



**The Town of Hilton Head Island
Regular Town Council Meeting
November 7, 2018
4:00 P.M. EXECUTIVE SESSION
5:00 P.M. REGULAR MEETING
Benjamin M. Racusin Council Chambers
AGENDA**

**As a courtesy to others please turn off/silence ALL mobile devices during the Town Council Meeting.
Thank You.**

- 1. Call to Order**
- 2. FOIA Compliance** - Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
- 3. Executive Session**
 - a. Legal Advice:**
Receipt of legal advice related to pending, threatened, or potential claim related to:
 - i. Calvin "Skip" Hoagland v. David Bennett, et. al.**
- 4. Pledge to the Flag – 5:00 p.m.**
- 5. Invocation**
- 6. Proclamations & Commendations**
 - a. Recognition of the Students for Student Government Day**
 - b. Arbor Day Proclamation**
 - c. Pancreatic Cancer Awareness Month Proclamation**
- 7. Approval of Minutes**
 - a. Town Council Meeting October 18, 2018**
- 8. Report of the Town Manager**
 - a. Gullah-Geechee Land & Cultural Preservation Task Force – Lavon Stevens**
 - b. Items of Interest**
 - i. Town News**
 - ii. Noteworthy Event**
- 9. Reports from Members of Council**
 - a. General Reports from Council**
 - b. Report of the Intergovernmental & Public Safety Committee – Bill Harkins, Chairman**
 - c. Report of the Community Services Committee – Kim Likins, Chairman**
 - d. Report of the Public Planning Committee – David Ames, Chairman**
 - e. Report of the Public Facilities Committee – Marc Grant, Chairman**
 - f. Report of the Finance & Administrative Committee – John McCann, Chairman**

10. Appearance by Citizens

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2018-15

Second Reading of Proposed Ordinance 2018-15 to repeal Sections 6-1-111 through 318 of the Municipal Code of the Town of Hilton Head Island; and providing for severability and effective date.

12. New Business

a. Consideration of a Resolution – Public Hearing on Proposed Ordinance 2018-18

Consideration of a Resolution by the Town Council to consider a Public Hearing on December 18, 2018 at 5:30 p.m. on Proposed Ordinance 2018-18, an Ordinance to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, The Land Management Ordinance by Amending Chapter 4, Section 16-4-102.B.1.C and Chapter 10, Section 16-10-105 to provide for changes related to Recreational Vehicles.

b. Consideration of a Recommendation – Unsignalized High-Speed Crosswalks

Consideration of a Recommendation to Town Council authorizing the implementation of safety enhancements to unsignalized crosswalks along US 278, and other high-speed roads.

c. Consideration of a Resolution – U.S. 278 Gateway Corridor Committee

Consideration of a Resolution by Town Council authorizing the appointment of the Hilton Head Island U.S. 278 Gateway Corridor Committee.

13. Possible actions by Town Council concerning matters discussed in Executive Session

14. Adjournment

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

***WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and*

***WHEREAS**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and*

***WHEREAS**, 2018 is the 146th anniversary of the holiday and Arbor Day is now observed throughout the nation and the world; and*

***WHEREAS** trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife; and*

***WHEREAS**, trees are a renewable resource, giving us paper, wood for our homes, fuel for our fires and beautify our community; and*

***WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal; and*

***NOW, THEREFORE, I**, David Bennett, Mayor of the Town of Hilton Head Island, hereby proclaim that Friday, **December 7th**, shall be known on Hilton Head Island as*

Arbor Day

and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands. Further, I encourage all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this **seventh day of November, in the year of our Lord, two thousand and eighteen.

David Bennett, Mayor

Attest:

Krista M. Wiedmeyer, Town Clerk

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

WHEREAS, in 2018, an estimated 55,440 people in the United States will be diagnosed with pancreatic cancer, one of the deadliest cancers, and 44,330 will die from the disease; and

WHEREAS, pancreatic cancer surpassed breast cancer this year to become the third leading cause of cancer death in the United States and is projected to become the second leading cause by 2020; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is generally late stage, and 80 percent of pancreatic cancer patients die within the first year of their diagnosis, while 91 percent of cancer patients die within the first five years of diagnosis; and

WHEREAS, pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just nine percent; and

WHEREAS, approximately 730 deaths will occur in South Carolina in 2018; and there is no cure for pancreatic cancer, and there have been no significant improvements in survival rates in the last 47 years; and

WHEREAS, pancreatic cancer is the 11th most common cause of cancer-related death in men and 8th commonly diagnosed cancer in women; and

WHEREAS, of all the racial/ ethnic groups in the United States, African Americans have the highest incidence rate of pancreatic cancer, about 50 percent higher than other groups; and

WHEREAS, the good health and well-being of the residents of Hilton Head Island are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments.

NOW THEREFORE, I, David Bennett, Mayor of the Town of Hilton Head Island, South Carolina, do hereby proclaim the month of November, 2018 as:

PANCREATIC CANCER AWARENESS MONTH

in the Town of Hilton Head Island and encourage all citizens to recognize the benefits of early identification, causes, and effective treatments.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this seventh day of November, in the Year of our Lord, Two Thousand and Eighteen.

David Bennett, Mayor

Attest:

Krista M. Wiedmeyer, Town Clerk

**THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING**

Date: Tuesday, October 16, 2018

Time: 4:00 P.M.

Present from Town Council: David Bennett, *Mayor*; Kim Likins, *Mayor Pro Tempore*; John McCann, Bill Harkins, Marc Grant, Tom Lennox, David Ames, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager*; Joshua Gruber, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Brian Hulbert, *Staff Attorney*; Brad Tadlock, *Fire Chief*; John Troyer, *Finance Director*; Carolyn Grant, *Communications Director*; Shawn Colin, *Deputy Director of Community Development*; Chris Blankenship, *Deputy Fire Chief – Operations*; Ed Boring, *Deputy Fire Chief – Support Services*; Joheida Fister, *Fire Marshal*; Cinda Seamon, *Fire & Safety Educator*; Melissa Cope, *Systems Analyst*; Krista Wiedmeyer, *Executive Assistant/Town Clerk*

Present from Media: Katherine Kokal, *Island Packet*

1. Call to Order

Mayor Bennett called the meeting to order at 4:01 p.m.

