



Town of Hilton Head Island
TOWN COUNCIL
Tuesday, October 20, 2020 at 4:00 p.m.
MEETING MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Marc Grant, Tom Lennox, Glenn Stanford, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager*; Josh Gruber, *Assist. Town Manager*; Shawn Colin, *Director of Community Development*; John Troyer, *Finance Director*; Jennifer Ray, *Deputy Director of Community Development*; Teri Lewis, *Deputy Director of Community Development*; Nicole Dixon, *Development Review Administrator*; Krista Wiedmeyer, *Exec. Assist/Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 4:03 p.m.

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. Pledge to the Flag

4. Invocation – Pastor Kaleb Allen, Christian Renewal Church

Pastor Allen of Christian Renewal Church delivered the invocation.

5. Approval of Agenda

Mr. Harkins moved to approve the agenda. Mr. Stanford seconded. By way of roll call, the agenda was approved by a vote of 7-0.

6. Approval of Minutes

a. Regular Meeting, October 6, 2020

Mr. Harkins moved to approve all four sets of minutes. Mr. Stanford seconded. Mr. Stanford pointed out a mistake on the minutes under General Reports of Council, noting the committees he and Mr. Lennox reported on were reversed. By way of roll call, the minutes were approved as amended by Mr. Stanford by a vote of 7-0.

7. Report of the Town Manager

a. Hazard Mitigation Plan Annual Progress Report – Shari Mendrick, Floodplain Administrator

Ms. Mendrick explained that the Hazard Mitigation Plan required a progress report to the members of Council annual. She answered questions concerning the report as well as the upcoming flood plain changes.

b. Items of Interest

Mr. Gruber reported that the County Council met at their Public Facilities Committee meeting the day prior where they discussed the independent contractor's agreement. He stated that Senator Davis had submitted some comments regarding some additional changes he would like seen made to the scope of work for this agreement. Mr. Gruber said that the Committee received the request from Senator Davis favorably, asking County staff to update and amend the current proposed scope of work. He said that Town staff will continue to work with the County to obtain a copy of the proposed scope of work once it has been amended. Mr. Gruber said that additional information will be needed to make contact with the County's vendor regarding any changes to the cost and timeline as a result of any proposed changes. He stated that once that information is obtained, the matter would need to go before a committee of Town Council before ultimately moving it forward to County Council for approval.

7(b). Report of the Town Manager, Items of Interest (cont.)

Mayor McCann opened the matter up to a discussion by Council. The consensus was unanimous that the Town should have a joint roll and say in how this matter progresses. Most members echoed the statement that the Town seems to be taking a backseat to the County with regards to this matter. Mayor McCann said that there are many unanswered questions, and as such, he asked to table further discussion until after the County Council meets. He went on to say, it might be necessary to hold a special meeting for Council to continue the discussion.

After the conclusion of the previous discussion, Mr. Riley reviewed the Items of Interest and upcoming scheduled virtual meetings.

8. Reports from Members of Council

a. General Reports from Council

Mr. Ames reported that he had asked at the conclusion of October 19, 2020 Executive Session what would be reported to the public. He said that he was troubled when it was said that no action was taken. Mr. Ames said it seemed to him, at the very least, at the conclusion of meeting what was generally discussed. He said he felt there was news to be reported to the public regarding the consultant and the timing of the Town Manager search. Mr. Ames stated that the information was not confidential in the sense that someone's personal interests are being compromised, or specific negotiations. Mr. Ames said he felt, that the two items that came out of the discussion should be shared.

Mayor McCann said that he agreed with Mr. Ames. The Mayor went on to say that following a review and discussion with the Executive Recruiter Colin Baenziger regarding the process used to find a Town Manager and how that process might be adjusted during a new search, Mr. Baenziger indicated that his firm wished to withdraw from doing any additional work for the Town. There were no objections by the members of Town Council. Mayor McCann said based on a consensus of Council, the process for selecting a new Town Manager will be a topic of discussion at the January Town Council workshop and the search will likely resume thereafter. He said the additional item would need to be discussed during this meeting's Executive Session as Council would need to take action.

