O. BOX 37127

WASHINGTON, D.C. 20013-7127

2 JUL 1980

IN REPLY REFER TO:
L34(784)

Honorable Carmen Bunch
Mayor of City of Isle of Palms
Isle of Palms, South Carolina 29451

Dear Mayor Bunch:

I am pleased to respond to your letter of April 11 to the Secretary of Interior regarding the possible conversion of a portion of a city recreation area in Isle of Palms.

In 1981, the National Park Service (NPS) granted \$10,258.99 from the Land and Water Conservation Fund (L&WCF) to the city for recreation improvements at the 28th Avenue Park (Project No. 45-00860). According to section 6(f)(3) of the L&WCF Act, no property acquired or developed with assistance from this Fund may be converted to other than public outdoor recreation use without the approval of the Secretary of Interior. This approval authority has been delegated to the NPS.

The proposal to sell a portion of the property to a private entity would constitute a conversion (See 36 CFR 59.3 of the enclosed Code of Federal Regulations). As you indicated, approval of the sale, if granted, would be contingent upon the city providing adequate replacement land for the converted park area which must be of at least equal fair market value and of reasonably equivalent usefulness and location.

If the city wishes to avoid a conversion situation, it may consider constructing a pool at it's own expense and entering into an agreement with a third party or concessionaire for the operation and maintenance of the facility. However, you should be alerted that this facility, or any other located on the Fund-assisted site, must be open to the general public and not just residents of the city of Isle of Palms.

Under the Fund program, the State of South Carolina is initially responsible for reviewing and approving conversion requests before they are submitted to the NPS for final action. If the city wishes to pursue this option, we encourage you to direct your questions to Mr. Ronald R. Carter, Director, Division of Recreation, Department of Parks, Recreation, and Tourism, 1205 Pendleton Street, Columbia, South Carolina 29201, (803) 734-0141. Mr. Carter is the State Liaison Officer and administrator of the L&WCF for South Carolina. He can provide additional information to the city council about the specific program requirements for a conversion of property at the Isle of Palms city recreation area.

We appreciate your efforts to resolve this issue in a manner consistent with the terms of the grant agreement. We hope the above information will be helpful.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Walters", with a stylized flourish at the end.

William C. Walters
Assistant Director, National
Recreation Programs

Enclosure

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
May 10, 1990

The meeting held at the Building Dept. trailer at Breach Inlet started at 6:30 P.M. Present: Edgar Fellabom, Chairman; Howard Garvin; Mary Schall, Secretary; David Somers; and Jim Kilpatrick, Building Inspector. Absent: Betsy Smiley.

1. Florence Hutchinson, 6 49th Ave. request for a variance from Section 5-4-22 (5) (a). Frontyard. George Porcher, Architect represented Dr. Hutchinson although she was in attendance. The variance of 12'6" is for stairs and a deck on the front of the house. Her house was completely destroyed during the storm and this is new construction. A letter was received from J. Marvin Herndon, San Diego, CA owner of lot #4 objecting to the request for a variance. The Board voted unanimously to disapprove the variance request.

2. Marie R. Daniel, 6 50th Ave. request for a variance from Section 5-2-19 (1) Residential construction. Dick Jones and Thomas Reynolds represented Ms. Daniel. The variance is for 1500 sq. ft. of living space at ground level. This is to replace the living space destroyed by the storm that was built in violation of the building code. A letter was received from Ann and Joe Hines, 3 51st Ave. opposing this variance. Since the Board has reservations about this variance it was agreed to postpone this request until they have more information.

The meeting adjourned at 7:40 P.M.

The next regular meeting will be held May 24, 1990, 6:30 P.M. at the Building Department trailer at Breach Inlet; thereafter all meetings will be held on the 4th Wednesday of every month.

Mary Schall
Secretary

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
April 26, 1990

The meeting held at the Building Dept. trailer at Breach Inlet started at 6:30 P.M. Present: Edgar Fellabom, Chairman; Howard Garvin; Mary Schall, Secretary, Betsy Smiley; David Somers; and Ed Haselden, Building Inspector.

1. Jeff Earle, 2501 Palm Blvd. request for a variance from Section 5-4-37 (b). Non-conforming structures. He wants to rebuild the front stairs with a landing at the front door so that he can have an entrance door and a screen door installed. The Board voted unanimously to approve the variance request.

2. Shirley Farrell, 105 Overhill Rd, Youngstown, Ohio request for a variance from Section 5-4-22 (5) b Sideyard at her property 14 Beachside. Ray Swain, Burton Company General Contractor, represented Ms. Farrell. He asked for a 3.5 foot variance in order to build a deck. Mr. Hugh Morrow representing Beachside spoke in favor of the deck addition. A letter from Mr. & Mrs. Lindsey Elrod, 10 Beachside, objected to this variance. Vote being: Fellabom no, Garvin yes, Schall yes, Smiley no, Somers no. Denied.

3. Mrs. Robert A. Dean, 1417 Tolly Ganly Cir, Orangeburg, SC request a variance from Section 5-4-22 (4) (b) Lot width at her property 309 Palm Blvd. (Lot 3). Doug Walker, Dunes Properties represented Ms. Dean. She wants to subdivide Lot 3 which will create a non-conforming lot and the placement of a structure on each lot will undoubtedly require variance on yard set back requirements. Mr. Keith Rogerson, 9 4th Avenue spoke against the variance. The Board voted unanimously to deny the variance request.

4. Mrs. F. Bremer, 507 Carolina, request a variance from Section 5-4-37 (b) Non-conforming structures. Curtis Bonner, contractor, represented Mrs. Bremer although she was in attendance. The variance is to enclose an existing landing to make the kitchen a much more efficient work area. The Board voted unanimously to approve the variance request.

5. Carl Tompkins, 4 46th Avenue, request a variance from Section 5-4-22 (5) (c) Rearyard. Mr. Tompkins requests a variance of 11.6 feet from the rearyard to build a new house on his property. Letters were read from Robert Dehoney, 4602 Palm Blvd., A. Eugene Rountree, 3 47th Ave. and William J. Henry, 6 46th disagreeing with this request. The neighbors who spoke against the variance were: John & Betty Allenbach, 5 46th Ave.; Bob Shebiel, 8 46th Ave.; Gabby Porter, 5 47th Ave.; Lee Thomas, 9 46th Ave.; and Merrill Smith, 7 47th Ave. Mr. Tompkins withdrew his request for a variance since all of his neighbors were against it.

6. Mavis B. Sullivan, 17 22nd Avenue, request a variance from Section 5-4-37 Non-conforming structures. She would like to add a deck and outside stairway to the back of the house for the apartment upstairs. Ilene Foiles, 15 22nd Avenue spoke in agreement with the variance request. The Board voted unanimously to approve the variance request.

7. Bernice Sligh, 221 Chartwell Rd., Columbia, SC request for a variance from Section 5-4-22 (5) (c) Rearyard at her home at 4008 Palm Blvd. Barry McClellan, builder, represented Ms. Sligh although she was in attendance. She is asking for a 14.6 foot variance to build a bedroom addition and a deck on the rear of the existing house. Vote being: Fellabom yes, Garvin yes, Schall yes, Smiley no, Somers no. Passed.

8. Wild Dunes Associates, 741 Hwy 17 By-Pass, Mt. Pleasant, SC request for a variance of elevation of 3.9 feet from Section 5-2-19 (2) Non-residential construction at the Wild Dunes Links Course Garage. Bill McKenzie represented Wild Dunes. They want to construct a garage building 45' by 120' for the golf course maintenance machinery. There was considerable discussion between the applicant and Board members as to the ultimate use of this structure. It was agreed that the interpretation of floor as expressed in 5-2-5 (14) was most relevant in determining this use and building the structure within flood requirements. Vote being: Fellabom no, Garvin yes, Schall yes, Smiley yes, Somers no. Passed.

The meeting adjourned at 9:45 P.M.

A special meeting will be held May 10, 1990, 6:30 P.M. at the Building Department trailer at Breach Inlet to hear appeals which could not be heard on this date.

The next regular meeting will be held May 24, 1990, 6:30 P.M. at the Building Department trailer at Breach Inlet.

Mary Schall
Secretary

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
April 5, 1990

A special meeting held at City Hall started at 6:30 P.M.
Present: Edgar Fellabom, Chairman; Howard Garvin; Mary Schall,
Secretary, Betsy Smiley; David Somers; and Ed Haselden, Building
Inspector.

Bonnie Alexander, Rte 3 Box 202, New Matamoras, Ohio request for
a variance from Section 5-4-37 Non-conforming structures at her
property 515 Carolina Blvd. Bob Csigay, contractor,
represented Ms. Alexander. This request was postponed from the
regular March 22, 1990 meeting.

Action on this request was postponed at the regular March 22,
1990 meeting in order that the Building Inspector accompany the
contractor to the site and identify each structure change and
deck addition that had been made. A stop work order had been
issued. At this April 5, 1990 meeting the Building Inspector
provided photos of each internal structural change and outside
deck addition. These were identified by location and reviewed
item by item with the contractor. The board pointed out to the
contractor the magnitude of these structural changes and the
overall violations relating to Section 5-4-37 of the Code. Mr.
Csigay asked various questions about converting the structure
from a two-family to a single-family dwelling. He indicated his
desire to pursue this with the owner, Bonnie Alexander.

Mr. Csigay withdrew this variance request. There was no vote
taken.

The meeting adjourned at 7:30 P.M.

The next regular meeting will be held April 26, 1990, 6:30 P.M.
at City Hall.

Mary Schall
Secretary

ISLE OF PALMS PLANNING & ZONING COMMISSION

May 9, 1990

The Isle of Palms Planning & Zoning Commission met at City Hall on April 25, 1990 at 5:30 P.M. with members Arnold Karig, Kathryn Carroll, John Gardner, Jan Wilson and Chairman Guy Taylor in attendance. Ken Palka and Darlene Smith were absent.

Chairman Taylor called the meeting to order at 5:30 p.m. and asked for motion to accept the minutes of the last meeting as submitted. Dr. Karig so moved; second by Mr. Gardner. Motion carried.

No sub-committee reports.

1. Plat Showing Resubdivision of Lots 24 and 25, Block "D", Tract "B", Into Lots 24A and 25A.

Plat deferred from last meeting. Representative from Arc Surveying explained intent of property owners in requesting change in property line. Foster Clark of Wild Dunes stated that property owner wished to ingress/egress from Conk Drive rather than Edgewater and had obtained property from neighbor to allow for same. Chairman Taylor asked that zoning be placed on plat.

Motion to approve made by Dr. Karig; second by Mr. Gardner. Motion carried.

2. Plat Showing Lot - 02, Block 10, Section "A", and a Strip of Land Lying to the South, Being Combined. City of Isle of Palms.

Plat deferred until next meeting due to lack of representative to speak for plat.

3. Plat Showing Resurvey of Lots 13 - 16, Block 30.

Representative from Arc Surveying explained intent of plat submission, stating that lots currently existed; property owners simply wanted recordable plat.

Motion to approve made by Mrs. Carroll; second by Mrs. Wilson. Motion carried.

4. Plat Showing the Resubdivision of Lots 1 and 2, Block "U", Into Lots 6A and 7A.

Representative from Arc Surveying requested withdrawal of plat, stating that client wished more time to come up with justification for moving of property line. Mr. Taylor advised that plat had previously been submitted and subsequent discussion with City's Attorney Bill Dreyfoos and Ed Fellabom, Chairman of Board of Adjustment, indicated that future submission should be made to Board of Adjustment rather than Planning Commission. Arc Surveying advised that they would so notify their client.

5. Plat of Lot 12, Block "P", owned by Phyllis F. Fleishel, and 1/2 unopened portion of 33rd Avenue.

Representative from E. M. Seabrook advised that property owner wished to quitclaim from The Beach Company an unopened, undedicated portion of 33rd Avenue between Cameron and Hartnett. Mr. Taylor requested that zoning be shown on plat.

Motion to approve made by Mrs. Carroll; second by Mrs. Wilson. Motion carried.

6. Plat of a 1.48 Acre Tract Owned by Coastal Property Co., a 0.59 Acre Tract Owned by Coastal Property Co., and a 0.23 Acre Tract Owned by The Beach Company.

7. Plat of a 1.48 Acre Tract Owned by Coastal Property Co., a 0.59 Acre Tract Owned by Coastal Property Co., and a 0.23 Acre Tract Owned by The Beach Company.

Lewis Seabrook represented plat, advising that this was future site of new post office and owners had asked for two (2) plats - one showing abandoned property lines and one showing no internal property lines. Post Office will occupy Lots 1-16. Mr. Taylor asked would both plats be recorded and was advised that both would be recorded. Mr. Taylor asked that zoning be indicated on plats.

Motion to approve both plats made by Mrs. Wilson; second by Mr. Gardner. Motion carried.

8. Conditional Plat Showing Subdivision of a Portion of Tract "F", Block "E", Lots 38 - 57, Morgan's Cove Drive, Wild Dunes. Resubmittal.

Bill McKenzie represented Wild Dunes, explained slight changes in plat since previous submittal, and also indicated the reduction of density by eleven (11) lots. Mr. Taylor pointed out that five foot buffer had been maintained and asked that zoning be designated on plat.

Motion to accept made by Mr. Gardner; second by Mrs. Carroll. Motion carried.

Motion to adjourn made by Dr. Karig; second by Mrs. Wilson. Motion carried and meeting ended.

Respectfully Submitted,

Guy Taylor
Chairman

ISLE OF PALMS PLANNING & ZONING COMMISSION

April 25, 1990

The Isle of Palms Planning & Zoning Commission met at City Hall on April 25, 1990 at 5:30 P.M. with all members present.

NEW BUSINESS:

1. Plat Showing the Resubdivision of Lots 24 and 25, Block "D", Tract "B", Into Lots 24A and 25A.

Plat deferred until next meeting due to lack of representative to speak for plat.

2. Plat Showing Lot - 02, Block 10, Section "A", and a Strip of Land Lying to the South, Being Combined. City of Isle of Palms.

Plat deferred until next meeting due to lack of representative to speak for plat.

3. Committees Appointed:

- (a.) Water & Sewer Committee
Ken Palka, Chair
Jan Wilson
John Gardner

- (b.) Capital Budgets
Kathy Carroll, Chair
Arnold Karig
Darlene Smith

- (c.) Traffic and Parking
Arnold Karig, Chair
Kathy Carroll
John Gardner

4. The regularly scheduled meeting for Isle of Palms City Council has been changed to the fourth Thursday of each month. The Planning Commission is therefore changing the meeting date to the second Wednesday of each month. The next scheduled meeting will be held on May 9, 1990 at 5:30 P.M. at City Hall

Meeting adjourned.

Respectfully Submitted,

Guy Taylor
Chairman

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-3

Third Reading Draft - 05/24/90

AN ORDINANCE TO AMEND SECTION 5-4-22 (SR-1 DISTRICT)

WHEREAS, in 1989, City Council amended the City's zoning ordinance and zoning map to provide for an orderly pattern of development within the City; and

WHEREAS, said amendments did not focus on the problems of redevelopment, which the City now faces in the aftermath of Hurricane Hugo; and

WHEREAS, City Council desires to maintain the integrity of established residential neighborhoods, and wishes to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots; and

WHEREAS, City Council notes that in its most restrictive zoning district (SR-1), the minimum lot size is currently 10,000 square feet, as contrasted with a minimum size of 17,500 square feet at Seabrook Island and 30,000 square feet at Sullivan's Island; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 6-7-710 et seq. and 5-23-10 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend Section 5-4-22 (SR-1 District) of the City Zoning Ordinance.

Section 2. SR-1 District Amended.

Section 5-4-22 of the City Code is amended as follows:

(a) In subsection 5-4-22(4)(a), the minimum lot area requirement of "10,000 square feet" is changed to read "17,500 square feet".

(b) Subsection 5-4-22(1)(a) is revised to read as follows:

a. To provide for quiet, low-density residential neighborhoods on comparatively large lots.

Ordinance No. 1990-3

Third Reading Draft - 05/24/90

Page 2

(c) A new subsection 5-4-22(1)(e) is added, to read as follows:

e. To maintain the integrity of established residential neighborhoods, and to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 02/14/90
Public Hearing: 03/28/90
Second Reading: 04/11/90
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-6

Second Reading Draft - 05/24/90

AN ORDINANCE TO CHANGE THE REGULAR MEETING DATE OF CITY COUNCIL

WHEREAS, Section 1-3-1 of the City Code provides that regular meetings of City Council shall be held the second Wednesday of each month, and such meetings have traditionally been held at City Hall; and

WHEREAS, under the City's fire code, prior to Hurricane Hugo, Council chambers in City Hall could accommodate only 30 people; and

WHEREAS, such limitation caused inconvenience for the public, interested parties and City Council, and interfered with the public's ability to attend City Council meetings; and

WHEREAS, as a result of the repairs and renovations to City Hall following Hurricane Hugo, the fire code limits occupancy of Council chambers to 20 people; and

WHEREAS, Council finds such limited capacity is inadequate for purposes of the regular monthly City Council meetings; and

WHEREAS, the Exchange Building, having capacity for very large numbers of people, has been offered for use for City Council meetings; however, its availability is limited, and its use will require Council to change its regular meeting schedule; and

WHEREAS, Council desires to move its regular monthly meetings to the Exchange Building immediately, to enable all interested parties and members of the public to attend Council meetings; and

WHEREAS, City Council is authorized to set its regular monthly meeting dates and amend City Code Section 1-3-1 pursuant to the authority granted in Sections 5-7-250 and 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose

This Ordinance is adopted to change the regular meeting date of City Council.

Section 2. Section 1-3-1 Amended

Section 1-3-1 of the City Code is amended to read as follows:

Sec. 1-3-1 Regular meetings.

The regular meeting of city council shall be held the fourth Thursday of each month; provided that when such Thursday shall fall on a legal holiday, the meeting for such month shall be held the following Thursday. Council shall announce and publish the place where regular meetings shall be held. Each regular meeting shall be called to order at 7:00 p.m. Council may by resolution change the date, place or time of any regular monthly meeting, provided that such change is published and posted.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Second Reading:
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-7
Second Reading Draft - 05/24/90

AN ORDINANCE TO AMEND ZONING REQUIREMENTS RE: NON-CONFORMING STRUCTURES

WHEREAS, Section 5-4-37 of the City Code sets forth the standards under which non-conforming structures may be repaired and altered; and

WHEREAS, such standards do not provide for cosmetic, interior and facade alterations which are not needed to maintain the structural integrity and safety of the structure; and

WHEREAS, in the aftermath of Hurricane Hugo, many owners of non-conforming structures wish to make repairs that would constitute such alterations; and

WHEREAS, City Council believes such alterations are essentially non-structural in character, and may be made without subverting the general intent of Section 5-4-37, provided that the extent of the original non-conformity is not increased; and

WHEREAS, City Council is authorized to make amendments to its zoning requirements pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the City's zoning requirements regarding non-conforming structures.

Section 2. Section 5-4-37 Amended.

- a. In Section 5-4-37 of the City Code, existing subsections (d) through (f) are re-numbered as subsections (e) through (g).
- b. A new subparagraph 5-4-37(d) is created, to read as follows:
 - (d) The following alterations are considered to be non-structural, and may be made to a non-conforming structure, provided that the extent of the non-conformity is not increased:

- (1) Non-structural facade alterations
- (2) Modification or removal of interior walls
- (3) Modification of existing windows and exterior doors
- (4) Construction or modification of decks and patios, provided that there is no increase in any encroachment into required setbacks

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Ratification:

R E S O L U T I O N

WHEREAS, support of economic development in the City of Isle of Palms is an objective of this locality and this action documents our Needs Assessment finding as it relates to economic development; and

WHEREAS, Ocean Inn Apartment Complex will be reconstructed to provide jobs and additional tax revenues; and

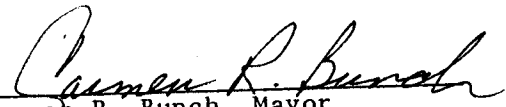
WHEREAS, said business will be located at 1100 Pavilion Boulevard to house tourist and will hire people locally.

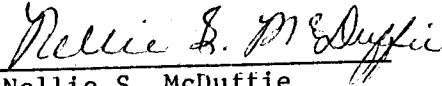
NOW, THEREFORE BE IT RESOLVED THAT the City of Isle of Palms supports the efforts of Ocean Inn Apartment Complex to obtain \$162,500 from JEDA in loan funds from the South Carolina Jobs-Economic Development Authority to carry out its efforts.

BE IT ADDITIONALLY RESOLVED THAT the City of Isle of Palms will request funds through the South Carolina Jobs-Economic Development Authority to provide the defined financing need for the indicated purposes.

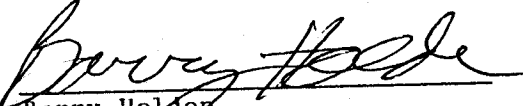
BE IT ALSO RESOLVED THAT the City of Isle of Palms shall apply for \$162,500 from the Jobs-Economic Development Authority and authorizes Carmen R. Bunch, in her capacity as Mayor, to sign and submit the necessary application materials.

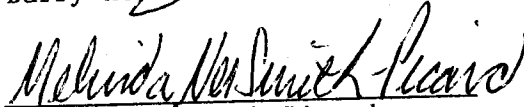
ADOPTED this 24th day of MAY, 1990.

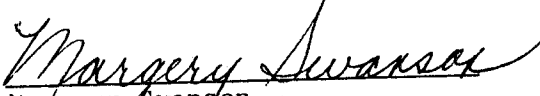

Carmen R. Bunch, Mayor

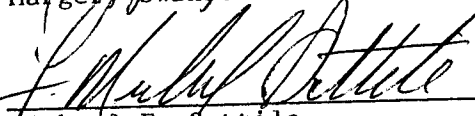
ATTEST: 
Nellie S. McDuffie
Clerk/Treasurer

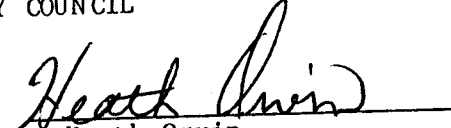
MEMBERS OF CITY COUNCIL

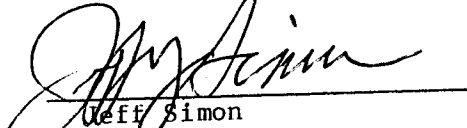

Barry Holden

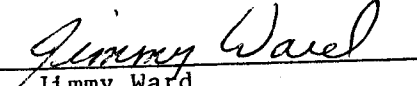

Melinda NesSmith-Picard

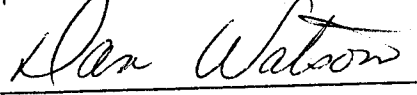

Margery Swanson


Michael F. Sottile


Heath Orvin


Jeff Simon


Jimmy Ward


Dan Watson

CITY OF ISLE OF PALMS, SC
 ORDINANCE NO. 1990-10
 First Reading Draft - 05/24/90

AN ORDINANCE TO REQUIRE REGISTRATION OF THE LOCATIONS OF
 CONTAINERIZED GAS TANKS

WHEREAS, City Council finds that leaking propane and other gas tanks created a major safety hazard immediately following Hurricane Hugo; and

WHEREAS, the City's Emergency Preparedness Committee has recommended that the location of all containerized gas tanks be mapped, to facilitate the resolution of such a safety hazard if another hurricane hits the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public safety pursuant to Section 5-7-30, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to require the registration of the locations of containerized gas tanks.

Section 2. New Sections Created.

A new Chapter 3, Containerized Gas Tanks, is created and added to Title 2 of the City Code.

New Sections 2-3-1 and 2-3-2 are created, to read as follows:

CHAPTER 3

Containerized Gas Tanks

Sec. 2-3-1 Preparation of Containerized Gas Map

The Fire Chief is hereby directed to prepare a map of all propane and other containerized gas tanks in use within the City. Said map shall be used by the Fire Chief to identify the locations of potential public safety hazards in the event of hurricane or other disaster.

Sec. 2-3-2 Registration of Containerized Gas Locations

(a) The owners of all gas appliances and heating systems fueled by propane or other containerized gas shall register with the City Fire Department the addresses where such containerized gas tanks are permanently located. Registration

Ordinance No. 1990-10
First Reading Draft
05/24/90
Page 2

shall be made on forms to be provided by the Fire Department. Registration shall not be required for gas barbeque grills or camping equipment.

(b) To facilitate the City's identification of the location of containerized gas tanks, each individual or company engaged in the business of installing, filling or repairing containerized gas tanks or appliances within the City shall provide a quarterly report to the City Fire Chief that identifies the types and locations of containerized gas tanks installed, filled or repaired. Such reports shall be filed on forms to be provided by the Fire Department.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Second Reading:
Third Reading:
Ratification:

DALLIS & DREYFOOS

ATTORNEYS AT LAW
23 BROAD STREET
POST OFFICE BOX 1840
CHARLESTON, SOUTH CAROLINA 29402
(803) 577-9425
TELECOPIER (803) 722-0246

APPENDIX N

W. ALEX DALLIS, JR.
(SC & US Patent and
Trademark Office)

WILLIAM W. DREYFOOS
(SC & GA)

May 24, 1990

MEMORANDUM

TO: Mayor Carmen R. Bunch
FR: William W. Dreyfoos *WWD*
RE: Wording of Referendum Questions

Since Monday's special Council meeting, I have reviewed PRC's park acquisition options and possible sites for relocation of the Post Office. My review suggests that the sample referendum questions distributed at Monday's meeting are too complex, and parts may be superseded by events in the upcoming weeks, prior to the referendum.

The referendum questions should be simple and timely. It seems that there are two basic issues: (1) do residents want the proposed park; and (2) do residents want to keep a post office on the island. These issues may be combined - e.g., the only site for the post office may be the IOP Motel site - but the City can address them separately.

Accordingly, I suggest that the referendum ask a simple question on each issue, as set forth below. As events progress, the City will be able to use this policy guidance to help determine what actions to take.

1. Should the former Isle of Palms Motel site (on Palm Boulevard at 14th Avenue) be used for a public parking lot, bathhouse, concessions and lifeguards, managed by Charleston County PRC?

Yes _____ No _____

2. Is it important to keep a Post Office on the Isle of Palms?

Yes _____ No _____



May 23, 1990

Gentlemen:

The Charleston County Park and Recreation Commission is in the process of acquiring 9.28 acres with ocean frontage on the Isle of Palms for the purpose of developing a beachfront park facility similar in nature to our facilities at Beachwalker Park on Kiawah Island and Folly Beach County Park on Folly Island. The purpose of this new facility would be to provide beach access and the amenities to make a beach visit enjoyable for Charleston County residents.

The Commission has the requirement for landscape architecture and architectural services in the preparation of a concept plan, with an alternate, as to how this facility and structures might best be designed to meet the needs of the public and to represent a positive addition to the Isle of Palms community. Our intent would be to compliment island architecture and provide a county park facility that is aesthetically pleasing to residents and visitors alike.

THE SITE

Enclosed you will find a copy of the plat entitled, "Plat of a Subdivision of a 11.29 Acre Tract into a 2.01 Acre Tract and a 9.28 Acre Tract." The 9.28 acres is the site for the new proposed county park facility. The site is flat and has sewer and water available. The Isle of Palms connector will exit onto 14th Avenue, thereby providing ease of access to the proposed park.

SCOPE OF WORK

The Commission is requesting the preparation of a concept plan (schematic design), with an alternate, to reflect visually the appearance of the proposed park and its facilities. Facilities included in the park will be a gatehouse of approximately 175 square feet, restroom facilities adequate to support recommended parking, outdoor shower facilities, handicapped accessibility from the parking area to restroom facilities and the beach, park office of approximately 600 square feet, 800 square feet of storage for beach rentals (easily accessible to beachfront), and 500 square feet for vending. Shaded seating for viewing the beach area is desirable. Walkways are required within the park to channel visitors from the parking area to the beachfront. Parking areas which efficiently and effectively utilize available acreage and are designed with a concern

Request for Proposal
May 23, 1990

for aesthetics are needed. Appropriate berm screening for Beachside residential neighborhood is required. Appropriate landscaping within the park and exterior landscaping to screen the visual impact of automobile parking is a requirement. Four spaces for bus parking and ten spaces for RV parking should be included. At this point in time, we prefer to avoid asphalt as the parking surface. A children's play area of approximately 2,000 square feet should be included.

PROJECT PLANNING ASSOCIATION WITH CCPRC

We would anticipate seven meetings with PRC staff, three with a citizens advisory committee, and three commission meetings through the course of the concept planning. PRC staff will be available at the designers request to whatever degree necessary to provide assistance and such assistance visits are not to be applied against the above listed meetings.

OTHER COORDINATION

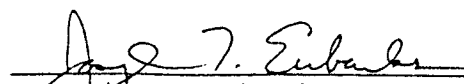
Contacts will be necessary with the South Carolina Highway Department regarding turn lanes which should be depicted in the concept plan. Coordination may be necessary with a structural engineer regarding construction method which might impact appearance of structures.

REQUIREMENTS FOR MAY 29 PRESENTATION

1. Brief history of firm.
2. Information on past projects which are similar in nature.
3. Personnel and qualifications of individuals who will be directly involved with this project and their responsibilities.
4. Other information deemed appropriate by the firm.

LUMP SUM PROPOSAL

The Commission is requesting a lump sum proposal from your firm to complete this project. The time frame for completion is one month. If the Commission were to determine that this time requirement could be relaxed, you would be notified at the earliest possible date.



Joseph T. Eubanks
Executive Director

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JUNE 14, 1990

A special City Council meeting was held on June 14, 1990 at City Hall, called to order at 6:00 p.m. by Mayor Carmen Bunch. Council members present: Holden, NesSmith-Picard, Simon, Sottile, Swanson and Watson. Council member Ward arrived late and Council member Orvin was absent. Also in attendance were City Administrator Mark Williams, Clerk/Treasurer Nell McDuffie and Secretary Loretta Barnhill.

A. Citizen's Comments

Mayor Bunch advised that in the past Council had suspended rules of order and procedure allowing for citizen's comments and she therefore was allowing for same at this special meeting.

1. Clay Cable - Mr. Cable addressed issue of whether or not "Miscellaneous" can be listed on Agenda, citing that purpose of Agenda was to advise interested citizens as to what was going to be discussed. Mr. Cable asked that Council consider removing the "Miscellaneous" section from the Agenda and list those things that will be discussed.

Mayor Bunch pointed out that "Miscellaneous" had been used on Agendas in previous administrations, citing need to use "Miscellaneous" so that Council may be advised of last minute items.

2. Andrew Parrish - Mr. Parrish addressed issue of proposed budget for the upcoming fiscal year, stating that, as he understood decisions made by Council during recent budget discussions, one employee was voted a 13.7% raise while all other employees were scheduled to receive 3.5% step increases on anniversary date or 4% cost of living raises for department heads, citing the inequity of treating one employee differently than the others. Mr. Parrish asked Council to let employees know if they were not satisfied with the quality of the work being done, but stated that he felt the City had outstanding employees, and urged Council to reconsider and act fairly toward all City employees who have worked equally hard and have equal expenses.

3. Patricia Jourdonais - Ms. Jourdonais also addressed the issue of one position/employee receiving a greater pay increase, stating that this employee had received a greater increase for the current fiscal year than other employees and once again was being shown preferential treatment. In quoting Council member Holden, she asked that Council consider "team effort" and the morale of all City employees. Ms. Jourdonais stated that all employees have worked equally hard and each is as deserving as the other.

4. Mark Williams - (See Attached Petition as Appendix A.) Mr. Williams, City Administrator, spoke on behalf of all employees concerning wages in the proposed budget. Williams asked the City Council to recognize that the Consumer Price Index indicated that there had been a 4.6% increase in the cost of living nationwide, 4.3% increase in the south, and that for the purposes of determining wages, the State of South Carolina Budget and Control Board was using 4.5%. Williams noted that with the 3.5% step

increase in pay, employees would realize a net decrease in purchasing power at least equal to 1% and reiterated to Council that many employees would not even see their step increases until late in the fiscal year, and beginning July 1, those employees with dependent's health insurance coverage will see a 10% increase in premiums. Williams asked the Council to consider that many of the City employees' personal affairs had suffered after the hurricane while they performed their public service duties, and that comments made by the Council during the budget process had hurt the employees' morale. Williams added that the employees had been particularly wounded by the Council members' remarks that the employees may have to forgo wage increases to prevent a tax increase, especially since a majority of Council favored a 13.7% increase in pay for the Fire Chief. On behalf of the employees, Williams asked the Council members to reconsider their positions on such a large increase in pay for the Fire Chief when other employees are being denied cost of living increases.

Mayor Bunch stated that when she ran for office, she promised that all employees would be treated equally and fairly because, during her Council experience, she witnessed employees being given differing salary increases for no "rhyme or reason". The Mayor said that she appointed a personnel committee who worked over a year and a half to establish a qualification and classification scale to ensure that all City employees would receive fair and equitable treatment.

B. First Reading, Ordinance 1990-11, An Ordinance to Raise Revenue and Adopt a Budget for the City of Isle of Palms, South Carolina, For the Fiscal Year Beginning July 1, 1990 and Ending June 30, 1991.

Motion to accept as first reading by title only made by Council member Swanson; second by Council member Simon. Motion carried with "no" votes by Council members NesSmith-Picard and Holden.

C. Budget Resolution.

Mayor Bunch, in discussing the budget, emphasized the need to have no tax increase, citing her efforts to avoid such an increase. The Mayor stated that there were funds available in the capital account for construction of needed City facilities; however, a sufficient amount of such funds can be transferred to the general fund for purposes of balancing anticipated revenues against expenditures. Mayor Bunch explained that the funds used to balance the budget may be replaced at a later day since the cost of building at the present time seems to be prohibitive. The Mayor stressed her intent to scrutinize each requisition, stating that no funds will be spent unless absolutely necessary, further advising that should a position become available in City government, that position will not be filled unless such vacancy would impose a hardship on the department.

Mayor Bunch distributed Resolution to Council members (See Attached as Appendix B). Motion to accept Resolution made by Council member Watson; second by Council member Simon. On discussion, Council member Ward expressed desire to act on Resolution after second worksession, citing need to have more detailed numbers. Council member Holden stated he would like to see the final numbers, stating that at the present time it appeared impossible to

balance the budget without raiding the capital projects funds. Holden said the City was putting themselves in for a long term decision because \$351,000 must be put back at some point, stating that the City cannot live in trailers forever.

Council member NesSmith-Picard stated that her priority was to cut the budget; however, she expressed that the Resolution was an alternative but very vague - a blank check - and she felt that was "scary", saying she did not want to give up the entire fund. NesSmith-Picard continued by stating that she had maintained that Council must "cut the fat, cut the perks, cut the planned hires . . . roll back of personnel and last alternative is raise taxes." She stated she would not vote for a tax increase and asked that this Resolution be postponed until final worksession.

Administrator Williams advised that balance of \$1,157,836 was in capital funds account at the present time, stating that this was all funds from all sources. Williams explained that intent of Resolution was to transfer a maximum of \$351,000 and was never meant as a "blank check". Council member Watson stated that this Resolution benefits Islanders who had previously paid taxes at a time when such help is needed, and stated desire to reduce budget in some areas but without reduction in City services, expressing support for Resolution. Council member Swanson stated she really wants tax information from County before any action is taken, asking that Resolution be postponed until such information is available. Ms. Swanson continued by stating that this set the City up for extremely high taxes later and expressed concern not only for people who are in trouble now, but those who may face problems for years to come, saying that using this money to salvage this year may be very costly in the future and difficult decisions will have to be made.

Council member Sottile stated that, while he was glad to see that a way had been found to avoid a tax increase, he would like to see action on Resolution postponed because of his concern for \$351,000 shortfall which must be repaid, asking that Council consider cutting budget further. Council member Simon stated that he also was pleased to see no tax increase; however, he wanted to see a budget established that maintains services on the Island as well as secures the trust the City employees have placed in the Council members, expressing opinion that these two issues can be solved and a postponement of adoption of the Resolution will allow time for those issues to be resolved.

Council member Swanson asked that, in her absence, Ways & Means set up a full work session next week. Council member Ward agreed, stating that another full work session was necessary in order to bring transfer amount down.

Mayor Bunch spoke as citizen, taxpayer and member of Council, citing work previously done on budget and addressed an issue that was discussed in prior worksession; i.e., Mayor's and Administrator's vehicles, stating that Administrator was hired with condition that car be furnished and, while she had never asked for car, Council had voted unanimously to furnish automobile, citing the use of her personal car and gasoline for quite some time prior to Council's action. Regarding the proposed Resolution, the Mayor stated that she felt the Resolution was a way to help people now, and since the money for buildings had not been spent in eight years, buildings could wait a little longer in order to prevent burdening the residents of the Island with higher taxes.

Original motion and second withdrawn; motion to postpone consideration of Resolution until June 28, 1990 made by Council member Holden; second by Council member NesSmith-Picard. Motion carried with "no" vote by Council member Watson.

Mayor Bunch advised that revenue figures may be available on June 22, advising that, if Council so desired, a worksession would be held on that date at 6:00 p.m. at City Hall to get final budget figures.

D. Emergency Ordinance 1990-9.E, An Ordinance to Abate Public Nuisances.

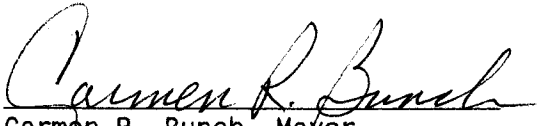
Administrator Williams advised that this was extension of existing ordinance. Motion to approve made by Council member Swanson; second by Council member Holden. Motion carried. (See Attached as Appendix C.)

Motion to adjourn made by Council member Simon; second by Council member Swanson. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie
Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

PETITION TO THE MEMBERS OF CITY COUNCIL

WE, the undersigned City employees, appeal to the members of City Council for fair and just treatment in the setting of wages for the upcoming budget. As a result of Hurricane Hugo's impact on the city's budget revenues, if it is City Council's intention that Isle of Palms employees forego a cost of living increase or wage increases comparable to those received by employees in other local governments, then it is patently unfair and grossly unjust to single out one department head for a 13.7% wage increase when all City employees have worked equally as hard, with the same sense of dedication, under very trying circumstances.

<u>Mark H. Walker</u>	<u>Edw. H. Haselden</u>
<u>Norris L. McDuffie</u>	<u>Police Robinson</u>
<u>James B. Arnold</u>	<u>Viviane B. Roberts</u>
<u>Loretta B. Bingham</u>	<u>Andrew J. Parish</u>
<u>Thomas J. Legare</u>	<u>Leslie Scott</u>
<u>Donald H. Gattison</u>	<u>Deon Scott</u>
<u>Melvin J. Wilson</u>	<u>Sidney Scott</u>
<u>Thomas E. Franklin</u>	<u>Sam Hall</u>
<u>Johnny Daniel</u>	<u>Harvey Maignault</u>
<u>Richard L. Cook</u>	<u>Calvin Maignault</u>
<u>Elizabeth M. H.</u>	<u>Donald F. Galt</u>
<u>Alfred</u>	<u>John Jackson</u>
<u>Robert J. Hines</u>	<u>Sam Bunker</u>
<u>Pat Jourd'homme</u>	<u>Daniel J. Haley</u>
<u>27-730</u>	<u>James J. Hades</u>
<u>Robert H. Haselden</u>	<u>Arthur Edwards</u>
<u>Thelma Maignault</u>	<u>James W. McNew Jr.</u>
<u>J. L. G.</u>	<u>Ray A. Heide</u>
	<u>Mr. Barry White</u>

Shawn F. Corrigan
Angie Earls
Tacey Wilson
Linda Leonard
Lisa Cherry
Marked Peirery
Lynn L. Conrad

Joseph W. Wainwright
Marion Howard
Loretta Wright

Resolution

WHEREAS, the devastation of Hurricane Hugo has caused great loss and tragedy to many of the City's property owners, and;

WHEREAS, the financial assistance the City has received from FEMA and the Governor's Office has been beneficial in post-hurricane recovery but will not offset the anticipated loss of revenues for the upcoming fiscal year, and;

WHEREAS, the City Council does not wish to impose a greater tax burden on property owners in addition to financial losses already sustained because of the storm, and;

WHEREAS, in 1984 the City Council by resolution established a Capital Projects Fund from surplus General Fund revenues on hand, and said funds are available to balance the City's operating budget for the fiscal year July 1, 1990 -- June 30, 1991, thereby eliminating an otherwise unavoidable tax increase to property owners,

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN COUNCIL DULY ASSEMBLED, that a sufficient amount of Capital Projects Fund monies be transferred as an operating transfer to the General Fund in order to balance anticipated revenues against expenditures for the operating budget of the fiscal year July 1, 1990 -- June 30, 1991.

BE IT RESOLVED, THIS _____ DAY OF _____, 1990.

ATTEST: _____

Nellie S. McDuffie
Clerk/ Treasurer

APPROVED: _____

Carmen R. Bunch
Mayor

APPENDIX C

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-9.E (Extension)
6/14/90

AN EMERGENCY ORDINANCE TO ABATE HURRICANE-CAUSED PUBLIC
NUISANCES

WHEREAS, City Council finds that although more than six months have elapsed since Hurricane Hugo, some unimproved, privately-owned properties have not been cleared of debris generated by the hurricane; and

WHEREAS, City Council finds that the worsening condition of such properties constitutes a public nuisance and safety hazard, and that there is great and immediate danger to the public health and safety resulting therefrom; and

WHEREAS, City Council believes that many of the owners of such properties are out-of-state residents, and finds that use of the abatement process set forth in City Code Sections 6-1-16 through 6-1-18 would unduly postpone addressing this situation, and further would cause an undue administrative burden on City staff; and

WHEREAS, funding assistance is now available from the Federal Emergency Management Agency to defray the costs of lot clearing and debris removal from said properties; and

WHEREAS, City Council passed Emergency Ordinance No. 1990-9.E on April 26, 1990 to address the problem outlined hereinabove, and finds that extension of said Emergency Ordinance for an additional 60-day period is necessary to complete the City's actions to resolve this problem; and

WHEREAS, the City is authorized to adopt emergency ordinances affecting the health, safety and property of the people pursuant to Section 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to abate hurricane-caused public nuisances by extending Emergency Ordinance No. 1990-9.E, adopted on April 26, 1990, for an additional period of 60 days.

Section 2. Section 6-1-17 Amended.

The existing Section 6-1-17 of the City Code is re-numbered as Section 6-1-17(a).

A new Subsection 6-1-17(b) is created, to read as follows:

(b) If hurricane-caused debris, constituting a great and immediate danger to the public health and safety, is not removed from unimproved private property within six months of the storm event, the City Administrator may cause the immediate abatement of such hazard as an emergency action, without the provision of notice to the property owner as set forth in Section 6-1-16.

(1) To the extent feasible, such action shall take advantage of funding assistance for hurricane recovery. The City may charge to the property owner any abatement costs not paid by other sources.

(2) For purposes of this section, the term "debris" shall include, but is not limited to, masonry materials; metal products; glass; rubber; creosoted construction materials; refrigerators; stoves; clothes washers; clothes dryers; lawnmowers; bicycles; bathroom fixtures; grills; roofing materials; damaged or disturbed trees, bushes and shrubs; broken, partially broken and severed tree limbs; structural lumber; wood products; plastic; wood furniture; wood cabinets; and cloth items.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

Emergency Ordinance No. 1990-9.E (Extension)

Adopted 6/14/90

Page 3

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS 14th DAY OF JUNE, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JUNE 25, 1990

A special meeting of Council was held on Monday, June 25, at City Hall. The meeting was called to order at 5:30 p.m. by Mayor Carmen Bunch. Council member Swanson was absent, but excused and Council member Orvin arrived late. All others were present. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk/Treasurer Nell McDuffie and Secretary Loretta Barnhill.

Mayor Bunch asked for a motion to suspend the rules of order and procedure and allow Citizen's Comments. Council member Ward so moved; second by Council member Watson. Motion to suspend carried.

A. Citizen's Comments

1. Robert Nuttall - Mr. Nuttall, president of the Beachside Homeowners' Association, expressed concerns of Beachside residents regarding the proposed Beach Boys Concert. Stating support for the efforts of the fire department to replace the fire station lost to Hugo, Nuttall cited potential problems for the surrounding residential area if a concert is held on the 14th Avenue property; i.e., security, alcoholic beverages, crowds, etc. He stated that he was distressed to read in the newspaper that plans had been finalized prior to problems being resolved, saying that it is reasonable to expect some unruly behavior from 20,000 people in a "party atmosphere". While not wishing to stand in the way of raising the needed money, Mr. Nuttall asked that residents be considered before any final decision is made.

2. Lynette Gardner - Ms. Gardner stated support for the Beach Boys Concert being held on the 14th Avenue property, citing the nature of the people attending a Beach Boys concert as being "family oriented" and usually older and more orderly. Stating she doesn't foresee a problem, particularly since the concert is to be held at 3:00 p.m. rather than a later hour, Ms. Gardner said that the Island always has a lot of people on weekends and does not consider the crowd to be a major concern. Because of the need to replace the fire station, Ms. Gardner expressed the opinion that the City would have to "give a little in order to get some back."

B. Fire Department Concert at 14th Avenue

Mayor Bunch expressed the concerns of Council, primarily the expected crowds and the potential problems related to such numbers of people on the Island. After introduction of Fire Chief Britton by the Mayor, Mr. Britton introduced Keith Williams, spokesman for the fire department.

Mr. Williams advised Council that the information they had read and heard was the result of a "leak" to the press prior to contracts being signed, stating that no contract has been signed to date although the fire department is "ready to go" and expects receipt of the contracts within twenty-four hours.

In explaining crowd control, Mr. Williams discussed plans to use SCE&G shuttle buses from designated parking areas in Mt. Pleasant and Sullivan's Island, advising that several agencies and municipalities are working with the fire department in the area of traffic control. In addition, security will be provided within the compound as well as the parameters of the property, according to Williams, who advised that a professional security agency will be hired to

ensure safety and protection.

Council members all commended the fire department personnel and volunteers for their efforts in raising funds for a new station, but asked that certain issues be resolved prior to final commitment, such issues including crowd control, sale of alcoholic beverages, concern for residents of the Island (particularly regarding ingress and egress for emergency vehicles), restroom facilities, parking, limiting number of tickets.

Mr. Williams advised that only 10,000 tickets will be sold and not 15,000 - 20,000 as previously publicized, and further agreed that limiting the hours during which beer would be sold was an excellent idea, stating that hot dogs and hamburgers will also be sold and much of the profit is expected to be received from the concessions, stating that concession stands will be manned by volunteers. Incentives will be offered to encourage the use of shuttle buses, according to Williams, and a "mobile jail" is available through the County. All available resources are being utilized by the Fire Department, according to Williams.

At conclusion of discussion, Mayor Bunch asked Fire Department representative to furnish Council member Jeff Simon a weekly progress report, such report to be presented to Council by Mr. Simon.

Council member Ward moved to enter Executive Session; second by Council member Sottile. The Mayor advised that the purpose of the session was to discuss contractual matters and receive legal advice. Motion carried.

Coming out of Executive Session, Mayor Bunch advised that no action was taken. The Mayor further advised that no figures have yet been obtained from the tax assessor's office, stating that, with Council agreement, budget worksession would be held on Wednesday, June 27, 5:30 p.m. at City Hall.

Motion to adjourn made by Council member Ward; second by Council member Sottile. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie
Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 28, 1990

A. INTRODUCTION OF MEETING

The regular meeting of the Isle of Palms City Council was held on June 28, 1990 at the Exchange Club. The meeting was called to order at 7:00 p.m. by Mayor Carmen Bunch. Following the Pledge of Allegiance, the Mayor had the invocation. Council members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward and Watson were present. Council member Orvin arrived late. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk-Treasurer Nell McDuffie and Secretary Loretta Barnhill.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. May 21, 1990 - Special City Council Meeting
2. May 24, 1990 - Regular City Council Meeting
3. June 14, 1990 - Special City Council Meeting

Motion to approve minutes as submitted made by Council member Watson; second by Council member Ward. Following brief discussion and clarification, motion to approve as submitted carried.

C. CITIZENS' COMMENTS

1. Cliff Rios - Mr. Rios spoke on behalf of his own business, Beach Biz, as well as other businesses on the Island, citing particular problem on the front beach because of the lack of public restroom facilities to serve the visitors to the beach and stating that merchants in the area could not handle the demand on their facilities. Mr. Rios stressed the need for the City to provide such facilities and cited the accommodations tax monies which the City should have available for such construction, and advised Council that he was in possession of a petition signed by some one thousand or so beachgoers requesting that public restrooms be provided for visitors.

Mayor Bunch explained that at the time the restroom project went out to bid last year, all bids came back too high for the money the City had on hand (some \$75,000 plus \$25,000 from PRT), and further stated that, since the hurricane, the City's architect has advised that construction costs are even higher. The Mayor expressed the need to wait until there is some reduction in building costs so as not to burden Island residents with the additional taxes that would be necessary to fund the project, further stating that accommodations tax money is used for many tourist related items and not just this one item.

Council member Holden moved to place mobile restroom facility on front beach but was informed by Attorney Dreyfoos that a substantive motion was out of order at this time and would have to be made later in the meeting.

2. David Belanger - Mr. Belanger of Sullivan's Island stated he had recently become involved in an organization called "Concerned Citizens of East Cooper", a group formed to increase interest in the environment and, particularly, to force SCE&G to immediately halt construction of power lines across the marsh from Mt. Pleasant to the Isle of Palms. Mr. Belanger informed Council that the 33 steel towers, 100' to 180' in height, being erected by SCE&G would not only be a permanent visual blight but, because this area is a major

East Coast flyaway, the towers would endanger certain species of wildlife. SCE&G did not adequately describe the project when it was publicly advertised, according to Belanger, and while the group does not wish to prevent SCE&G from providing necessary electrical power to the Islands, he did state the group's desire to halt such construction while SCE&G's permit is reconsidered and asked that the issue be opened back up for public debate.

Mr. Belanger was interrupted at this point by Mayor Bunch who advised that his time was up and Council action would be necessary to allow additional time. Council member Ward moved to suspend rules of order and procedure and allow Mr. Belanger to continue; second by Council member Watson. Motion carried.

Concluding his presentation, Mr. Belanger asked citizens to write the newspapers, permitting agencies and all others who may be able to have input into this endeavor and express concern, and further suggested that alternatives which should be considered include (1) placing power lines on Connector bridge and (2) underground lines.

Council member Ward advised that he had been given a resolution which he wished to bring up during Miscellaneous Business portion of the meeting (See Attached as Appendix A), stating that he did not realize that SCE&G intended to bring such lines through the marsh at the time Council met with company officials, saying that these environmental issues should be looked at "real hard".

3. George Horres - Mr. Horres, representing SCE&G, spoke on behalf of the utility company, stating that SCE&G was always concerned with the environment, citing their cooperation with the City prior to beginning this project. Mr. Horres further stated that SCE&G had abided by the law and all the rules and had done exactly what they were permitted to do by the various agencies involved, and illustrated such contention by reading excerpts from letters received by SCE&G wherein all permitting agencies acknowledged approval of submitted plans. The power lines are vital, according to Mr. Horres, if the needs of the islands are to be met and asked Council to let the Corps of Engineers make the decision which they have been charged with doing.

4. Billy Abercrombie - State Conservationist with U.S. Soil Conservation Service, Mr. Abercrombie advised that U.S. Soil Conservation had first met with Isle of Palms City officials in April of 1988 and subsequently entered into agreement to study drainage on the Island. Advising that such study was now complete, Mr. Abercrombie presented maps, drawings, flood way locations, etc. to Mayor Bunch and the complete "Storm Water Management System Study" for the Isle of Palms.

Mayor Bunch thanked the representative from Soil Conservation on behalf of the citizens and Council members not only for the study but for excusing the City's last payment.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Swanson reported that there were no formal minutes; however, the committee has been meeting on the budget which will come up later in the meeting.

2. Police & Public Safety - Chairman Simon said no minutes were available at this time, advising that Police Chief and Fire Chief had given their reports

at the meeting and details of the Beach Boys concert were discussed.

3. Public Works - Chairman Ward advised that two meetings had been held since previous Council meeting and reported on meeting of May 29, advising that Council members NesSmith-Picard, Orvin, and Holden, Public Works Supervisor Andy Parrish and Mayor Bunch were in attendance as well as Recycling Chairman Joan Olsen. Ward reported that discussions were held concerning "Duck Crossings" on the Island, advising that Mr. Orvin had agreed to contact Ducks Unlimited about getting signs to be placed off the right of way, on private property, alerting motorists to the ducks crossing the road. Recycling was also discussed. Council member Orvin reported that he had spoken with Ducks Unlimited who advised him that, while they have no available signs, they will look into the matter and see if they can provide the City with appropriate signs. Mayor Bunch advised that the Highway Department has not been very cooperative about the placing of such signs.

Mr. Ward read minutes of June 25 meeting (See Attached as Appendix B), and presented checks to the City earmarked for SPCA or like approved dog kennels, such checks totalling \$1700 plus \$600 Council member's salary for a total of \$2300. Ward advised that \$3500 was the target goal for construction of the kennels, asking that the minutes show congratulations to Carol Walters who had done such a terrific job collecting money for this project. Mayor Bunch commended Council member Ward and Ms. Walters for their work on the kennel project.

Mr. Ward also passed along letter he had received from H.M. Northcutt Corporation concerning water and wastewater treatment (See Attached as Appendix C).

4. Engrossed Bills - Chairman Holden read minutes of last meeting (See Attached as Appendix D). Council member Swanson asked that lighting ordinance regarding turtles be considered by Engrossed Bills Committee. Mayor Bunch advised that the issue of protection for turtles was scheduled to be incorporated in the Beach Management Plan.

Mr. Ward asked if any action had been previously taken concerning the regulation of jet skis and was advised by the attorney that the skis and all motorized crafts are prohibited in designated swimming area from 10th to 14th Avenues; however, there has been no determination that the City has jurisdiction on the inlets or backside of the Island. The Mayor advised that she had requested the legislators to submit a bill giving the City jurisdiction at Breach Inlet.

5. Recreation - Chairman Orvin read minutes of last meeting (See Attached as Appendix E). Mr. Orvin added footnote to minutes: Concerning issue of S.C. PRT restrictions on some City property, such restrictions preventing sale of land for swimming pool, Orvin advised that land behind soccer field in wooded area is not restricted and may be purchased for the pool site, further advising that he and Council member Ward are incorporation officers.

Mayor Bunch agreed that the only land available for the pool would be the area behind the soccer field and advised that the attorney will be working on wording for the referendum, stating that she would not want to see any misunderstanding with the wording.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - No report. (See minutes of last meeting as Appendix F, Attached.)

2. Planning Commission

Mayor Bunch introduced Lee Batchelder, new Planning Consultant for the City of Isle of Palms, who briefed Council on his background and experience.

(a.) Plats Received:

1990-25 - Plat Showing Subdivision of Lot 4, Block 43, Section "B", Into Two Lots as Shown, Situated at the Corner of 21st Avenue and Waterway Blvd.

Council member Ward moved to accept Plat 1990-25 as submitted; second by Council member Simon. Council member NesSmith-Picard questioned square footage requirement of Lot 1B and was advised by Guy Taylor, Planning Commission Chairman, that he had plats and deeds from the 1940's indicating ownership of much more than 15,000 feet. Attorney Dreyfoos confirmed Mr. Taylor's information, advising that total acreage of lot is what is important and not acreage of buildable land. Ms. NesSmith-Picard asked that SR1 zoning designation be placed on plat. Council member Holden asked did marsh land have to be counted as footage and was advised by Mr. Dreyfoos that the City could change present requirements concerning high ground at their discretion. Ms. NesSmith-Picard moved to amend motion to accept plat on condition that plat show SR1 zoning designation; second by Mr. Ward. Motion to amend carried. When called for the question to accept as amended, motion carried.

3. Building Committee

No report.

4. Beach Patrol & Control Board

Council member Simon reported that the Beach Patrol Board met and heard three petitions for activity on the beach, advising that one petition was approved and two were tabled until requested changes were made.

5. Personnel Committee

No report.

6. Deweese (ad hoc) Committee

No report.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES

None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

None.

H. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Resolution - Transfer of Capital Funds monies. (See Attached as Appendix H.)

Mayor Bunch advised that reason for resolution calling for transfer of funds was to preclude a tax increase for the residents, stating that because of the hurricane, residents could not afford additional taxes at this time. The Mayor further explained that the City has the money in a capital funds account which could be used to balance the budget.

Council member NesSmith-Picard moved to postpone vote on the resolution until after third reading of the budget; second by Council member Holden. On discussion, the Mayor stated that if Council waited for a third budget reading, the City would not be able to operate, further stating that she had previously advised Council that there was not time for three readings and only two readings were required. Mayor Bunch further advised that five days were required between readings.

Council member Ward stated that this was difficult budget, but expressed appreciation for cooperation from department heads, indicating his support for the budget because of the honest efforts made by Council and department heads. Mr. Ward emphasized need not to exceed \$260,000 figure. Council member Holden asked was there not going to be third reading and was informed by Attorney Dreyfoos that there would be no third reading. Council member Simon reiterated what Mr. Ward said concerning difficulty of budget, stating that department heads had operated within given parameters and were to be commended for their efforts. Mr. Simon further stated that this was time for the City to go forward, but stressed the "not to exceed" \$260,000 so stated in the Resolution.

Council member Sottile, stating this was his first year to work on the budget, expressed opinion that \$260,000 was a lot of money to be borrowing, questioning what would happen next year and was a tax increase simply being postponed. While agreeing that department heads had worked diligently with Council in keeping the budget down, Mr. Sottile voiced opposition to the \$260,000 transfer of funds.

Council member NesSmith-Picard reminded Council that she had previously stated she would not vote for a budget that raised taxes nor would she vote for a fiscally irresponsible budget such as the one being presented, advising that she would not support this Resolution or proposed budget until the \$260,000 being borrowed from capital funds is reduced to \$100,000 or less as well as stipulation that the revenues collected in excess of the estimate are used to repay the capital account. Ms. NesSmith-Picard stated that, of the \$1.2 million dollars currently in the capital account, over one-half is FEMA money for replacing equipment and buildings lost during the hurricane and most of the remaining money is also earmarked, emphasizing this was not a savings account.

Council member Swanson asked for assurance that, if revenues are understated, the \$260,000 transfer of funds will be reduced accordingly, stating she wished to see this fund repaid as quickly as possible.

Mayor Bunch advised that the City was not "borrowing" this money; it was simply a transfer between accounts, and asked the Administrator to further explain. Administrator Williams stated that capital account was not FEMA money, but was money the City has from insurance proceeds or general operating revenues transferred into the account. While it is true that the City's current capital needs exceed monies in the capital fund, according to Williams, that has been the situation for at least the last five years, explaining that was why, in his opinion, Council had not done anything about building new City buildings. Mr.

Williams further explained that the transfer would not be made unless necessary, and the balance, even with the transfer, would be some \$897,000.

Mayor Bunch advised of previous efforts to build facilities for the City, but cited high construction costs, particularly in recent months, and expressed the opinion that the money could be used now to help the residents of the Island when they most need it. While emphasizing need for facilities and stating that such would be built, the Mayor stated that she felt the resolution was fair.

Council member NesSmith-Picard asked what difference would it make if Council voted on the resolution now or after adoption of the budget. Mr. Williams explained that if Council voted to adopt the budget without approving transfer of these funds, Council would be adopting a deficit budget. Council member Holden asked if it had to be a non-deficit budget and was advised by Mr. Williams that there was a provision in the State Code that allowed for the State Budget and Control Board to come in if the City has a deficit budget and it turns into a deficit fiscal year, and at that time the Budget and Control Board will impose enough millage to generate the necessary revenue.

Council member Watson stated that the bottom line was that Council could not balance the budget and the resolution would benefit current homeowners and residents.

When called for the question to postpone vote on resolution until after third reading of the budget, motion defeated. Motion to pass resolution made by Council member Watson; second by Council member Ward. Motion carried unanimously.

2. Second Reading and Ratification, Ordinance 1990-11, An Ordinance to Raise Revenue and Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 1990 and Ending June 30, 1991. (See Attached as Appendix I.)

Motion to accept Second Reading and Ratification of Ordinance 1990-11 made by Council member Ward; second by Council member Orvin. Motion to suspend rules of order and procedure and not read line by line but entertain specific questions made by Council member Ward; second by Council member Holden. Motion carried.

Council member Ward moved to suspend rules of order and procedure and allow Clay Cable to address Council for two minutes; second by Watson. Motion to suspend carried.

Mr. Cable addressed the issue of the use of the capital projects funds for balancing the budget, crediting his administration for the surplus funds that allowed the capital projects fund to be created, and commented that the current administration had not contributed to the balance of the fund, but had used it for various expenditures. Mr. Cable further stated that no monthly statements were produced and it was difficult to find out where the money happens to be. Administrator Williams pointed out that, while a November, 1984 resolution of Council created the fund, Mayor Cable had not removed the surplus monies in the general fund and establish that capital projects account, such account being created after Mayor Bunch took office. Mayor Bunch advised that the City does have financial statements each month as well as Ways & Means Committee meetings each month and information is available to everyone.

Council member Swanson, regarding Page 2, Line Item 87 of the budget, stated that she saw no need for the \$1500 Special Fund for Council, saying that telephone calls could be made from City Hall and other legitimate Council expenses could be reimbursed. Ms. Swanson made motion to remove Line Item 87,

Page 2, Council's Special Fund; second by Council member Ward. On discussion, Council member NesSmith-Picard advised that the money in question was the \$1500 budgeted for her health insurance policy which she had the option to take, stating that she chose not to take the health insurance and use the money to divide equally among Mayor and Council at some \$166 per person, but reserved the right to choose insurance should line item be deleted. Mrs. Swanson stated that it was her intention for each Council member, in order to implement a true 50% cut, is to either have insurance or pay, but suggested that the Mayor be excluded since she worked fulltime for very smalltime salary. Council member Ward commented that he felt Council members worked hard for \$450 per year and many times he had to conduct City business at his home, stating that this was a legitimate request.

Mayor Bunch stated that she did not know if it was proper to cut the Mayor and Council salaries since they are established by ordinance, suggesting that Council members could donate their salaries, or some portion thereof, to the City at the end of the year. Attorney Dreyfoos advised that if expenditures are set by ordinance, then the City is under a legal obligation to expend that amount of money, stating that it does not matter what is in the budget - if the budget does not adequately reflect that obligation, then Council is in the position of having passed a deficit budget because the amount of expenditure obligations was intentionally under represented.

Council member Watson asked the attorney should Council salaries be increased back to \$10,800 level and was advised by Mr. Dreyfoos that such would be more feasible, suggesting that Council members could amend the ordinance and could return what money they chose to the City. Mr. Watson stated that he wholeheartedly agreed with the intent of Council member Swanson's motion, suggesting that Council members already make over \$2,000 per year and he considered that too much.

Following further brief discussion, roll call vote (yes - remove line item, no - leave line item as is): Holden, no; NesSmith-Picard, no; Orvin, no; Simon, no; Sottile, no; Swanson, yes; Watson, yes; Ward, no; Bunch, yes. Motion to remove defeated 6-3.

Ms. Swanson moved that there be a choice between Council salaries and health insurance for each member; second by Council member Ward. On discussion, Council member Watson stated again that some \$2,000 compensation was too much, but as attorney had pointed out, it should be left in now and changed by ordinance. Council member Simon stated he did not consider this a technically appropriate way to solve the problem, stating that the same compensation must be offered to each individual. While agreeing with the intent, Mr. Simon suggested that salaries should be adjusted by ordinance. When called for the question, motion defeated with yes vote by Mrs. Swanson and Mr. Watson.

Council member Swanson, regarding Line Item 1, Page 7, moved that the Fire Chief's salary be adjusted to reflect the same 4% increase as being received by other department heads; second by Council member Watson. On discussion, Council member Sottile stated that, while he did not wish to get into details unless necessary, the Fire Chief was given a 4% raise as well as additional monies which he felt Mr. Britton was entitled to. Council member NesSmith-Picard stated the Fire Chief's raise was because of a promise, not for performance, stating she had voted for the \$2800 lump sum increase because she was told that he was promised a raise when he was hired and never got it, further stating she would do the same for any City employee if she felt the City had not lived up to its promise to the employee. Council member Ward stated his position was as simple as his belief

that the Fire Chief deserves comparable pay with the Police Chief.

Council member Watson commented that if the Fire Chief was being given a 13.7% raise instead of a 4% raise because of a promise, then Council should have executive session or public hearing and discuss it, stating that such should not be considered during the budget process. Council member Simon stated this was the first time he had heard the word promise, but if such was the case, then the Chief should come to Council and the facts should be easily verifiable. Whether or not the Police Chief's salary and Fire Chief's salary should be comparable, according to Mr. Simon, is an issue for Administrator Williams to bring to Council, stating that Mr. Williams is the chief personnel officer of the City, further suggesting that members of Council are not in a position to know if the two salaries should be comparable in this particular City. Mr. Simon stated that politicking for a raise was inappropriate, and if such is allowed, then it becomes fair game for every employee to do likewise. Council member Holden stated that this had been difficult and agonizing for him, but he believed that someone was owed something on the City's behalf and he had to know that he could sleep at night.

Mayor Bunch advised that she had made no promises at the time the Fire Chief was hired, suggesting that if such was true, why was the issue not brought up in the previous budget, citing that Mr. Britton did, in fact, receive a higher raise last year than other City employees. The Mayor asserted that she had never made a promise to anyone that she did not keep, and she did not believe the Fire Chief deserved more than any other department head, reminding Council of information they recently received from the City's Attorney in Executive Session.

The Mayor addressed the issue of salary cuts for Mayor and Council, citing her long hours and hard work, and stated that she did not intend to cut one penny of her pay when the majority of Council says that one employee should get 13.7% more money in a pay raise than she makes in a year.

Council member Watson reiterated that he felt this raise was sending the wrong message to other City employees, stating that this was not the right way for this matter to be handled. Council member Swanson stated that it was her belief that City employees had been most understanding about not getting the type of raise which would enable them to pay their bills more easily; however, employees do not understand a 13.7% increase for one supervisor, saying she understood this feeling because all employees have worked hard. Council member Simon stated he was prepared to vote against the Fire Chief's raise because it was unfair for the Chief to receive such a large raise, especially in a year when other employees are not even making cost of living, unless there was some compelling reason to do so. Mr. Simon stated that if the Chief was really owed something that he was promised, that would be an overriding issue; however, the process to correct a grievance is not to politick council members but Chief should come forward and state his grievance to Council.

Council member Ward stated this was governmental issue and not political issue, citing that he had always wanted the Fire and Police Chiefs to make comparable salaries. Council members Ward and Orvin objected to reference that they were "politicked", stating such was untrue.

Roll call vote (yes, salary reduced to reflect 4% raise; no, salary remains as presently budgeted): Holden, no; NesSmith-Picard, no; Orvin, no; Simon, yes; Sottile, no; Swanson, yes; Watson, yes; Ward, no; Bunch, yes. Motion defeated 5-4.

Motion made by Council member Watson to increase the Council members' and Mayor's salaries back to \$10,800 for legal reasons only, citing Council's intent

to go back and change this by ordinance, and increase line item deemed most appropriate by City Administrator; second by Council member Ward. Administrator Williams advised that Miscellaneous would be changed from \$7200 to \$11,400. Motion to change salaries carried.

Council member Ward asked for short discussion on vehicle ID fees, asking was such intended as voluntary or mandatory. Mayor Bunch advised that such was not yet in ordinance form, stating that intent was for residents to get on Island following disaster such as Hugo. Attorney Dreyfoos stated he had not researched issue yet, but he was confident vehicles without stickers could be kept off Island after disaster such as Hugo.

Council member NesSmith-Picard suggested that Council work together and get the level down to \$100,000, asking that members vote against budget so that further reductions can be made, stating that present figure was extreme and irresponsible. Council member Holden stated that, for the most part, Council managed to avoid "petty, personal, rock-throwing" during the budget process; however, he considered that there was too much fat in the budget and too many employees, stating that he believed there was still room to cut and, because he felt budget expenditures could be reduced, it was difficult for him to support it.

Council member Watson took exception, saying he believed the budget was anything but irresponsible, stating he felt this was a good budget and should pass tonight. Mayor Bunch cited the hours spent finding ways to cut the budget, pointing out that City employees were not receiving cost of living raises and stated that it would not be fair to cut employee's salaries even further as had been suggested. The Mayor stated she could see no further way to cut the budget, stating that it had been cut already by the administration, the Ways and Means Committee and the full Council.

Council member NesSmith-Picard responded that she had thrown out ideas, some of which were not popular, but would still offer residents the services they deserve and at the same time not put the City in a deficit situation. Citing the .5% cut in employees' pay, Ms. NesSmith-Picard stated that there was nothing personal intended, but simply an idea for consideration, stating that while employees had done a lot of work, Council members owe what they do to the residents and voters of the Island.

Council member Ward suggested that the first budget session next year be with the full Council present and not just Ways and Means Committee, saying that there simply was not enough time this year. Mayor Bunch agreed, stating she had previously made such a motion, but it was defeated, proposing that there be a Finance Committee selected.

When called for the question to approve the budget, roll call vote: Holden, no; NesSmith-Picard, no; Orvin, yes; Simon, yes; Sottile, no; Swanson, yes; Watson, yes; Ward, yes; Bunch, yes. Mayor Bunch explained that she voted yes with great regret because of an injustice that was being done to department heads and particularly the City Administrator. Motion to approve budget carried 6-3.

Motion to suspend rules of order and procedure to ratify the budget made by Council member Ward; second by Council member Orvin. Motion carried.

Motion to ratify budget ordinance made by Council member Orvin; second by Council member Simon. Motion to ratify carried 6-3.

3. Second Reading, Ordinance 1990-10, an Ordinance to Require the Registration of the Locations of Containerized Gas Tanks. (See Attached as

Appendix J.)

Motion to approve Second Reading, Ordinance 1990-10 made by Council member Ward; second by Council member Simon. Motion to suspend rules of order and procedure and accept without line by line reading made by Council member Ward; second by Council member Simon. Motion carried.

On discussion, Council member Swanson, referencing Page 2 (b), moved to amend motion and approve on condition that "quarterly report" be changed to read "yearly report", further asking that ordinance stipulate June 1 as date for such report; second by Council member Holden. Motion to amend carried.

When called for the question to approve as amended, motion carried.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Resolution - Extension of Temporary Use of Mobile Homes and Trailers.

(See Attached as Appendix K.)

Council member Ward moved to accept resolution as presented; second by Council member Simon. Mr. Ward moved to amend and change date from September 28 to November 30; second by Council member Orvin. Administrator Williams advised that FEMA has indicated in conversations with the Building Department and the Mayor that they are disturbed by the number of trailers on the Island below the base flood line elevation during hurricane season. The Mayor advised that extending would annoy FEMA even more, but she hoped City could have additional three months because of the hardship on the residents without extension. Mr. Ward withdrew motion; Mr. Simon withdrew second. When called to the question of accepting resolution as presented, motion carried.

2. First Reading, Ordinance 1990-12 - An Ordinance to Amend the City's Requirements Relating to the Subdivision of Property. (See Attached as Appendix L.)

Motion to accept First Reading, Ordinance 1990-12, by title only made by Council member Swanson; second by Council member Watson. Motion carried.

J. MISCELLANEOUS BUSINESS

1. Council member Holden moved to take amount not to exceed \$15,000 from the \$75,000 allocated for restrooms and purchase and install the mobile restroom facility previously discussed, removing the port-a-lets; second by Council member Ward.

On discussion, Administrator advised that cleaning and maintenance would be difficult at best because level floor did not allow for drainage of water resulting in rot and possible collapse of floor. Mr. Holden stated he believed this was a sanitary solution, citing unsanitary conditions at existing port-a-lets, and stating anything would be an improvement. Council member Swanson asked was appropriated money in the capital fund account and was advised that funds were in accommodations tax account. Council member NesSmith-Picard stated that public health and safety was of paramount concern and burden placed on local businesses was unacceptable, asking that Council move quickly to provide restrooms on front beach.

The Mayor asked who would clean facility. Mr. Holden stated he would like to see a drain in the facility and perhaps Mr. Parrish could furnish personnel. Mayor Bunch advised that Public Works was short of personnel and would not be able to handle additional responsibilities. Council member Watson asked could

pressure be put on PRC to assist the City. Mayor Bunch stated that sewer hookups would delay opening even if plans were implemented immediately. Council member Ward suggested Council go forward and do something as soon as possible.

Mrs. Swanson asked would this mean Council would not worry about building bathroom facility since funds were being used for this temporary solution. Mr. Holden said he did not like the trailer either, but suggested that the City would probably live with the port-a-lets if not with the trailer. Council member Sottile cited the need for at least a short term fix.

When called for the question, motion to purchase bathroom facility carried.

2. Council member Ward, stating that he felt it unfair to present resolution from Mr. Belanger to Council since there was only one copy and no one had an opportunity to review it, presented signed request by majority of Council to hold a special meeting on Monday, July 2, 1990 at 5:30 p.m. at City Hall for the purpose of discussion of SCE&G power lines. (See Attached as Appendix M.) Mayor Bunch invited Mr. Belanger and representatives from SCE&G to attend the called meeting.

3. Council member NesSmith-Picard asked could ticket prices for Beach Boys concert be increased from \$22.50 to \$25 and was advised that City was not sponsoring the concert and has nothing to do with it. Ms. NesSmith-Picard asked would Council be kept apprised of the status of the concert in a timely fashion and was told by Mayor Bunch that the volunteer firemen would be reporting to Council member Simon who would, in turn, report to Council. Ms. NesSmith-Picard emphasized her desire to see the Beach Boys on the beach and not in Ladson. The Mayor stated this would be left up to the firemen to decide.

K. EXECUTIVE SESSION

Motion to go into Executive Session for purpose of hearing report from Ms. Linda Tucker of the BCD Council of Governments made by Council member Watson; second by Simon. Motion carried.

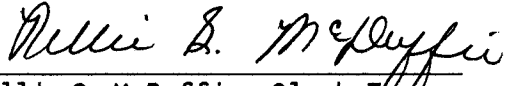
Coming out of Executive Session, Mayor Bunch advised that the reason for the session was (1) discussion of contractual matters with firemen, advising that City is not responsible for concert but must give consent in some areas; and (2) confidential information regarding the Trident Foundation in that people are receiving money and such must be approved by Council; and (3) sale of beer at Beach Boys concert.

Council member Ward moved to accept Ms. Tucker's proposal number 2; second by Council member Swanson. Motion carried.

Council member Simon moved to postpone decisions regarding Beach Boys concert until special meeting called for July 2; second by Council member NesSmith-Picard. When informed that fire department needed to know total number of tickets Council will approve, Mr. Ward moved to amend motion and approve the Fire Department's sale of 10,000 tickets plus 2,000 complimentary tickets for a total not to exceed 12,000 tickets. Motion seconded by Council member Orvin. When called for the question to amend, motion carried with no vote by Council member Watson.

Motion to adjourn made by Council member Ward; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk-Treasurer

APPROVED: 
Carmen R. Bunch, Mayor

RESOLUTION OF THE TOWN OF ISLE OF PALMS

WHEREAS, South Carolina Electric and Gas Company proposes to construct a power line from Mt. Pleasant to the Isle of Palms which consist of 32 steel towers ranging in height from 107 feet to 179 feet, with five lines of wires stretching about 2.5 miles across the intertidal marsh and the intercoastal waterway,

WHEREAS, the area that the power line would cross is a very productive marsh system teeming with shellfish and heavily used by many species of birds including two endangered species, and three species of special concern and nine species of wading birds,

WHEREAS, the existence of the power line would result in bird mortality from direct collisions and electrocution,

WHEREAS, there are other less ecologically disastrous methods of bringing additional power to Sullivan's Island and the Isle of Palms including underground or attached to bridges,

WHEREAS, the Town of Isle of Palms does not want to obtain additional electrical power at the expense of the wildlife and ecosystem that utilizes the area of the proposed power line and at the expense of the ecology and aesthetics of Sullivan's Island and the Isle of Palms,

WHEREAS, the Town of Isle of Palms rejects its electricity needs as a justification for the ecologically disastrous proposed power line,

IT IS THEREFORE RESOLVED, that the Town of Isle of Palms strongly opposes the construction of the aerial power line proposed by the South Carolina Gas and Electric Company to cross the intertidal marsh and the intercoastal waterway between Mt. Pleasant and the Isle of Palms and rejects SCE&G's economic justification for the aerial transmission towers to upgrade the electrical capabilities, and demands that an alternative method of power transmission be utilized that would considerably lessen the long term detrimental effects to our environment.

SIGNATURES

DATE

PUBLIC WORKS COMMITTEE MEETING
JUNE 25, 1990

THE ISLE OF PALMS PUBLIC WORKS COMMITTEE MET ON JUNE 25, 1990. THE MEETING WAS CALLED TO ORDER BY JIMMY WARD AT 7:50PM. IN ATTENDANCE WERE PUBLIC WORKS DEPARTMENT HEAD ANDY FARISH, COUNCILMEMBERS MELINDA NESMITH-PICARD AND HEATH ORVIN.

MR PARISH INFORMED THE COMMITTEE THAT A RESIDENT ON OCEAN BLVD WAS ASKING THAT A STREET LIGHT IN FRONT OF THEIR HOUSE BE TURNED OFF SO AS NOT AS TO DISTURB THEM AT NIGHT. THE COMMITTEE WANTED TO KNOW IF IT COULD BE SHIELDED SO AS NOT TO BOTHER THE RESIDENT SO MUCH. MR PARISH SAID HE WOULD LOOK INTO IT.

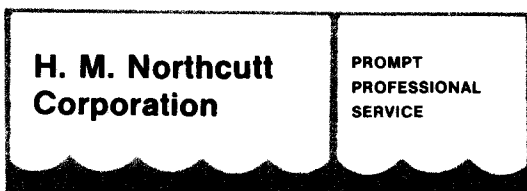
MR PARISH BROUGHT THE COMMITTEE UP TO DATE ON DITCH EASEMENTS. THE COMMITTEE WANTED TO LOOK AT THE POSSIBILITY OF A BOND TO PIPE ALL OF THE OPEN DITCHES ON THE ISLAND. IT IS ESTIMATED THAT THE PIPE WILL COST \$350,000. THE COUNTY WILL INSTALL IT FOR US.

MR PARISH GAVE HIS RECYCLING REPORT FOR THE MONTH. IN MAY FOUR TONS OF NEWSPAPERS WERE COLLECTED WHILE 120 POUNDS OF CANS WERE PICKED UP. ALSO, IN JUNE 410 POUNDS OF CANS WERE PICKED UP.

THERE WAS A DISCUSSION ABOUT THE BOAT RAMP LOCATED NEAR BREACH INLET. THE COMMITTEE STRONGLY FELT THAT THE RAMP MUST REMAIN OPEN TO THE PUBLIC. A VOTE WAS TAKEN AND PASSED TO RECOMMEND TO THE FULL COUNCIL THAT THE RAMP REMAIN OPEN TO THE PUBLIC.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 8:10PM.

Jimmy Ward



1111 HIGHWAY 17 NORTH
P.O. BOX 794
MT. PLEASANT, S.C. 29464
TEL.: (803) 884-4952
FAX: 803-881-8528

June 26, 1990

Mr. James M. Ward, CPA
2207 Hartnett Blvd.,
Isle of Palms, S. C. 29451

Dear Jimmy,

Pursuant to our telephone conversation yesterday, I thought a follow-up letter outlining some important points would be in order.

I am liscensed in **water and wastewater treatment** and work with some thirty or more cities and towns in the Carolinas and Georgia and their engineers on water and sewer issues.

My father managed the Mt. Pleasant Water and Sewer Commission in the late sixties and I have had ample opportunities to appreciate first hand the power and politics of water.

My observation has been that most people know very little about the business of water and are unable to make informed decisions. You need to make time to separate fact from fiction and to understand that you are not under any pressure to make a snap decision. Relinquishing control of water under any circumstance is almost always regretted.

Do not let talk about rules and regulations or EPA deadlines prompt you into losing what is most likely an excellent source of revenue for the people you serve.

The Isle of Palms Water Company's consulting engineer requested and was granted an extension on time for submittals on water plant improvements. This extension was granted until such time that Mr. Way consumates the sale of said water system.

You have time and should take the time to **thoroughly understand your options** before making a decision of this magnitude.

Sincerely,


H. M. NORTHCUTT CORPORATION

BY: J. Charles Northcutt, President

JCN/mrn

Minutes Of Engrossed Bills Committee
Regular Meeting
6:00 P.M. May 15, 1990 - City Hall

The Meeting commenced at the above time with Committee members Holden, Nesmith-Picard and Simon present at the above time and place. Also present were the City Attorney, Councilmembers Watson, Ward, Sottile and Swanson. The Chairman noted that this being the month meetings were rescheduled there was a minimum of pressing matters to address, and that then the Subdivision work session could be started.

The minutes of the previous two meetings were unanimously passed upon motion of councilmember Nesmith-Picard, seconded by Councilmember Simon. The minutes of a previous meeting passed earlier pending corrections were also presented in their final form.

Ordinance 1990-10 (containerized Gas tanks) was discussed. Whether any specific reference to size of tanks involved would be appropriate was discussed. It was agreed to get the Fire Chief's input regarding this, (motion by Councilmember Holden seconded by Councilmember Nesmith-Picard passed unanimously.) Also recommended was an amendment to call for annual reporting as of July 1, (motion by Councilmember Holden seconded by Councilmember Simon passed unanimously). Given that this ordinance was also being reviewed by the Emergency Preparedness Committee it was discussed what would work best procedurally regarding these recommendations.

An ordinance to permit use of Fireworks on certain holidays was presented by Councilmember Ward. The form was sufficient for passage per cursory review by the city attorney and copies were distributed. It was recommended that the ordinance include a requirement of adult supervision. It was also recommended that input from the Fire and Police Chiefs be solicited regarding this mater. No motion was made in regard to this ordinance.

The status of the proposed Public Works ordinance amendment request to section 3-2-5 was discussed. No action had been taken. The status of the "park ordinance" questions submitted to the city attorney was addressed. The city attorney distributed answers to those questions.

At approximately 6:40 P.M. motion to adjourn and commence with the Subdivision work session was made by Councilmember Simon seconded by Councilmember Nesmith-Picard and passed unanimously.

[Subdivision work session completed review of entire draft of Subdivision regulations. Fence Ordinance was not covered.]

DRAFT COPY AS OF: 6/12/90

PASSED AS FINAL MINUTES: 6/28/90

ATTESTED TO:

X _____
 Barry C. Holden - Chairman

MINUTES OF RECREATION COMMITTEE MEETING OF JUNE 13, 1990

The Recreation Committee for the Isle of Palms met on Wednesday, June 13, 1990 at 7:00 p.m. at City Hall. Attending were Council members Mike Sottile, Dan Watson and Heath Orvin; Committee members Sharon Neal and Tom Widlowski; Mayor Carmen Bunch and Recreation Director Stacy Wilson.

Activities and events planned include:

- Summerfun, a Day Camp, for 25 - 30 kids at a cost of \$30 each.
- Movie Night, beginning Friday, June 29 at 6:00 p.m. The first movie scheduled is "Back to the Future". Admission is 50 cents and lemonade and popcorn will be available.
- Keen-Agers, a Senior Citizens group, will have a monthly covered dish get together.
- There will be eight softball leagues this summer.
- The Isle of Palms will enter a soccer team in conjunction with Mt. Pleasant for youngsters aged 5 - 14 at a cost of \$10 per child.
- The annual fourth of July celebration will be held beginning at 12:00 noon at the Recreation Department.

Other items of interest:

Installation of the ventilation fans is nearing completion; work should be finished within the week.

Offices are being remodeled and the bathrooms are totally new. Repairs should be complete in about a month.

Three dry wells, two spigots installed at the little and the big ballfields.

Parking may be provided for Beach Boys concert planned for August 26 at a cost of \$4 - \$5 per car. No parking on the ballfields, they will be roped off. Possibly 200 cars could be parked.

The Isle of Palms Merchants Association is planning a fundraiser on the weekend of Hurricane Hugo anniversary. It is expected that the Recreation Department may receive \$10,000 from the monies raised which could be used for tennis court lights.

Committee expressed appreciation to Stephanie Hargrove, maintenance and groundskeeper. Recreation Department has never looked better. Also, thanks to Stacy Wilson.

Meeting adjourned at 8:00 p.m.

Respectfully Submitted,
Heath Orvin, Chairman

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
May 24, 1990

The meeting held at the Building Dept. trailer at Breach Inlet started at 6:30 P.M. Present: Edgar Fellabom, Chairman; Mary Schall, Secretary; Betsy Smiley; David Somers; and Ed Haselden, Building Inspector. Absent: Howard Garvin.

1. Marie R. Daniel, 6 50th Ave. request for a variance from Section 5-2-19 (1) Residential construction. Dick Jones represented Ms. Daniel. The variance is for 1500 sq. ft. of living space at ground level. This is to replace the living space destroyed by the storm that was built in violation of the zoning code. A letter was received from Ann and Joe Hines, 3 51st Ave. opposing this variance. This request was postponed from the April 26, 1990 meeting. The Board heard this request, as an appeal, since a building permit dated April 2, 1990 was disapproved. The Board voted unanimously to disapprove the appeal.

2. Arthur & Elizabeth Cobert, 3404 Waterway Blvd. request for a variance from Section 5-2-18 (8) Provisions for flood hazard reduction. The variance is for an external laundry tub and shower at the rear of the garage 18 inches short of the flood elevation. Since it is feasible to elevate the shower and laundry tub on the outside wall with steps and a platform, the request was withdrawn.

3. D. A. Jackson, 41 25th Avenue for his property at 43 25th Avenue request for a variance from Section 5-4-22 (5) (a) Frontyard. Mr. Jackson requests that the front yard, of a proposed structure be at an angle and not count 25th Avenue as the front yard. The resultant side yard & front yard setback requirements would benefit the applicant in the placement of the structure on a irregular-shaped lot. Disagreeing with his request were Dennis White, 5 Tabby Lane and Joan Barker, 3 Tabby Lane. A letter was received from John & Carol King, 7 Tabby Lane opposing this request. Since the Board has reservations about this variance, and any considerations and stipulations regarding the approval of this plat by the city, it was agreed to postpone this request until they have more information.

The meeting was adjourned at 7:35 P.M.

The next regular meeting will be held June 26, 1990, 6:30 P.M. at the Building Department trailer at Breach Inlet; thereafter all meetings will be held on the 4th Tuesday of every month.

Mary Schall
Secretary

MINUTES OF PLANNING & ZONING MEETING OF JUNE 13, 1990

Attending: Chairman Guy Taylor, Dr. Arnold Karig, Jan Wilson, Kathy Carroll and John Stanley.

The Isle of Palms Planning & Zoning Commission met on June 13, 1990 at City Hall. Chairman Taylor called the meeting to order at 5:35 p.m.

Mrs. Carroll moved to approve minutes of last meeting as submitted; second by Mrs. Wilson. Motion carried.

Sub-committee Reports:

1. Traffic - Dr. Karig, Chairman, reported that the Traffic Sub-committee met on May 30, advising that one of the problems the committee faced in dealing with traffic planning for the Island is finding factual information on which to base future recommendations, citing the only documentation in hand is a 1987 study from the BCD Council of Governments. Dr. Karig stated that this study made several recommendations, one being the purchase of the municipal parking lots which the City had acquired. The committee members expressed considerable concern with potential problems the Connector will bring at the intersection of Palm Boulevard and 14th Avenue, particularly if the County PRC constructs a park on the 14th Avenue property, according to the Chairman. Additional concerns include the need for bike paths on both sides of Palm Boulevard as well as other areas of the Island. Dr. Karig advised that John Gardner is drawing up a map of majors routes to be considered for such bike paths.

Mr. Stanley asked about information developed by the Highway Department and was told by Dr. Karig that there was no such information he was aware of.

Chairman Taylor advised that committees are attempting to come up with general recommendations addressing various problems such as traffic, water/sewer and capital budgets, citing the primary importance of water/sewer studies.

Mrs. Carroll, Chairman of Capital Budgets, reported that no meeting was held; however, members attended the worksession at City Hall at which time the Conway City Planner presented ideas of use of 14th Avenue property. Mrs. Carroll advised that any recommendations would be premature at this time since outcome of potential purchase of property by Charleston County PRC is unknown.

Plat Submittals:

1. Plat Showing Lot 02, Block 10, Section "A", and a Strip of Land Lying to the South. Neimeyer, Surveyor.

Plat deferred because of lack of representative to speak for plat.

2. Plat Showing a Subdivision of Lot 1, Block 43, Section "B", Into Two Lots as Show, Situated at the Corner of 21st Avenue and Waterway Boulevard. Property Owner Calvin C. Bayne; Charles F. Dawley, Jr., Surveyor.

Mr. Bayne was in attendance to speak for the plat. Chairman Taylor advised that question before Planning seemed to be property size, citing that Lot 1A conforms to the 17,500 square foot minimum lot requirement as well as the required setbacks. Concerning Lot 1B, Mr. Taylor advised that the City's Attorney stated ownership of entire property was the issue; i.e., did owner have title to property to low water mark. Mr. Taylor reported that his research

indicated 1948 plat as well as deed showed such ownership (See Attached as Appendix A). Mr. Taylor advised that under S.C. forty year rule, if you have title going back forty years, you have decent title and property owner has such title.

Mr. Karig asked about 10 x 16 1/2 foot area shown on the plat and was it considered part of the structure. Mr. Taylor advised that it was an uncovered patio and therefore not considered part of the structure. Council member NesSmith-Picard interjected that the Building Department had advised her that if a deck is attached to the house, it must conform to the setback requirements.

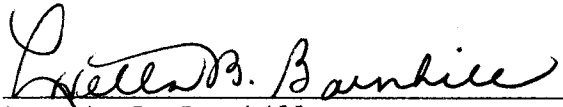
Mrs. Carroll moved to accept plat; second by Dr. Karig. Motion carried.

Mayor Bunch advised that she was having a study of the traffic done at the present time and information should be available in a week, stating that such would be furnished to the committee upon receipt.

The Mayor further advised of her appointments to the water/sewer study committee; i.e., Guy Taylor, William Sandiford, John Stanley, Linda Tucker and Mark Williams. Mr. Taylor advised Planning members that City had received \$30,000 to hire an engineering firm to take a look at what needs to be done on the Island with water and sewer.

Motion to adjourn made by Dr. Karig; second by Mrs. Carroll. Motion carried and meeting ended.

Respectfully Submitted,


Loretta B. Barnhill

Engineer's Office

Alachua County, Fla.

Recorded Sept. 28, 1955 at 10:55 a.m. in plat No. 14.

Fig. 27, p. 3, drawer 1, volume 51, drawing No. 14.

Original delivered to J. K. Long.

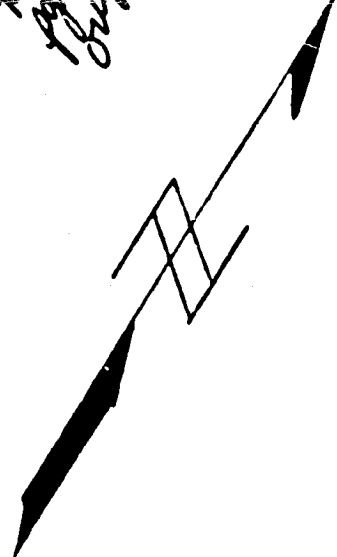
J. K. Long & Co., Inc.
per cert. 1.5.55.

PLAN FILE 3
DRAWN 1
FOLDER 51
DRAWING No. 14

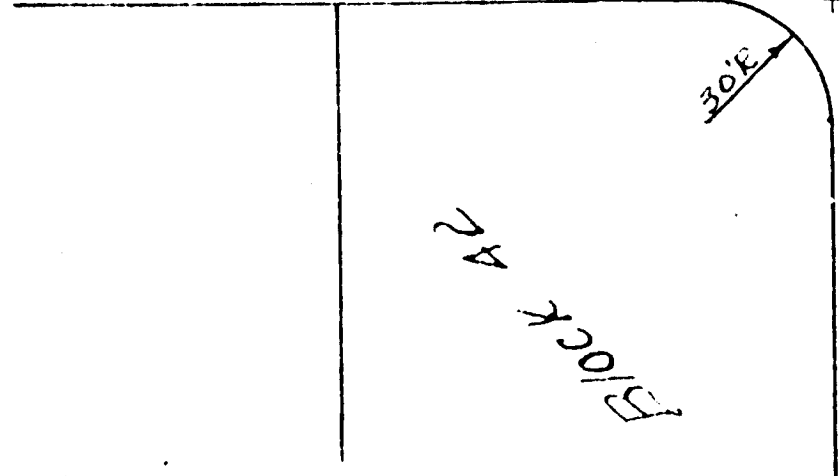
Hamlin Creek

K-27

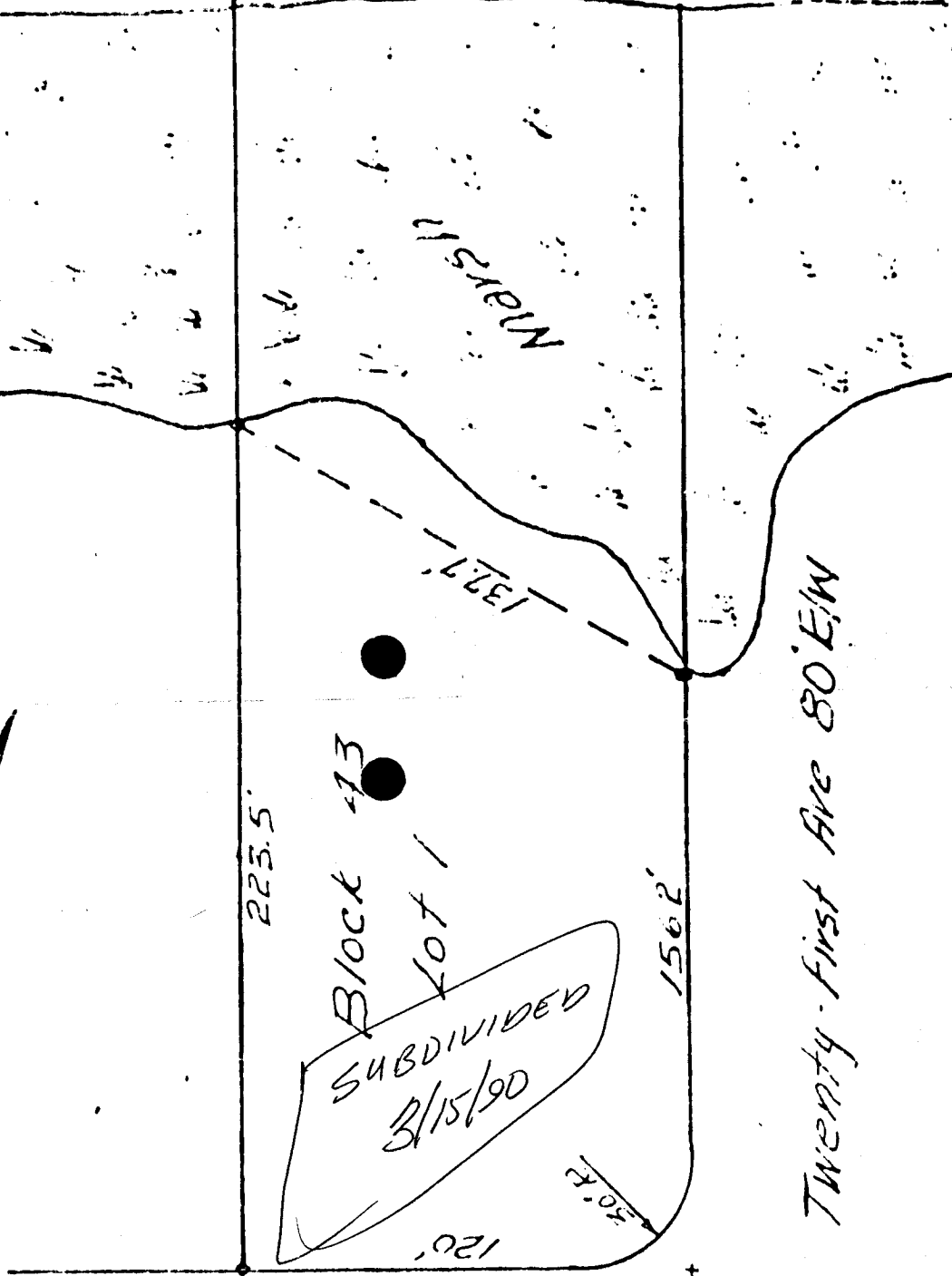
Plat ~ of Lot 1, Block 43 Situate
in Section B, City of Isle of Palms
S.C. About to be conveyed to
James C. Montsko.
Made By J. V. Little, P.E. Surveyor



Waterway and 80' E/W



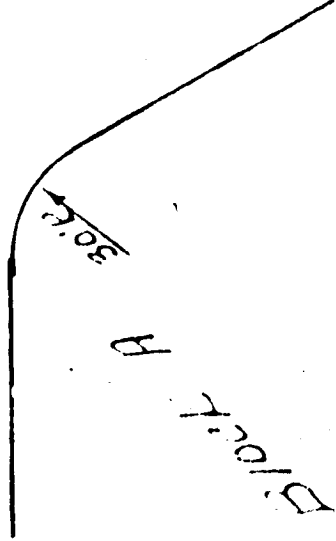
Block A2



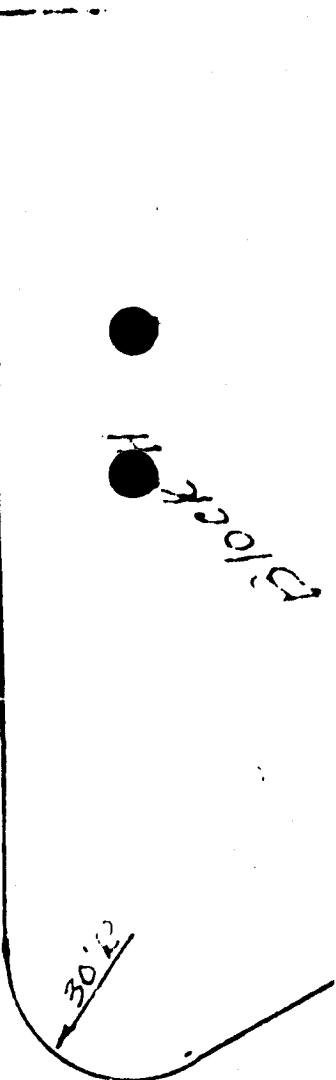
Block 43
Lot 1

SUBDIVIDED
3/15/90

Twenty-First Ave 80' E/W



Block A



Block 43

W. H. C. OFFICE

BOOK T 83 PAGE 307

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said

CALVIN C. BAYNE, HIS

Heirs and Assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said County of

at the City of

this

day of

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WHEREAS, Hart B. Hiers died Testate on or about the 13TH day of JANUARY, 1965, leaving his Last Will and Testament, whereby he devised all of his estate to his wife, Hazel R. Hiers, and

WHEREAS, Hazel R. Hiers, individually, and as Executrix of the Estate of Hart B. Hiers, Deceased, desires to convey the following described real property to Calvin C. Bayne for the consideration hereinafter mentioned,

NOW, THEREFORE,

KNOW ALL MEN BY THESE PRESENTS, THAT

I, HAZEL R. HIERS, individually, and as Executrix of The Estate of Hart B. Hiers, Deceased

in the State aforesaid FOR AND in consideration of the sum of THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS, to ME in hand paid at and before the sealing of these presents by CALVIN C. BAYNE

in the State aforesaid the receipt whereof is hereby

acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said CALVIN C. BAYNE, HIS HEIRS AND ASSIGNS, THE FOLLOWING DESCRIBED REAL PROPERTY, TO WIT:

"All that lot of land, with the buildings and improvements thereon, situate, lying and being on the Isle of Palms, Charleston County, South Carolina, known and designated as Lot 1 Block 43 Section B, City of Isle of Palms, South Carolina; the said lot having such size and dimensions as is shown on a plat of same by S. V. Sottile, Registered Surveyor, dated July 22, 1955, and recorded in the R. M. C. Office for Charleston County in Plat Book K, at page 27. Said lot having such size, shape, dimensions, buttings and boundings as shown on said plat.