2. FOIA Compliance - Public notification of this meeting was published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Executive Session

Mr. Riley stated that he needed an Executive Session for: (a) Legal Advice; receipt of legal advice related to pending, threatened, or potential claim related to; (i) ArborNature, LLC vs. the Town of Hilton Head Island, et. al. and (ii) Taiwan R. Scott, et. al. vs. Board of Zoning Appeals Town of Hilton Head Island; and (b) Land Acquisition; discussion of negotiations incident to the proposed sale, lease, or purchase or property; (i) in the Beach City Road area.

At 4:03 p.m. Mrs. Likins moved to go into Executive Session for matters mentioned by the Town Manager, Mr. Harkins seconded. The motion to go into Executive Session was approved by a vote of 7-0.

Town Council returned to the dais at 5:01 p.m. to begin the Regular portion of the meeting.

4. Pledge to the Flag

The presentation of Colors were made by the Parris Island Young Marines.

5. Invocation

6. Proclamations & Commendations

a. Red Ribbon Week Proclamation

Mayor Bennett present the Red Ribbon Week proclamation to the members of the Parris Island Young Marines.

b. Mayor's Honored Islanders

i. Karen Kindermann

ii. Alfred Olivetti

Mayor Bennett presented Ms. Kindermann and Mr. Olivetti with the Mayor's Honored Islanders award, making brief remarks about each.

7. Approval of Minutes

a. Town Council Meeting, October 2, 2018.

Mrs. Likins moved to approve the minutes from the October 2, 2018 Town Council meeting. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

8. Report of Town Manager

a. Island Rec Center Update – Frank Soule

Frank Soule, Executive Director of the Island Rec. Center, gave an update on the progress of the Rec. Center to the members of Town Council. He noted that the Administrative Offices were moved back in June as were the after school programs and summer camps in August. Mr. Soule reported that the Aquatic staff moved into their offices, allowing for more changes to the pool programs. Thanks to a grant from Palmetto Electric, they should have new computers to be placed in the finished computer lab; they also received support from Hargray who helped with the phone and internet installation. Mr. Soule noted that the ultimate goal is to be fully operational by January 1, 2019.

b. Hilton Head Island/Bluffton Chamber of Commerce – Hannah Horne

Hannah Horne, Vice-President of Public Policy and Programs for the Chamber, gave an update to the members of Town Council. She discussed many of the events, meetings, and grand openings taking place throughout the community. Ms. Horne discussed the Leadership program, the number of networking opportunities, and the numerous awards the Island has received, including the recent award from Conde Nest Traveler naming Hilton Head Island the Best Island in the U.S. for the third year in a row.

c. Items of Interest

- i. Town News**
- ii. Noteworthy Events**

Mr. Riley reviewed the Items of Interest, including Town News, upcoming Town meetings, and noteworthy events taking place throughout the Island over the coming weeks.

9. Reports from Members of Council

a. General Reports from Council

Mr. Grant said he wanted to thank the members of the Hilton Head Island Fire Rescue for the professionalism when they responded to his home over the weekend when he was sick. He also noted that it was brought to his attention that there was a form, called the “EEO Form number 4”, which deals with procurement expenditures based on the particular vendors we work with and who are granted certain types of expenditures. He asked that he be provided some information about this. Mr. Grant asked if it is possible to get the information concerning how the Town handles food trucks throughout the Island. He said there is a perception that Town officials are not consistent with the way they handle them. Lastly, Mr. Grant reported that during Executive Session, Council discussed a matter concerning Mr. Scott. He continued by stating that a decision was made that the Town would return to court to obtain a final determination on the ruling that was given on the buffer and setbacks. He said until then, anytime Mr. Scott has an opportunity to come to the variance board, the Town would support him getting a variance on his buffers and setbacks, but he has to put in the appropriate paperwork if he is interested in do that. Mr. Grant said that as a Town, we will see what we can do to assist Mr. Scott with a variance approval.

b. Report of the Intergovernmental & Public Safety Committee – Bill Harkins, Chairman

Mr. Harkins reported that the Committee would be hosting a special meeting on October 17, 2018 at 5:00 p.m. to discuss crosswalk safety. He also noted that the Committee would be meeting on November 13, 2018 at 12:00 p.m. to discuss the Beaufort County Sheriff’s Office audit.

c. Report of the Community Services Committee – Kim Likins, Chairman

Mrs. Likins stated that she did not have a report.

Reports from Members of Council (cont.)

d. Report of the Public Planning Committee – David Ames, Chairman

Mr. Ames reported that the Committee would be holding a special meeting on November 2, 2018 at 10:00 a.m. to discuss the Cordillo Tennis Courts project and the renewal of the Port Royal Golf Course lease.

e. Report of the Public Facilities Committee – Marc Grant, Chairman

Mr. Grant stated that he did not have a report.

f. Report of the Finance & Administrative Committee – John McCann, Chairman

Mr. McCann reported that the Committee had met earlier in the day along with the Hilton Head Island-Bluffton Chamber of Commerce where they discussed how and when the Chamber should be releasing their invoices and receipts with their business partners. Mr. McCann said the discussion would continue at the next meeting on November 7, 2018.

10. Appearance by Citizens

Larry Landry: Addressed the members of Council about his concerns with the US 278 Gateway corridor expansion project.

Luana Sellers: Addressed the members of Council about his concerns with the US 278 Gateway corridor expansion project.

Ibrahim Abdual Malik: Addressed the members of Council about his concerns with a Town Code Enforcement matter.

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2018-17

Second Reading of Proposed Ordinance 2018-17 Amending Section 10-10-10 of the Municipal Code of the Town of Hilton Head Island, South Carolina, relating to recovery of collection cost as part of delinquent debts collected pursuant to the Setoff Debt Collection Act; and providing for severability and an effective date.

Mrs. Likins moved to approve, Mr. Harkins seconded. With no discussion, the motion passed with a vote of 7-0.

12. New Business

a. Consideration of a Recommendation – Venue Committee Modified Recommendations

Consideration of a Recommendation that Town Council approve the modified recommendations from the Venue Committee for Venue Phase II.

Mrs. Likins moved to approve, Mr. Harkins seconded. After brief comments from Mrs. Likins about how hard the Venue Committee worked on the recommendations, the motion passed with a vote of 7-0.

13. Possible actions by Town Council concerning matters discussed in Executive Session.

14. Adjournment

Mayor Bennett adjourned the meeting at 5:46 p.m.

Krista M. Wiedmeyer,
Executive Assistant/Town Clerk

Approved: 11/07/2018

David Bennett, Mayor



TOWN OF HILTON HEAD ISLAND ITEMS OF INTEREST November 7, 2018

TOWN NEWS

- Recently, Fire Rescue had a surprise inspection from the Department of Health and Environmental Control (“DHEC”) to review their entire controlled substance program. The inspection included: purchasing, storing, distributing, inventory, maintenance, security and record keeping. They passed the inspection with only a few minor clerical changes which have been addressed. The last time this type of inspection had been done, was in 2003, 15 years ago. The fact that the inspection was so easily passed, is a direct result of the diligence and effort put into maintaining the controlled substance program at the highest level. Great job, keep up the excellent work!

TOWN OF HILTON HEAD ISLAND MEETINGS

- Intergovernmental & Public Safety Committee – November 13, 2018, 12:00 p.m.
- Public Planning Committee – November 15, 2018 – 3:00 p.m.
- Finance & Administration Committee – November 20, 2018 – 2:00 p.m.
- Public Facilities Committee – November 26, 2018 – 9:00 a.m.
- Town Council Regular Session – December 4, 2018 – 5:00 p.m.

Meetings are subject to change and/or cancellation. Please visit the Town’s website at www.hiltonheadislandsc.gov for meeting dates and times.

TOWN ADMINISTRATIVE OFFICES CLOSED

- In observance of Veteran’s Day, the Town’s Administrative offices will be closed Monday, November 12, 2018.
- In observance of the Thanksgiving Holiday, the Town’s Administrative offices will be closed Thursday, November 22, 2018 and Friday, November 23, 2018.

HILTON HEAD ISLAND EVENTS

- Hilton Head Island Oyster Festival – Friday, November 9, 2018 - 4:00 p.m. – 8:00 p.m. & Saturday, November 10, 2018 – 11:00 a.m. – 5:00 p.m. at Shelter Cove Community Park
- Fall Festival – Saturday, November 10, 2018 – 10:00 a.m. – 2:00 p.m. at St. Andrew by the Sea UMC
- Veterans Day Ceremony – Monday, November 12, 2018 – 9:00 a.m. – 1:00 p.m. at Shelter Cove Veterans Memorial Park
- Italian American Heritage Festival – Saturday, November 17, 2018 - 11:00 a.m. – 4:00 p.m. at Honey Horn
- Pedal Hilton Head Island – Sunday, November 18, 2018 – 7:00 – 1:00 p.m. at Coligny Beach Parking Lot
- Holiday Tree Lighting – Saturday, November 24, 2018 – 3:30 – 5:30 p.m. at the Arts Center of Coastal Carolina



For more events taking place on the Island, please visit the Town’s Office of Cultural Affairs Events page at www.culturehhi.org/events/.

MEMORANDUM

TO: Town Council
FROM: Staff Attorney

Via: Stephen G. Riley, ICMA-CM, Town Manager
Josh Gruber, Assistant Town Manager

RE: Repeal of Municipal Code Section 6-1-111-318, Municipal Court

DATE: October 23, 2018

No changes were made to Proposed Repeal of Municipal Code Section 6-1-111-318 as a result of First Reading on September 18, 2018. Beaufort County Council is expected to consider this subject at its November 5, 2018 meeting. The Town is asking Beaufort County Council to enter into an Intergovernmental Agreement with the Town wherein they would consent to our municipal ordinance cases being adjudicated in the Beaufort County Magistrates Court.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

PROPOSED ORDINANCE NO.: 2018-15

ORDINANCE NO.: 2018-

AN ORDINANCE TO REPEAL SECTIONS 6-1-111 THROUGH 318 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Hilton Head Island, South Carolina previously adopted Ordinance 84-11, Chapter 1 of Title 6 entitled “Municipal Court” on May 21, 1984; and

WHEREAS, the Town Council finds that it would be more expeditious for the County Magistrate Courts to hear and adjudicate those summary court level matters arising in the incorporated areas of the Town of Hilton Head Island; and

WHEREAS, the Town Council now desires to close the municipal court and to repeal the ordinance creating the municipal court system.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS HEREBY ORDERED ORDAINED BY AND UNDER THE AUTHORITY OF THE SAID TOWN COUNCIL, AS FOLLOWS:

NOTE: Underlined and bold-face typed portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

That Sections 6-1-111 through 318 of Chapter 1 of Title 6 of the Municipal Code of the Town of Hilton Head Island, South Carolina, is hereby repealed.