Ms. Becker said she was also concerned after the same meeting. She said she was expecting to see a news release, but never saw one. Ms. Becker said she felt it made sense that Council as a whole received information and can make decisions as a group. Ms. Becker said her concerns continue with the Summit Drive, ArborNature/DHEC permit. She said that a virtual Public Hearing was scheduled to take place, and hoped that all interested parties participated. Ms. Becker said she would like to know what the discussions are from the perspective of the Town, in terms of what the Town has as regulations and oversight to ensure the health and safety as it relates to water, the air, and what floats downstream. She said this is not the first time she asked this, and felt as a member of Council, she would like it if they all worked together and were informed of information. She went on to say that she would like to know what follow-up mechanism is in place for Council requests. Ms. Becker said that she saw reports that there were skywriting planes leaving advertised messages of the coastline. She said she would like to hear if anyone else knows about it.

Mr. Ames said that was the first he had heard of the skywriting, and that it is absolutely something that the Town should not be advocating or endorsing. He said thirty years ago there was some discussion about the same, and the Town Council said absolutely not.

Ms. Becker said that if there is a policy in place that action be taken, if there isn't a policy that this gets moved to the appropriate committee to work on a policy.

Mr. Riley said that it had been years since this had come up. He said that Hilton Head Airport does not allow the planes to fly out of their airport, but does not have control over other airports. Mr. Riley said that there have been some questions about what the Town's authority is and certain distances off the beach, but this will have to be reviewed.

Ms. Becker said there was a video and would forward it for review.

8. Reports from Members of Council (cont.)

b. Report of the Intergovernmental Committee – Bill Harkins

Mr. Harkins reported that the Committee would host the Island's Public Service Districts at an upcoming meeting to discuss the land purchase request on November 9, 2020, at 10:00 a.m.

c. Report of the Community Services & Public Safety Committee – Marc Grant

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

d. Report of the Public Planning Committee – David Ames

Mr. Ames reported that the Committee was going to delay the discussion of the Gullah Overlay proposal in order to give the Committee the time to review all the documentation with detail. He said that the public would be kept apprised of when the meeting would be rescheduled. Mr. Ames said there would be a Committee workshop on October 29, 2020 to discuss the Turtle Lighting ordinance.

e. Report of the Finance & Administrative Committee – Tom Lennox

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

Mayor McCann closed out the reports from the members of Council by reminding everyone that the first meeting in December is picture day and swearing in day for new members of Council.

9. Proclamations/Commendations – NONE

10. Appearance by Citizens

Michael Arena and Keith Sledge addressed members of Town Council concerning the Burkes Beach on-street parking.

Merry Harlacher addressed the members of Town Council supporting for the proposed budget amendments.

Kim Likins and Sandy West addressed the members of Town Council opposing the proposed budget amendments.

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2020-22 – Budget Amendments

Second Reading of Proposed Ordinance 2020-22 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2021; to provide for the budgeted appropriations of prior year budget roll-forwards and certain other appropriations and commitments, and the expenditures of certain funds; to allocate the sources of revenue for the said funds; and provide for severability and an effective date.

Mr. Harkins moved to approve. Mr. Stanford seconded. Mr. Troyer addressed Council concerning the proposed budget amendments, specifically the funds requested from the Arts Center of Coastal Carolina and the Concours. He confirmed those particular funds would be coming from the General Fund, but are being funded through the Electric Franchise Fee to subsidize those grants, and the balance of that is approximately seven million dollars. A few members of Council stated that there should be a process in place for other organizations to submit a request for funding or grants from the Town. Mr. Ames stated that if there is an economic need, than the Town should help. Mayor McCann reminded Council that the Community Foundation of the Lowcountry has funding and grants available for nonprofit organizations. He also said, further on under the New Business, Council will be reviewing the amendments to the CDBG five year consolidated plan, which will allow more funding to go to the Community Foundation. Other members of Council said they supported the budget amendments as written. Mr. Lennox said that the Finance and Administrative Committee had reviewed these and moved them forward to Council. With no additional discussion, by way of roll call, the motion was approved by a vote of 5-2, Mr. Ames and Ms. Becker opposing.