ALSO all that lot of land situate on the Isle of Palms between the rear line of Lot 1 Block 43 Section B and the low water line of Hamlin Creek, as shown on above mentioned plat, and which is contained between the side lines of said Lot 1 Block 43, extended parallel over the marsh to the low water lines of Hamlin Creek.

The Grantor makes no warranty as to the title to Parcel No. Two above described, but hereby conveys whatever title Grantor has to said parcel to Grantee.

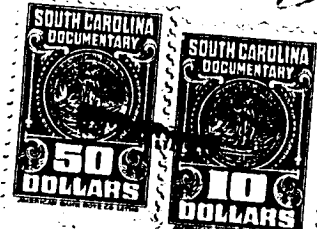
This conveyance is being made subject to all of the restrictions, conditions and limitations set forth in a written instrument executed by The Beach Co. dated February 25, 1947, and recorded in the R. M. C. Office for Charleston County in Book D-46 at page 531 as fully and completely as if said instrument was herein set out in full.

Being the same property conveyed to the late Hart B. Hiers by deed of The Beach Co. dated December 11, 1963, and recorded in Book E-79, Page 52, in the R. M. C. Office aforesaid."

AND I do hereby bind MYSELF AND MY Heirs, ASSIGNS
Executors and Administrators, to warrant and forever defend all and singular, the said Premises unto the said
CALVIN C. BAYNE, HIS
Heirs and Assigns, against ME and MY Heirs, AND ALL OTHERS
WHOMSOEVER lawfully claiming, or to claim the same or any part thereof.

WITNESS MY Hand and Seal, this 30th day of AUGUST
in the year of our Lord one thousand nine hundred and SIXTY-FIVE and in the one hundred and
NINETIETH year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND-DELIVERED
IN THE PRESENCE OF



Hazel R. Hiers (L. S.)
HAZEL R. HIERS, individually, and as
Executrix of The Estate of Hart B. (L. S.)
Hiers, Deceased.



THE STATE OF SOUTH CAROLINA,
CHARLESTON County.

PERSONALLY appeared before me ANN BELLACONIS
and made oath that SHE saw the within named HAZEL R. HIERS, individually, and as Executrix
of The Estate of Hart B.
Hiers, Deceased sign, seal, and as HER act and deed, deliver the within written Deed,
and that SHE with ALTON L. OGIER

witnessed the execution thereof.

SWORN to before me, this 30th
day of AUGUST A. D. 1965
Ann Bellaconis (SEAL)
Notary Public of South Carolina

THE STATE OF SOUTH CAROLINA,
County.

RENUNCIATION OF DOWER

WOMAN GRANTOR

I, _____, a Notary Public for South Carolina
do hereby certify unto all whom it may concern, that Mrs. _____
the wife of the within named _____
did this day appear before me, and upon being privately and separately examined by me, did declare that she does
freely, voluntarily, and without any compulsion, dread or fear of any person or persons whomsoever, renounce, re-
lease and forever relinquish unto the within named _____
Heirs and assigns, all her interest and estate, and also all her right and claim of dower, of, in or to all and singular
the premises within mentioned and released.

Given under my Hand and Seal, this _____ day of _____ Anno Domini 19____
(SEAL)
Notary Public of South Carolina

U.S. Open 1944

BOOK T 83 PAGE 307

1.50
50
60.00
33.00
95.00

Filed, Indexed and Recorded

Sept. 2 1965 4:05

Book 783 Page 307
Arthur H. Duran

Register Memo Conveyance
Charleston County, S. C.

Land 9 1/2

State of South Carolina,

HAZEL R. HIERS, individually, and
as Executrix of The Estate of
Hart B. Hiers, Deceased

TO

CALVIN C. BAYNE

TITLE TO REAL ESTATE

Filed _____ day

of _____ A. D. 19

at _____ o'clock _____ M.

and recorded in Book _____

Page _____, Fee, \$ _____

R. M. C. or Clerk Court C. P. & G. S.

County, S. C.

Recorded this 2nd day

of September, 1965

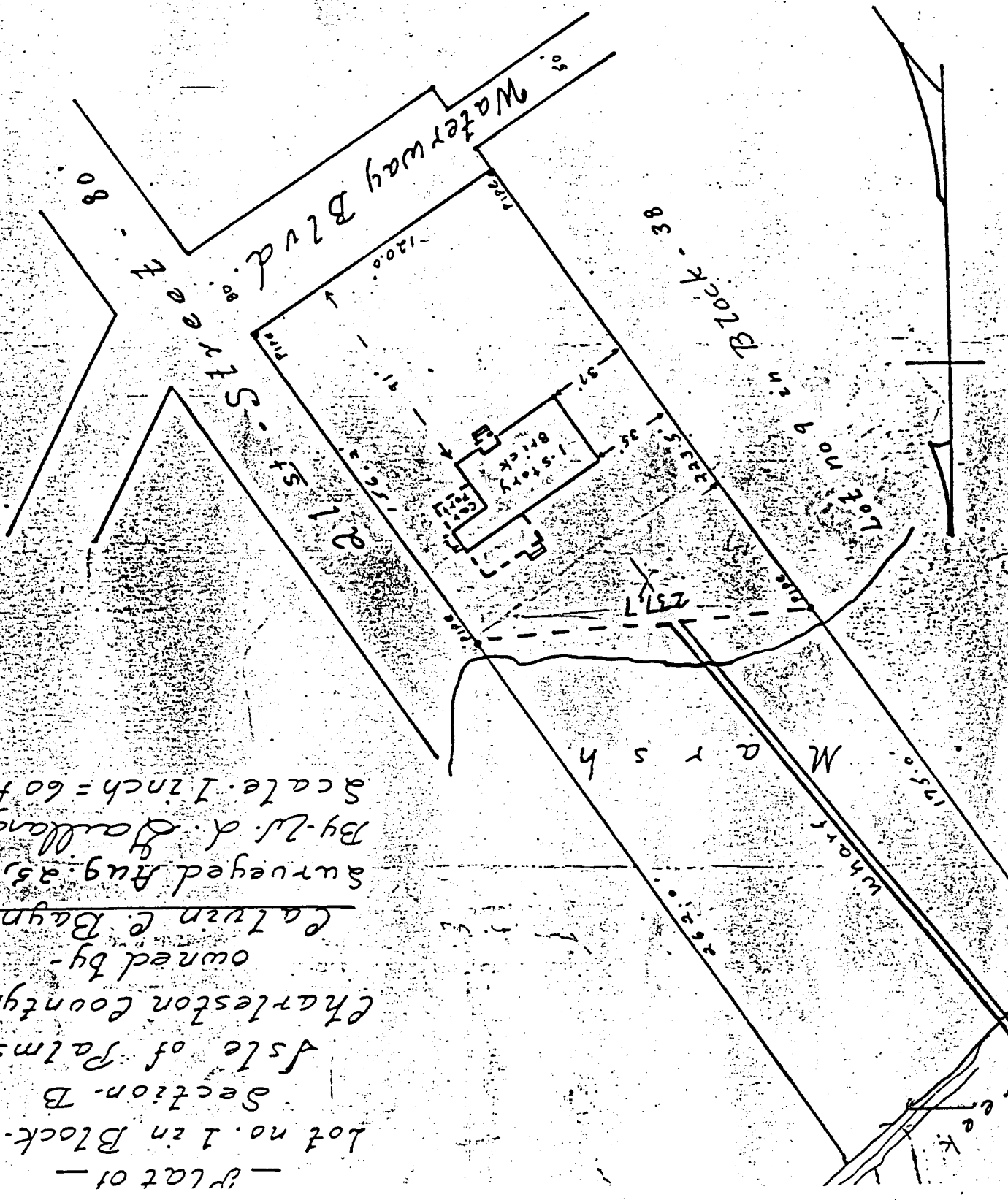
in Book 722 Page 67

Fee \$ 5.00

Gertrude Hughes

Auditor Charleston County, S. C.

- Plat of -
 Lot no. 1 in Block - 43
 Section - B
 Isle of Palms
 Charleston County, S.C.
 owned by -
 E. L. E. Bayne
 Surveyed Aug. 23, 1965
 By W. D. Ballard, Surveyor
 Scale: 1 inch = 60 feet



Note: Plat of Block 43, Section - B, Isle of Palms.
 is recorded in Plat Book - K, page 27 in the R.M.C.
 office for Charleston County, S.C.

R E S O L U T I O N

WHEREAS, the devastation of Hurricane Hugo has caused great loss and tragedy to many of the City's property owners; and

WHEREAS, the financial assistance the City has received from FEMA and the Governor's Office has been beneficial in post-hurricane recovery but will not offset the anticipated loss of revenues for the upcoming fiscal year; and

WHEREAS, the City Council does not wish to impose a greater tax burden on property owners in addition to financial losses already sustained because of the storm; and

WHEREAS, in 1984 the City Council by resolution established a Capital Projects Fund from surplus General Fund revenues on hand, and said funds are available to balance the City's operating budget for the fiscal year July 1, 1990 -- June 30, 1991, thereby eliminating an otherwise unavoidable tax increase to property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN COUNCIL DULY ASSEMBLED, that an amount not to exceed Two Hundred Sixty Thousand Two Hundred Fifty Two (\$260,252.00) Dollars and No/Cents of Capital Projects Fund monies be transferred as an operating transfer to the General Fund in order to balance anticipated revenues against expenditures for the operating budget of the fiscal year July 1, 1990 -- June 30, 1991.

BE IT RESOLVED, THIS _____ DAY OF _____, 1990.

APPROVED: _____
Carmen R. Bunch, Mayor

ATTEST: _____
Nellie S. McDuffie
Clerk/Treasurer

ORDINANCE 1990-11

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1990 AND ENDING JUNE 30, 1991.

WHEREAS, Subsection 3 of Section 5-7-260 of the S.C. Code of Laws, 1976 as amended, requires that a municipal Council shall act by ordinance to levy taxes and adopt a budget pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council members of the City of Isle of Palms, South Carolina, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. A tax to cover the period from July 1, 1990 to June 30, 1991, both inclusive for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Isle of Palms for the use and service thereof; i.e., a tax of 38.00 on every thousand dollars (\$1000) in assessed value of real estate and personal property of every description owned and used in the City of Isle of Palms, South Carolina, except such as is exempt from taxation under the Constitution and laws of the State of South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Isle of Palms for the corporate purposes, permanent improvements, current expenses and the payment of interest and retirement of outstanding bonds and debts of the City of Isle of Palms, making a total levy not to exceed thirty-eight (38) mills for tax purposes. Such tax is levied on such property as is assessed by the Charleston County Tax Assessor for County and State purposes.

SECTION 2. The prepared budget and estimated revenue for the payment of the same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof is attached hereto.

SECTION 3. By mutual agreement between the City of Isle of Palms and Charleston County, the County will bill and collect the taxes enumerated herein, and pay the same over to the treasurer of the City of Isle of Palms in the manner prescribed by both parties.

SECTION 4. The billing dates, the penalty dates and the amount of the penalty which shall be levied by delinquent taxes shall be the same as those adopted by Charleston County Council.

SECTION 5. Delinquent property taxes shall be collected by Charleston County in a manner as prescribed by State law.

SECTION 6. The City Administrator shall administer the budget and may authorize the transfer of appropriated funds within departments as necessary to achieve the goals of the budget as established by City Council.

SECTION 7. If for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 8. This ordinance shall become effective immediately upon its ratification by City Council.

ATTEST: Nellie S. McDuffie
Nellie S. McDuffie
Clerk/Treasurer

APPROVED: Carmen R. Bunch
Carmen R. Bunch
Mayor

First Reading: 06/14/90

Public Hearing: 06/28/90

Second Reading: 06/28/90

Ratification: 06/28/90

**City of Isle of Palms, S. C.
Operating Budget for the Fiscal Year
July 1, 1990 -- June 30, 1991**

Adopted by City Council June 28, 1990

GENERAL FUND BUDGET
July 1, 1990 -- June 30, 1991

P.1 6/28/90

REVENUES

ACCT. NO.	ITEM	ACCOUNT NAME	5/31/90			38 mils	
			BUDGETED	REVENUES	COLLECTED YTD	ESTIMATE	
			FY 1989-90	FY 1989-90	FY 1990-91		
103100001	Property Taxes		1,372,371	1,270,073	1,063,596		
103210001	Business License Fees		270,000	348,397	280,000		
103210003	Insurance License Fees		80,000	74,379	90,000		
103210004	Public Utilities Fees		206,000	32,585	125,000		
103210005	Animal License Fees		300	180	300		
103210015	Building Permit Fees		50,000	335,802	180,000		
103300001	Narcotics Seizures		0	0	40,000		
103300002	Narcotics Grant Revenue		15,666	6,040	37,205		
103400001	Court Generated Revenue		81,000	34,012	110,000		
103450001	Beer & Wine Rebate		26,050	24,970	24,780		
103450005	Liquor Tax Rebate		18,750	16,646	17,140		
103450010	Bank Tax Rebate		0	405	210		
103450015	Motor Transport Rebate		5,300	6,171	4,980		
103450020	Income Tax Rebate		19,600	18,245	19,270		
103450030	Intergovernmental Transfers		57,500	47,000	24,000		
103450032	Intergov. Transfers- Narc.		0	105,069	0		
103450033	Vehicle I.D. Fees		0	0	10,000		
103450034	Disaster Relief- State		0	1,444,214	281,082		
103450035	Broker's Premium Tax		1,830	0	1,590		
103450036	Disaster Relief-Insurance		0	807,704	0		
103450038	Gasoline Tax Rebate		0	8,644	12,000		
103500001	Miscellaneous Income		5,000	5,470	12,009		
103500002	Recycling Revenue		0	141	250		
103500005	Parking Lot Revenue		55,000	24,986	45,000		
103500015	Plat Application Fees		500	1,005	1,000		
103500020	Sale of Assets		500	7,900	50,500		
103500030	Interest Income		33,000	60,757	53,000		
103500050	Transfer from Acc. Tax Fund		25,000	25,000	25,000		
103500060	Recreation Instructors' Income		18,100	22,277	22,300		
103500070	Recreation Program Income		11,872	2,462	13,150		
	Operating Transfer In from Capital Projects Fund		0	0	260,252		

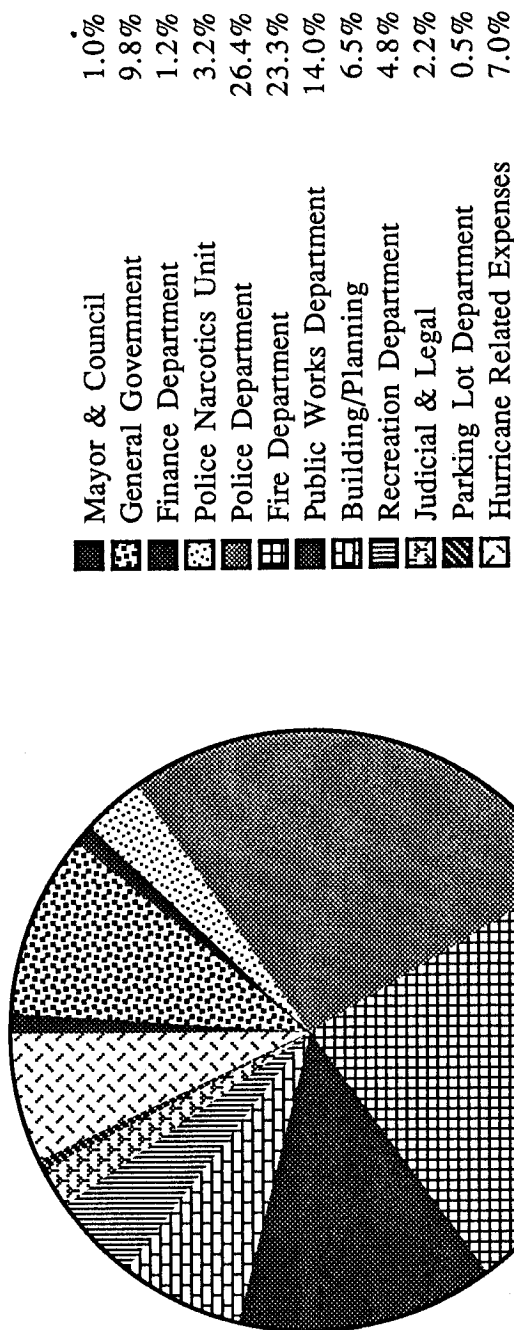
TOTAL GENERAL FUND REVENUES

\$2,353,339

\$4,728,534

\$2,803,614

General Fund Expenditures By Department



EXPENDITURES

ACCT. NO.	MAYOR & COUNCIL ACCOUNT NAME	5/31/90		P.2 6/28/90			
		GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104090001	Mayor & Council Salaries	10,800		10,500		10,800	
104090004	Fica Expense	818		761		826	
104090005	Retirement Expense	739		506		740	
104090006	Group Health Insurance	13,176		4,566		12,421	
104090007	Workman's Compensation	0		0		0	
104090015	Meetings & Seminars	1,000		-275		500	
104090016	Vehicle Fuel & Oil	0		0		1,200	
104090017	Vehicle Maintenance	0		0		500	
104090053	Blanket Bond	100		0		100	
104090062	Insurance	2,934		0		2,317	
104090087	Council Special Fund	0	0	0		1,500	
104090088	Mayor's Special Fund	3,000	0	2,421	0	2,500	0
DEPARTMENT SUB TOTALS		\$32,567	\$0	\$18,479	\$0	\$33,404	\$0
GRAND TOTAL			\$32,567		\$18,479		\$33,404

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED	FY 1989-90	BUDGETED	FY 1989-90	EXPENDED YTD	FY 1989-90	EXPENDED YTD	FY 1989-90	ESTIMATE	FY 1990-91	ESTIMATE	FY 1990-91
104100001	Salaries-Supervisor	36,750			35,340					38,220			
104100002	Salaries-Employees	56,126			62,053					56,181			
104100003	Salaries-Part Time	5,103			3,651					0			
104100004	Fica Expense	7,427			7,649					7,222			
104100005	Retirement Expense	6,712			6,767					6,466			
104100006	Group Health Insurance	5,856			5,587					6,187			
104100007	Workman's Compensation	3,640			3,608					3,862			
104100008	Unemployment Compensation	500			0					500			
104100009	Debt Service- Principal	40,000			40,000					45,000			
104100010	Printing & Office Supplies	6,500			5,733					7,850			
104100011	Debt Service- Interest	57,737		57,737	58,170		58,177			56,088		56,087	
104100014	Memberships & Dues	1,860			1,356					2,247			
104100015	Meetings & Seminars	1,000			959					250			
104100016	Vehicle Fuel & Oil	1,400			1,298					1,200			
104100017	Vehicle Maintenance	500			3,638					500			
104100020	Electricity & Gas	2,000			1,413					2,000			
104100021	Telephone/ Cable	3500			4,946					6,720			
104100022	Water & Sewer	300			201					300			
104100026	Maintenance/Service Contracts	3,000			1,940					4,080			
104100027	Machinery/Equipment Repair	1,000			123					500			
104100041	Uniforms	500			206					250			
104100044	Cleaning/ Sanitary Supplies	200			92					200			
104100053	Blanket Bond	150			100					100			
104100061	Advertising	2,400			5,175					2,400			
104100062	Insurance	10,123			3,052					4,925			
104100063	Rents & Leases	2,500			1,928					5,200			
104100064	Employee Training	0			0					0			
104100065	Professional Services	30,666			17,215					12,400			
104100068	Election Expenses	1,200			4,109					1,200			
104100071	Special Department Expenses	0			0					0			
104100079	Miscellaneous Expenses	1,000			3,032			5		1,500			
104100085	Capital Outlay	0			1,039			33,262		0			
	Tourism Promotion	0		42,250	0		0	0		0		17,500	
	DEPARTMENT SUB TOTALS	\$289,649		\$99,987	\$280,380		\$91,444		\$273,548		\$73,587		
	GRAND TOTAL			\$389,636			\$371,824				\$347,135		

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED	FY 1989-90	BUDGETED	FY 1989-90	EXPENDED YTD	FY 1989-90	EXPENDED YTD	FY 1989-90	ESTIMATE	FY 1990-91	ESTIMATE	FY 1990-91
104150001	Salaries- Supervisor	25,364			24,400					26,378			
104150002	Salaries- Employees	0		0	0					0			
104150003	Salaries-Part Time	0		0	0					0			
104150004	Fica Expense	1,923			1,817					2,018			
104150005	Retirement Expense	1,737			1,696					1,807			
104150006	Group Health Insurance	1,464			1,397					1,547			
104150007	Workman's Compensation	0			0					0			
104150008	Unemployment Compensation	100			0					0			
104150010	Printing & Office Supplies	0			0					0			
104150015	Meetings & Seminars	250			0					0			
104150020	Electricity & Gas	0			0					0			
104150021	Telephone/ Cable	0			0					0			
104150022	Water & Sewer	0			0					0			
104150026	Maintenance/Service Contracts	0			0					0			
104150053	Blanket Bond	575			450					575			
104150062	Insurance	326			374					448			
104150064	Employee Training	0			0					0			
104150079	Miscellaneous Expenses	0			0					100			
104150085	Capital Outlay	0			0					0			
DEPARTMENT SUB TOTALS		\$31,739	\$0	\$0	\$30,134	\$0	\$0	\$0	\$0	\$32,873	\$0	\$0	\$0
GRAND TOTAL			\$31,739	\$0	\$30,134	\$0	\$30,134	\$0	\$30,134	\$32,873	\$32,873	\$0	\$32,873

P.5 **6/28/90**

ACCT. NO.	POLICE NARCOTICS UNIT	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED	FY 1989-90	BUDGETED	FY 1989-90	EXPENDED YTD	FY 1989-90	EXPENDED YTD	FY 1989-90	ESTIMATE	FY 1990-91	ESTIMATE	FY 1990-91
104200002	Salaries- Employees	22,608				26,869				46,850			
104200004	Fica Expense	1,714				1,910				3,584			
104200005	Retirement Expense	2,419				2,875				3,209			
104200006	Group Health Insurance	1,464				1,397				3,094			
104200010	Printing & Office Supplies	0				0				0			
104200016	Vehicle Fuel & Oil	0				0				0			
104200017	Vehicle Maintenance	0				1,036				0			
104200021	Telephone & Cable	0				394				3,000			
104200041	Uniforms	0				0				1,000			
104500049	Medical & Lab Supplies	0				0				200			
104200062	Insurance	0				4,446				4,402			
104200063	Rents & Leases	3,960				0				0			
104200071	Special Department Expenses	0				2,253				0			
104200079	Miscellaneous Expenses	0				154				0			
104200080	Drug Buys	0				0				2,000			
104200085	Capital Outlay	0				2,118				22,460			
DEPARTMENT SUB TOTALS		\$32,165	\$0	\$0	\$43,452	\$0	\$0	\$89,799	\$0	\$89,799	\$0	\$89,799	
GRAND TOTAL			\$32,165		\$43,452		\$0						

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	5/31/90				P.6 6/28/90			
		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED FY 1989-90	BUDGETED FY 1989-90	EXPENDED YTD FY 1989-90	EXPENDED YTD FY 1989-90	ESTIMATE FY 1990-91	ESTIMATE FY 1990-91	ESTIMATE FY 1990-91	ESTIMATE FY 1990-91
104210001	Salaries- Supervisor	27,000		13,754		33,800			
104210002	Salaries- Employees	417,188		405,014		434,358			
104210003	Salaries- Part Time	10,080		6,114		11,155			
104210004	Fica Expense	34,434		31,668		36,667			
104210005	Retirement Expense	48,607		41,414		51,286			
104210006	Group Health Insurance	27,816		28,489		34,030			
104210007	Workman's Compensation	11,374		11,276		12,069			
104210008	Unemployment Compensation	1,000		0		1,000			
104210010	Printing & Office Supplies	6,500		6,918		6,500			
104210014	Memberships & Dues	1,000		630		650			
104210015	Meetings & Seminars	500		540		500			
104210016	Vehicle Fuel & Oil	17,205	10,000	22,968	2,944	27,205			
104210017	Vehicle Maintenance	12,200	5,000	15,745		9,200			
104210020	Electricity & Gas	5,000		3,199		4,000			
104210021	Telephone/ Cable	8,660		10,617		9,000			
104210022	Water & Sewer	600		300		600			
104210026	Maintenance/Service Contracts	2,500		4,033		2,500			
104210027	Machinery/Equipment Repair	4,200		6,334		4,200			
104210031	Small Hand Tools	200		72		200			
104210041	Uniforms	5,000	6,000	10,254	4,424	9,000			
104210044	Cleaning/ Sanitary Supplies	600		512		600			
104210049	Medical & Lab Supplies	2,000		85		1,000			
104210053	Blanket Bond	100		100		100			
104210062	Insurance	22,013		20,619		26,000			
104210063	Rents & Leases	8,390	2,000	11,472		8,500			
104210064	Employee Training	5,000		2,420		3,500			
104210071	Special Department Expenses	3,000		1,842		2,500			
104210079	Miscellaneous Expenses	2,700		1,862	1,570	2,200			
104210081	Canine Kennel Expenses	0		0		3,500			
104210085	Capital Outlay	16,000	0	43,739	14,183	3,700			
DEPARTMENT SUB TOTALS		\$700,866	\$23,000	\$701,990	\$23,121	\$739,521			\$0
GRAND TOTAL			\$723,866		\$725,111				

5/31/90												
ACCT. NO.	PUBLIC WORKS DEPART.	ACCOUNT NAME	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		OTHER FUNDS	
			BUDGETED	FY 1989-90	BUDGETED	FY 1989-90	EXPENDED YTD	FY 1989-90	EXPENDED YTD	FY 1989-90	ESTIMATE	FY 1990-91
104300001		Salaries- Supervisor	28,878				27,780				30,033	
104300002		Salaries- Employees	168,375				134,015				172,406	
104300003		Salaries- Part Time	11,050				11,970				13,708	
104300004		Fica Expense	15,789				12,838				16,535	
104300005		Retirement Expense	14,269				11,801				14,806	
104300006		Group Health Insurance	20,496				19,434				23,202	
104300007		Workman's Compensation	14,724				14,597				15,624	
104300008		Unemployment Compensation	2,000				0				1,500	
104300010		Printing & Office Supplies	300				259				300	
104300016		Vehicle Fuel & Oil	6,000	10,000			9,886		2,157		16,000	
104300017		Vehicle Maintenance	15,000	10,000			16,695		1,563		24,000	
104300020		Electricity & Gas	27,000				19,731				25,000	
104300021		Telephone/ Cable	850				957				1,000	
104300022		Water & Sewer	250				0				250	
104300026		Maintenance/Service Contracts	1,500				324				1,000	
104300027		Machinery/Equipment Repair	1,000				188				1,000	
104300031		Small Hand Tools	1,000				738				750	
104300041		Uniforms	3,987	3,013			2,961		655		6,000	
104300044		Cleaning/ Sanitary Supplies	2,000				483				2,000	
104300049		Medical & Lab Supplies	200				0				200	
104300054		Street Signs	2,500				1,252				2,500	
104300062		Insurance	14,011				17,419				18,398	
104300063		Rents & Leases	3,000				600				1,500	
104300065		Professional Services	0				0				0	
104300068		Contracted Services	2,700				137				2,500	
104300079		Miscellaneous Expenses	2,000				411				500	
104300085		Capital Outlay	10,400	0			374		37,787		0	
DEPARTMENT SUB TOTALS			\$369,279	\$23,013	\$304,850	\$42,162			\$390,712		\$0	
GRAND TOTAL				\$392,292		\$347,012			\$390,712		\$390,712	

5/31/90

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED	FY 1989-90	BUDGETED	FY 1989-90	EXPENDED YTD	FY 1989-90	EXPENDED YTD	FY 1989-90	ESTIMATE	FY 1990-91	ESTIMATE	FY 1990-91
104450001	Salaries- Supervisor	30,830				29,660				32,063			
104450002	Salaries- Employees	16,102				52,512				87,566			
104450003	Salaries- Part Time	4,700				4,308				4,700			
104450004	Fica Expense	3,914				6,473				9,511			
104450005	Retirement Expense	3,537				5,972				8,517			
104450006	Group Health Insurance	2,928				5,526				9,281			
104450007	Workman's Compensation	496				492				526			
104450008	Unemployment Compensation	0				0				0			
104450010	Printing & Office Supplies	2,100				6,314				3,300			
104450014	Memberships & Dues	100				97				100			
104450015	Meetings & Seminars	800				0				500			
104450016	Vehicle Fuel & Oil	1,200				2,200				4,000			
104450017	Vehicle Maintenance	1,000				164				1,000			
104450020	Electricity & Gas	750				1,557				4,000			
104450021	Telephone/ Cable	2,100				4,055				5,800			
104450022	Water & Sewer	400				0				1,000			
104450026	Maintenance/Service Contracts	200				637				750			
104450027	Machinery/Equipment Repair	250				0				150			
104450044	Clean/Sanitation Supplies	0				143				250			
104450053	Blanket Bond	0				100				100			
104450062	Insurance	1,399				3,688				3,282			
104450063	Rents and Leases	0				835				3,360			
104450064	Employee Training	100				0				1,000			
104450065	Professional Services	8,000				2,602				2,000			
104450079	Miscellaneous Expenses	250				0				250			
104450085	Capital Outlay	0				1,640				0			
DEPARTMENT SUB TOTALS		\$81,155		\$0		\$128,975		\$0		\$183,006		\$0	
GRAND TOTAL				\$81,155				\$128,975				\$183,006	

P.10 6/28/90

ACCT. NO.	RECREATION DEPART. ACCOUNT NAME	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED FY 1989-90	BUDGETED FY 1989-90	BUDGETED FY 1989-90	BUDGETED FY 1989-90	EXPENDED YTD FY 1989-90	EXPENDED YTD FY 1989-90	ESTIMATE FY 1990-91	ESTIMATE FY 1990-91	ESTIMATE FY 1990-91	ESTIMATE FY 1990-91		
104500001	Salaries- Supervisor	19,500				18,760		20,280					
104500002	Salaries- Employees	26,245				19,810		40,896					
104500003	Salaries- Part Time	9,468				2,594		0					
104500004	Fica Expense	4,185				3,084		4,680					
104500005	Retirement Expense	3,782				2,744		4,191					
104500006	Group Health Insurance	4,392				2,429		6,187					
104500007	Workman's Compensation	1,902				1,886		2,018					
104500008	Unemployment Compensation	250				435		250					
104500010	Printing & Office Supplies	1,150				2,284		1,500					
104500014	Memberships & Dues	1,700				395		1,700					
104500015	Meetings & Seminars	200				288		300					
104500016	Vehicle Fuel & Oil	250				705		750					
104500017	Vehicle Maintenance	700				10		500					
104500020	Electricity & Gas	7,000				4,168		6,000					
104500021	Telephone/ Cable	1,000				1,264		1,200					
104500022	Water & Sewer	500				490		500					
104500026	Maintenance/Service Contracts	4,000				2,384		1,500					
104500027	Machinery/Equipment Repair	750				311		800					
104500031	Small Hand Tools	100				8		75					
104500041	Uniforms	600				0		400					
104500044	Cleaning/ Sanitary Supplies	800				1,031		1,000					
104500049	Medical & Lab Supplies	300				243		200					
104500053	Blanket Bond	100				100		100					
104500062	Insurance	1,957				2,101		2,471					
104500063	Rents & Leases	2,000				954		2,400					
104500064	Employee Training	100				65		200					
104500071	Special Department Expenses	16,622				13,080		17,000					
104500079	Miscellaneous Expenses	100				60		200					
104500085	Capital Outlay	6,500				5,938		0					
	DEPARTMENT SUBTOTAL	\$116,153	\$0	\$0	\$0	\$87,621	\$0	\$117,298	\$0	\$0	\$0	\$0	\$0

REC. INSTRUCTION EXPENSES

			P.11	6/28/90
104500090	Crafts	0	1,500	
104510091	Gymnastics	900	1,500	
104510092	Mother's Morning Out	3,000	0	
104510093	Day Camp	675	4,200	
104510094	Dancing	1,500	1,125	
104510095	Karate	8,250	8,250	
104510096	Slimnastics	0	600	
104510097	Men's Softball	0	0	
104510098	Men's Basketball	0	0	
104510099	Tennis	0	600	
	DEPARTMENT SUB TOTALS	\$14,325	\$17,775	
	GRAND TOTAL	\$130,478	\$135,073	

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED	FY 1989-90	BUDGETED	FY 1989-90	EXPENDED YTD	FY 1989-90	EXPENDED YTD	FY 1989-90	ESTIMATE	FY 1990-91	ESTIMATE	FY 1990-91
104600002	Salaries- Employees	14,496				13,773				15,470			
104600003	Salaries- Part Time	4,000				3,667				4,000			
104600004	Fica Expense	1,402				1,321				1,489			
104600005	Retirement Expense	1,267				1,212				1,334			
104600008	Group Health Insurance	1,464				1,336				1,547			
104600010	Printing & Office Supplies	500				2,040				1,000			
104600021	Telephone/ Cable	0				537				900			
104600053	Blanket Bond	0				100				100			
104600062	Insurance	652				409				490			
104600063	Rents and Leases	0				725				1,000			
104600065	Professional Services	30,000				52,636				35,000			
104600085	Capital Outlay	7,500		0		7,718		0		0		0	
DEPARTMENT SUB TOTALS		\$61,281		\$0		\$85,474		\$0		\$62,330		\$0	
GRAND TOTAL				\$61,281				\$85,474				\$62,330	

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS		GEN. FUND		OTHER FUNDS	
		BUDGETED	FY 1989-90	BUDGETED	FY 1989-90	EXPENDED YTD	FY 1989-90	EXPENDED YTD	FY 1989-90	ESTIMATE	FY 1990-91	ESTIMATE	FY 1990-91
104800003	Salaries- Part Time	10,460				4,013				11,400			
104800004	Fica Expense	793				302				872			
104800005	Retirement Expense	0				26				0			
104800007	Workman's Compensation	0				0				0			
104800008	Unemployment Compensation	0				0				0			
104800062	Insurance	1,926				0				0			
104800063	Rents & Leases	200				113				200			
104800065	Professional Services	0				0				0			
104800071	Special Department Expenses	300				1,714				1,000			
104800085	Capital Outlay	250		0		0		0		0		0	
DEPARTMENT SUB TOTALS		\$13,929		\$0		\$6,168		\$0		\$13,472		\$0	
GRAND TOTAL				\$13,929				\$6,168				\$13,472	

ACCT. NO.	HURRICANE RELATED EXP ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104900003	Salaries- Part Time			29,676			
104900004	Fica Expense			2,245			
104900007	Workman's Compensation			0			
104900010	Printing /Office Supplies			5,987			
104900016	Vehicle Fuel & Oil			15,409			
104900017	Vehicle Maintenance			23,811			
104900021	Telephone and Cable			3,358			
104900026	Maintenance/Service Contracts			1,240,715		4,000	
104900027	Machinery/Equipment Repairs			695			
104900031	Small Hand Tools			6,013			
104900041	Uniforms			2,622			
104900054	Street Signs			189			
104900063	Rents and Leases			171,157		111,456	
104900067	Contracted Expenses			95,452		81,082	
104900071	Special Dept. Expenses			11,814			
104900079	Miscellaneous Expenses			11,695			
104900085	Capital Outlay			172,687			
				<u>\$1,793,525</u>		<u>\$196,538</u>	<u>0</u>
							\$0
	GEN FUND TOTAL EXPENDITURES	\$2,353,139		\$4,052,929		\$2,803,614	
	OTHER FUNDS TOTALS	<u>\$169,000</u>		<u>\$160,147</u>		<u>\$73,587</u>	
	TOTAL BUDGET	\$2,522,139		\$4,213,076		\$2,877,201	

FY 1990-1991 BUDGET
ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	04/30/89		ESTIMATED FY 1990-91	
		BUDGETED FY 1989-90	COLLECTED FY 1989-90		
503010001	Acc. Tax Revenue	180,000	154,261	95,000	
	Transfer to General Fund	-25,000	-25,000	-25,000	
	Minus 25% Restricted Fund	-38,750	-32,315		
503020001	Interest Income	16,000	6,770	3,587	-44.36%
	TOTAL REVENUES	\$132,250	\$103,716	\$73,587	

FY 1990-91 BUDGET
ACCOMMODATIONS TAX FUND
EXPENDITURES

	5/31/90			
	BUDGETED FY 1989-90	EXPENDED YTD FY 1989-90	ESTIMATE FY 1990-91	
GENERAL GOVERNMENT				
504100009	Debt Service- Principal	57,737	58,177	56,087
504100011	Debt Service- Interest	0	0	0
504100079	Miscellaneous Expenses	0	0	0
504100085	Capital Outlay	0	0	0
504100090	Tourism Promotion Expense	0	0	17,500
DEPARTMENT TOTAL	\$57,737	\$58,177	\$73,587	
POLICE DEPARTMENT				
504210010	Printing & Office Supplies		2,944	
504210016	Vehicle Fuel & Oil	10,000	0	
504210017	Vehicle Maintenance	5,000	0	
504210021	Telephone/ Cable	0	0	
504210026	Maintenance/ Service Contracts	0	0	
504210027	Machinery/ Equipment Repair	0	0	
504210041	Uniforms	6,000	4,424	
504210062	Insurance	0	0	
504210063	Rents & Leases	2,000	0	
504210079	Miscellaneous Expenses	0	1,570	
504210085	Capital Outlay	0	14,182	0
DEPARTMENT TOTAL	\$23,000	\$23,120	\$0	

		5/31/90		
		BUDGETED	EXPENDED YTD	ESTIMATE
		FY 1989-90	FY 1989-90	FY 1990-91
FIRE DEPARTMENT				
504220010	Printing & Office Supplies	0	0	0
504220016	Vehicle Fuel & Oil	2,000	430	0
504220017	Vehicle Maintenance	6,500	83	0
504220021	Telephone/ Cable	2,000	0	0
504220026	Maintenance/ Service Contracts	2,500	0	0
504220027	Machinery/ Equipment Repairs	3,000	0	0
504220041	Uniforms	3,700	0	0
504210062	Insurance	3,300	0	0
504220079	Miscellaneous Expenses	0	0	0
504220085	Capital Outlay	0	0	0
DEPARTMENT TOTAL		\$23,000	\$513	\$0

		5/31/90		
		BUDGETED	EXPENDED YTD	ESTIMATE
		FY 1989-90	FY 1989-90	FY 1990-91
PUBLIC WORKS DEPARTMENT				
504300010	Printing & Office Supplies	0	0	0
504300016	Vehicle Fuel & Oil	10,000	2,157	0
504300017	Vehicle Maintenance	10,000	1,563	0
504300026	Maintenance/ Service Contracts	0	0	0
504300027	Machinery/ Equipment Repairs	0	0	0
504300041	Uniforms	3,013	655	0
504300079	Miscellaneous Expenses	0	0	0
504300085	Capital Outlay	0	37,787	0
DEPARTMENT TOTAL		\$23,013	\$42,162	\$0

ACCOMMODATIONS TAX FUND TOTAL	\$126,750	\$123,972	\$73,587	-41.94%
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TOTAL REVENUES--ALL FUNDS

GENERAL FUND	\$2,803,614
ACCOMMODATIONS TAX FUND	<u>\$73,587</u>
TOTAL	\$2,877,201

TOTAL EXPENDITURES--ALL FUNDS

GENERAL FUND	\$2,803,614
ACCOMMODATIONS TAX FUND	<u>\$73,587</u>
TOTAL	\$2,877,201

SIGNIFICANT EXPENSES IN FY 1990-91 GENERAL FUND BUDGET

PERSONNEL AND ASSOCIATED COSTS

\$1,980,265

OPERATION OF VEHICLES

(Gas and Repairs)

\$98,355

UTILITIES

(Electricity, Water, Gas, Phones)

\$75,720

INSURANCE

(Tort, Auto, Property)

\$76,674

DEBT SERVICE

(Parking Lot)

\$157,175

CAPITAL OUTLAY

(Equipment)

\$6,400

PROFESSIONAL SERVICES

(Attorneys, Auditors, Consultants)

\$50,300

UNIFORMS

\$21,530

OTHER OPERATIONS EXPENSES

\$337,195

TOTAL

\$2,803,614

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-10
Second Reading Draft - 6/28/90

AN ORDINANCE TO REQUIRE REGISTRATION OF THE LOCATIONS OF
CONTAINERIZED GAS TANKS

WHEREAS, City Council finds that leaking propane and other gas tanks created a major safety hazard immediately following Hurricane Hugo; and

WHEREAS, the City's Emergency Preparedness Committee has recommended that the location of all containerized gas tanks be mapped, to facilitate the resolution of such a safety hazard if another hurricane hits the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public safety pursuant to Section 5-7-30, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to require the registration of the locations of containerized gas tanks.

Section 2. New Sections Created

A new Chapter 3, Containerized Gas Tanks, is created and added to Title 2 of the City Code.

New Sections 2-3-1 and 2-3-2 are created, to read as follows:

CHAPTER 3

Containerized Gas Tanks

Sec. 2-3-1 Preparation of Containerized Gas Map

The Fire Chief is hereby directed to prepare a map of all propane and other containerized gas tanks in use within the City. Said map shall be used by the Fire Chief to identify the locations of potential public safety hazards in the event of hurricane or other disaster.

Sec. 2-3-2 Registration of Containerized Gas Locations

(a) The owners of all gas appliances and heating systems fueled by propane or other containerized gas shall register with the City Fire Department the addresses where such containerized gas tanks are permanently located. Registration shall be made on forms to be provided by the Fire Department.

Ordinance No. 1990-10
Second Reading Draft
6/28/90
Page 2

Registration shall not be required for gas barbeque grills, camping equipment or gas tanks with capacity of less than 150 gallons.

(b) To facilitate the City's identification of the location of containerized gas tanks, each individual or company engaged in the business of installing, filling or repairing containerized gas tanks or appliances within the City shall provide a quarterly report to the City Fire Chief that identifies the types and locations of containerized gas tanks installed, filled or repaired. Such reports shall be filed on forms to be provided by the Fire Department. Registration shall not be required for gas tanks with capacity of less than 150 gallons.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 5/24/90
Second Reading: 6/28/90
Third Reading:
Ratification:

CITY OF ISLE OF PALMS
RESOLUTION

June 28, 1990

WHEREAS, in response to the destruction caused by Hurricane Hugo, City Council adopted Ordinance No. 1989-11 on March 14, 1990 to allow the temporary use of mobile homes and trailers pursuant to detailed and limiting standards; and

WHEREAS, new Sections 5-4-16(c)(1) and 5-4-16(d)(1) of the City Code, created by said Ordinance, permit such temporary use of mobile homes and trailers until June 30, 1990, unless extended by resolution by City Council; and

WHEREAS, City Council finds that a number of residents and businesses are continuing to use mobile homes and trailers pending reconstruction of their homes and businesses; and

WHEREAS, City Council finds that the residents and businesses now occupying mobile homes and trailers are making good progress in reconstruction; that these occupants are not attempting to circumvent the general City prohibition against the use of mobile homes and trailers; and that the allowance of additional time will facilitate the economic recovery of the City; and

WHEREAS, City Council further finds that it would create an undue hardship for these residents and businesses to discontinue the temporary use of mobile homes and trailers at this time.

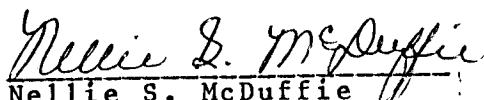
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Isle of Palms, in Council duly assembled,

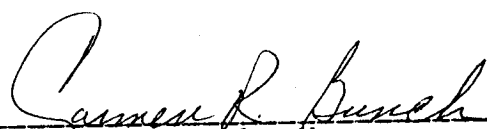
1. That the deadline for the temporary residential use of mobile homes and travel trailers by property owners only, as authorized in Section 5-4-16(c)(1) of the City Code, is hereby extended to September 28, 1990. The deadline for such use by others having authorization of the property owner is not extended, and authorization for such use therefore expires on June 30, 1990.

2. That the deadline for the temporary commercial use of mobile homes and trailers in the City's commercial zoning districts, as authorized in Section 5-4-16(d)(1) of the City Code, is hereby extended to September 28, 1990.

RESOLVED this 28th day of June, 1990.

ATTEST


Nellie S. McDuffie
Clerk-Treasurer


Carmen R. Bunch, Mayor
City of Isle of Palms, SC

CITY OF ISLE OF PALMS
ORDINANCE NO. 1990-12
First Reading Draft - 6/20/90

[formerly proposed as Ordinance 1989-4]

AN ORDINANCE TO AMEND THE CITY'S REQUIREMENTS RELATING TO THE
SUBDIVISION OF PROPERTY

WHEREAS, City Council desires to modify and expand upon the
City of Isle of Palms' existing requirements relating to the
subdivision of property in order to promote the orderly growth and
development of the City; and

WHEREAS, the City is authorized to adopt and amend subdivision
regulations under Sections 5-23-600 et seq. and Sections 6-7-1010 et
seq. of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held
concerning this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers
of the Isle of Palms, South Carolina, in City Council assembled,
that:

Section 1. Purpose. This Ordinance is adopted to amend the
City's requirements relating to the subdivision of property.

Section 2. Existing Sections Re-numbered. Existing
Sections 5-4-81 through 5-4-85 of the City Code are re-numbered as
Sections 5-4-91 through 5-4-95 respectively. Sections 5-4-96
through 5-4-100 are reserved.

Section 3. Subdivision Requirements Amended. Existing
Sections 5-4-71 and 5-4-72 are deleted, and replaced by the
following sections, to read as follows:

ARTICLE D

Subdivision Approval and Subdivision Regulations

Section 5-4-71 Subdivision Approval Required

Approval of any subdivision of property within the City of Isle
of Palms shall be required as set forth hereinbelow. These
requirements shall be referred to as the "Subdivision Regulations"
of the City of Isle of Palms.

(1) Scope: Within the jurisdiction of the City of Isle of Palms, no subdivision shall be made, platted, or recorded for any purpose, nor shall parcels resulting from such subdivisions be sold or offered for sale, unless such subdivision meets all requirements of these regulations.

(2) Subdivision Defined: For purposes of these regulations, a subdivision shall be defined to be any division of a tract, parcel, or lot into two or more lots, or any division of land involving the dedication of a street or other public right-of-way, or any division of land involving a change in existing streets.

(3) Compliance with Zoning Requirements: All applications for subdivision shall also be required to meet all of the requirements of this Title.

(4) Plats Required to Be Stamped: All plats for the subdivision of property within the City of Isle of Palms shall bear the stamp of the City of Isle of Palms as a condition precedent to registration with the Charleston County Register of Mesne Conveyance.

Section 5-4-72 Stages in the Subdivision Approval Process

The following steps describe the procedure for obtaining approval of land subdivision with the City of Isle of Palms:

- (1) OPTIONAL: Submission and review of a Conceptual Plan
- (2) Submission, review and approval of a Preliminary Plat
- (3) OPTIONAL: Submission, review and approval of a Conditional Plat
- (4) Submission, review, approval and recording of a Final Plat

Step (1) is optional, at the selection of the subdivider. Step (2) shall be completed prior to clearing, grading or making any street or other improvements or installing any utilities. Either Step (3) or Step (4) shall be completed prior to building construction and/or sale of any lots within the proposed subdivision. Step (4) shall be completed prior to the occupancy of any structures.

Section 5-4-73 Conceptual Plan

(a) Purpose

Conceptual Plans are encouraged but are NOT required. The purpose of Conceptual Plan review is to assist the subdivider prior to extensive site planning and expenditures.

(b) Rights Afforded by Conceptual Plan Review

None. Conceptual Plan review is purely advisory to the subdivider. Conceptual Plan review does not entail an approval, and creates no vested rights or rights of reliance on the part of the subdivider.

(c) Information Required for Review

Conceptual Plan submissions shall contain at least the following data, legibly drawn to scale, but not necessarily showing precise dimensions:

- (1) North arrow, written and graphic scales, and a location map showing the relationship between the proposed subdivision and the surrounding area.
- (2) Tract boundaries and total acreage.
- (3) Significant topographical and physical features including the location of critical area and water courses within and abutting the tract, flood hazard areas and designation of flood hazard zone.
- (4) The location, names and rights-of-way widths of existing streets.
- (5) Tentative street and lot arrangement showing acreage, proposed minimum lot size and the number of lots.
- (6) Existing and proposed land uses throughout the subdivision.
- (7) Zoning classification(s) and TMS numbers.
- (8) Existing and proposed drainage and utility easements.
- (9) Statement for proposed method of sanitary sewerage

disposal.

- (10) The location of the critical area as defined by the SC Coastal Council, and delineation of the marsh setback required by City Code Section 5-4-18. All wetland areas under the jurisdiction of the S.C. Coastal Council or the U.S. Army Corps of Engineers shall be shown.
- (11) Flood hazard zone(s); the SC Coastal Council critical line, baseline and construction setback line and the City's beachfront setback line shall be shown if applicable.
- (12) The tree survey required in City Code Section 5-4-61.
- (13) Owner's and subdivider's name, address and telephone number.

(d) Review Process

The applicant shall submit a proposed Conceptual Plan to the City Building Official, who shall review the submission and forward the proposed Conceptual Plan to the Planning Commission for advisory review. The Planning Commission shall provide the applicant with the advisory and non-binding results of its review within 45 days following submission of the proposed Conceptual Plan. City Council herewith delegates to the Planning Commission the review of any Conceptual Plan submissions made to City Council pursuant to any PRD zoning district requirement, with the stipulations (1) that the Planning Commission shall not have the authority to approve any such Conceptual Plans, and (2) that City Council may request the applicant to submit such Conceptual Plans to Council for information only.

(e) Duration of Approval

Conceptual Plans are NOT approved pursuant to this section; consequently, no duration is associated with the results of Conceptual Plan review. Documents bearing the name "Conceptual Plan" that were approved by City Council pursuant to a PRD requirement or previous subdivision regulation, now superseded, shall remain in effect and maintain any legal rights associated therewith for a period of one (1) year following the adoption of this revised section.

Section 5-4-74 Preliminary Plat

(a) Preliminary Plat Required

Submission and approval of the Preliminary Plat is the first formal stage of the Subdivision Regulation process. Approval is required before site improvements may be made.

(b) Rights Afforded by Preliminary Plat Approval

Issuance of a Preliminary Plat authorizes the subdivider to proceed with the installation of site improvements and with the preparation of final plats. Preliminary Plat approval does NOT authorize the sale or transfer of lots, nor the commencement of construction of structures.

(c) Information Required for Review

Preliminary Plats shall be drawn to scale no smaller than 1" = 200'. Where large areas are being platted, they may be drawn on one or more sheets not to exceed twenty-two (22) inches by thirty-four (34) inches in size. For small areas being platted, a scale of 1" = 100' shall be used, provided the drawing does not exceed twenty-two (22) inches by thirty-four (34) inches increase in size.

In addition to the data required for Conceptual Plan review in Section 5-4-73(c), the following information shall be required:

- (1) The courses and distances of the perimeter of the land involved shall be shown.
- (2) References to a known point or points such as street intersections and railroad crossings.
- (3) Zoning classifications, total acreage and total number of lots.
- (4) The TMS numbers of adjacent properties and street names where known or available shall be given and all intersecting boundaries or property lines shall be shown.
- (5) Proposed divisions to be created shall be shown, including the right-of-way widths, roadway widths, easement widths, and names of streets; the location of proposed utility installations, lot lines; sites reserved or deeded for public uses.

- (6) The title, scale (including graphic scale), north arrow (magnetic, grid or true), date, name of the subdivider and the name of the licensed professional who prepared the plat, together with his/her South Carolina Registration Number shall be shown on each sheet.
- (7) Drainage features shall be shown.
- (8) Accompanying data as listed below:
 - (a) The Preliminary Plat shall be accompanied by a statement indicating what provisions are to be made for water supply and sewage disposal.

(d) Criteria for Review

The application for Preliminary Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

(1) The applicant shall submit a proposed Preliminary Plat to the City Administrator, who shall forward the application to the Planning Commission, the City Building Official and other applicable City departments for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted. The application must include all elements required. Incomplete applications will be returned for revision/completion prior to Planning Commission review.

(2) The Commission shall review each application and shall forward its recommendations to City Council for action. The Commission may request additional information or documentation from the applicant to facilitate its review, and may postpone forwarding a recommendation to City Council until such information has been provided and reviewed by both City staff and the Commission. The

recommendation shall be for approval, approval with conditions, or disapproval.

(3) City Council shall approve, approve with conditions or disapprove the application on or before its second regularly scheduled meeting following action by the Planning Commission.

(4) When a complete application for approval of a Preliminary Plat has been submitted to the Planning Commission, in accordance with these regulations, more than fourteen (14) days prior to its regularly scheduled meeting, and no action was taken by the Planning Commission at such meeting, the subdivider may request City Council to review the application at its next regularly scheduled meeting without a recommendation by the Commission.

(5) No improvements shall be made, nor shall permanent markers or monuments be installed, prior to City Council's approval of the Preliminary Plat.

(6) Fees as set forth in City Code Section 5-4-82 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

(f) Duration

Approval of a Preliminary Plat shall apply for one (1) year from the date of approval. Where a subdivision is being developed in sections, the one (1) year shall be measured from the date of the most recent final approval granted to a portion of the subdivision. Prior to the expiration of a Preliminary Plat, the developer may apply for and be granted a one (1) year extension of time by City Council; no more than four (4) such extensions may be granted. There is no automatic right to receive any one or more extensions, and Council has the discretion to require the subdivider to apply for a new Preliminary Plat; Council shall consider the applicant's progress or lack thereof in proceeding with the development as well as changed circumstances and restrictions in determining whether or not to grant an extension. In addition, Council may terminate an approval, for cause, any time after one year.

Section 5-4-75 Conditional Plat

(a) Conditional Plat Submittal

Submission and approval of the Condition Plat is an OPTIONAL second formal stage of the Subdivision Regulation process. Approval authorizes the sale of lots and the construction of structures before site improvements are made, provided that adequate financial guarantees are secured to ensure that required improvements will be completed.

(b) Rights Afforded by Conditional Plat Approval

Issuance of a Conditional Plat authorizes the subdivider to proceed with the sale or transfer of lots and with the preparation of final plats. Further, structures may be approved and constructed, pursuant to the requirements of this Title, on lots covered by a Conditional Plat. However, Conditional Plat approval does NOT authorize the issuance of a Certificate of Occupancy for any structures constructed; approval, issuance and recording of a Final Plat is required prior to the issuance of Certificates of Occupancy.

(c) Information Required for Review of Conditional Plats

In addition to the information required for review of a Preliminary Plat submission, the following information is required:

(1) The applicant shall submit a bond or other financial guarantees meeting the criteria set forth in Section 5-4-79.

(2) The following Conditions shall be written on the plat:

- a. This is conditional approval. Final approval is contingent upon completion and approval of all required improvements. No property as subdivided on the preliminary plat may be occupied in any manner until a final plat is approved by the City of Isle of Palms. No building permits will be issued until the road base and water system are installed.
- b. It shall be the duty of an attorney, real estate agent and/or broker involved in the subdivision to bring notice of these conditions of approval to all prospective purchasers of any parcel shown hereon.

- c. Failure to comply with any of the conditions of approval listed hereon constitutes cause for refusal to issue and/or revocation of any certificate of occupancy.

(d) Criteria for Review

The application for Conditional Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

The application for Conditional Plat shall follow the same process set forth for the approval of a Preliminary Plat pursuant to Section 5-4-74.

(f) Duration

Approval of a Conditional Plat shall apply for one (1) year from the date of approval. Prior to the expiration of a Conditional Plat, the developer may apply for and be granted an extension of time of up to one (1) year by City Council provided that adequate financial guarantees are so extended; however, no more than two (2) such extensions may be granted. The City has the right to call upon the applicable financial guarantees and complete construction of required improvements rather than extend the duration of the Conditional Plat.

Section 5-4-76 Final Plat

(a) Final Plat Required

Submission and approval of the Final Plat is the final stage of the Subdivision Regulation process. Approval is required before a certificate of occupancy will be issued.

(b) Rights Afforded by Approval of a Final Plat

Issuance of a Final Plat authorizes the subdivider to sell or transfer lots, and to commence construction of structures provided all necessary permits have been obtained therefor, and further authorizes issuance of a certificate of occupancy upon a showing of compliance with the conditions of Section 5-4-101.

(c) Information Required for Review

The Final Plat shall be drawn in ink on a material specified by the Register of Mesne Conveyance for Charleston County as acceptable for recording, on sheets not to exceed twenty-two (22) inches by thirty-four (34) inches, and at a scale of 1" = 100' or larger. Minimum plat size to be eight and one-half (8 1/2) inches by eleven (11) inches. Where necessary the plat may be on several sheets accompanied by an index sheet or key map insert showing the entire subdivision.

In addition to the information required for review of the Preliminary Plat in Section 5-4-74, the following information shall be required:

- (1) All information required on the Preliminary Plat, with the exception of topographic data.
- (2) All property lines with distances, accurate bearings or deflection angles. If a control traverse is run between any two points on any property lines, then it shall be noted. For property lines which are curves or are in part curves, the arc length and radius shall be shown.
- (3) Curve data for all curves shall consist of the following:

The Delta angle, the degree of the curve, the tangent distance, the length of curve by arc method, and the radius. This information should be calculated along the centerline or other defined traverse line for the entire curve, beginning to end as one set of data.
- (4) The location of all points of curvature and tangency.
- (5) The location of points of intersection where circular curves are not used.
- (6) Block and lot numbers suitably arranged by simple system.
- (7) Flood Hazard Zones, the SC Coastal Council critical line, baseline and setback line and the City's beachfront setback line shall be shown if applicable.
- (8) Certificate of Accuracy: A Certificate of Accuracy shall be lettered or printed on the face of the Final Plat. The signature, seal and certification of a registered

professional land surveyor to the effect that the Final Plat accurately reflects a "Class A" survey, that all monuments shown thereon actually exist and their position is accurately shown, and that all dimensional details are correct.

- (9) In subdivisions where existing public water and public sewer systems have been extended and/or a new system installed, the applicant shall submit a letter of operation and maintenance agreement from the system and certifications of inspection from the SC Department of Health & Environmental Control.
- (10) A statement of the private covenants, if they are brief enough to be put directly on the plat; otherwise, a statement as follows: "This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby becomes a part of this plat", recorded _____, and signed by the owner.
- (11) Accurate location, material and description of monuments and markers. Monuments to be placed after final street improvements shall be designated as "future".
- (12) Certificates, as follows:
 - (a) A surveyor's certificate as to accuracy of survey and plat. "I, name of surveyor, a registered surveyor of the State of South Carolina do hereby certify that I have surveyed the property shown hereon, that this plat shows the true dimensions of the property and that all necessary markers have been installed and the precision is 1: _____" (state actual precision). The unadjusted field measurement of lots and blocks shall be accurate within the standards set forth in the minimum Standards Manual of the S.C. Board of Engineering Examiners.
 - (b) A statement of dedication by the property owner of streets, rights-of-way, easements, and any other sites for public use. If any change in ownership is made subsequent to the submission of the plat and prior to the granting of final approval, the statement of dedication shall be corrected accordingly.
 - (c) The signature and seal of the registered land surveyor in accordance with the current Minimum Standard Manual for the Practice of Land Surveying in South

Carolina.

(d) The date of the field survey upon which Final Plat is based.

(d) Criteria for Review

The application for Final Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

(1) The applicant shall submit a proposed Preliminary Plat to the City Administrator, who shall forward the application to the Planning Commission, the City Building Official and other applicable City departments for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted. The application must include all elements required. Incomplete applications will be returned for revision/completion prior to Planning Commission review.

(2) The Commission shall review each application and shall forward its recommendations to City Council for action. The Commission may request additional information or documentation from the applicant to facilitate its review, and may postpone forwarding a recommendation to City Council until such information has been provided and reviewed by both City staff and the Commission. The recommendation shall be for approval, approval with conditions, or disapproval.

(3) If the Final Plat conforms to the approved preliminary plat and the requirements of these regulations, final approval shall be recommended by the Planning Commission of the City of Isle of Palms and granted by City Council of the City of Isle of Palms.

(4) City Council shall approve, approve with conditions or disapprove the application on or before its second regularly

scheduled meeting following action by the Planning Commission.

(5) When a complete application for approval of a Final Plat has been submitted to the Planning Commission, in accordance with these regulations, more than fourteen (14) days prior to its regularly scheduled meeting, and no action was taken by the Planning Commission at such meeting, the subdivider may request City Council to review the application at its next regularly scheduled meeting without a recommendation by the Commission.

(6) When City Council has approved a Final Plat, it shall cause its action to be duly noted on the face of the original drawing which is to be recorded. Such approval shall not be noted on the plat until all the requirements of these regulations are met.

(7) The City reserves the right to require the following statements to be placed upon the plat if the proposed roads and drainage have not been constructed in conformance with standards and specifications of the Charleston County Road Code:

(a) "The approval of this plat does not obligate the City of Isle of Palms in any way to accept for maintenance any of the roads or easements shown hereon."

(8) The City reserves the right to require additional statements to be placed upon the plat. Any such notes shall be specified in the approval of the Final Plat by City Council.

(9) No property may be sold or transferred prior to the approval and recording of the Final Plat, except pursuant to a Conditional Plat issued under Section 5-4-75.

(10) No Certificate of Occupancy pursuant to Section 5-4-101 shall be issued prior to the approval and recording of the Final Plat.

(11) Fees as set forth in City Code Section 5-4-82 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

Section 5-4-77 Design Standards

(a) Location

Critical area, land subject to flooding by normal tides, freshwater wetlands and other areas subject to periodic inundation shall not be subdivided for residential use, unless provisions are made for satisfactory drainage in accordance with the requirements of the SC Coastal Council, US Army Corps of Engineers and other applicable State and Federal regulatory agencies. All drainage system shall be designed and constructed in accordance with the requirements of the SC Coastal Council and the current edition of the Charleston County Road Code.

(b) Easements

(1) Easements for drainage, and water or sewer lines, may be required along rear and side property lines where necessary. Drainage easements across lots shall not be allowed. Redesign of the lot arrangement may be required to meet extreme drainage conditions.

(2) Drainage easements shall be provided and dedicated in accordance with the requirements of the SC Coastal Council and the current edition of the Charleston County Road Code.

(3) Easements shall center along or be adjacent to a common property line where practical.

(4) No subdivision shall block or obstruct the natural drainage of an adjoining area.

(5) Existing natural drainage shall be retained or adequately relocated.

(c) Lots

Lot requirements are contained in Sections 5-4-22 through 5-4-30, with special requirements and exceptions contained in additional sections of this Title.

(d) Other Requirements

(1) All land subdivisions in the City of Isle of Palms shall be in accord with (Class A) Urban Land Surveys as promulgated by the Code of Laws of South Carolina 1976, Title 40, Chapter 21 as amended

July 1, 1977, and described by the Minimum Standards Manual For the Practice of Land Surveying in South Carolina.

(2) Beachfront Property. All plats for beachfront property shall contain the following Note:

The Isle of Palms City Council, at the time of the approval of this Plat, states for the record that it strongly opposes the future issuance of any permits for any kind of beach erosion control structures (i.e., seawalls, rip-rap, bulkheads, etc.) should any measures be requested by property owners as a result of erosion to these properties shown on this Plat.

Section 5-4-78 Required Improvements

(a) Markers

(1) Markers shall be placed as specified below:

(a) A marker shall be set on the right-of-way line at the ends of the block for every block length of street. When blocks occur that have a curve or curves in them, markers shall be set on both sides of the street at the ends of tangents. Markers shall also be set on right-of-way line (on each side of the centerline) at angle points when curves are not used. All interior lot corners shall be marked.

(b) Markers shall be one of the following:

1. A reinforced concrete marker with a brass or copper pin in the top. Concrete markers shall be a minimum of three (3) feet long and have a minimum cross sectional area of nine (9) square inches. They shall protrude above the ground not less than two (2) inches and not more than six (6) inches.

2. An iron pipe or pins having a minimum diameter or three-fourths (3/4) inches hollow or one-half (1/2) inches solid steel. Such iron pins will be a minimum of two (2) feet in length and shall extend above the ground at least one (1) inch.

(2) Markers shall be installed prior to the submission of and approval of the Final Plat.

(3) The location and type of all markers used shall be indicated on the Final Plat.

(b) Utility, Drainage and Street Improvements

(1) Utility, drainage and street improvements shall be as required by and in conformance with the standards and specifications of the current edition of the Charleston County Road Code.

(2) The developer shall install public water lines where public water service is available within five hundred (500) feet of the property.

(3) The developer shall install public sanitary lines where public sanitary sewer service is available within five hundred (500) feet of the property.

(4) Street name signs in accordance with the requirements of the current edition of the Charleston County Road Code shall be installed. Should another type be desired, exceeding these standards, plans shall accompany the preliminary plat for approval.

(5) All required drainage facilities shall be properly constructed in accordance with the standards and specifications of the Charleston County Road Code.

(6) All lots not exceeding two hundred (200) feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70% to an approved swale, ditch, gutter or other type of approved drainage facility. Larger tracts of land shall either meet this standard or provide for adequate drainage by using one or more of the techniques contained in the SC Coastal Council stormwater guidelines and approved by the City Building Official and Public Works Department as consistent with the drainage patterns for surrounding properties.

Section 5-4-79

Financial Guarantees

(1) In lieu of completing the required improvements listed hereinabove, a no-contest, irrevocable bank letter of credit, or performance and payment bond underwritten by an acceptable South Carolina licensed corporate surety, or a cashier's check may be accepted by the City Council; provided that the City attorney has in each instance reviewed each letter of credit or bonding agreement

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and has presented his opinion that the interests of the City are fully protected. Where a cashier's check is utilized, opinion of counsel may be waived.

The amount of the bond for a corporate surety, irrevocable bank letter of credit, or cashier's check will be determined by the appropriate governmental body that exercises operational control. Surety shall be sufficient to guarantee completion of the required improvement one and a quarter (125% of the actual cost of the improvement with a minimum of \$2,000.00), within a time period specified by the government agency not to exceed two (2) years. The governmental agency determining the amount of bond, (bond holder), irrevocable bank letter of credit, or cashier's check shall provide a letter to the Planning and Zoning Commission (copy to the subdivider) setting forth the amount of bond, conditions of acceptance and the period covered. The Planning and Zoning Commission will inform all interested governmental agencies.

(2) Upon completion of the improvements as required by this section, written notice thereof shall be given by the subdivider to the bond holder, who shall cause an inspection of the improvements to be made. The bond holder will within thirty (30) days of the date of notice, authorize in writing the release of the security given, provided improvements have been completed in accordance with the required specifications. Should the improvements not be completed in accordance with the required specifications by the date originally stipulated in writing by the bond holder, the funds derived from said bond or cashier's check will be used by the bond holder to complete the improvements according to required specifications, at the earliest reasonable time. Where it appears that the bond was insufficient to finance the required improvements after the subdivider has defaulted, City Council will assess the individual subdivider the cost of the improvements over and above the surety amount.

(3) In no instance will the bond holder be authorized to extend for the subdivider the completion date originally stipulated.

(4) Pro-rata refunds based on a percentage of overall completion shall not be authorized, with the exception of an irrevocable bank letter of credit. City Council, upon recommendation of the Planning and Zoning Commission, may at its discretion, refund no more than 90% of the original estimated completion cost of that portion of the project requested by the developer.

(5) City Council shall review, approve, or reject each

acceptance of surety in lieu of completion of improvements. In making its determination City Council shall give due consideration to the commitments made by the subdivider to individual purchases.

Section 5-4-80 Exceptions

For a proposed subdivision, or modification of an existing lot or subdivision, which does not involve the construction or improvement of any street or drainage easement, an applicant may submit the following information to the City Administrator:

1. The information required for review of a Conceptual Plan, as set forth in Section 5-4-73(c).
2. County Health Department approval for lots that will utilize on site sanitary sewerage disposal systems.
3. A letter confirming the availability of water and/or sewer service from the applicable utility.

Review shall follow the procedures set forth for Final Plats in Section 5-4-76(e); provided that if City Council determines that street or drainage easement modifications are required, the application shall be construed as one for issuance of a Preliminary Plat pursuant to Section 5-4-74.

Section 5-4-81 Variances

Where extraordinary hardship may result from strict interpretation of these regulations, the applicant may apply to the Zoning Board of Adjustment for a variance pursuant to Section 5-4-5. Such variance may be granted to alleviate such hardship, provided that such variation does not have the effect of nullifying the intent and purpose of these regulations.

The application for a variance shall clearly and definitely state the reason(s) why a variance is needed. Consideration will be given to the following factors:

- (1) Special conditions affecting the property.
- (2) Undue hardships that will result from ordinary adherence to the requirements.
- (3) Grants of variance shall not be detrimental to adjacent

property or to the public interest.

Section 5-4-82 Fees

Fees charged to defray the costs of plat review shall be set forth in a Schedule of Fees, to be developed by the Building Official and approved by resolution of City Council. Such Schedule of Fees may be amended from time to time by resolution of City Council.

Section 5-4-83 Penalties

Any violation of these regulations or amendments thereof shall be a misdemeanor, and shall be punishable pursuant to Section 5-4-7; and in addition, the City shall be authorized to enforce these regulations pursuant to the remedies set forth in Section 5-4-7(a).

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

Ordinance No. 1990-12
First Reading Draft
6/20/90

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Ratification:

The below signed Councilmembers
would like to ~~call~~ call a special
Council Meeting for July 2, 1990
AT 6:30 P.M. AT ^{City Hall.} Purpose of meeting
is to discuss Resolution regarding
SCEPG towers stretching from
MT Pleasant to Isle of Palms.

Jimmy Ward
Barry Holder
Mike Battelle
D.J. Smith
Margie Swanson
Heath Smith
C. Melinda Nelson-Richard
Dan S. Watson

MINUTES OF SPECIAL COUNCIL MEETING OF JULY 2, 1990

A special City Council meeting was held on July 2, 1990 at City Hall with Council members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward and Watson attending. Council member Orvin was absent. Also attending were City Administrator Mark Williams, Clerk-Treasurer Nell McDuffie and Secretary Loretta Barnhill. The meeting was called to order at 5:30 p.m. by Mayor Carmen Bunch who advised that the purpose of the meeting was to discuss resolution concerning SCE&G power lines as well as a request by the volunteer fire department to sell beer at the Beach Boys concert. In addition, the Mayor advised of first reading of Ordinance 1990-13.

Motion to suspend rules of order and procedure to allow citizens to address Council made by Council member Swanson; second by Council member Sottile. Motion carried. The Mayor asked that comments be kept brief because most of the issues had previously been addressed.

1. Resolution - SCE&G Power Lines (See Attached as Appendix A.)

(1) David Bellanger - Mr. Bellanger stated that his group did not wish to stop power into the island communities, saying that he does not have adversarial relationship with SCE&G. Mr. Bellanger told Council that Representative Harry Hallman as well as S.C. Fish and Wildlife have agreed with the concerned citizens stance. (See Attached as Appendix B for statement from "Concerned Citizens of East Cooper".)

(2) George Horres - Mr. Horres, representing SCE&G, advised that permitting aspect as well as planning and implementation of project began in 1986, and cited the number of times SCE&G had met with Council and property owners prior to initiation. Primary reason for project is quality and reliability of service to the Islands, according to Mr. Horres, who advised that the utility company was always environmentally aware. Saying that engineers had determined that underground cable was extremely detrimental to that marsh, Mr. Horres further advised that the highway department had no bridge design, location or date of construction when approached by SCE&G and time was important. Mr. Horres asked Council to consider the strong wording in the proposed resolution, citing the seriousness of such wording to SCE&G.

(3) Gene C. Glave - Ms. Glave's comments were read by Council member Swanson. (See Attached as Appendix C.)

Mayor Bunch advised Council that the City's attorney had prepared a resolution for consideration in addition to the resolution prepared by "Concerned Citizens of East Cooper" and suggested that Council carefully read both resolutions before determining what action they might wish to take. (See Attached as Appendix D.)

Council member Ward moved that resolution drawn by City's Attorney be approved; second by Council member Watson.

On discussion, Council member Ward cited the work done by Mr. Belanger in bringing this matter to the public's attention, stated that his personal preference was underground cables, and credited SCE&G for doing the best job they could as stewards of the resources. Mr. Ward then moved to amend the motion to

read, Paragraph 1, "City Council (opposes construction of aerial power lines) and urges . . ."; second by Council member Holden.

Council member Watson cited need to send message to highway department and SCE&G to do this environmentally correct, stating preference for seeing power lines on the Connector, indicated support for the resolution.

Council member NesSmith-Picard stated it was possible to mount the power lines on the bridge with minor, if any, design change, but cited the two to three years before completion of the Connector and questioned whether existing power supply was adequate.

Council member Simon stated that SCE&G is being forced to provide service to an island that has not well controlled its growth, reminding Council that SCE&G was unable to get any answers from the highway department during the early stages of this project. Mr. Simon expressed concern about laying cable under the marsh.

Council member Holden stated that while the SCE&G public notice was difficult at best to understand, he recognized that SCE&G had done everything right according to the procedural process. Mr. Holden expressed preference for lines to be on the Connector, and, stating that, while he recognized how difficult it is to keep electrically sensitive things working and the time involved in waiting on completion of the bridge, the environment must be protected.

Council member Swanson commented that this would be an opportunity for Council to approach the highway department about the power lines going on the Connector and, at the same time, the residents of the Island try to get by on the amount of electricity available until completion of the bridge.

Council member Sottile emphasized need for reliability, but expressed preference for the lines to be on the Connector. Mr. Sottile pointed out the numerous brown-outs occurring on the Island, and while acknowledging he had no real answer, urged SCE&G to use all available means to locate the lines in the right place.

Council member Ward moved to amend as follows: ". . . the City Council opposes construction of free standing power lines 100 to 170 feet high across the marsh and urges . . ." Following further discussion on wording of resolution, Council member Holden moved that height limitation be removed from amendment; second by Council member Simon. Motion to remove height carried with one no vote from Council member Ward.

When called for the question to amend motion to add "opposes construction of aerial power lines", roll call vote: Holden, yes; NesSmith-Picard, yes; Simon, yes; Sottile, yes; Swanson, yes; Ward, yes; Watson, yes; Bunch, yes. Motion carried.

When called for the question on the original motion, roll call vote: Holden, yes; NesSmith-Picard, yes; Simon, yes; Sottile, yes; Swanson, yes; Ward, yes; Watson, yes; Bunch, no. Motion carried 7-1.

Mayor Bunch advised she would send a letter to the highway department and commissioner asking for lines to be placed on the bridge.

Council member Holden pointed out that he did not vote to have SCE&G put power lines on the Connector, stating that such might not be the answer.

2. Volunteer Fire Department, Request to Sell Beer at Beach Boys Concert.

Council member Ward moved that the volunteer fire department be allowed to sell beer at the Beach Boys concert on August 26; second by Council member

NesSmith-Picard.

Council members discussed issues such as expected revenues, limiting hours during which beer would be sold, policing the Island, problem of concert goers "smuggling" alcoholic beverages onto the concert site, people driving under the influence leaving the Island. Following discussion, Council member NesSmith-Picard moved to restrict beer sales for maximum of three (3) hours, such sales ending no less than one (1) hour before the end of the concert; second by Council member Ward. Motion to amend carried, with Council member Watson and Mayor Bunch voting no.

When called for the question to approve sale of beer at the concert, roll call vote: Holden, yes; NesSmith-Picard, yes; Simon, no; Sottile, no; Swanson, yes; Ward, yes; Watson, no; Bunch, no. 4 -4 vote, defeating motion.

Mayor Bunch read letter from Richard Jones, Mayor of Mt. Pleasant, opposing Beach Boys concert. (See Attached as Appendix E.)

3. First Reading, Ordinance 1990-13, An Ordinance to Clarify the City's Commercial Zoning District Requirements.

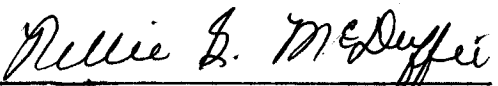
Motion to pass as first reading by title only and refer to Engrossed Bills Committee made by Council member Watson; second by Council member Swanson. Motion defeated 4-3 with abstaining vote by Council member Simon.

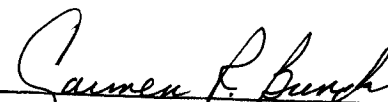
4. Executive Session.

Motion to enter Executive Session made by Council member NesSmith-Picard; second by Council member Swanson for the purpose of discussing contractual matters and personnel matters. Motion carried.

Due to administrative oversight, the tape recorder was not turned back on following Executive Session. It is believed that no action was taken.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED: 
Carmen R. Bunch, Mayor

RESOLUTION OF THE TOWN OF ISLE OF PALMS

WHEREAS, South Carolina Electric and Gas Company proposes to construct a power line from Mt. Pleasant to the Isle of Palms which consist of 32 steel towers ranging in height from 107 feet to 179 feet, with five lines of wires stretching about 2.5 miles across the intertidal marsh and the intercoastal waterway,

WHEREAS, the area that the power line would cross is a very productive marsh system teeming with shellfish and heavily used by many species of birds including two endangered species, and three species of special concern and nine species of wading birds,

WHEREAS, the existence of the power line would result in bird mortality from direct collisions and electrocution,

WHEREAS, there are other less ecologically disastrous methods of bringing additional power to Sullivan's Island and the Isle of Palms including underground or attached to bridges,

WHEREAS, the Town of Isle of Palms does not want to obtain additional electrical power at the expense of the wildlife and ecosystem that utilizes the area of the proposed power line and at the expense of the ecology and aesthetics of Sullivan's Island and the Isle of Palms,

WHEREAS, the Town of Isle of Palms rejects its electricity needs as a justification for the ecologically disastrous proposed power line,

IT IS THEREFORE RESOLVED, that the Town of Isle of Palms strongly opposes the construction of the aerial power line proposed by the South Carolina Gas and Electric Company to cross the intertidal marsh and the intercoastal waterway between Mt. Pleasant and the Isle of Palms and rejects SCE&G's economic justification for the aerial transmission towers to upgrade the electrical capabilities, and demands that an alternative method of power transmission be utilized that would considerably lessen the long term detrimental effects to our environment.

SIGNATURES

DATE

AN ENVIRONMENTAL AND AESTHETIC CATASTROPHE IS MARCHING ACROSS
THE MARSH AND INTERCOASTAL WATERWAY BETWEEN MT. PLEASANT AND
ISLE OF PALMS

The Problem

Unknown to most citizens of the Mt. Pleasant, Sullivan's Island, and Isle of Palms, the South Carolina Electric and Gas Co. is constructing a massive power line consisting of 15 structures, 32 steel poles, and 5 wires. This complex will cross the marsh and terminate at 13th Avenue, Isle of Palms. The poles will rise above the marsh from 100 to 179 feet. This means the tallest poles will be higher than the revolving light on the Sullivan's Island light house. Besides the permanent visual blight, these lines would cross a major flyway and result in bird mortality through collisions and electrocutions. This flyway is in fact used by two federally endangered species (Wood Stork and Bald Eagle), one federally endangered species (Arctic Peregrine Falcon), three state species of special concern (Brown Pelican, Osprey, and Little Blue Heron), nine species of wading birds, and more than 100 species of ducks, geese, gulls, terns, sandpipers, plovers, and raptors. The United States Fish and Wildlife Service in a letter of June 26, 1990, called for a cessation of all ongoing construction until the impacts on endangered species can be evaluated as required by law. SCE&G has refused to stop construction. In the meantime, there has been talk of solving the bird problem by putting lights on the towers, and florescent orange sleeves on the wires.

The Alternatives

As citizens of this important ecological area, we recognize the need for reliable power but we also recognize that the technology exists for alternative transmission methods that are less destructive than aerial transmission structures. The most viable alternatives include:

1) Underground. Kiawah Island receives their power from underground transmission lines. South Padre Island, a barrier island in Texas is getting power from a 138 kV line buried under 6 miles of marsh and estuary. While underground methods initially cause more damage to the marsh, the long term ecological and esthetics damage is minimal. As survivors of Hugo we also recognize that underground utility cables provided continuous service during and after the storm.

2) Mounted on the IOP connector. The highway department has stated that the connector could carry both power lines and the water and sewer lines if it were engineered for the task

The Solution

Assume personal responsibility for voicing your opinion. The US Army Corps of Engineers and the Department of Transportation are public agencies that must act on the public mandate. At this point, neither the agencies or our elected officials have heard a public outcry. In the meantime, construction of the line proceeds everyday. The time to act is now.

IS IT TOO LATE TO STOP THE POWER LINE?

SCE&G says that it is concerned about the environment, but that it is too late to stop the power line because it is more than half way complete and it has been done under a Corps of Engineers permit issued it over a year ago. The Concerned Citizens of East Copper wrote the Corps and the U.S. Fish and Wildlife Service on June 20 and 21, 1990, informing them that the permit was invalid because of noncompliance with the Endangered Species Act and failure to give proper public notice. The Fish and Wildlife Service and the Corps of Engineers have agreed that there was noncompliance with the Endangered Species Act and further have agreed to reconsider the permit under that Act. The Fish and Wildlife Service recommended that SCE&G cease all ongoing construction until the reconsideration is completed. SCE&G has refused.

The point is that the work already done by SCE&G has been done pursuant to an invalid permit. The Corps and the Fish and Wildlife Service are now reconsidering the project under the Endangered Species Act. The Corps has not yet acted on our request to reconsider the project on the more general public interest grounds because of lack of sufficient notice previously. The Corps regulations define the public interest upon which the decision must be made as including, among others, effects on conservation, aesthetics, general environmental concerns, wetlands, fish and wildlife values, land use, navigation, recreation, safety, and the needs and welfare of the people. The Concerned Citizens of East Copper do not believe that under those criteria the aerial permit application should be authorized.

Finally, the question of "Is it too late?" was resoundingly answered by the United States Supreme Court in the famous snail darter case. The Tennessee Valley Authority had virtually completed the \$100 million Tellico Dam when it was discovered that it would flood the habitat of snail darter. It argued that it was too late to apply the Endangered Species Act. The United States Supreme Court disagreed, stating:

It may seem curious to some that the survival of a relatively small number of three-inch fish among all the countless millions of species extant would require the permanent halting of a virtually completed dam for which Congress has expended more than \$100 million. . . . We conclude, however, that the explicit provisions of the Endangered Species Act require precisely that result.

REGISTER YOUR OPPOSITION TO THE POWER LINE

Lt. Colonel James T. Scott
District Engineer
U.S. Army Corps of Engineers
P.O. Box 919
Charleston, SC 29402

U.S. Rep. Arthur Ravenel
334 Meeting St.
640 Federal Building
Charleston, SC 29403

Rep. Harry Hallman
P.O. Box 5136
N. Charleston, SC 29406

Mr. Roger Banks
Field Supervisor
Fish and Wildlife Service
U.S. Dept. of Interior
217 Fort Johnson Road
Charleston, SC 29412

Senator Sherry Martschink
723 Angus Court
Mt. Pleasant, SC 29464

Rep. Jimmy Bailey
18 Broad Street
Charleston, S.C. 29401

TO: Members of the Isle of Palms City Council

FROM: Gene C. Glave

I am unable to attend this meeting because I'm working at Roper Hospital Pediatrics this evening, so I've asked that these comments be read to you.

I feel very strongly that as much despair and damage Hurricane Hugo brought into our lives, it has given us an opportunity that we MUST examine. When SCE&G first began their plans to bring added electrical service to our islands, the Isle of Palms Connector was a smoking political gun - not a reality. Thanks, in part, to the hurricane, the connector will soon be with us. How can we, in all good conscience, not combine two accesses to the island across the marsh, into one - greatly lessening the impact on our environment and its beauty?

After having had a pleasant and informative meeting with two representatives from SCE&G, I am aware of the myriad of problems this proposal - to bring the power lines over on or beside the connector - would create.

(1) A loss of money to SCE&G: the extremely tall poles have already been designed and purchased and some construction on the project has already been completed.

I am sincerely sorry about their losing money, but it seems there would be savings down the road by easier access for maintenance.

(2) The time frame would be altered.

If this project is allowed to continue as is, completion would be in October. To use the connector, completion would be delayed approximately two years. But again, thanks to the hurricane, it will probably be two years before the island's population will be back to its normal size. Hence the demand for electricity should be no greater than before the storm.

(3) Inconvenience for SCE&G and the Highway Department because designs have been drawn and contracts let.

Designs can be redrawn. Contracts can be renegotiated. But once these poles and lines are in place, they will be permanent; a monument for us, our children and following generations. A monument to a lack of nerve and commitment

that when an opportunity presented itself, the opportunity was ignored in the name of money and convenience.

My hope is that you, the members of the Isle of Palms City Council, will encourage - even insist - that these two great public service entities rethink, redesign, renegotiate before erecting these poles.

There is an opportunity - a chance to make a difference - to keep our grandchildren from wondering, "Why in the world didn't they bring the lines over on the connector?" Ladies and gentlemen, I urge you to seize the moment!

R E S O L U T I O N

WHEREAS, the City of Isle of Palms wishes to express its appreciation to South Carolina Electric and Gas Company ("SCE&G") for the assistance provided to the City and its residents in the aftermath of Hurricane Hugo; and

WHEREAS, City Council acknowledges that SCE&G has undertaken efforts to improve the quality and reliability of electric power service to the Isle of Palms; and

WHEREAS, City Council further acknowledges the need to improve electric power service to the Isle of Palms; and

WHEREAS, City Council has consistently promoted use of the most environmentally sensitive alternatives for improvements to infrastructure and support services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Isle of Palms, in Council duly assembled,

1. That City Council opposes construction of free standing power lines across the marsh and urges SCE&G to review the alternatives available for upgrading of electrical service to the Isle of Palms, and to provide Council with information on the environmental impacts and cost considerations associated with each available alternative; and
2. That City Council further request SCE&G to take all necessary actions to protect the viability of the environmental resources of the Isle of Palms and the surrounding marsh systems.

RESOLVED this 2nd day of July, 1990.

Carmen R. Bunch, Mayor
CITY OF ISLE OF PALMS

ATTEST:

Nellie S. McDuffie
Clerk/Treasurer

TOWN OF MOUNT PLEASANT



TOWN COUNCIL

Margaret Kerr, Mayor Pro Tem
Everett Jones
Dorothy B. Kearns
William C. Mills

RICHARD L. JONES
Mayor

June 29, 1990

TOWN COUNCIL

Carlton Poulnot
Kruger B. Smith
Thomas W. Utsey
Cheryll N. Woods

The Honorable Carmen Bunch
Mayor, Isle of Palms
P. O. Drawer Q
Isle of Palms, SC 29451

Dear Carmen:

On June 26, 1990, at a Special Town Council meeting, Town Council agreed unanimously to oppose the proposed music concert scheduled for August 26, due to the fact that adequate coordination with Mount Pleasant officials has not taken place which would ensure the safeguarding of the welfare of our residents and businesses.

Based upon information made available to us, we anticipate tremendous traffic problems being created within the Town of Mount Pleasant, particularly along Coleman Boulevard. We are especially concerned about comments that cars could park in Mount Pleasant and then shuttled to the Isle of Palms. We would be interested to know where the park and ride lots are to be located. As you know, our shopping centers conduct business Sunday afternoons, so this would not appear to be a feasible option, and space is quite limited at Patriots Point, particularly if you consider that their space needs would be concurrent with the proposed concert.

Please understand that it is not our intention to discourage your efforts for a much needed fire station on the Isle of Palms. To that end, we would work with the Isle of Palms in any way possible. However, at present, this proposed program appears to pose significant impacts for the citizens of Mount Pleasant, and until we can be provided with assurances that is not the case, we strongly urge you to find a more suitable site.

Sincerely,

Rich Jones

Richard L. Jones

Mayor

TOWN OF MOUNT PLEASANT

RLJ/ch

cc: Town Council

cc: The Honorable Melvin Anderegg

Post Office Box 745, Mount Pleasant, South Carolina 29465-0745

(803) 884-8517

MINUTES OF SPECIAL CITY COUNCIL MEETING OF JULY 11, 1990

A special meeting of the Isle of Palms City Council was held on July 11, 1990, at 7:00 p.m. at City Hall with all Council members present. Also attending were Attorney Bill Regan, City Administrator Mark Williams, Clerk-Treasurer Nell McDuffie and Secretary Loretta Barnhill. Mayor Bunch called the meeting to order and advised that the special meeting had been called by Council members Holden, NesSmith-Picard, Orvin, Sottile and Ward for the purposes of discussing a change in the City's form of government and restroom facilities for front beach.

A. Voting to adopt an Ordinance to call for, and a Resolution relating to, a Special Election regarding a change in form of government.

First Reading - Ordinance 1990-14, An Ordinance to Call for a Special Election Regarding a Change in Form of Government. Council member Ward presented to Council an ordinance calling for a Special Election as soon as allowable under S. C. State Law for the purpose of determining the following question: "Shall the municipality of City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (Strike one)." Mr. Ward moved to accept as First Reading by title only Ordinance 1990-14, calling for such election; second to motion by Council member Orvin.

Council member Swanson moved to suspend the rules of order and procedure and allow citizens to address Council; second by Council member Ward. Motion to suspend carried.

Citizens' Comments:

1. Capt. S. E. Wallerstedt - Capt. Wallerstedt, 2201 Cameron Boulevard, addressed Council concerning his opposition to a change in the form of government (See Attached as Appendix A).

2. Anne K. Moyer - Ms. Moyer spoke on issues affecting the City and Council's handling of these issues (See Attached as Appendix B).

3. Beverly Ballow - Ms. Ballow spoke briefly on proposed change in form of government, saying such should only be done after much thought and research. Ms. Ballow cited serious issues the City must face and, in particular, the issue of SCE&G power lines across the marsh, stating that such could be extraordinarily hazardous and asked Council members to read article from "The New Yorker" magazine, copies of which she furnished.

4. Nancy Wyman - Ms. Wyman spoke of Council disharmony recently as well as asked Council to reconsider what was happening tonight concerning a change in the form of government (See Attached as Appendix C).

A discussion was held concerning ordinance calling for referendum regarding a change in the form of government, during which time Council members Ward, NesSmith-Picard (See Attached as Appendix D for statement from Ms. NesSmith-Picard), Holden, Sottile and Orvin spoke in favor of a change in the present form of government. Council members Swanson, Simon, Watson and Mayor Bunch voiced objections to such a change. Roll call vote to accept as First Reading: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Simon, no; Sottile, yes; Swanson, no;

Ward, yes; Watson, no; Bunch, no. Motion to accept passed 5-4. (See Ordinance Attached as Appendix E.)

2. Voting to construe, interpret, and arbitrate Council's intention regarding several of its emergency ordinances, amendments, extensions and resolutions regarding the use of trailers in the municipality as they relate to Council's proposal to place a "pre-fab" trailer type restroom on City property in the beachfront area.

Council member Holden introduced Emergency Ordinance 1990-15.E, An Emergency Ordinance Relating to Use of a "Pre-Fabricated" Restroom Trailer Facility in the Isle of Palms Commercial District (See Attached as Appendix F) and moved to accept ordinance; second by Council member NesSmith-Picard.

On discussion, Attorney Regan advised that he did not know if Council could do what this ordinance would require, citing fire district regulations and Southern Building Code requirements. Mr. Regan also advised of the possible liability to the City should the structure burn down and "take the Windjammer" with it. Also questioning whether or not this matter could legally be construed as an "emergency", Mr. Regan pointed out that there had been no restrooms on the beach before, so the lack of facilities at the present time would not necessarily constitute an emergency.

Discussion was held concerning FEMA requirements relating to trailers on the Island and Administrator Williams advised that the Building Inspector has had numerous conversations with FEMA representatives who have stated that they plan to "take a hard look" at any trailers on the Island after September. Mr. Williams further advised that any trailer would have to be elevated to minimum base flood elevation which would add considerably to the cost.

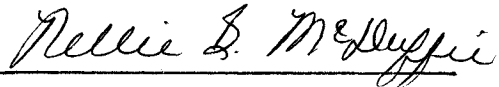
Mr. Holden asked were the trailers presently being used by the City to house various departments legal and was advised by the City Administrator that he believed the trailers met FEMA current regulations but the Fire Department trailer was Type 6 construction and therefore illegal in the fire district.

Following further discussion relating to funding of bathroom facility and maintenance of the restrooms, Council member Orvin moved to table until the next regular Council meeting; second by Council member Sottile. Motion carried.

Council member Orvin inquired about Beach Boys concert and was called on point of order by the Mayor since this was not an Agenda item.

Motion to adjourn made by Council member Watson; second by Council member Swanson. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie
Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

In the past I was privileged to serve
as City Recorder for 10 years

7-11-90

APPENDIX A

My name is Stig W 2201 Cameron Blvd
I have been a resident of the Isle of Palms for over 30 years.

Dominance of the Mayors capacity to give the city positive
leadership ^{has worked to the islanders benefit so far,}
It is possible to be a better citizen when you
can turn to a leader whose accountability is clear.

The only alternative would be for the city to adopt a
professional manager type of government but I am afraid
that for a small community like the Isle of Palms, this
might be an expensive way to manage this city

Stig W. [Signature]
2201 Cameron Blvd

**Perils Insured
Against
(Section I)
(continued)**

- The Vandalism or Malicious Mischief peril in Form HO-4 and HO-6 excludes loss if the dwelling has been vacant for more than 30 consecutive days immediately before the loss.

**Exclusions
(Section I)**

- Water damage includes water which overflows from a sump.
- A new exclusion, Intentional Loss, has been added. It applies to **all** insureds. Therefore, **all** insureds, are barred from coverage under Section I of the policy if **any** insured causes an intentional loss.

**Exclusions
(Section II)**

- Coverage E and Coverage F do not apply to bodily injury or property damage arising out of or in connection with a business engaged in by an insured.
- No coverage is provided for the vicarious liability of a parent for the acts of a minor using a motor vehicle, watercraft or aircraft.
- Entrustment of an excluded vehicle, watercraft or aircraft by an insured to any person is excluded from coverage.
- Liability of an insured for an assessment arising from his ownership of a condominium, cooperative unit or community property is excluded.
- Coverage for owned watercraft with inboard or inboard-outboard motor power of less than 50 HP has been eliminated. However, coverage may be purchased if desired.
- All contractual liability assumed by an insured is excluded except written contracts:
 - directly related to the ownership, maintenance or use of an insured location;
 - where the liability of others is assumed by the insured prior to an occurrence.
- There is no coverage for bodily injury to the named insured or to any resident of his household who is:
 - a relative; or
 - under the age of 21 and in the care of an insured.
- The new policy excludes tenants who regularly reside on an insured location from Medical Payments coverage.
- There is no coverage for bodily injury arising out of the transmission of a communicable disease by an insured.

**Additional
Coverages
(Section II)**

- Prejudgment interest is newly payable as a part of damages. The total of all damages is subject to the Coverage E limit of liability. The present policy covers prejudgment interest as an additional coverage, under Claim Expenses
- The Liberalization Clause applies to the broadening of coverage within a specific Homeowner program rather than where an existing program is replaced by a new program.

All other provisions of this policy apply.

APPENDIX B

This has been my home for 30 years and prior to that I came here every summer for 20 years. (I had my first break-up with a high school sweetheart on the old pavilion). I love this island and I am tired of people asking me why we feel we're superior to everyone else, and what's wrong with our government.

PLEASE - try to forget your egos and try to think of what is best for this

island. Don't vote against something simply because someone else is for it, **OR FOR something because someone else is against it.** Please don't be anti - everything. Please work together.

Thanks for listening!

Anne K. Moyer
26 24th Avenue

Just Wed. a.m. (7-11-90), Worth
Waring on Talk Radio stated,
" ~~Politics is~~ Politics is
the art of compromise,
and on the I. of. P.
it is dying."

Does That make you all proud?

The Isle of Palms government is becoming a laughingstock throughout the county. The members fight everything = and some of us wonder if it's just to fight.

I believe that when we elect officials we should be able to trust them and not have to attend meetings to baby-sit. If you make thoughtful decisions for the best for the island, referendums should not be necessary. Your constituents should not have to attend council meetings; however, in the past year I have sat through parts of a couple of meetings and could not believe what I heard. At one meeting, an extremely lengthy dissertation was read on why something that did not occur at the previous meeting be included in that meeting's minutes. That motion was defeated, but for it to have even been mentioned was ridiculous and improper.

Please consider - -

If 400 tons are added to the connector, will it be safe for vehicles? Will lines running parallel to the bridge be that bad? Do you remember last September being without power for so long? Personally, I don't wish to ever experience that again! Have you considered all the pros and cons of a county park? Would one help our tax base? Would it be pretty?

After ten months - - many of our residents have still not returned and many, many homes remain untouched. Yards are overgrown and parts of the island still look like a slum area. That situation is depressing ^{but} ~~and~~ important!!

To help get rid of some of the depression still haunting us, some of us were looking forward to August 26th. Couldn't we have put up with one day of very heavy traffic to have a really great day for the Isle of Palms? It was for our benefit, but are we too good to have people come over here? Why did you allow citizens to become enthusiastic about a fun day with a group that is family oriented? If, as I have heard, some employees signed contracts and/or made arrangements without the governing body's approval, why haven't those employees been dismissed? (Suppose city council - in 1950 - had said that no one can come to this island whose ^{family} ~~whose~~ had never been over here before. How many in this room could be here?)

THE STRONG MAYOR FORM OF GOVERNMENT ON ISLE OF PALMS HAS BEEN ESSENTIALLY REDUCED TO A DICTATORIAL RULE BY ONE. ACCORDING TO STATE CODE UNDER THE MAYOR-COUNCIL FORM OF GOVERNMENT, THE MAYOR ADMINISTERS POLICY AND COUNCIL HAS LEGISLATIVE AUTHORITY. HOWEVER, ON 3 SEPARATE VOTES BY COUNCIL; 2 TO PROVIDE PUBLIC RESTROOMS AND 1 TO ALLOW THE BEACH BOYS CONCERT, HAVE BEEN STYMIED BY THE MAYOR UNDER THE GUISE OF EXERCISING "ADMINISTRATIVE" AUTHORITY.

COUNCIL VOTES ARE MEANINGLESS WHEN CONTRARY TO THE MAYOR'S PERSONAL AGENDA. AS LONG AS THE MAYOR-COUNCIL FORM OF GOVERNMENT IS IN EFFECT THERE WILL BE NO RULE BY MAJORITY, NO CHECKS AND BALANCES, AND CITY EMPLOYEES CANNOT SPEAK FREELY WITHOUT FEAR OF RETRIBUTION SUCH AS LOSING THEIR JOBS.

A STRONG COUNCIL FORM OF GOVERNMENT STILL HAS A MAYOR AND WILL RESTORE THE DEMOCRATIC PROCESS BY GIVING EACH MEMBER OF COUNCIL, INCLUDING THE MAYOR, ONE VOTE. IN SPECIAL CIRCUMSTANCES, SUCH AS DURING AN EMERGENCY, COUNCIL CAN AUTHORIZE THE MAYOR TO PERFORM ADDITIONAL ADMINISTRATIVE DUTIES. NORMALLY, ADMINISTRATIVE DUTIES WILL BE HANDLED BY THE CITY ADMINISTRATOR AND DEPARTMENT HEADS WILL BE FREE TO DO THEIR JOBS WITHOUT THE PRESSURE OF PLACATING A MAYOR.

COUNCIL AND THE MAYOR WERE ELECTED TO MAKE DECISIONS THAT HOPEFULLY REFLECT THE WILL OF THE PEOPLE. AS CONTRASTED WITH THE PRESENT SYSTEM, THE WILL OF ONE IS PREVAILING OVER AND PARALYZING COUNCIL, THE ISLAND, AND ITS FUTURE. A CHANGE IS NEEDED NOW BECAUSE THERE ARE MANY IMPORTANT ISSUES THAT MUST BE DECIDED AND ONE PERSON CANNOT CONTINUE TO IMPOSE THEIR PERSONAL AGENDA ON A COUNCIL WHICH WAS ELECTED BY THE PEOPLE, TO REPRESENT THE PEOPLE.

MELINDA NESSMITH-PICARD
ISLE OF PALMS COUNCILMEMBER
JULY 11, 1990

AN ORDINANCE TO CALL FOR A SPECIAL ELECTION REGARDING A CHANGE IN FORM OF GOVERNMENT

WHEREAS, City Council of the City of Isle of Palms, S.C. desires to serve and fulfill the desires of the voters of the Municipality to the fullest and best of their abilities.

WHEREAS, City Council of the City of Isle of Palms, S.C. has determined that the Council Form of government would best provide for accountability and harmonious government.

WHEREAS, the City of Isle of Palms, S.C. presently operates under a different form of government selected at inception of Home Rule and,

WHEREAS, City Council of the City of Isle of Palms, S.C. finds significant changes in the Municipality and its needs have occurred since that time in both governmental and non-governmental areas.

WHEREAS, THEREFORE City Council of the City of Isle of Palms, S.C. after considering the above, desires the form of government for the City of Isle of Palms, S.C. be changed to the Council Form and pursuant to Section 5-5-20 of the South Carolina Code of Laws as amended has determined the proper manner to do such is by Ordinance calling for a special election to allow voters to select for themselves the appropriate form of government Isle of Palms.

WHEREAS, LASTLY, City Council of the Isle of Palms, S.C. wishes to encourage all voters on the Isle of Palms to support its efforts to better serve them by supporting and voting for this change.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. To call for by Ordinance a special election to change the present form of government to the Council form pursuant to Section 5-5-20 of the South Carolina Code of Laws as amended.

Section 2. A Special Election shall be held as soon as allowable under South Carolina State Law for the purpose of determining the following question: "Shall the municipality of City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19 .

X
CARMEN R. BUNCH, MAYOR

X
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Rotfication:

AN EMERGENCY ORDINANCE RELATING TO USE OF A "PRE-FABRICATED" RESTROOM TRAILER FACILITY IN THE ISLE OF PALMS COMMERCIAL DISTRICT

WHEREAS, Hurricane Hugo destroyed numerous business establishments which had provided restroom facilities for customers by law, and often at their discretion voluntarily to the public at large as well.

WHEREAS, Restrooms are a needed item in the commercial public beachfront area to deal with sanitation needs.

WHEREAS, the present situation using port-o-lets to supplement the remaining businesses facilities following Hugo presents an unsanitary and unacceptable situation and potential public health hazard in that area.

WHEREAS, an alternative of more sanitary type has been found to exist in the purchase, placement and installation of the "pre-fabricated" trailer type restroom facility on the city's property in the beachfront area (see attachment).

WHEREAS, Council desires to promote the public health by its use and finds that though there may be a potential technical issue with fire district and/or other municipal laws or regulations, the temporary use of a trailer which would be located with significant buffering from the nearest possible buildings with no possibility of common fire walls does not violate the spirit, intent or safety benefits Council intended by such fire district's creation nor the intents of its other ordinances and regulations.

WHEREAS, Numerous Emergency Ordinances, Resolutions, and exceptions have been granted to effectuate the general clear intent of Council to permit reasonable use of trailers in this recovery period.

WHEREAS, As this problem with sanitation is seasonal Council could not earlier have forseen the tremendous need created by the disaster of Hurricane Hugo in this area and now expressly finds, as indicated above, that a situation of exigent circumstances has been directly created by the disaster. Such has now surfaced and become apparent and Council must in the interest of public safety act with utmost speed and thereby by appropriately by Emergency Ordinance.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This emergency ordinance is enacted to allow and require the placement of a trailer type "pre-fabricated" restroom facility on the city's property in the beachfront area.

Section 2.

Notwithstanding any and all other municipal ordinances, (including those relating to fire codes and special districts), a "pre-fabricated" trailer type restroom facility, (as referenced on the attached sheet), shall be purchased, placed and installed on the City's property in the beachfront area within ten (10) days from the date of this ordinance. Such facility shall be made available for public use immediately thereafter and until such time as addressed directly by further ordinance.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification

by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF
PALMS ON THIS DAY OF , 19 .

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Rotification:

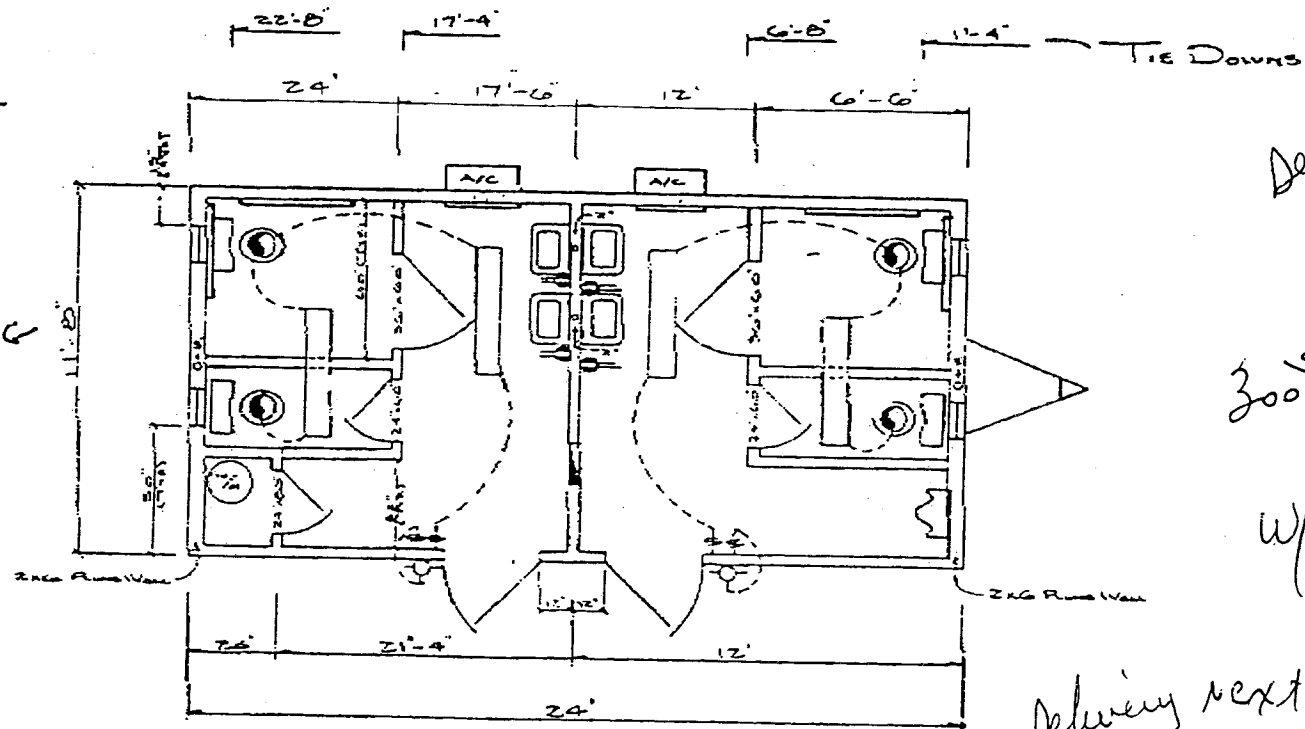
MAN.

Special Floor Joist
Joists: 11'-4", 12'-8", 13'-4"
Joist Per Floor Joist @ 12'-0"

Do Not Put Rafter @ 12' c
Good End Vents Each End

(2) 36
(2) 42

HARDWOOD SIDING



Delivery - Just
\$500.

300% month

W/air 40.00 per
sq ft

Delivering next day after

COMPANY: MANUFACTURED HOUSING

DATE: 8/16/89

DRAWN BY: DAS DATE: 6/15/88 BOX SIZE:

CHECKED BY:

APPROVED BY	ISEAS	SERIAL #
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SCALE: 1/4" = 1'-0" PAGE: 3

QUOTE# 30

MINUTES OF THE SPECIAL COUNCIL MEETING OF JULY 6, 1990

A special meeting of the Isle of Palms City Council was held on July 6, 1990 at 7:00 p.m. The meeting was called by Council members Holden, NesSmith-Picard, Orvin, Sottile and Ward, for the purpose of discussing the Beach Boys concert and restroom facilities on City property in the beach front area. Attending were Council members Holden, NesSmith-Picard, Orvin, Sottile, Swanson, Ward and Watson. Council member Simon was absent. Also attending was Clerk/Treasurer Nell McDuffie and Attorney Bill Regan.

Mayor Bunch, advising that she had spoken with Guy Taylor, President of the Exchange Club, asked for a motion to move the meeting to the Exchange Club so that those in attendance would be more comfortable. Council member Swanson so moved; second by Council member Watson. Motion carried with Council member Ward opposed to moving the meeting.

Mayor Bunch asked for motion to go into Executive Session for briefing by Attorney Regan before going to the Exchange Club. Council member Watson so moved. Council member NesSmith-Picard called point of order. Discussion ensued, resulting in meeting adjourning to Exchange Club.

Reconvening at the Exchange Club, the Mayor asked for motion to suspend rules of order and procedure and allow citizens to speak. Council member Ward so moved, designating thirty minute time period; second by Council member Sottile. Motion carried.

Citizens Comments:

1. Mayor Richard Jones, Mt. Pleasant - Mayor Jones, while commending the Isle of Palms Fire Department for their efforts, advised that the concerns of Mt. Pleasant centered primarily around traffic problems, stating that the majority of the people would choose to drive individual cars and not use proposed shuttle buses. Mr. Jones cited impact on Mt. Pleasant police department, business community and residents resulting from traffic backup when bridge opens, asking Council to consider alternative location for concert.

2. Mayor Melvin Anderegg, Sullivan's Island - Mayor Anderegg, agreeing with Mayor Jones, cited that maximum number of cars capable of moving over the Ben Sawyer Bridge was 1400-1600 per hour if no problems were encountered and emphasized traffic problems which would result. Mr. Anderegg asked Council to consider surrounding communities and have Beach Boys play in different location.

3. Police Chief Tommy Sexton, Mt. Pleasant - Chief Sexton asked Council to consider public safety aspects of this event and the impact on surrounding areas.

4. Police Chief Jack Lillenthal, Sullivan's Island - Chief Lillenthal also addressed traffic problems resulting from number of cars, asking Council to consider what had been said tonight before allowing concert on the Island.

5. Police Chief James Arnold, Isle of Palms - Chief Arnold cited traffic backup on "normal" Sunday and asked Council to multiple that number of cars by five or six, stating that he did not know where these vehicles would park and it would take four to five hours to get cars off the Island if there were no accidents or problems.

6. John Gardner - Mr. Gardner, resident of Isle of Palms, expressed support for concert on the Island, stating that some of those in attendance would be Island residents and would not be driving. Mr. Gardner advised that he had attended Beach Boys concert last year and found crowd to be very settled and well behaved.

7. Jay Leigh - Mr. Leigh, resident of the Isle of Palms, spoke in support of the concert on the Island.

A. Discussion of number of tickets to be sold for the proposed concert at the 14th Avenue site (Private Property).

Mayor Bunch introduced Bill Regan, attorney, attending in the absence of City's Attorney Bill Dreyfoos. Mr. Regan, in pointing out that the City has a strong mayor form of government and, as such, legal precedents indicate that while Council adopts ordinances and sets policy, they have no sayso in the administration thereof. He further addressed the liabilities the City might incur should City Council override the judgment of the police department or administrator (mayor), stating that, in his judgment, under Home Rule the administrator has the responsibility of making those calls. Mr. Regan further advised that he did not believe that Council had a role in determining if beer is sold, stating that this was private property and should be a matter between the ABC Commission, the property owner and the people renting the property.

Mayor Bunch advised that Police Chief Greenberg was willing to assist the local police by sending eight motorcycle officers as well as experienced traffic control officers if ticket sales were limited to 10,000 (plus 1,500 promotional tickets) further advising that, while Mt. Pleasant and Sullivan's Island objected, she felt Council had agreed to allow the concert within certain parameters and should stick to that decision.

Council member Ward moved that the City Council of the Isle of Palms recommend to the Mayor to allow and further grant all necessary permits, exceptions and consents required of it for The City of Isle of Palms Volunteer Fire Department, Inc. to sell, give, distribute or otherwise cause to be available in any way or manner up to, but not more than, 15,000 tickets for the Beach Boys Concert on the old Isle of Palms motel site on August 26th. Second to motion by Council member Holden.

On discussion, Mayor advised that, although there was a motion and second on the floor, this was a recommendation and she still had the final sayso as an administrative officer. Council members Orvin, Holden, Sottile and NesSmith-Picard spoke in favor of the motion, supporting the efforts to have the concert on the Island, indicating response had been extremely favorable from residents and citing need for community spirit. Council member Watson expressed support for the concert if such was held within the confines set up by the police chief. When questioned by Council member Holden about authority of Mayor to overrule Council, Mr. Regan reiterated that he believes that the Mayor has the authority to restrict ticket sales as a matter of public safety.

Council member Holden moved to amend the motion, deleting the word "recommend" and have motion read "... City Council ... allow and grant ... the sale of 15,000 tickets ...". Second to motion to amend by Council member NesSmith-Picard. Council member Swanson stated concern for traffic although expressed support for the Beach Boys concert, stressing need for healing. Council member Ward emphasized that if the people wanted the concert to be held on the

Island, ticket sales of 15,000 and sale of beer must be allowed, saying he personally wanted the concert on the Island. Council member NesSmith-Picard said that advice had been taken under consideration, but the final decision was up to Council and was as simple as "do we want it" or "don't we want it", stating she wanted the concert on the Island.

Council member Holden asked attorney which wording was "tightest", stating he did not wish to leave a stone unturned and wanted to make wording as strong as possible to see that the concert was held on the Island as voted on by Council. Attorney Regan stated that original wording did not tie the hands of Mayor and police chief, but, citing authority of Mayor under Home Rule, advised that if Council voted to, in essence, require the Mayor to allow the concert as determined by Council, then an opinion by the Attorney General might be warranted.

Roll call vote on amendment: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Sottile, yes; Ward, yes; Watson, no; Swanson, no; Bunch, no. Motion to amend carried 5-3.

When called for the question, roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Sottile, yes; Ward, yes; Watson, no; Swanson, no; Bunch, no. Motion as amended carried 5-3. Mayor Bunch asked attorney to prepare letter to the Attorney General for ruling. Attorney Regan asked would Council join in request. Council member Ward asked about time element, stated that promoters needed to know now, and asked when would opinion be forthcoming. Mr. Regan advised that he would call Attorney General's office Monday morning.

B. Discussion on the sale of beer at the proposed concert site.

Council member Holden moved to request the concert promoters to consider, if beer is sold, ending the sale of beer one hour prior to the end of the concert; second by Council member Ward. When asked for clarification of previous action when Council voted not to allow sale of beer, Attorney Regan advised that vote would be non-binding since concert site is private property and not under jurisdiction of Council. When called for the question, roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Sottile, yes; Swanson, yes; Ward, yes; Watson, yes; Bunch no. Motion carried 7-1.

C. Discussion to grant all City consents, permits and exceptions legally required or deemed necessary by the City Attorney.

Incorporated into Agenda Item A.

D. Discussion on allowing a "Pre-fab" trailer type restroom facility to be purchased, placed and installed on City property in the beach front area.

Mayor Bunch advised that the Building Inspector had told her he could not permit a trailer in the desired area because such structures were in violation of the City's fire codes (See Attached as Appendix A), further advising Council that a variance must be sought through the Code Board of Appeals. Council member Holden stated that it was his belief that Council had already voted to take whatever action was necessary to get the facility installed.

Following discussion concerning building permanent facility as well as staffing of restrooms, Council member Ward moved that City Council apply to the Code Board of Appeals as soon as possible for a variance to build the restrooms;

second by Council member Holden. On discussion, Mr. Ward stated that he felt it was important for residents to know that no money for the restrooms came from property taxes; rather, funds for construction would come from Accommodations Tax revenues and grants.

When called for the question to request variance, motion carried.

Council member Ward moved to adjourn; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,

Nellie S. McDuffie
Nellie S. McDuffie, Clerk/Treasurer

APPROVED:

Carmen R. Bunch
Carmen R. Bunch, Mayor

APPENDIX A

MEMORANDUM

TO: Carmen R. Bunch, Mayor
FROM: Edward E. Haselden, Building Official *E.H.*
DATE: July 6, 1990

In accordance with our conversation regarding restroom facilities contained in a trailer unit located within the Fire District on Ocean Boulevard, typically trailers are built as a Type VI construction without fire rating and therefore not a permitted use in this district unless specifically designed in compliance with the Building Codes.

To date the Building Department has received several requests for this kind of construction to be used temporarily in operating a business and subsequently been denied permission pursuant to this Code.

In all fairness, I believe it to be improper to allow the City use of a trailer when other businesses have not been able to do so. Further, I feel it unfair to the people who have spent a great deal of money to bring their buildings into compliance with the Building Codes.

Therefore the only way to make exception to this Code is for the City to make application to the Code Board of Appeals.

If I can be of further assistance, please let me know.

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 26, 1990

A. INTRODUCTION OF MEETING

The regular monthly meeting of the Isle of Palms City Council was held on July 26, 1990 at the Exchange Club. Mayor Bunch called the meeting to order at 7:00 p.m. with Council members Holden, NesSmith-Picard, Sottile, Swanson, Ward and Watson present. Council member Orvin arrived late and Council member Simon was excused. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk-Treasurer Nell McDuffie and Secretary Loretta Barnhill. Following the Pledge of Allegiance, the Mayor had the invocation.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. June 25, 1990 - Special City Council Meeting
2. June 28, 1990 - Regular City Council Meeting
3. July 2, 1990 - Special City Council Meeting

Motion to approve minutes as submitted made by Council member Swanson; second by Council member Watson. Motion carried.

C. CITIZENS' COMMENTS

1. Sharon Neal - Ms. Neal expressed concern about petitions being circulated to change the present form of government. Ms. Neal stated she believed in the people being heard, but objected to Council members soliciting signatures for the petitions. Expressing the need for unity on the Island, Ms. Neal stated that such was promised during the campaign, but there has been no harmony on the Council so far.

2. Willem Smit - Mr. Smit advised Council of the meeting of the Citizens' Advisory Committee with Charleston County Parks and Recreation Commission to inform commission members of the input received from the community (See Attached as Appendix A). Mr. Smit asked Council to appoint a representative from their membership to committee and advise him of their choice.

3. Lily Baumil - Ms. Baumil presented petitions to Council requesting a referendum for a change in the form of government to strong Council (See Attached as Appendix B). Pursuant to verification of signatures, Ms. Baumil asked for expeditious handling of election.

4. Helen Clarkin - Ms. Clarkin read poem to Council (See Attached as Appendix C).

5. Nancy Clark - Ms. Clark addressed Council about ordinance allowing trailers on the Island only until September 28, 1990, asking the time be extended beyond that date to allow residents to complete the rebuilding of their homes.

Mayor Bunch advised that the problem was FEMA regulations which prohibit trailers below the base flood level, but said she would call the FEMA office and see if there was anything the City could do to assist the residents who need additional time.

6. Harry O'Neal - Mr. O'Neal was not present.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Swanson read minutes of last meeting (See Attached as Appendix D). Mayor Bunch advised that a copy of the audit report would be placed in council members' boxes.

Council member Ward recommended that in the future the CPA firm selected to do the City's audit have received an unqualified opinion from the AICPA Peer Review Committee, advising that most government agencies are now requiring this certification because it is the highest form of quality control.

2. Police and Public Safety - No report.

3. Public Works - Chairman Ward read minutes of last meeting (See Attached as Appendix E). Administrator Williams advised that the City has been talking with Carolina Builders about two steel and metal-sided buildings that they have taken possession of from the State Ports Authority/Wando Terminal. One building is utility type which would be slightly larger (5,000+ square feet) than the building designed for Public Works by Cummings & McCrady. While stating he has no figures in writing yet, Mr. Williams said indications are that the structure could be erected for approximately \$64,000. The interior of the building would have to be subcontracted at additional cost, according to Williams, who advised that the Building Inspector, Ed Haselden, was of the opinion this was a good price. Mayor Bunch advised Council that a meeting of the Building Committee would be called as soon as all the information is available.

a. Restrooms - Front Beach - Administrator Williams advised Council that cost for the "pre-fab" structure would be approximately \$8,975 plus utility hook-ups, elevation, decking and handicapped ramp.

Mayor Bunch cited difficulty of cleaning facility and asked Council to look at the revised plan for a permanent facility designed by John Gardner. The Mayor further advised that the City has a master plumber employed with the Building Department and the structure could perhaps be built "in-house".

Council member Holden stated he felt it would not be cost effective to put the temporary facility in now, and was glad to see there was a permanent plan. Council member Watson asked were facilities planned in other areas of the beach and was advised that the City has no such plans.

4. Engrossed Bills - Chairman Holden read minutes of last meeting (See Attached as Appendix F). Mayor Bunch advised that she has asked legislators to introduce a bill requiring operators of motorized watercraft have permits as well as a bill giving the City jurisdiction at Breach Inlet. Council member Ward expressed concern about jet skis in the 10th to 14th Avenues area as well as the Breach Inlet Bridge, suggesting that some restriction might be placed on where skiers come under the bridge because of fishermen on the bridge. Ward also recommended an ordinance requiring the use of helmets by jet ski operators as well as a 16 year old age requirement. *life jackets* *LAB*

5. Recreation - Chairman Orvin read minutes of last meeting (See Attached as Appendix G). Council member Orvin made motion to allow Sunrise Presbyterian Church to use the recreation building for Sunday morning services on a rent free basis; second by Council member Sottile. Motion carried.

Mr. Orvin asked would it be possible for recreation department to buy some sort of bus for the department, mentioning potential liability for the City. Administrator Williams advised that if Council budgeted the money for the purchase, the City would buy it.

Mayor Bunch advised that the City of Sea Isle City, New Jersey was having a festival to raise additional funds for the "tot lot" at the playground and had asked for a donation of two Isle of Palms vacations to be used as a part of the fundraising effort, specifically requesting these vacations be sometime around Easter. The Mayor suggested perhaps one of the real estate agencies or Wild Dunes might be willing to make a contribution since this would be good advertising.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - (See Minutes Attached as Appendix H.)
2. Planning Commission - (See Minutes Attached as Appendix I.)

(a.) Plats Received:

(1.) 1990-26 - Plat Showing Lot 02, Block 10, Section "A", and a Strip of Land Lying to the South Being Combined.

Motion to accept Plat 1990-26 as presented made by Council member Ward; second by Council member NesSmith-Picard. Motion carried.

(2.) 1990-27 - Plat of Lot 7, Block Q, Owned by Emily B. Schiffer and Half Un-opened Portion (of 33rd Avenue). Lee Bachelder, Planning Consultant, advised that Planning had not considered plat because no one was present at the planning meeting to represent it. Action deferred.

(3.) 1990-28 - Final Plat Showing Subdivision of The Commons; Parcel A- Lots 1,2,3 and 4, Tract "E", Block "M-1".

Motion to accept as presented made by Council member Ward; second by Council member Sottile. Motion carried.

(4.) 1990-29 - Plat Showing Tract "G", Block "J", The Harbor Course.

Motion to accept as presented made by Council member Ward; second by Council member NesSmith-Picard. Motion carried.

3. Building Committee - Mayor Bunch advised that a meeting would be called in the near future.

4. Beach Patrol and Control Board - No report.

5. Personnel Committee - No report.

6. Dewees (ad hoc) Committee - Mayor Bunch advised that a meeting of the Dewees Committee would be held on Monday, July 30, at 7:00 p.m. at City Hall.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES

None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

(Petitions calling for referendum to change the form of government received during Citizens' Comments.)

H. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Second Reading, Ordinance 1990-14 - An Ordinance to Call for a Special Election Regarding a Change in Form of Government. (See Attached as Appendix J.)

Motion to accept as Second Reading, Ordinance 1990-14, made by Council member Ward; second by Council member Orvin.

On discussion, Council member Watson moved to amend Section 2 of the ordinance to read, "A special election shall be held with the General Election in November to determine the following . . . Shall the Municipality of the City of Isle of Palms, S. C. change its form of government from the Mayor-Council form to:

(A.) the Council form YES/ / NO/ /. Those in favor of the question shall deposit a ballot with a check or cross mark in the square after the word YES, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word NO.

(B.) the Council-Manager form YES/ / NO/ /. Those in favor of the question shall deposit a ballot with a check or cross mark in the square after the word YES, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word NO.

Motion to amend seconded by Council member Swanson.

On discussion of amendment, Mr. Watson, explaining reason for motion to amend, stated that Council should not rush into this action, and cited need to allow time for more residents to return to the Island and also give Council members time to educate themselves on the pros and cons of each of the three forms of government allowable under Home Rule, and further suggested that it was incumbent upon Council to fully inform the voters with public hearings and dissemination of information. Council member Watson stated that other considerations might include reducing the number of council members and single-member districts, and cautioned that if the form of government is changed, the City is locked in and cannot change again for four years.

Council member Holden expressed concern that if three options were placed on the ballot, results could be frustrating in that two-thirds of the voters might not get their choice because this election would be decided by plurality. Council member Sottile stated this issue should be pushed forward and not delayed until November, citing need for Council members to know if they were going to have a sayso in what happens on the Island.

Council member Watson stated his main concern was that the residents know what they were voting for, emphasizing need to educate the electorate. Council member Ward stated that while this was complex question, it could be simple if people are informed, expressing his opposition to November date. Council member NesSmith-Picard, saying she did not feel this was being rushed, stated that Council cannot change the form of government, only the people can do that, citing that it could be as much as 90 days before a vote, thereby giving people the opportunity to inform themselves.

Attorney Dreyfoos advised that the same statutory regulations apply whether by petition or ordinance, stating that once petition signatures are checked, City has from 30-90 days to hold referendum according to State law. Additionally, under Federal law, the City cannot hold election until pre-clearance by the Justice Department, a process which would take a minimum of some 60 days and possibly longer, suggesting that time frame would therefore be close to November election.

Council member Orvin asked could Council proceed with the second reading

of the ordinance, stating he did not wish to see the November election cluttered. Council member NesSmith-Picard, stating that Council wanted to change the form of government, said she thought the people should have a choice between the strong mayor form or strong council form. Council member Swanson stated that she had recently read that all three choices must be on the ballot for the referendum to be legal and expressed that she would personally like to see all three choices available as options.

Mayor Bunch advised that the reason mayor-council form of government was chosen was because that was the type of government under which the City was operating prior to Home Rule, stating that it was not the democratic way to give the people only the choice determined by five council members. The Mayor stressed the need to educate the people about the pros and cons of the three forms of government before any referendum was held.

Council member Orvin asked the Mayor about her advocating a change in the form of government in 1985, and the Mayor responded she did so only after having served five years on Council, and stated that circumstances were different at that time.

When called for the question to amend motion (postpone referendum until November and have three options on the ballot) roll call vote: Holden, no; NesSmith-Picard, no; Orvin, no; Sottile, no; Swanson, yes; Ward, no; Watson, yes; Bunch, yes; Motion to amend defeated 5 - 3.

On discussion of original motion, Council member Holden asked that the word "originally" be removed from the Second Reading draft. Council member Watson asked had any studies been done by those advocating this change in government to determine if this action would be in the best interest of the City. Council member Holden stated that principal feature of Council form of government was its flexibility because Council form can effectively, by ordinance, operate as any other form with difference being that when the system breaks down and things are not getting done, Council can assert its role as an overseer of the process. Mr. Holden further stated that in 1970, the mayor could not hire or fire the police chief without Council approval and, additionally, the management, direction and control of the police department was vested in both mayor and council, questioning how the City wound up with strong mayor government since such had obviously not been the case prior to Home Rule, and stating that this change interestingly enough coincided with a pickup in development.

Council member Ward read statement to Council (See Attached as Appendix J). Mayor Bunch addressed issue of statements made about her in the newspaper and on television, stating that City employees had the right and freedom to speak as they desire. Offering as evidence of such, the Mayor cited the recent petition presented to Council protesting the disproportionate raise given the fire chief, noting that all employees except firemen had signed the petition. The Mayor further read a letter she and council members had received from an employee addressing the matter of the inequity in such a raise. Concerning the firing of a former employee, the Mayor stated that such was an administrative duty, reminding Council that she had spoken with every member of the Council prior to the firing, but pointing out that personnel matters are never discussed in public. Citing the unfairness of the reasons given for the call for the change in government, the Mayor stated that she always listened to department heads, attorneys, and the administrator before making personnel decisions.

Council member Ward commented that a change in pronouns would be better; i.e. "our" employees instead of "my" employees, suggesting that such usage leaves council members out of the realm, further advising that the constant attacks on

each other are not productive and should end.

Council member Sottile stated that it was time to stop the fighting, and suggested that the referendum on the change in the form of government may head Council in the right direction so that things can be accomplished on the Island. Council member Holden suggested that Council members call each other and meet privately to handle personal disagreements so that only the business of the City would be conducted in public. Council member NesSmith-Picard stated that she wanted the referendum as soon as possible so that the City could get back to business, stating that in the meantime the Council was ineffective and frustrated.

When called for the question to accept as Second Reading, roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Sottile, yes; Swanson, no; Ward, yes; Watson, no; Bunch, no. Motion to accept carried 5 - 3.

Council member Swanson stated she wanted it made clear that she had not engaged in name calling and was offended to be included in the general accusations implying such.

2. Third Reading, Ordinance 1990-10 - An Ordinance to Require Registration of the Locations of Containerized Gas Tanks. (See Attached As Appendix L.)

Motion to accept as Third Reading of Ordinance 1990-10 made by Council member Orvin; second by Council member Sottile. Motion carried. Motion to suspend rules of order and procedure and ratify made by Council member Swanson; second by Council member Orvin. Motion carried and Ordinance 1990-10 ratified.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. First Reading, Ordinance 1990-12 - An Ordinance to Clarify the City's Commercial Zoning District Requirements (See Attached as Appendix M).

Motion to accept as First Reading by title only and refer to Engrossed Bills and Planning Commission made by Council member Orvin; second by Council member Watson. Motion carried.

2. First Reading, Ordinance 1990-16 - An Ordinance to Regulate the Height and Location of Fences on all Property on the Isle of Palms.

Motion to accept as First Reading and refer to Engrossed Bills made by Council member Holden; second by Council member Sottile. Motion carried.

3. Resolution - Needs Assessment - S.C. Jobs-Economic Development Authority. (See Attached as Appendix N.)

Motion to accept resolution made by Council member Sottile; second by Council member Watson. Motion carried with Council member Ward abstaining.

J. MISCELLANEOUS BUSINESS

1. Request for two tents to be used at the annual Jello Jump at the Windjammer. Motion to allow tents made by Council member Orvin; second by Council member NesSmith-Picard. Motion carried.

2. Mayor Bunch advised that she had attended a recent County meeting on consolidation where each City representative listed two areas where consolidation might be most beneficial, result being that most Mayors chose communications and training. The Mayor stated that a member of County Council would appear before

City Council and inform members of potential referendum on the consolidation.

The Mayor also advised of County Emergency Preparedness meeting she recently attended and asked Council members to read the County Hurricane Preparedness Manual which would be available at City Hall.

3. Administrator Williams advised of opportunity to save two trees off Waterway Boulevard, stating that Wild Dunes was willing to move road in order to save the trees. Mr. Williams stated that Wild Dunes would like authority from Council to act on the plat administratively so they would not have to go through another approval process. Motion to give Administrator Williams power to re-examine plats so that trees may be saved made by Council member Orvin; second by Council member Swanson. Motion carried.

4. Administrator Williams advised that four bids were received by the City for a new fire truck with three bids rejected because they did not meet bid specifications. (See Attached as Appendix P.) Advising that best price was \$189,565 if City paid up front or \$204,317 if City paid upon receipt, Williams also advised that Emergency One, the low bidder, had offered to store the truck until such time as a building was available on the Island.

Following discussion concerning payment for truck, Council member Ward moved to approve purchase of fire engine; second by Council member Orvin. Council member Swanson inquired about length of time truck would be stored by Emergency One, stating that a building might not be available for quite some time.

by Council member Ward
Motion to amend to specify purchase of the fire truck at \$204,317 price to be paid for upon delivery; second by Council member Orvin. Council member Swanson again expressed concern about storage of truck after its completion and was advised by the Mayor that Emergency One had stated they would store the truck as long as necessary. When called for the question to approve motion as amended, motion carried.

5. Ordinance entitled "An Ordinance to Amend the City of Isle of Palms' Zoning Ordinance" was presented by Council member NesSmith-Picard (See Attached as Appendix Q). Council member Watson moved to accept as First Reading by title only and refer to Planning Commission and back to Engrossed Bills; second by Council member Swanson. Motion carried.

K. EXECUTIVE SESSION

Motion to go into Executive Session made by Council member Holden; second by Council member Ward. Motion carried. Mayor Bunch advised that purpose of Executive Session was to discuss contractual and legal matters.

Coming out of Executive Session, the Mayor advised that legal and contractual matters were discussed and the Administrator advised Council of an additional pickup of debris on the Island.

Motion to give the City Administrator authority to seek bids for debris removal made by Council member Ward; second by Council member Orvin. Motion carried.

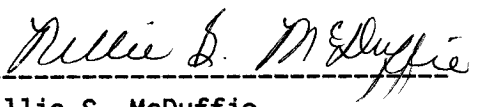
Motion to suspend rules of order and procedure and allow Willem Smith to address Council made by Council member NesSmith-Picard; second by Council member

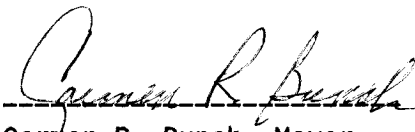
Ward. Motion to suspend carried.

Mr. Smit advised that the Citizens' Advisory Committee went well beyond what they were asked by PRC to do, citing his statement on recommendations. Affirming his belief that the PRC is sincere and definitely pursuing very actively a way to negotiate and discuss the park issue with Council in order to receive the City's support, Mr. Smith advised that this might be the City's best opportunity to have real input into park concept. To that end, Mr. Smit asked Council to agree to have a worksession with PRC representatives. Motion to recommend to the Mayor to call Special City Council Meeting on July 31, 1990 at 7:00 p.m. at City Hall for the purpose of meeting with the PRC made by Council member Ward; second by Council member Swanson. Motion carried.

Motion to adjourn made by Council member Ward; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie
Clerk/Treasurer

APPROVED: 
Carmen R. Bunch, Mayor

Mr. Chairman, Members of the Commission:

Over the past weeks, the members of the Citizen Advisory Committee have met on many occasions. Meetings were held with PRC representatives, the architects and with the general public. It has been our objective to provide you with the broadest possible community input regarding the design concept of the proposed County Park on Isle of Palms. As you will understand, many issues were raised and many questions were asked. Additionally, questions were asked which did not directly relate to the design of the park. On Monday July 16, the Isle of Palms resident members of the CAC conducted a public meeting with Isle of Palms residents to solicit their input. This input was combined with the input as it was provided by individual residents to each member of the CAC. It has become clear to the CAC that the major issues in obtaining Isle of Palms community support is directly related to the provision of parking within the park and, to a lesser

degree, the potential competition from the sales of refreshments within the park as it relates to local businesses.

Given this input from the communities involved, given our realization that PRC needs to be able to guarantee ample parking opportunity to those visiting the proposed park, and given the current availability of ample parking as provided through the parking lots owned by the City of Isle of Palms, and given the issue of the need for parking revenues as it may apply to both the PRC and the City, it is the Committees unanimous recommendation to proceed with the acquisition of the proposed site and the development of a park.

As part of an effort to elicit true community support, the Committee feels it is imperative that the following conditions are met:

1. To initially design, develop and landscape a County Park without providing parking availability within the confinements of the park.

2. To resolve any of the current communication problems with the City officials of Isle of Palms and to constructively work with them toward an agreement in which the City will guarantee the availability of parking for park visitors. This agreement should include mutually acceptable parameters for review of whether the guarantee is adequately met. Indications have already been made to me by City officials regarding their willingness to meet with the PRC to discuss details of such an arrangement.

3. Not to develop and landscape any parking facilities within the park until either the City can no longer provide parking facilities as defined by the guarantee agreement between PRC and the City or at such time that, as a result of the finalization of the Connector, the need for additional parking spaces has been established.

All concept designs as they will be discussed tonight should be reviewed based on the above recommendations. We trust that the members of the PRC will reach such an agreement with the City of Isle of Palms as proposed. Additionally, we request that PRC will provide the residents of this County with adequate and binding guarantees to assure final execution of the park design in accordance with CAC's recommendations.

Mr. Chairman, on many occasions, both privately and publicly, you and members of the PRC have stated the importance of positive community support as part of the decision making process of establishing a County park on Isle of Palms. We trust that these were not idle words and that the CAC through its recommendations as stated before has given PRC an opportunity to garner such community support. The opportunities are here to truly provide all residents with a unique park which will bring benefit to individual county

residents and their families as well as to the Isle of Palms community. We trust both you and the City officials will work harmoniously toward the realization of this opportunity.

I would like to close by thanking you for our chance to serve on the committee.



County of Charleston
Charleston, South Carolina

BOARD OF REGISTRATION
Room 125, The Center
Charleston, S.C. 29403-6442

(803) 724-6725

APPENDIX B
TO Council Mtg
July 26, 1990

August 9, 1990

Mrs. Helen C. Clarkin
M.E.C. Chairman
City of Isle of Palms

Dear Helen,

This is to confirm that the petition submitted to us on July 30, 1990, calling for a referendum; regarding the method of government used in the city, has 547 valid signatures. This is in excess of the needed 428 signatures.

Please advise the date this election will take place when a decision is made.

If we can be of further assistance, please feel free to call on us.

Sincerely,

Mary R. Miller
Administrator

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES ~~NO~~ (strike one)."

Number (leave blank)	Signature	Home and Address (please print)	Voter Registration Number	Precinct (1 or 2)
1 ✓	<i>E W Thomas III</i>	2703 CAMERON TOP	1938128	1
2 ✓	<i>M M BURGESS</i>	3-2nd AVE	0209078	1
3 ✓	<i>W F Kulseth</i> #17 45th ave	3305 HARTNETT BLVD William F. Kulseth	1413100	2
4 ✓	<i>George E. Bowers</i>	George E. Bowers 13 42nd Ave.	0192740	2
5 ✓	<i>Frank M. O'Brien III</i>	FRANK M. O'BRIEN III 2404 WATSONWAY	0051104	1
6 ✓	<i>David E. Hatchett</i>	DAVID E. HATCHETT 808 OCEAN BLVD.	0215272	1
7 ✓	<i>Allen R. Naracow</i> 517 Carolina	2107 Palms Blvd ISLE OF PALMS, S.C. Allen R. Naracow 21 21st AVE	2139682	1
8 ✓	<i>Vance D. Jensen</i>	VANCE D. JENSEN 21 21st AVE	4622309	1
9 ✓	<i>Tom Stockley</i>	Tom Stockley 3702 HARTNETT BLVD.	2075212	2
10 ✓	<i>Robert F. Ross</i>	2301 Hartnett Blvd Robert F. Ross	2369018	1
11 ✓	<i>Paul W. Galloway</i> FORMER Council Member	Paul W. Galloway 8-35th Ave Top.	1560957	2
12 ✓	<i>Tom Hale</i>	#9 28th Ave TOP	4628116	1

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
13	x Thomas A. O'Connell	#3 39TH AVE.	1LL	2
14	x Kevin M. Popsen	Kevin M. Popsen 8 32ND Ave	4603382 1LL	2
15	x David A. Wance	29-29TH Ave	1765562	1
16	x John B. Burgess	11 WILLS WAY BURGIS John B.	2206624	1
17	x Daniel E. Glath	11 WILLS David E. Glath 301 PALM BLV.	1415348	1
18	x Tim Kennedy	25-29TH AVE. Tim B. KENNEDY	2075599	2
19	x Norma H. Kulseth	Norma H. Kulseth 3305 Hartnett Blvd.	1921517	2
20	x John W. Welch Jr.	37 Beechwood wst JOHN W WELCH JR	4628134	2
21	x Jay Odey	502 PALM Blvd	4610974	1
22	x Nan Stephens	1 NAN STEPHENS	0198517	1
23	x W.R. Burgess	522 Palm Blvd. W.R. Burgess	4607124	2
24	x Daniel P. Lykins	3304 Hartnett Blvd DANIEL P. LYKINS	0193185	1

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
25 ✓	<i>Marilyn Lyon</i>	MARILYN LYON 3 Forest Trail Ct. II	4621203	2
26 ✓	<i>Quen B. Lyon</i>	Quen B. Lyon 3 Forest Trail Ct. II	4621205	2
27 ✓	<i>Traci Heritage</i>	Traci Heritage 9570 Palmetto Dr.	4631478	2
28 ✓	<i>Lou Scriv</i>	117 Sparrow Dr. (Parting) 12 A. B. Alone alley	4609631	2
29 ✓	<i>Steve Scriv</i>	12 A. B. Alone AL.	4609632	2
30 ✓	<i>John Ray</i>	210 Forest Trail Isle of Palms	4627618	2
31 ✓	<i>Belinda Hulsey</i>	2 Beachwood East 10P	4612295	2
32 ✓	<i>Paul Hulsey</i>	2 Beachwood East 10P	4613414	2
33 ✓	<i>Angela W. Smith</i>	5-56 th Ave. Dolphin Row #6 Isle of Palms, SC	2450891	2
34 ✓	<i>James R. Smith</i>	5-56 th Ave. - 6 Dolphin Row Isle of Palms SC 29451	4605178	2
35 ✓	<i>Billie McPhee</i>	25' Dunridge Ln Isle of Palms, SC	29451	2
36 ✓	<i>Lori Burgess Bennett</i>	27-28th 11 Lake Village Lane	2233656	2
37 ✓	<i>Victoria Friedrichs</i>	I. O. P. 29451	4607115	2

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Number (leave blank)	Signature	Home and Address (please print)	Voter Registration Number	Precinct (1 or 2)
38	<i>Elaine R Combs</i>	ELAINE R Combs 8-13 th Ave 10P	0 160 434	1
39	<i>James L Combs</i>	JAMES L. Combs 8-13 th Ave 10P	0 160 435	1
40	<i>Judith C. Coates</i>	1203 Palm Blvd Judith C. Coates	1602451	1
41	<i>Leonard Clay Cable</i>	Leonard Clay Cable 118 Palm Blvd 10P	0194019 0 094-019	1
42	<i>Patricia D. Horton</i>	769 Carolina Blvd.	2 369 003	1
43	<i>Sandra K Lucas</i>	Lucas 2 Fairway Oaks Tot P, SC	1-796-045	2
44	<i>Brad Childs</i>	Brad Childs 6 Twin Oaks Tot P SC	4619944	2
45	<i>Rae Childs</i>	Rae Childs 8 Twin Oaks- Tot P	1937825	2
46	<i>Cynthia B Carson</i>	Cynthia B. CARSON 2205 HARTWELL	1 920 530	1
47	<i>Jack V. Owens, Jr</i>	908 Palm Jack V. Owens, Jr 3-22 nd	1403682	1
48	<i>Catherine Leopold</i>	Catherine Leopold 4-24 th Avenue, 10P	1107341	1
49	<i>Lisa Leopold</i>	Lisa Leopold 4-24 th Ave.	2044327	1

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
50	<i>Sally Altman</i>	SALLY ALTMAN 23-24 th AVENUE	1416623 4628650	1
51	<i>M.R. Campbell</i>	603 Caroline Blvd. 33 21st Ave	1723417	1
52	<i>Janet O. Hatten</i>	JANET O. HATTEN 37 21st Ave	4627728	1
53	<i>Thomas A. Rossi</i>	Thomas A. Rossi 2404 Palm Blvd.	4627729	1
54	<i>T.W. Alexander</i>	T.W. Alexander 36 Morgan Creek	0051269	1
55	<i>Stuart Fetter</i>	STUART FETTER 36 Morgan Creek	4-628	119
56	<i>Janice Fetter</i>	Janice Fetter 807 CAROLINA Blvd.	4628121	2
57	<i>Steve McKay</i>	STEVEN R. McKay 2206 Palm Blvd	1779740	1
58	<i>Owen Geer Jr.</i>	Owen Geer Jr. Isle of Palms	0209826	1
59	<i>L.O.P. Metts</i>	L.O.P. Metts 15 43rd Ave.	4628763	1
60	<i>Cliff Baskin</i>	ICP SC 29451 15 43rd Ave.	1270537	2
	<i>Ernie Baskin</i>	ICP, SC 29451	1270537	2

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
62 ✓	Lawrence Bornman	32 22nd St. I.O.P.	111	—
63 ✓	Michael Love	415 Carolina I.O.P.	111	—
64 ✓	James Messersmith	19 Fairway Oaks Lane	4617576 111	2
65 ✓	Paul Reichmayer	3503 Cameron Blvd.	4631480 111	2
66 ✓	John W. Walsh Jr.	P.O. 156 I.O.P.	4628134	2
67 ✓	Diana Alder	4 Delft Road	111	—
68 ✓	Walter O. Johnson	205 Palm I.O.P.	2206689	1
69 ✓	Ann M. Mahan	27 23rd 1102 Pavilion I.O.P.	1698205	1
70 ✓	Susan B. Reardon	2214 Street; I.O.P.	0205760	1
71 ✓	Jeanie Reardon	13-B 2304 Cameron	111	—
72 ✓	Reggie Abbott	#16 41st	111	—
73 ✓	Math Thanner	#37 21st Ave	111	—

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
74 ✓	Robert M. Bradley	Robert M. Bradley 1-B 30th Ave IOP	4 628 080	1
75 ✓	Robert C. Thompson	27 32nd Ave NL Diane C Shiver	822 344	2
76 ✓	Daniel Shiver	2305 Waterway Blvd. 29 25th Ave IOP	2 496 904	2
77 ✓	[Signature]	J.B. COTTINGHAM JR #16-23rd Ave	2 524 079	2
78 ✓	Richard Walters	Richard Walters Terry McKenzie	1 632 485	1
79 ✓	Tony McKenry	26-21st Ave IOP	2 496 578	1
80 ✓	William W. Lane	#15 23RD AVE 22nd St IOP	0 172 530	1
81 ✓	Leanne Merritt	24 LAKE VILLAGE Lane IOP SC	NL	
82 ✓	Harold Glover	21-32nd Ave	2 549 481	2
83 ✓	Virginia Woods	Virginia Woods William C. Gibbons	1 055 516	2
84 ✓	William C. Gibbons	19 41st Ave Isle of Palms	2 524 083	2
85 ✓	Andrew J. Parviz	26-29th Ave Isle of Palms	1 632 509	1

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Number (Leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
86	☒ Elizabeth R. Kapp	6809 Back Bay Dr ELIZABETH R. KAPP	4611088	2
87	☒ W. A. H. GARNICA GARNICA	2909 HARNETT BLVD	1515020	1
88	☒ Sherrie Sanford	9 27th Ave.	1301445	1
89	☒ Larry J. Barrett	2916 Forest Trail LARRY J. BARRETT	1140216	2
90	☒ Lily Baumil	13 44th Ave. Lily Baumil	1412923	2
91	☒ Ray Baumil	13 44th Ave. RAY BAUMIL	1412882	2
92	☒ Gina C. Thompson	27-32nd Ave Gina Thompson	4619911	2
93	☒ Sydney Lesene	3900 Waterway	N/L	—
94	☒ Guy T. Taylor	625 Ocean Blvd TOD SC	2523426	1
	☒			—
	☒			—
	☒			—

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
		<u>John Registered Voter</u>		
	<u>John R Voter</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
<u>95</u>	<u>Joseph E. Gifford</u>	<u>Joseph E. Gifford</u>		
		<u>600 Palm Blvd.</u>	<u>1-416-016</u>	<u>1</u>
<u>96</u>	<u>Melva L. Gifford</u>	<u>Melva L. Gifford</u>		
		<u>600 Palm Blvd.</u>	<u>1-107-570</u>	<u>1</u>
<u>97</u>	<u>[Signature]</u>			
<u>98</u>	<u>WILLIAM L. DUDLEY</u>	<u>1105 OAK HARBOR</u>	<u>0-200-381</u>	<u>1</u>
<u>99</u>	<u>[Signature]</u>	<u>#28-32 NO Ave</u>	<u>1-415-981</u>	<u>2</u>
<u>100</u>	<u>[Signature]</u>	<u>Thomas E White</u>	<u>NL</u>	<u>1</u>
		<u>815 Caroline</u>		
		<u>41 25th Avenue (7 TABBY LN.)</u>		
<u>101</u>	<u>Kay B Jackson</u>	<u>Isle of Palms, SC</u>	<u>1-563-769</u>	<u>1</u>
<u>102</u>	<u>Richard Vann</u>	<u>Isle of Palms, S.C.</u>	<u>NL</u>	<u>2</u>
		<u>24-32nd Ave</u>		
<u>103</u>	<u>[Signature]</u>	<u>I.O.P. - Samuel S Sutton</u>	<u>0-167-647</u>	<u>2</u>
<u>104</u>	<u>Diana Westmoreland</u>	<u>21 Beachwood W.</u>		
		<u>Diana Westmoreland</u>	<u>2-273-108</u>	<u>2</u>

Page 2 (leave blank)

Please sign as shown by the printed sample above. Print your name on the top line beside your signature. Put your address on the second line. Only your street address is necessary as all who sign should be Isle of Palms residents. (Interested but unregistered IOP residents should sign on an Interest Sheet) Fill in Voter Number and Precinct if known. Leave blank the areas labeled that way. Thank You! & help out if you can.

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	<u>John R Voter</u>	<u>John Registered Voter</u>		
		<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
	<u>John Washington</u>	<u>710 Caroline Blvd</u>		
	<u>John Washington</u>	<u>JOHN T. WASHINGTON</u>		
	<u>Tricia L. Weeks</u>	<u>TRICIA L. WEEKS</u>		
	<u>Tricia L. Weeks</u>	<u>#11-27th Ave.</u>	<u>4627-820</u>	<u>1</u>
	<u>Samuel L. Jones</u>	<u>54 Rachel Turner</u>		
	<u>Samuel L. Jones</u>	<u>#9-29th Ave</u>	<u>1-138-715</u>	<u>1</u>
	<u>Marshall Walls</u>	<u>#24 31st Ave</u>	<u>NV</u>	
	<u>Marshall Walls</u>	<u>Marshall WALLS</u>		
	<u>E. L. Leopold</u>	<u>#4-24 Ave, IOP</u>		
	<u>E. L. Leopold</u>	<u>E. L. Leopold</u>	<u>1-413-206</u>	<u>1</u>
	<u>Dolores A. Lambert</u>	<u>Dolores A. LAMBERT</u>		
	<u>Dolores A. Lambert</u>	<u>#9-20th Ave, IOP</u>	<u>2-272-374</u>	<u>1</u>
	<u>Judy B Moore</u>	<u>Judy B Moore</u>		
	<u>Judy B Moore</u>	<u>284 Forest Trail</u>	<u>1-765-734</u>	<u>2</u>
	<u>Kerth Tibboel</u>	<u>Kerth Tibboel</u>		
	<u>Kerth Tibboel</u>	<u>2405 Cameron</u>	<u>2-524-078</u>	<u>1</u>
	<u>Charlotte P. Burley</u>	<u>Charlotte P. Burley</u>		
	<u>Charlotte P. Burley</u>	<u>21-41st Ave.</u>	<u>2-523-535</u>	<u>2</u>
	<u>Roy Burley</u>	<u>Roy Burley</u>		
	<u>Roy Burley</u>	<u>21 41st Ave</u>	<u>2-496-575</u>	<u>2</u>

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	<i>Arlene Kahine</i>	Arlene Kahine 6 Tabby Ln.	1-603-1636	1
✓ x	<i>Olivia S. Santos</i> (Hand in cart)	Olivia Santos 6 Driftwood	1-838-974	1
✓ x	<i>Doris M. Garner</i>	DORIS G. GARNER 31-27th Ave.	0-215-932	1
✓ x	<i>John B. Garner</i>	JOHN B. GARNER 31-27th Ave.	1-413-043	1
✓ x	<i>Jo Ann P. Young</i>	JoAnn P. Young 33 Hidden Green Ln	2-421-371	2
✓ x	<i>Esther Clements</i>	Esther Clements #9-30th Ave.	1-936-906	1
✓ x	<i>Kathi R. Wall</i>	Kathi R. Wall 2206 Hartnett Blvd.	NL	
✓ x	<i>Joan W. Warden</i>	JOAN W. WARDEN 606 CAROLINA	1-228-581	1
✓ x	<i>G. Dorkner</i>	G. DORKNER 2301 W'way Blvd	4-613-529	1
✓ x	<i>Laura D. Taylor</i>	625 Ocean Blvd IOP	2523914	1
✓ x	<i>Jim Self</i>	17-31st IOP	1-081-296	2
✓ x	<i>Jeffrey Walters</i>	130th IOP	4605375	1

PETITION

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Number
(Leave blank)

Signature

Name and Address
(please print)

Voter Registration
Number

Precinct
(1 or 2)

John Registered Voter

	<u>John R Voter</u>	<u>*1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
✓	<u>William B. Finkler</u>	<u>103 OAKVIEW LN.</u>	<u>1-806-257</u>	<u>1</u>
✓	<u>James K. Beall</u>	<u>37 Lakeside Dr.</u>	<u>NL 462 9505</u>	<u>2</u>
✓	<u>James Beall</u>	<u>JAMES M BEALL</u>	<u>NL 462 9506</u>	<u>2</u>
✓	<u>Richard Cyle</u>	<u>607 Carolina Blvd.</u>	<u>2-094-1288</u>	<u>1</u>
✓	<u>Elaine W. Lee</u>	<u>2400 Waterway Blvd</u>	<u>1-136-787</u>	<u>1</u>
✓	<u>Franie Gunt</u>	<u>29th 27th Avenue</u>	<u>2-331-985</u>	<u>1</u>
✓	<u>Peggy Y Collier</u>	<u>3304 Waterway Blvd</u>	<u>1-413-184</u>	<u>2</u>
✓	<u>John Hallman III</u>	<u>710 PALM BLVD</u>	<u>4-628-118</u>	<u>1</u>
✓	<u>Stacy S Parker</u>	<u>715 Carolina Blvd</u>	<u>4-625-430</u>	<u>1</u>
✓	<u>David L Coste Jr</u>	<u>15-41 ST AVE</u>	<u>14/3109</u>	<u>2</u>
	<u>Coste</u>	<u>ISLE OF PALMS, SC</u>		

10

Page 12 (Leave blank)

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
1	✓ Leticia Napolitano	4-34 Ave IOP, SC 29451	4-628-151	2
1	✓ Darlene Thomas	24 25th IOP, SC 29451	4-627-714	1
X	Kirkup J. Doe	4-34 Ave		
1	✓ Jada L. Blackwood	IOP, SC 29451 2910 Hartnett	NL	
	✓ Sallie Montego	IOP, SC 29451 9510 Palmetto Dr IOP	4-621-152	2
	✓ Lurice S. Dasky	6 Haddon Drive IOP	4-605-722	2
	✓ James R. Witmer	James R. Witmer 4 34th IOP	NL	
	✓ Evelyn Jones	103 Columbia Blvd. Isle of Palms S.C.	1-806-235	1
1	✓ Pat Medlin	403 Palm Isle of Palms SC	4-627-708	1
	✓ Jeri Calhoun	#8 35th Avenue	1-243-255	2
	✓ Davey Barbieri	3203 Palm IOP SC	1-806-290	2
	✓ Kirkup J. Doe	#23 22nd Ave IOP	2-206-598	1

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to hold a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (Leave blank)	Signature	Home and Address (Please print)	Voter Registration Number	Precinct (1 or 2)
yes	x Carolyn B. Walters	3 - 24th Ave - Isle of Palms, SC 29451	0 210 786	1
yes	x Harry H. Walters	3 - 24th Ave Isle of Palms, SC 29451	0 210 785	1
yes	x Arlene E. Oliver	3 - 37th Ave (7 36th Ave) Isle of Palms, SC	0 235 835	2
yes	x James W. King	4 Palm Court (Isle of Palms, S.C.)	(0219-753)	
yes	x Edith C. Vickery	4 Palm Court (Isle of Palms, S.C.)	0 219 00	1
yes	x Richard M. Wyatt	#37 21st Ave. 265 Forest Trail	0 190 891	1
yes	x [Signature]	12-25th Ave	4611092	2
yes	x Marie A. Saldiver	4628341		
yes	x Theron C. Hegler	THERON C. HEGLER JR. #18 26th Ave	1421963	1
yes	x Dale S. Hegler	(DALE S. HEGLER) Isle of Palms, SC 29451 18 26th Ave. IOP	1421964	1
yes	x Shirley M. McElhenny	SHIRLEY M. MCELHENNY #8 Palm Ct	0-177-538	1
yes	x Robert L. McElhenny	(ROBERT L. MCELHENNY) Isle of Palms #8 Palm Court	0-177-539	
yes	x [Signature]	126 Ocean Blvd (130 CHARLESTON BLVD)	2-055-188	1
	Ken Hancock (KENNETH J. HANCOCK)			

PETITION

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Number (Strike blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓	John J. Murray Jr	8-36TH AVE	1-413-151	2
✓	Carol Eaddy	#16 36TH AVE.	2-206-592	2
✓	Gerald I Silver	#6 36TH AVE	2-206-593	2
✓	Barry S Campbell	#7-37TH	1-014-985	2
✓	Lula M. White	3701 CAMERON RID.	0-177-434	2
✓	James B. White	3701 CAMERON BLVD	0-176-460	2
✓	John E. Wade Jr	#7-34TH AVE	4-607-519	2
✓	Sandra F Wade	7-34TH AVE	1-459-965	2
✓	Ann S. Murray	#5 36TH AVE	0-209-9592	2
✓	Jean Murray	233 F FOREST TRL	1-591-673	2
✓	John F Weatherford	14-413 RD	4-628-060	2
✓	Charles L. Jones	2702 WINTER WAY BLVD	NL	2

PETITION

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓	<i>G. J. Perry</i>	268 FOREST TRAIL Isle of Palms	1-631-332	✓
✓	<i>Carol S. Barnett</i>	296 Forest Tr. I o P CAROL S BARRETT	1-138-005	2
✓	<i>Margaret S. Perry</i>	268 Forest Tr. I. O. P. MARGARET S. PERRY	1-632-433	2
✓	<i>Debbie Bash</i>	137 Sparrow S.O.P. 9-20th Ave	2496839	2
✓	<i>Donald Lambert</i>	DONALD LAMBERT DANIEL G. BURNS	2-368-878	1
✓	<i>Daniel G. Burns</i>	3902 WATERWAY BLVD Kenneth H. Kibine	4-625-338	2
✓	<i>Kenneth H. Kibine</i>	6 Tabby Ln DAVID A. WIGGINS	1-921-661	1
✓	<i>David A. Wiggins</i> (BURTIE A CAMPBELL)	11 CHAPMAN AVE 524 Palm Blvd.	2-076-077	1
✓	<i>Bud Campbell</i> (ROBERT BRIDGES)	Isle of Palms 22 31st Ave	0-233-768	1
AD ✓	<i>Robert Bridges</i> (SARAH B BRIDGES)	401 PALM BLVD Isle of Palms, S.C.	1-301-732	1
AD ✓	<i>Sarah Bridges</i> (401 PALM BLVD)	22 31st Ave Isle of Palms, S.C.	0-300-410	1
✓	<i>Ronald M. Hall</i>	711 CAROLINA BLVD	4-607-126	1

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>Emily L. Lykins</u>	<u>9-23rd AVE</u> <u>ISLE OF PALMS, SC</u> <u>#9-23rd AVE</u>	<u>215-249</u>	<u>1</u>
	<u>✓ L Pepper Lykins</u>	<u>ISLE OF PALMS, SC</u> <u>8 Palm Court</u>	<u>2496866</u>	<u>1</u>
	<u>✓ Robert D McElaney</u>	<u>ISLE OF PALMS SC</u>	<u>7631891</u>	<u>1</u>
	<u>✓ Ronald J Edwards</u>	<u>Isle of Palms SC</u> <u>2306 HARTNET</u>	<u>4628245</u> 4628245	<u>1</u>
	<u>✓ A. Scott Wise</u>	<u>ISLE OF PALMS</u>	<u>4627732</u>	<u>1</u>
	<u>✓ Jani Schad</u>	<u>12-13th ST</u> <u>9-23rd AVE</u>	<u>0177561</u>	<u>1</u>
	<u>✓ Marc Lykins</u>	<u>ISLE OF PALMS, S.C.</u> <u>2203 Cameron Blvd.</u>	<u>4628164</u>	<u>1</u>
	<u>✓ Frances Arthur</u>	<u>Isle of Palms, S.C.</u> <u>2203 Cameron Blvd</u>	<u>1-631-998</u>	<u>1</u>
	<u>✓ Hubert Arthur</u>	<u>ISLE OF PALMS</u>	<u>1-107-464</u>	<u>1</u>
	<u>✓ Wesley Stanley</u>	<u>#6 22nd AVE</u> <u>ISLE OF PALMS, SC</u>	<u>1632479</u>	<u>1</u>
	<u>✓ Edna Buehler</u>	<u>2206 Cameron</u> <u>W.D.P.</u>	<u>10215252</u>	<u>1</u>
	<u>✓ Emily W. Brock</u>	<u>2205 Cameron</u> <u>Isle of Palms S.C. 0-215221-1</u>		<u>1</u>

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Number
(are blank)

Signature

Name and Address
(please print)

Voter Registration
Number Precinct
(1 or 2)

John Registered Voter

<u>John R Voter</u>	<u>*1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
<u>David McIntosh</u>	<u>2200 HARTNETT</u>	<u>1413101</u>	<u>1</u>
<u>Karen W. Balderson</u>	<u>9 Oyster Row</u>	<u>1-600-220</u>	<u>2</u>
<u>Susan D. Gladden</u>	<u>301 Palm Blvd</u>	<u>2368678</u>	<u>1</u>
<u>Betty Johnson</u>	<u>2601 Macdonald Rd</u>	<u>586-6698</u>	<u>—</u>
<u>Billy Swain</u>	<u>1129TH Ave</u>	<u>462 7852</u>	<u>1</u>
<u>Robert B Timmons</u>	<u>44 CHAPMAN Ave</u>	<u>4-610-781</u>	<u>1</u>
<u>x</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>x</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>x</u>	<u>—</u>	<u>—</u>	<u>—</u>

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	Robert C. Balderon	BOB BALDERON 9 OYSTER ROW	1-600-221	2
✓ x	Ann M. Aubrey	T.O.P.S.C. 1105 JEFFERSON	0200382	1
✓ x	Richard P. Walsh	12-20th Ave Isle of Palms	0197458	1
✓ x	John Fill	17-31st John Fill	1081296	2
✓ x	Raymond F. Austin	2 BARRACUDA ROW Isle of Palms	1921502	2
✓ x	Susan B. Norton	2908 HARTNETT SUSAN B. NORTON	2120363	1
✓ x	Tom Ede	TOM EDE 23 22nd Ave	4621537	1
✓ x	Deb Strickler	Deb Strickler 10 Driftwood Lane	2055340	1
✓ x	J. B. Bruckner	J.B. Bruckner 909 PALM	1921530	1
✓ x	Lisa Reagan	206 First Street 100	2075595	2
✓ x	Rebecca P. McKee	REBECCA P. MCKEE 2702 WATERWAY BLVD ISLE OF PALMS	1-434-179	1
✓ x	Michael S. McKee	MICHAEL S. MCKEE 2702 WATERWAY BLVD ISLE OF PALMS	2-206-280	1

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	<i>Helen J. Cannon</i>	4-33 Ave. of P. Is. HELEN J. CANNON	0177409	21
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				

PETITION

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Number
(leave blank)

Signature

Name and Address
(please print)

Voter Registration
Number Precinct
(1 or 2)

John Registered Voter

<u>John R Voter</u>	<u>*1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
<u>305 PALM BLVD</u>	<u>Orlando B Farley</u>		
<u>✓ Anne K. Mays</u>	<u>26 24th Ave.</u>	<u>0182362</u>	<u>1</u>
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			

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100-443881-103



(strike one)."

Percent
(1 or 2)

_____ 2

4-604-5582

1.779757 4

4 5

PETITION

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Number
(leave blank)

Signature

Name and Address
(please print)

Voter Registration
Number Precinct
(1 or 2)

John Registered Voter

John R. Voter

#1 - 30 th Avenue

0-000-000 2

Ann Kizer,
2301 Palm Blvd.

✓ Ann B. Kizer

0215099 1

807 Palm Blvd.

✓ Cecelia T. Brock

Cecelia T. Brock

0-204-1775 1

~~John R. Voter~~

~~John R. Voter~~

✓ David Corr

45 W. Is. Dr.

David Corr

1632512 2

X

X

X

X

X

X

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Number
(are blank)

Signature

Name and Address
(please print)

Voter Registration
Number Precinct
(1 or 2)

John Registered Voter

<u>John R Voter</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
<u>✓ x Margaret Draughn</u>	<u>Margaret Draughn</u> <u>15 45th Ave</u>	<u>461 7820</u> <u>#12</u>	<u>2</u>
<u>✓ x Bob Pagon</u>	<u>Bob Pagon</u> <u>22 4th Ave</u>	<u>461 2233</u>	<u>2</u>
<u>✓ x David Johnson</u>	<u>816 Palm Blvd</u> <u>DAVID JOHNSON</u>	<u>461 6827</u>	<u>1</u>
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			
<u>x</u>			

Page 24 (are blank)

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Number (Leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓	<i>David E. Kennedy</i>	25-29 th Ave DAVID E. KENNEDY	1284893	1
✓	<i>Kevin D. Ward</i>	29-29 th Ave Kevin D. Ward		1
✓	<i>Douglas J. Kennedy</i>	Douglas J. Kennedy	1-396-618	1
✓	<i>Lisa Nance</i>	#25-29 th Ave ALICIA W NANCE	2496045	1
✓	<i>Tim Pezanowski</i>	2507 CAMERON Blvd TIM PEZANOWSKI		
✓	<i>TODD MOSES</i>	38 31 ST AVENUE TODD MOSES		
✓	<i>Robert Ross</i>	36 Fairway Dunes Robert Ross	2369018	1
✓	<i>Will Brock</i>	2301 Hartnett Blvd Will Brock	4627948	1
✓	<i>807 Palm Blvd.</i>	807 Palm Blvd.		
✓				
✓				
✓				
✓				

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Number
(leave blank)

Signature

Name and Address
(please print)

Voter Registration
Number Precinct
(1 or 2)

John Registered Voter

John R Voter

#1 - 30 th Avenue

0-000-000

2

✓ Mark L. Gordon

MARK L. GORDON JR.

238 Forest Trail

462 7320

2

✓ Gregor J. Ayers

GREGOR J. AYERS

16-21st AVE

156 0909

1

✓ Samuel R. Pellico

John Johnson

Isle of Palms St 29451

4-677-735

1

✓ John H. King

JOHN H. KING

7 Tally Ln.

462 8101

1

✓ Maria S. Hudson

Maria S. Hudson

407 Merritt Blvd.

207 5777

1

✓ Elizabeth A. Martin

Elizabeth A. Martin

25-26th Ave

216 3478

1

✓ Carly David

Carly David

709 Palm Blvd.

220 6399

1

✓ Belinda Swain

11-29th Ave

BELINDA SWAIN

462 7853

1

x

x

Page 20 (leave blank)

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>Julia Tucker</u>	<u>2303 Hartnett Blvd</u> <u>IOP SC 29451</u>	<u>1-818-699</u>	<u>1</u>
	<u>Robert D. Miller</u>	<u>27 Hidden Green</u> <u>Isle of Palms, S.C. 29451</u>	<u>4-611-867</u>	<u>2</u>
	<u>James P. Hark</u>	<u>1 Hidden Green</u> <u>I. O. P. SC.</u>	<u>4-604-924</u>	<u>2</u>
	<u>Julianne Miller</u>	<u>27 Hidden Green</u> <u>IOP S.C. 29451</u>	<u>4-611-868</u>	<u>2</u>
	<u>William Miller</u>	<u>1 Hidden Green</u> <u>IOP SC 29451</u>	<u>4-605-514</u>	<u>2</u>
	<u>Charles E. Whit</u>	<u>15 5th AVE.</u> <u>IOP SC 29451</u>	<u>1-630-992</u>	<u>1</u>
	<u>Margaret V. Perrew</u>	<u>2702 Hartnett</u> <u>Isle of Palms SC 29451</u>	<u>4612338</u>	<u>1</u>
	<u>Nicholas Kelcey</u>	<u>3064 Hartnett</u> <u>Isle of Palms</u>	<u>4607680</u>	<u>2</u>
	<u>Kevin Cohen</u>	<u>8 Oyster Row</u> <u>Isle of Palms</u>	<u>4628128</u>	<u>2</u>
	<u>Margaret S Stone</u>	<u>2600 Waterway Blvd</u> <u>Isle of Palms</u>	<u>1632498</u>	<u>1</u>
	<u>E. Bell</u>	<u>18 EDGEWATER AVE</u> <u>ISLE OF PALMS</u>	<u>4628086</u>	<u>2</u>
	<u>Barbara J</u>	<u>807 Palm Blvd</u> <u>Isle of Palms SC</u>	<u>0204776</u>	<u>1</u>

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES ~~NO~~ (strike one)."

Number (Leave blank)	Signature	Name and Address (Please print)	Voter Registration Number	Precinct (1 or 2)
✓	Emma Cottingham	29-25 th Ave. Isle of Palms 29451	2235105	1
✓	Emma Hooney	18 th 25 th Ave		
✓	Michael R. Williamson	Isle of Palms 2407 Palm Blvd	Havent Registered yet	
✓	Paul Lykins	Isle of Palms 8-23 rd ave	2041148	1
✓	Phil Wall	Isle of Palms #8 23 rd ave	ILL	
✓	W. Earl (ROBERT F. SMITH)	Isle of Palms 2501 Palm Blvd.	7806303	1
✓	R. L. Smith (BETTY S. SMITH)	I.O.P., S.C. 32 25 th Ave	0191018	1
✓	Betty S. Smith	Isle of Palms, S.C. 32 25 th Ave.	1167 585	1
✓	John Short	36 31st Ave Isle of Palms S.C. John Short	1-592-379	2
✓	Lorraine J. Sottile (LORRAINE J. SOTTILE)	32 Sparrow I.O.P. (F. MICHAEL SOTTILE)	1-405-153	2
✓	Lorraine J. Sottile	132 Sparrow I.O.P.	1-724-746	2
✓	Tom Rhodes	16 32 nd I.O.P.	NL	2

tom Rhodes

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Number (write blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)	
✓ x M L G K L		109 CHAS. BLVD.	1795421	1	
✓ x M Bethel		3704 Hartnett	1-228-570	2	
✓ x R. M. Fitch SR.		508 Carolina Blvd	1014251	1	
✓ x N. A. Lamkin		3804 Cameron Blvd.	1-632-548	2	
✓ x Thelma Lamkin		3804 Cameron Blvd.	1-106-817	2	
✓ x W B Miller		W B Miller	78-23-1 Ruc	4606909	1
✓ x Margaret T. Smith		Margaret T. Smith	7 Wicken Green	2-524-147	2
✓ x K H Hagen		2303 Hartnett 2023rd Ave	KATHY A HARRIS	1151280	1
✓ x J L Luford		Isle of Palms	1412901	1	
✓ x Richard B. B. B.		520 Palm Blvd.	1-2769	1	
✓ x Tim Hamell		519 CAROLINA BLVD		1	
✓ x Charlton Holder		3909 Hartnett Bl	8866804	2	

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Number
(leave blank)

Signature

Name and Address
(please print)

Voter Registration
Number

Precinct
(1 or 2)

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u> <u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
	<u>✓ Frances Wilbanks</u>	<u>FRANCES WILBANKS</u> <u>4-42nd</u>	<u>2-471-404</u>	<u>2</u>
	<u>✓ Phil Bazen</u>	<u>Phil Bazen</u> <u>41-42nd</u> <u>32 42nd Ave</u>	<u>4-631-5</u>	<u>2²⁸</u>
	<u>✓ Edie Hargrove</u>	<u>EDIE HARGROVE</u> <u>De 5 LIVE OAK DR.</u>	<u>2368516</u>	<u>2</u>
	<u>✓ Nennie Williams</u>	<u>DENICE WILLIAMS</u> <u>5 LIVE OAK DR</u>	<u>223744</u>	<u>2</u>
	<u>✓ Bob Williams</u>	<u>PETER WILLIAMS</u>	<u>2232143</u>	<u>2</u>
	<u>✓ Barbara B. Jervey</u>	<u>Barbara B. Jervey</u> <u>22 Sand Dollar Dr.</u>	<u>2040155</u>	<u>2</u>
	<u>✓ Harold E. Jervey III</u>	<u>HAROLD E. JERVEY III</u> <u>22 SAND DOLLAR DR.</u>	<u>1937198</u>	<u>2</u>
	<u>✓ Tullis A Martin</u>	<u>TELLIS A MARTIN</u> <u>12 SAND DOLLAR DR.</u> <u>#5 22nd Ave</u>	<u>4609731</u>	<u>2</u>
	<u>✓ Louis A D'Eugenio</u>	<u>LOUIS A. D'EUGENIO</u>	<u>4620749</u>	<u>1</u>
	<u>Donna D. Draughn</u>	<u>DONNA D. DRAUGHN</u> <u>15-45th Avenue</u>		

Page 30 (leave blank)

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Number (None blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	<i>[Signature]</i>	Larry Rawley 28 42nd Ave	3494750	2
✓ x	<i>[Signature]</i>	JOSEF VESELY 33-42nd AVE.	4628895	2
✓ x	<i>[Signature]</i>	HAROLD A. VMACKAY 8 Sand Dollar Dr.	2368540	2
✓ x	<i>[Signature]</i>	NANCY B. MACKEY 8 SAND DOLLAR DR	4622295 0510804	2
✓ x	Nancy B. Mackey	CONNIE G. BEATON 25 Sand Dollar Dr.	4617893	2
✓ x	<i>[Signature]</i>	JOHN F. WEATHERFORD JR 14-43RD AVENUE	4628060	2
✓ x	Steven J. Taylor	STEVEN J. TAYLOR 10 48TH AVENUE	4600487	2
✓ x	<i>[Signature]</i>	CAROLE A. WORKS 22-41ST Ave	4-627-8952	
✓ x	Brandon D. Works	BRANDON D. WORKS 22-41ST AVE.	4-627-894	2
✓ x	<i>[Signature]</i>	David R. Cohen 3202 Cameron.	4-625-611	2
✓ x	<i>[Signature]</i>	John A. Doyle 400 Palm Blvd.	2233450	1
✓ x	<i>[Signature]</i>	MICHAEL SCHUMPERT 509 CAROLINA BLVD.	1806253	1

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓		Jon Regan Walters, Jr. 1 30th Ave	1-936-810	2
		BARBARA HUTCHINSON 3202 PALM BLVD	NL	
		CHARLES SARGENT 2201 HARTNETT	1905925	1
✓		STEPHEN MACNEAL 23 31st AVE	4628093	
✓		DAVID CUNNINGHAM 12 Morgan Place	4628130	2
✓		MATTHEW L. SLACK JR 601 Carolina	4-624-527	1
✓		JAMES L. THOMPSON P.O. Box 9	1-971-517	2
(reg. 11/1/90)		Susan N. Stone One 12th Ave		1
✓		3304 Palm Blvd 10P, SC 29451	1-433-384	2
		2604 Waterway Blvd. 10P	0-233-864	
✓		Diana S. Timmerman 2908 Waterway	0-233-864	1

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	L. Faulkner	27-29 th Ave	0171806	1
✓ x	B. Faulkner	27-29 th Ave	0171805	1
✓ x	Betty Furrer	2903 Palm Blvd.	1733845	1
✓ x	Norman C. Furrer	2903 Palm Blvd	1733848	1
✓ x	Jane McKeown	JANE H. MCKEOWN 906 Palm Blvd 7 PALM CT.	2496563 0164	1
✓ x	Elaine R. Sott	I P P 6 Palm Ct	0164-533	1
✓ x	Pete O. Sott	TOP SC 29457 6 Palm Ct	4627798	1
✓ x	Vera Sott	TOP SC VERA LEHMAN	4627789 0930	1
✓ x	Helen Hohlock	Helen Hohlock	4607111	2
✓ x	Fritz Hohlock	Fritz Hohlock 280 Forest Trail	1906490	2
✓ x	William L. Doolley	WILLIAM L. DOOLLEY 1105 Oak Harbor		1
✓ x	Carl B. McCants Jr	CARL B. MCCANTS JR 256 FOREST TRAILS	1138867	2

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Number
(leave blank)

Signature

Name and Address
(please print)

Voter Registration
Number Precinct
(1 or 2)

John Registered Voter

#1 - 30 1b Avenue

0-000-000 2

CLAY DUFFIE

24 EDGEWATER ALLEY

4-628-742 2

JAMES KAMMER

3202 CAMERON

4-631-943 2

Robert S. Redding

2407 Cameron

1765-890 1

MARY LOUISE HUDSON

407 Palmetto Blvd.

2233882 1

Sim W. Westmoreland

213 Beachwood W.

2235158 2

DAVID J. LONERGAN

716 Carolina Blvd.

2233654 1

9-26 Ave

I.O.P.

M.D. MARTENS

0230456 1

9-23 Ave

JOAN C. MARTENS

I.O.P.

0230455 1

107 Carolina Blvd.

I.O.P.

4628163 1

Billie A. Vance

34 Pine Ridge

4-631-941 2

Page 34 (leave blank)

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	✓ <u>Donald B Mayhew</u>	<u>#12-30th Ave</u>	<u>1301967</u>	<u>2</u>
	✓ <u>Patricia R. Scarfile</u>	<u>PATRICIA R. SCARFILE</u>		
	<u>3304 Palm Blvd.</u>	<u>3304 Palm Blvd.</u>	<u>1433384</u>	<u>2</u>
	<u>Ronnie Bonds</u>	<u>Ronnie Bonds</u>		
	<u>R. F. Crab</u>	<u>R. F. Crab</u>		
	✓ <u>W. H. Sandeford</u>	<u>W. H. SANDEFORD</u>		
	<u>108 Park Blvd</u>	<u>108 Park Blvd</u>	<u>1766999</u>	<u>1</u>
	✓ <u>Robert E. Young</u>	<u>711 Palm Blvd</u>		
	<u>Robert E Young</u>	<u>Robert E Young</u>	<u>1372673</u>	<u>1</u>
	✓ <u>Wallace Burgess</u>	<u>Wallace Burgess</u>		
	<u>P.O. Drawer S.</u>	<u>P.O. Drawer S.</u>	<u>0177571</u>	<u>1</u>
	<u>ELIZABETH BURGESS</u>	<u>TOP</u>		
	✓ <u>Elizabeth R Burgess</u>	<u>PO Drawer S Top</u>	<u>0177572</u>	<u>1</u>
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			

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Number (are blank)	Signature	Home and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	Deborah A. Black	Deborah A. Black 114 Sparrow Dr.	2-234-554	2
✓ x	Victoria W. Williams	Victoria W. Williams 331 Forest Trail	2-270-940	2
✓ x	C. Anne Chamberlain	Anne Chamberlain 5 Duck Ln	4-607-669	2
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				

1, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

[illegible]

PETITION

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u> <u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
✓	<u>x Cindy Sturm</u>	<u>Cynthia Sturm</u> <u>55 Waterway Is. Dr.</u> <u>4001 Hartnett Blvd IOP</u>	<u>4606611</u>	<u>2</u>
	<u>x Richard S. Bh</u>	<u>BONNIE S. LEE</u> <u># 3-A 26TH AVE. IOP</u>	<u>4606956</u>	<u>1</u>
✓	<u>x Bonnie S. Lee</u>	<u>3A 26th Ave IOP</u> <u>#3 - 52nd Ave</u> <u>THOMAS J. DODD</u>	<u>1839392</u>	<u>1</u>
✓	<u>x Jack W. Waver</u>	<u>Eugene M. Peters</u> <u>3909 Cameron Blvd</u>	<u>1806249</u>	<u>2</u>
✓	<u>x Thomas J. Dodd</u>	<u>Peggy S. Peters</u> <u>3909 Cameron Blvd</u>	<u>1806247</u>	<u>2</u>
✓	<u>x Eugene M. Peters</u>	<u>William W. McLaughlin</u> <u>17 45th Avenue</u>	<u>4601120</u>	<u>2</u>
✓	<u>x Peggy S. Peters</u>	<u>23 Sand Dollar Ct.</u> <u>BRUCE M. CONKLIN</u>	<u>2163554</u>	<u>2</u>
✓	<u>x W 22</u>	<u>23 Sand Dollar Ct.</u> <u>DERNA CONKLIN</u>	<u>2206587</u>	<u>2</u>
✓	<u>x Bruce M. Conklin</u>			
✓	<u>x Norma Conklin</u>			

9

Page 38 (leave blank)

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
	<u>✓ Mark O Trout</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
	<u>✓ Walter F. Rock</u>	<u>MARIL O TROUT #11-25th Ave</u>	<u>2163 940</u>	
	<u>✓ Lucile S. Rock</u>	<u>3803 HARTNETT BLVD</u>	<u>1421142</u>	<u>2</u>
	<u>✓ B. Randall Webb</u>	<u>WALTER F. ROCK</u>		
	<u>✓ Patricia P Harney</u>	<u>3803 HARTNETT BLVD</u>	<u>1421132</u>	<u>2</u>
	<u>✓ Susan L Weinstein</u>	<u>LUCILE S. ROCK</u>		
	<u>✓ Sheldon M. Weinstein</u>	<u>#15-24th Ave</u>	<u>4627543</u>	<u>1</u>
	<u>✓ Shirley T. Joyner</u>	<u>Randall Webb</u>		
	<u>✓ Patricia H. Cox</u>	<u>#15 24th Ave</u>	<u>4627542</u>	<u>1</u>
	<u>✓ George Brower</u>	<u>PATRICIA P HARNEY</u>		
		<u>#17 24th Avenue</u>	<u>4-626-634</u>	<u>1</u>
		<u>SUSAN L. WEINSTEIN</u>		
		<u>#17 24th Avenue</u>	<u>4-626-680</u>	<u>1</u>
		<u>SHELDON M WEINSTEIN</u>		
		<u>29-24th Street</u>	<u>0-191-812</u>	<u>1</u>
		<u>SHIRLEY T. JOYNER</u>		
		<u>31- 24th Ave.</u>	<u>1 806 281</u>	<u>1</u>
		<u>PATRICIA H. COX</u>		
		<u>#4 20th Ave</u>	<u>1326453</u>	<u>1</u>
		<u>2402 WATERWAY</u>		
		<u>GEORGE BROWER</u>		

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
☒	Michael G. Goffin	Michael A. Goffin 2603 Hawthett Blvd	4-631-238	1
☒	Martha L Trotter	Martha L Trotter 6 Allie Ct HENRY H. DREWES	4-621-600	2
☒	Wendy D. Towles	516 PALM BLVD	1413119	1
☒	Carol S. Koontz	Carol S. Koontz 3 Edgewater Alley Isle of Palms, SC		2
☒				
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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
		<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
	<u>Peggy H. Trenker</u>	<u>Peggy H. Trenker</u>		
	<u>✓ x Peggy H. Trenker</u>	<u>19 Hidden Green Ln.</u>	<u>4-623-208</u>	<u>✓ 2</u>
	<u>Gary C. Trenker</u>	<u>Gary C. Trenker</u>		
	<u>✓ x Gary C. Trenker</u>	<u>19 Hidden Green Ln</u>	<u>4622927</u>	<u>✓ 2</u>
	<u>E. W. Friedrichs</u>	<u>14 Hidden Green Ln</u>		
	<u>✓ x E. W. Friedrichs</u>	<u>E. W. Friedrichs</u>	<u>4625982</u>	<u>✓ 2</u>
	<u>Dawn A. Friedrichs</u>	<u>14 Hidden Green Ln</u>		
	<u>✓ x Dawn A. Friedrichs</u>	<u>Dawn A. Friedrichs</u>	<u>4628769</u>	<u>✓ 2</u>
	<u>Allison Bridges</u>	<u>Allison Bridges</u>		
	<u>✓ x Allison E. Bridges</u>	<u>2404 Palm Blvd.</u>	<u>4631666</u>	<u>1</u>
	<u>Steven W. Townsend</u>	<u>254 Forest Trail</u>		
	<u>✓ x Steven W. Townsend</u>	<u>Steven W. Townsend</u>	<u>4627713</u>	<u>2</u>
	<u>Nancy N. Clark</u>	<u>254 F. Trail</u>		
	<u>✓ x Nancy N. Clark</u>	<u>Nancy N. Clark</u>	<u>4601812</u>	<u>✓ 2</u>
	<u>Margaret S. Fitch</u>	<u>508 Carolina Blvd</u>		
	<u>✓ x Margaret S. Fitch</u>	<u>Isle of MARGARET S. Fitch</u>	<u>1413048</u>	<u>1</u>
	<u>Travis M. Fuson</u>	<u>260 Forest Trail</u>		
	<u>✓ x Travis M. Fuson</u>	<u>Isle of Palms, S.C.</u>	<u>1270989</u>	<u>✓ 2</u>
	<u>x</u>			

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (see blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓	Mary C. McBride	44 Linkside Dr Mary C. McBride	1-415-442	2
✓	Thom P. Mean	#18 FIFTH AVE THOMAS P. GEAR	4-603	573-1
✓	Chas R. Warner	CARD R. Warner		
✓	Chas R. Warner	#8 5th avenue	1-865-868	-1
✓	Lawrence G. Picard Jr	Lawrence G Picard Jr		
✓	Melinda Nes Smith Picard	521 Carolina Blvd.	1-723-611	1
✓	Robert L Bryant	MELINDA NES SMITH-PICARD		
✓	Robert L Bryant	521 CAROLINA BLVD	2120626	1
✓	Janie C Bryant	ROBERT L BRYANT		
✓	Janie C Bryant	904 CAROLINA BLVD	1 082 465	1
✓	GAY DILLON	Janie C Bryant		
✓	Patty A Stephens	904 CAROLINA BLVD.	1 082 452	1
✓	James C. Stephens	GAY DILLON		
✓	James C. Stephens	3903 Hartline H	1514 224	—
✓	James C. Stephens	Patty A Stephens		
✓	James C. Stephens	105 Charleston Blvd	2 496 161	1
✓	James C. Stephens	James C. Stephens		
✓	James C. Stephens	105 Charleston Blvd.	2496162	1
✓				
✓				

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (Leave blank)	Signature	Name and Address (Please print)	Voter Registration Number	Precinct (1 or 2)
x	Andrew Sturm	46 Linkside Dr. I.O.P. 29451	NL	
x	Richard S. Balus	4003 Hartnett Blvd IOP 29457	ILL	
x				
x	Paula Murray	12 Marsh Island	NL	
x	Tito Solunko	H-101 Port O'Call	ILL	
x	Eliso Akuraho	H-101 Port O'Call	ILL	
x	Casper M. Moore	3402 Hartnett Blvd.	1865154	
x	Louise Castle	406 Merritt Blvd Isle of Palms 29451	ILL	
x	Philly Baber	24 Lake Village Isle of Palms SC.	2549480	
x	James R. Smith	5.56th Ave I. O. P. S.C. 29451	4605178	
x				
x				

~~Pat~~ Cheek

(strike one).

Précis
(1 or 2)

462 2094 2

NOT RECORDED

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>X</u> <u>Ken C. Coarhart</u>	<u>Ken C. Coarhart</u> <u>258 Forest Trail</u>	<u>4607118</u>	<u>2</u>
	<u>X</u> <u>Darryl Graham</u>	<u>Darryl Graham</u> <u>24-25th Ave; IOP</u> <u>Virginia Woods</u>	<u>4611901</u>	<u>1</u>
	<u>X</u> <u>Virginia Woods</u>	<u>21-32nd Ave; IOP</u> <u>Rachel Glade</u>	<u>1 055516</u>	<u>2</u>
	<u>X</u> <u>Rachel Glade</u>	<u>218 Forest Trail</u>	<u>4628108</u>	<u>2</u>
	<u>X</u> <u>James A. Woods</u>	<u>James A. Woods</u> <u>#21-32nd AVE; IOP</u>	<u>0 234620</u>	<u>2</u>
	<u>X</u> <u>Calvin Woods</u>	<u>Calvin Woods</u> <u>21-32nd AVE;</u>	<u>4602754</u>	<u>2</u>
	<u>X</u> <u>Joyce Z. Dunlap</u>	<u>Joyce Z. Dunlap</u> <u>30 29th Ave.; IOP</u>	<u>0176659</u>	<u>1</u>
	<u>X</u> <u>Donald J. Dunlap</u>	<u>Donald J. Dunlap</u> <u>30 29th AVE.; IOP</u>	<u>0176658</u>	<u>1</u>
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			

FE1111VIN

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

[illegible]

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES ~~NO~~ (strike one)."

Number (leave blank)	Signature	Home and Address (please print)	Voter Registration Number	Precinct (1 or 2)
☒	Mary Duncan	600 Carolina Blvd Isle of Palms, SC	4608 191	1
☒	A. Duncan	600 Carolina Blvd Isle of Palms, SC	4608 204	1
☒	Delant C. Gibson	17-6th Ave Isle of Palms, SC	1632528	1
☒	Albert A. Gibson	17-6th Ave I.O.P., SC	4627757	1
☐				
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I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 11 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? (YES) NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>x Donna Bishop</u>	<u>7 Bannick Row</u>	<u>2233 836</u>	<u>2</u>
	<u>x Gerald Martin</u>	<u>I.O.P</u>	<u>2055 429</u>	<u>2</u>
	<u>x Sharon Martin</u>	<u>21 Edgewater Alley</u>	<u>1602526</u>	<u>2</u>
	<u>x Robert L. Buehly</u>	<u>Isle of Palms</u>	<u>1906388</u>	<u>2</u>
	<u>x Joan M. Wegner</u>	<u>7 BANNICK ROW</u>	<u>462 8161</u>	<u>2</u>
	<u>x</u>	<u>ISLE OF PALMS, S.C.</u>		
	<u>x</u>	<u>10 Edgewater Alley</u>		
	<u>x</u>	<u>Isle of Palms</u>		
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<i>x Alexander D. Stone Jr.</i>	ALEXANDER D. STONE JR 623 OCEAN BLVD	1-433-554	1
	<i>x Melissa S Crosby</i>	Melissa Crosby 2303 CAMERON BLVD	216.2517 216	1
	<i>x Ann S Rhodes</i>	1632 nd Ave Ann S Rhodes	4-625-840	1
	<i>x Debra Morris</i>	Debra Morris 1 Tabby Ln	2489142 0108508	1
	<i>x Sharon Nichols</i>	Sharon Nichols 39 25 th AVE	4627883	1
	<i>x David Crosby</i>	David Crosby 2303 Cameron Blvd	1-284-743	1
	<i>x</i>			
	<i>x</i>			
	<i>x</i>			
	<i>x</i>			
	<i>x</i>			
	<i>x</i>			

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES ~~(strike one)~~."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
x	[Signature]	JAMES A Cooper Jr 3-B 29th Ave IOP	NIL	2
x	[Signature]	1507 Palm Blvd I.O.P. SC. 29851		1
x	A.R. Watkinson	3610 Waterway Blvd	1056697	2
x	[Signature]	29-29th Ave KEVIN WARD	NIL	
x	[Signature]	Raul Arello	NIL	
x	[Signature]	102 Chas. Blvd, IOP 29851 29, 29th Ave.	1765562	1
x	[Signature]	Isle of Palms, S.C. 704 Canine Blvd.	1LL	
x	[Signature]	Isle of Palms 3610 Waterway I.O.P.	4631549	2
x	KELLER Laura Keller	21 January Ave	1LL	2
x	Susan S. Avery	IOP SC 8 BEECHWOOD WEST SUSAN S. AVERY	1412773	2
x				
x				

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	John C. Clark	Foster C. Clark 1900 Waterman Blvd	1-107-352	1
x	Lawrence Campbell	LAWRENCE CAMPBELL 20 FAIRWAY DUNES LN.		2
✓ x	Pat R. Ross	Pat R. Ross 2008 Palm Blvd.	1806280	1
✓ x	H. Thomas Sanders	H. Thomas Sanders 2008 Palm Blvd.	0299763	1
✓ x	John M. Gantt	John M. Gantt Jr 5 Shad Row	2 523 918	2
x	Connor H. Gantt	Connor Gantt 5 Shad Row		
✓ x	Julian V. Casey	Julian V. Casey 22 Oyster Row	2-206-363	2
✓ x	John H. Hill	John H. Hill 22 FAIRWAY VILLAGE Isle of Palms, S.C.	2162435	2
✓ x	Janell Welch	37 Beachwood Ln Is. of P. SC	2523 915	
✓ x	Jeanne Cordes	24 Marsh Island TOP SC 29451	236 9772	2
✓ x	Paul Tucker	2303 Hartnett Blvd. Top- SC 29451	4 628 699-1	
x				

1 1 PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES ~~(NO)~~ (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	x Donald F. Fung	1 Oyster Row IOP - SC		2
✓	x Dorothy J. Hann	2 Dolphin Row Isle of Palms, SC	1-941-533	2
✓	x John R. Hann	2 Oyster Row Isle of Palms, SC	1-941-532	2
✓	x Amy Fung	222nd Ave Isle of Palms	1013366	1
✓	x Margaret D'Augelli	IOP - 522nd Ave	4621272	1
✓	x Louis D'Augelli	IOP - 5 22nd Ave	4620749	1
	x			
	x			
	x			
	x			
	x			
	x			

RECEIVED

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

[illegible]

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	<i>Donald S Conklin</i>	DONALD S CONKLIN 12 FAIRWAY OAKS LN.	2 524 163	2
✓ x	<i>Jean S. Conklin</i>	Jean S. Conklin 12 Fairway Oaks Ln.	2 524 164	2
x	<i>MARIE C. STEINMETZ</i>	MARIE C. STEINMETZ 15 DUNECREST LA	2 523 910	2
x	<i>John C. Steinmetz</i>	John C. STEINMETZ 15 DUNECREST LA	2 523 911	2
✓ x	<i>Marie C Sullivan</i>	MARIE SULLIVAN 23 Back Court	2107233 Social Security 099-01-8087	
✓ x	<i>Jane D Cotty</i>	JANE COTTY 3 Shad Row	1838862	2
✓ x	<i>Eugene C Sullivan</i>	EUGENE SULLIVAN 23 Back Court	318 06 6401	2
✓ x	<i>George W Tener</i>	GEORGE W. TENER 18 Oyster Row	220 6604	2
✓ x	<i>Rita M. Tener</i>	RITA M. TENER 18 Oyster Row	2-206-366	2
✓ x	<i>W. R. Bradshaw</i>	W. R. BRADSHAW 16 Lake Village	2-206-397	2
✓ x	<i>Judith B. Bradshaw</i>	JUDITH B. BRADSHAW 16 Lake Village Ln.	220 6396	2
x				

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
☒	Page Mayfield Hansen	128 Sparrow Dr	4611996	2
☒	Page Mayfield	IOP, SC		
☒	JEFFREY D. HANSEN	128 Sparrow Dr	2271436	2
☒		IOP SC		
☒	Astrea L Campbell	126 Sparrow Dr	462812	2
☒		IOP SC		
☒	Seymour Banno	124 Sparrow Dr	1838146	2
☒	Chah Shill	126 Sparrow	4628712	2
☒	HAROLD HIRSCHMAN JR	P. Campbell		
☒	HAROLD HIRSCHMAN JR.	2902 HARTNETT BLVD	1699575	1
☒	Sandy Hirschman	2902 Hartnett Blvd	2163915	1
☒				
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PETITION

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
☒	<i>James L. Loynes</i>	James L. Loynes 15 Fairway Oaks Ln Isle of Palms, SC	4625461	2
☒	<i>Grace E. Loynes</i>	Grace E. Loynes 15 Fairway Oaks W.C. WALTERS, Jr.	4625460	2
☒	<i>W.C. Walters, Jr.</i>	2300 Palm Blvd. Charlotte Clark	1421188	1
☒	<i>Charlotte Clark</i>	58 Seagrass Lane 2300 Palm Blvd Walters	1805925	2
☒	<i>J.F. Walters</i>	2300 Palm Blvd Isle of Palms, SC	2121315	1
☒	<i>Richard L. Buggles Jr.</i>	RICHARD L. Buggles Jr. 57 TWIN OAKS LN.	4631235	2
☒	<i>Larry O. Walters</i>	2300 Palm Blvd. FOP, SC	1458188	1
☒				
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☒				
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Number (use blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	Debra H. Ward	DEBRA H. WARD 2207 Hartnett Blvd.	4-606-888	1
✓ x	James M. Ward	JAMES M. WARD 2207 Hartnett Blvd.	4-606-862	1
✓ x	Kyle Blackwood	2306 HARTNETT STEPHEN BLACKWOOD	4-627-734	1
✓ x	Lawrence A. Green	Lawrence A. Green 2306 Hartnett	2-162-406	1
✓ x	Don Harkey	2302 Hartnett Don HARKEY	1-416-703	1
✓ x	Connie Gates	2204 Hartnett Connie Gates	4607113	1
✓ x	Jim Gates	2204 Hartnett Jim Gates	4607112	1
✓ x	James Sawyer	JAMES SAWYER 2203 HARTNETT	4628168	1
✓ x	Jean T. Wise	JEAN T. WISE 15-23 rd Ave.	0-176-601	1
x				
x				
x				

PETITION

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (see blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	Leola A. Harbony	3203 Hartnett Blvd. Isle of Palms	4602569	2
✓ x	George J. Gontez	3204 Hartnett Blvd. Isle of Palms	4627930	2
✓ x	Joe H. Frazier	16-207" Ave. Isle of Palms, S.C.	NL	—
✓ x	Barry C. Holder	109 Forest Trail, Barry C. Holder	2039552	2
✓ x	Betty A. Mathis	Betty A. Mathis 7-22nd Ave. IOP 7-22nd Ave.	1-106-584	1
✓ x	Wendy D. Mathis	IOP 2606 Cameron Blvd	2-271-443	1
✓ x	Francis W. Platt	Isle of Palms 210 FOREST TRAIL	1107996	2
✓ x	Marska Lee Ray	IOP	4627619	2
x				
x				
x				
x				

PETITION

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<i>x</i> <u>Chas E Turner</u>	<u>7-44th Ave.</u> <u>I.O.P.</u>	<u>1107585</u>	<u>2</u>
	<i>x</i> <u>Lydia Alge</u>	<u>2401 Waterway</u> <u>Clifford G. Burkiss</u>	<u>0232858</u>	<u>1</u>
	<i>✓</i> <u>C D Burman</u>	<u>2206 Cameron</u>	<u>021531</u>	<u>1</u>
	<i>✓</i> <u>Marina P. Blair</u>	<u>3104 Hailnutt</u>	<u>0176663</u>	<u>2</u>
	<i>x</i> _____	_____	_____	_____
	<i>x</i> _____	_____	_____	_____
	<i>x</i> _____	_____	_____	_____
	<i>x</i> _____	_____	_____	_____
	<i>x</i> _____	_____	_____	_____
	<i>x</i> _____	_____	_____	_____
	<i>x</i> _____	_____	_____	_____
	<i>x</i> _____	_____	_____	_____

, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	<u>Lucas</u>	<u>Stephen D. Lucas</u> <u>2 Fairway Oaks Ln. IOP</u>	<u>1-796-044</u>	<u>2</u>
✓ x	<u>Celeste B. Goodwin</u>	<u>Celeste B. Goodwin</u> <u>33 Back Ct. IOP</u>	<u>4-628-137</u>	<u>2</u>
✓ x	<u>Frank M. Ciso</u>	<u>10 Hidden Green 200</u> <u>Frank M Ciso</u>	<u>1243809</u>	<u>2</u>
✓ x	<u>Karen O Ciso</u>	<u>Karen Ciso</u> <u>10 Hidden Green</u>	<u>1-372-4802</u>	<u>2</u>
x				
x				
x				
x				
x				
x				
x				
x				
x				

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number
(Type in Arabic)

Signature

Name and Address
(please print)

Voter Registration
Number

Precinct
(1 or 2)

John Registered Voter

#1 - 30 th Avenue

0-000-000

2

62 Twin Lake

1692958

Page 01 (Date 01/01/01)

Please sign as shown by the printed sample above. Print your name on the top line beside your signature. Put your address on the second line. Only your street address is necessary as all who sign should be Isle of Palms residents. (Interested but unregistered IOP residents should sign on an "Interest Sheet") Fill in Voter Number and Precinct if known. Leave blank the areas labeled that way. Thank You! & help out if you can.

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
	<u>Wayne Cannon</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
	<u>Wayne Cannon</u>	<u>WAYNE CANNON</u>		
	<u>Mary S. Tierney</u>	<u>#4 - 33rd Ave.</u>	<u>1-402-882</u>	<u>2</u>
	<u>Mary S. Tierney</u>	<u>Mary S. Tierney</u>		
	<u>Hugh E. Bean</u>	<u>3009 Cameron Blvd</u>	<u>4-629-447</u>	<u>2</u>
	<u>Hugh E. Bean</u>	<u>HUGH E. BEAN</u>		
	<u>Sue Bartee</u>	<u>5003 Cameron Blvd</u>		
	<u>Sue Bartee</u>	<u>SUE BARTEE</u>		
	<u>Jimmie A. Bartee</u>	<u>3104 CAMERON</u>	<u>1-416-959</u>	<u>2</u>
	<u>Jimmie A. Bartee</u>	<u>Jimmie Bartee</u>		
	<u>A M Stone Jr</u>	<u>3104 Cameron</u>	<u>1-397-594</u>	<u>2</u>
	<u>A M Stone Jr</u>	<u>A.M. Stone Jr</u>		
	<u>Lee Chinnors</u>	<u>505 Ocean Blvd</u>	<u>1139899</u>	
	<u>Lee Chinnors</u>	<u>LEE CHINNORS</u>	<u>1-139-899</u>	
	<u>Sean Popson</u>	<u>3104 CAMERON</u>	<u>4621991</u>	<u>2 *</u>
	<u>Sean Popson</u>	<u>SEAN POPSON</u>		
		<u>8 32ND AVE</u>	<u>4603405</u>	

Please sign as shown by the printed sample above. Print your name on the top line beside your signature. Put your address on the second line. Only your street address is necessary as all who sign should be Isle of Palms residents. (Interested but unregistered IOP residents should sign on an "Interest Sheet") Fill in Voter Number and Precinct if known. Leave blank the areas labeled that way. Thank You! & help out if you can.

PETITION

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓	Lisa D. Leopold	4-24th Avenue Isle of Palms SC LISA LEOPOLD	2544-327	1
X				
X				
X				
X				
X				
X				
X				
X				
X				
X				
X				
X				
X				

RELATION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

[illegible]

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (Leave blank)	Signature	Name and Address (Please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
	<u>John R Voter</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
✓	<u>Connie W. Bailey</u>	<u>Bonnie W. Bailey</u>		
	<u>Connie W. Bailey</u>	<u>409 Merritt Blvd.</u>	<u>1413146</u>	<u>1</u>
✓	<u>Mark A. Hudson</u>	<u>Mark A. Hudson</u>		
	<u>Mark A. Hudson</u>	<u>407 Merritt Blvd</u>	<u>2075731</u>	<u>1</u>
✓	<u>Dorothy B. Hudson</u>	<u>DOROTHY B. HUDSON</u>		
	<u>Dorothy B. Hudson</u>	<u>407 MERRITT BLVD.</u>	<u>0222836</u>	<u>1</u>
	<u>Forest M. Hudson</u>	<u>Forest M. Hudson</u>		
	<u>Forest M. Hudson</u>	<u>407 Merritt</u>		
	<u>Susan A. Wallace</u>	<u>SUSAN A. WALLACE</u>		
✓	<u>Susan A. Wallace</u>	<u>405 Merritt</u>	<u>1107354</u>	<u>1</u>
✓	<u>Susie G. Wallace</u>	<u>Susie G. Wallace</u>		
	<u>Susie G. Wallace</u>	<u>405 Merritt Blvd.</u>	<u>1107353</u>	<u>1</u>
✓	<u>Paul Reddy</u>	<u>PAUL REDDY</u>		
	<u>Paul Reddy</u>	<u>404 MERRITT BLVD</u>	<u>4617378</u>	<u>1</u>
✓	<u>Joanie Prentice</u>	<u>Joanie Prentice</u>		
	<u>Joanie Prentice</u>	<u>401 Palm Blvd.</u>	<u>1632544</u>	<u>1</u>
✓	<u>Gloria M. Maynard</u>	<u>Gloria Maynard</u>		
	<u>Gloria M. Maynard</u>	<u>403 Merritt Blvd.</u>	<u>1327482</u>	<u>1</u>
✓	<u>James V. Combs</u>	<u>James V. Combs</u>		
	<u>James V. Combs</u>	<u>213 Caroline</u>	<u>0219167</u>	<u>1</u>

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 11 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
	<u>John R Voter</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
✓	<u>Bill Wilson</u>	<u>BILL WILSON</u>		
	<u>Bill Wilson</u>	<u>201 CAROLINA BLVD</u>	<u>4621150</u>	<u>1</u>
✓	<u>Michelle M. Gault</u>	<u>Michelle M. Gault</u>		
	<u>Michelle M. Gault</u>	<u>2909 Hartnett Blvd</u>	<u>1806267</u>	<u>1</u>
✓	<u>Betty Woolf</u>	<u>103 CHAS BLVD</u>		
	<u>Betty Woolf</u>	<u>Betty Woolf</u>	<u>2206596</u>	<u>1</u>
✓	<u>Amelia M. Woolf</u>	<u>Amelia M. Woolf</u>		
	<u>Amelia M. Woolf</u>	<u>121 Charleston Blvd</u>	<u>4615448</u>	<u>1</u>
✓	<u>Winfield P. Woolf</u>	<u>Winfield P. Woolf</u>		
	<u>Winfield P. Woolf</u>	<u>121 Charleston Blvd TOP</u>	<u>4615447</u>	<u>1</u>
✓	<u>Lisa D. White</u>	<u>Lisa D. White</u>		
	<u>Lisa D. White</u>	<u>219 Chas. Blvd. TOP</u>	<u>1734743</u>	<u>1</u>
✓	<u>MAC White</u>	<u>McGregor White</u>		
	<u>MAC White</u>	<u>219 CHAS BLVD</u>	<u>4611828</u>	<u>1</u>
✓	<u>George Brownell</u>	<u>GEORGE BROWNELL</u>		
	<u>George Brownell</u>	<u>P.O. Box 412</u>		<u>1</u>
✓	<u>Garrie B. Thompson</u>	<u>GARRIE B. THOMPSON</u>		
	<u>Garrie B. Thompson</u>	<u>312 PALM BLVD. TOP, SC</u>	<u>1379628</u>	<u>1</u>
✓	<u>Catherine Leopold</u>	<u>Catherine Leopold</u>		
	<u>Catherine Leopold</u>	<u>4-24th Avenue</u>	<u>1107341</u>	<u>1</u>

PETITION

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
	<u>John R Voter</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
☒	<u>Edward P. Guerard Jr</u>	<u>EDWARD P. GUERARD JR</u>		
	<u>Edward P. Guerard Jr</u>	<u>6-55th Ave</u>	<u>1106445</u>	<u>2</u>
	<u>Edward P. Guerard Jr</u>	<u>2351 Pal Blvd</u>		
☒	<u>James H. Kizer</u>	<u>James H. Kizer</u>	<u>0215098</u>	<u>1</u>
	<u>James H. Kizer</u>	<u>Emerald O. Brown</u>		
	<u>Emerald O. Brown</u>	<u>408 Merritt Blvd.</u>		
☒	<u>Emerald O. Brown</u>	<u>Isle of Palms S.C.</u>	<u>1082528</u>	<u>1</u>
	<u>Emerald O. Brown</u>	<u>408 Merritt Blvd</u>		
☒	<u>Patricia B Brown</u>	<u>Isle of Palms</u>	<u>1081530</u>	<u>1</u>
	<u>Patricia B Brown</u>	<u>EDWARD P. GUERARD JR</u>		
☒	<u>Edward P. Guerard Jr</u>	<u>6-55th Ave</u>	<u>4-613-144</u>	<u>2</u>
	<u>Edward P. Guerard Jr</u>	<u>Marion T. Guerard</u>		
☒	<u>Marion T. Guerard</u>	<u>6 55th Ave</u>	<u>1-106-366</u>	<u>2</u>
	<u>Marion T. Guerard</u>	<u>Scott W Bailey</u>		
☒	<u>Scott W Bailey</u>	<u>409 Merritt Blvd</u>	<u>4619739</u>	<u>1</u>
	<u>Scott W Bailey</u>	<u>Mary O. Shockley</u>		
☒	<u>Mary O. Shockley</u>	<u>3702 Hartnett</u>	<u>2075737</u>	<u>2</u>
	<u>Mary O. Shockley</u>			
☒				
☒				

Page 67 (leave blank)

Please sign as shown by the printed sample above. Print your name on the top line beside your signature. Put your address on the second line. Only your street address is necessary as all who sign should be Isle of Palms residents. (Interested but unregistered IOP residents should sign on an Interest Sheet) Fill in Voter Number and Precinct if known. Leave blank the areas labeled that way. Thank You! & help out if you can.

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (write blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
	<u>John R Voter</u>	<u>*1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
✓	<u>x Ronnie Easterling</u>	<u>Ronnie Easterling</u>		
	<u>x Ronnie Easterling</u>	<u>204 Carolina Blvd.</u>	<u>1840264</u>	<u>1</u>
	<u>x Ronnie Easterling</u>	<u>A.R. Easterling JR</u>		
✓	<u>x Alva R Easterling</u>	<u>204 GARDEN BLVD</u>	<u>1937771</u>	<u>1</u>
✓	<u>x David M. Van Cate</u>	<u>David M. Van Cate</u>		
	<u>x David M. Van Cate</u>	<u>109 Carolina Blvd</u>	<u>4622755</u>	<u>1</u>
✓	<u>x Robert M. Waltz</u>	<u>Robert M. Waltz</u>		
	<u>x Robert M. Waltz</u>	<u>108 CAROLINA AVE.</u>	<u>2055896</u>	<u>1</u>
✓	<u>x Tracy T. Doran</u>	<u>404 Palm Blv.</u>		
	<u>x Tracy T. Doran</u>	<u>TRACY DORAN</u>	<u>2420349</u>	<u>1</u>
	<u>x Tracy T. Doran</u>	<u>404 Palm Blv.</u>		
✓	<u>x Lee Pearson</u>	<u>Robert N Doran</u>		
	<u>x Lee Pearson</u>	<u>LEE PEARSON</u>		
	<u>x Lee Pearson</u>	<u>116 CHARLESTON N BLVD</u>		
✓	<u>x Jennifer W. Kirk</u>	<u>Jennifer W. Kirk</u>		
	<u>x Jennifer W. Kirk</u>	<u>128 Charleston Blvd.</u>	<u>1563089</u>	<u>1</u>
✓	<u>x Nancy D. Burch</u>	<u>Nancy D. Burch</u>		
	<u>x Nancy D. Burch</u>	<u>6 Fourth Avenue</u>	<u>2270694</u>	<u>1</u>
	<u>x Nancy D. Burch</u>	<u>314 PALM BLVD.</u>		
✓	<u>x Parker Osterdarr</u>	<u>PARKER Osterdarr</u>	<u>1082846</u>	<u>1</u>

PETITION

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u> <u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
<u>direct</u>	<u>[Signature]</u>	<u>[Signature]</u> <u>Isle of Palms, S.C.</u>		<u>1</u>
<u>✓</u>	<u>[Signature]</u>	<u>HERMAN J LAMKIN</u> <u>1111 OAK HARBOR</u>	<u>0 178 044</u>	<u>1</u>
<u>✓</u>	<u>[Signature]</u>	<u>C.B. McCANTS SR</u> <u>1103 OAK HARBOR</u>	<u>1 082-662</u>	<u>1</u>
<u>✓</u>	<u>[Signature]</u>	<u>CAROLYN S. BUCKHANNON</u> <u>1101 OAK HARBOR BLVD</u>	<u>1591677</u>	<u>1</u>
<u>✓</u>	<u>[Signature]</u>	<u>THOMAS BUCKHANNON</u> <u>1101 OAK HARBOR</u>	<u>1601450</u>	<u>1</u>
<u>✓</u>	<u>[Signature]</u>	<u>EUGENE A. JUKES SR.</u> <u>1101 PALM BLVD.</u>	<u>1099584</u>	<u>1</u>
<u>x</u>				
<u>x</u>				
<u>x</u>				
<u>x</u>				

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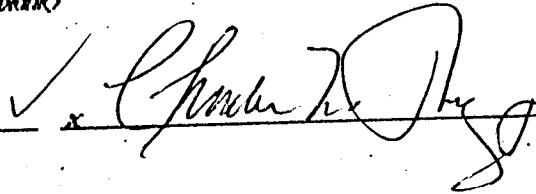
"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (Strike blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	<i>Alan D. Ballou</i>	ALAN D. Ballou 3004 WATERWAY BLVD	2206393	1
✓ x	<i>Richard J. Glave</i>	Richard J. Ballou Glave 9-13th Ave	1779589	1
✓ x	<i>Beverly Ballou</i>	BEVERLY Ballou 3004 WATERWAY	2206320	1
✓ x	<i>Gene C. Glave</i>	Gene C. Glave 9-13th Ave	1780031	1
● x	<i>Edward E. Glave</i>	Edward E. Glave 9-13th Ave	4620869	1
_____ x				
_____ x				
_____ x				
_____ x				
_____ x				
_____ x				
_____ x				
_____ x				

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x		Charles N. Harkay Jr. 6 Fishers Alley, IOP.	4604985	2
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—
— x	—	—	—	—

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
		<u>John Registered Voter</u>		
	<u>John R Voter</u>	<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
✓	<u>Linda M. Breen</u>	<u>Linda M. Breen</u>	<u>1795391</u>	<u>2</u>
✓	<u>J. W. Breen</u>	<u>6 Beachwood E.</u>	<u>1920479</u>	<u>2</u>
✓	<u>J. W. Breen</u>	<u>6 Beachwood E.</u>	<u>2206319</u>	<u>2</u>
✓	<u>John J. Cody</u>	<u>5 Beachwood W</u>	<u>2470341</u>	<u>2</u>
✓	<u>Elizabeth B. Arnot</u>	<u>8-55th Ave.</u>	<u>4619913</u>	<u>2</u>
✓	<u>Elizabeth B. Arnot</u>	<u>422nd Ave</u>		
✓				
✓				
✓				
✓				
✓				

PETITION

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
		<u>#1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
✓	<u>Pam Timmons</u>	<u>Pam Timmons</u>		
		<u>4 Chapman Ave.</u>	<u>4627443</u>	<u>1</u>
-	<u>Deborah Love</u>	<u>DEBORAH LOVE</u>		
		<u>415 CAROLINA BLVD.</u>		
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓	Wesley S Wall	1100 Pavilion Blvd Isle of Palms	4 605 172	1
✓	Leonardene Wall	1100 Pavilion I.O.P.	4 605 173	1
✓	Caryl Brown	3400 Hartnett	0215 109	2
✓	Troy Follak	3400 Hartnett Blvd	4610843	2
✓	Douglas Brown	3400 Hartnett Blvd.	1723574	2
x				
x				
x				
x				
x				
x				
x				
x				

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Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>		
	<u>*1 - 30 th Avenue</u>	<u>*1 - 30 th Avenue</u>	<u>0-000-000</u>	<u>2</u>
	<u>PATRICIA GREER THOMAS</u>	<u>PATRICIA GREER THOMAS</u>		
✓	<u>x Patricia Greer Thomas</u>	<u>2703 CAMERON</u>	<u>1938129</u>	<u>1</u>
	<u>SUSAN B. THOMPSON</u>	<u>SUSAN B. THOMPSON</u>		
✓	<u>x Susan B Thompson</u>	<u>10 32nd Ave.</u>	<u>2-076-122</u>	<u>2</u>
	<u>C. Gwynne Gilmer</u>	<u>C. Gwynne Gilmer</u>		
✓	<u>x C. Gwynne Gilmer</u>	<u>3608 Waterway Blvd.</u>	<u>4622906</u>	<u>2</u>
	<u>Martin Blake Lipscomb</u>	<u>Martin Blake Lipscomb</u>		
✓	<u>x Martin B Lipscomb</u>	<u>2703 Cameron Blvd.</u>	<u>4628138</u>	<u>1</u>
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			
	<u>x</u>			

Page 75 (leave blank)

Please sign as shown by the printed sample above. Print your name on the top line beside your signature. Put your address on the second line. Only your street address is necessary as all who sign should be Isle of Palms residents. (Interested but unregistered IOP residents should sign on an "Interest Sheet") Fill in Voter Number and Precinct if known. Leave blank the areas labeled that way. Thank You! & help out if you can.

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (or blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	Danell Hodo	6 Live Oak I.O.P.	2369978	2
✓ x	Connie Hodo	6 Live Oak I.O.P.	2331226	2
✓ x	Robert A. Draughton	3803 Palm ROBERT A. DRAUGHTON 15 45th Ave	1413215	2
✓ x	Robert H. Pearson	ROBERT H. PEARSON 5 - 49th Ave	4609609	2
✓ x	Patricia B. Pearson	PATRICIA B. PEARSON 5000 Palm Blvd. R E MOLONY	1561471	—
✓ x	Reynolds	450TH AVE 5000 PALM BLVD (Pearson)	0165393	2
✓ x	Isle of Palms	Isle of Palms SC 29451	1285398	—
✓ x	Dorothy Dodd	DOROTHY DODD #3-52nd Isle of Palms	2487545	2
✓ x	Russell Meyer	203 Caroline Blvd (Meyer) Isle of Palms	4604976	1
x				
x				
x				

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Precinct
(1 or 2)

0209938 1

Lois M. Thompson
1027. 3rd
27-32nd Ave

1377 484 2

1

[illegible]

PETITION

being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	Elisabeth S. Herms	27 Oyster Row	4604957	2
✓ x	George A. Herms	27 Oyster Row	4604956	2
✓ x	Rene J. Cothy	3 Shad Row	1795565	2
✓ x	David E. [Signature]	8 Shad Row	2487824	2
•	Janis R. Bulone	1 Beachwood E	4617118	2
✓ x	Anthony J. [Signature]	1 Beachwood E	4620686	2
— x				
— x				
— x				
— x				
— x				
— x				
— x				

PETITION

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"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
✓ x	Joann Leigh	502 Palm Blvd IOP	4627899	1
✓ x	Wen Eddy	812 Palm Blvd IOP	4628170 460028170	1
✓ x	Fay Johnson	816 Palm Blvd Isle of Palms, S.C. 29451		1
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	<u>John R Voter</u>	<u>John Registered Voter</u>	<u>0-000-000</u>	<u>2</u>
	<u>✓ Gregory L McKenzie</u>	<u>Gregory Lee McKenzie</u>	<u>4-615-486</u>	<u>2</u>
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			
	<u>X</u>			

Page 80 (leave blank)

Please sign as shown by the printed sample above. Print your name on the top line beside your signature. Put your address on the second line. Only your street address is necessary as all who sign should be Isle of Palms residents. (Interested but unregistered IOP residents should sign on an Interest Sheet) Fill in Voter Number and Precinct if known. Leave blank the areas labeled that way. Thank You! & help out if you can.

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (Strike blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
x	Robert C. Thompson	Robert C. Thompson 2732 nd Ave	9865445	
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				
x				

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (or blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
x		Peter G. Cuming #5-25th AVE	1921101	1
✓		GEORGE W. PENNINGTON #9 SECOND AVE.	1 012 967	1
x		Janice H. Pennington #9 Second Avenue		1
✓		MARTHA D CABLE 118 PALM BLVD.	0200490	1
✓		CAROL N. MATTHEWS 12 Second Ave.	1173262	1
✓		David E. Matthews 12 Second Ave.	1315692	1
	Duplicate 	LEONARD MAY CABLE 118 Palm Blvd	0-194-019-	#1
✓		LILLIAN S. BARBOUR 111 Parkview Blvd	1458381	1
x				
x				
x				
x				

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 5 Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Number (leave blank)	Signature	Name and Address (please print)	Voter Registration Number	Precinct (1 or 2)
	✓ Elmer T. Westfall	12 54 TH AVE. ISLE OF PALMS, SC 29451	1-631-290	2
	✓ Adrine B. Westfall	No. 12 54 TH Ave. Isle of Palms, SC 29451	1-590-481	2
	✓ Lisa M. Westfall	12 54 AVE ISLE OF PALMS SC 29451	1-697-749	2
	Roberta B. Westfall	49 TWIN OAKS LANE Isle of Palms, SC 29451	2-422-319	2
	✓ Phyllis J. Steffen	13 Lake Village Isle of Palms, S.C.		2
	x			
	x			
	x			
	x			
	x			
	x			
	x			
	x			
	x			

PETITION

I, being a duly qualified and registered voter in the municipality of the City of Isle of Palms, County of Charleston, State of South Carolina, hereby request that City Council undertake, in accordance with Chapter 10 of Title 5 of the South Carolina Code of Laws, to have decided in a special election the following question:

"Shall the municipality of the City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

[illegible]

BLINDNESS

Poor is the man who walks life's path
No hinderance has he of sight
Yet he sees not the world around him
Nor the wild geese in winter flight.

Brilliant with red, yellow and gold
Are the firey colors of fall
Like a beacon in the darkness
Yet, he sees nothing at all.

Gently flow the cold clear waters
Product of the mountain's frozen rain
Thirstily he takes a drink
Not seeing from where it came.

Poor is the man who never sees
The work of God's great hand
Yet, lives his life each day
On the face of God's own land.

Blindness is merely a state of mind
To which awareness is the key
Pity not the man who is truly blind...
...But, the man who cannot see.

Legare M. Johnson
1975

APPENDIX D

The Ways and Means Committee met at 5:40 on July 10 with Dan Watson, Mayor Bunch, Mark Williams, and Chairman Swanson in attendance. Jimmy Ward was out of town. If all members find it acceptable, a regular meeting time of the third Thursday of each month at 5:30 was set.

It was discussed whether the committee would like to look at requisitions on a monthly basis. It was decided that we could come to the office and check them.

The question of whether to meet as a whole council financial committee was discussed. The decision was to do so during the entire budget work session period.

The committee is still trying to see where we stand financially after hurricane costs and proceeds. The auditors will help figure actual hurricane costs. Insurance proceeds, the police grant and disaster assistance is \$2,356,986.

Hurricane related costs have been figured at \$1,793,524 to end of ~~the~~ May budget report.

There was a discussion of what monies have been spent on the land for bathrooms on front beach. To date we have spent about \$35,500, on that project plus port-a-let rentals, leaving approximately \$68,000 reserved for the project.

Mr. Williams asked to install insulation in the attic and power ventilation fans for city hall. A total of \$700 was approved.

The meeting adjourned at 6:50 p.m.

ISLE OF PALMS PUBLIC WORKS
COMMITTEE MEETING
JULY 23, 1990

THE PUBLIC WORKS COMMITTEE MEETING WAS CALLED TO ORDER AT 7:10PM BY JIMMY WARD. IN ATTENDANCE WERE COMMITTEE MEMBER MELINDA NESSMITH-PICARD, PUBLIC WORKS SUPERVISOR ANDY PARISH, COUNCILMEMBERS BARRY HOLDEN AND MIKE SOITTLE.

MR PARISH GAVE THE COMMITTEE HIS REPORT ABOUT PUBLIC WORKS ACTIVITY THE LAST MONTH. ALL THE DITCHES ON THE ISLAND ARE NOW IN THE PROCESS OF BEING CLEARED. THE AREAS AROUND HARTNETT BLVD & FOREST TRAIL AND HARTNETT BLVD BETWEEN 31ST & 41ST AVENUES NEED ROAD PATCHING. MR PARISH UNDERSTANDS THAT FEMA GAVE US SOME MONEY TO HELP WITH THIS PROJECT. ALSO, MR PARISH STATED THAT IT LOOKS LIKE THE CITY WILL NEED AN EXTENSION OF ONE TO TWO WEEKS ON DERRIS PICKUP. ESTIMATED COSTS WILL BE \$18000-\$36000. THE COMMITTEE AGREED TO FORWARD THE MATTER TO MARK WILLIAMS FOR CONSIDERATION.

THE COMMITTEE DISCUSSED THE HIGHWAY DEPARTMENT'S BLACKTOPPING OF 27TH AVENUE. SOME RESIDENTS ARE UPSET ABOUT HAVING TO REMOVE PLANTS THAT ARE LOCATED IN THE RIGHT OF WAY. MR PARISH THAT THE HIGHWAY DEPARTMENT HAS THE RIGHT TO WHATEVER IN NEEDS TO DO IN PUBLIC THE RIGHT OF WAY.

A DISCUSSION WAS HELD ABOUT PUBLIC WORKS FACILITIES. MR PARISH ASKED AGAIN IF THE COUNCIL COULD MOVE AHEAD WITH AT LEAST INSTALLING GAS TANKS. THE COMMITTEE AGREED THAT THIS WAS A MUST IF FOR NO OTHER REASON TO SAVE THE CITY QUITE A LARGE SUM OF MONEY ON DELIVERIES. THE SAVINGS WOULD BE 8-11 CENTS A GALLON. AFTER FURTHER DISCUSSION ON OTHER PUBLIC WORKS BUILDING PROJECTS THE COMMITTEE VOTED TO RECOMMEND TO FULL COUNCIL THAT CONSTRUCTION OF A PUBLIC WORKS BUILDING IS OF PARAMOUNT IMPORTANCE.

JIMMY WARD REPORTED THAT HE HAS RECEIVED AN ADDITIONAL \$510 FOR THE DOG KENNEL PROJECT. THE TOTAL CONTRIBUTIONS NOW TOTAL OVER \$2600. MANY CONTRIBUTORS HAVE EXPRESSED CONCERNS ABOUT WHEN CONSTRUCTION OF THE FACILITY WILL TAKE PLACE HE SAID. THEY WOULD LIKE THE FACILITY TO BE CONSTRUCTED AS SOON AS POSSIBLE.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 8:14PM.

RESPECTFULLY SUBMITTED,

JIMMY WARD

Engrossed Bills Committee Meeting
City Hall
July 18, 1990 - Minutes

The meeting began at 7:05 at City Hall with Councilmember Holden, Councilmember Nessmith-Picard and Councilmember Swanson in attendance. The meeting began with a discussion of a proposed ordinance clarifying the definition of "premises" in the code. As neither Bill Dreyfoos nor Mayor Bunch was present consideration of it was limited. It was noted by Councilmember Holden that after reading this over it seemed a little less "impossing" than he had at first thought of it, but that there were still questions he would like to ask Bill Dreyfoos. Councilmember Nessmith-Picard agreed and it was agreed the concerns could be addressed at the council meeting.

Bob Hooker, a resident, asked several questions regarding the sign ordinance eventually focusing on "off premises" signs in the business district. It was unanimously agreed that the chairman would direct a memo to Mark Williams and Bill Dreyfoos inquiring about tightening section 5-4-124 and that topic would be discussed at the next Engrossed Bills Committee meeting.

Councilmember Marge Swanson provided a copy of a "bench lighting/turtle nesting protection" ordinance. She stated that it was a model and Bill Dreyfoos was working on a draft for the City based on it. No one seemed certain how much of turtle nesting takes place on the Island or how best to protect it. The concept of some type protective ordinance was endorsed with the specifics to be worked out once a draft is received.

Councilmember Nessmith-Picard noted that Councilmember Ward had requested she bring up a proposal of his to have a "Jet-Ski" ordinance with several specific points. It was agreed the chairman would direct another memo regarding this item to Mark Williams and Bill Dreyfoos. (see attachment for specifics). The chairman noted his general apprehension what we were discussing was legal or enforceable.

Councilmember Nessmith-Picard brought up a "waterfront" zoning ordinance which had been "looking" for a meeting for some time. It was noted that it had been reworded to conform more closely to the existing zoning ordinances. Copies were made for distribution to councilmembers and it was agreed that the ordinance would be brought up at the next council meeting.

Due to the absence of presenters and/or the City attorney no other Ordinances were discussed in depth at this meeting. Meeting adjourned upon unanimous vote.

DRAFT COPY AS OF: _____

APPROVED AS FINAL MINUTES: _____

ATTESTED TO:

X _____
 Barry C. Holden - Chairman

MEMORANDUM

From: Barry Holden

To: Mark Williams/Bill Dreyfoos

Consideration of a Jet Ski Ordinance has been requested by Jimmy Ward. He list as principal areas of concern:

- (1). A 16 Year age requirement for operation
- (2). A Life vest use requirement
- (3). A ban on nighttime operation
- (4). A ban on operation within 200 yards of the beach between 10th and 14th.

Additionally it was addressed whether in this instance the area might be increased to include 8th through 21st avenue. This was also more generally posed as a "beach regulation area" question as several have noted that the "effective" public beach seems to be spreading that much.

Finally, it was noted in conversation with Jimmy that he is aware that this may create jurisdictional issues but he would like those matters researched so as to know what must be done to have an ordinance such as this.

We would like to take this matter up at the next Engrossed Bills committee meeting.

MEMORANDUM

From: Barry Holden

To: Mark Williams/Bill Dreyfoos

It has been inquired as to whether "Off Premises" signs could be banned in the business district. One of the principal concerns appears to be that if no regulation is existing when the connector is built signs of this type could literally proliferate all over the business district. It seems numerous residents and several councilmembers see this type of situation as a negative one and are concerned. The initial question was what would be involved in an amending of 5-4-124 to create an outright ban on such signs. Secondly what lesser options which might allay some of the concerns expressed should be considered as well.

We would like to take this matter up at the next Engrossed Bills committee meeting.

Recreation Committee called to order 7:00 P.M.

present - Mike Sottile

Dan Watson

Heath Orin

Also present Marge Swanson

Committee members present - Tom Widkowski

- Tony

- Sharon Neal

(1.) Movie nights - were going fine until protest from Nat'l Home Video - will continue with personal movies.

(2.) Babysitting clinic - 3 days - 17 attendance

(3.) Cheer leading clinic - Aug. 13-15th - ages 5-14.

(4.) Football & Soccer registration in progress - ages 14 & under - Football 140 lbs. weight limit proposed - be fees for both with Rec. Dept. receiving 25%.

(5.) Weight watchers program suggested by Dan Watson

(6.) Electrical problems were discussed - power surges.

(7.) Camp Summershine - Stacey Wilson director

ass. Linda

ass. Laura

Laura Lomb, Heather Savage

- (7.) Budget rental van for field trip -
car pool - brings into focus Insurance liability question -
\$30 per child - road itinerary for 1 day.
stand to make 3, - 4,000 profit out of 7,000 taken in
buying a school bus - \$600 - liability issue - or
rent Stella Maris bus.
- (6.) Tennis Busters - by Natasha Barta - 840 wk.
(Tennis Camp) ages (9-12) - 3 wks. Jim Cox
- (5.) New Football Table & Copy machine - Also Nintendo Contes.
big success, computer, ^{laser} printer, new office furniture.
- (4.) Sep Island, New Jersey - has raised over \$2,000 for
Rec. dept.
- (3.) Wild Pines donated sand for volleyball court - more will
be placed in tot lot.
- (2.) Rec. Building - Gym - fans in place!
a. all new restrooms - Donforth Co. (contractor)
b. building closed Aug. 4th - ceiling to be replaced -
yellow paint.
c. bothrooms light green.
- (1.) Storage closets eaten up by termites - need to be
sprayed or replaced

(14.) Merchants Ass. Hugo Anniversary Bash - hopefully raise 10,000 - Tennis Court lights - or 5-6 smaller things - such as scoreboard, indoor soccer goals.

15. discussed Sunrise Pres Church use gym for Sun services - ^(rental free) make motion -

(16.) Make motion to buy our own bus.

(17.) Jacky Tracy painting dugouts - big thanks.

Meeting adjourned 8:05 P.M.

Respectfully submitted,
Heath Quinn - chairman

ISLE OF PALMS PLANNING & ZONING COMMISSION
JULY 11, 1990

The Isle of Palms and Zoning Commission met at City Hall on July 11, 1990 at 5:30 p.m. with members Arnold Karig, Jan Wilson, Kathryn Carroll, John Gardner and Chairman Guy Taylor in attendance. Darlene Smith and John Stanley were absent.

Chairman Taylor called the meeting to order at 5:35 p.m. and asked if there were any changes that needed to be made to the minutes. John Gardner stated that the wording "major routes to be considered for such bike paths" at the end of the first paragraph under the heading "Sub-Committee Reports" should be deleted and the wording "available parking" should be substituted in its place. Mr. Gardner moved to approve minutes of last meeting; second by Mrs. Carroll. Motion carried 5-0.

No sub-committee reports.

Plat Submittals:

1. Plat showing Lot-02, Block 10, Section "A," and a strip of land lying to the south being combined (deferred from June 15, 1990 meeting).

Mr. Taylor explained to Mr. Wannamaker, the owner, why this had been deferred; no representative or owner at previous meetings. Mr. Taylor asked that the zoning, SR-1, be placed on the plat and that the dashed line between the properties be noted as the property line to be abandoned. Mr. Taylor explained this property was being deeded to Mr. Wannamaker by the Beach Company. The small property resulted from the extension of Ocean Boulevard.

Motion to approve with changes by Mrs. Carroll; second by Dr. Karig. Motion carries 5-0.

2. Plat at Lot 7, Block Q owned by Emily B. Schiffer and half un-opened portion (of 33rd Avenue) Seabrook.

Plat deferred until next meeting due to lack of representative to speak for plat.

3. Conditional plat showing subdivision of Tract "G," Block "C," 23 lots; Tract "G," Block "B," Parcel 3 - 2 lots; Tract "G," Block "B," Parcel 4 - 6 lots; Intercoastal Court and Waterway Boulevard. Porcher.

Mr. Taylor explained that this plat was shifting six lots from Intercoastal Court to Waterway Boulevard. Mr. Taylor also explained that the new lots were required to meet the new minimum lot size of 17,500 square feet.

Bill McKenzie, representing the applicant, stated that the change in the location of these six lots was necessitated by a change in the design of the golf course to accommodate natural features in the area. The cartpath through the six proposed lots is necessary to provide access between holes.

Mr. Taylor raised legal concerns about having the cartpath run through the lots as shown. Bill McKenzie stated that they had done the legal research on this

and it would not be a problem and that it has been done in other locations inside Wild Dunes. Mr. Taylor also raised concerns about the configurations of lot 3701 and stated that he would like to have the benefit of consulting with the City's attorney, who was unavailable before this meeting, about the legal questions raised before McKenzie's recommendation to City Council. Mr. Gardner concurred.

Dr. Karrig asked if houses could be built on lots 3701 and 3703 and still meet setback requirements. Mr. McKenzie said yes.

Motion to table this matter until the next meeting by Mrs. Carroll; second by Mr. Gardner. motion carries 5-0.

4. Plat showing Tract "G," Block "A," Parcel 1 and Tract "G," Block "A," Parcel 2. Porcher.

Tabled with item 3 until the next meeting.

5. Final plat showing subdivision of The Commons; Parcel A - lots 1,2,3, and 4, Tract "E," Block "M-1." Porcher.

Norm Engard and John Fersher were in attendance representing the application. Mr. Taylor state that he remembered a plat being previously approved by the Commission for nine single-family lots in this location. Mr. Fersher stated that a conceptual plat for multi-family units was approved on November 21, 1983. Mr. Fersher stated that a conceptual plan showing building footprints was prepared in 1984 but the plans were dropped. The plat for nine single-family lots was never recorded. In July of last year a conceptual plat of the entire three acre tract was submitted and then withdrawn because of the marsh setback rule.

Mr. Fersher stated that four-townhouse units have been constructed on the four proposed lots and that this final plat is necessary to allow the developer to proceed with sales of the properties, Mr. Taylor raised concerns about why the four units were allowed to be built. Mr. Fersher stated that he had worked with city officials and obtained a building permit for the first four units on June 13, 1989.

Mr. Fersher went on to state that this plat would create four lots which would then be transferred to the owners at the townhouses. The common area will go to a homeowners association. Mr. Taylor also stated the zoning, PRD needs to be indicated on the plat.

Motion to approve by Mrs. Wilson; second by Mrs. Carroll. Motion carries 4-0 with Mr. Gardner abstaining.

6. Plat showing Tract "G," Block "J," The Harbor Course. Porcher.

Mr. Taylor stated that this plat was to distinguish the golf course property from the surrounding lots as a separate lot of record for mortgage purposes. Mr. Taylor asked that the zoning, PRD, be indicated on the plat.

Motion to approve by Dr. Karig; second by Mr. Gardner. Motion carries 5-0.

Meeting adjourned.

Respectfully Submitted,

Lee Batchelder
Planning Consultant

AN ORDINANCE TO CALL FOR A SPECIAL ELECTION REGARDING A CHANGE IN FORM OF GOVERNMENT

WHEREAS, City Council of the City of Isle of Palms, S.C. desires to serve and fulfill the desires of the voters of the Municipality to the fullest and best of their abilities.

WHEREAS, City Council of the City of Isle of Palms, S.C. has determined that the Council Form of government would best provide for accountability and harmonious government.

WHEREAS, the City of Isle of Palms, S.C. presently operates under a different form of government selected at inception of Home Rule and,

WHEREAS, City Council of the City of Isle of Palms, S.C. finds significant changes in the Municipality and its needs have occurred since that time in both governmental and non-governmental areas.

WHEREAS, THEREFORE City Council of the City of Isle of Palms, S.C. after considering the above, desires the form of government for the City of Isle of Palms, S.C. be changed to the Council Form and pursuant to Section 5-5-20 of the South Carolina Code of Laws as amended has determined the proper manner to do such is by Ordinance calling for a special election to allow voters to select for themselves the appropriate form of government Isle of Palms.

WHEREAS, LASTLY, City Council of the Isle of Palms, S.C. wishes to encourage all voters on the Isle of Palms to support its efforts to better serve them by supporting and voting for this change.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. To call for by Ordinance a special election to change the present form of government to the Council form pursuant to Section 5-5-20 of the South Carolina Code of Laws as amended.

Section 2. A Special Election shall be held as soon as allowable under South Carolina State Law for the purpose of determining the following question: "Shall the municipality of City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19 .

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Ratification:

COUNCILMEMBER JIMMY WARD'S STATEMENT TO THE CITY COUNCIL
ISLE OF PALMS, SC
JULY 26, 1990

AS COUNCILMEMBERS OUR COLLECTIVE RESPONSIBILITY TO THE CITIZENS OF THE ISLE OF PALMS IS TO GIVE POSITIVE AND INTELLIGENT LEADERSHIP. IT DEMANDS THAT WE (AND YOU) ACT NOW TO REPAIR THE PRESENT BITTERLY PARTISAN AND STALEMATED GOVERNMENT DECISION MAKING PROCESS ON OUR ISLAND. PEOPLE IN ALL AREAS OF THE CITY ARE KEENLY AWARE OF THE DEMORALIZING RESULTS OF SUCH RANCOR. INDEED, EVERY CITIZEN IS BEING ADVERSLY AFFECTED. IN THE EFFORT TO POSITIVELY ADDRESS THE FUNDAMENTAL PROBLEM, A MAJORITY OF THE CITY COUNCIL AND OVER 500 CITIZENS HAVE CALLED FOR A RESTRUCTURING OF THE RESPONSIBILITIES BETWEEN THE COUNCIL AND THE OFFICE OF MAYOR.

THIS PROPOSITION HAS BEEN DEBATED FOR SEVERAL YEARS AND WITH INCREASING INTENSITY IN RECENT MONTHS. IN 1985 MAYOR BUNCH, THEN A COUNCILMEMBER CALLED FOR EXACTLY THE SAME CHANGES AS WE ARE ADVOCATING TODAY. I WONDER IF THE 1989 MAYORAL ELECTION HAD BEEN DECIDED DIFFERENTLY IF MAYOR BUNCH WOULDN'T LIKELY BE STANDING WITH US.

THE PROBLEM IS CENTRAL TO THE SYSTEM ITSELF ESPECIALLY IN THIS SMALL TOWN WITH ITS UNIQUE PROBLEMS AND POTENTIALS. THERE ARE SO MANY EDUCATED AND EXPERIENCED PEOPLE WHO WANT TO CONTRIBUTE ON THE CITY COUNCIL AND AT VARIOUS COMMISSIONS AND BOARDS THAT THE VERY LAST THING WE NEED ON THE ISLE OF PALMS IS AN EXCESSIVELY STRONG AND EXCLUSIONARY EXECUTIVE OFFICE WHICH HAS NO LEGAL REQUIREMENT TO CONSULT THE COUNCIL OR ANYONE WHATSOEVER ON A VERY WIDE RANGE OF DECISIONS. DECISIONS THAT AFFECT THE STYLE, ESSENCE AND QUALITY OF LIFE HERE.

WHEN THERE IS AN EXCESS OF POLITICAL POWER, HISTORY HAS SHOWN TIME AND TIME AGAIN THAT THE PERSON IN THE POSITION OF POWER HAS RARELY SEEN THE NEED TO SHARE THE DECISION MAKING ROLE AND IN FACT DOES VIGOROUSLY DEFEND HIS OR HER POWER AGAINST PERCEIVED INTERFERENCE. THIS IS SUCH THE CASE NOW AND IN THE NOT SO DISTANT PAST ON ISLE OF PALMS.

MANY IMPORTANT BENEFITS WILL BE DERIVED FROM CHANGING OUR FORM OF GOVERNMENT TO A STRONG COUNCIL. FOR STARTERS, THE PERIODIC APPOINTMENTS TO OUR VARIOUS COMMITTEES, BOARDS AND COMMISSIONS WILL BE MADE BY THE ELECTED MEMBERS OF CITY COUNCIL, OF WHICH THE MAYOR WILL STILL BE A MEMBER AND ITS PRESIDING OFFICER. THESE IMPORTANT POSTS WILL NO LONGER BE FILLED WITH THE SOLE POLITICAL APPOINTEES OF THE MAYOR. THIS WILL GIVE OUR TOWN A MUCH BROADER CROSS SECTION OF CITIZEN VIEWPOINTS IN THE DECISION MAKING PROCESS. THE PRESENT SYSTEM TENDS TO PACK THESE BODIES (ESPECIALLY THE ONES WITH THE MOST RESPONSIBILITIES) WITH PERSONS WHO HAVE ALLEGIENCE ONLY TO THE MAYOR. NEXT, THE MAYOR WILL RETAIN SPECIFIED ADMINISTRATIVE POWERS BUT WILL NOT BE ABLE TO FIRE CITY EMPLOYEES AT WILL. THE ADVICE AND CONSENT OF A MAJORITY OF THE COUNCIL WILL BE REQUIRED FOR MAJOR PERSONNEL ISSUES. THIS WILL REMOVE THE POTENTIAL FOR THE POLITICAL REWARD AND RETRIBUTION ABUSES THAT HAVE BEEN LEVIED AGAINST THIS ADMINISTRATION AND ITS PREDECESSOR.

THESE AND OTHER CHANGES WILL REMOVE THE PARALYZING PROBLEM OF A MAJORITY VOTE BY THIS OR FUTURE COUNCILS BEING REFUSED OR EFFECTIVELY VETED BY ONE PERSON, A MAYOR WHO HAS MORE POWER THAN THE EIGHT MEMBERS COMBINED ON THE COUNCIL. A MORE DEMOCRATIC MAJORITY RULE IS THE RESULT. WE HAVE AN EXCEPTIONALLY HIGH LEVEL OF CITIZEN EXPERIENCE, EDUCATION AND INTEREST. LETS WELCOME ALL OF THESE PEOPLE AND PUT THEM TO WORK--NO MATTER WHO THEY SUPPORTED FOR MAYOR AND CITY COUNCIL!

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-10
Third Reading Draft - 7/26/90

AN ORDINANCE TO REQUIRE REGISTRATION OF THE LOCATIONS OF
CONTAINERIZED GAS TANKS ...

WHEREAS, City Council finds that leaking propane and other gas tanks created a major safety hazard immediately following Hurricane Hugo; and

WHEREAS, the City's Emergency Preparedness Committee has recommended that the location of all containerized gas tanks be mapped, to facilitate the resolution of such a safety hazard if another hurricane hits the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public safety pursuant to Section 5-7-30, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to require the registration of the locations of containerized gas tanks.

Section 2. New Sections Created

A new Chapter 3, Containerized Gas Tanks, is created and added to Title 2 of the City Code.

New Sections 2-3-1 and 2-3-2 are created, to read as follows:

CHAPTER 3

Containerized Gas Tanks

Sec. 2-3-1 Preparation of Containerized Gas Map

The Fire Chief is hereby directed to prepare a map of all propane and other containerized gas tanks in use within the City. Said map shall be used by the Fire Chief to identify the locations of potential public safety hazards in the event of hurricane or other disaster.

Sec. 2-3-2 Registration of Containerized Gas Locations

(a) The owners of all gas appliances and heating systems fueled by propane or other containerized gas shall register with the City Fire Department the addresses where such containerized gas tanks are permanently located. Registration shall be made on forms to be provided by the Fire Department.

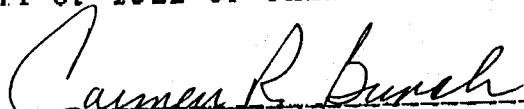
Registration shall not be required for gas barbeque grills, camping equipment or gas tanks with capacity of less than 150 gallons.

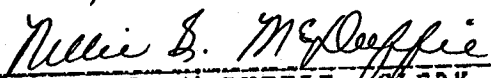
(b) To facilitate the City's identification of the location of containerized gas tanks, each individual or company engaged in the business of installing, filling or repairing containerized gas tanks or appliances within the City shall provide a yearly report by June 1 of each year to the City Fire Chief that identifies the types and locations of containerized gas tanks installed, filled or repaired. Such reports shall be filed on forms to be provided by the Fire Department. Registration shall not be required for gas tanks with capacity of less than 150 gallons.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26 DAY OF July, 1990.


CARMEN R. BUNCH, MAYOR


NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:	5/24/90
Second Reading:	6/28/90
Third Reading:	7/26/90
Ratification:	7/26/90

APPENDIX M

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-13
First Reading Draft - 7/2/90

AN ORDINANCE TO CLARIFY REQUIREMENTS IN THE CITY'S GENERAL
COMMERCIAL ZONING DISTRICTS

WHEREAS, City Code Sections 5-4-26 and 5-4-27 set forth the requirements for permitted uses in the City's two general commercial zoning districts; and

WHEREAS, in both Sections, the sale or rental of merchandise is limited to the premises, and without outdoor use except as specified; and

WHEREAS, the term "premises" is not defined, and has been the subject of some confusion in the interpretation and administration of the City's zoning requirements; and

WHEREAS, City Council wishes to clarify the meaning of this requirement in order to resolve such confusion; and

WHEREAS, City Council is authorized to amend the City's zoning ordinance pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this Ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to clarify requirements in the City's general commercial zoning districts.

Section 2. Zoning requirements amended. The following sentence is added at the beginning of City Code Sections 5-4-26(2) and 5-4-27(2), prior to the enumeration of permitted uses:

All permitted uses shall occur within the primary structure situated on the lot, unless otherwise specified.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to

Ordinance No. 1990-13

First Reading Draft

7/2/90

Page 2

be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Public Hearing:
Second Reading:
Third Reading:
Ratification:

APPENDIX N

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-15
First Reading Draft - 7/26/90

AN ORDINANCE TO REGULATE THE HEIGHT AND LOCATION OF FENCES ON ALL PROPERTY ON THE ISLE OF PALMS

WHEREAS, the City wishes to regulate fences on the Island for the purposes of maintaining the open vistas, of preventing obstruction of breezes and of lessening the effects of uprooted fences during storms, and

WHEREAS, the such regulation would constitute an amendment to the City's zoning ordinance, and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to regulate the height and location of fences on all property on the Isle of Palms.

Section 2. New Section Created. A new Section 5-4-19 is added to the City Code, to read as follows:

Section 5-4-19 Fence Regulations.

a. Definition of a fence: A fence is any man-made barrier that impedes or blocks free physical passage of humans or animals. If may or may not block line-of-sight vision or free flow of wind or water.

b. No fence which exceeds four feet in height may be located beyond the front or rear setback line of a lot, unless such portions of the fence which exceed four feet in height are made of two inch by two (or greater) inch wire fabric fence with the total height of the fence not exceeding eight feet.

c. In a residential zoning district, no fence shall be located along any major or minor street (whether along the boundary lines, or within the boundary lines of any lot), which exceeds four feet in height, unless such portions of the fence which exceed four feet in height are made of two inch by two (or greater) inch wire fabric fence with the total height of the fence not exceeding eight feet.

Ordinance No. 1990-15
First Reading Draft
7/26/90

d. No fence shall be located along a public access to the beach (whether along the lot's boundary lines, or within the lots) which exceeds four feet in height, unless such portions of the fence which exceed four feet in height are made of two inch by two (or greater) inch wire fabric fence with the total height of the fence not exceeding eight feet.

e. Notwithstanding the prohibitions of paragraphs B through D above, fence not to exceed eight feet in height may be located along any lotline boundary dividing a commercial and residential zoning district.

f. All fences surrounding swimming pools must be six feet in height, and be in compliance with all other paragraphs of this Ordinance.

g. In addition to those fences prohibited or regulated by paragraphs B through F above, all fences exceeding eight feet in height are prohibited.

h. Nothing contained herein shall be deemed to modify the requirements of visibility at street intersections as specified in Section 5-4-13 of the City Code.

i. Any fence so existing as of the ratification of this Ordinance shall be considered a legal, nonconforming, pre-existing condition. Upon any such nonconforming fence being destroyed and/or damaged beyond repair (including falling into a state of disrepair due to lack of maintenance), such fences, or portions of fences, being replaced shall fully comply with all of the terms and conditions of this Ordinance.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Ordinance No. 1990-15
First Reading Draft
7/26/90

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____
Public Hearing: _____
Second Reading: _____
Third Reading: _____
Ratification: _____

RESOLUTION

WHEREAS, support of economic development in the City of Isle of Palms is an objective of this locality and this action documents our Needs Assessment finding as it relates to economic development; and

WHEREAS, Island Clipper will purchase equipment; Isle of Palms Marina will purchase land; Island Air Heating and Air will purchase and renovate a facility; James Ward CPA will purchase equipment and use for working capital. All businesses will provide jobs and additional tax revenues; and

WHEREAS, said businesses will be located in the City of Isle of Palms and will hire people locally.

NOW, THEREFORE, BE IT RESOLVED that the City of Isle of Palms supports the efforts of the above-mentioned businesses to collectively obtain \$516,180 from JEDA in loan funds from the South Carolina Jobs-Economic Development Authority to carry out its efforts.

BE IT ADDITIONALLY RESOLVED that the City of Isle of Palms will request funds through the South Carolina Jobs-Economic Development Authority to provide the defined financing need for the indicated purposes.

BE IT ALSO RESOLVED that the City of Isle of Palms shall submit separate application collectively totalling \$516,180 from the Jobs-Economic Development Authority and authorize Carmen R. Bunch, in her capacity as Mayor, to sign and submit the necessary application materials.

ADOPTED THIS 26th DAY OF JULY, 1990 .

Carmen R. Bunch, Mayor

ATTEST: _____
Nellie S. McDuffie
Clerk/Treasurer

MEMBERS OF CITY COUNCIL

Barry Holden

Heath Orvin

Melinda NesSmith-Picard

Jeffrey Simon

Margery Simon

Jimmy Ward

Michael Sottile

Dan Watson

(SEAL)

METHOD OF PAYMENT

COMPANY	PAYMENT UPON SIGNING OF CONTRACT	PAYMENT UPON DELIVERY	DELIVERY TIME	MEETS SPECS
Emergency One	189,565.79	204,317.00	10 mos.	yes
Kovatch	189,700.00	202,162.00	10 mos.	no
FMC	207,612.00	207,612.00	60 days	no
Pierce	213,775.00 approx.	228,775.00	11 mos.	no

AN ORDINANCE TO AMEND THE CITY OF ISLE OF PALMS' ZONING ORDINANCE

WHEREAS, pursuant to Sections 6-7-510 et. seq. and Sections 5-23-10 et. seq. of the South Carolina Code of Laws, 1976, as amended, the City of Isle of Palms has adopted a Comprehensive Plan to guide and coordinate the future growth and development of the City; and

WHEREAS, various problems and inconsistencies with the city's present zoning in some areas and the objectives of the planning Commission, City Council, the presently properly adopted Comprehensive Plan, and the public input received prior to its adoption have become apparent following the events of Hurricane Hugo. Such problems having clearly existed but been overlooked and only now being easily identifiable due to large scale rebuilding and redevelopment following Hurricane Hugo.

WHEREAS, the creation of a waterfront classification (WF) would assist in the goal of low density residential housing in areas where the lowest possible density meets legitimate goals of the City under its present Comprehensive plan including but not limited to, (1) all those naturally associated with low density single family residential neighborhoods, (2) preservation of environmental interest by limiting use of land in sensitive areas, (3) preserving the aesthetic character of a Island community by maximizing air flow, breezes and view of water from and to other areas of the City.

WHEREAS, following extensive preparation and public input, including a public hearing held pursuant to Section 6-7-530 of the South Carolina Code of Laws, 1976, as amended, the City's planning Commission has prepared proposed amendments to the City's Zoning Ordinance, and a new Zoning map based on said amendments, and has submitted said proposed amendments to City Council for approval; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

The attached map indicates in Red the areas determined appropriate for classification in a new Waterfront Zoning District.

AND...

The following sections and modifications to existing sections of the Isle of Palms Code of Ordinances are hereby made:

(1) Section 5-4-21 is amended to add as item Number 9 the following:

(9) WF Waterfront District

(2) New Section 5-4-24 is hereby created as follows:

Sec. 5-4-24 WF - Waterfront District

In addition to all other requirements mandated by this chapter and other city ordinances, the requirements for the WF district shall be as follows:

Section 1. Purpose.

(a) To provide for quiet, low density residential neighborhoods on lots having an area of 25,000 square feet or more.

(b) To require sensitive development in waterfront areas likely to be affected adversely by intensive development.

(c) To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single family use.

(d) To encourage the cessation of non-conforming uses.

(e) To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

Section 2. Permitted Uses.

All uses permitted in the SR-1 district.

Section 3. Conditional Uses.

All conditional uses permitted in the SR-1 district.

Section 4. Minimum Lot Requirements

- (a) Lot Area: 25,000 square feet
- (b) Lot Width: Same as SR-1 District
- (c) Lot depth: Same as SR-1 District
- (d) Lot frontage: Same as SR-1 District

Section 5. Minimum Yard requirements

Same as SR-1 District

Section 6. Maximum Height: 40 feet

Section 7. Maximum Building Footprint to Lot Size Ratio: 40%

Section 8. Double frontage lots shall be prohibited.

Section #. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section #. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:

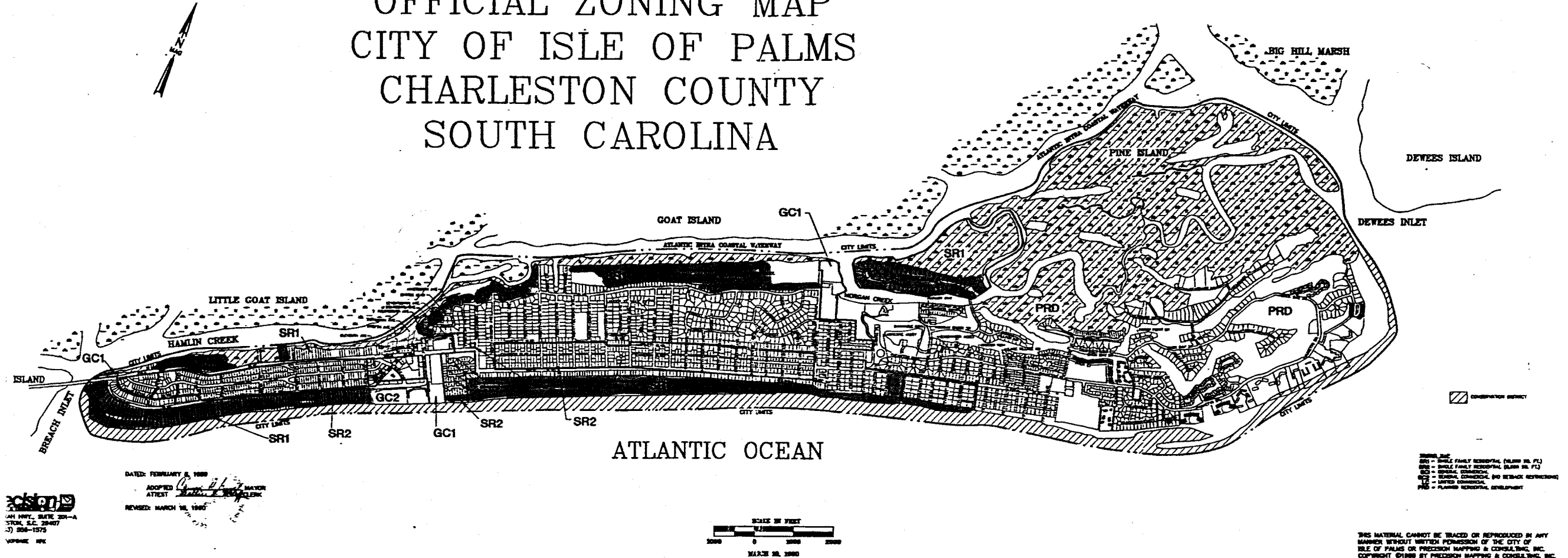
Public Hearing:

Second Reading:

Third Reading:

Ratification:

OFFICIAL ZONING MAP CITY OF ISLE OF PALMS CHARLESTON COUNTY SOUTH CAROLINA



MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JULY 31, 1990

A special meeting of the Isle of Palms City Council was held on July 31, 1990 at City Hall. Mayor Bunch called the meeting to order at 7:00 p.m. with Council members Holden, NesSmith-Picard, Swanson, Ward and Watson present. Council members Orvin, Simon and Sottile were absent. Also attending were City Administrator Mark Williams, Clerk/Treasurer Nell McDuffie and Secretary Loretta Barnhill.

Representatives from Charleston County Parks and Recreation Commission included F. Lamarr Wiley, Chairman, Tim Eubanks, Harry Shaw, Reid Anderegg, Robbie Freeman, Betty Wannamaker and Eddie Taylor.

The Mayor advised that this worksession had been called at the request of Willem Smit, Chairman of the Citizens' Advisory Committee, who had been working with residents and PRC members to develop criteria for County park.

Mr. Smit briefed Council concerning activities of the Citizens' Advisory Committee. Mr. Wiley of PRC advised that the members of the staff and commission would be glad to answer any questions during this time concerning development of the proposed park.

Mr. Eubanks displayed four architectural concepts for the park with the following parking alternatives: (1) 551 paved parking spaces; (2) 312 paved parking spaces; (3) 369 parking spaces (229 paved, 140 grass); (4) 350 parking spaces (175 paved, 175 grass). All four concepts have vegetation buffers, showers and restrooms.

Robert Nuttall, President of Beachside Homeowners, stressed concern of residents for "no parking" as well as adequate buffers.

Council members and residents discussed, suggested and/or recommended such issues as traffic congestion, placement of parking spaces; "no parking" until need is warranted, possibly upon completion of Connector; PRC taking over City parking lots and debt of same; cost to Isle of Palms residents (i.e., loss of revenue on parking lots, loss of tax revenues when property is no longer commercial; extra police for security, etc.); zoning; water retention ponds.

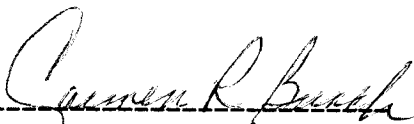
Council was advised that a PRC telephone survey of some 600 area residents (excluding the Isle of Palms) showed that 69% were willing to have a tax increase to pay for the property, 21% were opposed and 10% undecided. This survey showed that 60% of the Isle of Palms residents were opposed on the same question.

Chairman Wiley advised that "... commission will honor as many of the City's wishes as it possibly can ... whatever can be done within the framework of doing the total job of the commission". Mr. Eubanks advised that 350 parking spaces are needed to make the park self-sufficient, also advising of the possibility of a ranger service to provide park security in the future.

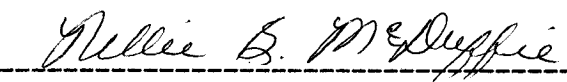
After further discussion, it was decided that Council members and residents would submit suggestions and recommendations to the PRC by August 9, 1990 for consideration by the commission. Mayor Bunch suggested that a representative from Beachside Homeowners Association join the Citizens' Advisory Committee, recommending Robert Nuttall. Mr. Nuttall advised that he would be glad to serve but would have the association select a representative.

There being no further discussion, meeting adjourned at 9:15 p.m.

APPROVED:


Carmen R. Bunch, Mayor

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

MINUTES OF SPECIAL COUNCIL MEETING OF AUGUST 6, 1990

A special meeting of the Isle of Palms City Council was held on August 6, 1990 at 7:00 p.m. at City Hall. Present were Council members Holden, NesSmith-Picard, Simon, Sottile, Ward and Watson. Council member Orvin arrived late and Council member Swanson was excused. Also attending were City's Attorney Bill Dreyfoos, City Administrator Mark Williams, Clerk-Treasurer Nell McDuffie, and Secretary Loretta Barnhill.

A. EXECUTIVE SESSION

Mayor Carmen Bunch called the meeting to order and advised that Council needed to receive legal and contractual advice from the City's Attorney, asking for motion to enter Executive Session. Motion made by Council member Sottile; second by Council member Simon. Motion carried.

Coming out of Executive Session, the Mayor advised that no action was taken.

B. ACQUISITION OF ISLE OF PALMS WATER COMPANY

Mayor Bunch advised that she had called a special meeting of the Council after receiving a letter from Charles Way, President of The Beach Company, in which he advised her that the expected sale of the Isle of Palms Water Company to the Mt. Pleasant Waterworks and Sewer Commission should be completed by September 30, 1990.

The Mayor requested a motion that the City meet with Charles Way to discuss the City's interest in acquiring the water system. Council member Sottile so moved; second by Council member Orvin.

Discussion ensued in which several council members voiced positive comments about the City's acquisition of the water system. When called for the question to meet with Charles Way, motion carried.

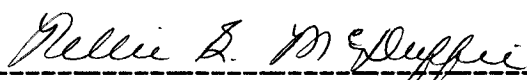
C. AN EMERGENCY ORDINANCE TO RESTRICT THE USE OF JET SKIS WITHIN THE CITY OF ISLE OF PALMS (See Attached as Appendix A)

Council member Ward moved to accept Emergency Ordinance 1990-18.E; second by Council member Orvin. Council discussed numerous problems and complaints received concerning jet skis and how best to address them. Rather than outright prohibition, means of regulating the jet skis were discussed that would possibly improve the safety and minimize complaints from boaters, swimmers and fishermen.

Emergency Ordinance 1990-18.E was then read which widened the distance jet skis must maintain from the front beach from 150 yards to 250 yards. When called for the question, motion to accept passed.

Council member Ward moved to adjourn; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

APPENDIX A

CITY OF ISLE OF PALMS
EMERGENCY ORDINANCE NO. 1990-18.E
Adopted 08/06/90

AN EMERGENCY ORDINANCE TO RESTRICT THE USE OF JET SKIS WITHIN THE CITY OF ISLE OF PALMS

WHEREAS, City Code Sections 7-3-6 and 7-3-7 restrict the use of jet skis within the jurisdiction of the City of Isle of Palms; and

WHEREAS, City Council finds that jet skis continue to be operated recklessly and in close proximity to other recreational uses, thereby endangering the safety of individuals using the beach and the waters of the City; and

WHEREAS, City Council further finds that serious accidents involving the use of jet skis have continued to occur;

WHEREAS, City Council believes it has a responsibility to the City's residents and visitors to protect them from the proven and unwarranted danger resulting for the use of jet skis within the City; and

WHEREAS, City Council is authorized to adopt emergency ordinances affecting the health and safety of the people pursuant to Section 5-7-250 of the South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This emergency ordinance is adopted to protect the health and safety of persons using the waters of the City of Isle of Palms for recreational purposes.

Section 2. Section 7-3-2 Amended.

In Section 7-3-2(1) of the City Code, the figure "150 yards" is changed to read "250 yards".

Section 3. Section 7-3-7 Amended.

The following new Subsection is added to Section 7-3-7 of the City Code, to read as follows:

(d.) In Breach Inlet, Dewees Inlet, Hamlin Creek and the Intracoastal Waterway, the use and operation of jet skis shall be limited to the area shown in Exhibit "A", in order to minimize the creation of safety hazards between users of jet skis and persons engaged in swimming, wading, crabbing, fishing and similar recreational pursuits.

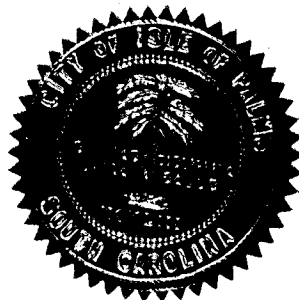
Section 4. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set or circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date

This ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS OF THIS 6TH DAY OF AUGUST, 1990.



CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. MCDUFFIE, CLERK/TREASURER

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF AUGUST 13, 1990

A special meeting of the Isle of Palms City Council was held on August 13, 1990 at City Hall. The meeting was called to order at 6:00 p.m. by Mayor Carmen Bunch with Council members Holden, NesSmith-Picard, Simon, Sottile, Swanson and Ward present. Council members Orvin and Watson were absent. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk-Treasurer Nell McDuffie and Secretary Loretta Barnhill.

Others attending included Charles Way, President of The Beach Company (owner of the Isle of Palms Water Company); Jim Matthews, employee of The Beach Company; Bill Rowell of DHEC; Marvin Ruddy of Muckenfuss & Associates, the City's accounting firm; Mark Yodice of Thomas & Hutton Engineering who are conducting the wastewater survey for the City; Mickey Seabrook of E.M. Seabrook, engineers for The Beach Company; Timmy Griffin, manager of the Isle of Palms Water Company; Bachman Smith of Sinkler & Boyd, attorneys for The Beach Company; Guy Taylor, chairman of the Isle of Palms Planning & Zoning Commission and commission members Kathy Carroll, Arnold Karig and John Stanley.

The Mayor gave an update on discussions through the years concerning the possible acquisition by the City of the water company before introducing Charles Way. Mr. Way advised Council of his understanding of the situation, stating that discussions with the City started some fifteen years ago when first mention was made about the City's purchase of the water company. Advising that an agreement had been reached some three weeks ago between The Beach Company and Mt. Pleasant Waterworks, Mr. Way stated that price, terms and assets to be sold have been agreed upon.

Stating that it would cost close to \$2,000,000 to bring the Isle of Palms Water Company in compliance with the Safe Drinking Water Act, a sum in addition to the acquisition cost, Mr. Way cited some of the expenses involved in operating a reverse osmosis system, but advised that Mt. Pleasant Waterworks has the expertise and manpower to operate such a system. While costs of \$4.75 - \$5.00 per/thousand gallons of water may be expected if The Beach Company were to continue providing the service, Mr. Way advised that Mt. Pleasant could offer rates of approximately \$3.60 per/thousand gallons.

Mr. Way further advised that it was his understanding that Mt. Pleasant would operate the sewer system under the wastewater plan currently being designed for the Isle of Palms, stating that the Island would be sewered only as requested or required by the City. With reference to the franchise agreement which would be required between Mt. Pleasant and Isle of Palms, Mr. Way stated that adherence to the stipulations contained in such an agreement would be required.

Advising Council of the two reasons The Beach Company wants and intends to sell the water company to Mt. Pleasant, Mr. Way stated (1) the day of the small water company operator is over because of the necessity of a large customer base, the required expertise, and expensive manpower; and (2) whoever owns the water company must spend some \$2,000,000, as previously mentioned, and The Beach Company will not commit family assets of this magnitude to the water system.

Billy Rowell of the Department of Health and Environmental Control, in agreeing with the statements of Mr. Way, advised Council that the water company was under a consent order for flouride violation. Mr. Rowell further advised that the Safe Drinking Water Act is causing expensive changes and is impacting all water systems, stating that water rates may be expected to triple and quadruple; further expressing his belief that the larger companies will be able to provide water/sewer much more reasonably than small companies. Explaining

that DHEC wants to see this situation resolved as quickly as possible, Mr. Rowell advised that the water company's conformance to the Safe Drinking Water Act was expected by his agency in some fifteen months or so.

Mark Yodice of Thomas & Hutton Engineers stated that problems exist all along the coast, requiring more testing, more paperwork, etc.; therefore, rates are going up accordingly. Stating that the systems on the Island are old and were damaged by Hugo, Mr. Yodice agreed that the cost of upgrading would be in the neighborhood of \$2,000,000.

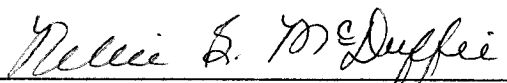
Marvin Ruddy expressed concern for the cost of acquisition, operation and maintenance of the system, stating that in his opinion, Mt. Pleasant can operate the system less expensively.

Council members voiced concern over the costs involved, but cited need for input and control, particularly regarding sewer expansion. Guy Taylor and John Stanley, members of the Planning Commission, expressed the need to sewer the Island, citing the existing problems in some low-lying areas with septic tanks.

The Mayor mentioned the possibility of a town meeting at which time residents could hear what the experts have to say about the water company situation, but recommending that Council should take initiative since the people have entrusted the decision to their elected officials. Council member NesSmith-Picard asked could the attorney draft a franchise agreement for Council's consideration. Council member Ward inquired if a worksession could be held with accountants so figures could be seen. After further discussion, it was agreed that Attorney Dreyfoos would contact the necessary parties for the purposes of discussing a franchise agreement.

There being no further discussion, Council member Simon moved to adjourn; second by Council member Swanson. Motion carried and meeting ended.

Respectfully Submitted,


Nellie S. McDuffie, Clerk/Treasurer

APPROVED:


Carmen R. Bunch, Mayor

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 23, 1990

A. INTRODUCTION OF MEETING

The regular monthly meeting of the Isle of Palms City Council was held on August 23, 1990 at the Exchange Club. Mayor Carmen Bunch called the meeting to order at 7:00 p.m. with Council members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward and Watson present. Council member Orvin arrived late. Also attending were City Administrator Mark Williams, City's Attorney Bill Dreyfoos, Clerk/Treasurer Nell McDuffie and Secretary Loretta Barnhill. Following the Pledge of Allegiance, Rev. Milt Eblen had the invocation.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. July 6, 1990 - Special City Council Meeting
2. July 11, 1990 - Special City Council Meeting
3. July 26, 1990 - Regular City Council Meeting
4. July 31, 1990 - Special City Council Meeting
5. Aug. 13, 1990 - Special City Council Meeting

Motion to approve as submitted made by Council member Swanson; second by Council member Watson. Council member Ward asked that July 26, 1990 minutes, page 2, section D(4), be changed to read "life jackets" rather than helmets. When called for question to approve with wording change, motion carried unanimously.

C. CITIZENS' COMMENTS

1. Green Light Committee - Regional Transportation Authority

Motion to suspend rules of order and procedure to allow Council to consider request and vote following presentation by the Green Light Committee made by Council member Ward; second by Council member Simon. Motion carried.

Mr. William Youngblood, representing the Green Light Committee, advised that the Committee had commissioned and received a final transportation study, copies of which were in possession of Council (See Attached as Appendix A). Findings were based on pre-approved participation of seven governmental bodies under the Regional Transportation Authority. Council member Ward moved to accept Resolution as presented; second by Council member Sottile.

On discussion, Council member NesSmith-Picard asked if Isle of Palms would be included even if voters rejected the idea in the November General Election and was advised by Mr. Youngblood that they would. Council member Holden asked could the Isle of Palms get in later and was advised by Youngblood that while such might be possible, it was not guaranteed, stating that admission would perhaps be dependent on geographical location, stating that Authority would have to vote to allow entry of any community and voters of subject community would have to elect to do so.

Mr. Ward stated that this was simply a matter of the Council voting to allow the residents to decide. Council member Swanson expressed concern that Isle of Palms voters would not have final sayso but could be out-voted by voters in other areas. Voicing further concern over vehicle fee, Mrs. Swanson asked

about impact when SCE&G pulls out. Mr. Youngblood advised that if subsidized for five years, it was believed, and the feasibility study indicated, that the system would become self-supporting, further stating that the opportunity for dissolution of the Authority will be available if system is not viable. Council members Holden and Watson expressed concern that Island residents would vote it down, but Isle of Palms would be locked in because of provision that does not allow for getting out if majority of area voters agree to establishment of the Authority.

Council member Ward stated that many residents will benefit, particularly those afraid to drive across the bridges, stating it was presumptuous for Council to make such a decision for the people. Citing research that has been done for years, Mr. Ward stated he hoped Council would allow the people an opportunity to vote. Mrs. NesSmith-Picard expressed opposition to the plan, saying she preferred to develop a "wait and see" attitude. Mayor Bunch pointed out the large number of senior citizens who will become more and more dependent on bus transportation, asking Council to consider the good it could do for those who need it.

Council member Sottile stated that, many years ago, there was a tough fight to get the bus service to the Island and felt the people should decide what was best. Mr. Youngblood explained that the feasibility study had been done based on agreement of seven named bodies, advising that there might be a delicate legal problem if Isle of Palms opts out, stating that the opportunity might be killed. Council member Simon stated he did not appreciate \$20 vehicle fee; however, the Island does benefit from being linked into mass transit system, mentioning the advantage of mass transit being available to the beaches as traffic becomes heavier. Council member Orvin commented that he very much appreciated the bus system, having been forced in the past to utilize the service.

When called for the question, motion to accept Resolution, roll call vote: Holden, yes; NesSmith-Picard, no; Orvin, yes; Simon, yes; Sottile, yes; Swanson, no; Ward, yes; Watson, no; Bunch, yes. Motion carried 6 - 3.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means - Chairman Swanson read minutes of last meeting (See Attached as Appendix B). Mayor Bunch advised of Hugo celebration planned for September 22, sponsored by the Commerce Association, with money raised to be used for improvements at the recreation center. The Mayor asked for approval of Council to waive parking fees at the municipal parking lots on that day. Council member Ward moved that the City allow the use of municipal parking lots on September 22 free of charge with the condition that benefits go to the recreation department; second by Mrs. Swanson. Motion carried unanimously.

2. Police & Public Safety - Chairman Simon read minutes of last meeting (See Attached as Appendix C). Mayor Bunch read letter from Judge Michael O'Dowd advising of his resignation as Municipal Recorder. The Mayor told Council that the City's Associate Judge Jeanette Harper had agreed to serve through the end of the year, citing that appointments are made annually in January. Advising that she would have to sign Agreement with Charleston County, the Mayor asked for Council's approval to execute the document. Council member Swanson so moved; second by Council member Simon. Council member Ward asked to have vote postponed until after Executive Session. Motion to vote after Executive Session carried.

3. Public Works - Chairman Ward read minutes of last meeting (See Attached as Appendix D).

4. Engrossed Bills - Chairman Holden read minutes of last meeting (See Attached as Appendix E). Mayor Bunch asked the City's Attorney to attend the next meeting of Engrossed Bills so that several items could be discussed, also asking full Council to meet with Engrossed Bills Committee.

Council member Ward moved to suspend rules of order and procedure and allow Guy Taylor, Chairman of Planning & Zoning, to answer questions of Council; second by Council member Holden. Motion to suspend carried.

Council member NesSmith-Picard inquired about submittal of cover sheet which has been requested with each plat presented to Council. Mr. Taylor advised that prior to providing such information, subdivision regulations should be in effect, stating that such should be forthcoming in the near future. Council member Simon asked that a brief comment be attached explaining purpose of plat.

5. Recreation - Chairman Orvin read minutes of last meeting (See Attached as Appendix F). Attorney Dreyfoos advised that proposed wording for swimming pool referendum had been given to Council for consideration (See Attached as Appendix G), stating that zoning would have to be changed to allow for private pool in SR-1 zoning district. Mr. Dreyfoos further advised that the question must be submitted to the State Election Commission by September 1 for inclusion in the general election. Motion to approve Question 1 on sheet furnished by attorney made by Council member Holden; second by Council member Ward.

On discussion, Council member Orvin stated that he was disappointed to learn that Council was faced with the possibility of not having room on the ballot. Attorney Dreyfoos advised that since this was a state organized general election, the City would have to obtain permission of the State Election Commission and possibly the County Election Commission in order to place the municipal issues on the ballot. Dreyfoos said that this was not necessarily an obstacle to holding the referendum because the municipal issues could be decided on a separate machine or paper ballot if there is not sufficient room on the state ballot. Council member Ward, in commenting about the hard work Mr. Orvin had done on the swimming pool, cited the numerous obstacles the issue has faced and moved to amend Mr. Holden's motion to specify the sale of up to one and one-half (1.5) acres of land; second by Council member Orvin. Mr. Ward further stated that zoning change would not have to go to referendum, saying that Council could make that decision.

Council member NesSmith-Picard stated that Question 1 would be sufficient, agreeing that the zoning question did not need to be on the ballot. Mr. Orvin said that the swimming pool was not a commercial venture, but a non-profit community pool, the construction of which would offer Island children the opportunity to learn to swim, participate on competitive swim teams, as well as offer facilities to senior citizens. Mayor Bunch advised that City Hall would be expected to answer questions concerning the pool, asking was information available about location, cost, parking, etc. Mr. Ward stated that the pool would belong to a private association and as such the City was not involved. Mr. Orvin advised that the association wished to purchase 1.5 acres on 29th Avenue side of the recreation grounds, but would take 1.5 acres anywhere they could get it. Mr. Holden stated that the bottom line was could the land be obtained from the City, saying that the other questions could be answered later.

When called for the question of approving Question 1 ("Should the City of

Isle of Palms sell up to 1.5 acres of property at the City Recreation Department grounds [TMS #571-05-00-141] to a private association, comprised primarily of Isle of Palms residents, for use as a swimming pool by the association's members. /Yes/ /No/), roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Simon, yes; Sottile, yes; Swanson, yes; Ward, yes; Watson, yes; Bunch, yes. Motion carried unanimously.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - (See Minutes Attached as Appendix H.)

Administrator Williams reported to Council of variance request for mobile bathroom facility on front beach, advising the such was granted and stating that placement of such a facility would now be a decision of Council. Mr. Williams, in response to question from Council member Holden, advised that FEMA would require elevation of the structure and handicapped access would also be mandatory. Mayor Bunch advised that she had asked the Building Inspector for a permit for permanent facility. The Mayor also advised that it may be some 180 days before revised flood zone maps will be available and new flood zones will be in force.

2. Planning Commission - (See Minutes Attached as Appendix I and Appendix J.)

In the absence of Lee Batchelder, Planning Consultant, Administrator Williams advised of Commission's recommendations.

(a.) Plats Received:

(1.) 1990-30 - Plat of Tract "C", Block "A", Wild Dunes.

Council member Ward moved to accept Plat 1990-30; second by Council member Orvin. Motion to accept carried.

(2.) 1990-31 - Plat Showing Tract "G", Block "A", Parcel 1, and Tract "G", Block "A", Parcel 2, Wild Dunes.

Council member Ward moved to accept Plat 1990-31; second by Council member Orvin. Council member Holden expressed that he did not like the plat, but since it conformed to all requirements, he was forced to accept. When called for the question, motion to approve carried with "no" votes by Council members Swanson and Watson and Mayor Bunch.

(3.) 1990-32 - Conditional Plat Showing Subdivision of Tract "G", Block "C" - 23 Lots; Tract "G", Block "B", Parcel 3 - 2 Lots; Tract "G", Block "B", Parcel 4 - 6 Lots. Intracoastal Court and Waterway Boulevard.

Council member Ward moved to accept Plat 1990-32; second by Council member Sottile. On discussion, Council member NesSmith-Picard asked if note was necessary for road at Intracoastal Court and was advised that roads are being developed to highway department standards. Bill McKenzie, representing Wild Dunes, advised that final plat would contain all notes. Council member Simon asked about S.C. Coastal Council critical line on Lot 3701, questioning if such lot was buildable. Mr. Williams responded that the lot was buildable. Council member Watson asked if lot sizes were being reduced by golf cart easement and was advised by Williams that this easement was similar to other lots with utility easements. Attorney Dreyfoos advised that from a legal standpoint, there was no difference in easements. Mr. Holden asked to go on record as not liking this

plat, but, once again, because it met all the City's requirements, he has no option but to vote to accept. When called for the question, motion to accept carried with "no" votes by Council members Swanson and Watson and Mayor Bunch.

3. Building Committee - (See Minutes Attached as Appendix K and Appendix L.)

Administrator Williams advised that Committee had recommended that the Public Works Building be located 30 feet closer to Connector right of way, showing drawing to Council. He stated that architect could easily revise site plan if Council approves, but advising there would be some additional cost if Public Works Building is bid separately.

Administrator Williams further advised that Jay Clingman, State Forester, had informed him that most of the trees on the Public Works property are not salvageable, indicating site plan showing some 67 trees which have been so identified, but stating that most of the trees along the buffer and adjacent to neighboring lots will remain unmolested. Mr. Williams advised that FEMA has approved the project for removal of dead/dying trees on public property, identifying those areas as follows: City Hall property - 67 trees; Recreation Department grounds - 46 trees; Forest trail area - 36 trees; Hartnett Boulevard - 13 trees.

Council member Ward made motion that Council grant Administrator Williams permission to go to bid for removal of trees on all property so designated; second by Council member Swanson.

Mr. Williams advised that FEMA had somewhat reneged on the agreement to pay rent on police and fire trailers, stating that the City was picking up the tab of some \$3000 per month. Mayor Bunch stated that the City must do something about police and fire facilities as well as public works. The Administrator stated that FEMA has said all trailers must be elevated to base flood elevation or be removed from the Island immediately, advising that two City trailers do not meet FEMA requirements; i.e., fire trailer at Citadel Beach House (some 4" short) and public works trailers (some 10" short), and stating that he had advised FEMA that the City was going to ask for a variance.

Mayor Bunch asked for Council decision about bidding entire project (Police, Fire and Public Works) or bidding separately on Public Works, advising that restroom facilities need to be bid as well since construction should begin this fall for spring completion.

Council member Orvin made motion that Council give Administrator Williams authority to go to bid on Public Works Building; second by Council member Ward. Mr. Williams advised that his objections to purchase and construction of second hand building was that any change in specs would result in higher cost. Council member NesSmith-Picard stated that she wanted to see comparison bids, but emphasizing her intent that no more money be spent now asked that "ball park" figures be obtained, perhaps by telephone, from prospective contractors. Council member Ward stated that he had spent a great deal of time and research on this project and that intent of Committee was to go out to bid as soon as possible.

Council member Holden stated that the used building was larger and could be completed in some 30 days, further stating that he hoped this was the last step toward getting the project underway. Stating that he wanted to see the Public Works Building up as quickly as possible, Mr. Holden pointed out that he was most interested in the residential quality of life in the neighborhood of Oak Harbor and 13th Avenue.

Council member Swanson moved to amend the motion to give the Administrator

authority to go to bid on both masonry building and metal building; second by Council member Simon. Motion to amend carried with "no" vote by NesSmith-Picard. When called for the question, motion as amended carried with "no" vote by NesSmith-Picard.

Council member Ward moved to request a variance of 20 feet from the Board of Adjustment; second by Council member Orvin. Motion carried.

Council member Holden moved to go to bid on the restroom facilities; second by Council member Ward. Council member Swanson stated that she had no opposition if funds could be borrowed from future Accommodations Tax funds; otherwise she would be opposed. Mr. Holden agreed, saying he would not want to use borrowed funds, however something should be done. Mr. Ward stated he was opposed to using any Isle of Palms taxpayers' money for building public restrooms.

When called for the question, motion to go to bid on restrooms carried.

4. Beach Patrol & Control Board - Council representative on the Board, Jeff Simon, gave brief summary of recent activity.

5. Personnel Committee - Mayor Bunch advised that one fireman and one policeman had been called to duty, possibly going to Saudi Arabia.

The Mayor further advised of resignation of Loretta Barnhill, thanking Ms. Barnhill for the work she had done for the City.

6. Dewees (ad hoc) Committee - (See Minutes Attached as Appendix M.)

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES

None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF

(See Attached as Appendix N - miscellaneous information from Attorney Dreyfoos re: referendum for change in form of government)

Attorney Dreyfoos advised that petitions were submitted to County Board of Registration and sufficient number of signatures were certified, recommending that referendum be held at the same time as general election.

Council member NesSmith-Picard expressed disappointment that so much time had passed, saying that receiving this information at such a late date was inexcusable, citing request that matter be handled expeditiously. The attorney responded that under State law, Council does not "legally" receive petition until certification, pointing out that Council had not convened until now for reception of same. Mr. Dreyfoos denied any delay on the part of himself or the City, but apologized for lateness of the memorandum.

Council member Ward stated that it appeared that two weeks had been wasted, pointing out that had such time not elapsed, this referendum could have been held one month before the general election, citing request of Council that the question on change in form of government not be delayed until November. Mr. Ward asked the attorney if there were any specific steps Council would have to take to make certain the referendum would be held. Attorney Dreyfoos briefed Council on process i.e., (1) once Council sets the date, there is nothing else Council can do; and (2) advertisement of election is placed in "News & Courier"; (3) letter is sent to Justice Department for pre-clearance; (4) letter is sent to State Election Commission regarding question about change in form of government

being on the ballot; (5) response is then forthcoming from the State Election Commission; Municipal Election Commission could make arrangements for second machine if necessary; (7) assuming there is no problem with Justice Department and pre-clearance, nothing else happens until the election; (8) referendum passes and second Justice Department clearance required, this being filed immediately after certification of election. All requirements together add up to 60-90 days, according to Dreyfoos.

Mayor Bunch commented that it was necessary for the residents to be knowledgeable about any issue, stressing the need for public hearings prior to the election.

Council member Holden moved to set date for referendum as November 6, general election; second by Council member Ward. Mr. Holden expressed opinion that he had left the last meeting thinking everything was being done and now finds out that things were not being handled and therefore requested a copy of all paperwork generated by the attorney concerning the election process. Mayor Bunch asked the attorney for confirmation in writing, advising that all information will be supplied to council members.

When called for the question, roll call vote: Holden, yes; NesSmith-Picard, yes; Orvin, yes; Simon, yes; Sottile, yes; Swanson, yes; Ward, yes; Watson, yes; Bunch, yes. Motion carried 9 - 0.

H. BILLS ALREADY IN POSSESSION OF COUNCIL

1. Third Reading, Ordinance 1990-14 - An Ordinance to Call For a Special Election Regarding a Change in Form of Government. (See Attached as Appendix O.)

Motion to approve made by Council member Holden; second by Council member NesSmith-Picard. On discussion, Mr. Holden stated this was repetitious, asking was petition less challengeable than ordinance. Mr. Dreyfoos advised that there was no difference; however, because the required number of signatures had been presented and the petition process was going forward, the ordinance might be viewed by the Election Commission as redundant. Stating that the ordinance has no effect, Mr. Dreyfoos advised that the petition controls. Council member Holden withdrew motion; Council member NesSmith-Picard withdrew second.

Motion to approve as presented made by Council member Ward; second by Council member Orvin. On further discussion, Attorney Dreyfoos advised that ordinance would not be effective until ratified, stating he preferred not to have ratified ordinance because he felt a second procedure could complicate things. Council member Simon stated he thought those who wanted a change in the form of government had accomplished their goal and should let the issue be. The attorney advised that a vote not to accept third reading would kill the ordinance. Motion to table made by Council member Holden; second by Council member Simon. Vote to table carried with "no" votes by Council members Ward and Orvin.

2. Third Reading, Ordinance 1990-7 - An Ordinance to Amend Zoning Requirements Re: Non-Conforming Structures. (See Attached as Appendix P.)

Motion to suspend rules of order and procedure allowing amendment of ordinance at third reading made by Council member Ward; second by Council member NesSmith-Picard. Council gave unanimous consent to amend ordinance.

Motion made by Council member Ward to amend; i.e., Section b.(d) (4). . . modification of decks, patios and porches, provided that there is no increase in any encroachment into required setbacks". Second to motion by Council member Orvin. Motion to amend carried unanimously.

3. Second Reading, Ordinance 1990-12, An Ordinance to Amend the City's Requirements Relating to the Subdivision of Property. (See Attached as Appendix Q.)

Motion to postpone second reading made by Council member Swanson; second by Council member NesSmith-Picard. Motion carried unanimously.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. D.A.R.E. Proclamation - (See Attached as Appendix R.)

Motion to accept made by Council member Watson; second by Council member Orvin. Motion carried unanimously.

J. MISCELLANEOUS

1. Mayor Bunch advised that Mt. Pleasant Waterworks & Sewer Commission had voted to request Clay Duffie to set up an open meeting with Isle of Palms City Council and Commission members on Thursday, September 6, 1990. Council member Ward so moved. Council agreed to meeting.

2. Administrator Williams advised Council that City was going to begin using administrative procedure to get people to clean up yards and board up houses that are not being improved, citing identification of some 54 such properties.

3. Mayor Bunch read letter from J. G. Rideoutte, Executive Director of the S.C. Department of Highways & Public Transportation, written to Mayor Melvin Anderegg of Sullivan's Island in which he advises that hurricane contingency plans have been formulated for the Ben Sawyer Bridge (See Attached As Appendix S).

4. The Mayor read letter of commendation from Robert O. Shumate, Senior Crew Chief with Charleston County EMS, in which he credited Curt Gibbons, Isle of Palms Volunteer Fireman and First Responder, with saving the life of an Island infant and the Mayor's letter to Mr. Gibbons (See Attached As Appendix T.)

5. Council member NesSmith-Picard asked about SCE&G Resolution (See Statement Attached as Appendix U). Mayor Bunch advised that Resolution adopted by Council was sent to the S.C. Highway Department and to SCE&G.

K. EXECUTIVE SESSION

Motion to enter Executive Session made by Council member Ward; second by Council member Swanson. Motion carried. The Mayor advised that purpose of the session was to receive and discuss contractual and legal matters.

Coming out of Executive Session, Council voted unanimously to give Mayor Bunch permission to sign the Agreement with Charleston County allowing Judge Jeanette Harper to serve as Municipal Recorder through December 31, 1990.

Motion to adjourn made by Council member Ward; second by Council member Orvin. Motion carried and meeting ended.

Respectfully Submitted,

Nellie D. McDuffie
Nellie McDuffie, Clerk/Treasurer

APPROVED: Carmen R. Bunch
Carmen R. Bunch, Mayor

A RESOLUTION

APPROVING A PLAN OF SERVICE AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTER-LOCAL AGREEMENT RELATING TO THE CREATION OF THE CHARLESTON REGIONAL TRANSPORTATION AUTHORITY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the Town of Isle of Palms, South Carolina (the "City") desires to participate in the creation of a regional transportation authority (the "Authority") within the meaning of § 58-25-10 et seq., Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), as a means of improving and expanding bus service in the City, helping make road improvements, reduce traffic, increase parking availability, decrease pollution, conserve energy and encourage quality economic growth; and

WHEREAS, the cost of financing, operating and maintaining the Authority have been set forth in a Plan of Service prepared by ATE Management & Service Company, Inc., a copy of which is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the Enabling Act authorizes participating general purpose local governments to enter into an agreement to create an authority and such an agreement has been presented to City Council in substantially the form of the attached Exhibit "B", incorporated herein by reference; and

WHEREAS, upon the execution of such an agreement, the question of creating such an authority must be submitted for ratification to the qualified electors within the proposed service area at a general or special election called for that purpose; and

WHEREAS, proper provision has been made to give notice of and to conduct such referendum to be held on November 6, 1990.

NOW, THEREFORE, BE IT RESOLVED BY THE ISLE OF PALMS TOWN COUNCIL IN MEETING DULY ASSEMBLED:

1. The Plan of Service in substantially the form of the attached Exhibit "A" is hereby approved.

2. The Inter-Local Agreement, in substantially the form of the attached Exhibit "B", with such changes as the executing official shall approve (such execution to be conclusive evidence of approval) is hereby approved. The agreement shall be executed on behalf of the City by its Mayor and attested by its Clerk.

This Resolution shall take effect immediately.

DONE IN MEETING DULY ASSEMBLED this 8th day of August, 1990.

Mayor, Town of Isle of Palms

ATTEST:

Clerk, Isle of Palms Town
Council

APPENDIX B

The Ways and Means Committee met at 5:10 on August 16. In attendance were Mark Williams, Mayor Bunch, Chair Swanson, Mike Sottillie, the city's auditor ^{Butch Rudy} and ~~Butch Rudy~~ Council members Ward and Holden came in a bit later. *Committee member Watson was out of town.* In reviewing the end of the year financial report, It was pointed out that many hurricane expenses still show up on the General Fund, so it is still indefinite how ~~much~~ much the hurricane has cost.

It was pointed out that the bonds from court are not being ~~be~~ turned over to the general fund. A request was made for a computer to help the court clerk. Bunch ~~voted~~ moved to purchase a laptop which could also be used in court. Ward seconded. Motion carried.

Ward moved for an additional \$2000 for a debris sweep. Bunch seconded, motion carried.

The committee looked at financial data about the possible purchase of the water company. Ward pointed out that if Mt. Pleasant buys the water company, IOP will have no representation on the commission. Pros and cons of the IOP buying the water company were discussed. The city's auditor was asked to work on rates with Mickey Seabrook.

The audit by Muckinbos was distributed.
The subject of public works, fire and police buildings was discussed. Ward moved to purchase fuel tanks as soon as possible. Bunch seconded. Passed. It was decided to wait for the recommendation of the building committee before deciding whether to buy the used metal building for the public works department.

Meeting adjourned at 7:05.

PUBLIC SAFETY MEETING, AUGUST 15, 1990

PRESENT: COUNCIL MEMBERS SIMON, SWANSON
MAYOR BUNCH

BRIEF REPORTS WERE SUBMITTED BY BOTH THE FIRE AND POLICE DEPARTMENTS IN ADDITION TO THEIR REGULAR MONTHLY ACTIVITY REPORTS.

FIRE CHIEF BRITTON REPORTED ON A SERIOUS BOAT-JET SKI ACCIDENT THAT OCCURRED AT BREACH INLET. THE RIDER OF THE JET SKI SUSTAINED LIFE THREATENING INJURIES. THIS ACCIDENT AND THE GENERAL CONCERN EXPRESSED BY RESIDENTS AND COUNCIL MEMBERS POINTS TO THE NEED FOR INCREASED ATTENTION TO THE DIRECTION THE CITY IS PLANNING TO TAKE TO INSURE THAT JET SKIS ARE OPERATED IN A SAFE MANNER COMPATIBLE WITH OTHER BEACH ACTIVITIES IN AND AROUND THE ISLE OF PALMS.

VOLUNTEER KIRT GIBBONS WAS THE FIRST RESPONDER TO A CALL REGARDING A CHOKING INFANT. MR. GIBBONS QUICK AND PROFESSIONAL ACTION SAVED THIS CHILD'S LIFE. HE HAS BEEN COMMENDED BY SEVERAL ORGANIZATIONS AND A RECOGNITION BY CITY COUNCIL IS IN ORDER.

A BRIEF DISCUSSION FOLLOWED ON A REQUEST BY A FRONT BEACH MERCHANT TO STACK A BUSINESS BEHIND A CURRENT BUSINESS. THIS WOULD NOT PERMIT FIRE ACCESS AND APPEARS TO POSE A SERIOUS FIRE CONTROL PROBLEM. THIS WAS FOR INFORMATION ONLY AND NO ACTION WAS TAKEN.

POLICE CHIEF ARNOLD REPORTED ON A REQUEST BY AN CITIZEN TO PICKET A PRIVATE RESIDENCE. LENGTHY DISCUSSION WAS HELD AT WHICH TIME IT WAS DETERMINED THAT THE PETITIONING PARTY HAD COMPLIED WITH ALL PERMIT REQUESTS AND CITY PROSCRIBED LIMITATIONS. IT WAS AGREED BY THE PUBLIC SAFETY COMMITTEE TO GRANT THE SAID PERMIT WITH INSTRUCTIONS TO THE POLICE DEPT. TO MONITOR THE PERMIT REQUIREMENTS CLOSELY.

A DISCUSSION WAS ALSO HELD ON THE STATUS OF THE ISLANDS CRIME WATCH PROGRAM.

APPENDIX D

PUBLIC WORKS COMMITTEE MEETING
AUGUST 20, 1990

THE MEETING WAS CALLED TO ORDER AT 7:04PM IN CITY HALL BY JIMMY WARD. IN ATTENDANCE WERE MAYOR BUNCH, COUNCILMEMBERS MELINDA NESSMITH-PICARD, MIKE SOITTLE AND PUBLIC WORKS SUPERVISOR ANDY PARISH.

THE CITY WILL BE FINISHED WITH THE FINAL DEBRIS SWEEP THIS WEEK. A FLYER IS BEING DISTRIBUTED TO ALL HOMES ON THE ISLAND INFORMING THEM THAT THE CITY WILL NO LONGER BE RESPONSIBLE FOR DEBRIS PICK UP OTHER THAN ITS NORMAL DUTIES.

THE FUELING STATION WAS DISCUSSED. COUNCILMEMBERS WERE CONCERNED ABOUT SAFETY, FUEL PRICES AND POSSIBLE LONG GAS LINES IN THE NEAR FUTURE. AS SOON AS THE BUILDING COMMITTEE DECIDES ON PLACEMENT OF THE FUTURE PUBLIC WORKS BUILDING THE FUELING STATION WILL BE CONSTRUCTED. IT WAS NOTED THAT THE DOG KENNELS MOSTLY FUNDED BY PRIVATE DONATIONS WILL BE CONSTRUCTED AT THAT TIME ALSO.

MR PARISH SUBMITTED A LIST OF STREETS TO THE HIGHWAY DEPARTMENT THAT BADLY NEED REPAIR. HE STATED THAT AT LEAST HALF OF THE ISLAND'S STREETS WERE SUBMITTED. WE SHOULD KNOW WHEN THE HIGHWAY DEPARTMENT WILL START SOON.

340 POUNDS OF CANS WERE COLLECTED LAST WEEK. THIS IS DOWN FROM LAST MONTH. A DROP OFF POINT AND OTHER ALTERNATIVES WERE DISCUSSED TO IMPROVE COLLECTION EFFORTS.

APPROVAL WAS GIVEN TO THE DEPARTMENT TO COLLECT CHRISTMAS TREES AND PLACE THEM ALONG THE BACK SIDE OF THE DUNE LINE ON THE BEACH WHEN PEOPLE DISCARD THEIR TREES AFTER THE CHRISTMAS SEASON.

JIMMY WARD ASKED THE MAYOR IF DUCK CROSSING SIGNS COULD BE PLACED ON PRIVATE PROPERTY NEAR THE BEACHSIDE AND 41ST AVENUE PONDS. SHE RESPONDED YES AND THAT THE PROJECT WOULD BE DONE. ALL THAT WOULD BE NEEDED WOULD BE TO ACQUIRE PERMISSION FROM THE PROPERTY OWNERS.

MR PARISH REQUESTED THAT A LETTER BE WRITTEN TO THE BEACH COMPANY REQUESTING THAT BEFORE ANY MORE EASEMENTS ARE TURNED OVER WHERE STORM DRAINS ARE LOCATED THAT THE CITY BE NOTIFIED.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:34PM.

RESPECTFULLY SUBMITTED,

JIMMY WARD, CHAIRMAN
PUBLIC WORKS COMMITTEE

Engrossed Bills Committee Meeting
City Hall
August 15, 1990 - Minutes

APPENDIX E

The meeting began at 7:10 at City Hall with Councilmember Holden, Councilmember Nessmith-Picard and Councilmember Simon in attendance. Councilmember Swanson was also present.

Motion to approve the previous two meetings minutes was made by Councilmember Nessmith-Picard seconded by Councilmember Simon, passed unanimously.

Ordinance 1990-13 ("Premises" definition) was considered. It was suggested that the situation was already addressed by section 5-4-26 (c) and 5-4-27 (c) by Councilmember Holden. After review of the sections and discussion it was moved by Councilmember Nessmith-Picard, seconded by Councilmember Simon to not recommend passage of second reading, but instead suggest enforcement of existing Ordinance as the appropriate remedy. Vote in favor was unanimous.

Ordinance 1990-15 (Fences) was discussed. After discussion of the latest revision of this ordinance it was moved by Councilmember Simon, seconded by Councilmember Nessmith-Picard and passed unanimously that the committee request a formal presentation be made by someone who could give better insight as to the need for this ordinance and the problems caused by not having it. Passage was not recommended until such time

Ordinance 1990-12 (Subdivision Regulations) was considered next. The suggestions of the planning commission were considered and reviewed one by one. Motion by Councilmember Simon, seconded by Councilmember Nessmith-Picard to recommend all their suggestions for inclusion was passed unanimously. (See attached Memo). The Committee further unanimously recommended upon motion by Councilmember Simon, seconded by Councilmember Nessmith-Picard Several suggestions regarding the time frame for departmental and council review. (See attached Memo). Lastly upon motion by Councilmember Nessmith-Picard, seconded by Councilmember Holden it was unanimously requested that the Committee seek the drafting of a graphic representation of the Plat Approval process along with a set of simple instructions. All of these actions were to be reduced to a memo and submitted to the appropriate officials involved.

Ordinance 1990-17 (Waterfront Zoning) was considered. Pending review by the Planning Commission and after discussion a motion was made after by Councilmember Nessmith-Picard, seconded by Councilmember Simon to express support for the objectives of the ordinance and communicate such to the Planning Commission. Motion passed unanimously with no opposition being voiced.

Updates were made on (1) Signs, (2) Turtle Nesting, (3) Dumping, and (4) Jet Skis with action/information being as follows.

- (1) It was requested that someone with a clear understanding or interest of the off-premises sign problem to present their concerns formally. The committee members were unsure problems would exist if the present ordinances were fully enforced and thus wanted further information.
- (2) The City Attorney was not present so there was no concrete update information. Motion by Councilmember Nessmith-Picard, seconded by Councilmember Holden passed unanimously to request City Attorney to present draft to Committee by September 19.
- (3) Comment was to be requested from the City Attorney on the right of way "dumping" ordinance by September 19 as well.
- (4) Comment was to be requested from the City Attorney regarding the Jet Ski ordinance by September 19 as well.

No New Ordinances were proposed.

The use of Trailers for residential purposes on the Island and the upcoming expiration date was

discussed. A draft ordinance was requested of the City Attorney for presentation at the next council meeting. (Motion by Councilmember Nessmith-Picard, seconded by Councilmember Simon passed unanimously. See attachments for specifics)

Meeting adjourned upon unanimous vote to do so.

DRAFT COPY AS OF:

8/23/90

APPROVED AS FINAL MINUTES: _____

ATTESTED TO:

X _____
Barry C. Holden - Chairman

Engrossed Bills Committee Meeting
August 15, 1990 - City Hall

AGENDA

Old Business

1. Minutes of previous meetings
2. Ordinances Referred
 - A) Ordinance 1990-13 ("Premises" definition)
 - B) Ordinance 1990-15 (Fences)
 - C) Ordinance 1990-12 (Subdivision Regulations)
 - D) Ordinance 1990-~~16~~ (Waterfront Zoning)
 - E) Others 17
3. Updates
 - A) Signs ✓
 - B) Turtle Nesting ✓ *Refer to*
 - C) Dumping ✓
 - D) Jet Skis ✓
 - E) Other

New Business

4. Proposed ordinances from councilmembers
5. Miscellaneous Requests/Information
 - A) Trailers
 - B) Other
6. Adjourn

THE CITY OF ISLE OF PALMS

Barry Holden, City Councilman
#7 - 916 Palm Boulevard
Isle of Palms, SC 29451
Phone - 886-5844

ENGROSSED BILLS COMMITTEE

Memorandum

To: Mark Williams & Bill Dreyfoos
Re: August 15 meeting

Date: August 16, 1990

Below are a list of items I was requested to correspond with you regarding at the above meeting

SUBDIVISION REGULATIONS

1. The Planning commission's suggestions were considered and recommended to be included in the revised ordinance. I cite below what generally we believed those suggestions to be so you can verify if that is your understanding.

- A) A presenter should be present at each formal approval stage.
- B) Submissions will all be to the City Administrator uniformly throughout the ordinance.
- C) The Flood Hazard disclosure requirement will be moved one step earlier in the process to apply to conditional plats as well as final ones.
- D) The duration section on conditional plats will be reworded so as to specify more clearly it is not the approval that expires but rather the City's right to call upon financial guarantees that matures at a given point in time.

2. Independent of the above the Committee requested the following requirements be included in the Ordinance;

- 1. The Plat shall appear on the agenda at the next regularly scheduled meeting of City Council, however no final action shall be mandated (i.e. final action/consideration may be postponed until the next month)

2. Prior to that first meeting the plat shall be reviewed by "all relevant departments and consultants". They shall each in writing make any relevant comments they have. Additionally, a brief statement of the general reason for the submittal shall be made in writing by someone (probably Planning) in the City. The above written statements shall be forwarded to City Council Members with the Plat before the above referenced first meeting. (there is something from the committee going to Guy Taylor of Planning regarding this. Attached for your information)
3. Final action shall remain as it is required at the second meeting of Council

TRAILERS

The Committee requested a final determination to the question posed at the last Council meeting. "Is residency in readily trailable living units prohibited by FEMA flood insurance regulations?" If the answer is no, and only local ordinances would conflict it was the Committee's desire to have presenter at the council meeting an ordinance to assure that the impending expiration of September 28th would not force the end to the residential use of these readily trailable living units for (1) bona fide homeowner/occupants who are (2) in the process of rebuilding a house (3) which was damaged in the hurricane. To speak of exceptions etc.. beyond those three requirements at this time, I believe, would be improperly stating my opinions when no firm consensus existed at the meeting. It was clear however that if council can do the above the committee wanted to recommend an ordinance allowing the above with all deliberate speed. This would (1) allow us not to run into time constraints on readings and (2) let the residents affected know at the earliest possible time so they can plan rather than wait until the meeting of September 27th one day before the expiration occurs. For this reason I would request on behalf of the committee and per its recommendation, that if it is possible per FEMA an ordinance be drafted doing the above for presentation and vote at the next council meeting. Should there be any problem please notify me as soon as possible.

UPDATES WERE REQUESTED ON:

1. The Turtles nesting ordinance. Marge Swanson seemed to feel that because of ongoing construction, "grandfather" clauses and "phasing in" time periods a rapid move on this might be beneficial not to this expiring season but to the next one.

2. The Jet Ski Ordinance. Is a map needed or being drawn up? If so by whom? Is a permanent ordinance contemplated in the future?

3. The Dumping ordinance was discussed again and several members mentioned they had been hearing some more about the situation it speaks to (adjacent right of way dumping) from residents. Please update.

THE CITY OF ISLE OF PALMS

Barry Holden, City Councilman
#7 - 916 Palm Boulevard
Isle of Palms, SC 29451
Phone - 886-5844

ENGROSSED BILLS COMMITTEE

Memorandum

To: Guy Taylor, Chairman, Planning Commission

Date: August 16, 1990

Lee Batchelder, Planning Consultant

Re: August 15 meeting - Requests to Planning Commission

At the above meeting two matters were discussed which may relate to the Planning Commission. First let me set some background and state the "unanimity and collective agreement" among the three committee members and one other councilmember present at this meeting on the below issues. I believe Council is or stands ready to get serious about this as you may see in the attached ordinance amendment recommendations which unanimously were passed by the Committee. It is now being "politicized" as a mandate from the people to do such. What should be taken as important is that such is being done across all lines of division you can find or imagine within council. Our requests of the Planning Commission would be as follows:

1. The Checklist/Cover Letter/Comment Page. We want one. The Committee has recommended Council by Ordinance, (in the Subdivision regulations), effectively make this a mandatory item. That will, I believe, end the debate anyway. I enclosed the relevant portions of a memo to Mark and Bill regarding this for your information. I well know this would require substantial coordination with the Mayor and administrative work on your part as well. I wanted you to know and have time to see it's coming. I believe you have a draft checklist already. That may help.
2. Less forcefully yet still unanimously the Committee requested we hunt for some one or way to generate a graphical Timeline/Flow chart and simple set of instructions distilling the process contained in the Subdivision

regulations. Your Commission is most familiar with these and is a natural selection. If you could find some way to do this it would be appreciated. Melinda would probably be your best contact on this item.

Please let me know if you have any questions about any of this.

Below are a list of items I was requested to correspond with you regarding at the above meeting

SUBDIVISION REGULATIONS

1. The Planning commission's suggestions were considered and recommended to be included in the revised ordinance. I cite below what generally we believed those suggestions to be so you can verify if that is your understanding.

- A) A presenter should be present at each formal approval stage.
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2. Independent of the above the Committee requested the following requirements be included in the Ordinance:

- 1. The Plat shall appear on the agenda at the next regularly scheduled meeting of City Council, however no final action shall be mandated (i.e. final action/consideration may be postponed until the next month)
- 2. Prior to that first meeting the plat shall be reviewed by "all relevant departments and consultants". They shall each in writing make any relevant comments they have. Additionally, a brief statement of the general reason for the submittal shall be made in writing by someone (probably Planning) in the City. The above written statements shall be forwarded to City Council Members with the Plat before the above referenced first meeting. (there is something from the committee going to Guy Taylor of Planning regarding this. Attached for your information)
- 3. Final action shall remain as it is required at the second meeting of Council.

ISLE OF PALMS PLAT APPLICATION STATUS SHEET

- (1) What is the purpose of this plat? (Subdivision, Property Line Abandonment, Development, Other) _____
- (2) What is the zoning district (subdistrict if plat within PRD)? _____
- (3) Is the survey current? YES _____ NO _____
- (4) Is the rip-rap statement provided? YES _____ NO _____ N/A _____
- (5) Is square footage/acreage provided? YES _____ NO _____
- (6) Was a tree removal permit obtained? YES _____ NO _____ N/A _____
- (7) Are fire hydrants shown? YES _____ NO _____ N/A _____
- (8) Is the critical line shown? YES _____ NO _____ N/A _____
- (9) PRD PLATS—Is the density provided? YES _____ NO _____ N/A _____
- (10) PRD PLATS—Are land use percentages provided? (% Open Space, % RV, % RA1, etc.) YES _____ NO _____ N/A _____
- (11) PRD PLATS—Are elevations provided? (4' MSL minimum)
YES _____ NO _____ N/A _____
-
- (12) Has the Planning Commission reviewed this plat? DATE _____
YES _____ NO _____
- (13) Is a public hearing scheduled? DATE _____
YES _____ NO _____ N/A _____
- (14) STATUS
Date plat referred to Public Works Dept. DATE _____
Date plat referred to Fire Dept. DATE _____
Date plat referred to Council DATE _____

PLANNING COMMISSION COMMENTS AND RECOMMENDATION _____

ISLE OF PALMS PLAT APPLICATION STATUS SHEET (Cont'd)

(15) Has the Public Works Department reviewed this plat? DATE _____
YES _____ NO _____ N/A _____

(16) Is roadway width adequate for garbage truck access?
YES _____ NO _____ N/A _____

PUBLIC WORKS DEPT. COMMENTS AND RECOMMENDATION _____

(17) Has the Fire Department reviewed this plat? DATE _____
YES _____ NO _____ N/A _____

(18) Is roadway width and lot configuration adequate for fire truck access?
YES _____ NO _____ N/A _____

FIRE DEPT. COMMENTS AND RECOMMENDATION _____

(19) Did Council approve plat? DATE _____
YES _____ NO _____ OTHER _____

WILLIAM W. DREYFOOS

ATTORNEY AT LAW

171 CHURCH STREET

SUITE 210

CHARLESTON, SOUTH CAROLINA 29401

(803) 577- 2033

TELECOPIER (803) 723-3039

August 22, 1990

MEMORANDUM

TO: Isle of Palms City Council

FR: William W. Dreyfoos *WWD*

RE: Referendum on the Sale of City Property for a Swimming Pool

The wording of the swimming pool referendum needs to be sent to the State Election Commission by September 1. Please review the following suggestion. Council should make a final decision on the referendum text at its August 23 meeting.

1. Should the City of Isle of Palms sell up to 1.5 acres of property at the City Recreation Department grounds (TMS #571-05-00-141) to a private association, comprised primarily of Isle of Palms residents, for use as a swimming pool by the association's members.

Yes No

2. A zoning change will be necessary to allow the association to use the property for a privately-operated swimming pool.

~~(a) Would you support a change in zoning of this property from SR-1 (residential) to GC-1 (commercial) to authorize use of this property for a privately operated swimming pool?~~

~~Yes No~~

~~(b) Would you support a change in the uses allowed in the SR-1 (residential) zoning district to include privately operated swimming pools.~~

~~Yes No~~

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
JULY 24, 1990

The regular monthly meeting of Zoning Board of Adjustments and Appeals was held at the Building Department Trailer at Breach Inlet on July 24, 1990. The meeting was called to order at 6:30 p.m. by Chairman Ed Fellabom. Member present: Mr. Fellabom, Howard Garvin, Mary Schall, Betsy Smiley and David Somers. Also attending were Ed Haselden, Building Inspector and Loretta Barnhill, Secretary.

1. Tucker Associates, Architects, for the owner of parcels #13, #14, #15, #15 on J. C. Long Boulevard. Requests for variances from Article H, Parking & Loading as follows:

1. Section 5-4-112 Required Parking Spaces - A required total 26 spaces versus "requested" 19 spaces.
2. Section 5-4-114 Area and Paving Required for Parking Spaces.
 - a. Reduce four (4) 20 ft. spaces to 16 ft.
 - b. Permit three (3) spaces to back into the public right of way.
 - c. Allow off-street parking area to be crushed stone instead of paved.
3. Section 5-4-117 Off-street loading spaces required one (1) space (12 ft. W x 40 ft. L). Allow loading in off-street spaces during off-peak hours.

Representing Tucker Associates was Andy Kay. Also attending were Dave Nichols, builder, and Leo Birch, property owner. Brenda Smith, owner of the adjacent Sea Biscuit Restaurant, was also in attendance but offered no opposition to the requests for variances.

The new owner intends to complete the interior of the structure and, upon completion, two retail stores will be on the ground level with a restaurant on the second floor. The variances are being requested to provide parking for the businesses.

Section 5-4-112. Permit 19 parking spaces instead of 26 spaces. Vote being: Fellabom, yes; Garvin, yes; Schall, no; Smiley, yes; Somers, no. Passed 3-2.

Section 5-4-114. (a.) Reduce four 20 ft. spaces to 16 ft. Vote being: Fellabom, yes; Somers, yes; Garvin, yes; Smiley, yes; Schall, yes. Unanimously passed.

(b.) Permit three spaces to back into right of way. Vote being: Fellabom, yes; Somers, no; Garvin, yes; Smiley, yes; Schall, yes. Passed 4-1.

(c.) Allow off-street parking area to be crushed stone instead of paved. Mr. Garvin recommended, and the Board unanimously agreed, to require landscape timbers or similar

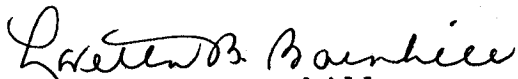
Board of Adjustment & Appeals
July 24, 1990
Page 2

materials be used to designate parking spaces should approval be given. Vote being: Fellabom, no; Somers, no; Garvin, yes; Smiley, yes; Schall, yes. Passed 3-2.

Section 5-4-117. Allow loading in off-street spaces during off-peak hours. Mr. Somers recommended, and the Board unanimously agreed, to stipulate off-peak hours; i.e., 9:00 - 11:00 a.m. and 2:00 - 4:00 p.m. if approved. Vote being: Fellabom, yes; Somers, yes; Garvin, yes; Smiley, yes; Schall, yes. Unanimously passed.

The meeting adjourned at 7:45 p.m.

The next regular meeting will be held August 28, 1990, 6:30 p.m. at the Building Department trailer at Breach Inlet.


Loretta B. Barnhill
Secretary

ISLE OF PALMS PLANNING AND ZONING COMMISSION
AUGUST 8, 1990

The Isle of Palms Planning and Zoning Commission met at City Hall on August 8, 1990 at 5:30 p.m. with members Darlene Smith, Jan Wilson, John Stanley, John Gardner, Arnold Karig and Chairman Guy Taylor present; Planning Consultant Lee Batchelder was also present. Kathryn Carroll was absent.

Chairman Taylor called the meeting to order at 5:30 and asked Mr. Batchelder to conduct the public hearings.

1. Public Hearing. Ordinance 1990-7, An Ordinance to Amend Zoning Requirements regarding Non-Conforming Structures.

Mr. Batchelder explained the purpose of the ordinance and opened the public hearing for comments or questions. Hearing no comments or questions, the public hearing was closed.

Mr. Gardner asked if this was a permanent amendment. Mr. Batchelder replies affirmatively. Mr. Stanley commented that this was a good amendment that was overdue because the current rules had not always been followed.

Chairman Taylor stated that the code as currently written does not allow for repairs or routine maintenance to non-conforming structures and that this would ease those requirements.

Motion to approve by Mr. Gardner; second by Mrs. Wilson. Motion carries 4-0 (Chairman Taylor abstained).

Dr. Karig arrives.

2. Public Hearing. Ordinance 1990-12, An Ordinance to Amend the City's Requirements Relating to the Subdivision of Property.

Mr. Batchelder explained the purpose of the ordinance as providing a formal set of guidelines and procedures to review and approve, subdivision plat submittals. Mr. Batchelder opened the public hearing.

Foster Clark was concerned that the length of time of the approval process as outlined in Section 5-4-76, (e), (4), on page 13, was too long. Mr. Clark also expressed concerns about the approval for conditional plats only lasting one year.

The Commission members discussed Section 5-4-75 regarding Conditional Plats.

Mr. Hagood expressed concern about Section 5-4-73 Conceptual Plan as it relates to grandfathering of previously approved conceptual plans. Chairman Taylor pointed out that paragraph (e) under Section 5-4-73 addressed this point.

Mr. Clark expressed concerns about how the City would approve densities under this new Section. Chairman Taylor recommended asking advice on this point from the City Attorney. Hearing no further questions or comments the public hearing was closed.

Mr. Stanley recommended moving the wording of paragraph (c), (7) under Section 5-4-76 Final Plat, to paragraph (c), (2) under Section 5-4-75 Conditional Plat to make sure these informational requirements are followed.

Chairman Taylor recommended deleting the wording "City Building Official" under Section 5-4-73 Conceptual Plan, paragraph (d) and replacing it with "City Administrator" to make this section consistent with other similar section in this ordinance.

Chairman Taylor also recommended adding to the ordinance the requirement that the applicant or a representative be present at all reviews of the plat before the Planning and Zoning commission or City Council.

Motion approved with recommendations as previously mentioned by Mrs. Wilson; second by Mr. Gardner. Motion carries 6-0.

Minutes from the previous meeting were not distributed so this matter was deferred until the next meeting.

No sub-committee reports.

Plat Submittals

1. Plat of Lot 7, Block Q, owned by Emily B. Schiffer and half un-opened portion of 33rd Avenue. (Deferred from July 11 meeting).

Plat deferred until next meeting due to lack of representative to speak for plat.

2. Plat showing the Resubdivision of Lot 67-70, Block 28, into a 19,710 square foot tract and 1,260 foot tract, Ocean Boulevard.

John Gardner, representing the owner, explained that this resubdivision would combine what is now three lots, two of which are landlocked, into two lots with both having frontage on Ocean Boulevard.

Chairman Taylor pointed out that the zoning of this property is GC-Z and that the City of Isle of Palms does not own the adjacent tract. It actually is owned by The Beach Company.

Motion to approve with corrections to plat as discussed by Mr. Stanley; second by Mrs. Wilson. Motion carries 5-0 (Mr. Gardner abstained).

3. Plat of Tract "C," Block "A," Wild Dunes.

Foster Clark, representing the owner, explains the purpose of the plat.

Motion to approve with condition that zoning designation, PRD, be noted on plat by Mr. Gardner; second by Mrs. Smith. Motion carries 6-0.

Mr. Gardner leaves.

PAGE 3
PLANNING AND ZONING COMMISSION
AUGUST 8, 1990

Dr. Karig expressed concerns about the proposed ordinance regarding non-conforming structures. He stated that allowing modification or removal of interior walls would allow nonconforming structures to remain in-definitely against the intent of the ordinance. Also, he stated that clarification was needed of what constituted a deck and whether or not decks should be required to meet setbacks.

Motion to reconsider the nonconforming structure ordinance by Mrs. Wilson; second by Dr. Karig. Motion carries 5-0.

Work Session

1. Conditional Plat Showing Subdivision of Tract "G," Block "C," - 23 Lots; Tract "G," Block "B," Parcel 3-2 Lots; Tract "G," Block "B," Parcel 4-6 Lots; Intercoastal Court and Waterway Boulevard. (Deferred from July 11 meetin).
2. Plat Showing Tract "G," Block "A," Parcel 1 and Tract "G," Block "A," Parcel 2. (Deferred from July 11 meeting).

Chairman Taylor explained the history of the subdivisions occurring on the property shown on the plats.

Meeting adjourned.

Respectfully Submitted,

Lee Bathcelder
Planning Consultant

Minutes of a Special Planning Commission Meeting
August 15, 1990

The meeting was called to order by Chairman Guy Taylor at 7:00PM. Also present were Planning Commission members Arnold Karig, Kathy Carroll, John Gardner, and John Stanley. City Administrator substituted for Planning Consultant Lee Batchelder.

The Commission considered two plats submitted by Wild Dunes Development.

1. A Conditional Plat showing the Subdivision of Tract G, Block C- 23lots; Tract G, Block B, Parcel 3- 2lots; Tract G, Block B, Parcel 4- 6 lots; Intracoastal Court and Waterway Blvd., City of Isle of Palms; County of Charleston.

2. Acreage Final; Plat Showing Tract G, Block A, Parcel 1 & Tract G, Block A, Parcel 2; A Portion of Isle of Palms, City of Isle of Palms, County of Charleston.

Guy Taylor remarked that the Commission had agreed to hold a special meeting to consider these plats after a previous work session had been held in which various Planning Commission concerns were raised about the proposed plats. The effect of the plats under consideration was to remove six platted lots from Intracoastal Court and recreate them along Waterway Blvd. In addition to creating six new lots fronting Waterway Blvd., the developers had proposed a golf cart path easement across the lots.

Taylor recognized Bill McKenzie of Wild Dunes Development who explained that the original design of the lots and golf course had accounted for the subsequent inability of Wild Dunes to obtain a permit from the City to remove three significant trees. This necessitated redesign of the golf course, which in turn created the prospect of six lots on Intracoastal Court being too close to adjacent fairways. Wild Dunes then identified available acreage along Waterway Blvd. and proposed to shift the six lots there. McKenzie noted that the six lots had formally met the minimum requirements of SR-1 zoning but, since they had originally been platted the City Council had increased the minimum square footage of a lot to 17,500.

Motion by John Stanley, seconded by John Gardner to approve the plats. On discussion, several commission members again express concern over the bisecting of the six lots by the golf cart path easement. Bill McKenzie demonstrated that all six lots were still buildable. It was suggested by Kathy Carroll that a note on the plat or some agreement be provided to deal with the existence of the golf cart path easement if the use of the golf course is ever abandoned. McKenzie said that the attorneys could probably suggest some appropriate measures to address this concern.

Taylor asked for additional comments. City Administrator Mark Williams said that he had been asked by the City's attorney to advise the Planning Commission that the City has no authority to require an expiration of the golf cart easement if the golf course is ever abandoned, and that he would so advise City Council when these plats come before that body. Taylor suggested that the Commission make such a recommendation anyway. Kathy Carroll introduced a motion to amend the original motion that the plats be recommended to City Council for approval subject to a note on the plat or some other mechanism by which the golf cart easement may be abandoned if the use of the golf course is ever abandoned. Motion seconded by Arnold Karig.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Mark M. Williams

BUILDING COMMITTEE

A MEETING OF THE BUILDING COMMITTEE WAS HELD ON 8/14/ 90 AT 5:30PM AT CITY HALL. PRESENT WERE J. D. HINES, JACK JOHNSTON, TOM MURPH, MAYOR BUNCH, AND HARRY O'NEAL. ALSO PRESENT WERE MARK WILLIAMS, MARGY SWANSON, JEFF SIMONS, AND LINDA NESMITH-PICARD. MR. CHARLIE RHODES OF CAROLINA BUILDERS AND ED HASELTON, BUILDING INSPECTOR WERE PRESENT.

A PROPOSAL FROM CAROLINA BUILDERS HAS BEEN RECEIVED TO BUILD A PUBLIC WORKS BUILDING OF 5100 SQUARE FEET WITH A 10 FOOT APRON FOR \$65,500.00. THE BUILDING IS TO BE A PRE-ENGINEERED BUILDING WHICH HAD BEEN DISASSEMBLED AND WAS AVAILABLE. MR. RHODES STATED THAT NEW INSULATION AND SIDE WALLS WOULD BE PUT ON THE BUILDING. THE PROPOSAL WAS FOR A SHELL BUILDING, i. e. NO PLUMBING, ELECTRICAL, OR OTHER FINISHING.

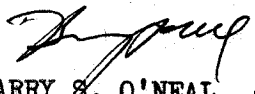
DISCUSSION WAS HELD ON THE COST OF FINISHING THE BUILDING FOR OCCUPANCY AND THE AMOUNT OF \$35,000.00 WAS SUGGESTED.

ALSO, THE LOCATION OF THE BUILDING ON THE SITE WAS REVIEWED AND THE PROPOSAL WAS MADE TO LOCATE THE BUILDING AS CLOSE AS POSSIBLE TO THE CONNECTOR PROPERTY LINE AND LEAVE THE ENTRANCE (DRIVEWAY) AT THE APPROXIMATE POSITION AS THE PRESENT DRIVE USED BY PUBLIC WORKS. DISCUSSION WAS ALSO HELD ON THE LOCATION OF THE FUEL TANKS AND THE DOG KENNELS.

MR. RHODES WAS REQUESTED TO SUBMIT A PROPOSAL FOR INCLUDE ALL WORK PROPOSED BY SPECIFICATIONS AVAILABLE FROM OUR ARCHITECTURAL DRAWINGS AT A MEETING TO BE HELD IN ONE WEEK.

QUESTION WAS RAISED AS TO COUNCIL'S SUPPORT OF THIS PROJECT AND SHOULD THE BUILDING COMMITTEE CONTINUE TO WORK ON THE PUBLIC WORKS BUILDING. THE PUBLIC SAFETY BUILDING (POLICE & FIRE) WAS REVIEWED IN LIGHT OF THE TEMPORARY NATURE OF THE POLICE TRAILERS AND FIRE TENTS. IF COUNCIL DESIRES, THE BUILDING COMMITTEE WILL REVIEW THIS PROJECT. BUT SINCE PLANS AND SPECIFICATIONS ARE ALREADY COMPLETE, BIDDING COULD GO FORWARD IF COUNCIL DESIRES.

ANOTHER MEETING IS SCHEDULED AT 5:30 PM ON AUGUST 21, 1990.


HARRY S. O'NEAL, CHAIRMAN

BUILDING COMMITTEE

A MEETING OF THE BUILDING COMMITTEE WAS HELD AT CITY HALL ON 8/21/90 AT 5:30 PM. PRESENT WERE J. D. HINES, JACK JOHNSTON, JIMMY WARD, MAYOR BUNCH, AND HARRY O'NEAL. ALSO PRESENT WERE MARK WILLIAMS, BARRY HOLDEN, JEFF SIMONS, DAN WATSON, MELINDA NESMITH-PICARD, MIKE SOTTILE, MARGRY SWANSON, AND ANDY PARRISH.

AS REQUESTED AT THE MEETING OF 8/14, CAROLINA BUILDERS SUBMITTED A BID OF \$74,300.00 FOR A PUBLIC WORKS BUILDING OF 5100 SQUARE FEET WITH A 10 FOOT APRON AND \$35,225.00 FOR PLUMBING, ELECTRICAL, AND INTERIOR FINISHING OF OFFICES, ETC. FOR A TOTAL COST OF \$109,225.

MR. WARD MADE A MOTION THAT WE RECOMMEND COUNCIL ACCEPT CAROLINA BUILDERS PROPOSAL AND INSURE WITH MR. RHODES THE HANDLING OF LATER PROBLEMS THAT MAY OCCUR. MAYOR BUNCH SECONDED THE MOTION.

DISCUSSION WAS HELD CONCERNING THE POTENTIAL PROBLEMS WITH A REUSED BUILDING AND WHETHER COST SAVING WOULD ACTUALLY BE MADE VERSUS A NEW BUILDING, OR THE REQUIREMENT OF A NEW ROOF ON THE REUSED BUILDING. BOTH THE SECOND AND THE MOTION WERE WITHDRAWN BY THE RESPECTIVE PARTIES.

MR. WARD MADE MOTION THAT COUNCIL AUTHORIZE THE BIDDING ON THE PUBLIC WORKS BUILDING AS PER THE PLANS AND SPECIFICATIONS (BOTH TYPE CONSTRUCTION) AS SOON AS POSSIBLE. MAYOR BUNCH SECONDED THE MOTION. AFTER BRIEF DISCUSSION OF THE DIFFERENCE IN THE SIZE OF THE BUILDING VERSUS THE CAROLINA BUILDERS PROPOSAL, THE MOTION CARRIED.

MR. WARD MADE MOTION THAT THE PUBLIC WORKS BUILDING BE LOCATED ON THE NORTHERN SIDE OF THE PROPERTY AS CLOSE TO THE PROPERTY LINE WITH THE CONNECTOR WITH VARIANCE IN REGARD TO THE SETBACK OF AT LEAST 20 FEET AND NOT TO EXCEED 30 FEET. MAYOR BUNCH SECONDED. THE MOTION PASSED.

THE SITING OF THE FUEL TANKS AND DOG KENNELS WERE DISCUSSED AND DELAYED UNTIL THE FINAL DECISION IS MADE ON THE PUBLIC WORKS BUILDING. SPECIAL NOTE WAS MADE OF THE NEED FOR SATISFACTORY DOG KENNELS.

MRS. NESMITH-PICARD ADVISED THAT SHE HAD VISITED THE SITE OF CAROLINA BUILDERS AND EXAMINED THE BUILDING CONTAINED IN THEIR PROPOSAL AND SAW NO RUSTED AREAS ON THE SUPPORTS AND THE ROOF SECTIONS LOOKED IN GOOD CONDITION. MR RHODES ADVISED HER THAT THE COMPLETED JOB COULD BE IN PLACE IN 30-40 DAYS IF CONSTRUCTION WERE TO START IN THE NEAR FUTURE.



HARRY S. O'NEAL, CHAIRMAN

MINUTES FOR DEWEES ADHOC COMMITTEE MEETING
AUGUST 16, 1990

Present: Mayor Bunch, Chairman Skipper Shaffer, Toby Van Buren,
Sis Nunley (DHEC rep.) Page Hansen, Bill Anderson and
Bob Hooker.

At the beginning of the meeting Mayor Bunch stated we will have a public hearing - Marion Sadler called Mayor Bunch August 15th from DHEC to so advise. Several citizens, will be affected by effluent from Dewees in our area according to correspondence, Sis Nunley of DHEC stated. Two monitoring stations have been set up near Dewees, a years background of data from DHEC indicates that pristine water exists in both stations.

Mayor Bunch will write Foster Coleman of DHEC about Shoreline Farms subdivision on John's Island for information on John's Island Tile Field and for comparison with what Dewees wants to install. The committee has concerns about DHEC's site visit on Dewees because rainfall in November of that year was below normal.

Bill Anderson will write a letter to Jimmy Chandler, an environmental lawyer about Dewees misgivings. The committee feels Dewees should have a sewer system instead of what they are proposing, also letters will be mailed to South Carolina Wildlife Federation, and National Resources Defense Council, Coastal Conservation League, etc.

APPENDIX N

WILLIAM W. DREYFOOS
ATTORNEY AT LAW
171 CHURCH STREET
SUITE 210
CHARLESTON, SOUTH CAROLINA 29401
(803) 577-2033
TELECOPIER (803) 723-3039

August 21, 1990

MEMORANDUM

TO: Isle of Palms City Council

FR: William W. Dreyfoos *WWD*

RE: Scheduling the Referendum on the Change in Form of Government

The petition submitted at City Council's July meeting was certified by the Charleston County Board of Registration on August 9, 1990. I received the notification on August 14, and reconfirmed earlier telephone conversations with the SC Attorney General's staff and the SC Election Commission re: the applicable procedures for holding a referendum on the petition question (see attachments).

Pursuant to State Code Section 5-5-20, Council must set the date for the referendum. It is my recommendation that the referendum be held with the general election on November 6, 1990. The reasons for this recommendation are as follows:

1. Under State Code Section 5-5-20, the referendum must be held between 30 and 90 days following certification of the petition: i.e., between September 8 and November 7.

2. According to the State Election Commission, the referendum constitutes a special municipal election, which requires 60-day public notification pursuant to Title 7 of the State Code. If Council sets the referendum date on August 23, the earliest public notice is likely to be in the Monday, August 27 newspaper, though we can try for Saturday the 25th. Assuming the 27th, the earliest the referendum could be scheduled would be October 24th.

3. Similarly, Title 5 of the Voting Rights Act requires Justice Department preclearance of special municipal elections. The preclearance request must contain the date of the referendum. If sent on August 24, following the Council meeting on the 23rd, the earliest the referendum could be scheduled would be October 21st.

Memorandum to City Council
August 21, 1990
Page 2

Combining all of the above requirements, the referendum should be held between October 24 and November 7. Any other scheduling will open the referendum to legal challenge under either the federal Voting Rights Act, the state election law, or both.

Inasmuch as the general election is scheduled for November 6, within this two-week timeframe, it seems most reasonable to set the referendum to coincide with the general election. Such scheduling is likely to maximize voter turnout. In addition, because other municipal referendum questions will also appear with the November 6 general election, the necessary administrative process will already be in place. Further, given this coincidence in timing, there is some likelihood that the Justice Department will disapprove holding a second election within this two-week period; the Attorney General's staff recommends having a strong and detailed justification if Council rejects the November 6 alternative and opts for a second election.

Attachments

WILLIAM W. DREYFOOS
ATTORNEY AT LAW
171 CHURCH STREET
SUITE 210
CHARLESTON, SOUTH CAROLINA 29401
(803) 577-2033
TELECOPIER (803) 723-3039

. August 16, 1990

Ms. Katherine K. Belknap
South Carolina Attorney General's Office
P.O. Box 11549
Columbia, SC 29211

Re: City of Isle of Palms Referendum

Dear Kathy:

This is to confirm our telephone conversation of August 15, 1990, with respect to the petition received by the Isle of Palms City Council regarding a change in its form of government.

Under the Voting Rights Act, pre-clearance from the Justice Department is necessary for the referendum question. The letter requesting preclearance must identify the date of the election and provide justification for its selection. As always, the preclearance request letter must identify the statutory basis upon which the election is held, as well as any effects on minority populations.

I appreciate your assistance in identifying the particular requirements relating to this referendum. Please let me know if there are any other state requirements in addition to the ones outlined above.

Thanking you for your assistance in this matter, and with best regards, I remain

Very truly yours,



William W. Dreyfoos

WWD/ab

WILLIAM W. DREYFOOS
ATTORNEY AT LAW
171 CHURCH STREET
SUITE 210
CHARLESTON, SOUTH CAROLINA 29401
(803) 577- 2033
TELECOPIER (803) 723-3039

August 16, 1990

Mr. James F. Hendrix, Deputy Director
State Election Commission
P.O. Box 5987
Columbia, SC 29250

Re: City of Isle of Palms Referendum

Dear Jim:

This is to confirm our telephone conversation of August 15, 1990, with respect to the petition received by the Isle of Palms City Council regarding a change in its form of government.

The referendum on the petition question must be held between thirty and ninety days following the Charleston County Board of Voter Registration's certification of petition signatures, which occurred on August 9, 1990. The date of the referendum must be set by City Council.

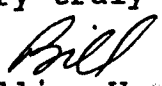
Further, the SC Election Commission takes the position that the City must adhere to the sixty-day notice requirement as set forth in Title 7 of the State Code. Such notice requirement is consistent with the US Justice Department requirement of sixty-day prior notice under Title 5 of the Voting Rights Act.

Per our discussion, I understand that it is possible to place the referendum question on the November 6 general election ballot, provided that there is sufficient room on the ballot. There is a September 1 deadline for submission of City referendum questions for inclusion on the general election ballot.

I appreciate your assistance in identifying the requirements relating to this referendum. Please let me know if there are any other state requirements in addition to the ones outlined above.

Thanking you for your assistance in this matter, and with best regards, I remain

Very truly yours,


William W. Dreyfoos

WWD/ab

CITY OF ISLE OF PALMS
ORDINANCE 1990-14
THIRD READING DRAFT - AUGUST 23, 1990

Appendix C

AN ORDINANCE TO CALL FOR A SPECIAL ELECTION REGARDING A CHANGE IN FORM OF GOVERNMENT

WHEREAS, City Council of the City of Isle of Palms, S.C. desires to serve and fulfill the desires of the voters of the Municipality to the fullest and best of their abilities.

WHEREAS, City Council of the City of Isle of Palms, S.C. has determined that the Council Form of government would best provide for accountability and harmonious government.

WHEREAS, the City of Isle of Palms, S.C. presently operates under a different form of government originally selected at inception of Home Rule and,

WHEREAS, City Council of the City of Isle of Palms, S.C. finds significant changes in the Municipality and its needs have occurred since that time in both governmental and non-governmental areas.

WHEREAS, THEREFORE City Council of the City of Isle of Palms, S.C. after considering the above, desires the form of government for the City of Isle of Palms, S.C. be changed to the Council Form and pursuant to Section 5-5-20 of the South Carolina Code of Laws as amended has determined the proper manner to do such is by Ordinance calling for a special election to allow voters to select for themselves the appropriate form of government Isle of Palms.

WHEREAS, LASTLY, City Council of the Isle of Palms, S.C. wishes to encourage all voters on the Isle of Palms to support its efforts to better serve them by supporting and voting for this change.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. To call for by Ordinance a special election to change the present form of government to the Council form pursuant to Section 5-5-20 of the South Carolina Code of Laws as amended.

Section 2. A Special Election shall be held as soon as allowable under South Carolina State Law for the purpose of determining the following question: "Shall the municipality of City of Isle of Palms, S.C. change its form of government from mayor-council form to Council form? YES NO (strike one)."

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective

upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS DAY OF , 19 .

X
CARMEN R. BUNCH, MAYOR

..

X
NELLIES.McDUFFIE, CLERK-TREASURER

FirstReading:7/11/90
SecondReading:7/26/90
ThirdReading:
Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-7
Third Reading Draft - 8/23/90

AN ORDINANCE TO AMEND ZONING REQUIREMENTS RE: NON-CONFORMING STRUCTURES

WHEREAS, Section 5-4-37 of the City Code sets forth the standards under which non-conforming structures may be repaired and altered; and

WHEREAS, such standards do not provide for cosmetic, interior and facade alterations which are not needed to maintain the structural integrity and safety of the structure; and

WHEREAS, in the aftermath of Hurricane Hugo, many owners of non-conforming structures wish to make repairs that would constitute such alterations; and

WHEREAS, City Council believes such alterations are essentially non-structural in character, and may be made without subverting the general intent of Section 5-4-37, provided that the extent of the original non-conformity is not increased; and

WHEREAS, City Council is authorized to make amendments to its zoning requirements pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the City's zoning requirements regarding non-conforming structures.

Section 2. Section 5-4-37 Amended.

- a. In Section 5-4-37 of the City Code, existing subsections (d) through (f) are re-numbered as subsections (e) through (g).

b. A new subparagraph 5-4-37(d) is created, to read as follows:

(d) The following alterations are considered to be non-structural, and may be made to a non-conforming structure, provided that the extent of the non-conformity is not increased:

- (1) Non-structural facade alterations
- (2) Modification or removal of interior walls
- (3) Modification of existing windows and exterior doors
- (4) Construction or modification of decks and patios, provided that there is no increase in any encroachment into required setbacks

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

Ordinance No. 1990-7
Third Reading Draft
8/23/90
Page 3

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____
Public Hearing: _____
Second Reading: _____
Third Reading: _____
Ratification: _____

P R O C L A M A T I O N

WHEREAS, D.A.R.E. (Drug Abuse Resistance Education) is a semester-long program that teaches young people ways to resist peer pressure to experiment with drugs and alcohol; and,

WHEREAS, D.A.R.E. targets young people when they are most vulnerable to tremendous peer pressure and teaches the skills to make positive decisions and resist pressure to engage in negative behaviors; and,

WHEREAS, more than 100,000 classrooms in 49 states as well as Department of Defense Dependent Schools and schools in American Samoa, Canada, Australia and New Zealand conduct the D.A.R.E. program; and,

WHEREAS, over 20 million students have been reached through D.A.R.E.; and,

WHEREAS, the D.A.R.E. program is taught by veteran police officers with direct experience in cases involving criminal activities and ruined lives caused by substance abuse; and,

WHEREAS, each police officer who teaches the D.A.R.E. program completes an 80-hour training course that includes instruction in teaching techniques, officer-school relationships, development of self-esteem, child development, and communication skills; and,

WHEREAS, the D.A.R.E. curriculum helps students understand self-image, recognize stress and manage it without taking drugs, evaluate risk-taking behavior, resist gang pressure, apply decision making skills, and evaluate the consequences of the choices available to them; and,

WHEREAS, the D.A.R.E. program has achieved outstanding success teaching positive and effective approaches to what is one of the most difficult problems facing our young people today - - drug abuse.

NOW, THEREFORE, I, Carmen R. Bunch, as Mayor of the City of Isle of Palms, South Carolina, do hereby proclaim that September 13, 1990, shall be designated as

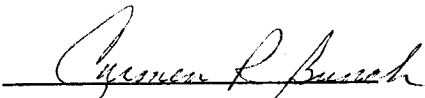
"D.A.R.E. DAY"

in the City of Isle of Palms, South Carolina, and I urge all citizens of this community to observe that day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, in writing I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed.

This 03rd day of August, 1990.




Carmen R. Bunch, Mayor
CITY OF ISLE OF PALMS

APPENDIX S

Misc
* read TO Council

July 16, 1990

Honorable C. Melvin Anderegg, Mayor
Town of Sullivan's Island
P. O. Box 427
Sullivan's Island, SC 29482

Dear Mayor Anderegg:

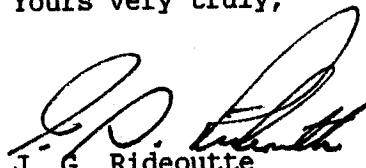
This will acknowledge your letter of June 20, 1990, concerning the Department's hurricane contingency plans with reference to the Ben Sawyer Bridge on SC Route 703.

~~X~~ We have devised a cable/jacking system to secure the swingspan section of this bridge to the concrete substructure. The cables will be pre-attached to the substructure and the other necessary hardware will be stored at the bridge site for quick access. The installation is estimated to take only two to three hours to complete.

I trust that the above will allay any fears that you may have concerning a recurrence of last year's collapse during Hurricane "Hugo".

I appreciate your interest and concern.

Yours very truly,


J. G. Rideoutte
Executive Director

CC:
Dist. Engr. Admin. Weeks - Dist. # 6
Ron Hutson, Bridge Maint. Engr.
Charles Matthews, Bridge Constr. Engr.
Director of Maintenance

Honorable Carmen Bunch, Mayor
Isle of Palms

Office of the Mayor

Isle of Palms



Carmen R. Bunch

August 15, 1990

Mr. Curt Gibbons
19 - 41st Avenue
Isle of Palms, SC 29451

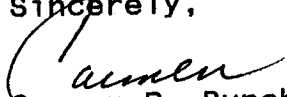
Dear Curt:

I have received a letter from Robert Shumate, Senior Crew Chief with the Charleston County EMS in which he advises me that your quick action on July 24, in response to a call on 53rd Avenue, in all probability saved the life of an infant.

I am aware of the excellent job done by all the First Responders, but I do want to commend you personally for your extraordinary efforts on this occasion. The residents of the Isle of Palms are indeed fortunate to have such capable and dedicated volunteers so readily available.

Thank you for your outstanding service to the community.

Sincerely,


Carmen R. Bunch
Mayor

CRB/1bb

cc: Laurent Britton, Chief
Isle of Palms Fire Department



County of Charleston
Charleston, South Carolina

Emergency Medical Service
326 Calhoun Street
Charleston, S.C. 29401



August 12, 1990

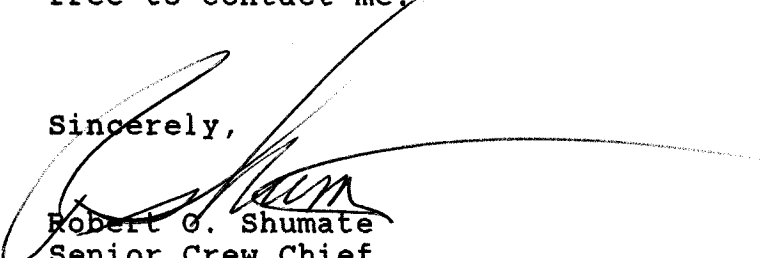
Mayor C. Bunch
City of Isle of Palms
Drawer Q
Isle of Palms, S.C. 29451

Mayor Bunch,

On July 24, 1990 EMS and the Isle of Palms Fire Dept. responded to a call on 53rd ave for a choking infant. Prior to the Squad and the EMS unit arrival one of the fire Dept. volunteers responded. When he arrived he found the infant not breathing in the arms of his mother. He quickly accessed the problem and turned the infant over and cleared his airway enabling him to begin breathing again. Mr. Kirt Gibbons was able to save this infant from possible brain damage and possible death by his actions. Without a good first responder program in place many calls like this have a bad outcome. Thanks to your Fire Dept. and its program a infant will have a chance to grow up. With the limited amount of units that we have in Charleston County its is good to know that the people of Isle of Palms will receive quick and expert care prior to our units arrival.

If I can be of service to you or your Fire Dept. please feel free to contact me.

Sincerely,


Robert G. Shumate
Senior Crew Chief
Charleston County EMS

CC: Chief Britton
IOP Fire Dept.

19 - 41st Ave.

Over 6 weeks ago, a resolution was presented and passed by this Council 7-1 to stongly urge SCE&G to look at alternate means of providing power other than free standing poles across the marsh. Although, conversations have taken place between City officials and SCE&G officials and a letter was supposed to have been sent to the Highway Dept. in the beginning of July, Council has not received either written or verbal notificlation of the status of this important issue. Council can no longer take a lacadaisical approach to problems and concerns that are brought to our attention by Isle of Palms residents. We must actively pursue information about the power pole construction and the mounting of the lines on the connector. Now what? Who can make sure this is done? I think this Council can. We voted 7-1 on the resolution, let's ask for a response from SCE&G. As of July 9, 1990 in a conversation with SCHD official there would have been no objection to mounting the lines on the connector if SCE&G was willing to pay the material and design cost. I formally request a copy of the resolution signed by all of Council be sent to SCE&G and SCHD with a cover letter requesting a written response by Sept. 1, 1990. I think residents and Council have expressed their concern on this issue and they deserve the courtesy of a response from SCE&G and SCHD via the mayor.

MINUTES OF THE PUBLIC HEARING ON JEDA (JOBS-ECONOMIC DEVELOPMENT AUTHORITY) FUND APPLICATIONS OF SEPTEMBER 10, 1990.

A Public Hearing on JEDA funds applications was held on September 10, 1990, at 7:00 p.m., at Isle of Palms City Hall. Present were Linda Tucker, Mayor Carmen Bunch, Clerk-Treasurer Nell McDuffie, Council Member Ward, Kathryn Carroll and Bill Bailey.

Linda Tucker, Technical Assistance Manager of the Council of Governments opened the hearing by stating that this is the 2nd of two public hearings having to do with Jobs & Economic Development Authority loans that the City of Isle of Palms is applying for on behalf of three applicants - Isle of Palms Heating & Air Conditioning, Isle of Palms Marina and Island Clipper. JEDA funds being used are capitalized with block grant funds from the Housing & Urban Development and they may only be received by local governments to be used for community and economic development purposes. The funds being applied for by these businesses are funds set aside for businesses who were severely damaged during Hurricane Hugo and who were uninsured, under insured, or could not qualify or get enough money from FEMA or SBA.

The Island Clipper is applying of \$43,500.00 to purchase equipment. Isle of Palms Heating and Air Conditioning is applying for \$92,680.00 to purchase land to expand and renovate their building. The Isle of Palms Marina is applying for \$300,000.00 for the construction of a marina facility and restaurant in the Breach Inlet area.

Ms. Tucker opened the floor for questions or comments regarding this process or these three specific projects.

Mayor Bunch thanked Ms. Tucker for helping us to get these loans and was told that more JEDA loans have been applied for by Isle of Palms businesses because of the previous meetings than any other local government in the area.

Mayor Bunch stated that the property being used by the Isle of Palms Marina was once owned by her family who ran a restaurant, etc. There was a continuous harassment of anyone who wanted to run a restaurant because of the parking, sewer, etc. Mayor Bunch was concerned with the need to find out whether or not the facility will be able to run without sewer system and can they put in a larger septic tank. Mr. Bailey stated that they had already received permission to hook into the island sewer system. He showed plans of the facility. The property is owned by Cantrell and Bailey has a 15-year lease for the Marina facilities. The loan will be secured by the land. A discussion of the facility itself and its uses followed.

Ms. Tucker stated that once JEDA has approved the loan the funds will be put into a City account for disbursement to the borrowers.

There were no more comments or questions and the meeting was closed.

Respectfully submitted,

Nellie S. McDuffie
Nellie S. McDuffie, Clerk-Treasurer

Approved:

Carmen R. Bunch
Carmen R. Bunch, Mayor

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF NOVEMBER 9, 1990

A Special Meeting of the Isle of Palms City Council was held on Friday, November 9, 1990, at 5:30 p.m. at City Hall. The meeting was called by five members of Council to discuss the recent vote to change the form of government from Mayor-Council to Council-Mayor. (see Exhibit A) Mayor Bunch called the meeting to order at 5:40 p.m. Present were Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward, Watson, Mayor Bunch, City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie, and Secretary Geary. Council Member Orvin arrived late.

Mr. Holden asked about the proper method of filing the change of government with the Secretary of State; whether it was an ordinance or merely filing the certified results of the referendum. Attorney Dreyfoos had sent a letter to Gerald Jones, Chief, Voting Section, Civil Rights Division in Washington, D.C., along with a certified copy of the election results, asking for Justice Department preclearance for the change of government. (see Exhibit B) Mr. Dreyfoos did feel that ordinance form would be preferable and that anything introduced tonight could be modified however the Secretary of State's office wanted us to do so. Mr. Holden asked Mr. Dreyfoos to draft up an ordinance tonight and Mr. Dreyfoos agreed to do so.

Mr. Ward moved to go on with the next item on the agenda while Mr. Dreyfoos wrote up the ordinance; Mr. Holden seconded, motion passed unanimously.

Mr. Ward moved we accept first reading of Ordinance 1990-20; (see Exhibit C) Mr. Sottile seconded. Mr. Holden who wrote the ordinance stated that this ordinance was an attempt to take the manager form of government and adopt it over to the administrator so that he would yield most of the powers except hiring and firing of employees, and setting of salaries which would need approval of council. He said that this was his most honest attempt to give the people what they had promised and have the manager form of government. Mr. Ward said that he thought Barry did a good job of drafting the ordinance; this was an emergency situation; we will be going through a lot of legalese, but the majority of the people voted to change the form of government and they wanted it right now. Mr. Holden stated that regardless of how long preclearance takes, the ordinance does have a clause hinging on preclearance by the Justice Department. Mayor Bunch asked if that was why he chose not to do the Emergency Ordinance so we can overlook that since it is not an emergency. Mr. Holden stated he does intend to introduce the emergency ordinance also which would take affect as soon as the Justice Department makes its determination whereas this ordinance could still be in the reading stages. Mr. Watson moved to change the second sentence of the protection clause but Mayor Bunch stated that nothing can be changed at this time as first reading is a

reading only. At second reading it should be read line by line and that the meeting should be held at the Exchange Club where the public can attend and see what we are doing. Mr. Holden moved that an amendment be made to the motion referring the ordinance to Engrossed Bills; Ms. NesSmith-Picard seconded; amendment passed unanimously. Voting on the motion, it was passed unanimously.

The next item presented was the handwritten ordinance prepared by Mr. Dreyfoos at the meeting to be submitted to the Secretary of State. The title of the ordinance is "An Ordinance to Provide for the Council Form of Government For the City of Isle of Palms". (see Exhibit D) Mr. Ward moved to accept this ordinance as first reading; Mr. Holden seconded. There was discussion as to whether you have to pass an ordinance or use election results, and if it is an ordinance, what the ordinance should say. Mr. Ward asked when the next Engrossed Bill meeting would take place. Mayor Bunch suggested that since the meeting would be at the Exchange Club we check with them to find out when the next available date is and then schedule the meeting accordingly. Mr. Ward said that he would like to have that meeting as soon as possible so that we can get back to second reading. He also requested from Mr. Dreyfoos (as they called for the referendum last summer they found that there were things they were supposed to do that weren't being done) that the Council be fully informed of anything that we need to address tonight to help expedite this matter and that there will be nothing crawling out from under a rock in the future. Mayor Bunch pointed out Mr. Dreyfoos's memorandum on the Implementation of the Change in Form of Government (see Exhibit E) which was passed out to all members. Calling for a vote, the motion passed unanimously.

The next item presented by Mr. Holden was the Emergency Ordinance stating that the only difference between this ordinance and the regular ordinance would be that if the Justice Department preclears the change in government, it would provide a form of government immediately. Mr. Ward moved to accept the Emergency Ordinance as presented; Mr. Sottile seconded.

Upon question of Mayor Bunch, Mr. Dreyfoos stated that his interpretation of paragraph 9 of the Emergency Ordinance says that the effective date is the latter of ratification by council or receipt of preclearance from Justice Department. Mr. Holden stated that the word "ratification" should have been "passage". There was also a question as to whether or not the emergency ordinance provision in the code applies to this situation. Mr. Holden made a motion to amend paragraph 9 to change the word "ratification" and make it "passage"; Mr. Ward seconded. Amendment passed unanimously.

Upon further discussion of the ordinance, Mr. Simon asked the attorney if this constituted a legitimate emergency ordinance. Mayor Bunch stated that she understood that emergency ordinances were something that needed to go into effect immediately because

there was an emergency situation that needed attention; and since this has to be cleared by Justice Department and unless we know how long it takes to clear, it can't be an emergency when we just had a first reading on the same ordinance. Mr. Holden stated concern that if a letter from Justice Department comes down, then those who deal with the government may feel that the banks, for example, may freeze accounts not knowing who to deal with, and in that context, the emergency ordinance could be a safeguard. This was his fear; and whether remote or legitimate, either one, he felt there was no harm in putting this out as a safeguard.

Mr. Dreyfoos questioned whether this constituted one of the categories of things you can include in emergency ordinances. If it is one of those it is at the far end of the spectrum that dictate emergencies. Making the assumption that I do that Justice preclearance is required, if Justice takes as long to preclear as it typically does, then it is a moot point because the other ordinance will already have been adopted by the time the preclearance comes back. So in that situation I think Barry is right and that it is a fall-back situation and most likely won't be used. Whether or not it is a legitimate emergency ordinance I think is subject to debate.

Mr. Watson moved that we change the first sentence of Section 7 to read: The Council shall employ an Administrator and fix his compensation at 20% higher than that currently in effect beginning with the effective date of this ordinance. Mr. Simon seconded. Upon discussion, Mr. Ward stated that this needs to go to Ways & Means for approval; Mrs. Swanson asked if this didn't require a budget change. Mr. Holden wanted this to go to Personnel Committee and to Ways & Means. Mr. Watson said he thinks it is unreasonable to pass an emergency ordinance substantially increasing the responsibilities of an employee without giving a like compensation and that is why he made the motion. Mr. Holden stated that he felt this wouldn't come into effect but he didn't want there to be a moment in time where there is a question can the employees cash their checks; the duties of the administrator would definitely go up but he would rather address his salary when and if it happens. Mayor Bunch stated that she thought this discussion was all out of order in that things pertaining to personnel and salary should be discussed in Executive Session and that it was embarrassing to talk about it in front of someone who has worked so hard, and certainly deserved this kind of raise during Hugo, regardless of this, and an embarrassment to talk about someone's raise in public like this. She suggested that it be discussed at another meeting, let Ways & Means have a chance to look at the budget, and then we can approve it. Ms. NesSmith-Picard stated that she thinks the details can be worked out later and that the intent was to put this on the table and get something out here to act upon. Mr. Sottile also felt that this should go to Ways & Means but stressed that the City Administrator does deserve a raise. Mayor Bunch asked if Mr. Watson wanted to withdraw his amendment; Mr. Watson said no. There

was a roll call vote on the amendment: Holden - no; NesSmith-Picard - no; Orvin - no; Simon - yes; Sottile - no; Swanson - yes; Ward - no; Watson - yes; Bunch - yes. Amendment was defeated 5 to 4.

Upon further disucssion as to whether or not this was an emergency, Mr. Ward stated that he felt it was an emergency, 976 people think we have an emergency in the administration on the Isle of Palms, and if it wasn't an emergency then the voters would have waited another three years before putting this on the ballot, this ordinance was meant to deal with that. This isn't a courtroom and we are just trying to carry out the wishes of the majority of the people. Mr. Watson stated that he thought 976 people said we needed a change, but that they didn't say it was an emergency. Mayor Bunch stated that she thinks the interpretation was what constituted an emergency. According to the Municipal Association and according to the South Carolina codes, an emergency is something that needs to be put on the books immediately and this cannot be put into effect until it receives clearance from Justice Department. Ms. NesSmith-Picard called for the question.

Mr. Simon stated that he thought it was important that we don't state this is an emergency. He understands Mr. Holden's point that there is a possible technical need to cover an issue, but he didn't think this was the only way to do it. We are having no discussion as to whether, (1) that technical gap exists or could exist and is this the only way to do it; (2) this is a very detailed ordinance that covers the potential operation of this government until the first reading actually goes through and I think something this detailed can't possibly constitute an emergency. The emergency Mr. Holden is talking about consists of one possibility and this covers a multitude of possibilities so I think we are extending way beyond what is being talked about as an emergency. We are all in agreement that we are moving into the council form of government and we are talking about how it is to be done. This is not the proper way to do it I don't think. Also the talk about moving to a manager form, I think many of us have some desire that that is a better structure, but that is not what was voted on. We are moving to a council form of government, and how we are going to specifically set that up is going to be decided line by line, point by point, and to give the citizens of this City the impression that we now have the manager form of government, I don't agree with; we are about to have the council form of government. I am willing to pass any emergency ordinance necessary to see that employees can get their checks cashed or any other issue that may come up, but I am not willing to pass a nuts and bolts statement of how this government operates and I don't think that is what the citizens voted for. They voted for a transition to a new form of government done properly. Even the drafter is willing to admit that there are some technical problems with the emergency ordinance and this is too important to be done by emergency ordinance. It is not necessary that either side in this argument see this as a political

ruse. We are moving to council form, it's a done deal, we are all in agreement, let's make the first move of this Council an intelligent one and move slowly. Mayor Bunch agreed with this opinion. Ms. NesSmith-Picard called for the question. There was a roll call vote to pass the emergency ordinance: Holden - no; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - no; Swanson -no; Ward - yes; Watson - no; Bunch -no. The motion was defeated 6 to 3.

Mr. Holden passed out copies of a Resolution (see Exhibit G) and read the Resolution concerning immediate effect of the council form of government. He then moved to take out the word "strong" in the last paragraph; it was merely a label and it should read "council form"; Mr. Watson seconded. Mr. Dreyfoos stated that as an expression of intent of council he had no problems with the resolution. Mayor Bunch asked Mrs. Swanson to take over as Mayor Pro-Tem so that she could speak as a council member. Mrs. Bunch expressed concern in reference to the third paragraph of the resolution referring to "expiration of terms of sitting public servants". She has received several letters and calls questioning whether or not she should serve out her term as strong mayor. She stated that the referendum only passed by 98 votes and that the people who also had voted for her to serve four years and are questioning the effective date. She feels that both sides have the right to question the effective date. She then made a motion to delete the third paragraph; Mr. Watson seconded. Taking back over as Mayor, the Mayor called for a vote. There was a roll call vote on the amendment: Holden - no; NesSmith-Picard - yes; Orvin - no; Simon - yes; Sottile - no; Swanson - yes; Ward - no; Watson - yes; Bunch - yes; motion passed with a 5 to 4 vote. Mayor Bunch then called for a vote on the Resolution with the deletion; motion passed with one no vote.

Mr. Holden then passed out another Resolution (see Exhibit H) concerning the retaining of Coming B. Gibbs to represent the City in all matters of implementing the change in form of government stating that he would not wish to discuss this in public. Holden then read the Resolution and moved that we go into Executive Session as this is both a personnel and a legal matter; Mr. Sottile seconded. There was a roll call vote: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - yes; Sottile - yes; Swanson - yes; Ward - yes; Watson - yes; Bunch - yes. Motion passed unanimously and council went into Executive Session.

Coming out of Executive Session, the Mayor stated that no action was taken; there was discussion pertaining to the retaining of attorney Coming B. Gibb but no action was taken and it was not resolved. Mr. Holden moved to accept the Resolution; Ms. NesSmith-Picard seconded. Mayor Bunch asked Mrs. Swanson to take over as Mayor Pro-Tem so that she could discuss the issue as a council member. Her opinion is that council should not hire Mr. Gibb since he has recently been involved in cases against the Isle of Palms

which he lost, and that it would be a conflict of interest to use Mr. Gibb. She has no objection to using another lawyer. Mr. Simon expressed his objection to hiring separate counsel based on the cost to the City stating that the City cannot afford to hire another attorney at this point. Ms. Nessmith-Picard stated that we can't afford not to afford an attorney and we need an "expert" in this type of situation and litigation and that Mr. Gibb's firm is an expert in this field and will probably have several individuals involved in this case. Roll call vote to retain Mr. Gibb: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - no; Bunch - no. Motion passed with a vote of 5 to 4.

Mr. Ward moved to adjourn; Mr. Holden seconded; meeting was adjourned unanimously.

Respectfully submitted,



Nellie S. McDuffie, Clerk-Treasurer

Approved:


Carmen R. Bunch, Mayor

I, along with the other below signed members of Isle of Palms City Council, request a special meeting be held on Friday November 9th, 1990 commencing at 5:30 P.M. at City Hall for the purposes of:

1. Enactment and provision for filing with the Secretary of State of an ordinance selecting the Council form of government pursuant to the binding referendum of November 6, 1990 requesting such and/or provision for filing with the Secretary of State of the certified results of the above binding vote as required under State Law.
2. Voting to adopt other permanent and emergency Ordinances of all types, budgetary, statutory, codified and non-codified in nature, implementing, enabling and related in any and all ways whatsoever, both directly and indirectly, to the recent binding vote calling for a change in the form of Isle of Palms Municipal Government from Mayor-Council form to Council Form.
3. Voting on Resolutions implementing, enabling and related in any and all ways whatsoever, both directly and indirectly, to the recent binding vote calling for a change in the form of Isle of Palms Municipal Government from Mayor-Council form to Council Form.

x Barry S. Holden BARRY HOLDEN

x James M. Ward JAMES WARD

x J. Michel Sottile MIKE SOTTILE

x Melinda NeSmith-Picard MELINDA NEESMITH-PICARD

x Heath Orvin HEATH ORVIN

x _____

x _____

x _____

NOV. 08 Recd

1:50 pm

WILLIAM W. DREYFOOS

ATTORNEY AT LAW

171 CHURCH STREET

SUITE 210

CHARLESTON, SOUTH CAROLINA 29401

(803) 577- 2033

TELECOPIER (803) 723-3039

November 8, 1990**BY CERTIFIED MAIL**
RETURN RECEIPT REQUESTED

Mr. Gerald Jones, Chief
Voting Section
Civil Rights Division
Room 720
320 First Street, NW
Washington, D.C. 20001

RE: Submission under Section 5 of the Voting Rights Act
City of Isle of Palms, South Carolina
Change in Form of Government

Dear Mr. Jones:

With reference to my letter of August 24, 1990, the City of Isle of Palms requests Justice Department preclearance for a change in its form of government, from the Mayor-Council form to the Council form.

The change is from the form of government authorized in State Code Section 5-9-10 et seq. to the form authorized in State Code Section 5-11-10 et seq. The effect is to shift to the City Council some functions currently exercised by the Mayor.

Pursuant to Section 5-5-20 of the South Carolina Code of Laws, this change was approved by binding referendum at the November 6, 1990 special municipal election. The referendum results were certified by the Municipal Election Commission on November 8, 1990, with 976 electors voting for the change and 878 voting against it. A copy of the certification is attached.

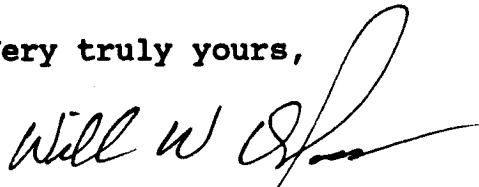
Based upon information provided by the Charleston County Board of Registration, 2,853 individuals are currently registered to vote within the City. Of this number, 1,854 voted in the special municipal election. I am aware of no black residents or registered voters within the City of Isle of Palms. To my knowledge, the change in form of government will have no effect on minority voting interests.

Mr. Gerald Jones, Chief
Voting Rights Section
RE: CITY OF ISLE OF PALMS, SC
November 8, 1990
Page 2

Please let me know if I can provide any additional information or documentation to facilitate the Justice Department's review of this request. I can be reached at (803) 577-2033 during normal business hours.

Thanking you for your assistance in this matter, and with best regards, I remain

Very truly yours,



William W. Dreyfoos

Attorney, City of Isle of Palms

Attachment
WWD/b-41

cc: South Carolina Election Commission
Isle of Palms Municipal
Election Commission
City Council

CITY OF ISLE OF PALMS
SPECIAL MUNICIPAL ELECTION
NOVEMBER 6, 1990

1. BINDING VOTE: "Shall the municipality of the City of Isle of Palms, S.C., change its form of government from the Mayor-Council form to the Council form?"

PRECINCT 1	YES	<u>452</u>	NO	<u>398</u>
PRECINCT 2	YES	<u>486</u>	NO	<u>450</u>
ABSENTEE	YES	<u>38</u>	NO	<u>29</u>
EMERGENCY	YES	<u> </u>	NO	<u>1</u>
TOTALS	YES	<u>976</u>	NO	<u>878</u>

2. ADVISORY VOTE: "Should the City of Isle of Palms sell up to 1.5 acres of property at the City Recreation Department grounds (TMS #571-05-00-141) to a private association, comprised primarily of the Isle of Palms residents, for use as a swimming pool by the association's members?"

PRECINCT 1	YES	<u>327</u>	NO	<u>510</u>
PRECINCT 2	YES	<u>396</u>	NO	<u>521</u>
ABSENTEE	YES	<u>23</u>	NO	<u>43</u>
EMERGENCY	YES	<u> </u>	NO	<u>1</u>
TOTALS	YES	<u>746</u>	NO	<u>1075</u>

Sworn to before me this 8th day of November, 1990:

Election Commission:

Melinda Wilson
Notary Public for South Carolina
MY COMMISSION EXPIRES
My Commission Expires: APRIL 25, 1999

[Signature]
Laura D. Taylor
Kelan C. Corbin

CITY OF ISLE OF PALMS
ORDINANCE # 1990 -
FIRST READING DRAFT - 11 / 9 / 90

An Ordinance to provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

WHEREAS, a majority of electors have voted in a binding referendum for The City of Isle of Palms, S.C. to employ a Council form of government.

WHEREAS, Council therefore is responsible to provide for administrative mechanisms to manage the affairs of the City and implement the policies of Council.

WHEREAS, Council finds employment of professional administration and substantial delegation of authority to same to be in the best interest of the City;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. To provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

Section 2. The sections below are hereby enacted. Present Code sections inconsistent with the above are hereby rendered inoperative for the term of this emergency ordinance (including but clearly, knowingly and expressly not limited to sections 1-2-1, 2-1-2, 2-2-2 in their entirety and deletion of the word "mayor" and modifying introductory language in section 1-5-3, and 1-6-5 through 1-6-7)

Section 3. Councilmember prohibited from holding other offices during term, reprimanding or removing employees whom the administrator is empowered to control and supervise and dealing with employees under control and supervision of the administrator. (noninterference clause)

(a) Except where authorized by law, no councilmember including the Mayor shall hold any other municipal office or municipal employment while serving the term for which he or she was elected to the council.

(b) Neither the council nor any of its members including the Mayor shall in any manner be involved in the reprimanding or removal of any municipal administrative officers or employees whom the administrator or any of his subordinates are empowered to control and supervise except for confirming as an assembled council a termination pending under suspension of a department head made by the administrator.

(c) Except for the purpose of inquiries, investigations and casual discussions, neither the council nor its members including the Mayor shall deal with municipal officers and employees who are subject to the direction and supervision of the administrator except through the manager, and neither the council nor its members including the Mayor shall give orders to any such officer or employee, either publicly or privately.

(d) Any councilmember including the Mayor who violates the above shall be subject to the general penalty section of 1-3-66.

Section 4. Term of employment and compensation of administrator; removal of administrator by council. (protection clause)

Council shall employ an administrator to administer the affairs of the city and implement the policies of the Municipal Council.

The term of employment of the administrator shall be at the pleasure of the council and he shall be entitled to such compensation for his services as the council may determine. The council may, in its discretion, employ the administrator for a definite term. If the council determines to remove the administrator he shall be given a written statement of the reason alleged for the proposed removal and the right to a hearing thereon at a public meeting of the council.

Within five days after the notice of removal is delivered to the administrator, he may file with the council a written request for a public hearing. This hearing shall be held at a council meeting not earlier than twenty days nor later than thirty days after the request is filed. The administrator may file with the council a written reply not later than five days before the hearing. The removal shall be stayed pending the decision at the

public hearing.

Section 4. Designation by administrator of administrative officer to act in administrator's absence or disability; effect of administrator's failure to designate officer.

By letter filed with the municipal clerk the administrator shall designate a qualified municipal administrative officer which shall not be any member of Council or the Mayor, to exercise the powers and perform the duties of administrator during his temporary absence or disability.

In the event of the failure of the administrator to make such designation the municipal council may by resolution appoint an officer of the municipality to perform the duties of the administrator until he or she shall return or his or her disability shall cease.

During such absence or disability, the council may revoke such designation at any time and appoint another officer of the municipality to serve until the administrator shall return or his or her disability shall cease.

Section 5. Responsibilities of administrator.

The administrator shall be the chief executive officer and head of the administrative branch of the municipal government. He shall be responsible to the municipal council for the proper administration of all affairs of the municipality and to that end, subject to the provisions of this chapter, he shall:

(1) Appoint with the concurrence of council and, when necessary for the good of the municipality, suspend with recommendation for termination by Council any appointive or departmental head level officer or employee of the municipality and fix with the concurrence of council the salaries of such officers and employees, except as otherwise provided in this chapter or prohibited by law and except as he may authorize the head of a department or office to appoint and remove subordinates in such department or office;

(2) Prepare the budget annually, submit it to the municipal council and be responsible for its administration after adoption;

(3) Prepare and submit to the municipal council at the end of each fiscal year a complete annual report on the finances and administrative activities of the municipality for the preceding year and make such other financial reports from time to time as may be required by the council or by Chapters 1 through 17;

(4) Keep the municipal council advised of the financial condition and future needs of the municipality and make such recommendations as may seem to him desirable; and

(5) Perform such other duties as may be prescribed by law or required of him by the municipal council, not inconsistent with the provisions of Chapter 1 through 17 of the South Carolina Code of Laws.

Section 6. Power and duties of municipal council.

All legislative powers of the municipality and the determination of all matters of policy shall be vested in the municipal council, each member, including the mayor, to have one vote. Without limitation of the foregoing, the council shall:

(1) Employ an administrator;

(2) Establish other administrative departments and assign and distribute the work thereof upon recommendation of and with the approval of the manager;

(3) Adopt the budget of the municipality;

(4) Authorize the issuance of bonds by bond ordinance, subject to such restrictions and limitations as may be prescribed by law;

(5) Have the power to inquire into the conduct of any office, department or agency of the municipality, make investigations as to municipal affairs and give the public information concerning them;

(6) Adopt plats;

(7) Adopt and modify the official map of the municipality;

(8) Provide for an independent annual audit of the books and business affairs of the municipality and for a general survey of municipal business;

(9) Provide for the general health and welfare of the municipality in accordance with the statute law of the State with reference to the general police powers granted to municipalities;

(10) Enact ordinances of any nature and kind, not prohibited by the law or Constitution of the State or of the United States; and

(11) With the advice of the administrator, exercise all appointive, executive and

commissions relating to the affairs of the municipal government, except as otherwise provided by law.

Section 7. Employment and qualifications of administrator.

The council shall employ an administrator and fix his compensation. The administrator shall be employed solely on the basis of his executive and administrative qualifications. He or she need not be a resident of the municipality or state at the time of his employment and may reside outside the municipality while in office only with the approval of the council.

No councilmember or mayor shall be employed as administrator of the municipality from which he or she was elected during the term for which he or she shall have been elected.

Section 8. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 9. Effective Date. This Ordinance shall be effective upon the later of its ratification by the City Council for the City of Isle of Palms or compliance with the Voting Rights Act of 1965 by Pre-clearance procedure or otherwise.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19 .

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: — 11/9/90
Second Reading:
Third Reading:
Ratification:

An Ordinance to Provide for the Council
Form of Government For the City of Isle
of Palms

Whereas, by binding referendum of
November 6, 1990, the City of Isle of
Palms has ~~selected~~^{chosen} to operate under
the Council form of government.

Now, Therefore, Be It Ordained, by the City
Council of the City of Isle of Palms,
in Council duly assembled:

1. That upon result of the binding
referendum of November 6, 1990, it is
ordained that the form of ^{government of} the City of
Isle of Palms is the Council form,
pursuant to Section 5-11-10 et seq. of
the South Carolina Code of Laws, 1976,
as amended.

Passed, Approved and Adopted by The Mayor
and Council for the City of Isle of Palms, SC,
this — day of November, 1990.

Nellie S McDuffie, Clerk -

Carma R Bunch, Mayor

WILLIAM W. DREYFOOS

ATTORNEY AT LAW
171 CHURCH STREET
SUITE 210
CHARLESTON, SOUTH CAROLINA 29401
(803) 577-2033
TELECOPIER (803) 723-3039

November 8, 1990

MEMORANDUM

TO: Mayor Carmen R. Bunch
FR: William W. Dreyfoos ^{wwd}
RE: Implementation of the Change in Form of Government

Issue

As a result of the November 6, 1990 referendum, the Isle of Palms' municipal government will change from the Mayor-Council form to the Council form. Because the petition and the referendum question failed to state an effective date for this change, the City must undertake efforts to determine the effective date.

Question

What is the effective date of the change in form of government?

Answer

There is no clear resolution in the absence of a judicial determination.

At a minimum, the change cannot become effective until the City receives preclearance from the US Department of Justice pursuant to the Voting Rights Act of 1965. Such approval can be expected no sooner than mid-January, 1991.

Following Justice Department approval, there are four possibilities for the effective date:

1. immediately upon Justice Department approval
2. at such time following Justice Department approval as may be determined by City Council
3. following the next City Council election

4. following the next mayoral election

Obviously, only one of these approaches can be correct; the question is, which one?

There is no statutory provision on this point. Because there is no case law directly on point, the existing case law provides limited guidance in determining when the change becomes effective. The case law and statutory language on related subjects appear to favor approach #4. The Attorney General's opinions are inconsistent, with all of the options above recommended in different opinions since Home Rule. The most recent municipal change, for the City of Belton, used approach #1; this was supported by the Attorney General, but was not litigated, and therefore is not reflected in the case law.

Given this ambiguity and the lack of a statutory or case law directive, it is not possible to state with certainty when the change becomes effective. Any decision would be suspect, and would open the City to the prospect of costly and time-consuming litigation.

Recommendation

The most prudent and quickest way to resolve this issue is to petition the State Supreme Court for a declaratory judgment. This approach will provide an answer that is not subject to further legal challenge, and will ensure that actions taken by both the Mayor and City Council are in conformance with statutory and constitutional authority (and hence not subject to legal challenge). Due to the importance of this issue, it is possible that the Supreme Court will expedite its review, and render its decision within roughly the same timeframe as the Justice Department review.

Discussion

The above opinion is based upon review of the applicable statutes, case law, Attorney General's opinions and general principals of constitutional and municipal law. As noted above, these materials provide arguments to support each of the four approaches outlined above. Given this fact, and the inconsistencies in these materials, it is not possible to draw conclusions as to the effective date of the Isle of Palms change with any degree of assurance. A brief summary of these materials follows.

1. Statutory requirements

The statute governing the change in form of government (State Code Section 5-5-20) does not address the issue of when a change to a new form of government becomes effective. This deficiency has been discussed in the General Assembly at least as far back as 1980, but has not yet been corrected.

Section 5-5-60 states provides that upon a change in form of government, all members of the existing governmental body will continue to serve their elected terms. This provision tells what happens once the change occurs, but does not speak to the question here: determining when the change occurs. There is no indication that an in-term change is either mandatory or preferred, or that this approach will be read into the referendum question when the effective date is not specified.

Comparison with other statutory provisions relating to the office of the Mayor tend to support approach #4 above, excluding applicability to the sitting Mayor. For example, increases in the Mayor's salary take effect following the next mayoral election.

2. Constitutional requirements.

Articles II and VIII of the State constitution set forth the structure for elected municipal government. Application of constitutional principles can argue both for and against a mid-term change from the Mayor-Council form.

Against Mid-Term Change: The powers exercised by municipal officials vest in these individuals upon taking their oaths of office. A mid-term change would alter the functions which these individuals were elected to carry out. The basic argument here is that the Mayor was elected to serve a term of four years, under a form of government enumerating specific duties and responsibilities for this office. The electorate's choice entailed the selection of an individual to perform these specified functions; in other words, the electoral decision combined the selection of an individual with a set of responsibilities. Under this analysis, changing these functions in mid-term would effectively negate the choice made by the electorate - i.e., other municipal officers would be doing things the Mayor was elected to do. This rationale underlies one of the Attorney General's opinions (Opinion of April 17, 1979).

This problem does not occur if the effective date follows the next mayoral election, because the electorate would then again be choosing an individual to perform a set of specified, though different, duties. Notably, most changes in form of government have been timed to coincide with the beginnings of new terms.

For Mid-Term Change: Extending the rationale above, the argument for mid-term change is that the electorate made a second decision, which superseded the first one. This second decision modified the powers to be exercised by the individuals initially selected. Both decisions are seen as valid, with no impediments to implementation. Several Attorney General opinions use this rationale, suggesting that the functions are irrelevant so long as the individual in office retains his/her title.

3. Judicial opinions.

The requirement of Justice Department preclearance is set forth in NAACP v. Hampton County Election Commission, 470 U.S. 166 (1985). This is a US Supreme Court decision, and is not subject to question or circumvention. This requirement is recognized in the South Carolina case law, e.g., Van Fore v. Cooke, 255 S.E.2d 339, 273 S.C. 136 (1979) (for Horry County).

None of the State court opinions on change in form of government deals with the Mayor-Council form. Most of the cases deal with county governments, using different statutory authorization than is applicable to the Isle of Palms. Most involve the special circumstances in selecting a form of government that followed Home Rule, and thus are distinguishable from the present issue. As a result, the existing case law provides limited guidance in determining when the change becomes effective.

Several of the cases contain the inference that a change in form of government would not affect the powers exercised by a bona fide (properly elected) executive official (such as a mayor), but there is no explicit statement to this effect. See, Greenville County Council v. Ashmore, 265 S.E.2d 38, 274 S.C. 466 (1980); Hardy v. Francis, 259 S.E. 2d 115, 273 S.C. 677 (1979). An earlier case under prior law, Garey v. City of Myrtle Beach, 209 S.E. 2d 893, 263 S.C. 247 (1974), makes this point, but also argues for an expedited change in powers.

4. Attorney General's Opinions.

The Attorney General's opinions are inconsistent, and seem to confuse the issue of (1) when the change is effective, with (2) what happens once the change occurs.

The more recent opinions seem to support an expedited effective date, which would change the powers of the Mayor and Council in mid-term. See, e.g., Opinion of May 10, 1988 re: the City of Belton. However, there is no consistent interpretation in these opinions. The Attorney General appears to read State Code Section 5-5-60 to give legislative preference for in-term changes.

However, the opinions acknowledge the lack of statutory or constitutional basis for this interpretation.

In contrast, in the context of a change from council-manager to council form, one of the earlier Attorney General opinions interprets this same statutory section as meaning that "the change becomes effective upon the expiration of the terms of the council members serving at the time the referendum is held." Opinion of April 17, 1979, addressed to Senator David Turnipseed. As applied to the Isle of Palms, this alternative interpretation suggests that the change from mayor-council to council form would occur at the expiration of the Mayor's current term.

The Opinion of September 4, 1979 written to Edward P. Guerard, Jr. for the Isle of Palms, states that the effective date may occur in-term, and may reduce the powers of the Mayor. However, this opinion was based upon a specified effective date (January 1, 1980), and does not address the question of how to fix the effective date. This difference could explain the inconsistency with the earlier 1979 opinion written to Senator Turnipseed.

The existence of inconsistent Attorney General's opinions merely illustrates the well-established point that these are merely opinions, and do not carry any true authority. Note that the latest election-related opinion of the Attorney General - that local elections cannot be held on Election Day, because it is a State holiday - was summarily dismissed by the court in the context of Charleston County's November 6 referendum. The point is that while Attorney General's opinions are instructive, they cannot be relied upon to resolve an issue of this magnitude.

Citation

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470 U.S. 166, 84 L.Ed.2d 124, 53 U.S.L.W. 4207, 22 Ed.Law Rep. 1096

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, etc., et
al., Appellants,

v.

HAMPTON COUNTY ELECTION COMMISSION, etc., et al.

No. 83-1015.

Argued Nov. 28, 1984.

Decided Feb. 27, 1985.

Two civil rights organizations and several county residents filed suit in the United States District Court for the District of South Carolina seeking to enjoin in election of school district trustees as illegal under the Voting Rights Act. A preliminary injunction was denied, and an election took place as scheduled. Subsequently, a three-judge panel denied a permanent injunction and declaratory relief, and appeal was taken. The Supreme Court, Justice White, held that use of an August filing period before preclearance in conjunction with March election, and setting of March election itself after Attorney General had approved only a November election date, were changes that should have been submitted to Attorney General for clearance by Voting Rights Act.

Reversed and remanded.

Justice Powell and Justice Rehnquist concurred in the judgment.

[1]

144K12(8)

ELECTIONS

Federal preclearance of changes in voting procedure.

U.S.S.C. 1985.

Form of a change in voting procedures cannot determine whether it is within scope of section of Voting Rights Act providing that states or political subdivisions may not implement any election practices different from those in force on November 1, 1964, without first obtaining clearance. Voting Rights Act of 1965, s 5, as amended, 42 U.S.C.A. s 1973c.

N.A.A.C.P. v. Hampton County Election Com'n

105 S.Ct. 1128, 470 U.S. 166, 84 L.Ed.2d 124, 53 U.S.L.W. 4207,
22 Ed.Law Rep. 1096

[2]

144K12(9)

ELECTIONS

K. Judicial review or intervention; injunction.

U.S.S.C. 1985.

It is not province of Supreme Court nor that of district court under Voting Rights Act to determine whether changes in election procedure resulted in impairment of right to vote, or whether they were intended to have that effect; court's inquiry is limited to determining whether the challenged alterations had the potential for discrimination so as to require preclearance under the Voting Rights Act. Voting Rights Act of 1965, s 5, as amended, 42 U.S.C.A. s 1973c.

N.A.A.C.P. v. Hampton County Election Com'n

105 S.Ct. 1128, 470 U.S. 166, 84 L.Ed.2d 124, 53 U.S.L.W. 4207,
22 Ed.Law Rep. 1096

[3]

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105 S.Ct. 1128

144K12(8)

ELECTIONS

K. Federal preclearance of changes in voting procedure.

U.S.S.C. 1985.

Even an informal submission of a change in voting procedures does not satisfy requirements of section of Voting Rights Act providing that states or political subdivisions do not implement any election practice different from those in force on November 1, 1964, without first obtaining clearance. Voting Rights Act of 1965, s 5, as amended, 42 U.S.C.A. s 1973c.

N.A.A.C.P. v. Hampton County Election Com'n

105 S.Ct. 1128, 470 U.S. 166, 84 L.Ed.2d 124, 53 U.S.L.W. 4207,

22 Ed.Law Rep. 1096

[4]

144K12(8)

ELECTIONS

K. Federal preclearance of changes in voting procedure.

U.S.S.C. 1985.

Use of an August filing period before preclearance in conjunction with March election, and setting of March election itself after Attorney General had approved only a November election date, were changes that should have been submitted to Attorney General for clearance by Voting Rights Act. Voting Rights Act of 1965, s 5, as amended, 42 U.S.C.A. s 1973c.

N.A.A.C.P. v. Hampton County Election Com'n

105 S.Ct. 1128, 470 U.S. 166, 84 L.Ed.2d 124, 53 U.S.L.W. 4207,

22 Ed.Law Rep. 1096

Syllabus [FN*]

FN* The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See United States v. Detroit Lumber Co., 200 U.S. 321, 337, 26 S.Ct. 282, 287, 50 L.Ed. 499.

Section 5 of the Voting Rights Act provides that covered States or political subdivisions may not implement any election practices different from those in force on November 1, 1964, without first obtaining approval from the United States District Court for the District of Columbia or, alternatively, from the Attorney General. As of November 1, 1964, the public schools of Hampton County, South Carolina, a covered jurisdiction, were governed by an appointed County Board of Education and an elected Superintendent of Education. The county consists of two School Districts, one where the vast majority of white students live, and the other predominantly black. Each District was governed by a Board of Trustees, who were appointed by the County Board of Education. In 1982, the South Carolina General Assembly enacted Act No. 547, providing that the members of the County Board of Education were to be elected at large rather than appointed. The first election was to be held simultaneously with the general election in November 1982, and prospective candidates were required to file with appellee Election Commission at least 45 days before the election. Act No. 547 was submitted to the Attorney General for approval under s 5 of the Voting Rights Act, and he informed the State that he had no objection to the change. But in the meantime, before the Attorney

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General had approved Act No. 547, Act No. 549 was enacted to abolish the County Board of Education and Superintendent and to devolve their duties upon the District Boards of Trustees, which were to be elected separately. The first trustee election was also scheduled to be held with the November general election, and candidates were required to file between August 16 and 31. Act No. 549 was also submitted to the Attorney General for clearance under s 5, and he initially interposed an objection. Nevertheless, the Election Commission, contemplating a reconsideration, continued to accept candidate filings under Act No. 549, and at the same time began accepting filings under Act No. 547. Since the Attorney General had not yet responded to the State's request for reconsideration of his objection to Act No. 549 by the date of the November general election, elections for the County Board of Education were held on that date pursuant to Act No. 547, and no elections were held pursuant to Act No. 549. Thereafter the Attorney General withdrew his objection to Act No. 549, thereby rendering null and void Act No. 547 and the November elections held pursuant thereto. The South Carolina Attorney General then informed the Election Commission that Act No. 549 was in effect and that an election pursuant thereto should be held. Accordingly, the Commission set March 15, 1983, as election day. Appellants, two civil rights organizations and several residents of Hampton County, filed suit in Federal District Court, seeking to enjoin the election as illegal under s 5 of the Voting Rights Act. The court denied relief, holding that no violation of s 5 had occurred, since, although Act No. 549 itself was a change under the Voting Rights Act, the scheduling of the election and the filing period were simply "ministerial acts necessary to accomplish the statute's purpose and thus did not require preclearance." The court further held that even if these acts were "changes," they had now been precleared along with the remaining provisions of Act No. 549.

Held: The use of an August filing period in conjunction with a March election, and the setting of the March election itself, were changes that should have been submitted to the Attorney General under s 5 of the Voting Rights Act. Pp. 1133-1138.

(a) By opening the filing period for School District Trustees before preclearance and scheduling the election for a date four months later than that approved by the Attorney General, the county effectively altered the filing deadline from a date approximately two months before the election to one that was almost six months before the election. These changes cannot fairly be characterized as "ministerial" in light of the sweeping objectives of the Voting Rights Act. They possibly prevented relative latecomers from entering the race, and in addition a March election is likely to draw significantly fewer voters than an election held simultaneously with a November general election. The inquiry here is limited to whether the challenged changes have the potential for discrimination. These changes did have such a potential and therefore should have been precleared under s 5. Pp. 1133-1137.

(b) The changes cannot be said to have been implicitly approved when the Attorney General withdrew his objection to Act No. 549. *Berry v. Doles*, 438 U.S. 190, 98 S.Ct. 2692, 57 L.Ed.2d 693, distinguished. Nor can the Attorney General be said to have validated the changes, retroactively or otherwise, because they were never before him. Pp. 1137-1138.

Reversed and remanded.

Armand Derfner, Washington, D.C., for appellants.

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David A. Strauss, Washington, D.C., for United States as amicus curiae supporting appellants, by special order of Court.
Treva G. Ashworth, Asst. Atty. Gen., Columbia, S.C., for appellees.

Justice WHITE delivered the opinion of the Court.

This appeal challenges a three-judge District Court's construction and application of s 5 of the Voting Rights Act, 79 Stat. 437, as amended, 42 U.S.C. s 1973c. That section provides that certain jurisdictions, including the one in which this case arose, may not implement any election practices different from those in force on November 1, 1964, without first obtaining approval from the United States District Court for the District of Columbia or, alternatively, from the Attorney General. [FN1] The statute further provides that once a proposed change has been submitted to the Attorney General, he has 60 days in which to object. If an objection is interposed, the submitting authority may request reconsideration. 28 CFR s 51.44 (1984). Such a request triggers another 60-day period for the Attorney General to decide whether to continue or withdraw his objection. s 51.47. The District Court held that s 5 did not require the changes in election practices involved here to be cleared by the Attorney General prior to their implementation. We noted probable jurisdiction, 467 U.S. 1250, 104 S.Ct. 3531, 82 L.Ed.2d 837 (1984), and now reverse that judgment.

FN1. Section 5, as set forth in 42 U.S.C. s 1973c, provides in pertinent part:

"Whenever a State or political subdivision with respect to which the prohibitions set forth in section 1973b(a) of this title based upon determinations made under the first sentence of section 1973b(b) of this title are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, ... such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification ... does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification ...: Provided, That such qualification ... may be enforced without such proceedings if the qualification ... has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, or upon good cause shown, to facilitate an expedited approval within sixty days after such submission, the Attorney General has affirmatively indicated that such objection will not be made. Neither an affirmative indication by the Attorney General that no objection will be made, nor the Attorney General's failure to object, nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification In the event that the Attorney General

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affirmatively indicates that no objection will be made within the sixty-day period following receipt of a submission, the Attorney General may reserve the right to reexamine the submission if additional information comes to his attention during the remainder of the sixty-day period which would otherwise require objection in accordance with this section. Any action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of Title 28 and any appeal shall lie to the Supreme Court."

The option of obtaining preclearance from the Attorney General, rather than from the District Court for the District of Columbia, was added to the original legislation " 'to provide a speedy alternative method of compliance to covered States.' " *McCain v. Lybrand*, 465 U.S. 236, 246, 104 S.Ct. 1037, 1044, 79 L.Ed.2d 271 (1984) (quoting *Morris v. Gressette*, 432 U.S. 491, 503, 97 S.Ct. 2411, 2419, 53 L.Ed.2d 506 (1977)).

I

As of November 1, 1964, the Hampton County, South Carolina, public schools were governed by appointed officials and an elected Superintendent of Education. The county comprises two school districts, School District No. 1, where the vast majority of white students live, and School District No. 2, which is predominantly black. [FN2] Each District was governed by a separate six-member Board of Trustees. These trustees were appointed by a six-member County Board of Education, which in turn was appointed by the county legislative delegation.

FN2. According to appellants' complaint filed in the District Court, the county as a whole is 47% white and 53% black. School District No. 1 contains 91% of the white student population, and its schools are 46% white. School District No. 2 is 92% black. App. 8a-10a.

On February 18, 1982, apparently in an attempt to facilitate consolidation of these two School Districts, [FN3] the South Carolina General Assembly enacted Act No. 547. This statute provided that, beginning in 1983, the six members of the County Board of Education were to be elected at large rather than appointed. The first election for the new Board was to be held simultaneously with the general election in November 1982, and prospective candidates were required to file with the Election Commission at least 45 days before the election. [FN4] Pursuant to s 5 of the Voting Rights Act, the State submitted Act No. 547 for the approval of the Attorney General, who received it on February 27. [FN5] On April 28, the Attorney General informed the State that he had no objection to the change in question. [FN6]

FN3. According to the court below, it was thought that an elected board, as opposed to an appointed one, would "be responsive to consolidating School Districts One and Two." App. to Juris. Statement 3a (order of United States District Court for the District of South Carolina, Sept. 9, 1983).

FN4. See *id.*, at 17a.

FN5. See App. 52a (letter of Gerald W. Jones to C. Havird Jones, Jr.).

FN6. Ibid.

On April 9, however, before the Attorney General had approved Act No. 547, the Governor of South Carolina signed Act No. 549, which was designed to supersede Act No. 547. Act No. 549 abolished the County Board of Education and the County Superintendent, devolving their duties upon the District Boards of Trustees, which were to be elected separately by each District. Like Act No. 547, Act No. 549 scheduled the first trustee election to coincide with the November 1982 general election. Candidates were required to file between August 16 and August 31. Implementation of the Act was made contingent upon approval in a referendum to be held in May 1982. [FN7]

FN7. App. to Juris. Statement 19a-21a. In their complaint in the court below and in their brief in this Court, appellants alleged that Act No. 549 was enacted in response to pressure from white citizens of Hampton County who feared that Act No. 547 might lead to consolidation of the two School Districts. The complaint alleged that white residents of School District No. 1 circulated a petition calling for the abolition of the County Board of Education and the County Superintendent, thus severing the connection between School District No. 1 and School District No. 2. Brief for Appellants 5.

The State did not submit Act No. 549 to the Attorney General for clearance until June 16, 1982, 22 days after it was approved in the referendum and 68 days after it had been enacted. [FN8] As of August 16--the opening date of the filing period under Act No. 549--no response had yet been received from the Attorney General. Nevertheless, the County Election Commission began accepting filings for elections to be held under Act No. 549. On August 23, the Attorney General interposed an objection. He informed the State that it had not sustained its burden of showing that the proposal to eliminate the County Board of Education did not have a discriminatory purpose or effect. The Attorney General noted that "the county board has been particularly responsive to the interests and needs of the black community in Hampton County and consistently has appointed bi-racial representation on the local boards of trustees for both School District 1 and School District 2." [FN9]

FN8. App. to Juris. Statement 4a (order of United States District Court for the District of South Carolina, Sept. 9, 1983).

FN9. Id., at 59a.

Because the State was contemplating requesting the Attorney General to reconsider this objection, the County Election Commission continued to accept filings under Act No. 549 through the end of the designated filing period, August 31. On that date, the State officially requested reconsideration. [FN10] At the same time, the Election Commission began accepting filings under Act No. 547, in case the Attorney General refused to withdraw his objection to Act No. 549. On November 2, the date of the general election, the Attorney

General had not yet responded to the request for reconsideration, and elections for County Board members were held pursuant to Act No. 547. [FN11] No elections were held pursuant to Act No. 549.

FN10. Id., at 63a-64a (letter of C. Havird Jones, Jr., to William Bradford Reynolds).

FN11. Of the six Board members elected in the November election, three were black and three were white. Brief for Appellants 9.

On November 19, the Attorney General withdrew his objection to Act No. 549. The objection had been based primarily on the possibility that the County Board, which the Act would abolish, might have consolidated the two School Districts, but, upon reappraising South Carolina law, the Attorney General concluded that the Board lacked authority to approve such a consolidation. Therefore, its elimination would not have a potentially discriminatory impact. [FN12]

FN12. App. to Juris. Statement 65a-66a (letter of William Bradford Reynolds to C. Havird Jones, Jr.).

The effect of the Attorney General's clearance of Act No. 549 was to render Act No. 547--and the November elections held pursuant to it--null and void. In response to a request for advice, the South Carolina Attorney General informed the County Election Commission in January that Act No. 549 was now in effect and that an election for school district trustees should be held "as soon as possible." The State Attorney General further opined that there was no reason to reopen the filing period, "as only the date of the election has changed." [FN13] Accordingly, the Commission set March 15, 1983, as election day.

FN13. Id., at 67a-69a (letter of Treva Ashworth to Randolph Murdaugh III).

On March 11, appellants, two civil rights organizations and several residents of Hampton County, filed suit in the United States District Court for the District of South Carolina seeking to enjoin the election as illegal under s 5 of the Voting Rights Act. The defendants were the County Election Commission, the two School Districts, and various county officials. The complaint identified a number of alleged "changes" in election procedure, including the scheduling of an election at a time other than that specified in the statute, and the use of the August filing period for the March election. [FN14] A preliminary injunction was denied, and the election took place as scheduled. [FN15] Subsequently, a three-judge panel denied a permanent injunction and declaratory relief, holding that no violation of s 5 of the Voting Rights Act had occurred. [FN16] The court reasoned that, although Act No. 549 itself was a "change" under the Act, the scheduling of the election and the filing period were simply "ministerial acts necessary to accomplish the statute's purpose ..., and thus did not require preclearance." App. to Juris. Statement 9a. In the alternative, the court held that even if these acts did constitute "changes," they had now been "precleared along with

the remaining provisions of Act No. 549." Ibid. That this "preclearance" did not occur until after the filing period had been held was not considered dispositive. The court interpreted *Berry v. Doles*, 438 U.S. 190, 98 S.Ct. 2692, 57 L.Ed.2d 693 (1978), to stand for the proposition that after-the-fact federal approval under s 5 might retroactively validate a change in voting procedures. [FN17]

FN14. The complaint also alleged two other "changes." One of these was the failure to certify the results of the May referendum to the State Code Commissioner as required by state law. Appellants have not raised this claim in this Court. Appellants also argued in the District Court, and in their brief in this Court, that Act No. 549 had effectively shortened the term of the County Superintendent of Education. Appellants stated at oral argument that they no longer wished to pursue this claim. In addition, the complaint alleged that the abolition of the Board of Education violated s 2 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments. App. 22a-23a. These claims are the subject of continuing litigation in the District Court. Brief for Appellants 13, n. 3.

FN15. Id., at 13-14. Black candidates were elected to all five seats on the District No. 2 Board on March 15. Four whites and one black won seats on the District No. 1 Board. App. to Juris. Statement 7a, n. 2.

FN16. Section 5 of the Voting Rights Act provides that "[a]ny action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of Title 28 and any appeal shall lie to the Supreme Court." 42 U.S.C. s 1973c.

FN17. App. to Juris. Statement 8a-11a.

II

Appellants contend that the opening of the August filing period before preclearance, and the scheduling of an election in March after the Attorney General had approved only a November election date, are changes that come within the scope of s 5. Appellees, echoing the rationale of the District Court, maintain that opening the filing period as required by Act No. 549--albeit before the Act had been approved--was merely a preliminary step in its implementation. If the Attorney General had ultimately disapproved Act No. 549, the county would not have held an election under it, and the filing period would have become a nullity. Because Act No. 549 was in fact cleared, the filing period it specified was necessarily cleared as well. The alteration of the date of the election, according to appellees, was merely an "unfreezing" of a process that had been temporarily suspended by the operation of the Voting Rights Act. Although appellees concede that a legislatively enacted change in the date of an election is covered by the Act, [FN18] they distinguish the change at issue here because it was required only by the Attorney General's failure to approve Act No. 549 before the scheduled election date, and because it was undertaken only to effect the initial implementation of the statute.

FN18. Brief for Appellee School Districts 27.

We need not decide whether a jurisdiction covered by s 5 may ever open a filing period under a statute that has not yet been precleared. [FN19] In this case, Hampton County not only opened the filing period for School District trustees before preclearance, but it also scheduled the election for a date four months later than that approved by the Attorney General. Thus the county effectively altered the filing deadline from a date approximately two months before the election to one that was almost six months before the election.

FN19. We note, however, that a prime concern of Congress when it extended the Voting Rights Act in 1982 was the prevalence of changes that were implemented without preclearance and, in some cases, were not submitted to the Attorney General until years later. See S.Rep. No. 97-417, pp. 12, 14, n. 43 (1982); H.R.Rep. No. 97-227, p. 13 (1981), U.S.Code Cong. & Admin.News 1982, 177, 189, 191, 192. The Senate Report stated: "Timely submission of proposed changes before their implementation is the crucial threshold element of compliance with the law. The Supreme Court has recognized that enforcement of the Act depends upon voluntary and timely submission of changes subject to preclearance. "The extent of non-submission documented in both the House hearings and those of this Committee remains surprising and deeply disturbing. There are numerous instances in which jurisdictions failed to submit changes before implementing them and submitted them only, if at all, many years after, when sued or threatened with suit. "Put simply, such jurisdictions have flouted the law and hindered the protection of minority rights in voting." S.Rep. No. 97-417, supra, at 47-48, U.S.Code Cong. & Admin.News 1982, at 225, 226. Generally, statutes that are subject to s 5 are ineffective as laws until they have been cleared by federal authorities. Connor v. Waller, 421 U.S. 656, 95 S.Ct. 2003, 44 L.Ed.2d 486 (1975) (per curiam).

These changes cannot fairly be characterized as "ministerial" in light of the sweeping objectives of the Act. The Voting Rights Act was aimed at "the subtle, as well as the obvious, state regulations which have the effect of denying citizens their right to vote because of their race." Allen v. State Board of Elections, 393 U.S. 544, 565, 89 S.Ct. 817, 831, 22 L.Ed.2d 1 (1969). Our precedents recognize that to effectuate the congressional purpose, s 5 is to be given broad scope. Id., at 567, 89 S.Ct., at 831; see also Dougherty County Board of Education v. White, 439 U.S. 32, 38, 99 S.Ct. 368, 372, 58 L.Ed.2d 269 (1978). Also, far from exempting alterations that might be perceived as minor, Congress failed to adopt such a suggestion when it was proposed in debates on the original Act. [FN20]

FN20. In Allen, the Court noted that the Attorney General stated in hearings in the House that two or three types of changes, such as changing from paper ballots to voting machines, could be specifically excluded from s 5 without undermining its purpose. We found it significant that "Congress chose not to include even these minor exceptions in s 5, thus

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indicating an intention that all changes, no matter how small, be subjected to s 5 scrutiny." 393 U.S., at 568, 89 S.Ct., at 833.

Developments since the passage of the Act provide no basis for concluding that our cases had misinterpreted the intent of Congress. On the contrary, the legislative history of the most recent extension of the Voting Rights Act in 1982 reveals that the congressional commitment to its continued enforcement is firm. The Senate Committee found "virtual unanimity among those who [had] studied the record," S.Rep. No. 97-417, p. 9 (1982), U.S.Code Cong. & Admin.News 1982, p. 186, that s 5 should be extended. And, as it had in previous extensions of the Act, Congress specifically endorsed a broad construction of the provision. [FN21]

FN21. S.Rep. No. 97-417, supra, at 6-7, and n. 8; see also H.R.Rep. No. 97-227, supra, at 34-35, U.S.Code Cong. & Admin.News 1982, at 182-184 (rejecting proposal to limit s 5 to cover only those changes that had produced the most objections; " '[t]he discriminatory potential in seemingly innocent or insignificant changes can only be determined after the specific facts of the change are analyzed in context' ") (quoting testimony of Drew Days, former U.S. Assistant Attorney General).

Although this Court has never addressed itself to alterations in voting procedures that exactly parallel those at issue in this case, we have twice held that the rescheduling of a candidate qualifying period is a "change" that comes within the scope of s 5. Hadnott v. Amos, 394 U.S. 358, 365-366, 89 S.Ct. 1101, 1105-1106, 22 L.Ed.2d 336 (1969); Allen v. State Board of Elections, supra, 393 U.S., at 551, 570, 89 S.Ct., at 824, 834. [FN22] Of course, there was no alteration in the filing period itself in this case; it was held between August 16 and August 31, exactly as Act No. 549 required. But a filing period cannot be considered in isolation from the election of which it forms a part. As we have recognized in an analogous context, issues that provoke responses from the electorate and from potential candidates are most likely to arise shortly before election time. [FN23] Under appellees' approach, a filing period held years before an election would serve as well as one held on election eve. But clearly, the former has a much greater potential for hindering voter participation than the latter. Furthermore, the August filing period was held at a time when the Attorney General still had an outstanding objection to Act No. 549. Potential candidates who considered the opening of the filing period illegal in these circumstances may have deliberately stayed away. [FN24]

FN22. See also Dougherty County Board of Education v. White, 439 U.S. 32, 43, 99 S.Ct. 368, 374, 58 L.Ed.2d 269 (1978), where we held that a Board of Education rule requiring employees to take unpaid leaves of absence while campaigning for elective political office was a barrier to candidacy "as formidable as the filing date changes at issue in" Hadnott and Allen. In other contexts, we have interpreted s 5 broadly to require preclearance of changes in residence requirements for candidates, City of Rome v. United States, 446 U.S. 156, 160-161, 100 S.Ct. 1548, 1553-1554, 64 L.Ed.2d 119 (1980); alterations of municipal boundaries, Richmond v. United States,

422 U.S. 358, 95 S.Ct. 2296, 45 L.Ed.2d 245 (1975); reapportionment and redistricting plans, *Georgia v. United States*, 411 U.S. 526, 93 S.Ct. 1702, 36 L.Ed.2d 472 (1973); and the location of polling places, *Perkins v. Matthews*, 400 U.S. 379, 91 S.Ct. 431, 27 L.Ed. 476 (1971).

FN23. See *Steelworkers v. Usery*, 429 U.S. 305, 97 S.Ct. 611, 50 L.Ed.2d 502 (1977) (recognizing, in union democracy context, potential adverse impact of requiring candidates to qualify long before election).

FN24. Only one black candidate filed for election as a trustee of District No. 1 during the August filing period. He was ultimately elected to the post, along with four white candidates. Brief for Appellants 27, and n. 12. That other potential candidates were prevented from filing is not mere speculation. Appellants alleged in their complaint that three black citizens of Hampton County, including appellant Benjamin Brooks, attempted to have their names placed on the ballot for trustee positions in February, but were told that the filing period had ended the previous August. App. 16a-17a.

[1] Appellees do not seriously dispute that a change in the date of an election, if effected by statute, requires approval by the Attorney General under s 5. [FN25] Rather, they argue that because the rescheduling in this case was merely an administrative effort to comply with a statute that had already received clearance, it was not a change of such magnitude as to trigger the requirements of s 5. But plainly, the form of a change in voting procedures cannot determine whether it is within the scope of s 5. That section reaches informal as well as formal changes, such as a bulletin issued by a state board of elections. *Allen*, supra. [FN26] If it were otherwise, States could evade the requirements of s 5 merely by implementing changes in an informal manner. Neither is it determinative that an alteration in scheduling is unlikely to be repeated, as it would be if it were embodied in a statute or rule. The Voting Rights Act reaches changes that affect even a single election. [FN27] As we have noted, the change in the election date in this instance extended the gap between the filing period and the election, possibly preventing relative latecomers from entering the race. In addition, an election in March is likely to draw significantly fewer voters than an election held simultaneously with a general election in November. [FN28]

FN25. See supra, at 1133.

FN26. See also *Dougherty County*, supra (rule promulgated by County Board of Education).

FN27. See H.R.Rep. 97-227, at 35 (rejecting proposal that s 5 should be limited to changes that produce most objections; "[w]hile some changes may adversely affect a greater number of people, others may have precisely the type of discriminatory impact which Congress sought to prevent, even though the numbers involved are smaller").

FN28. Appellants stated that over 6,000 Hampton County voters participated
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in the November 1982 general election, whereas less than half that number voted in the March 1983 special election. Brief for Appellants 23-24.

Any doubt that these changes are covered by s 5 is resolved by the construction placed upon the Act by the Attorney General, which is entitled to considerable deference. [FN29] Under Department of Justice regulations:

FN29. See, e.g., *United States v. Sheffield Board of Comm'rs*, 435 U.S. 110, 131, 98 S.Ct. 965, 979, 55 L.Ed.2d 148 (1978) (deference should be accorded to Attorney General's construction of the Act, especially in light of the extensive role played by the Attorney General in drafting the statute and explaining its operation to Congress); *Dougherty County*, supra, 439 U.S., at 39, 99 S.Ct., at 372.

"Any change affecting voting, even though it appears to be minor or indirect, even though it ostensibly expands voting rights, or even though it is designed to remove the elements that caused objection by the Attorney General to a prior submitted change, must meet the Section 5 preclearance requirement." 28 CFR s 51.11 (1984).

Among the specific examples of changes listed in the regulations is "[a]ny change affecting the eligibility of persons to become or remain candidates." s 51.12. Pursuant to these regulations, the Attorney General has, since 1980, reviewed approximately 58 changes in election dates and approximately 10 changes in dates for candidate filing periods. In none of these instances did the Attorney General advise the covered jurisdiction that its submission was not a "change," and on several occasions objections were interposed. [FN30]

FN30. Brief for United States as Amicus Curiae 13-14, and n. 7.

Appellees argue that these changes in voting procedures were exempt from preclearance because literal compliance with s 5 was impossible. The Attorney General did not approve the November election date until after that date had passed; hence, it was necessary to schedule another election date. Also, it is said that if the legislature had passed a statute setting a March election date and submitted it to the Attorney General, preclearance might not have been obtained by the date of the March election. In that event, yet another amendment would have been necessary, requiring yet another submission. The process might have continued ad infinitum.

To the extent that appellees found themselves in a dilemma, however, it was largely of their own making. Rather than submitting Act No. 549 shortly after its passage, which would have allowed ample time for preclearance before the scheduled opening of the filing period, the State delayed this action for two months. [FN31] Even after Act No. 549 received clearance too late to allow the election to be held in November, appellees might still have submitted the new election date without encountering significant inconvenience. Because the Attorney General must respond to any submission within 60 days after he receives the necessary information, [FN32] appellees need only have selected an election date sufficiently far in the future to allow preclearance.

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FN31. Appellees imply that they were unable to submit Act No. 549 until after it had been approved in the May referendum. But the Department's regulations explicitly provide for submission of statutes before such ratification has been obtained. See 28 CFR s 51.20 (1984). Thus, the Act could have been submitted as soon as it was signed into law on April 9, a full 129 days before the filing period opened on August 16.

FN32. See 28 CFR ss 51.8, 51.35, 51.37 (1984).

[2] Appellees would have us hold that the changes here at issue did not require preclearance because they were undertaken in good faith, were merely an attempt to implement a statute that had already been approved by the Attorney General, and were therefore an improvement over prior voting procedures. But the Attorney General's approval of Act No. 549 signified only that it was not discriminatory, not that it was an improvement over Act No. 547, which had also been approved. Furthermore, neither the absence of discriminatory purpose nor a good-faith implementation of a change removes the potential for discriminatory effects. [FN33] More fundamentally, it is not our province, nor that of the District Court below, to determine whether the changes at issue in this case in fact resulted in impairment of the right to vote, or whether they were intended to have that effect. That task is reserved by statute to the Attorney General or to the District Court for the District of Columbia. Our inquiry is limited to whether the challenged alteration has the potential for discrimination. [FN34] The changes effected here did have such potential and therefore should have been precleared under s 5.

FN33. See S.Rep. No. 97-417, at 12, n. 31, U.S.Code Cong. & Admin.News 1982, at 189 ("even when changes are made for valid reasons, for example, reapportionment or home rule, 'jurisdictions may not always take care to avoid discriminating against minority voters in the process' ") (quoting S.Rep. No. 94-295, p. 18 (1975)). See also *Allen v. State Board of Elections*, 393 U.S., at 565, n. 29, 89 S.Ct., at 831, n. 29 (that a change was undertaken in an attempt to comply with the Act does not exempt it from s 5; "[t]o hold otherwise would mean that legislation, allegedly passed to meet the requirements of the Act, would be exempted from s 5 coverage--even though it would have the effect of racial discrimination").

FN34. See *McCain v. Lybrand*, 465 U.S., at 250, 104 S.Ct., at 1046; *Dougherty County Board of Education v. White*, 439 U.S., at 42, 99 S.Ct., at 374; *Georgia v. United States*, 411 U.S., at 534, 93 S.Ct., at 1707; *Perkins v. Matthews*, 400 U.S., at 383-385, 91 S.Ct., at 434-435; *Allen v. State Board of Elections*, supra, 393 U.S., at 555, n. 19, 89 S.Ct., at 826, n. 19, 834.

III

Relying on *Berry v. Doles*, 438 U.S. 190, 98 S.Ct. 2692, 57 L.Ed.2d 693 (1978), the District Court held as an alternative ground that these changes were implicitly approved when the Attorney General withdrew his objection to Act No. 549. Berry involved changes in voting procedures that were implemented without first being submitted to the Attorney General. In a decision rendered after

the election had already taken place, a three-judge District Court held that the changes should have been submitted under s 5 and enjoined further enforcement of the statute, but refused to set aside the election. We held that the appropriate remedy was to allow the covered jurisdiction 30 days in which to apply for approval of the change. We further stated:

"If approval is obtained, the matter will be at an end. If approval is denied, appellants are free to renew to the District Court their request for [a new election.]" *Id.*, at 193, 98 S.Ct., at 2694.

From this, the District Court drew the conclusion that "a retroactive validation of an election law change under Section 5 could be achieved by after-the-fact federal approval." [FN35]

FN35. App. to Juris. Statement 10a.

[3] Regardless of whether this is a fair characterization of the holding of *Berry*, it clearly has no application to the facts of this case. The changes we have identified here--the retention of an August filing period in conjunction with a March election, and the scheduling of the March election--had not even been decided upon by state authorities at the time the Attorney General approved Act No. 549. That statute provided for an August filing period and a November election, which, as we have demonstrated, is quite another matter. Even an informal submission of a change in voting procedures does not satisfy the requirements of s 5: the change must be submitted "in some unambiguous and recordable manner." *Allen*, 393 U.S., at 571, 89 S.Ct., at 834. See also *McCain v. Lybrand*, 465 U.S. 236, 104 S.Ct. 1037, 79 L.Ed.2d 271 (1984); *United States v. Sheffield Board of Comm'rs*, 435 U.S. 110, 136, 98 S.Ct. 965, 981, 55 L.Ed.2d 148 (1978). A change that was never submitted at all does not meet this standard. The Attorney General cannot be said to have validated these changes, retroactively or otherwise, because they were never before him.

IV

[4] Appellees' use of an August filing period in conjunction with a March election, and the setting of the March election date itself, were changes that should have been submitted to the Attorney General under s 5. These changes cannot be said to have been approved along with Act No. 549. As in *Berry v. Doles*, *supra*, it is appropriate in these circumstances for the District Court to enter an order allowing appellees 30 days in which to submit these changes to the Attorney General for approval. 438 U.S., at 192-193, 98 S.Ct., at 2693-2694. If appellees fail to seek this approval, or if approval is not forthcoming, the results of the March 1983 election should be set aside. If, however, the Attorney General determines that the changes had no discriminatory purpose or effect, the District Court should determine, in the exercise of its equitable discretion, whether the results of the election may stand. [FN36]

FN36. In *Berry*, we stated that if the Attorney General gave his after-the-fact approval to the challenged alterations in voting procedure, "the matter will be at an end." 438 U.S., at 193, 98 S.Ct., at 2694. In that case, however, the District Court had previously acknowledged that the changes were covered by s 5 and had reached the question of an appropriate remedy. In this case, however, the District Court erroneously concluded

that the changes were outside the scope of s 5 and never engaged in the equitable weighing process necessary to determine whether failure to submit a covered change for preclearance requires that an election be set aside. The factors to be weighed include "the nature of the changes complained of, and whether it was reasonably clear at the time of the election that the changes were covered by s 5." Perkins v. Matthews, supra, 400 U.S., at 396, 91 S.Ct., at 440.

The determination whether a change has a discriminatory purpose or effect, which is committed by statute to the Attorney General, is distinct from the determination whether failure to submit the change requires that the election be set aside. The latter determination must be made by the District Court, after the Attorney General has passed on the substantive nature of the change.

We therefore reverse the District Court's judgment that s 5 was not violated by appellees' failure to secure approval of these changes, and remand for further proceedings consistent with this opinion.
It is so ordered.

Justice POWELL and Justice REHNQUIST concur in the judgment.

END OF DOCUMENT

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EXHIBIT F

CITY OF ISLE OF PALMS
EMERGENCY ORDINANCE # 1990 - E

An Emergency Ordinance to provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

WHEREAS, a majority of electors have voted in a binding referendum for The City of Isle of Palms, S.C. to employ a Council form of government.

WHEREAS, Council therefore is responsible to provide for administrative mechanisms to manage the affairs of the City and implement the policies of Council.

WHEREAS, Council finds employment of professional administration and substantial delegation of authority to same to be in the best interest of the City;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. To provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

Section 2. The sections below are hereby enacted. Present Code sections inconsistent with the above are hereby rendered inoperative for the term of this emergency ordinance (including but clearly, knowingly and expressly not limited to sections 1-2-1, 2-1-2, 2-2-2 in their entirety and deletion of the word "mayor" and modifying introductory language in section 1-5-3, and 1-6-5 through 1-6-7)

Section 3. Councilmember prohibited from holding other offices during term, reprimanding or removing employees whom the administrator is empowered to control and supervise and dealing with employees under control and supervision of the administrator. (noninterference clause)

(a) Except where authorized by law, no councilmember including the Mayor shall hold any other municipal office or municipal employment while serving the term for which he or she was elected to the council.

(b) Neither the council nor any of its members including the Mayor shall in any manner be involved in the reprimanding or removal of any municipal administrative officers or employees whom the administrator or any of his subordinates are empowered to control and supervise except for confirming as an assembled council a termination pending under suspension of a department head made by the administrator.

(c) Except for the purpose of inquiries, investigations and casual discussions, neither the council nor its members including the Mayor shall deal with municipal officers and employees who are subject to the direction and supervision of the administrator except through the manager, and neither the council nor its members including the Mayor shall give orders to any such officer or employee, either publicly or privately.

(d) Any councilmember including the Mayor who violates the above shall be subject to the general penalty section of 1-3-66.

Section 4. Term of employment and compensation of administrator; removal of administrator by council. (protection clause)

Council shall employ an administrator to administer the affairs of the city and implement the policies of the Municipal Council.

The term of employment of the administrator shall be at the pleasure of the council and he shall be entitled to such compensation for his services as the council may determine. The council may, in its discretion, employ the administrator for a definite term. If the council determines to remove the administrator he shall be given a written statement of the reason alleged for the proposed removal and the right to a hearing thereon at a public meeting of the council.

Within five days after the notice of removal is delivered to the administrator, he may file with the council a written request for a public hearing. This hearing shall be held at a council meeting not earlier than twenty days nor later than thirty days after the request is filed. The administrator may file with the council a written reply not later than five days before the hearing. The removal shall be stayed pending the decision at the

public hearing.

Section 4. Designation by administrator of administrative officer to act in administrator's absence or disability; effect of administrator's failure to designate officer.

By letter filed with the municipal clerk the administrator shall designate a qualified municipal administrative officer which shall not be any member of Council or the Mayor, to exercise the powers and perform the duties of administrator during his temporary absence or disability.

In the event of the failure of the administrator to make such designation the municipal council may by resolution appoint an officer of the municipality to perform the duties of the administrator until he or she shall return or his or her disability shall cease.

During such absence or disability, the council may revoke such designation at any time and appoint another officer of the municipality to serve until the administrator shall return or his or her disability shall cease.

Section 5. Responsibilities of Administrator.

The administrator shall be the chief executive officer and head of the administrative branch of the municipal government. He shall be responsible to the municipal council for the proper administration of all affairs of the municipality and to that end, subject to the provisions of this chapter, he shall:

(1) Appoint with the concurrence of council and, when necessary for the good of the municipality, suspend with recommendation for termination by Council any appointive or departmental head level officer or employee of the municipality and fix with the concurrence of council the salaries of such officers and employees, except as otherwise provided in this chapter or prohibited by law and except as he may authorize the head of a department or office to appoint and remove subordinates in such department or office;

(2) Prepare the budget annually, submit it to the municipal council and be responsible for its administration after adoption;

(3) Prepare and submit to the municipal council at the end of each fiscal year a complete annual report on the finances and administrative activities of the municipality for the preceding year and make such other financial reports from time to time as may be required by the council or by Chapters 1 through 17;

(4) Keep the municipal council advised of the financial condition and future needs of the municipality and make such recommendations as may seem to him desirable; and

(5) Perform such other duties as may be prescribed by law or required of him by the municipal council, not inconsistent with the provisions of Chapter 1 through 17 of the South Carolina Code of Laws.

Section 6. Power and duties of municipal council.

All legislative powers of the municipality and the determination of all matters of policy shall be vested in the municipal council, each member, including the mayor, to have one vote. Without limitation of the foregoing, the council shall:

(1) Employ an administrator;

(2) Establish other administrative departments and assign and distribute the work thereof upon recommendation of and with the approval of the manager;

(3) Adopt the budget of the municipality;

(4) Authorize the issuance of bonds by bond ordinance, subject to such restrictions and limitations as may be prescribed by law;

(5) Have the power to inquire into the conduct of any office, department or agency of the municipality, make investigations as to municipal affairs and give the public information concerning them;

(6) Adopt plats;

(7) Adopt and modify the official map of the municipality;

(8) Provide for an independent annual audit of the books and business affairs of the municipality and for a general survey of municipal business;

(9) Provide for the general health and welfare of the municipality in accordance with the statute law of the State with reference to the general police powers granted to municipalities;

(10) Enact ordinances of any nature and kind, not prohibited by the law or Constitution of the State or of the United States; and

(11) With the advice of the administrator, appoint all committees, boards and

commissions relating to the affairs of the municipal government, except as otherwise provided by law.

Section 7. Employment and qualifications of administrator.

The council shall employ an administrator and fix his compensation. The administrator shall be employed solely on the basis of his executive and administrative qualifications. He or she need not be a resident of the municipality or state at the time of his employment and may reside outside the municipality while in office only with the approval of the council.

No councilmember or mayor shall be employed as administrator of the municipality from which he or she was elected during the term for which he or she shall have been elected.

Section 8. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

passage? **Section 9. Effective Date.** This Ordinance shall be effective upon the later of its ~~ratification~~ by the City Council for the City of Isle of Palms or compliance with the Voting Rights Act of 1965 by Pre-clearance procedure or otherwise.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF , 19 .

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:

RESOLUTION OF COUNCIL

WHEREAS, a majority of electors have voted in a binding referendum for The City of Isle of Palms, S.C. to employ a Council form of government.

WHEREAS, the State Code sections under which such referendum was held does not provide for the setting of an implementation date and customarily such is done by action of the Municipal Council.

delete **WHEREAS**, The Municipal Council of the Isle of Palms as elected representatives of the Citizens of the Isle of Palms believes the intention of the electorate to be for immediate implementation without any delay or reference to expiration of terms of sitting public servants.

WHEREAS, therefore Council expresses its formal opinion, desire and belief that such change is effective immediately upon compliance with the requirements of the Voting Rights act of 1965 by Pre-clearance procedure or otherwise, and that such most accurately represents and fulfills the desires of the citizens of the Isle of Palms.

Therefore be It **RESOLVED BY CITY COUNCIL BEING DULY ASSEMBLED THAT**

The City of Isle of Palms hereby affirms its desire that the Strong Council Form of Government is and shall be adopted immediately pending only compliance with the requirements of the Voting Rights act of 1965 by Pre-clearance procedure or otherwise. *delete*

RESOLVED THIS THE DAY OF , 1998.

RESOLUTION OF COUNCIL

WHEREAS, a majority of electors have voted in a binding referendum for The City of Isle of Palms, S.C. to employ a Council form of government.

WHEREAS, City Council has expressed its opinion belief and desire the a change to this form becomes effective immediately upon compliance with the requirements of the Voting Rights act of 1965 by Pre-clearance procedure or otherwise.

WHEREAS several councilmembers have sought separate independent representation having an identity of interest among themselves and with the position of the City Council as expressed above.

WHEREAS therefore it is concluded that representation by Coming B. Gibbs on this issue is in the best interest of the City.

Therefore be It RESOLVED BY CITY COUNCIL BEING DULY ASSEMBLED THAT

Coming B. Gibbs is hereby retained to represent the City of Isle of Palms regarding all legal matters of implementing the above change in form of government.

RESOLVED THIS THE DAY OF , 1990.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF OCTOBER 16, 1990

A special meeting of the Isle of Palms City Council was held on October 16, 1990, at 6:00 p.m., at City Hall. Mayor Bunch called the meeting to order at 6:00 p.m. Present were City Council Members Swanson, Sottile, NesSmith-Picard, Ward, and Holden; Watson, Orvin and Simon came in late. Also present were City Administrator Mark Williams, City Attorney Dreyfoos, Clerk-Treasurer Nellie McDuffie and Secretary Janet Geary.

Mayor Bunch stated that this meeting was called to discuss the bid opening on the Public Works Building, on the non-conforming duplexes, and a discussion on capital project needs.

1. Approval of Minutes of Previous Meetings

- a) September 10, 1990 - Public Hearing on JEDA
- b) September 11, 1990 - Special Meeting with Mt. Pleasant Waterworks
- c) September 27, 1990 - Regular City Council Meeting

Motion was made to approve by Council Member NesSmith-Picard, seconded by Council Member Swanson. Upon discussion there were corrections made to minutes of September 11 and September 27. The minutes as corrected were then approved unanimously.

2. Bids for the Public Works Building.

Mark Williams had passed out a sheet on the bid for the building showing nine bids ranging from a low of \$184,773 to a high of \$221,990. (see Exhibit A) Column #1 is for a third bay. The architect told Mark that he felt that the bids were in the range he had expected being in the mid 80's. The apparent low bidder did not specify a name brand pre-engineered building, but named his own pre-engineered building. He felt that this needed some qualification if council were to accept his low bid. Council member Sottile stated he was disappointed that the bids were so high and asked about the estimate using the old building shell. Mr. Williams stated that it was approximately \$109,525. Mr. Williams also stated that the architect suggested we ask what gauge of metal would be used. Mayor Bunch stated that these bids did not include the equipment which could be at least an additional \$20,000.00. The low bid with a name brand metal building would be Dawson. Mr. Williams stated that his fear in using the used building inevitably down the road there will be something to come up that was not agreed on and the extras might be extensive. Also the old building being longer may pose a problem because we would have to move it closer to Palm Boulevard because of the wetlands, the new building has been designed at 40 feet where the old building is 60 feet.

Council Member Watson made a motion that we not make a decision tonight, have Mr. Williams get together with Mr. Rhodes to determine the gauge and to match the specs to see if using the old

building would fit on the lot, and to check with Mr. Simon to see if the old building would hold up. Council Member Holden seconded. Mr. Williams said that we also need to check on warranties. It was decided that they would like to have some answers before the next meeting on Thursday, October 25, if possible. Council Member Sottile stated that he would like to see the City have a nice building with name brand material if we could afford it, that in the long run the city would be better off. It was his experience that "you get what you pay for". After discussion, the motion passed unanimously. Mayor Bunch asked Mr. Williams to try to get the information we need so that we can make a decision at next Thursday's meeting. She also asked Mr. Williams to check on the financial status of the companies and whether or not they would give us a performance bond or warranty.

3. Non-conforming duplexes.

Mr. Williams stated that he had been approached by property owners who had not been able to make their repairs within 12 months of the date of the hurricane so their non-conforming use of the property as a duplex cannot be re-established because of our ordinance not to allow duplexes after 12 months of non-use as a duplex. They are asking that consideration be given them because of their problems as a result of the hurricane and delays in dealing with insurance companies. Council Member NesSmith-Picard stated that she felt that we should give them some allowance as we have people who live in trailers while their property is being repaired and extend the time period to allow them to get back into their duplexes. Council Member Sottile made a motion that we extend the time period to June 1, 1991, Council Member Ward seconded. After discussion, Council Member Ward moved to amend the motion to make this and Emergency Ordinance, Council Member Holden seconded the amendment. There was a discussion as to defining pre-existing conditions. Mr. Williams stated that utility bills, mailing addresses, etc., could help in determining whether a duplex existed before the hurricane. Council Member Ward stated that this Emergency Ordinance is very important because these are still extraordinary times and these property owners should be given an extension of time to make repairs to these duplexes. Mayor Bunch asked Mr. Dreyfoos to draw up the Emergency Ordinance for a first reading at next Thursday's meeting. Motion with amendment then passed unanimously.

4. Capital project needs.

Council Member Watson passed out a very rough draft (Exhibit B) of accounting of funds and stated that since the bids for the Public Works Building came in so high, his figures were anticipated at lower construction rates. There was discussion about the fire/police station. The neighbors had said that they could live with the building if it were flip-flopped putting the fire truck bays on the City Hall side of the lot and the department offices on their side of the lot. Council Member Watson moved to suspend the

rules of order and allow Mrs. Coates to speak, Council Member Ward seconded, motion passed unanimously. Mrs. Coates voiced concerns about the position of the building, the electro-magnetic field from the power station, the entrance of fire trucks onto Palm Boulevard, employee parking areas, but that we do need the new building and they could live with it if the plans were flip-flopped.

Council Member Watson moved (1) that we refer the plans and specs to the Chiefs of Police and Fire and to the Building Inspector to get their input as to whether or not the building will be as functional if we flip-flop the plans so that the fire bays will be on City Hall side of the building as opposed to the Coates side and (2) that we have Mark Williams contact David Creech to see what the ramifications would be if we flip-flop the plans and (3) that we refer to Ways & Means Committee and to Building Committee all the capital project items to see how we can get them. Council member Swanson seconded. Council Member Ward stated we cannot afford to build all of these new buildings without raising taxes. He feels that the location of the police and fire station so close to the connector is wrong. He would like council to consider leaving the police station where it is now, leave fire station #1 where it is, build fire station #2, and build up our capital reserves. He will not approve going any further with the joint fire/police station on the lot next door to City Hall. Council Member Sottile agreed with Ward and suggested that we work on one thing at a time beginning with the Public Works Building.

Council Member Holden stated that we had decided to put the public restrooms to bid at the last meeting, and that if we try to raise taxes to build the public restrooms, the residents would not agree and the restrooms would not be built.

Council Member Swanson stated that we have to do something about the Building Department trailer. It must be moved before June 1991. We also have to have a building for the new fire truck which has been ordered in order to protect the vehicle from the salt air. She also agreed with Holden on the restrooms. She felt that we need to make some decisions and that Ways & Means will meet on Monday, October 22, at 5:15 p.m.

Mayor Bunch stated that we do have a lot of problems to sort out. As for the restrooms, she feels that a trailer would not last a year and thinks that PRC should build them along with the park. As for the fire station being in the commercial area, she agrees that it would not be a good idea to have it near all the beach traffic. The parking lot had formerly been considered as a site for the combination building of fire station #1 and police station, but because of traffic problems related to the front beach concentration of beach visitors the fire and police chiefs had recommended against this location. It was anticipated that those traffic conditions would worsen after the connector has been built. For these reasons the Mayor said she had always advocated that the

connector be located at 41st Avenue instead of 14th Avenue. The other site considered for the fire station had been where the former police and fire station was located at the corner of Palm Boulevard and the right-of-way for the connector. The feasibility of this site was also discounted for obvious reasons. The Mayor stated an additional objection to the use of the parking lot saying that citizens had voted to acquire the property for the preservation of beach access parking and that the city's use of this lot for building purposes could move the parking to residential streets.

Council Member Sottile asked what the status of the fire station #2 is at this time. Mayor Bunch stated that John Gardner is doing the design now and that Chief Britton had met with Gardner. The plans should be ready soon.

Mr. Williams stated that both the Building Department trailer and the Police Department trailer are being leased and that both of them leaked considerably with the last rains.

Council Member NesSmith-Picard said we have time and money constraints - cold weather and delivery date for the fire truck which is spring of 1991 - and what is the best of the bad locations for the police and fire station. Council Member Orvin was concerned that we were not preempting the public works building. It was assured that we are going ahead with that project.

The motion was read again. Council Member Ward stated that he would not vote to consider a combination police and fire station and that we should consider moving the site. Council Member Holden said that we should let the people make the decision.

Council Member NesSmith-Picard moved to amend the motion to also consider separate designs of fire station #1 and police station and recommended that such designs be based on pre-engineered metal buildings. Council Member Swanson seconded. A roll call vote was taken of the amendment: Bunch-yes; Holden-yes; NesSmith-Picard-yes; Orvin-yes; Simon-abstained because he came in late; Sottile-yes; Swanson-yes; Ward-yes; Watson-yes. Amendment passed with 8 yeas and one abstention. Roll call vote of the original amendment: Bunch-yes; Holden-yes; NesSmith-Picard-yes; Orvin-no; Simon-abstained; Sottile-no; Swanson-yes; Ward-no; Watson-yes. Motion passed with 5 yeas, 3 nos, and one abstention.

Mayor Bunch asked everyone to attend the Public Works meeting on Monday at 7:30 p.m. She will call everyone if we have all the information needed. Council Member Ward asked to move the Ways & Means meeting to Tuesday at 7:00 p.m.

Council Member Ward made a motion to adjourn, Council Member Watson seconded, motion passes unanimously.

Respectfully submitted,

Nellie S. McDuffie
Nellie S. McDuffie, Clerk-Treasurer

Approved:

Carmen R. Bunch
Carmen R. Bunch, Mayor

ISLE OF PALMS - PUBLIC WORKS BUILDING (PRE-ENGINEERED) 10/16/90

Contractor	Bid. Lic.	Cont. Lic.	Bid Sec.	Add. #1 Rcvd..	Base Bid	Alternates				Subcontractor's Listing
						1	2	3	4	5
Brantley Constr.			X	X	\$207,000	\$16,300				
Summerville Constr.			?	X	\$195,181	\$14,005				
HC Brown			X	X	\$184,973	\$23,455				
Dawson, Inc.			X	X	\$184,773	\$12,754				
Hass			X	X	\$196,000	\$ 9,500				
Emory Infinger			X	X	\$186,000	\$13,900				
Terry Hines			X	X	\$221,990	\$16,140				
Descon			X	X	\$169,440	\$19,565				
Rascon			X	X	\$186,689	\$14,142				

This is to certify that the above is a true and accurate copy of the bid tabulation for the referenced project.

Date: _____

Signed: _____

CAPITAL Projects Fund

Source of Funds:

Capital Projects Fund	\$ 1,380,000
FEMA (Their Portion of Fire Station # 2 After Funds are spent ie station built)	116,500
Due From General Fund (Restroom GRANT)	29,000
Accom. TAX 1165K	36,000
	<u>\$ 1,561,500</u>

Application of Funds

Firetruck (ordered)	\$ 204,317
Public Works	130,000
Police & Fire	951,000
Fire Station # 2	250,000
Public Restrooms 11	145,000
	31 1,680,317
21 Fuel system 50,000	
Capital Reserves 250,000	300,000
	<u>1,980,317</u>
Deficit	< 418,817 >

- 11 DOES Accomodations Tax still owe \$80k towards Public Restrooms - Will PRC /PRT help Pay for these?
- 21 Delay till Future years
- 31 Deficit is 118,817 excluding Pu

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
OCTOBER 25, 1990

A. INTRODUCTION OF MEETING

The regular monthly meeting of the Isle of Palms City Council was held on October 25, 1990, at the Exchange Club. Mayor Bunch called the meeting to order at 7:00 p.m. After the Pledge of Allegiance and invocation, roll call was taken. Present were Council Members Simon, Sottile, Ward, Holden, NesSmith-Picard and Watson. Council Member Orvin arrived late and Council Member Swanson was absent due to an illness in her family. Also present were Mayor Bunch, City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie and Secretary Geary.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS.

1. October 16, 1990 - Special City Council Meeting

Council Member Ward moved to accept the minutes, Council member Sottile seconded. Council Member Watson made two corrections: page three, first paragraph, Council Member Watson made the motion, not Ward; page four, fifth paragraph, add the word "also" in the amendment to motion. Minutes were approved as corrected unanimously.

A. CITIZENS' COMMENTS

1. Judith Coates - Mrs. Coates stated that she had missed last month's meeting where we had discussed the raccoon trapping. She stated that she really appreciated Jimmy Ward's efforts toward trying to stop the trapping and killing of the raccoons on City property and to have the hill behind City Hall designated a "protected area". She felt that City Hall should stop doing things to this area and should plant along the embankment on 13th Avenue to keep it from eroding and let it be a safe harbor for the raccoons and birds, etc. The hill is the only thing between the residential area and the sanitation department. She also expressed thanks to Melinda NesSmith-Picard for her response to their concern over the trees. "Having a responsive Council like this one is just the greatest thing on earth." Please consider doing something to safeguard the hill area.

Council Member Ward asked if we were through cutting down trees on the hill. Mark Williams stated that we have not cut down any trees in weeks and have no plans to cut down any more. Whether any of the hill has to go will depend on the siting of the Public Works Building and we will try not to disturb any more of the hill. Council Member Ward stated that this was a major concern of his and touching as little of it as possible he would appreciate it if we would give our neighbors every consideration.

2. James Combs - Mr. Combs asked that he be allowed to speak as had been unable to call City Hall to have his name put on the agenda. Council Member Ward made a motion to suspend the rules of order and allow Mr. Combs to speak, Watson seconded, motion approved unanimously.

Mr. Combs stated his concerns about the new Public Works Building and what it would look like to the people who have to live with it and look at it every day. He would like to encourage us to choose the larger building in order that Sarge can put all of his equipment, supplies, etc. inside out of sight of the neighbors.

D. REPORTS OF STANDING COMMITTEES

1. Ways and Means - Since Council Member Swanson was absent, Council Member Watson read the minutes from the last two meetings held in October (see Exhibits A and B). Mr. Watson passed out drawings of the combined dog kennel/storage room to be built behind the Police Station (see Exhibit C). The cost of the building should run approximately \$16,000-\$17,000 less donations we have received for the kennel, leaving a cost of \$13,500-\$14,500. Mark Williams stated that the Building Inspector said that block walls would be better instead of part masonry and part wood and that the additional difference in price would be negligible.

Council Member Watson made a motion that the City go forth with the combined kennel and storage area concept as presented to Ways & Means by Mark Williams; Council Member Sottile seconded. Council Member Ward asked the exact location of this building and Mr. Williams stated that it is directly behind the Police Station. Council Member Ward moved to amend the motion to have the dog pen side of the building next to the Connector and the storage side of the building next to the Police Station; Council Member Watson seconded. Council Member Ward stated that this was a concern of his that we have a decent facility for the island's lost pets; he would like to publicly thank Carol Walters and many of the merchants and other citizens who donated their after-tax dollars to this project way back in June and July. He had a lot of cooperation and true spirit of the animal lovers of the island and he is very appreciative that this has finally come to fruition and that construction will begin as soon as possible. Council Member NesSmith-Picard stated that she would like the opportunity to talk to some merchants about getting donations on building supplies without holding up actual construction of the building. Mr. Williams stated that he was hoping to utilize the same subcontractors on this project as on the public works building, if we decide on that building, since the subcontractors would be here anyway giving her a at least a week to make her contacts for donations. Motion and amendment were approved unanimously.

Mayor Bunch presented to Council an estimate for the cleaning and restoration of the paintings of the City's past mayors which were

damaged because of Hurricane Hugo (see Exhibit D). After discussion Council Member Watson made a motion to approve the expenditure of \$1,375 for the four paintings and to take a look at the cost of restoring the two touched up photographs; Council Member Sottile seconded. After discussion, Council Member Ward moved to amend the motion to offer Mr. Boyer \$1,675 for the entire package; and if he won't accept this offer, to go ahead with Mr. Watson's original motion; Council Member Watson seconded. Motion with amendment were passed unanimously.

2. Police and Public Safety - Council Member Simon read minutes of the meeting of October 17, 1990 (see Exhibit E). There was discussion about the resident stickers and the need to let the residents of the island know about them and their purpose. Chief Arnold is going to do a story about them and Council Member NesSmith-Picard will do an article for the Moultrie News. Mayor Bunch asked Chief Arnold to call the radio stations to announce information on the stickers.

3. Public Works - Council Member Ward read the minutes of the meeting of October 22, 1990 (see Exhibit F). He asked that Andy Parrish be given a copy of these minutes and all other minutes from 1990 meetings. Mayor Bunch recognized Harry O'Neill, Chairman of the Building Committee, who spoke about the Public Works Building. Mr. O'Neill expressed concern over the bids for the building stating that the Building Committee supported going with the plans and specification as prepared by the architects because we know what we are bidding on, everything fits together to make it a complete building, we know exactly what is required and how it is to be built. He encouraged Council to approve the building of the building and going forth with the project immediately. We have spend a lot of money on the plans and they are detailed and we can know what was bid on and can make them perform as planned and he encouraged Council to agree to go ahead on this building as bid with any modifications that can be agreed to. It is needed and it is a well designed building. I feel that we are avoiding any future problems by going with a new building.

Mayor Bunch asked to withhold discussion on this building until after Executive Session as there are contractual and legal matters that need to be discussed before making any decisions.

4. Engrossed Bills - Minutes of the meeting of October 24, 1990, were ready by Council Member Holden (see Exhibit G). There was discussion about unsolicited papers being thrown into people's yards, the main concern being that the Moultrie News not be prohibited from being delivered to homes.

5. Recreation - Council Member Orvin stated that there was no formal meeting in October, but coming up is "Halloween Haunting" at the Recreation Center on Saturday from 10:00 a.m. to 2:00 p.m. Mr. Orvin expressed sympathy for the maintenance supervisor, Stephanie

Hargrove who lost her husband last month. He would like Council to offer our sincere condolences to her. Mayor Bunch stated that she had sent flowers and had attended the funeral representing the City. Council Member Simon asked that the department not put signs on the palm tree any longer as the tree is looking "bullet ridden".

Council Member Ward asked if anyone knew anything about the progress of the Connector. Mayor Bunch stated that the property is now being cleared but she had not heard any schedules as to construction or completion. She had heard that it was due to be completed in 1993. Mr. Ward asked the Mayor to request a schedule so that we can inform residents of the progress. Council Member Simon requested that we ask the project official to come to one of our meetings or send us a progress report on the Connector. There was discussion about the trees being torn down and Mayor Bunch stated that the Highway Department is allowing us to take the palm trees and replant them around the island. Phyllis Shaffer and her committee, Plant-A-Palm, have already begin planning where to plant them. The Highway Department has given the okay to plant them around the parking lot at Breach Inlet and along Palm Boulevard from 21st to 41st Ave. but they asked us not to plant them from Breach Inlet to 21st Ave. until the Connector is in and Palm Blvd. has been widened along this strip. Mrs. Hollings is working in Washington to get us more money to replace the trees on the island.

Council Member Orvin asked for a status report on the County Park. Mayor Bunch stated that she didn't know anything about it except that they said they would not do anything for five years and even than she read in the newspaper.

Mayor Bunch brought up the subject of going into executive sessions at committee meetings which caused much discussion at last month's meeting, and she apologized to Jeff Simon. Mayor read Sec. 1-3-37 Committee meetings open; executive sessions.

"(a) All regular and special meetings of the standing committees shall be open to the public pursuant to the Freedom of Information Act.

(b) A standing committee meeting may move into executive session only when permissible as prescribed by the Freedom of Information Act."

The Mayor stated that one of the conditions under the Act is personal matters and personnel matters. Council Member NesSmith-Picard stated that her concern was not that of going into executive session but that when the committee not only includes the members of the committee but also a quorum of City Council members then business can be conducted and she felt that is a dangerous situation. Her concern was that official City action could have taken place in committee. Council Member Ward stated that his concern was that all council members be informed in advance, if possible, of an upcoming executive session.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment - There was no report available and the Mayor asked the secretary to check with Ed Fellabom. (see Exhibit N)

2. Planning Commission - Lee Batchelder presented minutes of the October 10, 1990, meeting (see Exhibit H) and discussed a plat entitled, "Composite Plat of a Portion of Wild Dunes Yacht Harbor Marina. Council Member Ward moved to accept the plat; Council Member Orvin seconded. Council Member Sottile asked whether or not the Coastal Council needs to be involved since this is submerged land. Mr. Batchelder stated that they were contacted and they stated that it is not a problem. Mr. Sottile was concerned that the owner could eventually close off the channels. Mr. Williams stated that the Coastal Council said they would take the position that Morgan Creek is a navigable waterway under their jurisdiction and they would object to closing the channel. There was protracted discussion concerning the possibility of the navigable waterway being closed at some time in the future and it was generally agreed upon that that was not a likely scenario.

Council Member Watson moved to suspend the rules of order and allow Mr. Guy Taylor, Chairman of the Planning Commission, to speak. Council Member Ward seconded, and the motion was unanimously approved. Mr. Taylor stated that the purpose of the plat was to merely purchase the land on which docks are installed.

After further discussion, Council Member NesSmith-Picard made an amendment to Mr. Ward's motion that (1) a statement be added concerning policy of public easement through the navigable waterway, and (2) show the existing slips; Ward seconded, and the amendment was voted down. Vote was then taken on the original motion to approve the plat and was passed.

Council Member Holden then moved to send the ordinance to Planning; Council Member Ward seconded, motion was approved unanimously.

3. Building Committee - Mr. O'Neill spoke earlier.

4. Beach Patrol & Control Board - Council Member Simon read the minutes of the September 20, 1990, meeting and the Emergency Meeting of October 13, 1990 (see Exhibit I).

5. Personnel Committee - no report.

6. Dewees (ad hoc) Committee - Mayor Bunch stated that four members of Council went to the DHEC hearing to protest the field they wanted to use on Dewees but no outcome has been reported.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None.

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None.

H. BILLS ALREADY IN POSSESSION OF COUNCIL - None.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS.

1. First Reading of Ordinance 1990-19 - An Ordinance to Extend the Period of Abandonment of Non-conforming Structures (see Exhibit J). Council Member Ward moved to accept the first reading, Council Member Watson seconded, motion passed unanimously.

2. First Reading of Emergency Ordinance 1990-19.E - An Ordinance to Extend the Period of Adjustment of Non-Conforming Structures (see Exhibit K). Council Member Ward moved to accept first reading of Ordinance 1990-19.E; Council Member Sottile seconded, motion passed unanimously.

3. Proclamations: (1) Acknowledgement of the beginning of The Charleston Challenge and Claiming the week of October 22-27, 1990, as Red Ribbon Week, (see Exhibit M) signed by Mayor Carmen R. Bunch; and (2) Proclamation of the Month of November as Elks Veterans Remembrance Month (see Exhibit N)

J. MISCELLANEOUS BUSINESS

Mayor Bunch read a letter from Charleston County Council and a resolution entitled "A Resolution Stating Charleston County Council's Policy of Property Tax Relief To Both Municipal and Unincorporated Area Tax Payers Through A Local Option Sales Tax (see Exhibit L).

Mayor Bunch then read a letter from the Highway Department indicating that the Isle of Palms Connector will be designated as SC 517, between US 17 and SC 703.

Mayor Bunch read a letter from the United States Marine Corps asking us to again participate in the Toys for Tots program. She stated that City Hall will have a box for the deposit of unwrapped toys. She asked David Quick of the News & Courier to give us some publicity on this.

Mayor Bunch passed around a rough copy of the new brochure on Isle of Palms which needs to be approved by the Commerce Association. There will be a flyer inside with a list of businesses and the brochure will be in color.

Mayor Bunch then read a letter from Strom Thurmond responding to our inquiry of obtaining Economic Development Administration Funds for the Isle of Palms and his interest in assisting the island in obtaining funds for purchasing a new sewer system. The Mayor stated that we are getting together all the letters we have received on the water and sewer system that we are going to have a referendum on. We received a call today from Arthur Ravenel who is also trying to get us money.

Mark Williams talked about our attempt to have a special census conducted at a later date by asking Hollings, Ravenel and Thurmond to intervene for us at the Census Bureau. There is a special team currently on the Isle of Palms taking a resurvey of the island and that the Bureau is attempting to contact former residents of now vacant houses. We don't know how successful it will be. Some of the owners are not returning to the island, and it will be some time before the population on the island returns to pre-Hugo status.

Mayor Bunch talked about a Department of Highway and Public Transportation meeting that she and Mr. Williams attended on October 4th. One of their ideas was to widen Palm Boulevard about which we objected; also they wanted to close the Breach Inlet Bridge completely once the Connector was built. We let them know that the bridge can be replaced but must not be taken down because of the school on Sullivan's Island and the fact that one purpose of the Connector was to have two access roads to the island. It appeared that the department consultants had no knowledge of the islands.

K. EXECUTIVE SESSION

Council Member Ward moved that we go into Executive Session, Council Member Orvin seconded, motion passed unanimously.

Upon coming out of Executive Session, Mayor Bunch stated that no action was taken, that legal and contractual matters were discussed concerning the bids for the Public Works Building. Council Member Ward made a motion to award the building to the lowest bidder on a new building with the understanding that construction begin immediately; Council Member Orvin seconded. Council Member Ward stated that he would like to congratulate Council because this Council has done something that no other Council has ever done - we are building something. After discussion, Council Member Holden made an amendment that the motion to accept the bid be altered to be totally inconsistent and say the "used" building; Council Member NesSmith-Picard seconded. Roll call vote on the amendment: Holden=yes; NesSmith-Picard=yes; Orvin=no; Simon=no; Sottile=no; Ward=no; Watson=yes; Bunch=no. The amendment lost 5 to 3. Roll call vote on the original motion: Holden=yes; NesSmith-Picard=yes; Orvin=yes; Simon=yes; Sottile=yes; Ward=yes; Watson=yes; Bunch=yes. The motion passed unanimously 8 to 0.

Council Member Ward made a motion to adjourn, Council Member Orvin seconded, upon unanimous vote the meeting was adjourned.

Respectfully submitted,

Nellie S. McDuffie
Nellie S. McDuffie, Clerk-Treasurer

Approved:

Carmen R. Bunch
Carmen R. Bunch, Mayor

The Ways and Means Committee held a special meeting on October 1 at 7:00 p.m. Dan Watson, Mayor Bunch, Mark Williams and Marge Swanson were present. There was a discussion of a fair price for up to 1 1/2 acres of land at the recreation center. It was decided that the \$378,000 that had been used in the pool proposal is in the ballpark...tho it could be as much as \$400,000. Dan Watson moved that we wait until after the referendum to have an appraisal since if it doesn't pass, the \$1000 cost of the appraisal would be wasted. Carmen Bunch seconded. Passed. Meeting adjourned.

Dan
10/24/90

WAYS & MEANS
MINUTES OF OCTOBER 1990 MEETING

The meeting was held at city Hall
ON Tuesday, October 23rd. It
began at 7:03 PM and concluded at 7:48

In Attendance were:

MAYOR Bunch

Administrator Williams

Council members Sottile, Ward & Watson
Council member Holden was in attendance but had
to leave early.

I chaired the meeting for Council member
SWANSON who is out of town due
to an illness in her family.

Items:

1. We have received the updated
Property Tax Revenue Projections from
the Assistant County Auditor.

	PROJECTED Property Tax Revenue
Countys Current Projections	\$ 1,066,670
City Projections for Budget Purposes	<u>1,063,596</u>
Under budgeted by city	\$ 3,074

The Variance (favorable) was a mere
3/10 of 1 percent.

Administrator Williams was commended
for his dilligent efforts ^{during the Budget Process} which resulted
in such an extremely accurate projection

WAYS & MEANS Minutes

2. City Proceeds From the Auction held last Saturday are \$4,523⁰⁰.
3. Vehicle Maintenance and Fuel cost are in an UNFAVORABLE TREND. IF the trend continues, we'll go over budget on both items !!. It's nothing to get excited about; but rather, something to watch.

The MAYOR has implemented mitigating initiatives; and WAYS and MEANS will continue to monitor it.

Bottom line is - the vehicles have to roll.

4. The Police department has a vacancy which the Chief will not fill until he really needs to. Obviously, this will help the budget.
5. Administrator Williams recently combined two positions into one, thereby eliminating one position, temporarily. The City Hall Receptionist is also performing the Court Clerk duties. This is considered a temporary action; but so far, it is working out pretty well. We certainly appreciate MARKS INNOVATION and Becky's dedication.

!! My very very rough estimate is that we could go between 10K-15K over-budget if the trend continues.

444
10/24/90

WAYS & MEANS Minutes

6. Contractors helping, to rebuild our Island have donated approximately \$6,700 to the City. This fund-raiser was initiated and coordinated by Don Stone. We really appreciate DON's efforts and the Contractors' generosity.

The Mayor will send Thank-Yous.

Kennet

WAYS & MEANS Minutes

We reviewed a combined Dog Kennel and Storage area Conceptual Plan which was provided thru the joint effort of Mark Williams and Ed Hazelton.

The need for a dog-kennel has been discussed previously. Police Dept. is in a crunch for out-of-the weather Storage Space.

This plan satisfies both needs while utilizing an existing ^{20x30} concrete slab that is behind the Police Dept.

1 The City will sub-contract it out to cut down on the cost

(Rec'd this into Today)

2 The current estimated cost 16 - 17K
Less donations rec'd for kennel 2500
Residual Cost to the city 13.5 - 14.5K

WAYS & MEANS Minutes

- 3 Approximately 8" of additional concrete will be added to the slab.
4. There will be 4 Kennels.
Each will have a 4' x 4' Temperature controlled enclosure and a 4' x 8' uncovered dog-run area.
The above sizes are SPCA's model sizes.
- 5 Council Member Ward requested that there be elevated lockers for storage.
6. Councilmember Ward moved that "WAYS & MEAN recommend to Full Council that the city go Forward with the Combined Kennel and Storage Area Concept as presented by Mark Williams.

Respectfully Submitted
Dan Watson
10/25/90

DESCRIPTION OF PROPERTY	1989 ASSESSMENTS	1990 PROJECTED ASSESSMENTS	COMMENT
I. MOTOR VEHICLES			
Projected Assessment			
1. January - December	2,075,700	2,151,000	
2. Collection Rate	.9900	.9776	
3. Total Collectible Base	2,054,943	2,102,817	
4. Millage Rate (Prior Year)	.0320	.0380	
5. Vehicle Tax Collections	65,758	79,907	
II. OTHER PROPERTY			
1. Business Personal	37,100	34,730	
2. Rental Residential Personal	343,660	171,760	
3. Watercraft	248,610	225,460	
4. SCTC-Business Personal	584,130	318,160	
5. Manufacturers Personal	0	0	
6. Utility - Personal	836,580	1,128,420	
7. Railroads	0	0	
Manufacturers Personal	0	0	
8. Special Levy	0	0	
9. Aircraft	9,970	9,470	
10. Mobile Homes - Assessor	2,030	1,990	
11. Manufacturers Real	0	0	
Manufacturers Real	0	0	
12. Special Levy	0	0	
13. Real Property - Assessor	31,104,380	25,826,360	
14. Utility - Real	(Incl. w/Pers.)	(INCL W/PERS.)	
15. Total Base Other Property	33,166,460	27,176,350	
16. Collection Rate	.9180	.9369	
Collectible Base	30,446,810	25,967,448	
17. Other Property	.0380	.0380	
18. Adopted Millage	1,156,978	986,763	
Other Property			
19. Tax Collections			
III. PROJECTED REVENUES			
Vehicle Tax Collections			
1. (Item I-5)	65,758	79,907	
Other Property Tax			
2. Collections (Item II-19)	1,156,978	986,763	
3. Total Projected Revenues	1,222,736	1,066,670	

REMARKS:

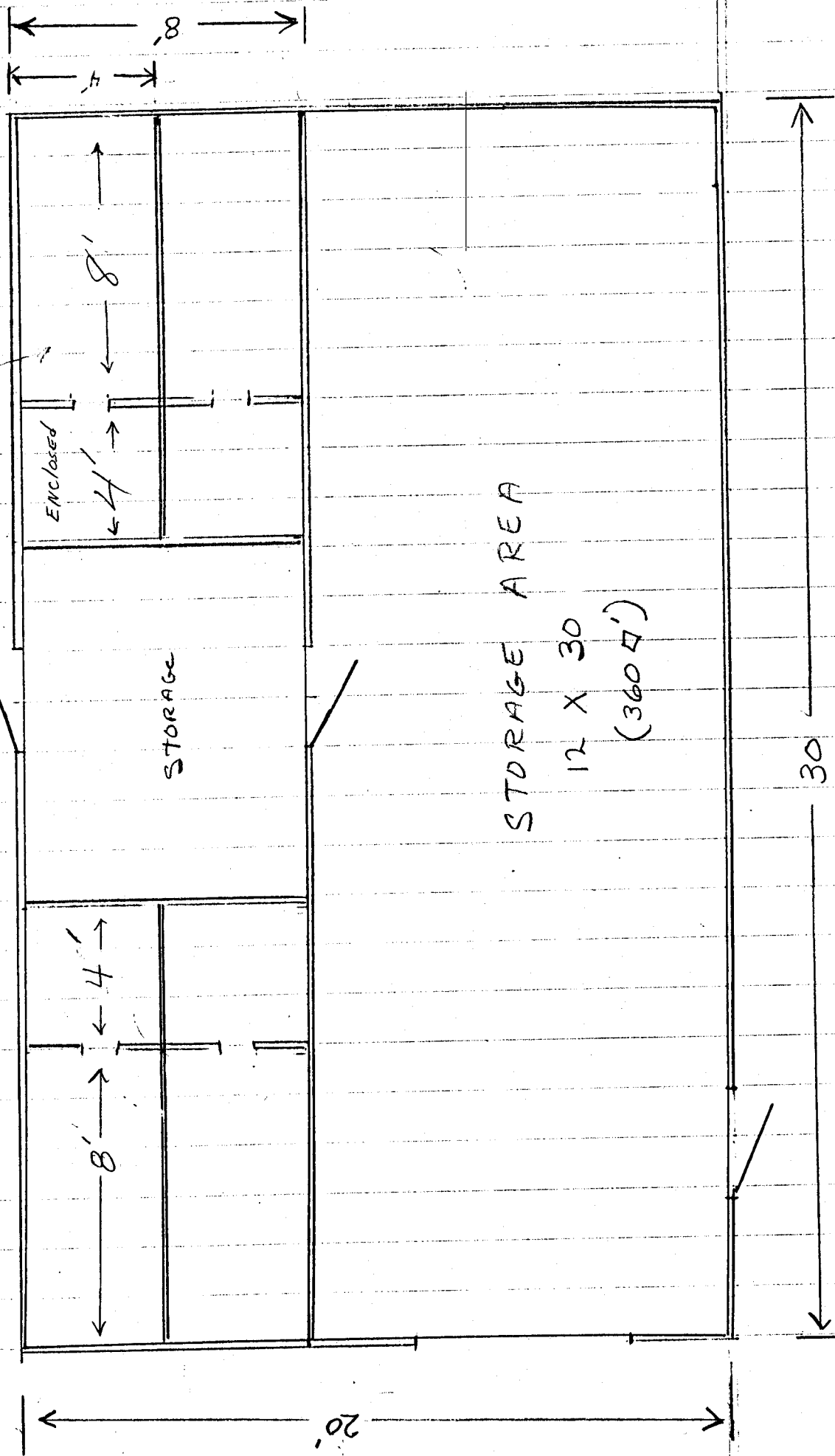
VALUE OF MILL 1,066,670 ÷ 38 MILLS = 28,070

ACB 10/23/90

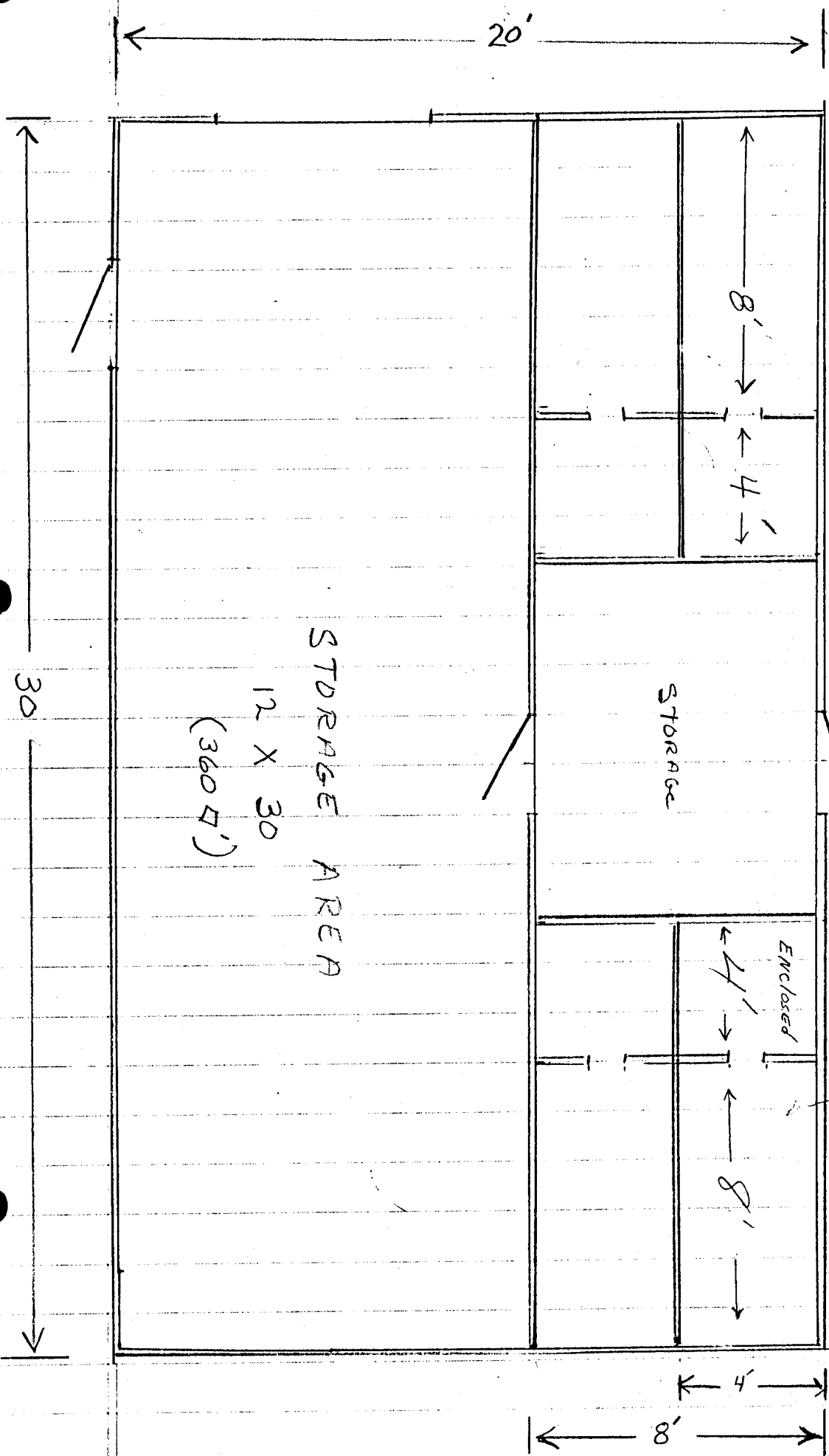
CALCULATIONS BY: Samuel C. Brown, Jr., Deputy County Auditor DATE 10-23-90

Kennel - Storage Area
Conceptual Plan

30



STORAGE AREA
12 X 30
(360 sq')



Kennel - Storage Area
Conceptual Plan

30

Russell Boyer



FINE ART CONSERVATOR

P. O. BOX 30966 CHARLESTON, SO. CAROLINA. 29407

803: 556 0830

745 0424

October 24, 1990

**ESTIMATE - CLEAN AND
RESTORE SIX PORTRAITS -**

HANER PORTRAIT	250.00
WHITE PORTRAIT	250.00
LAUDEN PORTRAIT	300.00
SOTTILE PORTRAIT	325.00
CAPPER PORTRAIT	300.00
CHAPMAN PORTRAIT	450.00
	1875.00

Russell Boyer

\$1650

Public Safety Committee Meeting 10/17/90

Present: Councilmembers Simon, Swanson, Mayor Bunch. Also in attendance councilmember Watson.

The Police Dept. report was presented by Lt. Buckhannon.

A general discussion was held on the monthly report for September.

The narcotics unit has received \$19,000 in seizure monies. This money is from cases that were made in calendar years 88 and 89.

Officer Fox attended a comprehensive crime prevention school and will be instituting additional crime prevention activities on the island.

100 ID decals have been issued. Many people do not seem to understand the purpose of these decals and some additional public awareness of their purpose may be warranted.

Two officers went to the Myrtle Beach Police Dept to review their Jet Ski program and to find out how they use one along the beach front. Myrtle Beach reports that they had 70 water rescues in which their jet ski was involved.

A general discussion was held on current activity and it was noted that to date the Police Dept. has responded to approximately 10,700 calls as compared to last year when the total number for the year was 8650. The most substantial increase is in the areas of vehicle related arrests, larcenies and some increase in the number of assaults. Teenager related problems are down.

The report from the Fire Dept. was presented by Battalion Chief Humbert.

A general discussion was held on the monthly report for September.

There were no deaths or serious injuries reported during the month.

There was one working structure fire with significant property damage. A discussion of the response to this fire was held. The men and women of the Fire Dept. were commended for their rapid and professional response to the fire. In addition the volunteers who turned out both from Isle of Palms and Sullivan's Island will be receiving letters of appreciation for their significant contribution to saving this residence.

The Dept. had an average of 35 hours of training per man for the month.

13 individuals went to the State Fire School during the month.

The Dept is trying to conserve fuel and is therefore limiting driver training until fuel prices normalize.

A discussion was held on the status of the Fire Depts. master plan and the current ISO rating. No positive change in the ISO rating will be possible until the Dept. has moved into permanent structures.

The Dept. will be undertaking a volunteer recruitment and training drive.

A discussion was held on raising public awareness on the need to have a home escape plan. This is especially true now that so many homes are being rebuilt above ground level. The Chief will report back at next months meeting on this issue.

PUBLIC WORKS COMMITTEE MEETING
OCTOBER 22, 1990

THE CITY OF ISLE OF PALMS PUBLIC WORKS COMMITTEE MEETING WAS CALLED TO ORDER AT 7:05 PM BY MELINDA NESSMITH-PICARD. IN ATTENDANCE WERE MAYOR BUNCH AND PUBLIC WORKS SUPERVISOR ANDY PARISH. COUNCILMEMBERS HEATH ORVIN, MIKE SOTTILE AND DAN WATSON ARRIVED LATE. COUNCILMEMBER JIMMY WARD WAS OUT OF TOWN.

MR PARISH GAVE A REPORT ON DRAINAGE PROBLEMS ON THE ISLAND. SOME MAJOR AREAS OF CONCERNS ARE 21ST AVENUE AT WATERWAY BLVD AND 42ND AVENUE AT PALM BLVD. MAYOR BUNCH IS WORKING THROUGH THE GOVERNOR'S OFFICE TRYING TO ACQUIRE SOME GRANTS FOR THE CITY. ALSO PROBLEMS WITH UNCLEARED LOTS ON THE ISLAND WAS DISCUSSED. MR PARISH ALSO INFORMED THE COMMITTEE THAT THE SPRUILL AVENUE DUMP HAD BEEN CLOSED FOR A WEEK.

MR PARISH REQUESTED THAT THE COUNCIL PLEASE GO FORWARD WITH THE PUBLIC WORKS BUILDING. A MOTION WAS MADE THAT THE COMMITTEE RECOMMEND TO FULL COUNCIL THAT THE LOW BID ON THE NEW BUILDING BE APPROVED. MOTION PASSED. A DISCUSSION WAS HELD ON THE DIFFERENCES BETWEEN THE NEW AND OLD BUILDINGS.

MR PARISH UPDATED THE COMMITTEE ON PAPER RECYCLING. LAST PICKUP WAS 15000 POUNDS. HE ALSO SAID THAT PEOPLE ARE STILL CONFUSED ABOUT PICKUP DAYS.

MR PARISH INFORMED THE COMMITTEE THAT A DRAIN WILL BE INSTALLED ON THE CITY PARKING LOT AT PAVILION DRIVE AND OCEAN BLVD. ALSO, THE COUNTY IS NOW SPRAYING FOR MOSQUITOS. HE ALSO BROUGHT THE COMMITTEE UP TO DATE ON ROAD REPAIRS. PROGRESS HAS BEEN SLOW. MR PARISH SUGGESTED WRITING THE GOVERNOR'S OFFICE FOR ASSISTANCE.

A DISCUSSION WAS HELD ON THE SALE OF CITY DECALS. SALES ARE NOT GOING VERY FAST.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

Engrossed Bills Committee Meeting
City Hall
October 24, 1990 - Minutes

The meeting began October 24 at 6:30 at City Hall with Mayor Bunch, Councilmembers Nessmith-Picard, Simon, and Holden in attendance. Also present was City Attorney Bill Dreyfoos. Councilmember Watson arrived shortly after the meeting began. The minutes of the previous meeting are presented. Upon motion by Councilmember Nessmith-Picard, seconded by Councilmember Simon and passed unanimously.

Ordinances which have been referred for consideration were next considered, the first of these being the non-conforming vacancy extension. The draft of an emergency ordinance extending the vacancy period from one year to June 1, 1991 for Hugo affected property which the City Attorney had prepared was presented. Upon motion by Mayor Bunch and seconded by Councilmember Nessmith-Picard it was unanimously recommended to Council to pass this ordinance and refer the matter to Planning Commission. A permanent ordinance dealing with the same subject matter was then presented. Again upon motion by Mayor Bunch seconded by Councilmember Simon, it unanimously passed that it be recommended to Council that first reading of this pass with a referral to the Planning Commission. No other ordinances were presented.

Next several updates were given.

The proposed amendment offered by Administrator Williams regarding drainage in general in subdivisions was mentioned and upon motion by Mayor Bunch, seconded by Councilmember Nessmith-Picard it was unanimously recommended that this be referred to the Planning Commission and they deal with it in a fashion such that at the next Council meeting the ordinance can pass third reading and be ratified in its entirety with all amendments including those made last month.

Regarding the matter of Swimming Pool drainage Councilmember Holden gave a report on his discussion with DHEC and the city's building department. This indicated there were two some what separable problems: 1) drainage of water which was not "inherently hazardous", and 2) the stagnate pools and disposal of water that has been sitting. After review it was concluded as to drainage of nonstagnate water, the swimming pool ordinance currently enacted in the code may have some drainage provisions already and on motion by Mayor Bunch and seconded by Councilmember Nessmith-Picard it was determined to have the City Attorney report back on this matter at the next meeting. As to the stagnate water it was agreed that DHEC handles such on case by case basis but some ordinance maybe appropriate and that the City Attorney would look into this at the some time he was considering the drainage requirements.

Next considered were two matters before the Planning commission at this time (the fence ordinance and water front zoning). There had been some confusion and it was now understood the Planning would take these up at it next meeting. The City Attorney was concerned with the time delay and the Planning Commission's next regular meeting date and recommended that a public hearing be called such that Council could approve the ordinances for second reading next month if it so desired. It was therefore agreed that the public hearing would be called for a time such that this would be possible but that the Planning Commission should still review these matters and make suggestions. No other update were made.

Regarding proposed ordinances Councilmember Holden proposed again the right-away dumping ordinance. Upon motion by Mayor Bunch and seconded by Councilmember Holden and after investigation of code it was referred to the Attorney to drafte language to place a "right of way" clause into the current ordinance instead which would prohibit right of way dumping, and to further investigate the matter.

Miscellaneous request and information consisted of Bob Hooker mentioning two matters, first was an ordinance dealing primarily with the throwing of papers such as the Trident Weekly Advertiser into people's yards when they did not want them, and they just let them sit there. Mayor Bunch noted that sometimes this tips off

burglars as to empty houses. He also mentioned the matter of signs. It was determined that the effects of Hugs were predominately gone as they related to the signs on the Island, (other than ones on premises with construction on going), and that citizen's that have complaints with the signage on the Island at this point probably would best be considered as commenting on the the substance sign ordinance or its enforcement. In this regard off premises sign were mentioned. After review that seemed to indicate off premises signs were probably allowed in the Commeral area at this time, it was referred to the City Attorney to bring back at the next meeting an ordinance which would prohibit such off premises signs by motion by Carman Bunch, seconded by Councilmember Nessmith-Picard and passed unanimously. Also mentioned in this discussion were Political signs. The consensus of the committee seeming to be that strict enforcement of the thirty day controlled situation was working to the satisfaction of most members.

There be no more business upon motion by Councilmember Nessmith-Picard, seconded by Mayor Bunch, unanimously the meeting adjourned.

(Committee members note: These are the unproofread version of what will be presented to you at the next committee meeting - should you have any substantive changes let me know before then, I will point out any substantive changes which do get made, (if any), at that meeting which will expedite passage of minutes from meeting to meeting.)

DRAFT COPY AS OF: 10/25/90

APPROVED AS FINAL MINUTES: _____

ATTESTED TO:

Barry C. Holden - Chairman

**Engrossed Bills Committee Meeting
October 24, 1990 - City Hall**

AGENDA

Old Business

- 1. Minutes of previous meeting**
- 2. Ordinances Referred**
 - A) Non-Conforming Use Vacancy Extension**
 - B) Other**
- 3. Updates**
 - A) Swimming Pool Ordinance Report**
 - B) Matters before Planning Commission**
 - i) Fence Ordinance**
 - ii) Waterfront Zoning**
 - C) Other**

New Business

- 4. Proposed ordinances from councilmembers**
 - A) Dumping**
 - B) Other**
- 5. Miscellaneous Requests/Information**
- 6. Adjourn**

MINUTES OF THE ISLE OF PALMS PLANNING & ZONING COMMISSION MEETING
OCTOBER 10, 1990

The Isle of Palms Planning & Zoning Commission met at City Hall on October 10, 1990, at 5:30 p.m. the meeting was moved to the Police Station due to a lack of power at City Hall. Members attending included Arnold Karig, Jan Wilson, Kathryn Carroll, and Chairman Guy Taylor. Planning consultant Lee Batchelder was also present. Darlene Smith, John Stanley and John Gardner were absent.

Chairman Taylor called the meeting to order at 5:35 p.m. and announced that a representative of the South Carolina Department of Highways and Public Transportation would attend the November meeting rather than this meeting as indicated on the agenda.

Minutes from the July 11, 1990, and September 12, 1990, meetings were reviewed next. Dr Karig asked that the September 12 minutes include the statement that the Traffic Committee is seeking clarification as to what is a bike path and what is a sidewalk. From 41st Avenue on it is clear that it was constructed as a bike path although it is nor marked as such. From 21st Avenue to 41st Avenue it is not clear whether it is a bike path or sidewalk. This should be identified and marked as such. No other changes were suggested. Motion to approve both sets of minutes with changes by Dr. Karig; second by Ms. Wilson. Motion carried 4-0.

Plat Submittals:

1. Composite Plat of a Portion of Wild Dunes Yacht Harbor Marina; City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Bill Finch, the applicant, stated that this plat was creating this parcel to be conveyed to him from Wild Dunes Associates which now holds title to the land. This is a plat of the land where docks A thru E are located. Docks F thru J will be retained by Wild Dunes Associates.

Chairman Taylor clarified that this plat was actually subdividing the water area. Mike Burkette, representing the applicant, stated that this area was originally high land which had been dredged to create the marina.

Planning consultant Batchelder asked if this parcel was being subdivided out of a larger tract. The applicant answered affirmatively. Mr. Batchelder then asked how the property was accessed over land. The applicant state that the adjacent 40' easement provided access to 41st Avenue for this property.

Dr. Karig asked if the Coast Guard needed to be involved in this. The applicant was not sure if this was necessary.

Mr. Batchelder recommended that the wording for the 40' easement be changed to read as follows: "Non-exclusive 40' bulkhead maintenance ingress-egress and utility easement in favor of Parcel A".

Mayor Bunch stated that restrooms also needed to be provided for the marina. Council Member Swanson asked about access through the easement and if the ownership of this creek allowed restrictions to be placed on access to the creek by boats. The applicant stated that access could be restricted under the present terms of ownership.

Chairman Taylor added that the zoning of PRD also needed to be added to the plat. Motion to approve with zoning to be noted and change in wording of easement by Ms. Wilson; second by Ms. Carroll. Motion carried 4-0.

Subcommittee Reports:

Dr. Karig stated that no official meeting of the Traffic Subcommittee was held but several members did attend a presentation by LPA Group, Inc., transportation consultants hired by the Highway Department. Dr. Karig stated that the information presented was very disturbing and that the consultants did not do their homework. He stated that subcommittee members did address the consultants and raise a number of questions concerning improvements that would affect the Isle of Palms.

No other reports were presented and the meeting was adjourned.

Respectfully submitted,

Lee Batchelder
Planning Consultant

Minutes

Board of Beach Patrol and Control

W.H. Sandeford
Beverly Ballow
Jeff Simon (ex officio)
Tom Harper
Debbie Jeter
David Mathews
Jim Smiley (Chairman)

The Beach Patrol and Control Board met at 7:00 PM on Thursday September 20th, 1990 in the small conference room of the Police Department temporary office. Present were Board members Sandeford, Simon, Smiley, Jeter and Ballow.

1. Permit application No. S90-1: a request by Mr. Patrick Ilderton to construct a deck attached to a home in the protection district at 614 Ocean Blvd.

Action taken: The Board voted to approve the permit request.

2. Permit application No. S90-2: a request by Mr. Everett Presson for a permit to construct a home, partially in the protection district at Ocean Blvd.

Action taken: The Board voted to approve the permit request.

3. Permit application No. S90-3: a revised request by Mr. Jeffery Thomas to construct a fence in the limited activity zone at #2 50th Avenue. In the absence of Mr. Thomas or his representative the Board deferred action on the request. The Board did indicate that it would not approve construction in the limited activity zone. The Board also noted a swimming pool on the plans submitted by Mr. Thomas and the Board asked its chairman to bring to the attention of the Building Department the absence of a permit for this pool.

4. The Board discussed the revetment reconstruction by Mr. Perry Lenardis in front of his home on 51st avenue. Some Board members thought the height of the reconstructed revetment exceeded the height of the revetment as it existed on September 20th 1989. The Board requested its Chair to ask Coastal Council to inspect the revetment.

Memorandum:

To: Wild Dunes Associates
Mr. William McKenzie

From: Jim Smiley, Chairman
Isle of Palms Beach Patrol and Control Board

Re: Permit Application No.O90-1

Date: October 15, 1990

Following a site visit and subsequent discussions in City Hall on Saturday October 13th, the Beach Board issued a permit for nourishment of the Beach in the area of Dewees inlet at the 18th hole fairway with the following conditions:

1. The initial permit is for a maximum of 10,000 cubic yards of sand. This volume may be increased if necessary after consultation with the Board.
2. The sand will be excavated from an on-island inland source.
3. The sand will be certified by South Carolina Coastal Council as being compatible with Isle of Palms beach sand.
4. Access to the beach will be across the fairway of the golf course.
5. No panning or scraping of sand from the beach or adjacent areas is permitted.
6. At least four profiles of the beach and dune in the area to be nourished will be taken before the addition of sand and again upon completion of the project. Copies of these profiles will be forwarded to the Board.

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-19
First Reading Draft - 10/25/90

AN ORDINANCE TO EXTEND THE PERIOD FOR ABANDONMENT OF NON-CONFORMING USES FOLLOWING HURRICANE HUGO

WHEREAS, City Council finds that prior to Hurricane Hugo, a number of residential duplexes held the status of legal, non-conforming uses within the City's single-family residential zoning districts; and

WHEREAS, City Council finds that many of these residential structures were damaged by Hurricane Hugo, and have not yet been repaired; and

WHEREAS, under City Code Section 5-4-38, the legal non-conforming status of this use ceased to exist on September 22, 1990 if residential use as two dwellings had not re-established; and

WHEREAS, in the aftermath of Hurricane Hugo, City Council has approved a number of temporary modifications to the City's zoning and building ordinances to allow residents to re-construct and re-occupy their homes; and

WHEREAS, City Council wishes to afford the same opportunity to the owners and residents of legal, non-conforming duplexes within the City; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 5-23-10 et seq. and Sections 6-7-710 et seq., South Carolina Codes of Laws, 1976, as amended; and

WHEREAS a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to extend the period for abandonment of non-conforming uses following Hurricane Hugo.

Section 2. Section 5-4-38(c) Amended. Section 5-4-38(c) of the City Code is amended by adding the following phrase at the end of the section:

provided that for legal, non-conforming uses discontinued as of September 21, 1989 as a result of Hurricane Hugo, such uses may be continued if re-established by June 1, 1991.

Ordinance No. 1990-19
First Reading Draft
10/25/90
Page 2

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. MCDUFFIE, CLERK-TREASURER

First Reading: _____

Public Hearing: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-19.E
Adopted 10/25/90

AN EMERGENCY ORDINANCE TO EXTEND THE PERIOD FOR ABANDONMENT OF NON-CONFORMING USES FOLLOWING HURRICANE HUGO

WHEREAS, City Council finds that prior to Hurricane Hugo, a number of residential duplexes held the status of legal, non-conforming uses within the City's single-family residential zoning districts; and

WHEREAS, City Council finds that many of these residential structures were damaged by Hurricane Hugo, and have not yet been repaired; and

WHEREAS, under City Code Section 5-4-38, the legal non-conforming status of this use ceased to exist on September 22, 1990 if residential use as two dwellings had not re-established; and

WHEREAS, in the aftermath of Hurricane Hugo, City Council has approved a number of temporary modifications to the City's zoning and building ordinances to allow residents to re-construct and re-occupy their homes; and

WHEREAS, City Council wishes to afford the same opportunity to the owners and residents of legal, non-conforming duplexes within the City; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 5-23-10 et seq. and Sections 6-7-710 et seq., South Carolina Codes of Laws, 1976, as amended; and

WHEREAS, the City is authorized to adopt emergency ordinances affecting the health, safety and property of the people pursuant to Section 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to extend the period for abandonment of non-conforming uses following Hurricane Hugo.

Section 2. Section 5-4-38(c) Amended. Section 5-4-38(c) of the City Code is amended by adding the following phrase at the end of the section:

Emergency Ordinance No. 1990-19.E
Adopted 10/25/90
Page 2

provided that for legal, non-conforming uses discontinued as of September 21, 1989 as a result of Hurricane Hugo, such uses may be continued if re-established by June 1, 1991.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 25th DAY OF OCTOBER, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

EXHIBIT L

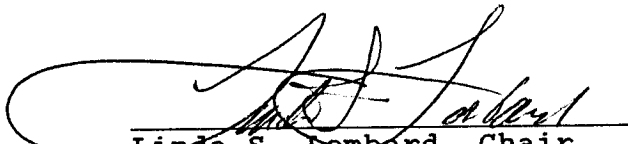
A RESOLUTION STATING CHARLESTON COUNTY COUNCIL'S
POLICY OF PROPERTY TAX RELIEF
TO BOTH MUNICIPAL AND UNINCORPORATED AREA TAX PAYERS
THROUGH A LOCAL OPTION SALES TAX

WHEREAS, the Legislature has determined that all Counties shall conduct a Referendum to determine whether a Local Option Sales Tax shall be levied within all portions of each County, and this Referendum is to be held Tuesday, November 6th, 1990 in Charleston County; and

WHEREAS, there is a concern as to whether the current wording of the State statute would allow a County Government to provide property tax relief to only the citizens of the unincorporated area, County Council wishes to reaffirm its intention to treat all property tax payers uniformly.

NOW, THEREFORE BE IT RESOLVED that, in the event a Local Option Sales Tax is approved in Charleston County, the roll-back for County property taxes shall be applied uniformly to taxable property located in the municipal areas of Charleston County, as well as to taxable property in the unincorporated areas of Charleston County. It is Charleston County Council's intention that property tax relief be reflected on the tax bills of all tax payers.

CHARLESTON COUNTY COUNCIL


Linda S. Lombard, Chair
October 2, 1990



A PROCLAMATION

WHEREAS, drug abuse has become a major problem, not only in our schools and community, but also in our nation; and

WHEREAS, The Charleston County School District, the Mental Health Association of the Lowcountry, and the Charleston County Substance Abuse Commission have joined together as partners in prevention to sponsor The Charleston Challenge for all students and other citizens in Charleston County; and

WHEREAS, the purpose of The Charleston Challenge is to bring this community together as partners in prevention and to encourage every person to make a lifetime commitment to be drug free;

NOW, THEREFORE,

I, CARMEN R. BUNCH, MAYOR OF THE CITY OF ISLE OF PALMS, do hereby acknowledge the beginning of The Charleston Challenge project and do proclaim the week of October 22-27, 1990, as Red Ribbon Week.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed this 22nd day of October, 1990.


Carmen R. Bunch, Mayor

Seal:



A PROCLAMATION

WHEREAS, The Benevolent and Protective Order of Elks made a solemn pledge!

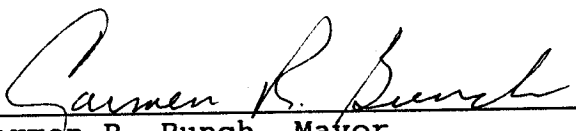
"So long as there are veterans in our hospitals, the Benevolent and Protective Order of Elks will never forget them".

WHEREAS, the fulfillment of this pledge is the obligation of every Elk, as set forth in Section 13.130 of the Grand Lodge Statutes; and

WHEREAS, service to hospitalized veterans is an expression of patriotism in its purest sense;

NOW, THEREFORE, by virtue of the authority of the office of Mayor of Isle of Palms, I hereby proclaim the month of November as "Elks Veterans Remembrance Month" and hereby request everyone to observe this month of recollection of the debt we owe to hospitalized veterans.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Isle of Palms to be affixed this 25th day of October, 1990.


Carmen R. Bunch, Mayor

Seal:



MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF NOVEMBER 15, 1990

A special meeting of the Isle of Palms City Council was held at City Hall at 5:30 p.m., on November 15, 1990. Present were Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, and Watson; Mayor Bunch, City Administrator Williams, Clerk-Treasurer McDuffie and Secretary Geary. Council Members Ward and Orvin arrived late. Also present was John Gardner, Architect.

Mayor Bunch opened the meeting and stated that the meeting was called to review preliminary plans for Fire Station #2, have a brief discussion on the water system, and to discuss the hiring of Steven Steinert, attorney. The Mayor also explained that the special meeting that was called for November 5th to discuss the plans for the fire station had been canceled due to an accident in John Gardner's family that forced him to leave the area for a few days.

Mr. Gardner apologized to Council for having to postpone this meeting and presented to the Council the plans for the new fire station at 41st Street along with a letter showing square footage of each floor (see Exhibit A). There was a period of questions and discussion. Mr. Sottile moved to continue with the final drawings of Fire Station #2; Ms. Swanson seconded, motion passed unanimously. A set of preliminary drawings will remain in City Hall for review.

Mr. Williams then made a presentation on the acquisition of the water company. Before the referendum on the 27th, he will be preparing a handout of information on this matter and asked Council if they wanted to put forth a position that City Council favors acquisition of the water system with operation by Mt. Pleasant Waterworks. Mr. Watson moved that City Council adopt a position that Isle of Palms purchase the water system with the intention of finding someone to operate it. Ms. Swanson seconded. There was extensive discussion about the Council taking a position and about the information that is put out. It was the consensus of Council that we advocate purchasing the water system and should put out unbiased information letting the residents know the facts of the entire process. Ms. NesSmith-Picard moved to table the motion; Ward seconded, then both were withdrawn. Mr. Watson then withdrew his original motion and made a new motion that Council adopt the position that it is in the best interest of the Isle of Palms to purchase the water system with the intent of contracting out for the operation of the system; Ms. NesSmith-Picard seconded. Mr. Holden moved to amend the motion deleting "the intent of contracting...."; Mr. Watson seconded. Roll call vote on the amendment: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - yes; Sottile - yes; Swanson - yes; Ward -yes; Watson - yes; Bunch - yes. Amendment passed 9 to 0. There was then a roll call vote on the motion: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - yes; Sottile - yes; Swanson - yes; Ward - no; Watson -yes;

Bunch - yes. Motion passed 8 to 1.

The next item on the agenda was the discussion about hiring Steven N. Steinert as attorney to assist in the implementation of the council form of government. Coming Gibb is not able to accept the position. Mr. Ward made a motion to hire Steven N. Steinert; Mr. Sottile seconded. There was again discussion concerning the necessity of paying a second attorney and the reasons for hiring an attorney. Mr. Holden read the proposed resolution (see Exhibit B). Roll call vote: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - no; Bunch - no. Motion passed 5 to 4.

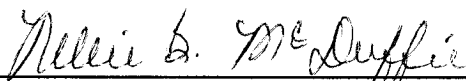
Ms. Swanson asked about a date to have a meeting of the Ways & Means Committee. Meeting was set for November 28th, at 5:30 p.m.

Mr. Williams asked to speak to council on another matter not on the agenda. Mr. Sottile moved to suspend the rules of order and allow Mr. Williams to speak on another item; Mr. Ward seconded; motion was passed. Mr. Williams began a discussion about moving the Building Department trailer from its present location to another location or moving the department into rented space in another office building. The trailer must be relocated before June 1, 1991. Office space of approximately 1500 square feet is available with monthly rent of \$1,600, including utilities. Rent on the trailer is currently running \$1,300. The Building Inspector has suggested adding onto City Hall toward 13th Avenue. After discussion, Mr. Watson moved to ask the Building Inspector to work up the cost of adding onto City Hall; Ms. Swanson seconded; motion passed 8 to 1.

Mr. Watson then made a motion to have a special meeting in early January to discuss all the building needs of the City with the intention of prioritizing our needs; Ms. Swanson seconded, motion passed 8 to 1.

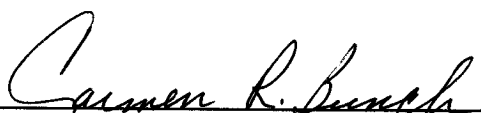
Mr. Simon moved to adjourn the meeting; Ms. NesSmith-Picard seconded; motion passed unanimously.

Respectfully submitted,



 Nellie S. McDuffie, Clerk-Treasurer

Approved:



 Carmen R. Bunch, Mayor

J.E. GARDNER
& ASSOCIATES, INC.

November 15, 1990

Mayor Carmen Bunch
Members of the City Council
The City of Isle of Palms
Isle of Palms, South Carolina

RE: Preliminary design
Fire Station #2

Submitted with this letter are the preliminary plans for the new Fire Station #2 which will be located on 41st Avenue.

This design was developed in cooperation with Chief Larry Britton with input from the fire department volunteers.

The building area is as follows:

First Floor:	Equipment storage:	509.5 SF
	Apparatus area:	2506.0 SF
	Stairs:	307.0 SF
	First floor total:	3322.5 Square Feet

Second floor:	Training/day area,	
	kitchen, offices,	
	sleeping areas,	
	<u>toilets & showers</u>	
	Second floor total:	3181.5 Square Feet

Building area: 6504.0 Square Feet

If you have any questions concerning this project, please do not hesitate to contact me.

Sincerely,



JOHN E. GARDNER, AIA, President
J.E. Gardner & Associates, Inc.

Architects

401-B West Coleman Blvd., Mount Pleasant, S.C. 29464 (803) 884-7242 FAX (803) 884-7016

I, along with the other below signed members of Isle of Palms City Council, request a special meeting be held on Thursday, November 15, 1990 commencing at 6:45 P.M. for the purpose of retaining Steven N. Steinert of the firm of Wise and Cole as special counsel to assist in implementation of the Council Form of Government on the Isle of Palms.

x Barry Holden - Barry Holden

x Mike Sottile - Mike Sottile

x Melinda Nessmith-Picard - Melinda Nessmith-Picard

x Heath Orvin - Heath Orvin

x Jimmy Ward - Jimmy Ward

rec'd
11/14 2:25pm

RESOLUTION

OF ISLE OF PALMS CITY COUNCIL RETAINING SPECIAL LEGAL COUNSEL FOR THE PURPOSE OF IMPLEMENTING A CHANGE TO THE COUNCIL FORM OF GOVERNMENT

WHEREAS, a majority of electors have voted in a binding referendum for The City of Isle of Palms, S.C. to employ a Council form of government.

WHEREAS, City Council has expressed its opinion, belief and desire the a change to this form becomes effective immediately upon compliance with the requirements of the Voting Rights act of 1965 by Pre-clearance procedure or otherwise.

WHEREAS several councilmembers have sought separate independent representation having an identity of interest among themselves and with the position of the City Council as expressed above.

WHEREAS Counsel previously retained has expressed reservations regarding representation of the Municipality due to potential conflicts which may arise.

WHEREAS therefore it is concluded that representation by Steven N. Steinert of the firm of Wise and Cole on this issue is in the best interest of the City.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND
MEMBERS OF COUNCIL THAT ON THE BELOW WRITTEN
DATE BEING DULY ASSEMBLED,**

**Steven N. Steinert of the firm of Wise and Cole is hereby retained to represent
the City of Isle of Palms regarding all legal matters of implementing the above
change in form of government.**

x
CARMEN R. BUNCH, MAYOR

x
BARRY C. HOLDEN, ESQ., COUNCILMEMBER

x
HEATH ORVIN, COUNCILMEMBER

x
MICHAEL SOTTILE, COUNCILMEMBER

x
JAMES M. WARD, C.P.A., COUNCILMEMBER

x
MELINDA NESSMITH-PICARD, COUNCILMEMBER

x
JEFFREY SIMON, COUNCILMEMBER

x
MARGERY SWANSON, COUNCILMEMBER

x
DAN WATSON, COUNCILMEMBER

ATTESTED TO THIS DAY OF 1990.

x
NELLIE S. MCDUFFIE, CLERK-TREASURER

SPECIAL JOINT MEETING OF THE
ISLE OF PALMS CITY COUNCIL
PLANNING & ZONING COMMISSION
BOARD OF BEACH PATROL AND CONTROL
November 28, 1990

There was a special and joint meeting of the Isle of Palms City Council, Planning & Zoning Commission, and Board of Beach Patrol and Control held at 6:30 p.m. at City Hall on November 28, 1990. The meeting was called by Dr. James Smiley of the Board of Beach Patrol and Control pertaining to a letter sent by Mr. Guy Taylor, Chairman of the Planning & Zoning Commission on November 21, 1990. (see attached)

Present at the meeting were: From City Council - Barry Holden, Melinda NesSmith-Picard, Jeff Simon, Mike Sottile, Marge Swanson, Jimmy Ward and Dan Watson, Mayor Carmen Bunch, also City Administrator Mark Williams, City Attorney William Dreyfoos, Building Inspector Ed Haselden and Secretary Janet Geary.

From Planning & Zoning Commission - Guy Taylor, Kathryn Carroll, John Stanley, John Gardner, Arnold Karig, Jan Wilson, and Lee Batchelder.

From Board of Beach Patrol and Control - Dr. James Smiley, William Sandeford, Beverly Ballow, and Debby Jeter.

Also present were Bill Jordan, Attorney for The Beach Co.; Steve Russell, member of the Architectural Review Board for The Beach Co.; and Jack Owens, real estate agent with The Beach Co.

Mr. Taylor gave a presentation concerning building on property that sits on the beach front, addressing zoning problems, set-back lines, and restrictions in relation to permits issued and plat restrictions. There was extended discussion on the matter.

It was generally agreed that the ordinances of the Board of Beach Patrol and Control need to be revised and that the beachfront could be better protected using a different type of methodology.

TO: Carmen R. Bunch, Mayor

FROM: Guy F. Taylor, Jr.

SUBJECT: Enforcement of Plat Condition

COPIES: Members of City Council
Members of Planning & Zoning Commission
City Attorney
City Administrator
City Building Official

DATE: November 21, 1990

Recently, residents of Ocean Boulevard contacted me, as Chairman of the Planning Commission, to complain about plat restrictions being violated on the beach side of Ocean Boulevard.

On investigation, I learned that the Board of Beach Patrol and Control had issued permits that would appear to be in conflict with the ordinance that created the board. In fact, the permits seem to be more in the nature of variances.

I spoke with one contractor who had received such a permit in August but subsequently, after strong protest from the next door neighbor, apparently decided to comply with plat restrictions of record.

Also, I brought this matter to the attention of the Planning Commission on November 14, 1990, and the City Attorney on November 19th.

This matter should be addressed promptly to determine whether or not the Board of Beach Patrol and Control is empowered to grant such permits that appear to be in conflict with the zoning process.

Guy F. Taylor, Jr.

ARTICLE B

Beach and Sand Dune Protection

Sec. 5-3-11 Title.

This article shall be known and may be cited as the "Beach and Sand Dune Protection Ordinance of 1974." (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-12 Declaration of policy.

The city council finds and declares that it is in the public interest that activities on and alterations of beaches and sand dunes be regulated under the police power of the city in order to maintain the protective function of beaches and sand dunes as a barrier against floods, winds and tides, to preserve the land-sharing system that maintains beaches and sand dunes, and thus to protect the welfare, health and safety of the citizens and residents of the city. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-13 Nuisance.

Activities on and alterations of beaches and sand dunes that are likely to weaken or alter significantly the protective function of land-sharing system of beaches and sand dunes are hereby declared to be a nuisance per se. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-14 Definitions.

Unless the context clearly requires otherwise, the following terms, when used in this article, shall have the following meanings:

(1) Applicant means any person who files an application under the provisions of the law.

(2) Beach means the area between the mean high-tide mark and the mean low-tide mark of the waters of Dews Inlet, the Atlantic Ocean or Breach Inlet from Morgan Creek to the Breach Inlet bridge.

(3) Board means the beach patrol and control board.

(4) Person means any individual, partnership, corporation, association or private authority.

(5) Protection district means the beach and sand dune protection district.

(6) Sand dune means a hill or ridge of loose, windblown sand with or without vegetation, located between Dews Inlet, the Atlantic Ocean or Breach Inlet and the upland from Morgan Creek

to the Breach Inlet bridge, within the protection district as defined in section 5-3-15.

(7) Stable dune means a sand dune or ridge of sand which serves as a protective barrier, based upon, but not limited to, factors such as dune height and slope, dune row spacing, vegetation type and density, and width of the beach within the geographic area designated in subsection (1) herein. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-15 Beach and sand dune protection district established.

(a) There is hereby established a beach and sand dune protection district, which comprises all beaches and all sand dunes, the protection of which is necessary for the preservation of the beaches and sand dunes as a protective barrier and the continued functioning of the land-sharing system that maintains beaches and sand dunes.

(b) The protection district includes two (2) areas: the limited area and the general permit area.

(c) In no case shall the protection district extend seaward beyond the low water mark or landward beyond a line 250 feet landward of the mean high water mark. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-16 Limited activity area.

(a) The limited activity area shall include the beaches and sand dunes from the mean low water mark to a point 50 feet landward of the crest of the most seaward stable dune or of a point where the most seaward stable dune is likely to form. In areas where no functioning sand dune system exists or is likely to form, factors such as hydrography, currents and beach profile shall be given consideration in determining the boundaries of the limited activity area.

(b) No significant activity or alteration shall take place within the limited activity area, unless it can be shown that the activity or alteration is not likely to weaken or alter significantly the protective function or land-sharing system of beaches and sand dunes, nor likely to prevent the formation of new dunes.

(c) The construction of seawalls, revetments, bulkheads, groins, rip-rap, and/or any other hard structures for purposes of erosion control within the city's beach and sand dune protection district is explicitly prohibited.

(d) Seawalls, revetments, bulkheads, groins, rip-rap and/or any other hard structures for purposes of erosion control, that are existing as of the effective date of this article, may be maintained or repaired, but may not be enlarged. Prior to the commencement of maintenance or repair activities, property owners must secure the applicable permits from local, state, and federal

agencies. (Ord. of 8/28/74, Sec. 1, as amended by Ord. No. 1988-6, 4/13/88)

Amendment Note: Ord. No. 1988-6 added Subsecs. (c) and (d) to the above section.

Sec. 5-3-17 General permit area.

(a) The general permit area shall include all beaches and sand dunes in the protection district not included in the limited activity area.

(b) Activities or alterations shall be permitted in the general permit area only if it can be shown that such activity is not likely to weaken or alter significantly the existing dunes nor prevent the formation of new dunes.

(c) The construction of seawalls, revetments, bulkheads, groins, rip-rap, and/or any other hard structures for purposes of erosion control within the city's beach and sand dune protection district is explicitly prohibited.

(d) Seawalls, revetments, bulkheads, groins, rip-rap and/or any other hard structures for purposes of erosion control, that are existing as of the effective date of this article, may be maintained or repaired, but may not be enlarged. Prior to the commencement of maintenance or repair activities, property owners must secure the applicable permits from local, state, and federal agencies. (Ord. of 8/28/74, Sec. 1, as amended by Ord. No. 1988-6, 4/13/88)

Amendment Note: Ord. No. 1988-6 added Subsecs. (c) and (d) to the above section.

Sec. 5-3-18 Administrative procedure.

(a) No person shall engage in any significant activity within the protection district without first obtaining a permit therefor from the board. The board shall grant or deny a permit within 45 days of the filing of the application. The application form for the permit may be obtained from the clerk-treasurer and filed with the clerk-treasurer along with an application fee as established from time to time by the board.

(b) In the event the permit is denied, the applicant may petition the board for reconsideration as provided in section 5-3-20.

(c) Upon reconsideration, the board must inform the applicant of its decision within 15 days of the hearing. If the board, upon reconsideration, sustains its denial to issue the permit, the applicant must within 10 days of receipt of the decision, file with the clerk-treasurer a written notice of intention to appeal with the grounds for the appeal stated therein. The appeal is to the city council de novo and the

hearing shall be held within 20 days of the filing of the notice of appeal, or other mutually acceptable time. The city council shall notify the applicant of its decision on the appeal within 15 days from the hearing. Further judicial review by the applicant shall be to a court of competent jurisdiction as provided by section 5-3-21. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-19 Administrative enforcement.

If the board determines that any person is violating sections 5-3-16 or 5-3-17 of this article or any rules and regulations adopted pursuant thereto, or the terms and conditions of any permit issued by the board, the board may employ any one or any combination of any or all of the following enforcement methods:

(1) Whenever the board has reason to believe that any person is engaging in significant activity or alteration in the protection district in violation of any rules or regulations adopted pursuant to sections 5-3-16 or 5-3-17 of this article, the board may issue a notice to such person. The notice shall specify the provisions of the article alleged to have been violated and state that unless such person cease and desist from such activity, the board will, after five (5) days from the service of the notice, hold a hearing to determine whether in fact there has been a violation, and if so, what corrective action will be sought (injunctive relief, restoration and/or criminal sanction) from the recorder of the city court. The notice shall also state the time and place of the hearing. Upon the hearing of the matter before the board, the board shall issue

its findings and its recommendations to the recorder for an appropriate order of the city court.

(2) Whenever the board or any person upon a showing unto the recorder supported by an affidavit containing facts sufficient to show that it is probable to believe that any person is significantly altering or weakening the beach or sand dunes, and that such activity is an immediate danger to the beach and sand dunes system, the recorder shall make a determination as to whether or not injunctive relief as provided by this article shall be ordered immediately. If the recorder issues such an order, it shall be effective immediately after personal delivery or after being posted by registered mail to an address where the person receives his mail. Any person to whom such order is directed shall comply therewith immediately, but on application to the board shall be afforded a hearing within five (5) days or other mutually acceptable time. On the basis of such hearing, the board shall have such order continued in effect, revoked or modified.

(3) The board may seek injunctive and restorative relief pursuant to section 5-3-22 of this article. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-20 Hearings.

Whenever a person is aggrieved or adversely affected by any action or by any order of the board or recorder, that person may request and obtain a hearing by filing a petition with the board within 20 days after service of the order or after notice of the action. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-21 Judicial review.

Any person who has exhausted all administrative remedies available under this article and who is aggrieved by an order or action in a contested case is entitled to judicial review as afforded by the laws of the State of South Carolina. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-22 Injunctive relief.

Any activity in violation of this article or regulation adopted pursuant hereto shall be a public nuisance, per se, and such activity may be enjoined or abated by an action filed by the board, or by any person. Upon a showing of any activity in violation of this article or regulation adopted pursuant thereto, a permanent or temporary injunction, restraining order or other order shall be granted without the necessity of showing lack of an adequate remedy at law. The relief granted by the court in an action filed pursuant to this section may include an order requiring that the beach and sand dune area be returned to its condition prior to the violation of the article or regulation adopted pursuant thereto. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-23 Exceptions.

(a) The provisions of this article shall not apply to such recreational activities as boating, swimming, sunbathing and picnicking, so long as those activities do not weaken or alter significantly the beaches and sand dunes.

(b) The provisions of this article shall not apply to any building or structure existing on the effective date of this article; provided, however, that such a pre-existing building or structure shall not be extended to occupy a greater area of land or space within the protection district without a permit. Any such pre-existing building or structure may be rebuilt without a permit after damage thereto, so long as it has not been damaged to the extent of more than 75 percent of its total tax value and complies with other pertinent codes and ordinances. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-24 Misdemeanor.

It shall be a misdemeanor and shall be punished as such, for any person to destroy any sand dune or part thereof and to remove any sand from any of the beach protection district without first obtaining a permit therefor. It shall be a misdemeanor and shall be punished as such, for any person to kill, destroy or remove any trees, shrubbery or other vegetation growing on the sand dunes within the protection district without first obtaining a permit therefor. (Ord. of 8/28/74, Sec. 1)

Sec. 5-3-25 Enforcement and penalties.

All hard erosion control devices constructed in violation of this article shall be removed, and the beach and dunes returned to their pre-construction condition. In addition, each day in which a hard erosion control device in violation of this article is under construction, in place, and/or being removed, shall constitute a separate violation of this article, and shall be punishable by a fine not to exceed \$200. (Ord. No. 1988-6, 4/13/88)

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
NOVEMBER 29, 1990

A. INTRODUCTION OF MEETING

The regular monthly meeting of the Isle of Palms City Council was held on November 29, 1990, at the Exchange Club. Mayor Bunch called the meeting to order at 7:00 p.m. After the Pledge of Allegiance and Invocation, roll call was taken. Present were Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward and Watson. Also present were Mayor Bunch, City Administrator Williams, City Attorney Dreyfoos, Clerk Treasurer McDuffie and Secretary Geary.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. October 25, 1990 - Regular City Council Meeting
2. November 9, 1990 - Special City Council Meeting
3. November 15, 1990 - Special City Council Meeting

Mr. Sottile made a motion to accept all three minutes as presented, Mrs. Swanson seconded, motion passed unanimously

C. CITIZENS' COMMENTS - None

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means. Chairperson Swanson read the minutes of their meeting of November 28, 1990. (see Exhibit A)

Mr. Holden asked if the purchase of the Isle of Palms Water Company would take us over our debt limit. Mr. Williams answered that he didn't think it would be the same kind of debt since we will be taking out bonds to pay the loan. Mr. Holden then asked if Mr. Williams was taking to Mr. Way about sales price and financing or just price. Mr. Williams answered that it was just price.

Ms. NesSmith-Picard requested that each of the standing committee chairmen notify City Hall at the beginning of each month of the date of their meetings so that the calendar can be prepared as early as possible so that Council and the public will be aware of the meetings. Mayor Bunch asked Council to consider having all committee meetings on one day so that all Council Members would be aware of everything that goes on and that in turn would shorten the City Council meetings. Ms. NesSmith-Picard also requested that minutes be submitted before the Council meetings so that they don't have to be read in full at each monthly meeting. Mayor Bunch stated that the reason for reading the minutes at each meeting was so that the public could be informed of what was happening.

2. Police and Public Safety. Chairperson Simon read the highlights of their meeting of November 15, 1990. (see Exhibit B)

3. Public Works. Chairperson Ward read the minutes of their meeting of November 28, 1990. (see Exhibit C)

Mr. Ward turned over his paycheck back to the City for use exclusively for the dog kennels. He requested that we use one of the Police evidence trailers to put Tommy Legare's tools in it so that construction of the dog kennels could commence immediately. Mr. Williams indicated that there was no room available for the tools at this time.

Mr. Ward also stated that the grading going up to the new Public Works Building was going to be too steep for the mechanic to get broken down vehicles into the building easily; he requested that we contact the architects about redesigning the slope to make it easier to get truck in and out of the building. Mr. Williams stated that the problem to extend the grade and lessen the steepness would involve taking out some of the property in front of the building and cutting into the hill but that he would investigate it.

Mr. Ward then made a statement about the raccoon problem on the island. He is very concerned about the City's position of exterminating every raccoon that is trapped and would like to have this position stopped. He also said that the problem of trash cans on the island is critical in that 90% of the residents, including myself, are in non-compliance with City Code as having proper trash can containers. The raccoons couldn't get into people's trash if the cans were animal proof. There followed extensive discussion on this problem of killing the raccoons. Everyone is sympathetic with Mr. Ward's feelings. Chief Arnold stated that it is a Wildlife Regulation that trapped raccoons be taken to the SPCA where they must be diagnosed for rabies which requires euthanazation.

Ms. NesSmith-Picard made a motion to have a thirty-day moratorium to stop the trapping of these raccoons unless there is an imminent threat to the health and safety of persons in order that we can study the problem and find out what the statutes are. Mr. Ward seconded. The consensus of Council seemed to be that the people were not aware that when Animal Control trapped a raccoon that it was killed; residents should be made aware of this and also should be made aware of the garbage can ordinance; and that the City should not have the policy of killing raccoons. Mr. Ward made an amendment to the motion that (1) if someone calls the City to trap a raccoon and the officer finds that this person's trash can is not in compliance with City Code that they be ticketed; and (2) that this person be issued a written statement that the animal will be killed. Mr. Orvin seconded. There was further discussion.

Chief Arnold talked about the Wildlife Regulations stating that if a wild animal injures or bites a person, it is the City's responsibility to trap or control that animal. State Law does say

that we can release the animal within our municipality but the problem is that if we release an animal in another part of the City

and that animal bites a child and is found to have rabies, the City can be sued because it is our responsibility to control the animal.

Roll call vote on the amendment: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - yes; Bunch - no. Amendment carried 6 to 3.

Roll call vote on the motion: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - no; Bunch - no. Motion carried 5 to 4.

Mayor Bunch told Council that she had contacted SCE&G to have a survey of the entire island done for dead trees threatening power lines; and she contacted the Highway Department to have them survey the island for dead trees on rights of way. She will follow up on this.

4. Engrossed Bills. Chairperson Holden read the minutes from their meetings of November 20, 1990 (see Exhibit D) and November 27, 1990 (see Exhibit E).

Attorney Dreyfoos was asked to prepare an emergency ordinance extending the "foot print" rule to June 30, 1991, to be presented to Council at next week's special meeting.

Ms. NesSmith-Picard stated that the Building Inspector had told her after last night's meeting that we had inadvertently created a problem for him when we passed the SR-1 zoning square footage of 17,500 feet. When we passed it the intent was to eliminate or minimize the possibility of lots being subdivided and now we have non-conforming structures and lots. The Building Inspector has the authority to reduce the set-backs by 20% and he asked us to take away this discretion. Mr. Ward made a motion to suspend the rules of order and allow Guy Taylor to speak; Ms. NesSmith-Picard seconded; unanimously passed. Mr. Taylor stated that the Building Inspector had asked for that discretion so there must be a gross misunderstanding; the discretion was requested so that they could eliminate so many having to send so many routine things onto the appeals people. Mr. Williams was asked to talk to Ed Haselden to clarify the matter.

5. Recreation Commission. Chairperson Orvin went over the minutes of their meeting of November 13, 1990. (see Exhibit F). There will be no December meeting.

Mr. Orvin made a statement about the loss of the swimming pool referendum and that there may have been some misunderstanding about taxes being raised which affected the voting.

Mr. Sottile addressed the police weight room in the Recreation Center. The Fire Department had been using this room for their volunteers to meet twice a month. He had been told that the volunteers did not have their meeting this month because the downstairs of the Recreation Center was being used for volleyball and they had no other place to go. They will have a training room in the new fire station but he wished the police had waited a few months before taking over the room. Mr. Orvin said that this has been brought to the attention of the Recreation Commission and the administration and that the fire department volunteers have been offered City Hall for their meetings until the fire station is built. Mayor Bunch stated that this misunderstanding could have been avoided if Chief Britton had come directly to the City Administrator as is policy.

Mayor Bunch read a letter of resignation from Anthony Strelkauskas from the Recreation Commission leaving two spaces to be filled with the resignation of Tom Widlowski.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment. No report was given. Minutes from the meetings of October 2, 1990, (see Exhibit G) and November 27, 1990 (see Exhibit H).

2. Planning Commission. Planning Consultant Lee Batchelder presented the minutes from their November 14, 1990. (see Exhibit I)

Mr. Batchelder presented "A Plat of a Portion of Wild Dunes Golf Course, Tract "G", Block "V" and Tract "G", Block "W", Parcels 1 & 2, City of Isle of Palms" which the Commission recommended for approval. This plat was done to include two small pieces of property on Sea Grass Lane which were included on the deed to the property but not on the plat. Mr. Watson moved to approve the plat; Mr. Ward seconded. Mr. Simon asked for an explanation of the plats listed on this plat as being recorded and not recorded. Ms. NesSmith-Picard moved to suspend the rules of order and allow Mr. McKenzie of Wild Dunes to address the question, Ms. Swanson seconded, motion passed. Mr. McKenzie stated that with as many plats that Wild Dunes does, there are some that are referenced to for in-house record and may not be recorded. They are merely surveyors notes. Motion passed unanimously.

Mr. Ward made a motion to have Mr. Dreyfoos prepare a resolution stating that City Council is opposed to the closing of the Breach Inlet Bridge for the building of a new bridge; Mr. Watson seconded; motion passed unanimously. Mr. Dreyfoos was asked to prepare this for the next meeting.

Ms. NesSmith-Picard asked committee chairmen to also place on the calendar that there will be guest speakers at their meetings so that Council may be informed if they want to attend.

Mayor Bunch stated that concerning the 250' zone which was discussed at the meeting last night, it was decided that our ordinance would be amended to use the dead zone that Coastal Council uses instead of the 250' zone. This will cut down on permit issuing and also on Board of Adjustment issues. If there

are any lawsuits filed, they would be against Coastal Council and not the City because of the State Law.

3. Building Committee - no report.

4. Beach Patrol & Control Board. Chairperson Simon presented the minutes for their meeting of November 20, 1990. (see Exhibit J)

5. Personnel Committee - no report. Ms. NesSmith-Picard asked the names of the members of this committee since it was not listed anywhere. The Mayor stated that this committee only meets when a department head is hired. Their names are Jim Burke, Carol Allen, and Bob Stevens.

Mr. Ward asked if there were a Grievance Committee on the island. The Mayor said that we do not have one and we were advised by legal counsel not to have one.

6. Deweese (Ad Hoc) Committee. Mayor Bunch stated that there was no meeting held but that DHEC is now complaining about the sewer system they want to use so there is hope that they won't allow it.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

H. BILLS ALREADY IN POSSESSION OF COUNCIL - None

Mr. Holden asked for a second reading of Ordinance 1990-20, An Ordinance to Provide for the Council Form of Government for the City of Isle of Palms. Since the ordinance is not on the agenda and that no one has copies, it was deferred to next week's meeting.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

Mayor Bunch passed around a letter to the Commerce Association thanking them for the \$18,806.35 that was raised for the Recreation Department. Mr. Ward had asked for this letter to be signed by all Council Members and we waited for the final dollar amount before preparing it. (see Exhibit K)

Mr. Sottile presented to Council a Resolution entitled "Resolution of Isle of Palms City Council Dedicating the Municipal Fund Revenues Derived From the Local Option Sales Tax for the Isle of

Palms for the Purpose of Property Tax Relief". (see Exhibit L) Mr. Sottile made the resolution in the form of a motion; Mr. Ward seconded. Mr. Simon stated that he felt that the Council should not be making these "political statements" in the forms of resolutions, ordinances, etc., on every issue. He feels that the way you vote on the line items in the budget and the bottom line millage is how you stand fiscally. He does not support the motion. After discussion a roll call vote requested by Mr. Ward was taken: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - yes; Ward - yes; Watson - no; Bunch - yes. Motion passed 6 to 2.

J. MISCELLANEOUS BUSINESS

Mayor Bunch reported that she had received letters from Strom Thurmond, and Arthur Ravenel answering her request for assistance in purchasing the Water Company. Both have made inquiries and she will keep Council apprised as information arrives. Also we are still waiting to hear from Senator Hollings.

Mr. Williams has been contacted by an attorney who will be submitting a plat to the City that would seem to only require an administrative approval in that it is not changing the dimensions of the property but is turning the apartment complex into a condominium on Hartnett Boulevard. The real estate would be owned in common with each unit individually owned. This would not ordinarily fit into our development scheme of permitting in that condominiumization is a question of ownership and not use. There is nothing we can do to stop it, but he wanted Council to be aware of this. A short discussion on condominiums followed. Mayor Bunch deferred this to next week's special meeting asking Mr. Williams to consult with legal counsel and with Sullivan's Island.

Mayor Bunch stated she had written a letter to Coastal Council asking that our Beach Management Plan deadline, which was supposed to be prepared by July 1, 1990, be extended. They have extended the deadline to July 1, 1991, and have said that there may be funds available from FEMA for matching funds to do the plan. Mr. Snyder and Mr. Brooks of Coastal Council will be at City Hall on Tuesday, December 4, at 1:00 p.m. to discuss the plan we have to write. Council Members were invited to attend this meeting.

Mayor Bunch stated that the portraits of former mayors were cleaned and repaired and have been delivered and hung in City Hall today. the cost was \$1,650 and the Mayor asked Mr. Williams to ask the insurance company if this could be covered under post-Hugo damage claims.

Mayor Bunch then asked Council to consider the acquisition of the Wild Dunes Water Company along with the Isle of Palms Water Company in order to have one consolidated utility on the island. Mr. Williams asked to discuss this in Executive Session.

Ms. NesSmith-Picard presented to Council a two-page fact sheet and application for a "Talent Bank" (see Exhibit M). This would merely be a listing of residents with specific talents that would benefit our committees who would be willing to serve on a committee or commission. After discussion, Mr. Holden made a motion to accept these forms and make them available at City Hall for residents who are interested in serving on a committee; Mr. Ward seconded; motion passed.

Ms. Swanson made a motion to go into Executive Session; Mr. Watson seconded, motion passed unanimously.

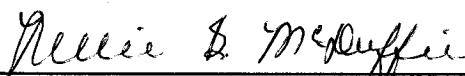
Coming out of Executive Session, the Mayor stated that legal matters were discussed and no specific action was taken.

Mr. Holden made a motion to accept the Ordinance 1990-20 as second reading; Mr. Watson seconded merely to force a vote. After discussion, both the motion and second were withdrawn.

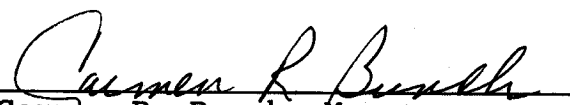
Ms. Swanson made a motion to hire the engineering firm of Thomas & Hutton to prepare a rate study on the Isle of Palms Water Company, Mr. Watson seconded, motion passed unanimously.

Mr. Orvin moved to adjourn the meeting at 10:30 p.m.; Mr. Ward seconded, motion passed unanimously.

Respectfully submitted,


Nellie S. McDuffie, Clerk-Treasurer

Approved:


Carmen R. Bunch, Mayor

The Ways & Means Committee met at 5:40 Wednesday, November 28. Present were members Watson, Ward and Swanson, administrator Williams, and Mayor Bunch.

There was a brief review of the October budget. Fuel and vehicle maintenance costs are above budget for this time of year. There are two vacancies at present. There were a couple of other items that are over budget, both associated with expenses from the hurricane.

Mr. Williams discussed financing of the water company. He feels we will need interim financing bond which we should get for 6½% for less than the ~~year~~^{time} it will take to issue bonds. He feels we will be able to get less than 8% ~~permanent~~ permanent financing. we will need to commission a rate study.

There was a brief discussion of the capital projects fund...what money is available, what previous commitments are. The Committee needs to be thinking what the priorities will be for further discussion early next year.

\$90,000 more FEMA money has been received...around \$51,000 for reimbursement and the rest for several proposed projects...one is road work. It was also announced that FEMA paid twice on one DSR...so the city will need to return \$81,810 to FEMA.

It was pointed out that we need to be aware of fees for the change in form of government with an eye to revising the budget when that becomes necessary.

The 41st ~~St~~ Avenue beach access was discussed. There were two bids for putting in a ^{dune} walk-~~way~~^{over} there...they were for different specifications. They will be asked for the same specs for the next meeting.

Police and Public Safety Meeting - November 15th, 1990

Present Councilmembers Simon, Swanson, Mayor Bunch.

The meeting had to be shortened because of the scheduling of a Special Council meeting to begin at 5:30. Each department Chief was asked to give a very brief summary of their departments monthly activity and to highlight in their written report any information they wished to be called to the attention of council at council's regular meeting in November.

Report by Fire Chief Britton

October was a generally quiet month. There was a sharp reduction in the number of medical calls. There were no working fires, however 2 non-working fires had the potential to develop into serious structure fires. Both of these were electrical related and a discussion followed regarding the need to be sure residents are taking proper precautions in removing and repairing Hugo damaged wiring. The Chief is following this up with Ed Haselden at the Building Dept.

The Fire Dept. participated in a fire safety activity at Sullivan's Island School as part of Fire Safety Week. The department demonstrated fire escape activities to the children using the Smoke House donated by MUSC. This house is purchased using the money collected from the Aluminum Cans for Burned Children Project. The Department is intending to bring the Smoke House to the Recreation Department in the spring.

A very brief discussion was held on the Fire Department Master Plan. The Chief highlighted the plan for the committee, however because of time restraints no discussion was held on the individual components.

Report by Police Chief Arnold

Chief Arnold highlighted the Police Department's report for October.

Corporal Donald F. Lubert was promoted to the rank of Patrol Sargent in charge of squad one.

The last day of work for Alan Aden, Beach Patrol Officer was 10/3. He left to begin college.

An auction was held by the Police Dept. Vehicles, unclaimed evidence and lost and found were auctioned. The \$4,502 raised has been deposited in the general fund.

The department has begun implementing a drug testing policy, it is outlined in this month's report

Crime prevention activities continue. A display of the crime prevention materials and equipment in use will be set up at a future City Council meeting.

A brief discussion was held regarding traffic tickets and court activity. It was noted that approximately 92% of all tickets result in a guilty plea. The committee asked the Chief to provide a location map of where violations are occurring for discussion at a future meeting.

PUBLIC WORKS COMMITTEE MEETING
NOVEMBER 26, 1990

THE ISLE OF PALMS PUBLIC WORKS COMMITTEE MEETING WAS CALLED TO ORDER, IN CITY HALL, AT 6:00PM BY JIMMY WARD. IN ATTENDANCE WERE PUBLIC WORKS SUPERVISOR ANDY PARISH, COUNCILMEMBERS MELINDA NESSMITH-PICARD, MIKE SOTTILE, AND BARRY HOLDEN.

MR PARISH GAVE HIS MONTHLY REPORT. ITEMS DISCUSSED FOLLOWS. THE TAX ON GASOLINE WILL INCREASE FROM 9 TO 14 CENTS ON DECEMBER 1ST. THE WILL CAUSE AN INCREASE IN OPERATING CITY VEHICLES.

MR PARISH UPDATED THE COMMITTEE ON THE PROBLEM THE DEPARTMENT IS HAVING WITH THE 90 GALLON TRASH CANS AT YACHT HARBOR. THE CANS ARE TOO LARGE FOR TWO MEN TO PICK UP MANUALLY. MR PARISH STATED THAT MARK WILLIAMS IS TRYING TO WORK OUT A SOLUTION WITH THE REGIME. A MOTION WAS MADE BY MELINDA NESSMITH-PICARD TO GIVE THE REGIME UNTIL JANUARY 2, 1991 TO HAVE CANS THAT CONFORM TO THE CODE AND TO HAVE MARK WILLIAMS WRITE A LETTER TO THE REGIME STATING THE CITY'S POSITION.

MR PARISH STATED THAT COUNTY COUNCIL WILL PUT IN STORM DRAINAGE IN THE CITY PARKING LOTS IF THE CITY PROVIDES PIPE.

THE 21ST AVENUE DRAINAGE PROBLEM SHOULD BE STRAIGHTEN OUT SOON. WORK IS BEING COMPLETED NOW. MIKE SOTTILE ASKED ABOUT DRAINAGE PROBLEM IN FOREST TRAIL. THE STATE IS 8-9 MONTHS BEHIND ON ALL DRAINAGE PROBLEM REPAIRS, HE WAS INFORMED.

FOUNDATION GRADING FOR THE PUBLIC WORKS BUILDING IS ALMOST COMPLETE.

BARRY HOLDEN ASKED ABOUT DEAD TREES ON THE RIGHT OF WAY AT 24TH AVENUE AND WATERWAY. MR PARISH SAID IT WAS THE STATE'S PROBLEM BUT HE IS GETTING LITTLE RESPONSE.

JIMMY WARD ASKED MR PARISH ABOUT THE RACCOON SITUATION IN RELATION TO RESIDENTS' GARBAGE CANS. MR PARISH STATED THAT ABOUT 90% OF THE CAN CONTAINERS ON THE ISLAND ARE NOT IN COMPLIANCE WITH CITY CODE WHICH IS THE CANS HAVE TO BE ANIMAL PROOF.

THREE FAMILIES ON THE ISLAND WANT TO PUT PIPE IN DITCHES ON THEIR PROPERTY.

THE PUBLIC WORKS POLICY ON WHAT IS DONE WITH DISCARDED CHRISTMAS TREES WAS REVIEWED.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 6:28PM .

Jimmy Ward,
Chairman

City Hall - Regular Meeting
November 20, 1990 - Minutes

The Meeting began at 6:15, at what the Chairman believed to be the regular meeting date following the change in October and the moving of the City Council Meeting in November for Thanksgiving. After the fact that it became apparent that it was not the regular meeting date, (not even close), and in addition nearly no one had received notice of this meeting. Fortunately, a quorum was present when Councilmember Nesmith-Picard arrived, in addition also in attendance was Councilmember Swanson, and Councilmember Sottile. Councilmember Simon was contacted by telephone and informed in general of the situation and matters to be covered. Under the circumstances absent members were certainly to be excused and apologized to.

Upon motion by Councilmember Nesmith-Picard, seconded by Councilmember Holden, the minutes of previous meeting were approved with the change adding a statement that in the discussion regarding the litter ordinance being applied to unwanted free newspapers, it would probably not be possible to exclude the Moultrie News and "desirable" newspapers.

The first matter of business that was covered was the change of form of Government ordinances, which was referred at a previous special Council meeting. The major issue to be covered in depth would be method of disposition including follow up meetings and similar matters. Attached is a memorandum which sets forth the plan which was adopted at this meeting. [It should be noted due to family commitments of Mr. Steinert the proposed meeting in that memo has not yet taken place, and will be rescheduled, however the other elements of the other method adopted remain the basic plan the committee propose to use to deal with these matters.] The only other issue dealt with the related change in form of Government was the basic Short Ordinance hand written by the City Attorney at the last special meeting, it had been retyped, presented, and upon motion by Councilmember Nesmith-Picard, seconded by Councilmember Holden, was unanimously recommend for second reading, and passage that the next Council meeting.

There were no other known ordinances that had been referred.

On the matter of Updates in the absence of the City Attorney the Swimming Pool report on drainage was not taken up. As to matters before the Planning Commission, it was not noted they probably were best left pending until after the Planning Commission meeting on December 5th. That would include the Fence Ordinance and the Water Front Zoning Ordinance. The Right of way Dumping Ordinance there was no report on, nor on the Off Premises Signs. There were no new Ordinances proposed from Councilmembers.

Under Miscellaneous Requests and Information, the Turtle Nesting Ordinance was discussed. Councilmember Swanson noting that Sullivan's Island had a simpler version, she would prefer to see ours simplified. It was noted this is also pending before the Planning Commission, and the best approach may be to let them have the December 5th meeting before trying to deal with it in the Engrossed Bills Committee. The matter of the Beach Board Board of Adjustment interplay had been mentioned by several people. It was not discussed at this meeting in depth due to the feeling the City Attorney's input would be essential to any understanding of this matter.

Upon motion by Councilmember Nesmith-Picard, seconded by Councilmember Holden the meeting adjourned.

DRAFT COPY AS OF: 11/29/90

APPROVED AS FINAL MINUTES: _____

ATTESTED TO:

Barry C. Holden - Chairman

**Enrolled Bills Committee Meeting
November 20, 1990 - City Hall**

AGENDA

Old Business

1. Minutes of previous meeting
2. Ordinances Referred
 - A) An ordinance to provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council
 - i. Consideration of Method of disposition.
 - ii. Brief Substantive discussions & recommendations (as desired under "i" above)
 - B) Other
3. Updates
 - A) Swimming Pool Report
 - B) Matters before Planning Commission
 - i.) Fence Ordinance
 - ii) Waterfront Zoning
 - C) Right of Way Dumping
 - D) Off Premises Signs

New Business

4. Proposed ordinances from councilmembers
5. Miscellaneous Requests/Information
 - A. Turtle Nesting
 - B. Beach Board/BOA variance interplay
6. Adjourn

Engrossed Bills Committee Meeting
City Hall - Special Meeting
5:30 P.M. November 27, 1990 - Minutes

This meeting commenced at 5:30, it was originally called to deal with the Change in Form of Government issues with the possibility it would adjourn at some point allowing everyone to see the results of the Water Co. Referendum, reconvene, and then deal with the issues that have not been taken up at the previous meeting which the City Attorney was not present at. Present were Councilmembers Holden, Nessmith-Picard, Sottile, Simon, Watson and Swanson. Also present City Administrator Mark Williams and City Attorney Bill Dreyfoos. Due to the fact Mr. Steinert was unable to attend due to family tragedy and related commitments the change of form issues, were not to be dealt with and are to be rescheduled for a later meeting. This meeting therefore dealt only with the issues which the City Attorney was handling and which were not covered at the previous meeting of November 28.

The first of these issues was Swimming Pool Drainage which is still under study by the City Attorney. It was noted again that the drainage of stagnate pools is controlled by some degree by DEHC already. As to the matters of the Planning Commission the City Attorney informed us it was not necessary to pass these at the next meeting, and we could wait on Planning to have its meeting and input. It was recommended that we do such.

A long discussed regarding an ordinance dealing with Right of Way Dumping, the enforceability of any ordinance controlling people moving debris from the right of way in front of their property to the right of way in front of other parcels was placed in serious doubt. Also raised were some basic questions as to what problem this ordinance was actually curing. At this time the issue remains under study by the committee but no direct recommendation pro or con has been made. Several members felt that until enforceability is established, the committee should not promote passage of an ordinance on this issue.

Off Premises Signs were also discussed, and at this point it became clear for the first time that there are possibly major areas not related to Hurricane Hugo in which the sign ordinance needs revision. Mark Williams reported several difficulties of interpretation arose even regarding the topic of Off Premises Signs under discussion. Possibilities ranged from an outright ban to the present situation with several suggestions allowing a grandfathering of existing Off Premises Signs. It was recommended that this issue be treated separately from any major revisions that may be necessary in the sign ordinance, and that the City Attorney prepare an Ordinance to ban such signs which would use a three year grandfathering approach, motion being made by Councilmember Nessmith-Picard, seconded by Councilmember Simon, passed unanimously.

The Turtle Nesting Ordinance was again discussed it became clear on this ordinance there would also be enforceability problems though it was clear the committee supported the goals of the ordinance. Revision of the ordinance appeared to be desired by all from its first reading status, and the only true issue became one of timing. Councilmember Swanson, the sponsor, noted that while she would like to see it revised and passed second reading as soon as possible, she also felt it would be best to pass it without the use of special meetings. Since as a practical matter it was impossible to make the changes prior to the Council meeting, it was decided to let the Planning Commission meet, have its input, and then the committee could meet considering the ordinance prior to the December meeting.

Finally it was considered as to a "Foot Print Rule" being adopted into the current nonconforming use extension ordinance which was pending approval. Apparently, that ordinance was creating a great number of nonconforming situations and a heavy work load for the Board of Adjustments. Ed Hazolton and Ed Fellabom had both recommended this. However, on careful consideration in committee it became apparent that there was a potential problem when the Foot Print Rule was applied to nonconforming uses rather than just Nonconforming Structures. The City Attorney was directed to further study this matter for possibilities which would address the concerns of the building department and BOA without creating the possibility of significant departure from the current ordinance's spirit.

Immediately before adjournment it was mentioned Councilmember Watson is working on a resolution dealing with the PRC and Restrooms. It was uncertain if this would be presented at the next council meeting. The meeting adjourned at approximately 10 till 7:00.

DRAFT COPY AS OF: 11/29/98

APPROVED AS FINAL MINUTES: _____

TESTED TO:

X _____

Barry C. Holden - Chairman

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
October 2, 1990

The regular monthly meeting scheduled for September 25th was postponed one week due to a lack of a quorum. This meeting was held at the Building Dept. trailer at Breach Inlet. The meeting was called to order at 6:30 p.m. by Chairman Ed Fellabom. Members present: Edgar Fellabom; Howard Garvin; Mary Schall, Secretary; David Somers; and Jim Kilpatrick, Building Inspector. Absent: Betsy Smiley.

1. Jerry & Catherine Spencer, 2100 Waterway Blvd. for their property at 2101 Waterway Blvd. requests a variance from Section 5-4-22 (a) Minimum Frontyard Setback. They request a variance of 2.2' because a portion of the front porch of the house they are building is 28.8' from the front property line instead of the required 30' setback.

Vote being: Fellabom, yes; Garvin, yes; Schall, yes; Somers, yes. Smiley, absent. Unanimously passed.

2. Louise Cody & Roland Cody, Jr. Trustee, 8 55th Avenue requests a variance from Section 5-2-19 (1) Residential Construction. Also, Sections 5-2-19 (3) Elevated buildings and 5-2-18 (8) Provisions for Flood Hazard Reduction, electrical, heating, ventilation, etc. are in violation. This request was tabled until the board can further search the Building Department files for additional information and the applicant can provide more information to substantiate their request. A further hearing is scheduled for the regular October 23rd meeting.

3. John Cantrell, 101 Palm Blvd. request for a variance from Section 5-4-18 (2) Required Marsh Setbacks. Mr. Cantrell wants to pave the parking lot. According to this section, no paved surface associated with vehicular use shall be located closer than 20' from the critical line.

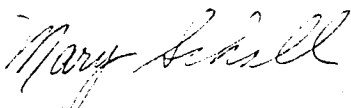
Vote being: Fellabom, no; Garvin, no; Schall, no; Somers, no. Smiley, absent. Unanimously denied.

4. Mark Williams, City Administrator for the Isle of Palms, requests a variance from Section 5-4-22 (5) (c) Minimum Rearyard Requirements. This request is so that the city can erect a new public works building within the required 30' rearyard setback. Permission was granted to erect the building no closer than 5' to the property line on the East.

Vote being: Fellabom, yes; Garvin, yes; Schall, yes; Somers, yes. Smiley, absent. Unanimously passed.

The meeting adjourned at 8:05 p.m.

The next regular meeting will be held October 23, 1990, at 6:30 p.m. at the Building Department trailer at Breach Inlet.



Mary Schall
Secretary

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
November 27, 1990

The regular monthly meeting of the Zoning Board of Adjustments and Appeals was held on November 27, 1990, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present: Howard Garvin, Betsy Smiley, Secretary, David Somers, and Building Inspector, Ed Haselden. Absent was Mary Schall.

1. Walter Holcombe, 2706 Hartnett Boulevard, requested a 10' rear set-back variance from Section 5-4-23(5)c in order to put up a 12' X 15' screened porch and a 12' X 16' open deck for the use and protection of his wife who is suffering from Alzheimer's disease. This would extend 10' into the rear set-back area.

Vote being: Fellabom - yes; Somers - yes; Garvin - yes; Smiley - yes. Unanimously passed.

2. Frank Smith, 3002 Palm Boulevard, requested a 15' rear set-back variance from Section 5-4-22(5)c in order to rebuild his house up to the level of his neighbors. The house would be within the set-back area, but the screened porch would extend 15' into the set-back area toward the beach. The new house would be further back from the beach than the existing foundation.

Vote being: Fellabom - no; Somers - no; Garvin - no; Smiley - no. Unanimously denied.

3. Richard Stone, 2110 Palm Boulevard, was represented by Mr. Paul Boehm of Beachside Builders who requested a 2' rear set-back variance in the renovation of a house damaged during Hurricane Hugo in order to add a deck which would extend 2' beyond the set-back line and onto Beach Co. property saying that he had received written permission from The Beach Co. to build onto their property. The property sits 500 feet from the dunes. Mr. Harold Trask of 2200 Palm Boulevard and Dr. Robert Sade of 2108 Palm Boulevard voiced objections to Mr. Stone's plans.

After discussion related to the fact that the Board cannot give anyone permission to build onto someone else's property, Mr. Boehm withdrew his petition.

4. Porter Stevens, 2004 palm Boulevard, was represented by Sam Herron, Architect, of The Brumley Co., who requested a 6' side yard variance and a 20' rear yard variance in the reconstruction of an older home in basically the same position. The side yard variance is requested because of the septic system and an old live oak tree which extends onto the house. The rear yard variance is requested to put the house in line with neighbors.

Vote being: Fellabom - no; somers -no; Garvin - yes; Smiley - no. Request was denied.

The meeting adjourned at 8:15 p.m.

It was decided that if a meeting was needed for December, Mr. Fellabom would contact the members of the Board.

CITY OF ISLE OF PALMS, S.C.

MEMORANDUM

FROM: Ed Haselden

SUBJECT November 27th Meeting

TO: Board of Adjustment

DATE November 16, 1990

We have received 4 requests for the November 27th meeting.

1. Porter Stevens, 2004 Palm Boulevard has requested a 6' foot variance from 5-4-22(5)b side yard, also a 20'4" variance from 5-4-22(5)c rear yard.
2. Walter A. Holcombe, 2706 Hartnett Boulevard has requested a 10' variance from 5-4-23(5)c.
3. Richard W. Stone, 2110 Palm Boulevard has requested a 30' variance from 5-4-22(5)c.
4. Frank Smith, 3002 Palm Boulevard has requested a 20' variance from 5-4-22(5)c.

MINUTES OF THE MEETING OF THE ISLE OF PALMS
PLANNING & ZONING COMMISSION
NOVEMBER 14, 1990

The Isle of Palms Planning & Zoning Commission met at City Hall on November 14, 1990, at 5:30 p.m. Members attending included Arnold Karig, Jan Wilson, Kathryn Carroll, John Stanley and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present. Darlene Smith and John Gardner were absent.

Chairman Taylor called the meeting to order at 5:30 p.m. and asked Roger Dyar, District Traffic Engineer for the South Carolina Department of Highways and Public Transportation to make his presentation.

Mr. Dyar explained that bike lanes and sidewalks are a major issue on the Isle of Palms. Highway 703 improvements will require resolution of the issue of how sidewalks will interfere with bike lanes. Mr. Dyar stated signage and markings will be required to identify where bike lanes end so that bike riders will have a choice of riding in the street or continuing on sidewalks. At this time the Highway Department is only considering this option to address the existing conditions unless other Highway Department projects come on line. The Highway Department is open to suggestions.

If the Highway Department were to build new bike lanes, they would not do it in the same way. Federal guidelines do not recommend 2-way bike lanes adjacent to traffic lanes. The Highway Department would either create an additional lane on east side at 703 and remark both bike lanes for one-way travel with traffic flow or create bike paths separated from street pavement.

Mr. Dyar stated that he was not sure if it would be possible to utilize the existing bike lane as part of the traffic lane because the asphalt may not be thick enough to handle vehicular traffic. The Highway Department can improve existing condition by installing signs and markings. An ideal crossing point might be 14th Avenue, but this might need to be moved further south.

Options include totally removing bike lane, getting another road project funded to install new bike lane with secondary road funds. This would require discussions with the main office to get funds.

Dr. Karig expressed concern about maintenance of bike paths/sidewalks and need for markings. He asked if there was a difference legally between sidewalks and bike paths. Can bicyclists use sidewalks? Mr. Dyar stated that unless the municipality has an ordinance prohibiting bike riding on sidewalks this would be legal. Mr. Dyar stated that his office would be happy to review any requests for signing and marking to distinguish between sidewalks and bike paths but his office is behind on signing. Markings may have to wait for warmer weather.

Dr. Karig stated the bike path along Waterway Boulevard was in poor condition, from 41st Avenue to 52nd Avenue the bike path was also in poor condition. The traffic committee was concerned that with the connector there would be an increased need for bike paths and maybe a new bike path closer to the ocean, maybe off Ocean Boulevard would be best. Mr. Dyar stated that this might be a good idea but funding was the major problem.

Chairman Taylor asked Mr. Dyar to define what a bike path is and what a sidewalk is. The City does have an ordinance prohibiting bikes on sidewalks. Chairman Taylor asked that unless bike paths were marked as such they could be considered sidewalks. Mr. Dyar agreed with that.

Chairman Taylor raised several questions about the use of different types of markings. Cars use the bike land to get around turning vehicles. Mr. Dyar stated that federal and state regulations only allow white markings. Reflector markers were considered several years ago but it was decided that these would not be appropriate for several reasons. Flexible posts were also considered but dropped because of maintenance problems.

Chairman Taylor said there didn't seem to be a solution but if the City offered one the Highway Department would consider it.

Mr. Stanley thought that the City should pursue construction of another bike lane on the east side of 703. The possibility of cross hatching the existing bike lane was discussed.

Dr. Karig asked what the long range plans of the Highway Department were for the Isle of Palms. He stated that there was a recent presentation by a consultant working for the Highway Department which raised some disturbing issues and asked if it would be possible to meet on this again with the Highway Department once the consultant report was completed. Mr. Dyar said that would be possible. Mr. Dyar stated that he thought the volume of traffic over the Breach Inlet bridge would decrease significantly once the connector was completed.

Chairman Taylor asked that Mr. Dyar pass on the concern that the Planning & Zoning Commission is opposed to the closing at Breach Inlet bridge while new bridge is constructed. Mr. Dyar stated he would take the comment but would rather have the opposition come in form of a letter to the Highway Department.

Public Hearings:

1. Sea Turtle Protection Ordinance, 1990-18

Mr. Batchelder opened the public hearing. Mayor Bunch asked if we had received any information from SCE&G. Council Member Swanson stated that SCE&G was to contact her regarding the type of lights used so the wording of the ordinance may need to be amended when this information is received. Hearing no further comments, the

public hearing was closed.

Chairman Taylor suggested that the Planning & Zoning Commission hold a separate work session to review these ordinances in detail. The Planning & Zoning Commission agreed. Recommendations from the Commission to City Council will be made at that time.

2. Waterfront Zoning District Ordinance, 1990-16

Mr. Batchelder stated that this ordinance would in effect rezone property around the perimeter of the island and require a larger minimum lot.

David Somers asked how this would affect existing lots. Mr. Batchelder replied that this would prevent subdivisions of existing lots unless the new minimum lot size was met. Ms. Carroll asked if this would affect property owners who may have lost a house that was sitting on two lots. Mr. Batchelder stated that this ordinance would not affect existing lots and a property owner in that situation would be able to keep both lots.

Ms. Wilson raised a question about why certain areas were excluded. Mayor Bunch asked if property owners who had homes destroyed in the Hurricane would be grandfathered. Chairman Taylor said it was his understanding that the reason for this ordinance was to prevent this from happening. Hearing no further comments the public hearing was closed.

3. Fence Standards Ordinance, 1990-15

Mr. Batchelder opened the public hearing. Mr. Somers addressed the Commission by reviewing his letter submitted to the Commission. He referred to a study completed by Sullivan's Island which identified the problems created by not having restrictions on fences on the aesthetic quality and character of the island. He referred to a list of properties included with the letter which identifies properties that have had fences constructed. He is also concerned that fences could cause additional drainage in the event of future hurricanes and referred to a letter from FEMA which raises this concern. Mayor Bunch echoed Mr. Somers comments and referred to the letter from her to FEMA raising the concern about hazards of fencing during flooding.

Council Member Ward raised a concern about the potential impact of this ordinance of raising the cost of fencing for homeowners. Mayor Bunch stated that in her neighborhood covenants set restrictions on fences.

4. Non-Conforming Duplex Ordinance, 1990-19

Mr. Batchelder opened the public hearing and explained that this was a temporary ordinance extending emergency provisions until June 19, 1991.

Mayor Bunch explained that this was to help certain property owners who were having problems collecting insurance money. Council member Watson stated that this was an extension of the time period for an emergency ordinance already in place.

5. Subdivision Ordinance, 1990-12

Mr. Batchelder stated that this ordinance was presented to the Commission at the August meeting and several comments were made. Since that time the ordinance has been amended and is now back before the commission to consider those changes and one additional change regarding a requirement for providing drainage information. Mr. Batchelder also called attention to one change he felt needed to be made on page 13 under (c)(1). The wording "Preliminary Plat" should be changed to "Final Plat". Mr. Batchelder then opened the public hearing.

Mr. Batchelder stated that a requirement for the applicant to provide drainage information would assist the City in determining the potential for drainage problems resulting from subdivisions. Mr. Taylor stated that the wording of this requirement was critical and required additional time to evaluate. He suggested that we review this ordinance at the Commission's work session.

Mr. Taylor then brought up an example of how wording of regulations could be misinterpreted. The example involved property on Ocean Boulevard where approval was given to construct a house which did not meet setback requirements of the City specified on the subdivision plat. Discussion on this matter ensued.

Minutes From Previous Meeting:

Motion to approve minutes from October Planning & Zoning Commission meeting by Ms. Wilson, seconded by Mr. Stanley, motion approved 5 to 0.

Plat Submitted:

1. A Plat of a Portion of Wild Dunes Links Golf Course Tract "G", Block "V" and Tract "G", Block "W", Parcels 1 and 2. City of Isle of Palms. Engineering, Surveying & Planning, Inc.

Chairman Taylor stated that this had been omitted from the agenda due to an administrative error. Mr. Batchelder stated that the purpose of this plat was to clear up a contradiction between the previous plat and the deed for this property. This plat was abandoning two property lines to add two relatively small areas that were included in the deed description.

Foster Clark stated that these areas were tee boxes for the golf course.

Mr. Batchelder recommended that this plat be approved with the zoning of PRD being indicated. Motion to approve with zoning by Ms. Carroll; seconded by Ms. Wilson; motion approved 5 to 0.

There being no further business the meeting was adjourned.

Respectfully submitted,

Lee Batchelder
Planning Consultant

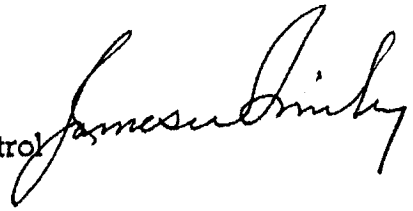
Memorandum:

To: Mr. Jeffrey Thomas
Lot #1, Block 62 section D

From: Isle of Palms Board of Beach Patrol and Control

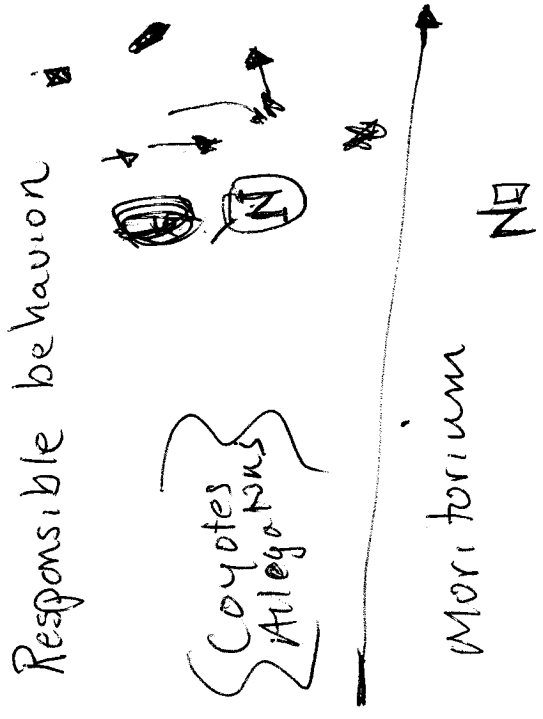
Re: Permit Application

Date: November 20, 1990



At its November 15th meeting the Board agreed to approve the following alterations in the protection district on the property cited above:

1. The landscaping plan presented was approved with the condition that the palmetto trees on the seaward corners of the lot be eliminated.
2. The Board specifically disapproved the swimming pool.
3. The masonry wall proposed for the northeastern side of the lot should not project into the protection district beyond the seaward edge of the footprint of the house.
4. The masonry wall proposed for the southwestern side of the lot should not project into the projection district beyond the seaward edge of the footprint of the house more than that required for a sliding gate for the driveway. The Board understands this to mean that the wall may extend up to 17 feet into the protection district beyond the seaward edge of the house.
5. The Board approved installation of a sand fence with dimensions and configuration and placement similar to the sand-fencing presently in place on the island. The applicant will submit to the Board plans for the sand fence prior to its installation.
6. A walkover was approved as submitted on the applicant's plans contingent upon approval by the Isle of Palms Building Inspector. The walkover should meet the standards and criteria previously developed by the Board and available from the building inspector's office.
7. Final landscaping plans with the above changes should be submitted to the board as a condition for issuance of this permit.



III

- Responsible Human Behavior

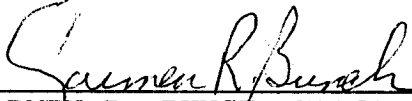
CITY OF
ISLE
OF
PALMS

South Carolina

Mayor:
Carmen R. Bunch**City Council**
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

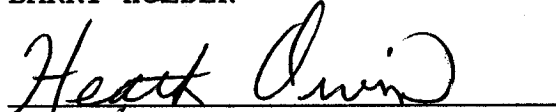
TO: The Commerce Association
FROM: City Council, Isle of Palms
RE: Goodbye Hugo Celebration

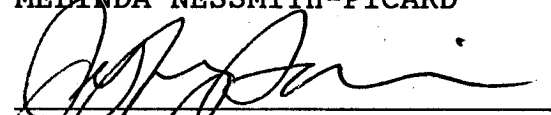
On behalf of myself, Council Members, whose signatures appear herein, and the residents of the island, we would like to take this opportunity to thank you for all of the effort that you all put into the "Goodbye Hugo" celebration of Saturday, September 22. It was a great success and we truly appreciate the fine job you did to benefit the Recreation Department. Needless to say, the \$18,806.35 that was raised by the Commerce Association is sorely needed.

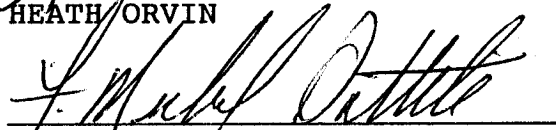

CARMEN R. BUNCH, MAYOR

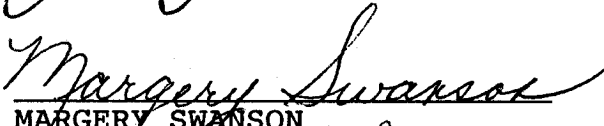

BARRY HOLDEN


MELINDA NESSMITH-PICARD

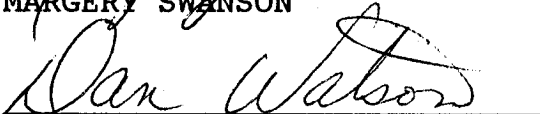

HEATH/ORVIN


JEFFREY SIMON


MIKE SOTTILE


MARGERY SWANSON


JIMMY WARD


DAN WATSON

RESOLUTION
OF ISLE OF PALMS CITY COUNCIL
DEDICATING THE MUNICIPAL FUND REVENUES
DERIVED FROM THE LOCAL OPTION SALES
TAX FOR THE ISLE OF PALMS FOR THE
PURPOSE OF PROPERTY TAX RELIEF

WHEREAS, the Local Option Sales Tax has passed in Charleston County.

WHEREAS, a major purpose and positive point to such tax has always been identified as Property Tax relief.

WHEREAS, presently on the Isle of Palms only those funds mandated by State Law (63%) will go for such purpose with the balance representing new revenue.

WHEREAS, City Council believes a fairer, more equitable result would be to use all Local Option Sales Tax revenues, (100%) for the purpose of Property Tax relief for the residents and property owners of the Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND MEMBERS
OF COUNCIL THAT ON THE BELOW WRITTEN DATE BEING DULY ASSEMBLED,

The revenues derived from the Local Option Sales Tax not mandated by State Law for the purpose of Property Tax Relief, (known commonly as the Municipal Fund Revenues), are hereby dedicated to that purpose as well.

Carmen R. Bunch, Mayor

Mike Sottile

Barry Holden

Marge Swanson

Melinda NesSmith-Picard

Jimmy Ward

Heath Orvin

Dan Watson

Jeff Simon

TALENT BANK FACT SHEET
ISLE OF PALMS CITY GOVERNMENT

What is the City Talent Bank?

The City of Isle of Palms will recruit applicants who wish to serve their community by volunteering to serve on various boards, commissions, and committees. Applicants for such positions form the City's "Talent Bank" from which government can draw on the best qualified applicants and reduces the possibility of contamination by some political process.

How does recruiting take place?

The City will periodically place public notices of openings through paid advertising. The media will also promote the Talent Bank by issuing public service announcements. Individual members of Council and its official committees will also look for and encourage quality candidates to apply, all of whom will go through the same screening process as other applicants.

What kinds of people are we looking for?

A few groups, such as the Code Board of Appeals, require special skills. But in filling the vast majority of positions, the City simply looks for people with a desire to serve, who will contribute the time necessary, whose level and breadth of intellect is equal to the tasks, who approach problems with an open mind and are therefore likely to be productive. Prior experience in government is helpful but not a requirement.

Our City is best served by advisory groups comprised of a reasonable cross section of the community. Specifically, that includes employed people as well as retirees, a mixture of Wild Dunes and non-Wild Dunes residents, males and females, married and single.

Why Should I volunteer?

Individuals serving the City have the satisfaction of public service to their community. With this comes the pleasure of sharing experiences with interesting people of differing backgrounds aiming toward common objectives. For many it means new friends in a new community. Finally, there is the fundamental truth that we are obligated to contribute as much to society and its institutions as we have been given by those who preceded us. If you weren't raised in this tradition, break the mold and apply now.

What's in it for the City?

Presently there are approximately 60 volunteers working for the community through City government and several serve in more than one capacity. This citizen government interaction provides for even more representative government. If the City had to hire such highly qualified people as consultants or permanent employees, the cost would be enormous...possibly as much as twice the current City budget. Thus, volunteers help hold down the cost of government and represent a tremendous resource. For some, these positions have provided background for elective office.

What are the specifics?

Vacancies on the following could exist as early as December 31, 1990.

Planning and Zoning Commission
Board of Adjustment
Code Board of Appeals
Board of Beach Patrol and Control
Recreation Commission
Advisory Committee (Accommodations Tax)
Election Commission
Deweese Committee (Ad Hoc)
Revitalization and Beautification Committee
Building Committee
Emergency Preparedness Committee
Recycling Committee

A typical term of appointment is about two years. Most groups meet once a month on a regular basis, some more often and others periodically. Typical sub-committee work often involves relatively intense effort for a limited finite period until a specific task is completed. Such situations can be particularly attractive to younger people who want to learn and participate but who can't manage greater time commitments due to career and family requirements.

If you are interested, please visit City Hall and request an application. City Hall: 886-6428

APPLICATION FOR ISLE OF PALMS TALENT BANK

The Talent Bank is a file of volunteers who have expressed an interest in being appointed to an Isle of Palms board, commission or committee. This information is reviewed and appointments are made by City Council. Applications remain in the active file for a period of two years from the date filed. You may attach a resume if you wish. Please print or type the following information and return it to City of Isle of Palms, Post Office Box Q, Isle of Palms, SC 29451.

Name _____

Home Address _____

Business Address _____

Telephone (Home) _____ (Work) _____

Please indicate one or two board(s), commission(s) or committee(s) for which you feel particularly qualified and give your reasons:

Number of meetings of the above group(s) you have attended in the past six months: _____

Educational background (list degrees, schools or other training and dates):

Applicable work experience (list most recent job first):

Community activities on Isle of Palms (list clubs, boards, church, and other volunteer work):

FOR CITY HALL USE ONLY

Date Rcv'd _____

Serial No. _____

Acknldg. Sent _____

Council Rvw'd _____

Appointed to _____

Date _____

Length of Term _____

Fill Vacancy of _____

In making application I understand that sometimes a City committee may discuss a matter in which members or their families might benefit financially from the committee's decision. This would constitute a "conflict of interest". If either my employment or my family's investments put me in this category, I understand that I should not take part in the discussion of such a matter, and should not vote on the issue.

Signature of Applicant _____ Date _____

MINUTES OF THE SPECIAL MEETING OF THE
ISLE OF PALMS CITY COUNCIL
DECEMBER 6, 1990

The Special Meeting of the Isle of Palms City Council was held on December 6, 1990, at 6:00 p.m., at City Hall. The Mayor announced that this meeting was called mainly to discuss the acquisition of the Isle of Palms Water Company and that most discussion would be held in Executive Session. Present were Council Members Holden, NesSmith-Picard, Simon, Sottile, Watson, Attorney Dreyfoos, Administrator Williams, Clerk-Treasurer McDuffie and Secretary Geary. Arriving late were Council Members Ward and Orvin. Council Member Swanson was excused due to a death in the family.

1. Minutes

A motion was made to approve the minutes of the regular meeting of November 29, 1990, by Mr. Sottile, seconded by Ms. NesSmith-Picard, and passed unanimously. (see Exhibit A)

Mayor Bunch asked that a motion be made to suspend the rules of order to allow Linda Tucker from the Council of Governments to speak briefly. Mr. Holden so moved, Mr. Watson seconded, motion passed unanimously. Ms. Tucker spoke on the distribution of a grant of \$75,542.50 to island residents who were in need after Hurricane Hugo. (see Exhibit B) She passed out information showing the individual cases (unnamed) and amounts awarded. Ms. Tucker asked for Council's endorsement to this distribution of funds. Ms. NesSmith-Picard moved to approve the distribution, Mr. Watson seconded, motion passed unanimously.

Mayor Bunch thanked Linda for doing this for the City; it kept the politics out of it as we do not know the names of any of the applicants. It was a lot of hard work and was done very well.

2. Ordinances and Resolutions

a) Second Reading of Ordinance 1990-20. An Ordinance to Provide for the council Form of Government for the City of Isle of Palms. Mr. Holden made a motion to amend the original handwritten ordinance to read as presented; Mr. Watson seconded. Mr. Williams read the ordinance. Motion passed with Mayor Bunch abstaining. (see Exhibit C)

b) Second Reading of Ordinance 1990-21. An Ordinance to Provide for Administration of the Affairs and Policies of the City of Isle of Palms and its Municipal Council. Mr. Holden made a motion to amend the original motion to read as presented and to pass the ordinance as second reading; Mr. Ward seconded. Motion passed with Mayor Bunch abstaining. (see Exhibit D)

c) Second Reading of Ordinance 1990-19 with Amendment. An Ordinance to Extend the Period of Abandonment of Non-Conforming Uses Following Hurricane Hugo. Section 3 was added to this

ordinance because of a request of the Building Department. Mr. Ward moved to accept this ordinance as an amendment to the First Reading; Mr. Sottile seconded. Mr. Williams read the ordinance. After short discussion, motion passed unanimously. (see Exhibit E)

d) Resolution Opposing the Closing of the Breach Inlet Bridge for Construction of a New Bridge. Because there are several changes to be made to this resolution, Mayor Bunch asked that we defer this to the December 20th meeting, Council agreed.

Mr. Ward made a motion to move into Executive Session to discuss contractual matters and legal matters concerning the acquisition of the Water Company; Mr. Sottile seconded, motion passed unanimously.

Coming out of Executive Session, Mayor Bunch stated that no vote was taken, that Council agreed to have the Administrator contact the attorneys for the Isle of Palms Water Company and tell them that we had agreed on their projected costs but wanted more information as to assets and property and other information.

Mr. Ward made a motion to adjourn, Mr. Orvin seconded; and the meeting was unanimously adjourned.

Respectfully submitted,



NELLIE S. MCDUFFIE, Clerk-Treasurer



CARMEN R. BUNCH, Mayor

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
NOVEMBER 29, 1990

A. INTRODUCTION OF MEETING

The regular monthly meeting of the Isle of Palms City Council was held on November 29, 1990, at the Exchange Club. Mayor Bunch called the meeting to order at 7:00 p.m. After the Pledge of Allegiance and Invocation, roll call was taken. Present were Council Members Holden, NesSmith-Picard, Orvin, Simon, Sottile, Swanson, Ward and Watson. Also present were Mayor Bunch, City Administrator Williams, City Attorney Dreyfoos, Clerk Treasurer McDuffie and Secretary Geary.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. October 25, 1990 - Regular City Council Meeting
2. November 9, 1990 - Special City Council Meeting
3. November 15, 1990 - Special City Council Meeting

Mr. Sottile made a motion to accept all three minutes as presented, Mrs. Swanson seconded, motion passed unanimously

C. CITIZENS' COMMENTS - None

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means. Chairperson Swanson read the minutes of their meeting of November 28, 1990. (see Exhibit A)

Mr. Holden asked if the purchase of the Isle of Palms Water Company would take us over our debt limit. Mr. Williams answered that he didn't think it would be the same kind of debt since we will be taking out bonds to pay the loan. Mr. Holden then asked if Mr. Williams was taking to Mr. Way about sales price and financing or just price. Mr. Williams answered that it was just price.

Ms. NesSmith-Picard requested that each of the standing committee chairmen notify City Hall at the beginning of each month of the date of their meetings so that the calendar can be prepared as early as possible so that Council and the public will be aware of the meetings. Mayor Bunch asked Council to consider having all committee meetings on one day so that all Council Members would be aware of everything that goes on and that in turn would shorten the City Council meetings. Ms. NesSmith-Picard also requested that minutes be submitted before the Council meetings so that they don't have to be read in full at each monthly meeting. Mayor Bunch stated that the reason for reading the minutes at each meeting was so that the public could be informed of what was happening.

2. Police and Public Safety. Chairperson Simon read the highlights of their meeting of November 15, 1990. (see Exhibit B)

3. Public Works. Chairperson Ward read the minutes of their meeting of November 28, 1990. (see Exhibit C)

Mr. Ward turned over his paycheck back to the City for use exclusively for the dog kennels. He requested that we use one of the Police evidence trailers to put Tommy Legare's tools in it so that construction of the dog kennels could commence immediately. Mr. Williams indicated that there was no room available for the tools at this time.

Mr. Ward also stated that the grading going up to the new Public Works Building was going to be too steep for the mechanic to get broken down vehicles into the building easily; he requested that we contact the architects about redesigning the slope to make it easier to get truck in and out of the building. Mr. Williams stated that the problem to extend the grade and lessen the steepness would involve taking out some of the property in front of the building and cutting into the hill but that he would investigate it.

Mr. Ward then made a statement about the raccoon problem on the island. He is very concerned about the City's position of exterminating every raccoon that is trapped and would like to have this position stopped. He also said that the problem of trash cans on the island is critical in that 90% of the residents, including myself, are in non-compliance with City Code as having proper trash can containers. The raccoons couldn't get into people's trash if the cans were animal proof. There followed extensive discussion on this problem of killing the raccoons. Everyone is sympathetic with Mr. Ward's feelings. Chief Arnold stated that it is a Wildlife Regulation that trapped raccoons be taken to the SPCA where they must be diagnosed for rabies which requires euthanization.

Ms. NesSmith-Picard made a motion to have a thirty-day moratorium to stop the trapping of these raccoons unless there is an imminent threat to the health and safety of persons in order that we can study the problem and find out what the statutes are. Mr. Ward seconded. The consensus of Council seemed to be that the people were not aware that when Animal Control trapped a raccoon that it was killed; residents should be made aware of this and also should be made aware of the garbage can ordinance; and that the City should not have the policy of killing raccoons. Mr. Ward made an amendment to the motion that (1) if someone calls the City to trap a raccoon and the officer finds that this person's trash can is not in compliance with City Code that they be ticketed; and (2) that this person be issued a written statement that the animal will be killed. Mr. Orvin seconded. There was further discussion.

Chief Arnold talked about the Wildlife Regulations stating that if a wild animal injures or bites a person, it is the City's responsibility to trap or control that animal. State Law does say

that we can release the animal within our municipality but the problem is that if we release an animal in another part of the City

and that animal bites a child and is found to have rabies, the City can be sued because it is our responsibility to control the animal.

Roll call vote on the amendment: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - yes; Bunch - no. Amendment carried 6 to 3.

Roll call vote on the motion: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - no; Ward - yes; Watson - no; Bunch - no. Motion carried 5 to 4.

Mayor Bunch told Council that she had contacted SCE&G to have a survey of the entire island done for dead trees threatening power lines; and she contacted the Highway Department to have them survey the island for dead trees on rights of way. She will follow up on this.

4. Engrossed Bills. Chairperson Holden read the minutes from their meetings of November 20, 1990 (see Exhibit D) and November 27, 1990 (see Exhibit E).

Attorney Dreyfoos was asked to prepare an emergency ordinance extending the "foot print" rule to June 30, 1991, to be presented to Council at next week's special meeting.

Ms. NesSmith-Picard stated that the Building Inspector had told her after last night's meeting that we had inadvertently created a problem for him when we passed the SR-1 zoning square footage of 17,500 feet. When we passed it the intent was to eliminate or minimize the possibility of lots being subdivided and now we have non-conforming structures and lots. The Building Inspector has the authority to reduce the set-backs by 20% and he asked us to take away this discretion. Mr. Ward made a motion to suspend the rules of order and allow Guy Taylor to speak; Ms. NesSmith-Picard seconded; unanimously passed. Mr. Taylor stated that the Building Inspector had asked for that discretion so there must be a gross misunderstanding; the discretion was requested so that they could eliminate so many having to send so many routine things onto the appeals people. Mr. Williams was asked to talk to Ed Haselden to clarify the matter.

5. Recreation Commission. Chairperson Orvin went over the minutes of their meeting of November 13, 1990. (see Exhibit F). There will be no December meeting.

Mr. Orvin made a statement about the loss of the swimming pool referendum and that there may have been some misunderstanding about taxes being raised which affected the voting.

Mr. Sottile addressed the police weight room in the Recreation Center. The Fire Department had been using this room for their volunteers to meet twice a month. He had been told that the volunteers did not have their meeting this month because the downstairs of the Recreation Center was being used for volleyball and they had no other place to go. They will have a training room in the new fire station but he wished the police had waited a few months before taking over the room. Mr. Orvin said that this has been brought to the attention of the Recreation Commission and the administration and that the fire department volunteers have been offered City Hall for their meetings until the fire station is built. Mayor Bunch stated that this misunderstanding could have been avoided if Chief Britton had come directly to the City Administrator as is policy.

Mayor Bunch read a letter of resignation from Anthony Strelkauskas from the Recreation Commission leaving two spaces to be filled with the resignation of Tom Widlowski.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment. No report was given. Minutes from the meetings of October 2, 1990, (see Exhibit G) and November 27, 1990 (see Exhibit H).

2. Planning Commission. Planning Consultant Lee Batchelder presented the minutes from their November 14, 1990. (see Exhibit I)

Mr. Batchelder presented "A Plat of a Portion of Wild Dunes Golf Course, Tract "G", Block "V" and Tract "G", Block "W", Parcels 1 & 2, City of Isle of Palms" which the Commission recommended for approval. This plat was done to include two small pieces of property on Sea Grass Lane which were included on the deed to the property but not on the plat. Mr. Watson moved to approve the plat; Mr. Ward seconded. Mr. Simon asked for an explanation of the plats listed on this plat as being recorded and not recorded. Ms. NesSmith-Picard moved to suspend the rules of order and allow Mr. McKenzie of Wild Dunes to address the question, Ms. Swanson seconded, motion passed. Mr. McKenzie stated that with as many plats that Wild Dunes does, there are some that are referenced to for in-house record and may not be recorded. They are merely surveyors notes. Motion passed unanimously.

Mr. Ward made a motion to have Mr. Dreyfoos prepare a resolution stating that City Council is opposed to the closing of the Breach Inlet Bridge for the building of a new bridge; Mr. Watson seconded; motion passed unanimously. Mr. Dreyfoos was asked to prepare this for the next meeting.

Ms. NesSmith-Picard asked committee chairmen to also place on the calendar that there will be guest speakers at their meetings so that Council may be informed if they want to attend.

Mayor Bunch stated that concerning the 250' zone which was discussed at the meeting last night, it was decided that our ordinance would be amended to use the dead zone that Coastal Council uses instead of the 250' zone. This will cut down on permit issuing and also on Board of Adjustment issues. If there

are any lawsuits filed, they would be against Coastal Council and not the City because of the State Law.

3. Building Committee - no report.

4. Beach Patrol & Control Board. Chairperson Simon presented the minutes for their meeting of November 20, 1990. (see Exhibit J)

5. Personnel Committee - no report. Ms. NesSmith-Picard asked the names of the members of this committee since it was not listed anywhere. The Mayor stated that this committee only meets when a department head is hired. Their names are Jim Burke, Carol Allen, and Bob Stevens.

Mr. Ward asked if there were a Grievance Committee on the island. The Mayor said that we do not have one and we were advised by legal counsel not to have one.

6. Dewees (Ad Hoc) Committee. Mayor Bunch stated that there was no meeting held but that DHEC is now complaining about the sewer system they want to use so there is hope that they won't allow it.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

H. BILLS ALREADY IN POSSESSION OF COUNCIL - None

Mr. Holden asked for a second reading of Ordinance 1990-20, An Ordinance to Provide for the Council Form of Government for the City of Isle of Palms. Since the ordinance is not on the agenda and that no one has copies, it was deferred to next week's meeting.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

Mayor Bunch passed around a letter to the Commerce Association thanking them for the \$18,806.35 that was raised for the Recreation Department. Mr. Ward had asked for this letter to be signed by all Council Members and we waited for the final dollar amount before preparing it. (see Exhibit K)

Mr. Sottile presented to Council a Resolution entitled "Resolution of Isle of Palms City Council Dedicating the Municipal Fund Revenues Derived From the Local Option Sales Tax for the Isle of

Palms for the Purpose of Property Tax Relief". (see Exhibit L) Mr. Sottile made the resolution in the form of a motion; Mr. Ward seconded. Mr. Simon stated that he felt that the Council should not be making these "political statements" in the forms of resolutions, ordinances, etc., on every issue. He feels that the way you vote on the line items in the budget and the bottom line millage is how you stand fiscally. He does not support the motion. After discussion a roll call vote requested by Mr. Ward was taken: Holden - yes; NesSmith-Picard - yes; Orvin - yes; Simon - no; Sottile - yes; Swanson - yes; Ward - yes; Watson - no; Bunch - yes. Motion passed 6 to 2.

J. MISCELLANEOUS BUSINESS

Mayor Bunch reported that she had received letters from Strom Thurmond, and Arthur Ravenel answering her request for assistance in purchasing the Water Company. Both have made inquiries and she will keep Council apprised as information arrives. Also we are still waiting to hear from Senator Hollings.

Mr. Williams has been contacted by an attorney who will be submitting a plat to the City that would seem to only require an administrative approval in that it is not changing the dimensions of the property but is turning the apartment complex into a condominium on Hartnett Boulevard. The real estate would be owned in common with each unit individually owned. This would not ordinarily fit into our development scheme of permitting in that condominiumization is a question of ownership and not use. There is nothing we can do to stop it, but he wanted Council to be aware of this. A short discussion on condominiums followed. Mayor Bunch deferred this to next week's special meeting asking Mr. Williams to consult with legal counsel and with Sullivan's Island.

Mayor Bunch stated she had written a letter to Coastal Council asking that our Beach Management Plan deadline, which was supposed to be prepared by July 1, 1990, be extended. They have extended the deadline to July 1, 1991, and have said that there may be funds available from FEMA for matching funds to do the plan. Mr. Snyder and Mr. Brooks of Coastal Council will be at City Hall on Tuesday, December 4, at 1:00 p.m. to discuss the plan we have to write. Council Members were invited to attend this meeting.

Mayor Bunch stated that the portraits of former mayors were cleaned and repaired and have been delivered and hung in City Hall today. the cost was \$1,650 and the Mayor asked Mr. Williams to ask the insurance company if this could be covered under post-Hugo damage claims.

Mayor Bunch then asked Council to consider the acquisition of the Wild Dunes Water Company along with the Isle of Palms Water Company in order to have one consolidated utility on the island. Mr. Williams asked to discuss this in Executive Session.

Ms. NesSmith-Picard presented to Council a two-page fact sheet and application for a "Talent Bank" (see Exhibit M). This would merely be a listing of residents with specific talents that would benefit our committees who would be willing to serve on a committee or commission. After discussion, Mr. Holden made a motion to accept these forms and make them available at City Hall for residents who are interested in serving on a committee; Mr. Ward seconded; motion passed.

Ms. Swanson made a motion to go into Executive Session; Mr. Watson seconded, motion passed unanimously.

Coming out of Executive Session, the Mayor stated that legal matters were discussed and no specific action was taken.

Mr. Holden made a motion to accept the Ordinance 1990-20 as second reading; Mr. Watson seconded merely to force a vote. After discussion, both the motion and second were withdrawn.

Ms. Swanson made a motion to hire the engineering firm of Thomas & Hutton to prepare a rate study on the Isle of Palms Water Company, Mr. Watson seconded, motion passed unanimously.

Mr. Orvin moved to adjourn the meeting at 10:30 p.m.; Mr. Ward seconded, motion passed unanimously.

Respectfully submitted,

Nellie S. McDuffie, Clerk-Treasurer

Approved:

Carmen R. Bunch, Mayor

<u>Situation</u>	<u>Points</u>	<u>Recommended Award Amount</u>
1	50	\$ 7,215.00
2	20	2,886.00
3	20	2,886.00
4	50	7,215.00
5	20	2,886.00
6	20	2,886.00
* 7	N/A	2,000.00
8	15	2,164.50
9	50	7,215.00
* 10	N/A	3,000.00
11	50	7,215.00
12	50	7,215.00
13	50	7,215.00
14	25	3,607.50
15	20	2,886.00
16	20	2,886.00
17	15	2,164.50
* 18	N/A	2,000.00
		=====
Total	475	\$75,542.50

Award amounts to the applicants are based upon point assignments as indicated in the criteria. After all the points awarded to the applicants are totalled, this number is divided in the total amount available (\$75,549.60) to get a dollar(s) per point amount. Then this figure is multiplied by the number of points assigned to that applicant. If this figure is greater than the shortfall amount, the recommended award amount is reduced to that figure, that amount is then deducted out of the available funds and those points deducted from points divided into remaining available funds. For example, an elderly, underinsured applicant might receive 50 points entitling him or her to as much as \$7,215, however, if the applicant indicated that they only needed \$2,000 then \$2,000 is the recommended award amount.

* \$75,549.60 Account Balance
 - 2,000.00 #7
 - 3,000.00 #10
 - 2,000.00 #18
 =====

 \$68,549.60 to distribute

\$68,549.60 ÷ 475 pt = 144.30/pt. rounding down

6/28/90
Revised 12/9

Elderly, fixed income no insurance home/contents	75
Elderly, low income	50
Underinsured home/contents	
Elderly, fixed income no insurance/contents	25
Elderly, fixed income underinsured/contents	15
female head of household no insurance home/contents	25
female head of household underinsured home/contents	20
female head of household no insurance contents	20
female head of household underinsured contents	15
retired no insurance home/contents	25
retired underinsured home/contents	20
retired no insurance contents	20
retired underinsured contents	15
family no insurance/home/contents	40
family underinsured/home/contents	20
family no insurance/contents	15
family underinsured/contents	15

Sit. #	Family Size	Applicant Age	Needs	Yrs. IOP Resident	Total Received	Total Needed	Shortfall	Circumstances
1	2	63	Replacement/elevation & elevator	26	\$22,500 Flood Ins. 1,500 Add'l lvg exp. 91,700 SBA (\$17,000 to pay 1st & 2nd mortgage)	\$115,000	\$17,000 +10,000 for elevator	Elderly couple. Applicant has breathing problems with respirator. Home owners did not pay at all.
2	2	51	Replace furnishings, help pay bills accrued from HUGO. Complete interior woodwork, needs carpet or floor coverings	29	\$12,387 Home Owners 4,260 Add'l lvg exp. 1,578 FEMA 5,200 Gifts	\$41,500	\$18,075	SBA offered \$41,500 but she could not make the payments. Female head of household. Son lives there, but does not contribute much to family income.
3	2	49	Replace furnishings, finish work on home.	17	\$10,173.65 Home Owners 4,025.00 Contents 2,027.00 FEMA	\$30,000	\$13,775	Single parent with one child, no flood insurance. Female head of household.
4	1	82	Owes medical and dental bills, driveway crushed, yard in terrible shape. Also some minor carpentry work on home interior and exterior.	7	\$ 9,661.95 Home Owners 1,000.00 FEMA 10,000.00 SBA	\$25,000	\$5,000+	Elderly female living alone, needs help in doing yard and driveway repair, paying medical and dental bills. Minor carpentry work needed on interior and exterior.
5	2	34	Replace furnishings, clothing and most personal items.	3 1/2	\$ 4,021 FEMA	\$7,500+	\$3,000+	Used most of FEMA money to live on after HUGO, still needs to replace much of the family belongings. Renter/no renters insurance. Female head of household.
6	2	57	Rebuilding entire home. Replace furnishings.	14	\$ 4,924.90 Home Owners 41,800 Flood 450.00 Contents 10,000.00 Flood Contents 325.00 Add'l lvg exp 1,100.00 FEMA	\$119,774.65	\$58,600	Basically, rebuilding entire house. Has enclosed FEMA proof of loss statement.
7	2	71	Rebuild yard ruined by HUGO.		\$ 2,640.00 Home Owners	\$4,600	\$2,000	Provides itemized list of repairs already made. Would like to fix yard damaged by HUGO. Elderly couple.
8	2	47	To complete repairs left unfinished by contractor. Shortfall due to contractor failing to complete work. Contractor received \$71,000 but only completed half of the work.	3 1/2	\$40,418.18 Flood Insurance 22,500.00 Contents 11,209.70 Add'l lvg exp 34,000.00 SBA	\$30,000	\$30,000	Contractor left town did not complete work. Working overtime to pay bills. Female head of household. Still has not replaced furnishings. Hopes to recover some money from contractor.
9	1	80	Repair porch, glass & screen.	18	\$6,700 Home Owners 1,500 FEMA	\$45,000+	\$37,000	Elderly lady with hearing problems who lives by herself. Lost all her personal contents, need help to replace furnishings.

Sit. #	Family Size	Applicant Age	Needs	Yrs. IOP Resident	Total Received	Total Needed	Shortfall	Circumstances
10	1	80	Trees removed & water damage.	45	\$5,000 Home Owners	\$8,500	\$3,000	Elderly female needs to have bedroom ceiling repaired due to water damage and the removal of two trees.
11	1	63	Replace furnishings and appliances.	25	\$2,000 Home Owners 2,000 Home Owners lvg exp	\$16,000	\$12,000	Elderly female. Had severe water damage. Loss all furnishings, appliances and personal belongings.
12	1	81	Elevation and repair of home.	21	\$20,000 Home Owners 32,000 Flood 3,000 Add'l lvg exp 3,000 Gifts	\$75,000	\$17,000	Elderly female cannot live in house. Has no one to help her financially.
13	2	63	Finish construction and repair of home. Back porch was torn away from house. Needs interior woodwork in all rooms.	13	\$ 5,555.75 Home Owners 33,200.00 Flood 9,400.00 Flood Contents 2,000.00 Add'l lvg exp	\$65,000	\$15,000	Previous employee at Wild Dunes, now doing temp. work supporting elderly mother. Porch was torn off back of house. Needs to finish construction and repairs to interior of home. Female head of household.
14	1	80	Replace home furnishings.	40	\$29,723.00 Flood 5,395.00 Add'l lvg exp	\$40,000+	\$4,800	Insurance did not pay for loss of furniture and other personal belongings.
15	5	43	Help with expenses while home is being built.	20	\$ 479 Home Owners 2,400 Home Owners Add'l lvg exp 140,000 SBA 350 FEMA	\$142,000	\$2,500	Family rebuilding entire house, having to pay rent while house is being built resulting in a shortfall.
16	2	55	Repairs and replacement of personal belongings. Still need floor covering and interior woodwork. Also needs home roof repair and exterior woodwork repair.	12	\$ 7,500 Flood 3,304 FEMA 3,662.33 IOP TCF Phase I	\$75,000	\$60,500	Widow with a college student living at home, needs help with repair.
17	1	55	Rebuilt elevated home and install a elevator.	20	\$30,459.15 Home Owners 61,201.38 Flood 5,800.00 Flood Contents	\$122,460	\$25,000	Female who lives alone. Would like to raise structure and add elevator. Insurance will cover cost of demolishing home and rebuilding smaller home. Needs funds to cover cost of elevation and elevator installation.
18	1	69	Severe loss and damage to home and contents	31	\$12,841.00 Home Owners 1,231.00 FEMA	\$16,072	\$2,000	Female head of household. No Flood Insurance.

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-20
Second Reading Draft - 12/6/90

AN ORDINANCE TO PROVIDE FOR THE COUNCIL FORM OF GOVERNMENT FOR THE CITY OF ISLE OF PALMS.

WHEREAS, pursuant to Section 5-5-20, South Carolina Code of Laws as amended, a binding referendum was held on November 6, 1990; and

WHEREAS, the electorate of the City of Isle of Palms has voted to operate under the Council form of government;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Isle of Palms in Council duly assembled:

1. That the form of Government of the City of Isle of Palms is the Council form, as authorized by Section 5-10-10 et seq. of the South Carolina Code of Laws, 1976, as amended; and
2. That further the Council form shall become effective immediately upon approval by the United States Department of Justice.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, THIS DAY OF , 1990.

CARMEN R. BUNCH, MAYOR

NELLIE. S. McDUFFIE, CLERK-TREASURER

First Reading: November 9, 1990
Second Reading: December 6, 1990
Third Reading: _____
Ratification: _____

An Ordinance to Provide for the Council Form of Government For the City of Isle of Palms

Whereas, by binding referendum of November 6, 1990, the City of Isle of Palms has ~~selected~~ ^{chosen} to operate under the Council form of government.

Now, Therefore, Be It Ordained, by the City Council of the City of Isle of Palms, in Council duly assembled:

1. That upon result of the binding referendum of November 6, 1990, it is ordained that the form of ^{Government} the City of Isle of Palms is the Council form, pursuant to Section 5-11-10 et seq. of the South Carolina Code of Laws, 1976, as amended.

Passed, Approved and Adopted by The Mayor and Council for the City of Isle of Palms, SC, this — day of November, 1990.

Nellie S McDuffie, Clerk -

Carnar R Bunch, Mayor

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-21
Second Reading Draft - 12/6/90

AN ORDINANCE TO PROVIDE FOR ADMINISTRATION OF THE AFFAIRS AND POLICIES OF THE CITY OF ISLE OF PALMS AND ITS MUNICIPAL COUNCIL.

WHEREAS, the electorate of the City of Isle of Palms has voted in a binding referendum for the City of Isle of Palms, S.C., to operate under the Council form of government in accordance with S.C. Code Section 5-11-10 et seq.; and

WHEREAS, pursuant to state statute, S.C. Code Section 5-11-10 et seq., Council is responsible for the administration and management of the City; and

WHEREAS, Council finds employment of a professional administrator to be in the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Isle of Palms, South Carolina, in City Council assembled, that:

1. Council shall employ an administrator to administer the affairs of the City and implement the policies of the Municipal Council;
2. The term of employment of the administrator shall be at the pleasure of the Council and he shall be entitled to such compensation for his services as the Council may determine. The Council may, in its discretion, employ the administrator for a definite term;
3. The administrator shall be the chief executive officer and head of the administrative branch of the municipal government. He shall be responsible to the Municipal Council for the proper administration of all affairs of the municipality. All municipal department heads shall report to him. He shall prepare the budget annually, submit it to the Municipal Council and be responsible for its administration after adoption. He shall assume such other responsibilities as Council may from time to time assign to him.
4. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provision thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall

not affect the applicability thereof to any other person, property or circumstances.

5. This Ordinance shall be effective on the same date that the Council form of government becomes effective for the City of Isle of Palms.
6. Present Code Sections inconsistent with the above are hereby rendered inoperative.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, THIS DAY OF , 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: November 9, 1990
Second Reading: December 6, 1990
Third Reading: _____
Ratification: _____

Passed

CITY OF ISLE OF PALMS
ORDINANCE # 1990 -
FIRST READING DRAFT -

An Ordinance to provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

WHEREAS, a majority of electors have voted in a binding referendum for The City of Isle of Palms, S.C. to employ a Council form of government.

WHEREAS, Council therefore is responsible to provide for administrative mechanisms to manage the affairs of the City and implement the policies of Council.

WHEREAS, Council finds employment of professional administration and substantial delegation of authority to same to be in the best interest of the City;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. To provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

Section 2. The sections below are hereby enacted. Present Code sections inconsistent with the above are hereby rendered inoperative for the term of this ordinance (including but clearly, knowingly and expressly not limited to sections 1-2-1, 2-1-2, 2-2-2 in their entirety and deletion of the word "mayor" and modifying introductory language in section 1-5-3, and 1-6-5 through 1-6-7)

Section 3. Councilmember prohibited from holding other offices during term, reprimanding or removing employees whom the administrator is empowered to control and supervise and dealing with employees under control and supervision of the administrator. (noninterference clause)

(a) Except where authorized by law, no councilmember including the Mayor shall hold any other municipal office or municipal employment while serving the term for which he or she was elected to the council.

(b) Neither the council nor any of its members including the Mayor shall in any manner be involved in the reprimanding or removal of any municipal administrative officers or employees whom the administrator or any of his subordinates are empowered to control and supervise except for confirming as an assembled council a termination pending under suspension of a department head made by the administrator.

(c) Except for the purpose of inquiries, investigations and casual discussions, neither the council nor its members including the Mayor shall deal with municipal officers and employees who are subject to the direction and supervision of the administrator except through the ~~manager~~ ^{administrator}, and neither the council nor its members including the Mayor shall give orders to any such officer or employee, either publicly or privately.

(d) Any councilmember including the Mayor who violates the above shall be subject to the general penalty section of 1-3-66.

Section 4. Term of employment and compensation of administrator; removal of administrator by council. (protection clause)

Council shall employ an administrator to administer the affairs of the city and implement the policies of the Municipal Council.

The term of employment of the administrator shall be at the pleasure of the council and he shall be entitled to such compensation for his services as the council may determine. The council may, in its discretion, employ the administrator for a definite term. If the council determines to remove the administrator he shall be given a written statement of the reason alleged for the proposed removal and the right to a hearing thereon at a public meeting of the council.

Within five days after the notice of removal is delivered to the administrator, he may file with the council a written request for a public hearing. This hearing shall be held at a council meeting not earlier than twenty days nor later than thirty days after the request is filed. The administrator may file with the council a written reply not later than

public hearing.

Section 4. Designation by administrator of administrative officer to act in administrator's absence or disability; effect of administrator's failure to designate officer.

By letter filed with the municipal clerk the administrator shall designate a qualified municipal administrative officer which shall not be any member of Council or the Mayor, to exercise the powers and perform the duties of administrator during his temporary absence or disability.

In the event of the failure of the administrator to make such designation the municipal council may by resolution appoint an officer of the municipality to perform the duties of the administrator until he or she shall return or his or her disability shall cease.

During such absence or disability, the council may revoke such designation at any time and appoint another officer of the municipality to serve until the administrator shall return or his or her disability shall cease.

Section 5. Responsibilities of administrator.

The administrator shall be the chief executive officer and head of the administrative branch of the municipal government. He shall be responsible to the municipal council for the proper administration of all affairs of the municipality and to that end, subject to the provisions of this chapter, he shall:

- (1) Appoint with the concurrence of council and, when necessary for the good of the municipality, suspend with recommendation for termination by Council any appointive or departmental head level officer or employee of the municipality and fix with the concurrence of council the salaries of such officers and employees, except as otherwise provided in this chapter or prohibited by law and except as he may authorize the head of a department or office to appoint and remove subordinates in such department or office;
- (2) Prepare the budget annually, submit it to the municipal council and be responsible for its administration after adoption;
- (3) Prepare and submit to the municipal council at the end of each fiscal year a complete annual report on the finances and administrative activities of the municipality for the preceding year and make such other financial reports from time to time as may be required by the council or by Chapters 1 through 17;
- (4) Keep the municipal council advised of the financial condition and future needs of the municipality and make such recommendations as may seem to him desirable; and
- (5) Perform such other duties as may be prescribed by law or required of him by the municipal council, not inconsistent with the provisions of Chapter 1 through 17 of the South Carolina Code of Laws.

Section 6. Power and duties of municipal council.

All legislative powers of the municipality and the determination of all matters of policy shall be vested in the municipal council, each member, including the mayor, to have one vote. Without limitation of the foregoing, the council shall:

- (1) Employ an administrator;
- (2) Establish other administrative departments and assign and distribute the work thereof upon recommendation of and with the approval of the manager;
- (3) Adopt the budget of the municipality;
- (4) Authorize the issuance of bonds by bond ordinance, subject to such restrictions and limitations as may be prescribed by law;
- (5) Have the power to inquire into the conduct of any office, department or agency of the municipality, make investigations as to municipal affairs and give the public information concerning them;
- (6) Adopt plats;
- (7) Adopt and modify the official map of the municipality;
- (8) Provide for an independent annual audit of the books and business affairs of the municipality and for a general survey of municipal business;
- (9) Provide for the general health and welfare of the municipality in accordance with the statute law of the State with reference to the general police powers granted to municipalities;
- (10) Enact ordinances of any nature and kind, not prohibited by the law or Constitution of the State or of the United States; and
- (11) With the advice of the administrator

commissions relating to the affairs of the municipal government, except as otherwise provided by law.

Section 7. Employment and qualifications of administrator.

The council shall employ an administrator and fix his compensation. The administrator shall be employed solely on the basis of his executive and administrative qualifications. He or she need not be a resident of the municipality or state at the time of his employment and may reside outside the municipality while in office only with the approval of the council.

No councilmember or mayor shall be employed as administrator of the municipality from which he or she was elected during the term for which he or she shall have been elected.

Section 8. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Passage
Section 9. Effective Date. This Ordinance shall be effective upon the later of its ~~ratification~~ by the City Council for the City of Isle of Palms or compliance with the Voting Rights Act of 1965 by Pre-clearance procedure or otherwise.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS DAY OF 19 .

x
CARMEN R. BUNCH, MAYOR

x
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading:
Second Reading:
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-19
SECOND READING DRAFT - 12/6/90

AN ORDINANCE TO EXTEND THE PERIOD FOR ABANDONMENT OF NON-CONFORMING USES AND RECONSTRUCTION OF DESTROYED STRUCTURES FOLLOWING HURRICANE HUGO

WHEREAS, City Council finds that prior to Hurricane Hugo, a number of residential duplexes held the status of legal, non-conforming uses within the City's single-family residential zoning districts; and

WHEREAS, City Council finds that many of these residential structures were damaged by Hurricane Hugo, and have not yet been repaired; and

WHEREAS, under City Code Section 5-4-38, the legal non-conforming status of this use ceased to exist on September 22, 1990 if residential use as two dwellings had not been re-established; and

WHEREAS, in the aftermath of Hurricane Hugo, City Council has approved a number of temporary modifications to the City's zoning and building ordinances to allow residents to reconstruct and re-occupy their homes; and

WHEREAS, City Council wishes to afford the same opportunity to the owners and residents of legal, non-conforming duplexes within the City; and

WHEREAS, similarly, City Code Section 5-4-37(e) provides that a destroyed, non-conforming structure may be rebuilt in its original footprint under specified conditions, and many structures destroyed by Hurricane Hugo have been rebuilt pursuant to this provision; and

WHEREAS, for structures destroyed as a result of Hurricane Hugo, the time in which the rebuilding of such non-conforming structures is allowed has expired; and

WHEREAS, City Council wishes to continue to provide this same opportunity to the owners of non-conforming structures who have not yet been able to rebuild following the hurricane; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 5-23-10 et seq. and Sections 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to extend the period for abandonment of non-conforming uses and the reconstruction of destroyed structures following Hurricane Hugo.

Section 2. Section 5-4-38(c) Amended. Section 5-4-38(c) of the City Code is amended by adding the following phrase at the end of the section:

provided that for legal, non-conforming uses discontinued as of September 21, 1989 as a result of Hurricane Hugo, such uses may be continued if re-established by June 1, 1991.

Section 3. Section 5-4-37(e) Amended. Section 5-4-37(e) of the City Code is amended by adding the following phrase at the end of the section:

provided that a structure destroyed by Hurricane Hugo may be rebuilt in its original footprint if construction is initiated by June 1, 1991.

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

Ordinance No. 1990-19
Second Reading Draft
12/6/90
Page 3

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: October 25, 1990

Public Hearing: 11 / 90

Second Reading: 12/6/90

Third Reading:

Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-19
First Reading Draft - 10/25/90

AN ORDINANCE TO EXTEND THE PERIOD FOR ABANDONMENT OF NON-CONFORMING USES FOLLOWING HURRICANE HUGO

WHEREAS, City Council finds that prior to Hurricane Hugo, a number of residential duplexes held the status of legal, non-conforming uses within the City's single-family residential zoning districts; and

WHEREAS, City Council finds that many of these residential structures were damaged by Hurricane Hugo, and have not yet been repaired; and

WHEREAS, under City Code Section 5-4-38, the legal non-conforming status of this use ceased to exist on September 22, 1990 if residential use as two dwellings had not re-established; and

WHEREAS, in the aftermath of Hurricane Hugo, City Council has approved a number of temporary modifications to the City's zoning and building ordinances to allow residents to re-construct and re-occupy their homes; and

WHEREAS, City Council wishes to afford the same opportunity to the owners and residents of legal, non-conforming duplexes within the City; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 5-23-10 et seq. and Sections 6-7-710 et seq., South Carolina Codes of Laws, 1976, as amended; and

WHEREAS a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to extend the period for abandonment of non-conforming uses following Hurricane Hugo.

Section 2. Section 5-4-38(c) Amended. Section 5-4-38(c) of the City Code is amended by adding the following phrase at the end of the section:

provided that for legal, non-conforming uses discontinued as of September 21, 1989 as a result of Hurricane Hugo, such uses may be continued if re-established by June 1, 1991.

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First Reading Draft
10/25/90
Page 2

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: _____

Public Hearing: _____

Second Reading: _____

Third Reading: _____

Ratification: _____

CITY OF ISLE OF PALMS, SC
RESOLUTION

REPLACEMENT OF THE WILLIAM THOMPSON (BREACH INLET) BRIDGE

WHEREAS, following construction of the Isle of Palms Connector, the South Carolina Department of Highways and Public Transportation has proposed to replace the William Thompson Bridge, which connects the Isle of Palms and Sullivan's Island across Breach Inlet; and

WHEREAS, the Department has proposed to close and tear down the existing bridge prior to the construction of the replacement bridge; and

WHEREAS, such action would eliminate direct vehicular access between the Isle of Palms and Sullivan's Island for a period of up to two years; and

WHEREAS, elimination of the link between the Isle of Palms and Sullivan's Island would adversely affect both islands in a number of ways, by removing the second route of ingress to and egress from the islands, for normal traffic, emergency vehicles and emergency evacuation; by eliminating direct access for Isle of Palms schoolchildren to Sullivan's Island Elementary School; by eliminating direct access of residents of both islands to the churches and civic associations to which they belong; by eliminating direct access for fire, police and emergency service personnel who currently provide prompt emergency back-up for the other island; by eliminating direct access to commercial establishments and professional services for residents of both islands; and by making both islands susceptible to the access problems experienced following Hurricane Hugo when an alternative route of access was not available; and

WHEREAS, in public hearings held by the Department, the residents of the Isle of Palms have vehemently objected to such elimination of access.

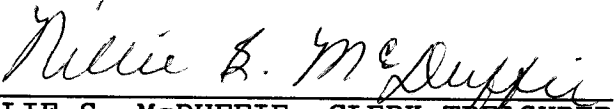
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS, IN CITY COUNCIL DULY ASSEMBLED:

1. That the City of Isle of Palms objects, in the strongest possible terms, to the closing or demolition of the existing William Thompson Bridge until such time as the replacement bridge is fully constructed and in operation; and

2. That the City of Isle of Palms demands that the SC Department of Highways and Public Transportation revise its plans for the replacement of the William Thompson Bridge to ensure that vehicular access between the Isle of Palms and Sullivan's Island is not interrupted or impeded during the construction of the replacement bridge.

RESOLVED THIS 6TH DAY OF DECEMBER, 1990.


CARMEN R. BUNCH, MAYOR


NELLIE S. MCDUFFIE, CLERK-TREASURER

MINUTES OF THE REGULAR MEETING OF THE ISLE OF PALMS CITY COUNCIL
DECEMBER 20, 1990

A. INTRODUCTION OF MEETING

The regular monthly meeting of the Isle of Palms City Council was held on December 20, 1990, at 7:00 p.m., at City Hall. Mayor Bunch called the meeting to order at 7:00 p.m. After the Pledge of Allegiance and Invocation, roll call was taken. Present were Council Members Holden, NesSmith-Picard, Simon, Sottile, Swanson, Ward and Watson; Council Member Orvin arrived late. Also present were Mayor Bunch, City Administrator Williams, City Attorney Dreyfoos, Clerk-Treasurer McDuffie, and Secretary Geary. Council's Attorney Steinert was also present.

B. READING OF THE JOURNAL OF PREVIOUS MEETINGS

1. December 6, 1990 - Special City Council Meeting

Mr. Sottile moved that the minutes be accepted as presented, Mrs. NesSmith-Picard seconded, motion passed unanimously. (See exhibit A)

C. CITIZENS' COMMENTS

Mayor Bunch read the list of names of citizens who were signed up to speak and announced that Bev Ballow had indicated earlier in the week that she would like to speak but had not called to have her name put on the list. Mrs. Swanson made a motion to suspend the rules of order to allow Ms. Ballow speak, Mr. Watson seconded, and motion passed unanimously.

1. Chuck Harkey and Charlie Youn. Both persons live within the area of the Wild Dunes water utility service area. They have both talked with a great number of residents in Wild Dunes and there is a huge amount of concern about the rates of the water and sewer which are provided in the Wild Dunes community. Rates have more than doubled since July 1. They are visiting with the Public Service Commission in Columbia, talking with State Representatives and now with our Council and Mayor. Residents feel that the water rates are extremely excessive and urge Council to make every effort to purchase the Wild Dunes utility along with the Isle of Palms Water Company. If rates remain as high as they are now, residents are going to be forced to move out of the area and property values could decrease. The residents are going to be putting pressure on the owners of the utility and urge the City to do anything they can to help the situation.

2. Cliff Rios. Mr. Rios spoke about the issue of public restrooms and the need for them on the beach. The City has spent

money on property and plans for the restrooms and he feels that we should be moving ahead with construction now or we will have another summer season without restrooms. Mayor Bunch asked Mr. Rios to stay for the reading of the PRC resolution later in the meeting at which time there would be more discussion on the subject.

3. Judy Coates. Mrs. Coates lives in the Oak Harbor and 13th Avenue area and is concerned that this area could become the "Love Canal" of Isle of Palms. Our health and property are threatened by electromagnetic fields that are soon to be activated by the expansion of the power station at 13th Avenue. She spoke about recent articles and television programs addressing this problem. She urged the City to contact Mr. White of SCE&G and tell him that we want electromagnetic fields below 2 milligauss, that we want pre-activation electromagnetic field measurements, and that we want follow-up routine measurements, and also something done about the hideous poles at the end of 13th Avenue.

4. Bev Ballow. Ms. Ballow stated that she had been present at several meetings with SCE&G representatives before the poles for the substation were put in and they were assured that the substation would be unobtrusive and not have a great impact on the neighborhood. They promised to shield it, screen it, to landscape it. She is really embarrassed and ashamed that we have allowed by listening to SCE&G and their pretense of being sensitive to the neighborhood, to put up those monstrosity of poles which will reduce property values and impinged across the marshlands.

D. REPORTS FROM STANDING COMMITTEES

1. Ways and Means. Mrs. Swanson highlighted the minutes from their meeting of December 18, 1990 (see Exhibit B). Mr. Ward made a motion that a rate study cost for the water and sewer utility be approved not to exceed \$21,000, Mr. Orvin seconded. After discussion, motion passed unanimously.

Mayor Bunch announced that the contract for the Public Works Building was signed this week and construction should begin right after the holidays.

Mayor Bunch also announced that with the \$12,000 increased rates on insurance, she spoke with Chief Arnold who has one vacancy from a resignation effective December 28th, and she has asked that he not fill the position immediately to help make up this \$12,000 deficit.

2. Police & Public Safety. Mr. Simon highlighted the minutes from their meeting of December 14, 1990 (see Exhibit C). Mr. Simon spoke about the raccoon issue, showing Council a Wildlife Assistance Manual from the Wildlife Department written for lay people who come into contact with wild animals and how to handle them. Relevant to the raccoon issue, the manual says if you remove

the source of food, raccoons will go away, Mr. Simon stressed that if people continue to allow their garbage cans to be accessible to raccoons, humans and raccoons will continue to come into contact and they will be trapped. Having people sign the form when they call the police department to have a raccoon trapped, has seemed to have slowed down the frivolous trapping. Mr. Ward made a motion that we make the present raccoon policy be installed permanently, Mr. Sottile seconded. Upon discussion, Mr. Holden moved to amend the motion that the matter will be brought before Council next month with information as to why we cannot remove the raccoons to Francis Marion Park; Mr. Ward seconded; amendment passed unanimously. Motion with amendment passed unanimously. Mayor Bunch stated that we may have to change our ordinance to accomplish this and that she would like to have someone from Wildlife Department and from DHEC come and talk to Council.

Mr. Sottile addressed his concern about the private weight room at the Recreation Building. He felt that it was not proper to have a private facility in a public department. Mr. Orvin explained the process which led to the weight room being upstairs in the Recreation Building. Upstairs is simply a large storage attic and it is proposed that the room will be used for other purposes than a private room for the police officers. Mr. Simon agreed to put this issue on the agenda for next month's Police & Public Safety Committee meeting. There followed some discussion about the use of the room.

Mayor Bunch expressed thanks and appreciation to the Police Department for playing Santa Claus. They received over 200 requests for telephone calls and spent hours of their time making these calls to children in the area. She also said she had received good comments on the DARE program. Mrs. Hollings has offered to help in any way she can.

3. Public Works. Mr. Ward presented minutes of their meeting of December 17, 1990 (see Exhibit D). Mr. Ward opened discussion on placing Christmas decorations along Palm Boulevard next year, maybe something on the light poles, to give the City festive decorations. Mayor Bunch stated that she also had considered having flags placed at each residence on July 4th and Memorial Day and that this should be brought up at the next budget session.

Mr. Ward asked about the situation of cutting down the trees near the old Post Office by the Highway Department. The Mayor stated that she has been in contact with a representative of the Highway Department who has promised to meet with her in January to discuss the schedule for removal of the trees and exactly which tree will have to come down for the Connector. There is also a museum at Mystic Seaport, Connecticut, that will come down here and remove the trees back to Connecticut for use in building old sailing ships. There followed general discussion about the oak trees.

Mr. Orvin asked about the grading problem of the new Public Works Building. Mr. Williams stated that the contract has been signed and that once the foundation has been poured the building will be started right away. The issue of the incline is still being worked on but this will not delay the construction of the building.

Mrs. Swanson asked about the recycling of aluminum cans. Mr. Ward stated that one of the problems is that people are not recycling cans as hoped, but it is growing. The island has the first curbside recycling program in the area and all participation is appreciated.

4. Engrossed Bills. Mr. Holden presented a report from their meetings of December 4, 1990, and December 19, 1990, and stated that minutes will be forthcoming (see Exhibit E).

Mr. Williams opened discussion about a sign request from Carroll Realty. Our current sign ordinance limits signs to 50 square feet. Carroll Realty will be a multiple occupancy building and they are requesting approval of a 72 square foot sign. This affords the opportunity for the tenants to have advertising. Mr. Simon made a motion to approve the request for Carroll Realty, Mrs. Swanson seconded. Upon discussion, Mr. Williams indicated that if we do not approve this request, the tenants could make the case that they each could put up a 50 square foot sign, and he feels that it is a reasonable compromise to approve the request. After further and extensive discussion of the sign ordinance and the need for the ordinance to be studied, roll call vote was taken: Holden - no; NesSmith-Picard - no; Orvin - no; Simon - yes; Sottile - no; Swanson - yes; Ward - no; Watson - yes; Mayor Bunch - yes. Motion was denied with a vote of 5 to 4.

5. Recreation. Mr. Orvin announced that there was no December meeting of the Recreation Committee. He reported that the parking lot of the Recreation Building has been paved; that the Christmas party for the children was a great success; and that the playground equipment at the Tot Lot has been painted.

Mayor Bunch expressed thanks to citizens and Recreation Department employees for the Christmas party Saturday for the children of the island.

E. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

1. Board of Adjustment. Minutes of the November 27, 1990, meeting had been given to Council (see Exhibit F) and no report was given. There was no December meeting.

2. Planning Commission. Mr. Batchelder was not present at the meeting but minutes of the December 5, 1990 and December 12, 1990, meeting had been given to Council (see Exhibit G). Mr. Williams presented the following plats to Council for approval:

(a) Final Plat of Tract "G", Block "B" - 6 Lots on Waterway Boulevard. City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Mr. Ward moved that we approve the plat as presented; Mr. Orvin seconded, motion passed with 7 yeas; one no and one abstention.

(b) Final Plat Showing Subdivision of Tract "G", Block "B" - 9 Lots, and Tract "G", Block "D" - 16 Lots, City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Mr. Ward moved that we approve the plat as presented; Mr. Sottile seconded, motion passed with 7 yeas; one no and one abstention.

(c) Final Plat of Tract "F", Block "E", 57 Lots and Tract "G", Block "J", Wild Dunes, City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Mr. Ward moved that we approve the plat as presented; Mr. Orvin seconded, motion passed with 7 yeas; one no and one abstention.

(d) Plat Showing Lot 4 and Part of Lot 5 Owned by Robert R. Knoth and a 2948 Sq. Ft. Tract Owned by Ocean Boulevard Properties About to be Conveyed to Robert R. Knoth; Part of Lot 5, Lot 6, and Part of Lot 7 Owned by Carlton Simons and a 6068 Sq. Ft. Tract Owned by Ocean Boulevard Properties About to be Conveyed to Carlton Simons; Part of Lot 7, Lot 8, and Part of Lot 9 Owned by Charles W. Bowen, III and George L. Bowen and a 5907 Sq. Ft. Tract Owned by Ocean Boulevard Properties About to be Conveyed to Charles W. Bowen, III and George L. Bowen. E.M. Seabrook, Inc.

Mr. Ward moved that we approve the plat as presented; Mr. Orvin seconded, motion passed unanimously.

4. Beach Patrol & Control Board. Minutes of the December 13, 1990 meeting had been given to Council (see Exhibit H). Mr. Simon stated to Council that the City is required to prepare a Local Comprehensive Beach Management Plan by July 1, 1991, which will require extensive study and preparation.

5. Personnel Committee. There was no report.

Mayor Bunch reported that one of the employees of the Public Works Department, Harry Manigault, has had lung surgery and will not be able to return to work for some time. He needs financial help and she has started a fund raiser for him. Donations will be received in City Hall. Mr. Manigault has been employed by the City for 17 years and he would appreciate any assistance we can give him.

6. Dewees (ad hoc) Committee. There was no meeting but we have received a letter from DHEC addressing the sewer system that will be used.

F. REPORTS FROM SPECIAL OR JOINT COMMITTEES - None

G. PETITIONS RECEIVED, REFERRED OR DISPOSED OF - None

H. BILLS ALREADY IN POSSESSION OF COUNCIL.

1. Third Reading - Ordinance No. 1990-12 - An Ordinance to Amend the City's Requirements Relating to the Subdivision of Property.

(see Exhibit I)

Mrs. Swanson moved that we accept the changes presented to Council; Mrs. NesSmith-Picard seconded, motion passed unanimously. Mrs. Swanson moved that we accept the third reading of Ordinance 1990-12 as presented with changes; motion was seconded and unanimously approved. Mr. Ward moved to suspend the rules or order and ratify the ordinance; Mrs. Swanson seconded, motion passed unanimously. Mr. Ward moved to ratify Ordinance 1990-12; Mr. Holden seconded, motion passed unanimously.

2. Third Reading - Ordinance No. 1990-19 - An Ordinance to Extend the Period for Abandonment of Non-Conforming Uses Following Hurricane Hugo. (see Exhibit J)

Mr. Ward moved that we approve third reading and suspend the rules of order to ratify Ordinance 1990-19; Mr. Watson seconded, motion passed unanimously.

3. Third Reading - Ordinance No. 1990-20 - An Ordinance to Provide for the Council Form of Government for the City of Isle of Palms. (see Exhibit K)

Mr. Holden moved that we approve third reading and suspend the rules of order to ratify Ordinance 1990-20; Mr. Sottile seconded and called for a roll call vote.

Mr. Holden moved that we suspend the rules of order and allow people to ask questions of Attorney Steve Steinert; Mr. Ward seconded, motion passed unanimously. Mr. Ward asked Mr. Steinert what it means if this ordinance is passed tonight and when do you expect to receive response from the Justice Department and how does that come into play for a smooth and orderly transition to the Council form of government. Mr. Steinert responded that Justice Department has 40 days from date of submission to render an opinion on the change of government and we should hear from them by the middle of January. This ordinance states that the City is prepared to adopt what the voters have approved as soon as the Justice Department approves it. It is the basic ordinance but there are hundreds of amendments which will be needed to the City Code. Mr. Steinert is reviewing the Code at the present time for these changes. The two ordinances before Council (1) adopts the change

in form of government and (2) provides that during the transition period the City Administrator will make a lot of decisions formerly made by the Mayor.

Mr. Ward then asked Mr. Steinert that when Justice Department approval is received, if the change of government becomes effective immediately if this ordinance is passed tonight. Mr. Steinert responded that that would be the case. Mr. Steinert then presented Council with information notifying them that the Mayor had initiated a suit naming the members of Council and seeking a declaratory judgment by a court to determine when the change of government is to go into effect. The Mayor contends that the change in the form of government should not become effective until the end of her term of office. Mr. Steinert stated that he had been served the summons and complaint, but does not believe he has authority by Council to accept service, which he needs in order to distribute the suit papers.

Mr. Ward and other members of Council expressed surprise, disbelief and disappointment over the Mayor's pre-emptive action in initiating the lawsuit. Mayor Bunch responded that she is merely asking for a date when this becomes effective; that she and her supporters have a right to know when the change becomes effective since that date was not specified in the referendum. The Mayor cited two contradictory Attorney General's opinions concerning when such a change in the form of government should become effective. Absent conclusive statutory law or Attorney General's opinions, the Mayor indicated that it would be necessary for the courts to determine the effective date of the change in the form of government.

One of the points of the Mayor's lawsuit seeks a temporary injunction against the adoption of any City ordinance designed to implement the change immediately upon certification of the referendum results by the U.S. Justice Department. On that basis the Mayor questioned the legality and propriety of Council's passage and ratification of the ordinance at this meeting. The Mayor said that unanimous consent was required to suspend the city's rules of order and procedure to ratify the ordinance at the same time it is passed on third reading. Attorney Dreyfoos and several Council members reviewed the applicable City ordinances and determined that separate motions could be made to pass the ordinance and then ratify the ordinance rather than such action being taken under a single motion.

The original motion to pass and ratify concurrently was removed. Mr. Holden made a motion to accept third reading of Ordinance 1990-20; Mr. Ward seconded; motion passed with one abstention. Mr. Holden moved to ratify Ordinance 1990-20; Mr. Ward seconded; motion passed with one no and one abstention.

4. Third Reading - Ordinance 1990-21 - An Ordinance to Provide for Administration of the Affairs and Policies of the City of Isle of Palms and its Municipal Council. (see Exhibit L)

Mr. Holden made a motion to accept third reading of Ordinance 1990-21; Mr. Ward seconded, motion passed with one abstention. Mr. Holden moved to ratify Ordinance 1990-21; Mr. Ward seconded, motion passed with one no and one abstention.

I. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

1. Resolution - Replacement of the William Thompson (Breach Inlet) Bridge. (see Exhibit M)

Mr. Ward moved to approve the resolution as presented; Mr. Sottile seconded, motion passed unanimously.

2. Resolution - Application for Bicycle Plan Grant (see Exhibit N)

Mrs. Swanson moved to approve the resolution as presented; Mrs. NesSmith-Picard seconded, motion passed unanimously.

3. Resolution - Calling for a Co-Operative Effort with the Parks and Recreation Commission (PRC) of Charleston County to Address the Issue of Public Restrooms on the Isle of Palms. (see Exhibit O)

Mr. Ward moved to approve the resolution as presented; Mrs. NesSmith-Picard seconded, motion passed unanimously. Mayor Bunch stated that a copy of this signed resolution will go to every member of the PRC.

Mr. Ward moved that signed copies of Ordinances 1990-20 and 1990-21 be placed in all Council members boxes before Christmas, Mr. Orvin seconded, motion passed unanimously.

J. MISCELLANEOUS BUSINESS

Mayor Bunch read a letter from Island Realty (see Exhibit P).

Mayor Bunch read a letter that she had written to Senator Hollings, Senator Thurmond and Congressman Ravenel concerning the SCE&G substation (see Exhibit Q).

Mayor Bunch read a letter from Strom Thurmond about the City adopting an American military unit stationed in Saudi Arabia (see Exhibit R). The Mayor stated that she would call the contact person for this program. Sharon Harper of the Isle of Palms is stationed on a hospital ship in the Gulf and perhaps we can adopt a unit on her ship.

Mr. Holden made a motion to affirm that in our earlier resolution to retain Wise & Cole for the purposes relating to the change in form of government, that it specifically includes the defense of the lawsuit and the authority to accept service of such lawsuit; Mr. Ward seconded. After discussion, motion passed with one abstention.

Mr. Ward asked the Mayor if the City would be obligated to pay any attorney's fees pertaining to her lawsuit. The Mayor answered that she would personally pay her legal fees with the help of some private citizens and supporters. Mr. Steinert did state that it would be possible for the City to have to pay certain legal fees depending on the outcome of the lawsuit.

Mr. Holden made a motion that the Mayor, City Administrator and Clerk-Treasurer be prohibited from any expenditure of City funds for any attorney affiliated with the Plaintiff side of this lawsuit, including but not limited to Mr. Regan; Mr. Ward seconded. After discussion, motion passed unanimously.

Mrs. Swanson moved that Council take a stand that SCE&G take a base test of the homes and City property around the substation before the new lines come in and that we find an independent group to take independent readings continuously yearly if not more often after the activation of the lines and that SCE&G be limited to 2 milligauss; Mr. Ward seconded. After discussion, motion passed unanimously.

Mr. Holden moved that we form a special committee on appointments for filling vacancies on committees for the purpose of recommending a slate and/or a procedure for committee appointments by council members for board and commission members in the upcoming year for action so appointing and filling the vacancies at the upcoming meeting. Mr. Ward seconded and after discussion the motion passed with one abstention.

Mr. Holden moved that the three members of the special committee be Mike Sottile, Jimmy Ward, and Marge Swanson. Mr. Simon seconded for discussion purposes. There was extensive discussion on the subject. Mr. Watson moved to amend the motion to include the City Administrator as a non-voting member; Mr. Ward seconded. Mr. Williams asked that he not be included; Mr. Watson and Mr. Ward withdrew their motion and second. After further discussion, Mayor Bunch passed the gavel to Mrs. Swanson as Mayor ProTem as she stepped out of the room for a few minutes. Mrs. Swanson called for the vote, motion passed with one abstention.

Mayor Bunch returned to the meeting.

Mr. Ward moved that Council move into regular Executive Session followed by a second Executive Session without Mayor Bunch to discuss the lawsuit with Attorney Steinert, Mrs. NesSmith-Picard

seconded, motion passed unanimously. Mayor Bunch stated that Executive Session was being called to discuss contractual matters and legal matters concerning the purchase of the Isle of Palms Water Company and the Wild Dunes water company.

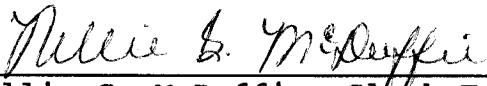
Coming out of regular Executive Session, the Mayor stated that no action was taken; the discussion was based on the contract submitted to the City Administrator for review by Council members and representatives of Council will be going back to discuss further matters in the contract with the President of The Beach Company, Charlie Way.

Mr. Ward moved that Council go into Executive Session excluding the Mayor to discuss the change in the form of government and probably lawsuits, Mrs. NesSmith-Picard seconded, motion passed unanimously.

Coming out of Executive Session, Mayor ProTem Swanson stated that the lawsuit was discussed and no action was taken.

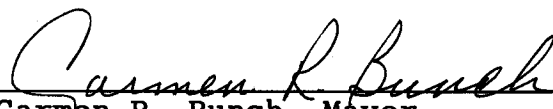
Mr. Watson moved to adjourn the meeting, Mr. Ward seconded, motion passed unanimously and meeting was adjourned at 11:25 p.m.

Respectfully submitted,



Nellie S. McDuffie, Clerk-Treasurer

Approved:



Carmen R. Bunch, Mayor

MINUTES OF THE SPECIAL MEETING OF THE
ISLE OF PALMS CITY COUNCIL
DECEMBER 6, 1990

The Special Meeting of the Isle of Palms City Council was held on December 6, 1990, at 6:00 p.m., at City Hall. The Mayor announced that this meeting was called mainly to discuss the acquisition of the Isle of Palms Water Company and that most discussion would be held in Executive Session. Present were Council Members Holden, NesSmith-Picard, Simon, Sottile, Watson, Attorney Dreyfoos, Administrator Williams, Clerk-Treasurer McDuffie and Secretary Geary. Arriving late were Council Members Ward and Orvin. Council Member Swanson was excused due to a death in the family.

1. Minutes

A motion was made to approve the minutes of the regular meeting of November 29, 1990, by Mr. Sottile, seconded by Ms. NesSmith-Picard, and passed unanimously. (see Exhibit A)

Mayor Bunch asked that a motion be made to suspend the rules of order to allow Linda Tucker from the Council of Governments to speak briefly. Mr. Holden so moved, Mr. Watson seconded, motion passed unanimously. Ms. Tucker spoke on the distribution of a grant of \$75,542.50 to island residents who were in need after Hurricane Hugo. (see Exhibit B) She passed out information showing the individual cases (unnamed) and amounts awarded. Ms. Tucker asked for Council's endorsement to this distribution of funds. Ms. NesSmith-Picard moved to approve the distribution, Mr. Watson seconded, motion passed unanimously.

Mayor Bunch thanked Linda for doing this for the City; it kept the politics out of it as we do not know the names of any of the applicants. It was a lot of hard work and was done very well.

2. Ordinances and Resolutions

a) Second Reading of Ordinance 1990-20. An Ordinance to Provide for the council Form of Government for the City of Isle of Palms. Mr. Holden made a motion to amend the original handwritten ordinance to read as presented; Mr. Watson seconded. Mr. Williams read the ordinance. Motion passed with Mayor Bunch abstaining. (see Exhibit C)

b) Second Reading of Ordinance 1990-21. An Ordinance to Provide for Administration of the Affairs and Policies of the City of Isle of Palms and its Municipal Council. Mr. Holden made a motion to amend the original motion to read as presented and to pass the ordinance as second reading; Mr. Ward seconded. Motion passed with Mayor Bunch abstaining. (see Exhibit D)

c) Second Reading of Ordinance 1990-19 with Amendment. An Ordinance to Extend the Period of Abandonment of Non-Conforming Uses Following Hurricane Hugo. Section 3 was added to this

ordinance because of a request of the Building Department. Mr. Ward moved to accept this ordinance as an amendment to the First Reading; Mr. Sottile seconded. Mr. Williams read the ordinance. After short discussion, motion passed unanimously. (see Exhibit E)

d) Resolution Opposing the Closing of the Breach Inlet Bridge for Construction of a New Bridge. Because there are several changes to be made to this resolution, Mayor Bunch asked that we defer this to the December 20th meeting, Council agreed.

Mr. Ward made a motion to move into Executive Session to discuss contractual matters and legal matters concerning the acquisition of the Water Company; Mr. Sottile seconded, motion passed unanimously.

Coming out of Executive Session, Mayor Bunch stated that no vote was taken, that Council agreed to have the Administrator contact the attorneys for the Isle of Palms Water Company and tell them that we had agreed on their projected costs but wanted more information as to assets and property and other information.

Mr. Ward made a motion to adjourn, Mr. Orvin seconded; and the meeting was unanimously adjourned.

Respectfully submitted,

NELLIE S. McDUFFIE, Clerk-Treasurer

CARMEN R. BUNCH, Mayor

The Ways and Means Committee met on December 18 at 5:40 p.m. with Mark Williams, Dan Watson, Jimmy Ward, Marge Swanson, Mike Sottille and Jeff Simon in attendance.

November budget was handed out and briefly reviewed. No items seem to be out of line.

Jimmy Ward thanked Chief Arnold for finding out about funds for dog kennels. Committee members congratulated Jimmy for raising money toward the kennels.

Mark Williams discussed a modular restroom facility he has seen photos of and requested information about. It was suggested a resolution be prepared for county to build Bath facilities. Council should try to get an answer as soon as possible.

It was moved by Jimmy Ward that we recommend ^{to council that} a water/sewer rate study be funded, cost to be \$21,000. It would include ~~a~~ impact fees, basic services and cost per 1,000 gallons. Dan Watson seconded, passed unanimously. This information will be needed to document ability to service debt monies.

An appraisal of the Wild Dunes water system was discussed.

Mr. Williams pointed out that city insurance rates will be going up by 20%, at a cost to the city of \$12,000 for the period January 1 to July 1. It was moved and seconded ^{and passed, committee recommended to} that ~~the~~ city pick ^{council that the} up this amount.

Contracts should be signed soon for the Public Works Building. It cost \$2000 to move an old underground gas tank...\$1300 to dig it up and \$700 for lab analysis.

Meeting adjourned at 6:40 p.m.

Public Safety Committee Meeting December 14, 1990

Present: Councilmembers Simon, Swanson, Mayor Bunch.
also present councilmember Watson

Fire Department

Chief Britton presented the Fire Dept. monthly report for November.

There were no major fires during the month, however several of the medical calls were serious one resulting in full cardiac arrest.

The Fire Dept. continues to offer chimney inspections. A brief discussion was held on these inspections. It was clarified that these inspections are courtesy inspections and do not certify the overall safety of the fire place. Mayor Bunch suggested that the Fire Dept also give the resident some basic information on safe fire place practices. It was noted that since the fire place inspection program began there have been no fire place fires on the island.

Fire safety for children was discussed. The MUSC "Smoke House" will be available on the island in the spring.

The Fire Dept. is currently taking advantage ~~of some~~ of the fact that many of the large structures on the island are vacant and is doing training and planning in those buildings. This type of practice cannot be done once the buildings are occupied.

A level 2 Volunteer Training class is being conducted in conjunction with the McClellanville FD.

A lengthy discussion followed on the EMT/D program that the IOPFD has been selected to participate in. This program will enhance our ability to respond to cardiac arrest calls. Our EMT's will be trained in the use of a defibrillator. IOPFD was chosen because of the high level of skill and large number of certified EMTs in the dept. and the fact that our 2 minute average response time makes the use of defibrillation a realistic life saving alternative. This program is sanctioned by the state EMS board; training (16) hours will be provided by Charleston County EMS. The FD will need to purchase \$4,000 worth of equipment for this program. The volunteers have indicated a desire to purchase this equipment and will vote on the issue in January. The committee endorsed and recommended to the Chief that the IOPFD go forward with this program.

Final plans for fire station 2 will be ready in a week or 10 days.

Police Department

Chief Arnold presented the monthly report for November.

In response to a request from the committee the monthly report now contains a location map of all traffic and criminal activity. This will better help the committee understand where problems on the island tend to occur.

Property crimes while down are still a major problem and continue to have a high correlation to Hugo related construction activity.

The PD broke up a professional auto breaking and entry gang that was responsible for 11 auto b&e's. Most of the vehicles broken into were unlocked, however the individuals involved had entry tools and had gone into 2 unlocked vehicles. The individuals arrested were from other areas in Charleston County.

Personnel matters: Officer Jan Stewart was hired to fill a current vacancy. Officer Stewart is an experienced police officer certified in the area's of investigations, juvenile and underwater search and rescue. She is also a certified DARE (Drug Awareness & Resistance Education) instructor. She will be able to bring the DARE program to our children at the recreation center and to Sullivan's Island School. The CCSD has given the IOPPD a \$1,000 grant to purchase supplies for DARE materials. DARE activities are funded through several governmental and private foundation sources. A presentation to council on the DARE program will be made in the future.

One police officer will be reigning effective 12/28. Chief Arnold indicated to the committee that he intends to keep that position vacant for as long as possible and will inform the committee when he feels that it has become necessary to have the position filled.

The PD is applying for some grant monies to build and improve the kennel facilities. Mayor Bunch suggested that if monies were received that they should go to air conditioning and heating improvements. The Chief indicated that some type of 501-c-3 status would be necessary and that councilmember Ward had volunteered to handle any paperwork involved.

A copy of the "Raccoon Miranda Warning" is attached. The general trend seems to be that if people are annoyed enough to call the police they are willing to sign the form. Five raccoons have been trapped; the forms will be kept on file at the police dept.

Several new traffic control signs are in place.

The narcotic grant books were audited.

Following a request from councilmember Watson a brief discussion was held on the issue of DUI enforcement; however because of the lateness of the hour further discussion was postponed for another meeting.

Name

Address

Telephone

Date

By my signature on this agreement, I am requesting that the City of the Isle of Palms provide a trap for raccoon(s) to be placed on my property as I believe that they pose an imminent threat to life and/or property.

I understand that according to present policy set by the City of the Isle of Palms, any raccoons caught in traps provided by the City will be transported to the SPCA and euthanized.

Signature

Witness

ISLE OF PALMS PUBLIC WORKS COMMITTEE MEETING
DECEMBER 17, 1990

THE PUBLIC WORKS COMMITTEE MEETING WAS CALLED TO ORDER AT 7:02PM IN CITY HALL BY JIMMY WARD. IN ATTENDANCE WERE PUBLIC WORKS SUPERVISOR ANDY PARISH AND COUNCILMEMBER MELINDA NESSMITH-PICARD.

MR PARISH GAVE HIS REPORT TO THE COMMITTEE. THE PATCHING OF HARTNETT BLVD AND FOREST TRAIL HAS BEEN COMPLETED.

THE DEPARTMENT PICKED UP 18000 POUNDS OF NEWSPAPER LAST MONTH. NEXT WEEK THERE WILL BE A TWO DAY HOLIDAY. THERE WILL BE NO TRASH PICKUP ON THE 24TH & 25TH. NEWSPAPERS WILL BE PICKED UP ON THE 26TH. FULL TRASH COLLECTION WILL RESUME ON THE 27TH.

THE PUBLIC WORKS BUILDING CONSTRUCTION CONTRACT WILL BE SIGNED SOON, POSSIBLY THIS WEEK. THE BUILDING HAS BEEN DELAYED BY CONCERNS THE ENGINEERS HAVE. THE COMMITTEE ASKED TO BE UPDATED REGULARLY IN THE NEAR FUTURE ON PROGRESS REGARDING CONSTRUCTION START UP BY THE CITY ADMINISTRATION.

THE DEPARTMENT CHRISTMAS BAR-B-QUE WILL BE THIS COMING FRIDAY AT 2:00PM BEHIND CITY HALL.

MR PARISH REQUESTED THAT THE COUNCIL APPROVED CHRISTMAS DECORATIONS FOR PALM BLVD FOR NEXT YEAR. MS NESSITH-PICARD MOVED THAT THE COMMITTEE RECOMMEND TO FULL COUNCIL APPROVING \$5000 IN THE 1991-92 FOR THESE DECORATIONS. MOTION PASSED.

A DISCUSSION WAS HELD ABOUT HOW TO IMPROVE RECYLING COLLECTION AMOUNTS ESPECIALLY CANS.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED AT 7:40PM .

RESPECTFULLY SUBMITTED:

JIMMY WARD, CHAIRMAN

**Engrossed Bills Committee Meeting
6:30 P.M. - December 19, 1990
Regular Monthly Meeting- City Hall**

AGENDA

Old Business

- 1. Minutes of previous meeting - Chairman**
- 2. Introduction/explanation of agenda/schedule**
- 3. Ordinances Referred & Updates**
 - A) Swimming Pool Drainage Report - City Attorney**
 - B) Matters before Planning Commission**
 - i) Generally - Chairman**
 - ii.) Fence Ordinance**
 - iii) Waterfront Zoning**
 - iv) Turtle nesting**
 - C) Right of Way Dumping (attached Memo)**
 - D) Signs**
 - i) Off premises - City Attorney**
 - ii) Generally - Chairman**

New Business

- 4. Proposed ordinances/resolutions from councilmembers**
 - A) PRC/Restroom resolution - Councilmember Watson**
 - B) Other**
- 5. Miscellaneous Requests/Information**
- 6. Adjourn**

THE CITY OF ISLE OF PALMS

Barry Holden, City Councilman
#7 - 916 Palm Boulevard
Isle of Palms, SC 29451
Phone - 886-5844

ENGROSSED BILLS COMMITTEE

Memorandum

To: Andy Parrish
Re: Right of way Dumping Ordinance

Date: December 18, 1990

As you know for some time your suggestion that Council ban people's placement of trash and debris on rights of ways other than those adjacent to their own property has been under consideration in this committee. I feel that at this time I am in position, and it is incumbent upon me, to give you a general response. Speaking not for myself nor any other Committee member in particular, I would state the "general sense of the Committee" is what follows.

Basically the committee is unprepared to support an ordinance to the above effect until.

- matter:
- 1) it is determined such would be enforceable as a practical day to day
 - &
 - 2) the "problem" this situation is creating for the city is more clearly defined and it is conclusively determined existing ordinances do not cover the "problem" already.

Since I have been on council it has repeatedly been the policy of the committee to consider with great favor request from departments for "tools" in the form of ordinances to assist them in performing their jobs. Historically also it has been the policy of the committee to be very inquisitive about the reasons behind such requests. I believe that is where this is now at. Addressing the two above concerns has almost been the "trigger" to getting any movement in the past. There is nothing unusual or even "negative" at work here that I can see. I

you from taking the matter directly to full council though I would consider the better course would be to directly address the committee's above concerns first. I do believe however that without some affirmative action on your part this matter will effectively have "died".

Sincerely,



Barry C. Holden

CITY OF ISLE OF PALMS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
November 27, 1990

Corrected Minutes - December 3, 1990

The regular monthly meeting of the Zoning Board of Adjustments and Appeals was held on November 27, 1990, at 6:30 p.m., at the Building Department trailer at Breach Inlet. The meeting was called to order by Chairman Ed Fellabom. Members present: Howard Garvin, Betsy Smiley, David Somers, and Building Inspector, Ed Haselden. Absent was Mary Schall.

1. Walter Holcombe, 2706 Hartnett Boulevard, requested a 10' rear set-back variance from Section 5-4-23(5)c in order to put up a 12' X 15' screened porch and a 12' X 16' open deck for the use and protection of his wife who is suffering from Alzheimer's disease. This would extend 10' into the rear set-back area.

Vote being: Fellabom - yes; Somers - yes; Garvin - yes; Smiley - yes. Unanimously passed.

2. Frank Smith, 3002 Palm Boulevard, requested a 15' rear set-back variance from Section 5-4-22(5)c in order to rebuild his house up to the level of his neighbors. The house would be within the set-back area, but the screened porch would extend 15' into the set-back area toward the beach. The new house would be further back from the beach than the existing foundation. The Board had received a letter from Marvin and Sarah Dorn of 3000 Palm Boulevard objecting only if the house was rebuilt at the same location or closer to the back property line.

Vote being: Fellabom - no; Somers - no; Garvin - no; Smiley - no. Unanimously denied.

3. Richard Stone, 2110 Palm Boulevard, was represented by Mr. Paul Boehm of Beachside Real Estate. He requested a variance to build up top the rear property line in order to build a 15' X 48" deck which would extend over the line and 9' onto Beach Co. property. He had received written permission from The Beach Co. to build onto their property. The property sits 500 feet from the dunes. Mr. Harold Trask of 2200 Palm Boulevard and Dr. Robert Sade of 2108 Palm Boulevard voiced objections to Mr. Stone's plans.

After discussion related to the fact that the Board cannot give anyone permission to build onto someone else's property, and City cannot issue a building permit onto an easement, Mr. Boehm withdrew his petition.

4. Porter Stevens, 2004 palm Boulevard, was represented by Sam Herin, Architect, of Stubbs, Muldrow, Herin Architects, Inc., who requested a 6' side yard variance and a 20' rear yard variance in the reconstruction of an older home in basically the same position. The side yard variance is requested because of the septic system

and an old live oak tree which extends onto the house. The rear yard variance is requested to put the house in line with neighbors.

Vote being: Fellabom - no; somers -no; Garvin - yes; Smiley - no. Request was denied.

The meeting adjourned at 8:15 p.m.

It was decided that if a meeting was needed for December, Mr. Fellabom would contact the members of the Board.

MINUTES OF THE ISLE OF PALMS
PLANNING & ZONING COMMISSION
SPECIAL WORK SESSION
DECEMBER 5, 1990

The Isle of Palms Planning & Zoning Commission convened a special work session at City Hall on December 5, 1990, at 7:00 p.m. to discuss proposed ordinances before the Commission. Members attending included Arnold Karig, Jan Wilson, Kathryn Carroll, John Stanley and Chairman Guy Taylor. Planning Consultant Lee Batchelder was also present. Darlene Smith and John Gardner were absent.

1. Ordinance 1990-18. Sea Turtle Protection Ordinance.

Chairman Guy Taylor called the meeting to order at 7:00 p.m. and began discussing Ordinance 1990-18, Sea Turtle Protection Ordinance. A number of concerns were raised by Commission members regarding the enforceability of the ordinance.

City Attorney, Bill Dreyfoos, explained that the impact of artificial lighting on sea turtles had been documented in studies and this ordinance was an attempt to mitigate those impacts. The penalties for violators would be the standard penalty for city code violations which is a maximum of \$200 and 30 days in jail.

Heyward Robinson of the Coastal Council and an Isle of Palms resident explained that the times specified in ordinance were specified by the Wildlife Service. He stated that he had a different model ordinance than the one proposed. He also stated that ordinances addressing this problem are required to comply with state mandated beach plans for barrier islands.

Mayor Bunch stated that Council Member Swanson had introduced this ordinance after receiving a copy of the Georgetown ordinance through SCE&G. She stated that the City must submit a beach plan to Coastal Council by July 1991 or funds will be withheld. The beach plan must include ordinances to address sea turtle protection.

Chairman Taylor stated that this ordinance was not enforceable in its present form and would like questions raised during this meeting to be addressed. Ms. Wilson was appointed to work with Mr. Robinson on revising the ordinance so that it could be presented again at the January 1991 Planning & Zoning Commission meeting.

2. Ordinance 1990-16. Waterfront Zoning District.

Mr. Karig questioned the intent of the ordinance. Ms. Wilson questioned why certain waterfront properties were excluded while other non-waterfront property was included. Mr. Stanley questioned

the maximum footprint size. It was pointed out that this was a typographical error.

Dr. Karig questioned why the SR-1 setback requirements were being used in this new larger lot zoning district. Mr. Taylor questioned the validity of the second "WHEREAS" statement. Mr. Taylor recollected that City Council followed the P & Z Commission recommendations for applying zoning districts to the island with the exception of two areas: 41st Avenue property and the City Hall site. He also questioned the intent.

Council Member Holden explained that this ordinance was an attempt to do some good fundamental zoning that reflects what neighborhoods look like. It is not an attempt to create non-conforming lots. He said he felt this was a doable ordinance and that this and Council Member NesSmith-Picard's intent was to propose a general ordinance to the Commission and let them work out the details.

Mr. Holden explained that most of the waterfront areas were developed with large lots and the zoning should reflect this.

Mayor Bunch raised a question about beach property from 21st to 41st Avenues. She stated that a court case had determined that this property could not be developed.

Ms. Wilson questioned whether there was a restriction prohibiting the building of houses on the golf course. Bill McKenzie of Wild Dunes stated that in the contract of sale for the golf course this restriction was included. He is not opposed to this.

Mr. Holden stated that this ordinance was proposed in anticipation of something bad happening. Mr. Taylor stated his opposition to picking and choosing which areas to rezone.

Mr. Taylor explained that he agreed with Mr. Holden's reasoning from a philosophical viewpoint but had legal reservations about this particular proposal.

Mayor Bunch stated that after Hugo a property owner between 21st and 41st Avenues did take two lots and resubdivide to create three lots. She thought this was what the ordinance was trying to prevent.

Mr. Taylor stated that he did not feel that this was a problem and that he tended to defend the existing zoning ordinance because many people worked hard on it and that it was adequate.

3. Ordinance 1990-15. Fence Standards Ordinance.

Mr. Taylor stated the need for a specific comment about the V-zone in the ordinance. He also questioned whether the ordinance would apply to Wild Dunes. Mr. McKenzie stated that the tree ordinance

did apply to the PRD since the Wild Dunes covenants did not address tree protection. He said he thought the Wild Dunes covenants would be more restrictive for fences and therefore this ordinance would probably not apply.

Mr. Taylor objected to the type of fencing specified in Section 5-4-19(b) because he thought it would look bad.

Mr. Stanley asked for a clarification of how fences in the side yards would be affected. Mr. Batchelder stated that only fences in front and rear yards would be restricted. Dr. Karig questioned why the ordinance would not restrict fences in the side yards if the ordinance is intended to protect views to the water. He also stated that an 8' fence is too tall.

Mayor Bunch asked how the City of Charleston restricted fences. Mr. Batchelder replied that Charleston restricts fences to a maximum height of 6' on residentially zoned property.

Mr. Taylor requested that Mr. Batchelder make revisions to the ordinance for the next P & Z Commission meeting.

4. Ordinance 1990-19, Non-Conforming Use Ordinance.

Mr. Taylor stated that this ordinance was to extend the provisions of an emergency ordinance to June 1991. Mayor Bunch explained that this amendment had been requested by the Building Official.

Mr. Dreyfoos explained that this would not permit non-conforming structures to be rebuild in increasing the non-conformity. Structures must be put back in their original footprint or any changes must comply. He also stated that this ordinance will also extend the grace period for reestablishing non-conforming duplexes.

Mr. Stanley asked whether this addresses non-conforming heights. Mr. Taylor also raised this question.

Mr. Stanley asked whether a question about decks had been addresses in a previously approved non-conforming structure ordinance. Mr. Taylor referred to Ordinance 1990-7. Dr. Karig stated that ordinance still did not address the question he raised about rebuilding decks into setbacks.

5. Ordinance 1190-12. Subdivision Ordinance.

Mr. Taylor stated that the main element to be resolved involved the addition of wording concerning drainage.

Mr. Batchelder stated that the proposed wording has to be placed under Section 5-4-74 (c). The intent of the proposed wording is to allow the City Building Official to require drainage information for subdivisions which might create drainage problems.

Mr. Taylor stated that this new requirement should be amended to read as follows:

"A drainage plan where required by the City Building Official or other requirements showing profiles, plans and drainage specifications for existing and/or proposed on-site stormwater drainage facilities and adjacent off-site facilities used to carry stormwater from the site."

Mr. Stanley recommended that the word "preliminary" under Section 5-4-76 (e)(1) should be changed to "final".

Mr. Taylor raised concerns about the City not enforcing prior plat restriction for setbacks.

Mayor Bunch raised concerns about the need to restrict people from pumping water onto the beach.

Mr. McKenzie next raised a concern about the need for property line abandonments or adjustments to go through several steps to be approved. Mr. Batchelder referred to Section 5-4-80 which addressed this concern.

Mr. Taylor next raised a concern about the future post office site and the proposed intersection improvements at 11th and Palm Boulevard. He felt this design should be reconsidered. He recommended that this be brought to the attention of the Highway Department. Dr. Karig recommended a letter from the City to the consultant currently studying Highway 703.

Dr. Karig next raised a concern about fences being constructed in setbacks. Mr. Taylor stated that a definition of deck which referred to something which was readily accessible might address this problem.

Dr. Karig recounted his personal experience with a neighbor who was able to build a deck into the required setback. Mr. Taylor asked Mr. Batchelder to work on a recommendation to the Commission which will address this.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lee Batchelder, Planning Consultant

MINUTES OF THE ISLE OF PALMS
PLANNING & ZONING COMMISSION
REGULAR MEETING
DECEMBER 12, 1990

The Isle of Palms Planning & Zoning Commission met at City Hall on December 12, 1990, at 5:30 p.m. Members attending included Arnold Karig, Jan Wilson, Kathryn Carroll, John Stanley and Chairman Guy Taylor. Planning consultant Lee Batchelder was also present. Darlene Smith and John Gardner were absent.

Chairman Taylor called the meeting to order at 5:30 p.m. and asked for a motion to approve the minutes from the November 14, 1990, Planning & Zoning meeting. Dr. Karig made a motion to approve; second by Ms. Wilson. Motion approved 5-0.

Plat Submittals:

1. Plat Showing the Combination (property Line abandonment) of Lots 25-35, Block "30", Section "A", City of Isle of Palms, Charleston County, SC. Presently owned by Mrs. L. C. Hazen. Niemeyer.

Mr. Batchelder recommended that the status of the 20' easement be clarified on the original plat, the zoning of GC-1 should be indicated on the plat and the property lines to be abandoned should be noted.

Mr. Taylor asked if there were additional parts to this application. Mr. Batchelder stated that the applicant had also requested that this property be rezoned to GC-2 and that a conditional use permit for mini-warehouses be granted on lots 30-35. Mr. Batchelder explained that the rezoning request could not be heard tonight because the application was not received in time to be advertised. Mr. Batchelder also noted that the proposed mini-warehouse did not meet the setback requirements of GC-1 and therefore could not be approved tonight.

Mr. Taylor recommended that the plat approval, conditional use application and rezoning be deferred to the January 9 Planning & Zoning Commission meeting and that Mr. Batchelder notify the applicant of this with concerns expressed by the Commission. The Commission concurred with this recommendation.

2. Final Plat Showing Subdivision of Tract "G", Block "B" - 9 Lots, and Tract "G", Block "D" - 16 Lots, City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Chairman Taylor asked Bill McKenzie about the change in alignment at Seahorse Court. Mr. McKenzie stated that the three lots directly off Waterway Boulevard had already received final approval with the changed alignment and that this plat did not show any

change in the original plat. He stated that the road was shifted to save a tree.

3. Final Plat of Tract "G", Block "B" - 6 Lots on Waterway Boulevard, City of Isle of Palms. Engineering, Surveying and Planning, inc.

Mr. Batchelder stated that this plat received conditional plat approval in August when concerns were raised by the Commission about the carpath easement. He stated that what was shown on this plat is what was approved by City Council. He also pointed out that the square footage of Lot 3703 needed to be corrected and recommended approval with this change. Dr. Karig motioned for approval with correction to lot size; second by Ms. Wilson. Motion approved 5-0.

4. Final Plat of Tract "F", Block "E", 57 Lots and Tract "G", Block "J", Wild Dunes, City of Isle of Palms. Engineering, Surveying and Planning, Inc.

Mr. Batchelder stated that this plat had received conditional approval prior to his employment with the City. Mr. Taylor stated that this plat included an easement around the property making it difficult to connect a road from Wild Dunes into Wildwood Road. Motion to approve by Ms. Carroll; second by Mr. Stanley. Motion approved 5-0.

5. Plat Showing Lot 4 and part of Lot 5 Owned by Robert R. Knoth and a 2948 Sq. Ft. Tract Owned by Ocean Boulevard Properties About to be Conveyed to Robert R. Knoth; Part of Lot 5, Lot 6, and Part of Lot 7 Owned by Carlton Simons and a 6068 Sq. Ft. Tract Owned by Ocean Boulevard Properties About to be Conveyed to Carlton Simons; Plat of Lot 7, Lot 8, and Part of Lot 9 Owned by Charles W. Bowen, III and George L. Bowen and a 5907 Sq. Ft. Tract Owned by Ocean Boulevard Properties About to be Conveyed to Charles W. Bowen, III and George L. Bowen.

Motion to approve by Ms. Carroll; second by Ms. Wilson. Motion approved 5-0.

Sub-Committee Reports:

Dr. Karig made a motion to formally request the SC Department of Highways and Public Transportation to design a suitable sidewalk/bike path which meets Federal requirements along Palm Boulevard from Breach Inlet to 21st Avenue. Second by Ms. Carroll. Motion approved 5-0.

Mr. Taylor raised the concern about the design for improvements at the intersection of 11th Avenue and Carolina Boulevard with Palm Boulevard. Mr. Stanley made a motion that a letter be sent to the Highway Department requesting than to reconsider the design of this

intersection with due regard to the recent selection of the adjacent property for the new Isle of Palms Post Office. Second by Ms. Wilson. Motion approved 5-0.

Ordinances:

1. Fence Standards Ordinance, 1990-15.

Mr. Batchelder stated that following a request by Planning & Zoning Commission at the December 5 work session that he revise the ordinance, he considered a number of alternatives and decided to present those alternatives at this meeting for feedback rather than revise the ordinance. He stated that concerns had been raised about the height of fences allowed and about restricting fences to be chain link above a certain height. He stated that to achieve the goal of protecting views and vistas and providing for free flow of breezes fence heights needed to be restricted and fences above 4 feet go against these goals. He stated that in Charleston there is a maximum height limit of 6 feet for residentially zoned properties. Mr. Batchelder stated that one idea would be to limit the fence height to 4 feet except for areas outside required setbacks where houses and other structures can already be built. Another idea is to limit the height in the front and rear yard setbacks and within 5 feet of side property lines.

Mr. Batchelder stated that an additional concern raised was about the type of material used to construct fences. He referred to a letter from FEMA which supported this concern. He stated that the most appropriate place to address this concern was in the building code where it could be tied in with the V zone requirements.

Motion to refer back to Mr. Batchelder for revision of ordinance incorporating these ideas; second by Mr. Stanley.

Mr. Stanley said he did not think the building code could be amended except by going to Columbia. He stated that cinder block walls and brick walls were the biggest problem in the hurricane and that one way to address this is by making a code amendment requiring reinforcing or an ordinance amendment.

Mr. Taylor stated that it was the City's responsibility to address this concern and referred to the letter from FEMA>

Mr. Batchelder asked the Commission members if they thought it appropriate to limit the height of fences in setbacks. Dr. Karig answered affirmatively and other members concurred. Ms. Wilson asked whether this would restrict the height of fences in front yards along Palm Boulevard. Mr. Batchelder stated that it would and although property owners would have a right to apply for a variance he felt that they would not be justified in getting variances.

Motion approved 5-0.

2. Non-Conforming Duplex Ordinance, 1990-19.

Motion to approve by Ms. Carroll; second by Ms. Wilson. Motion approved 5-0.

3. Subdivision Ordinance, 1990-12.

Mr. Batchelder stated that the Commission had considered adding an additional requirement for drainage information and that a correction to a typographical error under Section 54-4-76(e)(1) changing the word "preliminary" to "final" be made.

Mr. Stanley suggested the wording for the additional requirement be changed to read as follows:

"A drainage plan, where required by the City Building Official or other requirements, showing profiles, plans and drainage specifications for existing and/or proposed on-site stormwater drainage facilities and off-site facilities to be used to carry stormwater from the site."

Motion to approve with these changes by Ms. Wilson; second by Ms. Carroll. Motion approved 5-0.

Mr. Taylor stated that Ordinance 1990-16, Waterfront Zoning District, had been discussed at the work session and referred back without recommendation to Engrossed Bills for clarification of intent. He said the Commission generally questioned whether this ordinance was necessary.

Mr. Taylor stated that an Isle of Palms resident and employee of the Coastal Council was working to revise the turtle Protection Ordinance for an upcoming meeting.

Mr. Taylor then asked for comments from Mr. Batchelder on how Dr. Karig's concern regarding decks might be addresses. Mr. Batchelder stated that under Section 5-4-14 there was an exception which allowed certain types of structures to come within three feet of a property line. He said that this Section might be the source of confusion. He recommended amending this Section to clarify that decks could not encroach into setbacks.

Mr. Stanley stated that a deck should be any structure raised 18 inches or more above grade. The Commission requested that Mr. Batchelder incorporate these comments in an ordinance amendment.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lee Batchelder
Planning Consultant

MINUTES OF THE REGULAR MEETING OF
THE ISLE OF PALMS BOARD OF BEACH PATROL AND CONTROL
DECEMBER 13, 1990

The regular meeting of the Isle of Palms Board of Beach Patrol and Control was held on December 13, 1990, at 7:00 p.m., at City Hall. Present were Chairman James Smiley, Thomas Harper, David Matthews, William Sandeford, Beverly Ballow, Debby Jeter and Jeff Simon.

There was one permit application from Gedney M. Howe, III, 506 Ocean Boulevard. Mr. Howe asked for a permit to build wooden stairs from the porch floor down to grade and a wood boardwalk across the protection zone. Mr. Sandeford made a motion to approve the application, seconded by Ms. Ballow. After discussion, the motion passed unanimously.

There was a short discussion about height restrictions on walk-overs and it was determined that the Board should recommend to the next Board to examine the standards on placing height restrictions.

Dr. Smiley opened a discussion on a memo he had received from Mayor Bunch with attached draft Ordinance 1990-22, An Ordinance to Clarify Beach Setback Requirements. This draft ordinance seems to create a variance rather than a protection district and would cause more confusion than current ordinances. It was the consensus of the Board that a new ordinance should be drafted to bring the City more into compliance with the South Carolina Coastal Council base line. Dr. Smiley suggested that he talk with Mayor Bunch about redrafting the ordinance.

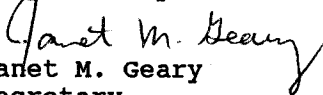
Dr. Smiley stated that the City must prepare a Local Comprehensive Beach Management Plan due by July 1, 1991. He read the requirements of the plan which will require extensive preparation over the next six months.

Dr. Smiley reported that the South Carolina Coastal Council has instituted legal action against the Leonardis property to have the revetment removed. Under SCCC regulations, a revetment may be repaired to the condition it was before being damaged, but not strengthened.

Dr. Smiley reported that at the house at the end of 44th Avenue, top soil has been brought into the protection district without a permit being issued. Ed Haselden, Building Inspector, has asked that it be stopped and a permit be applied for. Dr. Smiley asked members of the Board to look at the property to determine whether or not we need to take some action.

No further business being brought before the Board, the meeting was adjourned.

Respectfully submitted,


Janet M. Geary
Secretary

CITY OF ISLE OF PALMS
ORDINANCE NO. 1990-12
Revised Third Reading Draft - 12/20/90

[formerly proposed as Ordinance 1989-4]

AN ORDINANCE TO AMEND THE CITY'S REQUIREMENTS RELATING TO THE
SUBDIVISION OF PROPERTY

WHEREAS, City Council desires to modify and expand upon the City of Isle of Palms' existing requirements relating to the subdivision of property in order to promote the orderly growth and development of the City; and

WHEREAS, the City is authorized to adopt and amend subdivision regulations under Sections 5-23-600 et seq. and Sections 6-7-1010 et seq. of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held concerning this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the City's requirements relating to the subdivision of property.

Section 2. Existing Sections Re-numbered. Existing Sections 5-4-81 through 5-4-85 of the City Code are re-numbered as Sections 5-4-91 through 5-4-95 respectively. Sections 5-4-96 through 5-4-100 are reserved.

Section 3. Subdivision Requirements Amended. Existing Sections 5-4-71 and 5-4-72 are deleted, and replaced by the following sections, to read as follows:

ARTICLE D

Subdivision Approval and Subdivision Regulations

Section 5-4-71 Subdivision Approval Required

Approval of any subdivision of property within the City of Isle of Palms shall be required as set forth hereinbelow. These requirements shall be referred to as the "Subdivision Regulations" of the City of Isle of Palms.

(1) Scope: Within the jurisdiction of the City of Isle of Palms, no subdivision shall be made, platted, or recorded for any purpose, nor shall parcels resulting from such subdivisions be sold or offered for sale, unless such subdivision meets all requirements of these regulations.

(2) Subdivision Defined: For purposes of these regulations, a subdivision shall be defined to be any division of a tract, parcel, or lot into two or more lots, or any division of land involving the dedication of a street or other public right-of-way, or any division of land involving a change in existing streets.

(3) Compliance with Zoning Requirements: All applications for subdivision shall also be required to meet all of the requirements of this Title.

(4) Plats Required to Be Stamped: All plats for the subdivision of property within the City of Isle of Palms shall bear the stamp of the City of Isle of Palms as a condition precedent to registration with the Charleston County Register of Mesne Conveyance.

Section 5-4-72 Stages in the Subdivision Approval Process

The following steps describe the procedure for obtaining approval of land subdivision with the City of Isle of Palms:

- (1) CONCEPTUAL PLAN: Submission and review are OPTIONAL.
- (2) PRELIMINARY PLAT: Submission, review and approval are REQUIRED.
- (3) CONDITIONAL PLAT: Submission, review and approval are OPTIONAL.
- (4) FINAL PLAT: Submission, review, approval and recording are REQUIRED.

Step (1) is optional, at the selection of the subdivider. Step (2) shall be completed prior to clearing, grading or making any street or other improvements or installing any utilities. Either Step (3) or Step (4) shall be completed prior to building construction and/or sale of any lots within the proposed

subdivision. Step (4) shall be completed prior to the occupancy of any structures.

Section 5-4-73 Conceptual Plan

(a) Purpose

Conceptual Plans are encouraged but are **NOT** required. The purpose of Conceptual Plan review is to assist the subdivider prior to extensive site planning and expenditures.

(b) Rights Afforded by Conceptual Plan Review

None. Conceptual Plan review is purely advisory to the subdivider. Conceptual Plan review does not entail an approval, and creates no vested rights or rights of reliance on the part of the subdivider.

(c) Information Required for Review

Conceptual Plan submissions shall contain at least the following data, legibly drawn to scale, but not necessarily showing precise dimensions:

- (1) North arrow, written and graphic scales, and a location map showing the relationship between the proposed subdivision and the surrounding area.
- (2) Tract boundaries and total acreage.
- (3) Significant topographical and physical features including the location of critical area and water courses within and abutting the tract, flood hazard areas and designation of flood hazard zone.
- (4) The location, names and rights-of-way widths of existing streets.
- (5) Tentative street and lot arrangement showing acreage, proposed minimum lot size and the number of lots.
- (6) Existing and proposed land uses throughout the subdivision.
- (7) Zoning classification(s) and TMS numbers.

- (8) Existing and proposed drainage and utility easements.
- (9) Statement for proposed method of sanitary sewerage disposal.
- (10) The location of the critical area as defined by the SC Coastal Council, and delineation of the marsh setback required by City Code Section 5-4-18. All wetland areas under the jurisdiction of the S.C. Coastal Council or the U.S. Army Corps of Engineers shall be shown.
- (11) Flood hazard zone(s); the SC Coastal Council critical line, baseline and construction setback line and the City's beachfront setback line shall be shown if applicable.
- (12) The tree survey required in City Code Section 5-4-61.
- (13) Owner's and subdivider's name, address and telephone number.

(d) Review Process

The applicant shall submit a proposed Conceptual Plan to the City Administrator, who shall forward the proposed Conceptual Plan to the City Building Official and the Planning Commission for advisory review. The Planning Commission shall provide the applicant with the advisory and non-binding results of its review within 45 days following submission of the proposed Conceptual Plan. City Council herewith delegates to the Planning Commission the review of any Conceptual Plan submissions made to City Council pursuant to any PRD zoning district requirement, with the stipulations (1) that the Planning Commission shall not have the authority to approve any such Conceptual Plans, and (2) that City Council may request the applicant to submit such Conceptual Plans to Council for information only.

(e) Duration of Approval

Conceptual Plans are NOT approved pursuant to this section; consequently, no duration is associated with the results of Conceptual Plan review. Documents bearing the name "Conceptual Plan" that were approved by City Council pursuant to a PRD requirement or previous subdivision regulation, now superseded, shall remain in effect and maintain any legal rights associated

therewith for a period of one (1) year following the adoption of this revised section.

Section 5-4-74 Preliminary Plat

(a) Preliminary Plat Required

Submission and approval of the Preliminary Plat is the first formal stage of the Subdivision Regulation process. Approval is required before site improvements may be made.

(b) Rights Afforded by Preliminary Plat Approval

Issuance of a Preliminary Plat authorizes the subdivider to proceed with the installation of site improvements and with the preparation of final plats. Preliminary Plat approval does **NOT** authorize the sale or transfer of lots, nor the commencement of construction of structures.

(c) Information Required for Review

Preliminary Plats shall be drawn to scale no smaller than 1" = 200'. Where large areas are being platted, they may be drawn on one or more sheets not to exceed twenty-two (22) inches by thirty-four (34) inches in size. For small areas being platted, a scale of 1" = 100' shall be used, provided the drawing does not exceed twenty-two (22) inches by thirty-four (34) inches increase in size.

In addition to the data required for Conceptual Plan review in Section 5-4-73(c), the following information shall be required:

- (1) The courses and distances of the perimeter of the land involved shall be shown.
- (2) References to a known point or points such as street intersections and railroad crossings.
- (3) Zoning classifications, total acreage and total number of lots.
- (4) The TMS numbers of adjacent properties and street names where known or available shall be given and all intersecting boundaries or property lines shall be shown.

- (5) Proposed divisions to be created shall be shown, including the right-of-way widths, roadway widths, easement widths, and names of streets; the location of proposed utility installations, lot lines; sites reserved or deeded for public uses.
- (6) The title, scale (including graphic scale), north arrow (magnetic, grid or true), date, name of the subdivider and the name of the licensed professional who prepared the plat, together with his/her South Carolina Registration Number shall be shown on each sheet.
- (7) Drainage features shall be shown.
- (8) When required by the City Building Official or other requirements, a drainage plan showing profiles, plans and drainage specifications for existing and/or proposed on-site stormwater drainage facilities and off-site facilities to be used to carry stormwater from the site.
- (9) Accompanying data as listed below:

(a) The Preliminary Plat shall be accompanied by a statement indicating what provisions are to be made for water supply and sewage disposal.

(d) Criteria for Review

The application for Preliminary Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

(1) The applicant shall submit a proposed Preliminary Plat to the City Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the

plat and two (2) copies of the required supplemental material shall be submitted. The application must include all elements required. Incomplete applications will be returned for revision/completion prior to Planning Commission review.

(2) The Commission shall review each application and shall make its recommendations to City Council for action. The Commission may request additional information or documentation from the applicant to facilitate its review, and may postpone forwarding a recommendation to City Council until such information has been provided and reviewed by both City staff and the Commission. The recommendation shall be for approval, approval with conditions, or disapproval.

(3) Following Commission action, the proposed plat, Commission recommendation, written comments from City staff/consultants and a brief statement describing the plat and the reason(s) for its submittal shall be forwarded to City Council before its next regularly scheduled meeting. The plat shall appear on the agenda at that meeting of City Council; however, no final action shall be required at said meeting, and consideration and/or final action may be postponed to the next regularly scheduled City Council meeting. City Council shall approve, approve with conditions or disapprove the application on or before its second regularly scheduled meeting following action by the Planning Commission.

(4) When a complete application for approval of a Preliminary Plat has been submitted to the Planning Commission, in accordance with these regulations, more than fourteen (14) days prior to its regularly scheduled meeting, and no action was taken by the Planning Commission at such meeting, the subdivider may request City Council to review the application at its next regularly scheduled meeting without a recommendation by the Commission.

(5) No improvements shall be made, nor shall permanent markers or monuments be installed, prior to City Council's approval of the Preliminary Plat.

(6) Fees as set forth in City Code Section 5-4-82 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

(f) Duration

Approval of a Preliminary Plat shall apply for one (1) year from the date of approval. Where a subdivision is being developed in sections, the one (1) year shall be measured from the date of the most recent final approval granted to a portion of the subdivision. Prior to the expiration of a Preliminary Plat, the developer may apply for and be granted a one (1) year extension of time by City Council; no more than four (4) such extensions may be granted. There is no automatic right to receive any one or more extensions, and Council has the discretion to require the subdivider to apply for a new Preliminary Plat; Council shall consider the applicant's progress or lack thereof in proceeding with the development as well as changed circumstances and restrictions in determining whether or not to grant an extension. In addition, Council may terminate an approval, for cause, any time after one year.

Section 5-4-75 Conditional Plat

(a) Conditional Plat Submittal

Submission and approval of the Condition Plat is an **OPTIONAL** second formal stage of the Subdivision Regulation process. Approval authorizes the sale of lots and the construction of structures before site improvements are made, provided that adequate financial guarantees are secured to ensure that required improvements will be completed.

(b) Rights Afforded by Conditional Plat Approval

Issuance of a Conditional Plat authorizes the subdivider to proceed with the sale or transfer of lots and with the preparation of final plats. Further, structures may be approved and constructed, pursuant to the requirements of this Title, on lots covered by a Conditional Plat. However, Conditional Plat approval does **NOT** authorize the issuance of a Certificate of Occupancy for any structures constructed; approval, issuance and recording of a Final Plat is required prior to the issuance of Certificates of Occupancy.

(c) Information Required for Review of Conditional Plats

In addition to the information required for review of a Preliminary Plat submission, the following information is required:

(1) The applicant shall submit a bond or other financial guarantees meeting the criteria set forth in Section 5-4-79.

(2) The following Conditions shall be written on the plat:

- a. This is conditional approval. Final approval is contingent upon completion and approval of all required improvements. No property as subdivided on the preliminary plat may be occupied in any manner until a final plat is approved by the City of Isle of Palms. No building permits will be issued until the road base and water system are installed.
- b. It shall be the duty of an attorney, real estate agent and/or broker involved in the subdivision to bring notice of these conditions of approval to all prospective purchasers of any parcel shown hereon.
- c. Failure to comply with any of the conditions of approval listed hereon constitutes cause for refusal to issue and/or revocation of any certificate of occupancy.

(d) Criteria for Review

The application for Conditional Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

The application for Conditional Plat shall follow the same process set forth for the approval of a Preliminary Plat pursuant to Section 5-4-74.

(f) Duration

In the event required improvements are not completed within one (1) year of the approval of a Conditional Plat, the City shall have the right to call upon the applicable financial guarantees and complete construction of the required improvements. The developer may apply for and be granted an extension of time of up to one (1) year by City Council to complete the required

improvements, provided that adequate financial guarantees are so extended; however, no more than two (2) such extensions may be granted, and the City has the right to call upon the applicable financial guarantees rather than extend the duration of the Conditional Plat.

Section 5-4-76 Final Plat

(a) Final Plat Required

Submission and approval of the Final Plat is the final stage of the Subdivision Regulation process. Approval is required before a certificate of occupancy will be issued.

(b) Rights Afforded by Approval of a Final Plat

Issuance of a Final Plat authorizes the subdivider to sell or transfer lots, and to commence construction of structures provided all necessary permits have been obtained therefor, and further authorizes issuance of a certificate of occupancy upon a showing of compliance with the conditions of Section 5-4-101.

(c) Information Required for Review

The Final Plat shall be drawn in ink on a material specified by the Register of Mesne Conveyance for Charleston County as acceptable for recording, on sheets not to exceed twenty-two (22) inches by thirty-four (34) inches, and at a scale of 1" = 100' or larger. Minimum plat size to be eight and one-half (8 1/2) inches by eleven (11) inches. Where necessary the plat may be on several sheets accompanied by an index sheet or key map insert showing the entire subdivision.

In addition to the information required for review of the Preliminary Plat in Section 5-4-74, the following information shall be required:

- (1) All information required on the Preliminary Plat, with the exception of topographic data.
- (2) All property lines with distances, accurate bearings or deflection angles. If a control traverse is run between any two points on any property lines, then it shall be noted. For property lines which are curves or are in part curves, the arc length and radius shall be shown.

- (3) Curve data for all curves shall consist of the following:

The Delta angle, the degree of the curve, the tangent distance, the length of curve by arc method, and the radius. This information should be calculated along the centerline or other defined traverse line for the entire curve, beginning to end as one set of data.

- (4) The location of all points of curvature and tangency.
- (5) The location of points of intersection where circular curves are not used.
- (6) Block and lot numbers suitably arranged by simple system.
- (7) Certificate of Accuracy: A Certificate of Accuracy shall be lettered or printed on the face of the Final Plat. The signature, seal and certification of a registered professional land surveyor to the effect that the Final Plat accurately reflects a "Class A" survey, that all monuments shown thereon actually exist and their position is accurately shown, and that all dimensional details are correct.
- (8) In subdivisions where existing public water and public sewer systems have been extended and/or a new system installed, the applicant shall submit a letter of operation and maintenance agreement from the system and certifications of inspection from the SC Department of Health & Environmental Control.
- (9) A statement of the private covenants, if they are brief enough to be put directly on the plat; otherwise, a statement as follows: "This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby becomes a part of this plat", recorded _____, and signed by the owner.
- (10) Accurate location, material and description of monuments and markers. Monuments to be placed after final street improvements shall be designated as "future".
- (11) Certificates, as follows:
- (a) A surveyor's certificate as to accuracy of survey and plat. "I, name of surveyor, a registered surveyor

of the State of South Carolina do hereby certify that I have surveyed the property shown hereon, that this plat shows the true dimensions of the property and that all necessary markers have been installed and the precision is 1: _____ " (state actual precision). The unadjusted field measurement of lots and blocks shall be accurate within the standards set forth in the minimum Standards Manual of the S.C. Board of Engineering Examiners.

(b) A statement of dedication by the property owner of streets, rights-of-way, easements, and any other sites for public use. If any change in ownership is made subsequent to the submission of the plat and prior to the granting of final approval, the statement of dedication shall be corrected accordingly.

(c) The signature and seal of the registered land surveyor in accordance with the current Minimum Standard Manual for the Practice of Land Surveying in South Carolina.

(d) The date of the field survey upon which Final Plat is based.

(d) Criteria for Review

The application for Final Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

(1) The applicant shall submit a proposed Final Plat to the City Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall

be submitted. The application must include all elements required. Incomplete applications will be returned for revision/completion prior to Planning Commission review.

(2) The Commission shall review each application and shall make its recommendations to City Council for action. The Commission may request additional information or documentation from the applicant to facilitate its review, and may postpone forwarding a recommendation to City Council until such information has been provided and reviewed by both City staff and the Commission. The recommendation shall be for approval, approval with conditions, or disapproval.

(3) If the Final Plat conforms to the approved preliminary plat and the requirements of these regulations, final approval shall be recommended by the Planning Commission of the City of Isle of Palms and granted by City Council of the City of Isle of Palms.

(4) Following Commission action, the proposed Final Plat, Commission recommendation, written comments from City staff/consultants and a brief statement describing the plat and the reason(s) for its submittal shall be forwarded to City Council before its next regularly scheduled meeting. The plat shall appear on the agenda at that meeting of City Council; however, no final action shall be required at said meeting, and consideration and/or final action may be postponed to the next regularly scheduled City Council meeting. City Council shall approve, approve with conditions or disapprove the application on or before its second regularly scheduled meeting following action by the Planning Commission.

(5) When a complete application for approval of a Final Plat has been submitted to the Planning Commission, in accordance with these regulations, more than fourteen (14) days prior to its regularly scheduled meeting, and no action was taken by the Planning Commission at such meeting, the subdivider may request City Council to review the application at its next regularly scheduled meeting without a recommendation by the Commission.

(6) When City Council has approved a Final Plat, it shall cause its action to be duly noted on the face of the original drawing which is to be recorded. Such approval shall not be noted on the plat until all the requirements of these regulations are met.

(7) The City reserves the right to require the following statements to be placed upon the plat if the proposed roads and

drainage have not been constructed in conformance with standards and specifications of the Charleston County Road Code:

(a) "The approval of this plat does not obligate the City of Isle of Palms in any way to accept for maintenance any of the roads or easements shown hereon."

(8) The City reserves the right to require additional statements to be placed upon the plat. Any such notes shall be specified in the approval of the Final Plat by City Council.

(9) No property may be sold or transferred prior to the approval and recording of the Final Plat, except pursuant to a Conditional Plat issued under Section 5-4-75.

(10) No Certificate of Occupancy pursuant to Section 5-4-101 shall be issued prior to the approval and recording of the Final Plat.

(11) Fees as set forth in City Code Section 5-4-82 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

Section 5-4-77 Design Standards

(a) Location

Critical area, land subject to flooding by normal tides, freshwater wetlands and other areas subject to periodic inundation shall not be subdivided for residential use, unless provisions are made for satisfactory drainage in accordance with the requirements of the SC Coastal Council, US Army Corps of Engineers and other applicable State and Federal regulatory agencies. All drainage system shall be designed and constructed in accordance with the requirements of the SC Coastal Council and the current edition of the Charleston County Road Code.

(b) Easements

(1) Easements for drainage, and water or sewer lines, may be required along rear and side property lines where necessary. Drainage easements across lots shall not be allowed. Redesign of the lot arrangement may be required to meet extreme drainage conditions.

(2) Drainage easements shall be provided and dedicated in accordance with the requirements of the SC Coastal Council and the current edition of the Charleston County Road Code.

(3) Easements shall center along or be adjacent to a common property line where practical.

(4) No subdivision shall block or obstruct the natural drainage of an adjoining area.

(5) Existing natural drainage shall be retained or adequately relocated.

(c) Lots

Lot requirements are contained in Sections 5-4-22 through 5-4-30, with special requirements and exceptions contained in additional sections of this Title.

(d) Other Requirements

(1) All land subdivisions in the City of Isle of Palms shall be in accord with (Class A) Urban Land Surveys as promulgated by the Code of Laws of South Carolina 1976, Title 40, Chapter 21 as amended July 1, 1977, and described by the Minimum Standards Manual For the Practice of Land Surveying in South Carolina.

(2) Beachfront Property. All plats for beachfront property shall contain the following Note:

The Isle of Palms City Council, at the time of the approval of this Plat, states for the record that it strongly opposes the future issuance of any permits for any kind of beach erosion control structures (i.e., seawalls, rip-rap, bulkheads, etc.) should any measures be requested by property owners as a result of erosion to these properties shown on this Plat.

Section 5-4-78 Required Improvements

(a) Markers

(1) Markers shall be placed as specified below:

(a) A marker shall be set on the right-of-way line at the ends of the block for every block length of street. when blocks occur that have a curve or curves in them, markers shall be set on both sides of the street at the ends of tangents. Markers shall also be set on right-of-way line (on each side of the centerline) at angle points when curves are not used. All interior lot corners shall be marked.

(b) Markers shall be one of the following:

1. A reinforced concrete marker with a brass or copper pin in the top. Concrete markers shall be a minimum of three (3) feet long and have a minimum cross sectional area of nine (9) square inches. they shall protrude above the ground not less than two (2) inches and not more than six (6) inches.

2. An iron pipe or pins having a minimum diameter or three-fourths ($3/4$) inches hollow or one-half ($1/2$) inches solid steel. Such iron pins will be a minimum of two (2) feet in length and shall extend above the ground at least one (1) inch.

(2) Markers shall be installed prior to the submission of and approval of the Final Plat.

(3) The location and type of all markers used shall be indicated on the Final Plat.

(b) Utility, Drainage and Street Improvements

(1) Utility, drainage and street improvements shall be as required by and in conformance with the standards and specifications of the current edition of the Charleston County Road Code.

(2) The developer shall install public water lines where public water service is available within five hundred (500) feet of the property.

(3) The developer shall install public sanitary lines where public sanitary sewer service is available within five hundred (500) feet of the property.

(4) Street name signs in accordance with the requirements of the current edition of the Charleston County Road Code shall be installed. Should another type be desired, exceeding these standards, plans shall accompany the preliminary plat for approval.

(5) All required drainage facilities shall be properly constructed in accordance with the standards and specifications of the Charleston County Road Code.

(6) All lots not exceeding two hundred (200) feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70% to an approved swale, ditch, gutter or other type of approved drainage facility. Larger tracts of land shall either meet this standard or provide for adequate drainage by using one or more of the techniques contained in the SC Coastal Council stormwater guidelines and approved by the City Building Official and Public Works Department as consistent with the drainage patterns for surrounding properties.

Section 5-4-79

Financial Guarantees

(1) In lieu of completing the required improvements listed hereinabove, a no-contest, irrevocable bank letter of credit, or performance and payment bond underwritten by an acceptable South Carolina licensed corporate surety, or a cashier's check may be accepted by the City Council; provided that the City attorney has in each instance reviewed each letter of credit or bonding agreement and has presented his opinion that the interests of the City are fully protected. Where a cashier's check is utilized, opinion of counsel may be waived.

The amount of the bond for a corporate surety, irrevocable bank letter of credit, or cashier's check will be determined by the appropriate governmental body that exercises operational control. Surety shall be sufficient to guarantee completion of the required improvement one and a quarter (125% of the actual cost of the improvement with a minimum of \$2,000.00), within a time period specified by the government agency not to exceed two (2) years. The governmental agency determining the amount of bond, (bond holder), irrevocable bank letter of credit, or cashier's check shall provide a letter to the Planning and Zoning Commission (copy to the subdivider) setting forth the amount of bond, conditions of acceptance and the period covered. The Planning and Zoning Commission will inform all interested governmental agencies.

(2) Upon completion of the improvements as required by this section, written notice thereof shall be given by the subdivider to the bond holder, who shall cause an inspection of the improvements to be made. The bond holder will within thirty (30) days of the date of notice, authorize in writing the release of the security given, provided improvements have been completed in accordance with the required specifications. Should the improvements not be completed in accordance with the required specifications by the date originally stipulated in writing by the bond holder, the funds derived from said bond or cashier's check will be used by the bond holder to complete the improvements according to required specifications, at the earliest reasonable time. Where it appears that the bond was insufficient to finance the required improvements after the subdivider has defaulted, City Council will assess the individual subdivider the cost of the improvements over and above the surety amount.

(3) In no instance will the bond holder be authorized to extend for the subdivider the completion date originally stipulated.

(4) Pro-rata refunds based on a percentage of overall completion shall not be authorized, with the exception of an irrevocable bank letter of credit. City Council, upon recommendation of the Planning and Zoning Commission, may at its discretion, refund no more than 90% of the original estimated completion cost of that portion of the project requested by the developer.

(5) City Council shall review, approve, or reject each acceptance of surety in lieu of completion of improvements. In making its determination City Council shall give due consideration to the commitments made by the subdivider to individual purchases.

Section 5-4-80 Exceptions

For a proposed subdivision, or modification of an existing lot or subdivision, which does not involve the construction or improvement of any street or drainage system, an applicant may submit the following information to the City Administrator:

1. The information required for review of a Conceptual Plan, as set forth in Section 5-4-73(c).
2. County Health Department approval for lots that will utilize on site sanitary sewerage disposal systems.

3. A letter confirming the availability of water and/or sewer service from the applicable utility.

Review shall follow the procedures set forth for Final Plats in Section 5-4-76(e); provided that if Building Official determines that street or drainage system modifications are required, the application shall be construed as one for issuance of a Preliminary Plat pursuant to Section 5-4-74.

Section 5-4-81 Variances

Where extraordinary hardship may result from strict interpretation of these regulations, the applicant may apply to the Zoning Board of Adjustment for a variance pursuant to Section 5-4-5. Such variance may be granted to alleviate such hardship, provided that such variation does not have the effect of nullifying the intent and purpose of these regulations.

The application for a variance shall clearly and definitely state the reason(s) why a variance is needed. Consideration will be given to the following factors:

- (1) Special conditions affecting the property.
- (2) Undue hardships that will result from ordinary adherence to the requirements.
- (3) Grants of variance shall not be detrimental to adjacent property or to the public interest.

Section 5-4-82 Fees

Fees charged to defray the costs of plat review shall be set forth in a Schedule of Fees, to be developed by the Building Official and approved by resolution of City Council. Such Schedule of Fees may be amended from time to time by resolution of City Council.

Section 5-4-83 Penalties

Any violation of these regulations or amendments thereof shall be a misdemeanor, and shall be punishable pursuant to Section 5-4-7; and in addition, the City shall be authorized to enforce these

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12/20/90
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regulations pursuant to the remedies set forth in Section 5-4-7(a).

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 6/28/90
Public Hearing: 8/8/90
Second Reading: 9/27/90
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-19
THIRD READING DRAFT - 12/20/90

AN ORDINANCE TO EXTEND THE PERIOD FOR ABANDONMENT OF NON-CONFORMING USES AND RECONSTRUCTION OF DESTROYED STRUCTURES FOLLOWING HURRICANE HUGO

WHEREAS, City Council finds that prior to Hurricane Hugo, a number of residential duplexes held the status of legal, non-conforming uses within the City's single-family residential zoning districts; and

WHEREAS, City Council finds that many of these residential structures were damaged by Hurricane Hugo, and have not yet been repaired; and

WHEREAS, under City Code Section 5-4-38, the legal non-conforming status of this use ceased to exist on September 22, 1990 if residential use as two dwellings had not been re-established; and

WHEREAS, in the aftermath of Hurricane Hugo, City Council has approved a number of temporary modifications to the City's zoning and building ordinances to allow residents to reconstruct and re-occupy their homes; and

WHEREAS, City Council wishes to afford the same opportunity to the owners and residents of legal, non-conforming duplexes within the City; and

WHEREAS, similarly, City Code Section 5-4-37(e) provides that a destroyed, non-conforming structure may be rebuilt in its original footprint under specified conditions, and many structures destroyed by Hurricane Hugo have been rebuilt pursuant to this provision; and

WHEREAS, for structures destroyed as a result of Hurricane Hugo, the time in which the rebuilding of such non-conforming structures is allowed has expired; and

WHEREAS, City Council wishes to continue to provide this same opportunity to the owners of non-conforming structures who have not yet been able to rebuild following the hurricane; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 5-23-10 et seq. and Sections 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to extend the period for abandonment of non-conforming uses and the reconstruction of destroyed structures following Hurricane Hugo.

Section 2. Section 5-4-38(c) Amended. Section 5-4-38(c) of the City Code is amended by adding the following phrase at the end of the section:

provided that for legal, non-conforming uses discontinued as of September 21, 1989 as a result of Hurricane Hugo, such uses may be continued if re-established by June 1, 1991.

Section 3. Section 5-4-37(e) Amended. Section 5-4-37(e) of the City Code is amended by adding the following phrase at the end of the section:

provided that a structure destroyed by Hurricane Hugo may be rebuilt in its original footprint if construction is initiated by June 1, 1991.

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

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PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE
CITY OF ISLE OF PALMS ON THIS _____ DAY OF _____, 1990.

CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: October 25, 1990
Public Hearing: November 14, 1990
Second Reading: December 6, 1990
Third Reading: December 20, 1990
Ratification:

CITY OF ISLE OF PALMS
ORDINANCE # _____
THIRD READING DRAFT - ____/____/____

Pursuant to §5-5-20, South Carolina Code of Laws as amended, a binding referendum was held on November 6, 1990; and

WHEREAS, the electorate of the City of Isle of Palms has voted to operate under the Council form of government;

NOW, THEREFORE, be it Ordained, by the City Council of the City of Isle of Palms in Council duly assembled:

1. That the form of Government of the City of Isle of Palms is the Council form, as authorized by §5-10-10 et seq. of the South Carolina Code of Laws, 1976, as amended; and
2. That further the Council form shall become effective immediately upon approval by the United States Department of Justice.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 19__.

CARMEN R. BUNCH, MAYOR

NELLIE S. MCDUFFIE, CLERK-TREASURER

First Reading:
Second Reading:
Third Reading:
Ratification:

CITY OF ISLE OF PALMS
ORDINANCE #1990-21
THIRD READING DRAFT - ____/____/____

An Ordinance to provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

WHEREAS, the electorate of the City of Isle of Palms has voted in a binding referendum for The City of Isle of Palms, S.C. to operate under the Council form of government in accordance with S.C. Code §5-11-10 et seq.;

WHEREAS, pursuant to state statute, S.C. Code §5-11-10 et seq., Council is responsible for the administration and management of the City; and

WHEREAS, Council finds employment of a professional administrator to be in the best interest of the City;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

1. Council shall employ an administrator to administer the affairs of the City and implement the policies of the Municipal Council;
2. The term of employment of the administrator shall be at the pleasure of the Council and he shall be entitled to such compensation for his services as the Council may determine. The Council may, in its discretion, employ the administrator for a definite term;
3. The administrator shall be the chief executive officer and head of the administrative branch of the municipal government. He shall be responsible to the municipal Council for the proper administration of all affairs of the municipality. All municipal department heads shall report to him. He shall prepare the budget annually, submit it to the municipal Council and be responsible for its administration after adoption. He shall assume such other responsibilities as Council may from time to time assign to him.
4. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provision thereof, shall be held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such

holding shall not affect the applicability thereof to any other person, property or circumstances.

5. This Ordinance shall be effective on the same date that the Council form of government becomes effective for the City of the Isle of Palms.
6. Present Code sections inconsistent with the above are hereby rendered inoperative.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS ____ DAY OF _____, 19__.

CARMEN R. BUNCH, MAYOR

NELLIE S. MCDUFFIE, CLERK-TREASURER

First Reading:
Second Reading:
Third Reading:
Ratification:

CITY OF ISLE OF PALMS, SC
RESOLUTION

REPLACEMENT OF THE WILLIAM THOMPSON (BREACH INLET) BRIDGE

WHEREAS, following construction of the Isle of Palms Connector, the South Carolina Department of Highways and Public Transportation has proposed to replace the William Thompson Bridge, which connects the Isle of Palms and Sullivan's Island across Breach Inlet; and

WHEREAS, consultants for the Department have proposed to close and tear down the existing bridge prior to the construction of the replacement bridge; and

WHEREAS, such action would eliminate direct vehicular access between the Isle of Palms and Sullivan's Island for a period of up to two years; and

WHEREAS, elimination of the link between the Isle of Palms and Sullivan's Island would adversely affect both islands in a number of ways: by removing the second route of ingress to and egress from the islands for normal traffic, emergency vehicles and emergency evacuation; by eliminating direct access for Isle of Palms schoolchildren to Sullivan's Island Elementary School; by eliminating direct access for fire, police and emergency service personnel who currently provide prompt emergency back-up for the other island; by eliminating direct access to commercial establishments and professional services for residents of both islands; and by making both islands susceptible to the problems experienced following Hurricane Hugo when an alternative route of access was not available; and

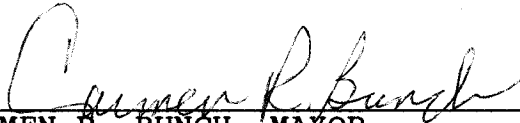
WHEREAS, in public hearings held by the Department, the residents of the Isle of Palms have vehemently objected to such elimination of access.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS, IN CITY COUNCIL DULY ASSEMBLED:

1. That the City of Isle of Palms objects, in the strongest possible terms, to any interruption or elimination of access between the Isle of Palms and Sullivan's Island due to the replacement of the William Thompson (Breach Inlet) Bridge; and

2. That the City of Isle of Palms strongly urges the SC Department of Highways and Public Transportation to approve plans for the replacement of the William Thompson Bridge that will ensure continued vehicular access between the Isle of Palms and Sullivan's Island during the replacement of the bridge.

RESOLVED THIS 20TH DAY OF DECEMBER, 1990.


CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
RESOLUTION

APPLICATION FOR BICYCLE PLAN GRANT

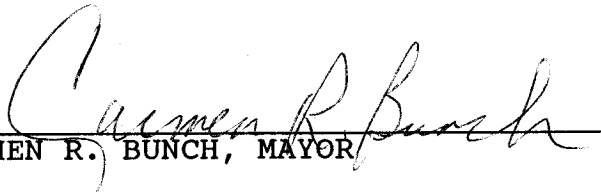
WHEREAS, the City of Isle of Palms will lose much of its existing bicycle path due to the road construction associated with the Isle of Palms Connector; and

WHEREAS, City Council understands that funding may be available from the Division of Energy, Agriculture and Natural Resources, Office of the Governor, to assist in the relocation and reconstruction of the bicycle path.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS, IN CITY COUNCIL DULY ASSEMBLED:

That the City of Isle of Palms approves submission of an application in the amount of \$35,000 to the Division of Energy, Agriculture and Natural Resources, Office of the Governor, to implement a comprehensive bicycle plan.

RESOLVED THIS 20TH DAY OF DECEMBER, 1990.


CARMEN R. BUNCH, MAYOR

NELLIE S. McDUFFIE, CLERK-TREASURER

RESOLUTION**OF ISLE OF PALMS CITY COUNCIL
CALLING FOR A CO-OPERATIVE EFFORT WITH
THE PARKS AND RECREATION COMMISSION (PRC) OF
CHARLESTON COUNTY TO ADDRESS THE ISSUE
OF PUBLIC RESTROOMS ON THE ISLE OF PALMS**

WHEREAS, Both the City of Isle of Palms and the PRC have an interest in providing Public Restroom facilities on the Isle of Palms.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND MEMBERS OF COUNCIL THAT ON THE BELOW WRITTEN DATE BEING DULY ASSEMBLED,

It is requested that the PRC meet with the City of Isle of Palms Council, as entities with common goals and interest in the area, as soon as possible to discuss the PRC's resources and abilities to provide public restroom facilities on the Isle of Palms.

x
CARMEN R. BUNCH, MAYOR

x
BARRY C. HOLDEN, ESQ., COUNCILMEMBER

x
HEATH ORVIN, COUNCILMEMBER

x
MICHEAL SOTTILE, COUNCILMEMBER

x
JAMES M. WARD, C.P.A., COUNCILMEMBER

x
MELINDA NESSMITH-PICARD, COUNCILMEMBER

x
JEFFREY SIMON, COUNCILMEMBER

x
MARGERY SWANSON, COUNCILMEMBER

x
DAN WATSON, COUNCILMEMBER

ATTESTED TO THIS DAY OF 1990.

x
NELLIE S. MCDUFFIE, CLERK-TREASURER

EXHIBIT 1
Commerce Assoc.
7

ISLAND REALTY

December 10, 1990

Mayor Bunch and Members of City Council
Isle of Palms City Hall
1301 Palm Boulevard
Isle of Palms, S.C. 29451

Mayor Bunch and Council Members,

Please accept our thanks and sincere appreciation for the lovely Norfolk Pine Christmas tree. As you saw, we have it in our main lobby so that everyone can enjoy it.

1990 has been a challenging year for everyone in the city. There has been much hard work by many people and the results are beginning to show. We are proud to be a part of the rebuilding and everyone in our company appreciates this recognition from the city.

We join you in looking forward to a greatly improved situation in 1991.

Sincerely,



DON STONE
President

DS:md

cc: Council Members

SALES

1304 Palm Blvd.
Isle of Palms, SC 29451
803-886-6871



RENTALS

P.O. Box 157
1304 Palm Blvd.
Isle of Palms, SC 29451
803-886-8144

CITY OF
ISLE
OF
PALMS

South Carolina

Mayor:
Carmen R. Bunch

City Council
Barry Holden
Melinda NesSmith-Picard
Heath Orvin
Jeffrey Simon
Mike Sottile
Margery Swanson
Jimmy Ward
Dan Watson

December 17, 1990

The Honorable Ernest F. Hollings
United States Senator
Custom House Room 112
200 East Bay Street
Charleston, SC 29401

Dear Fritz:

I have recently heard of reports linking health risks with electric power stations and high voltage power lines. Unfortunately, it is my understanding that the official reports are being withheld from the public and certainly from public officials.

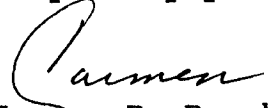
South Carolina Electric and Gas Company has recently expanded the Isle of Palms power station, which is located in a residential area. This power station is also located in close proximity to the work areas of City employees. In addition, new, overhead high-voltage lines are also being installed in the City.

I understand that studies on the impact of electric power lines have been submitted to federal authorities, but may not have been released to the public. I would greatly appreciate your obtaining any available reports and sending them to me.

I am extremely concerned about potential health risks to our citizens and City employees, and I am sure you share my concern. I look forward to your response.

With best regards, I remain

Very truly yours,


Carmen R. Bunch
Mayor

CRB:jmg

EXHIBIT R

Call Helgi Walker

~~STROM~~ THURMOND
SOUTH CAROLINA
COMMITTEES

ARMED SERVICES
JUDICIARY
VETERANS' AFFAIRS
LABOR AND HUMAN RESOURCES

United States Senate

WASHINGTON, DC 20510

December 10, 1990

Mayor Carmen R. Bunch
P.O. Drawer Q
Isle of Palms, South Carolina 29451

Dear Carmen:

In the volatile Middle East region of the world, there are over 600 battalion-sized units -- each consisting of approximately 600 men and women -- of the U.S. Army, Navy, Air Force, and Marines currently deployed. Whatever our personal feelings about the situation there, I think we can all agree that we support the individual Americans in uniform who are selflessly serving our great Nation.

My good friend Representative Duncan Hunter (R-Calif.) recently informed me of an organization set up by Ms. Linda Patterson of San Mateo, California, which acts as a liaison between U.S. communities wishing to adopt a unit and our forces in the Persian Gulf. Each community sends letters and home-baked cookies to their adopted unit. Ms. Patterson can be reached at (213) 459-4376 during normal working hours, west coast time.

By passing this information on to you, it is my hope that we can institute this project in your municipality, and that Isle of Palms, South Carolina, will consider adopting an American military unit. In conversations with constituents across the State, I have found South Carolinians to be eager to help support our troops, and I believe many would welcome the opportunity to show the concern and compassion that is indigenous to the citizens of our State.

This project is not a government operation. Rather, it is being launched and run by private citizens who love and support our forces serving overseas. As a United States Senator, World War II veteran and proud American, I want to do everything I can to help our troops in this difficult time, and I hope that you will join me in this effort and make South Carolina a leader in supporting our brave men and women abroad.

Thank you for your attention regarding this important project. Should you have any questions, please contact Miss Helgi Walker of my Washington, D.C. office staff. Do not hesitate to call upon me if I can be of assistance to you in any way as your United States Senator.

With kindest regards and greetings of the season,

Sincerely,



Strom Thurmond

ST/hw