~~Chapter 1. Municipal Court~~

~~ARTICLE 1. ESTABLISHMENT~~

~~Sec. 6-1-111. Creation.~~

~~There is established a municipal court for the Town of Hilton Head Island, which shall be part of the unified judicial system of the State of South Carolina, for the trial and determination of all cases arising within its jurisdiction.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-112. Jurisdiction.~~

~~The municipal court shall have jurisdiction to try and determine all cases arising under the ordinances of the town now in force or which may be enacted after the adoption of this Code. The municipal court shall also have all such powers, duties and jurisdiction in criminal cases made under the laws of the state and conferred by law upon magistrates. The municipal court~~

~~shall have the power to punish for contempt of court by imposition of sentences up to the limits imposed by law on municipal courts. The municipal court shall have no power to try and determine cases involving civil matters; provided, however, that nothing contained within this chapter shall preclude the prosecution of municipal cases in any magistrate's court of Beaufort County at the direction of the town council.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~ARTICLE 2. JUDICIARY AND CLERK~~

~~Sec. 6-1-211. Municipal judge.~~

~~The municipal court of the town shall be presided over by one full-time municipal judge who shall be appointed by and serve at the pleasure of the council. The municipal judge shall serve for a term set by the council not to exceed three (3) years or until his successor is appointed and qualified. The municipal judge must be an individual who has been admitted to practice law in the highest court of this state and has previously had trial experience. Council shall determine from time to time the compensation of the judge, provide facilities for conducting trials and hearings and provide sufficient clerical and nonjudicial support personnel to assist the municipal judge. Before entering upon the discharge of his duties of office, each municipal judge shall take and subscribe the oath of office prescribed by Article VI, Section 5, of the South Carolina Constitution. Neither the municipal judge, nor any individual, who shall directly or indirectly be in practice in any form with the judge, shall practice law in the municipal court for the town.~~

~~(Ord. No. 84-11, 5-21-84; Ord. No. 92-16, § 1, 4-20-92; Ord. No. 01-09, § 1, 6-5-01)~~

~~Sec. 6-1-212. Reserved.~~

Editor's note — Ord. No. 01-09, § 2, adopted June 5, 2001, repealed section 6-1-212 in its entirety. Former section 6-1-212 pertained to the ministerial recorder and derived from Ord. No. 84-11, adopted May 21, 1984.

~~Sec. 6-1-213. Temporary absence and vacancy in office of municipal judge.~~

- ~~(a) — In the event of the temporary absence, sickness, or disability of the municipal judge, the mayor shall have the option of 1) designating the use of the existing county magistrate's court for Hilton Head Island, or 2) designating a practicing attorney or some other person who has received training or experience in municipal court procedure or a municipal judge of another municipality to hold and preside over the municipal court of the town. Before entering upon the discharge of the duties of acting municipal judge, the person shall take the oath prescribed by Article VI, Section 5, of the South Carolina Constitution. The acting municipal judge shall be compensated at the same rate as the municipal judge.~~
- ~~(b) — In the event of a vacancy in the office of municipal judge, the council shall appoint a successor in the same manner as the original appointment for the unexpired term.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-214. Clerk of municipal court.~~

~~Council may appoint and fix the compensation for a clerk of municipal court who shall hold office at the pleasure of council and shall be subject to the supervision of the municipal judge. The clerk of municipal court shall keep such records and make such reports as may be determined by the state court administrator and the council. Nothing in this section shall be construed as prohibiting the council from appointing the municipal clerk, ministerial recorder or other municipal employee to serve as clerk of municipal court.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~ARTICLE 3. COURT OPERATION~~

~~Sec. 6-1-311. Fines, alternative sentencing, fees and penalties.~~

- ~~(a) Whenever the municipal judge finds a party guilty of violating a municipal ordinance or a state law within the jurisdiction of the municipal court or the party pleads nolo contendere, he may impose a fine or imprisonment, or both, as provided by statute, or as provided for in section 1-5-10 of this Code.~~
- ~~(b) The municipal judge in his discretion may suspend sentences imposed by him upon such terms and conditions as he deems proper including, without limitation, restitution or public service employment.~~
- ~~(c) All fines and penalties collected by the municipal court shall be forthwith turned over on a daily basis by the clerk of municipal court to the director of finance for deposit to the general fund of the town.~~
- ~~(d) Any assessments or fees required by law to be paid in connection with participation in any form of alternative sentencing shall be collected and disbursed as required by law.~~

~~(Ord. No. 84-11, 5-21-84; Ord. No. 93-24, § 2, 9-20-93; Ord. No. 01-09, § 3, 6-5-01; Ord. No. 02-21, § 1, 6-18-02)~~

~~**Cross reference**—General penalty, § 1-5-10.~~

~~Sec. 6-1-312. Trial.~~

- ~~(a) The municipal judge shall speedily try all persons charged with violations of municipal ordinances or the laws of the state within the jurisdiction of the municipal court in a summary manner without a jury unless jury trial is demanded by the accused.~~
- ~~(b) Any person to be tried in the municipal court may, prior to trial, demand a jury trial. The jury shall be composed of six (6) persons drawn from the qualified electors of the town in the manner prescribed by law. The right to a jury trial shall be deemed to have been waived unless demand is made by the person prior to trial.~~
- ~~(c) The municipal judge shall have the same power as a magistrate to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-313. Jury commissioners and duties.~~

~~The council shall appoint not less than three (3) nor more than five (5) persons to serve as jury commissioners for the municipal court; provided, however, that the council may act as jury commissioners in lieu of appointing such commissioners. The jury commissioners shall, within the first thirty (30) days of each year, prepare a box to be known as the jury box. Such box shall contain two (2) compartments, designated as "A" and "B", respectively.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-314. — Composition of jury list.~~

~~The jury list of the town shall be composed of all the names on the official list of qualified electors of the town furnished by the state election commission each year or copied from the official voter registration list of the town. Compartment "A" of the jury box shall contain a separate ballot or number for each name on the jury list. After compartment "A" has been filled with names, the jury box shall be locked and kept in the custody of the municipal court.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-315. — Selection of jury; disposition of names.~~

- ~~(a) — In all cases in the municipal court in which a jury is required, a jury list shall be selected in the following manner: A person appointed by the municipal judge who is not connected with the trial of the case for either party shall draw out of compartment "A" of the jury box thirty (30) names and the list of names so drawn shall be delivered to each party or to the attorney for each party.~~
- ~~(b) — The names so drawn shall be placed in a box or hat and the individual names randomly drawn out one at a time until six (6) jurors and four (4) alternates are selected. If for any reason it is impossible to select sufficient jurors and alternates from the names drawn, names shall be randomly drawn from compartment "A" until sufficient jurors and alternates are selected.~~
- ~~(c) — Each party shall have a maximum of six (6) preemptory challenges as the primary jurors and four (4) preemptory challenges as to alternate jurors and such other challenges for cause as the municipal judge may permit. The parties shall exercise preemptory challenges in advance of the trial date, and only persons selected to serve and alternates shall be summoned for the trial.~~
- ~~(d) — Upon the adjournment of the municipal court, the clerk of municipal court shall take the names or numbers of the jurors who appeared and shall return these ballots or numbers to compartment "B" of the jury box, and the ballots or numbers corresponding to the names of the jurors who were unable to appear or who were excused by the municipal judge shall be returned to compartment "A" of the jury box. When all names or numbers in compartment "A" have been exhausted, the names or numbers from compartment "B" shall be returned to compartment "A" and thereafter juries shall continue to be drawn therefrom.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-316.— Compensation of juror and failure of juror to appear.~~

~~(a) — Jurors serving in the municipal court shall receive a per diem of ten dollars (\$10.00).~~

~~(b) — Any juror who, being duly summoned, shall neglect or refuse to appear in obedience to any summons issued by the municipal court and shall not within forty-eight (48) hours render to the municipal judge a sufficient reason for his delinquency, may be punished for contempt.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-317.— Recording municipal court trials.~~

~~Any party shall have the right to have the testimony given at a jury trial in the municipal court taken stenographically or mechanically by a reporter; provided, that nothing in this section shall operate to prevent a party from mechanically recording the proceedings himself. The requesting party shall pay the charges of the reporter for taking and transcribing if the testimony is recorded by a municipal court reporter.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-318.— Appeals.~~

~~(a) — Any party shall have the right to appeal from the sentence or judgment of the municipal court to the court of general sessions of county. Notice of intention to appeal, setting forth the grounds for appeal, shall be given in writing and served on the municipal judge or the clerk of the municipal court within ten (10) days after sentence is passed or judgment rendered, or the appeal shall be deemed waived. The party appealing shall enter into a bond, payable to the town, to appear and defend the appeal at the next term of the court of general sessions or shall pay the fine assessed.~~

~~(b) — In the event of an appeal, the municipal judge shall make a return to the court of general sessions, and the appeal shall be heard by the presiding judge upon the return. The return of the municipal judge shall consist of a written report of the charges preferred, the testimony, the proceedings, and the sentence or judgment. When the testimony has been taken by a reporter, the return shall include the reporter's transcript of the testimony. The return shall be filed with the clerk of court of general sessions of the county and the cause shall be docketed for trial in the same manner as is now provided for appeals from magistrate's court. There shall be no trial de novo on any appeal from the municipal court.~~

~~(Ord. No. 84-11, 5-21-84)~~

Section 2. Severability. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. Effective Date. Ordinance shall become effective upon adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2018

**By: _____
David Bennett, Mayor**

ATTEST:

**By: _____
Krista Wiedmeyer, Town Clerk**

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA~CM, *Town Manager*
VIA: Charles Cousins, AICP, *Director of Community Development*
FROM: Teri B. Lewis, AICP, *LMO Official*
CC: Shawn Colin, AICP, *Deputy Director of Community Development*
DATE: October 25, 2018
SUBJECT: Resolution to consider LMO changes and hold a public hearing for Proposed Ordinance 2018-18.

Recommendation: Staff recommends that Town Council approve the resolution to consider the changes that are outlined in Proposed Ordinance 2018-18 at a public meeting on December 18, 2018 at 5:30 p.m.

Summary: Staff has drafted amendments to the Land Management Ordinance (LMO) to create relief for property owners wishing to temporarily occupy recreational vehicles while building or renovating single-family homes. Specifically staff has drafted amendments to Chapter 4, LMO Section 16-4-102.B.1.c and Chapter 10, LMO Section 16-10-105 to provide a limited amount of time for residents to occupy a recreational vehicle. Staff drafted these amendments as a result of discussions with individuals that seek to build a home on a property to replace a substandard residence while still allowing the resident to remain on the site.

Background: Staff is requesting that Town Council provide policy direction related to the temporary use of recreational vehicles on properties with active residential building permits. These amendments will have a public hearing by Planning Commission on December 5, 2018 followed by a public hearing and first reading by Town Council on December 18, 2018.

A RESOLUTION OF THE TOWN OF HILTON HEAD ISLAND

2018-__

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND TO CONSIDER AT A PUBLIC HEARING ON DECEMBER 18, 2018 AT 5:30 P.M. PROPOSED ORDINANCE NUMBER 2018-18, AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE BY AMENDING CHAPTER 4, SECTION 16-4-102.B.1.C AND CHAPTER 10, SECTION 16-10-105 TO PROVIDE FOR CHANGES RELATED TO RECREATIONAL VEHICLES.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, the Town Council has recognized that it would be in the public interest to allow some relief for property owners to temporarily occupy a recreational vehicle while building or renovating a single-family home on the same property; and

WHEREAS, the Town Council now intends to amend Chapter 4 to revise LMO Section 16-4-102.B.1.c and Chapter 10 to revise LMO Section 16-10-105 to provide a limited amount of time for residents to occupy a recreational vehicle; and

NOW, THEREFORE, BE IT, AND HEREBY IT IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT the Town Council will consider amendments to LMO Chapters 4 and 10 related to recreational vehicles and hereby designates a public hearing and first reading of Proposed Ordinance 2018-18 to be held on December 18, 2018 at 5:30 p.m.

MOVED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2018.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

David Bennett, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

CHAPTER 4 – Use Standards

16-4-102. Principal Uses

A. No Changes

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

a. – b. No Changes

c. Recreation Vehicle (RV) Parks

Use of a recreational vehicle for residential or accommodation purposes is only permitted ~~prohibited except~~ in a Recreational Vehicle (RV) Park with the following exception:

i. recreational vehicles may be utilized for residential purposes on a property that has an active residential building permit, subject to the following conditions:

a. The vehicle may be utilized for 180 days or for the life of the permit, whichever comes first.

b. The vehicle may not be located within any required setbacks or buffers.

CHAPTER 10 – Definitions, Interpretation and Measurement

16-10-105. General Definitions

Recreational Vehicle

Any of the following vehicles designed for travel, recreation, and vacation uses: motorhome or van (a portable, temporary dwelling constructed as an integral part of a self-propelled vehicle); pickup camper (a structure designed to be mounted on a truck chassis); recreational trailer (a portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections); park trailer (a semi-portable structure built on a single chassis, which does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to USDHUD standards); or tent trailer (a canvas or synthetic fiber folding structure mounted on a hard body base and towed by a vehicle). ~~Use of a recreational vehicle for residential or accommodation purposes is prohibited except in a Recreational Vehicle (RV) Park.~~

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2018-#

PROPOSED ORDINANCE NO. 2018-18

AN ORDINANCE TO AMEND TITLE 16 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THE LAND MANAGEMENT ORDINANCE (LMO) , SPECIFICALLY CHAPTER 4, SECTION 16-4-102.B.1.C AND CHAPTER 10, SECTION 16-10-105. THESE AMENDMENTS INCLUDE CHANGES THAT PROVIDE FOR AMENDMENTS RELATED TO RECREATIONAL VEHICLES, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

WHEREAS, from time to time Town Council recognizes that changes to the LMO are necessary to improve certain processes; and

WHEREAS, the Town Council has recognized that it would be in the public interest to allow some relief for property owners to temporarily occupy a recreational vehicle while building or renovating a single-family home on the same property; and

WHEREAS, the Town Council now intends to amend Chapter 4 to revise LMO Section 16-4-102.B.1.c and Chapter 10 to revise LMO Section 16-10-105 to provide a limited amount of time for residents to occupy a recreational vehicle; and

WHEREAS, Town Council met on November 7, 2018 and voted <VOTE> to adopt a resolution to consider changes related to the temporary residential occupancy of recreational vehicles; and

WHEREAS, the Town Council held a public hearing on December 18, 2018 at which time a presentation was made by staff and comments were received from Council and the public; and

WHEREAS, the Town Council voted <MOTION>; and

WHEREAS, Town Council now finds that, upon further review, it is in the public interest to adopt changes to LMO Chapters 4 and 10 related to recreational vehicles; and

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:

Section 1. Amendment. That the Land Management Ordinance of the Town of Hilton Head Island, South Carolina, be, and the same hereby is, amended to read as indicated on the attached pages.

NOTE: Newly added language is illustrated with double underline and deleted language is illustrated with ~~strikethrough~~.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS ____ DAY OF _____, 2018.

THE TOWN OF HILTON HEAD
ISLAND, SOUTH CAROLINA

David Bennett, Mayor

ATTEST:

Krista Wiedmeyer, Town Clerk

Public Hearing:
First Reading:
Second Reading:

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Public Projects and Facilities Management Department

TO: Stephen G. Riley, ICMA-CM, Town Manager
VIA: Scott Liggett, PE, Director of PP&F/Chief Engineer
FROM: Jeff Buckalew, PE, Town Engineer
CC: Darrin Shoemaker, PE, Town Transportation and Traffic Engineer
DATE: November 5, 2018
SUBJECT: Pathway Safety Enhancements - Unsignalized High-Speed Crosswalks

Recommendation:

Staff and the Public Safety Committee recommend Town Council approve the implementation of safety enhancements to the unsignalized crosswalks along US 278, and other high speed roads, as described below. In addition, the Committee recommends that Town Council direct staff to request the South Carolina Department of Transportation (SCDOT) conduct a speed limit study throughout the William Hilton Parkway corridor, from Squire Pope Road to Sea Pines Circle. The Committee further recommends staff include illumination of these crosswalks along US 278.

Summary:

At their September 10, 2018 meeting, the Public Facilities Committee unanimously approved the staff recommendations for safety enhancements at unsignalized crosswalks along US 278-B and further motioned that a speed limit study be conducted in the crosswalk corridor. At a subsequent special Committee meeting held on October 17, 2018, the Committee unanimously approved modification to the prior recommendation to omit the flashing illumination around the perimeter of the pedestrian warning signs and to add lighting of these eleven unsignalized crosswalks along US 278-B. The lighting shall comply with applicable standards set forth by the SCDOT and the Town, as well as the International Dark Sky Association (IDSA) standards.

Staff is to implement this plan to enhance the safety of pedestrian and bicyclists at unsignalized crosswalks on high speed roadways (≥ 45 MPH), beginning with US 278. Based on research, accident history, coordination with SCDOT, citizens' advisory group input, engineering analysis and judgement, each unsignalized cross walk (UXW) along US 278-B and other high speed roads shall be assessed for viable and effective safety enhancements. The enhancements shall be SCDOT compliant and implemented based on prioritization considering benefits, funding and accident history. While the Town has no street or pathway lighting policy, overhead lighting is to be included as a design element in these public safety projects at these eleven locations. Street or pathway lighting at other locations will have to be approved Town Council. Construction and installation shall be accomplished using Town staff (Facilities Management), on-call contracts(s), and/or invitations for bids as warranted. All enhancements shall be funded by the CIP Pathway Safety account.

The signage and pavement markings can be installed in the first quarter of 2019, but additional funding will be needed for the lighting. This shall be included in the proposed CIP budget FY-2020.

Background:

These tools described below shall be considered as enhanced safety measures to be employed at each site.

Consistent Signage

Use of the “walking man” pedestrian crossing sign (MUTCD W11-2 fluorescent yellow-green) shall be employed at ALL unsignalized crosswalks. There shall be two signs straddling the crosswalk, each with a directional down arrow (MUTCD W16-7P) drawing the motorists’ attention to the area where pedestrians or bicyclists may enter the roadway. Where sight distance or driver expectations may warrant, advanced warning signs (walking man) with an “AHEAD” sign (MUTCD W16-9P) should be employed.

Pavement Markings

- Crosswalk - All crosswalks shall have white thermoplastic “ladder” markings that comply with SCDOT standards.
- Advanced Warnings – the words **PED XING** in elongated fonts, white thermoplastic, shall be placed in each lane in advance of the crosswalks. The spacing for a 45 MPH road is 60 feet on center.
- Consider white thermoplastic transverse strips in advance of the crosswalk in a thickness and spacing to provide a rumble strip affect to warn motorists of the crosswalk ahead.

Additional ReflectORIZATION

- Sign Post - On the posts of the retroreflective pedestrian crossing signs, a reflective strip (fluorescent yell-green, matching the sign) shall be installed, running from the ground to the bottom of the sign
- RRPM – Raised Reflective Pavement Markers (white) shall be installed along the near transverse edge of the crosswalk at spacing acceptable to SCDOT (avoiding the wheel lines)
- Pedestrian Refuges / Media Noses – install yellow RRPM or reflective yellow strips along the top of concrete curb on median noses at pedestrian refuges.

Street Lights to Illuminate the Crosswalks

Staff shall investigate the cost and regulatory requirements of installing street lights at these locations. The initial proposal is for single pole, downward shining street light placed on each side of the crosswalk; however a pole may be required in the median to meet illuminance standards. These lights (fixture style, luminaires, luminous efficacy, color rendition, exact location, glare control) shall be International Dark Sky Association (IDSA) compliant and designed to reduce light onto abutting property). They must be approved by the SCDOT for placement in their R/W and by the Town of HHI Design Review Board for aesthetic appeal. Adoption of a formal Town lighting ordinance or policy would be a separate issue from this safety -related capital improvement project.

User-Actuated or Flashing Illumination

Type of warning devices – including rapid flashing beacons, flashing illuminated sign boarders, in-ground illuminated pavement markers, etc. are not recommended at these crosswalks based on the rationale is that given motorist demographics (out-of-state visitors and elderly drivers, unfamiliarity with state law), the sudden and/or flashing illumination, pedestrian activated or not, may cause motorist to abruptly or unexpectedly brake to allow pedestrians to enter the roadway. While one lane may stop, the adjacent lane may not, creating a confusing and much more dangerous situation for the pedestrian and following motorists.

Projects:

All crosswalks will be a “project” and have improvements defined for implementation. The Yacht Cove project as shown below is provided as an example for this approach.

Yacht Cove Drive

US 278 @ Yacht Cove Drive (and Circle K convenient store)	
W.B. Shoulder – Remove DUAL sign and add PED sign. Use existing post and Left Arrow.	1 PED Sign 1 Reflective Post Strip
W.B. Median – Add PED sign and Right Arrow	1 PED Sign 1 RT ARROW 1 Post 1 Reflective Post Strip
E.B. Shoulder – Remove DUAL sign and add PED sign. Use existing post and Right Arrow.	1 PED Sign 1 Reflective Post Strip
E.B. Median – Add PED sign and Left Arrow	1 PED Sign 1 LT ARROW 1 Post 1 Reflective Post Strip
Install white thermoplastic PED XING elongated font pavement markings in each lane approaching the crosswalk	4 PED XING white thermoplastic
Install transverse raised reflective pavement markers (white) along front edge of crosswalk, avoiding wheel lines	16 white RRPM
Install reflectors or reflective strips along the median refuge curbing	2 Reflective Median Strips

EXHIBT A

Existing Unsignalized Crosswalks on US 278 (Business)

- WHP1 Shoppes on the Parkway / Putt-Putt
- WHP2 Regency Drive - Red Roof/Stacks
- WHP3 Yacht Cove Drive
- WHP4 Chamber of Commerce Drive
- WHP5 Whole Foods / Shelter Cove Plaza
- WHP6 Shelter Cove Lane - BCSO
- WHP7 Burkes Beach Road / Sherman Williams
- WHP8 Northridge Drive - Starbucks/Sunoco
- WHP9 Palmetto Parkway - Station One / The Oaks
- WHP10 Central Avenue - Festival Centre / Wal Mart
- WHP11 Old Wildhorse Road - Schoolhouse Park

EXHIBIT B

**Lighting Unsignalized Crosswalks on US 278 (Business)
Regulations and General Design Parameters**

Town of Hilton Head Island – Code of Ordinances:

There is no Town Lighting Ordinance. There are no Town Code regulations for the lighting of public streets, pathways or crosswalks apart from beach access areas. Sec.8-5-116 applies only to public parks and public beach access areas.

Town of Hilton Head Island – Land Management Ordinance:

There are no LMO regulations for the lighting of public streets, pathways, or crosswalks.

Sec.16-5-108 applies to development sites and not public streets or rights of way.

For Site Developments the illumination standards regulating light on streets and crosswalks are 0.2 fc – Minimum, 1.0 fc – Average, and 10.0 fc - Maximum.

Town of Hilton Head Island – Design Review Board:

The Design Review Board has regulatory authority over aesthetic considerations of development lighting within the Review Corridor (which includes these areas of US 278 (Bus.). This project would entail the installation of utility / public infrastructure within an SCDOT right of way and may not be subject to those development regulations.

South Carolina Department of Transportation:

As the owner and operator of the road and right of way, SCDOT requires illumination meet the latest edition of the AASHTO Roadway Lighting Design Guide. Based on the road classification and pavement condition, the entire intersection at each crosswalk must be illuminated to a standard of Average Maintained Illuminance of 1.2 foot-candles. This will require very tall, breakaway poles and the placement of poles on either side of the crosswalk and probably one in the median.

Palmetto Electric Cooperative, Inc.:

Staff is working with Palmetto Electric as the likely designer and vendor to install, maintain and operate the proposed street lighting at these crosswalks. All fixtures used by Palmetto Electric are compliant with International Dark Sky Association standards.

Resolution No. 2018-_____

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AUTHORIZING THE APPOINTMENT OF A HILTON HEAD ISLAND U.S. 278 GATEWAY CORRIDOR COMMITTEE

WHEREAS, the Town of Hilton Head Island has traffic safety, neighborhood protection, and traffic congestion relief among its highest priorities; and

WHEREAS, the Town of Hilton Head Island espouses in its values and its actions the principles of ONE ISLAND, ONE COMMUNITY; and

WHEREAS, the Town of Hilton Head Island and its citizens value transparency and citizen participation as important in public policy decision making; and

WHEREAS, the South Carolina Department of Transportation has initiated an Environmental Assessment process that will produce design alternatives for Hilton Head Island's U.S. 278 Gateway corridor; and

WHEREAS, the Environmental Assessment process needs to consider among other criteria; traffic, safety, neighborhood impact, current and projected traffic congestion, environmental impact, ingress and egress between U.S. 278 and affected neighborhoods, flood control, historical and cultural protection, business impact, multimodal options, aesthetics, and impact on the Hilton Head Island Brand; and

WHEREAS, the Town of Hilton Head Island is a community rich in Gullah culture and the Town policy is to preserve, protect, and enhance Historic Gullah Geechee neighborhoods and their culture; and

WHEREAS, the Historical Gullah Stoney Neighborhood is bisected by the U.S. 278 Corridor; and

WHEREAS, early and continual Town and citizen involvement has been effective in other similar roadway Environmental Assessment projects.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT:

1. The Mayor is hereby authorized to appoint a seven (7) member Hilton Head U.S. 278 Gateway Corridor Committee to work cooperatively with the South Carolina Department of Transportation to obtain and provide citizen input to the U.S 278 Environmental Assessment and Design Alternatives.
2. The Town of Hilton Head Island Town Council requests the South Carolina Department of Transportation involves the Hilton Head Island U.S. 278 Gateway Corridor Committee immediately and continually in their Environmental Assessment Process using an early citizen involvement method such as a context sensitive solution process.

3. The Hilton Head Island Town Council requests that the Hilton Head Island SR 278 Gateway Corridor Committee provide a quarterly status report to the Public Planning Committee.

**MOVED, APPROVED, AND ADOPTED THIS ____ DAY OF _____,
DECEMBER, 2018.**

David Bennett, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

ATTACHMENT A

Overview

In contrast to long-standing practices in transportation design that place primary importance on moving traffic, the CSS process emphasizes that transportation facilities should fit their physical settings and preserve scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. For instance, if a state highway that passes through a downtown main street, applying CSS principles would entail creating a street where the movement of vehicles does not impede pedestrian activity and sidewalk commerce, rather than a street that is simply widened and straightened to increase speed, capacity and mobility for vehicles as a singular transportation objective. CSS therefore includes principles for context-sensitive decision-making that place a high value on community input and consensus, and more technical principles of context sensitive design.

When CSS principles are applied to transportation projects, the process involves a much broader range of disciplines than traditional transportation design methods, which rely exclusively on the judgment of traffic engineers. CSS is a collaborative, interdisciplinary approach that involves everyone with a significant stake in the project, such as the residents, businesses and local institutions that will be affected by an intervention or a failure to address the transportation implications of development such as congestion. Rather than approaching these stakeholders at the tail end of the design process in an attempt to gain approval, CSS emphasizes the need to incorporate their feedback from the very outset of the planning and design development processes and during all subsequent stages of construction, operations and maintenance.

Qualities of a CSS Project

The following list of qualities (developed at a 1998 conference for transportation planners called "**Thinking Beyond the Pavement**") describe the core goals of the CSS process.

The CSS Product: Qualities of Excellence in Transportation Design

The "Qualities that Characterize Excellence in Transportation Design" – that is, of the physical end product of the CSS process - are:

- The project satisfies the purpose and needs as agreed to by a full range of stakeholders.
- This agreement is forged in the earliest phase of the project and amended as warranted as the project develops.
- The project is a safe facility for both the user and the community.
- The project is in harmony with the community, and it preserves environmental, scenic, aesthetic, historic, and natural resource values of the area, i.e., exhibits context sensitive design.
- The project exceeds the expectations of both designers and stakeholders and achieves a level of excellence in people¹'s minds.

- The project involves efficient and effective use of the resources (time, budget, community) of all involved parties.
- The project is designed and built with minimal disruption to the community.
- The project is seen as having added lasting value to the community.

- As agreed upon by participants of the Thinking Beyond the Pavement Conference, 1998

The CSS Process

This outline of the core steps in the CSS process was also developed at the "Thinking Beyond the Pavement" conference.

The CSS Process: Characteristics of the Process That Yield Excellence

"The Characteristics of the Process that will Yield Excellence in Transportation Design" are:

- Communication with all stakeholders is open, honest, early, and continuous.
- A multidisciplinary team is established early, with disciplines based on the needs of the specific project, and with the inclusion of the public.
- A full range of stakeholders is involved with transportation officials in the scoping phase (the period before design is begun when the scope of the project is agreed upon). The purposes of the project are clearly defined, and consensus on the scope is forged before proceeding.
- The highway development process is tailored to meet the circumstances. This process should examine multiple alternatives that will result in a consensus of approach methods.
- A commitment to the process from top agency officials and local leaders is secured.
- The public involvement process, which includes informal meetings, is tailored to the project.
- The landscape, the community, and valued resources are understood before engineering design is started. A full range of tools for communication about project alternatives is used (e.g., visualization).

- As agreed upon by participants of the Thinking Beyond the Pavement Conference, 1998