11. Unfinished Business (cont.)

b. Second Reading of Proposed Ordinance 2020-24 – Our Plan 2020-2040 Comprehensive Plan

Second Reading of Proposed Ordinance 2020-24 to provide for the adoption of Our Plan, the Town of Hilton Head Island 2020-2040 Comprehensive Plan; and to provide for severability and an effective date.

Mr. Stanford moved to approve. Mr. Harkins seconded. Mayor McCann said he would like Council to consider approving the plan as a conceptual plan, making changes as needed as they review. He said, the Comp. Plan would be a primary topic of discussion at the workshop in January. Council was unanimous in giving their appreciation to staff and the community for their hard work. Mr. Ames requested that a workshop of Council be held to continue the discussion prior to the annual workshop in January. Mr. Lennox said, he felt like communication lacking to the community with regards to projects that were either in process or completed as a result of the previous Comp. Plan. He said, the Town needs to ensure or do a better job communicating to the community. Mr. Stanford said, he doesn't view the document as a commitment to an action. He said, he looks at it as a conceptual document as there are several action steps contained within the document. Prior to taking the vote, Mr. Ames asked the Mayor to confirm he would look into having a separate workshop before the formal annual workshop in January. The Mayor said he would look into it. By way of roll call, the motion was approved by a vote of 7-0.

12. New Business

a. Consideration of a Resolution – Dissolving the Our Plan Development Team

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, to dissolve the Our Plan Development Team.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, by way of roll call the motion was approved by a vote of 7-0.

b. Consideration of a Resolution – Community Development Block Grant Entitlement Program Five Year Consolidated Plan Substantial Amendment

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to approve the Community Development Block Grant (CDBG) Entitlement Program Five Year Consolidated Plan (2020-2024) substantial amendment.

Mr. Harkins moved to approve. Mr. Stanford seconded. Council asked for communication which will show how the Community Foundation is allocating their funds. Mr. Riley confirmed that he would request staff to prepare the appropriate communications and get that out to Council. With no further discussion, the motion was approved by a vote of 7-0.

c. Consideration of a Recommendation – Revised Standard POA/PUD Drainage Agreement

Consideration of a Recommendation approving the revised Standard Maintenance Drainage Agreement for Property Owners Associations (POA) and Planned Unit Developments (PUD).

Mayor McCann asked Mr. Riley for an overview of what this agreement was and what it was for. Mr. Riley said, in 2018 staff had been charged with reviewing the terms of all the current agreements and drafting language for a new agreement. He said staff has been working with the PUD representatives to revise and include as much of their feedback as possible. After review from the Town Attorney, the agreement before Council is the final draft. After some discussion from the members of Council about the agreement; Mr. Harkins moved to postpone Council's review of the agreement until the November 4, 2020 Town Council meeting. Mr. Stanford seconded. With no further discussion, by way of roll call, the motion to postpone was approved by a vote of 7-0.

12. New Business (cont.)

d. Discussion of the On-Street Parking on Burkes Beach Road

Town Council had a robust discussion concerning this matter. The consensus from the members was that opening the on-street parking back up would not be the right thing, in terms of safety. As such, Mayor McCann made a motion to close off the parking. Ms. Becker seconded. By way of roll call, the motion was approved by a vote of 7-0.

13. Executive Session

Mr. Riley confirmed there was a need to enter into Executive Session for (a) Land Acquisition: discussion of negotiations incident to the proposed sale, lease, or purchase of property in the Palmetto Bay Road area; and (b) Contractual Matters: discussions of proposed contractual matters related to the search for a Town Manager, including securing the services of an Interim Town Manager.

At 5:42 p.m., Mr. Harkins moved to enter into Executive Session for the reasons stated by Mr. Riley. Mr. Stanford seconded. With no discussion, the motion was approved by a vote of 7-0.

14. Possible Actions by Town Council Concerning Matters Discussed in Executive Session

At 6:07 p.m. Council returned from Executive Session.

Mr. Riley stated that he would need a motion to authorize the Mayor to negotiate an agreement with Joshua A. Gruber to serve as the Interim Town Manager and to return to Town Council for action.

Mr. Harkins moved to approve. Mr. Stanford seconded. With no further discussion, the motion was approved by a vote of 7-0.

15. Adjournment

By unanimous vote, the meeting adjourned at 6:08 p.m.

Approved: November 4, 2020

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor