



Town of Hilton Head Island  
**TOWN COUNCIL MEETING**  
**Tuesday, July 18, 2023, 3:00 PM**  
**Minutes**

**Present from Town Council:** Alan Perry, *Mayor*; David Ames, *Mayor Pro-Tempore* Alex Brown, Patsy Brison, Tamara Becker, Steve Alfred, Glenn Stanford, *Town Council Members*

**Department Heads Present:** Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Assistant Town Manager – Community Development*; Angie Stone, *Assistant Town Manager*; Ben Brown, *Senior Advisor to the Town Manager*; John Troyer, *Finance Director*; Bob Bromage, *Public Safety Director*; Chris Blankenship, *Fire Chief*; Thomas Sunday, *Technology and Innovation Director*; Carolyn Grant, *Communications Director*; Kimberly Gammon, *Town Clerk*; Curtis Coltrane, *Town Attorney*

**1. Call to Order**

Mayor Perry called the meeting to order at 3:00 p.m.

**2. FOIA Compliance**

Ms. Gammon affirmed compliance with FOIA.

**3. Pledge to the Flag**

**4. Invocation**

Pastor Jeff Dorth of Island Lutheran Church delivered the invocation.

**5. Adoption of the Agenda**

Upon Mr. Orlando's request Councilmember Alfred moved to amend the agenda to include an Executive Session following Item 9 for the purpose of receiving legal advice from the Town Attorney and other matters covered by the attorney client privilege (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 [a][2]) related to the creation of an Islander Mixed Use within the Sea Pines Circle District. Glenn Stanford seconded. Motion carried 7-0.

Additionally, Ms. Brison moved to amend the agenda to include two additional lawsuits to Item 11.c. which are Transcon Industries, et al vs Town of HHI, et al and Hilton Head Motorcoach et al vs Town of HHI, et al for the purpose of receiving legal advice from the Town Attorney and other matters covered by the attorney client privilege (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 [a][2]). Mr. Stanford seconded. Motion carried 7-0.

**6. Approval of the Minutes**

- a. Regular Meeting Minutes of June 6, 2023
- b. Workshop Meeting Minutes of June 14, 2023
- c. Regular Meeting Minutes of June 20, 2023
- d. Special Meeting Minutes of June 27, 2023

Mr. Ames moved to approve. Ms. Becker seconded. Motion carried 7-0. Ms. Brison noted she was not present at the June 27 meeting and asked that it be corrected in the minutes.

## **7. Presentations and Recognitions**

- a. Report of the Town Manager

Mr. Orlando asked Niki Oxendine, Human Resources Manager to introduce the newly hired summer interns. Ms. Oxendine introduced Adam Bartlett, Masani Ward, Parker Ray and Jontu Singleton providing some background information on each and which department they will be assisting.

- b. Parks and Recreation Month Proclamation – Mayor Alan Perry

Ray Craver and Steve Stauffer were present to accept the proclamation.

- c. Workforce Housing Program Monthly Update – Missy Luick, Assistant Community Development Director

Missy Luick provided an update stating an asset map has been created and posted on our website. She thanked Council for the appointment of six members to the Housing Action Committee and stated she is looking forward to additional appointment to launch the Committee. Ms. Luick noted staff has not made additional progress on the anti-displacement pan but are working on an outline for displacement strategy within the Management Pillar. She added that recruitment continues regarding a Housing Program Manager with interviews taking place. She stated that with the acquisition of the property on Bryant Road, available land for the delivery of workforce housing is near seven acres. She reported the Northpoint Project RFP should be awarded some time this summer. Ms. Luick noted that the Town recently submitted comments to the South Carolina Housing Finance Agency regarding their draft qualified allocation plan which we focused on eligibility for project in the Hilton Head Island/Beaufort County area. She said they also shared the comments with our local delegation. She reported the Beaufort/Jasper Housing Trust has been launched and they are actively reviewing proposals received with anticipation of some funding decisions in August. Ms. Luick expressed appreciation to Senator Tom Davis for the legislation for the development of workforce housing that allows local governments to use up to 15% of their accommodation tax revenues to support workforce housing. She explained staff is now drafting the required Housing Impact Analysis for the utilization of those funds.

- d. Presentation of the 2023 Annual Evaluation Report of the Community Rating System's Program for Public Information – Shawn Colin, Assistant Town Manager, Community Development

Shawn Colin informed Council the PPI was adopted in 2015 by the Town and this annual report is presented each year as a requirement for certification for the Community Rating System. He noted the Community Rating System is a volunteer program for the National Flood Insurance Program and the Town chooses to participate noting that not all communities participate. He stated a benefit of participation is that currently citizens receive a 25% discount on their flood insurance premiums. He informed Council the Public Program for Public Information Committee meets annually and the membership consists of four staff members, Shari Mendrick, Brian Eber, Tom Dunn, and Carolyn Grant along with representatives from the Insurance Industry, Association of Realtors, Realtors, Local Property Owners Association, Vacation Time Rentals, Hilton Head Area Home Builders Association, and there is a slot for a mortgage lender here on the Island. He noted a full list of activities was provided in the report included in the packet which includes 36 outreach projects and five flood response preparation projects. Mr. Colin informed Council no action is required from Council, but it is required the report is presented annually for recertification purposes.

- e. Presentation of the 2023 Annual Evaluation Report of the 2020 Lowcountry Natural Hazard Mitigation Plan – Shawn Colin, Assistant Town Manager, Community Development

Shawn Colin noted this plan is also linked to the Community Rating Program. He stated the Town participates in the plan which was coordinated through the Lowcountry Council of Governments with four counties in the region. He said it identifies projects to mitigate impacts of natural hazards in the region but also more specifically to our community. Mr. Colin added that the plan requires an annual report be presented to Town Council each year for that participation in the Community Rating System and enables pursuit of grant funding for identified projects for funding from FEMA and enables an easier transition to request funding for mitigation projects. Mr. Colin noted that participation provides credit toward the CRS Program which increases our class, lowers flood insurance rates and provides credit toward the Emergency Management Accreditation Program which is currently being pursued. He informed Council the Town is on the list of finalists and he hopes to know more later this year. He said Council will receive an update once they get word regarding the program.

## **8. Reports from Members of Town Council**

- a. General Reports from Town Council

Ms. Becker encouraged all to attend the Sound of Freedom Movement movie.

Ms. Brison congratulated Habitat for Humanity on the recent fundraiser held at First Presbyterian Church. She thanked the Church for hosting the event and noted Stephen Arnold was one of the organizers of the concert. She also thanked Lavon Stevens who led a musical group along with a special guest. Ms. Brison stated the event raised \$23,000 and said the Town looks forward to continuing to look for ways to partner with habitat for Humanity on providing housing.

Mayor Perry asked that everyone open their hearts and minds for a young 12-year-old boy, Cameron Schroeder who is scheduled to undergo brain surgery. He noted the young boy fell and out of precaution he received an MRI which indicated a tumor at the base of his brain. He asked all to keep Cameron in their thoughts and prayers.

**b. Report of the Lowcountry Area Transportation Study – Glenn Stanford**

No report.

**c. Report of the Lowcountry Council of Governments – Tammy Becker**

No report.

**d. Report of the Beaufort County Airports Board – David Ames**

Mr. Ames stated there would be a meeting held on Thursday, July 20 at 1:30 here at Town Hall in Council Chambers.

**e. Report of the Southern Lowcountry Regional Board – Glenn Stanford**

Mr. Stanford reported the Board is deep into planning the Regional Housing Trust and a meeting is scheduled for next week.

**f. Report of the Island Recreation Association Board – Alex Brown**

No report.

**g. Report of the Community Services and Public Safety Committee – Tammy Becker**

Ms. Becker reported there was no meeting in July and a special meeting has been scheduled for August 7 to review applications for boards, committees and commissions. She encouraged citizens to consider applying to serve.

**h. Report of the Public Planning Committee – David Ames**

Mr. Ames stated the Committee met on July 13 and heard a staff update on District Plans and the initial presentation of the Marshes District Plan.

**i. Report of the Finance and Administrative Committee – Alex Brown**

Mr. Brown reported the Committee met earlier in the day and received a financial update and voted to move forward to the full Town Council for review and consideration an Intergovernmental Agreement related to South Carolina Revenue Services.

## **9. Appearance by Citizens**

Members of the LowCountry Alliance for Healthy Youth/Teens for Healthy Youth members Ben Vaught, Amber Van Horn, Jillian Campanella and Jacob Perky addressed Council regarding Hilton Head Island smoking regulations and asked that electronic smoking devices to be included in the current smoking regulation of Hilton Head Island Town Code. They provided

statistics regarding the use of the devices in support of their request.

Adam Lipson addressed Council regarding the proposed changes to Chaplin Park. He stated the changes would have a major impact on the residents of Bradley Beach, Burkes Beach and Singleton Beach. He stated there would be problems with parking, and the impact of cost for and future costs maintaining an Olympic size pool. He stated he stands strong with his neighbors and other locals that this is not something which they feel is in the best interest of Hilton Head as a broader community or in the local community,

Skip Hoagland addressed Council regarding the membership of the Hilton Head Island-Bluffton Chamber of Commerce and the Greater Island Council.

Skip Hoagland approached the dais stating he was speaking for Ms. Greely and had a power of attorney to do so. Mayor Perry reminded Mr. Hoagland the Town does not accept the POA and the ramifications if he continues. Mr. Hoagland stated he would accept the citation and proceeded to speak. He questioned use of tax funds by the Hilton Head Island-Bluffton Chamber of Commerce and encouraged transparency.

Mary Amonitti addressed Council regarding an incident on the beach regarding volleyball nets being anchored in the dunes. She contacted Bob Bromage who referred her to Mogan Thompson, Community Code Enforcement Officer. She stated the situation was handled quickly and efficiently and extended her thanks to all concerned.

Peter Kristian addressed Council noting he is a member of the Hilton Head Island-Bluffton Chamber of Commerce and the Greater Island Council. He reminded all that it is hurricane season noting Tom Dunn, Emergency Manager conducts presentations to groups as requested. He encouraged Council and staff to continue their work regarding traffic concerns and workforce housing.

Risa Prince addressed Council regarding the Islander Mixed-Use text amendment stating it should not be addressed at this time and requested it be considered during the review of the Bridge to Beach District Plan.

Eric Somerville addressed Council voicing his support for the Islander Mixed-Use text amendment noting that the area has needed updating for a long time.

Trey Graves addressed Council suggesting the Town create a land bank with the existing land owned by the Town for developers to compete for the opportunity to develop responsibly within the guidelines as set forth by the Federal Low-Income Housing Tax Credit Framework.

Sherrie Mikrut addressed Council stating her support for the Islander Mixed-Use text amendment noting it will eliminate dilapidated buildings and assist local businesses with employee retention.

Alan Wolf, President, SERG Restaurant Group, addressed Council in support of the Islander Mixed-Use text amendment stating the business community has stepped up with this solution for workforce housing and implored Council to approve the text amendment.

Xiadon Li addressed Council urging them to vote yes on the first reading of the Islander Mixed-Use text amendment noting the robust process conducted to debate the merits of the project. She noted the developers should be given the opportunity to present their case at this meeting. She encouraged Council to vote yes which will encourage other private solutions to address housing affordability.

Diederik Advocaat addressed Council regarding concerns for the need for the results of studies being conducted regarding traffic solutions. He also voiced his concerns that if the buildings are sold, they could possibly be converted back into regular housing. He urged Council not to rush into deciding but to do it after all needed data is available.

Carol Buxser addressed Council stating Council needs to approve the Islander Mixed-Use text amendment stating the private sector has stepped up and is ready to go and if approved, this may result in additional private development of workforce housing.

Matt Sweeney addressed Council regarding his support for the approval of the Islander Mixed-Use text amendment. He stated the buildings have been dilapidated for years and this would improve the area. He added that this would be a game-changer for an under-utilized USCB campus.

Cherry Norris addressed Council stating the Town has a great opportunity and a developer who is willing to take a dilapidated building and turn it into a multi-use residential and retail property. She spoke in support of the Islander Mixed-Use text amendment. She stated it is time to let the private sector take the lead, noting the developer, the college and the employers have the most invested and the most to lose.

Lynne Fontaine addressed Council regarding the Islander Mixed-Use text amendment stating her support noting there could be one of two mindsets created as a result of this meeting. 1. A Town Council that is serious about workforce housing using zero taxpayer dollars, no government subsidies and will provide places for the workforce to live, or 2. A Council whose interest lies in creating a housing authority, adding more bureaucracy, and spending more taxpayer dollars and still no new housing in place for the workforce.

Steve Birdwell, President, Sea Pines Resort addressed Council with his concerns regarding the text amendment regarding traffic congestion. He noted the proposed ordinance applies not only to the current project, but all properties located in the Sea Pines Circle District within 500 feet of USCB which is a total

of 23 properties. He stated traffic could become unbearable if this goes forward at this time. He stated the need for more time to consider and review the proposal.

John Zmarzly addressed Council stating Office Way is an eyesore and needs addressed. He stated there is a local developer partnering with local businesses pledging to lease space and private business working together to solve a problem. He urged Council to move the proposed ordinance forward today for further discussion.

Al Panu addressed Council regarding his support of the Islander Mixed-Use text amendment stating student housing is necessary and essential for the success of the USCB Campus.

Melinda Tunner addressed Council requesting their support to vote yes on the Islander-Mixed Use text amendment for the good of student housing for the USCB Campus and workforce housing for the local businesses.

## **10. Executive Session**

- a. Discussion of legal advice from the Town Attorney and other matters covered by the attorney client privilege (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 [a][2]) related to the creation of an Islander Mixed Use within the Sea Pines Circle District.

As a result of Item 5 on the agenda, at 4:45 p.m., Ms. Brison moved to go into Executive Session for the reasons listed above. Mr. Stanford seconded. Motion carried 7-0.

At 5:32 p.m. Council came out of Executive Session and the Mayor stated no action was taken during or as a result of Executive Session.

## **11. New Business**

- a. Consideration of Proposed Ordinance 2023-07 Amending Sections title 16 of the Municipal Code of the Town of Hilton Head Island, the Land Management Ordinance, to Create a New Use Called Island Mixed-Use within the Sea Pines Circle District – First Reading – Shawn Colin, Assistant Town Manager, Community Development

Missy Luick conducted an extensive presentation regarding the Islander Mixed Use text amendment proposed ordinance. She explained the proposed ordinance is a result of a request by Josh Tiller of JK Tiller and Associations for a text amendment to create Islander Mixed-Use within the Sea Pines Circle District, to establish a definition for that use, and use specific conditions and exceptions to the development form standards. She noted is specifically amends the following sections in the Code: 16-3-105 – Sea Pines Circle District; 16-4-102A – Principal Uses; 16-4-102B – Use Specific Conditions; and 16-10-103A – Use Classifications, Use Types and Definitions. She reviewed the public process

to date and the timeline. She stated the application includes the text amendment, letters of support, traffic impact analysis, and a building mass and scale exhibit. Mis Luick proceeded to review the request and proposed ordinance in detail. She explained the next steps which are as follows: the text amendment can either be approved by ordinance or denied by resolution per Code; if Council approves it at first reading and it is different than what was approved by the Planning Commission, it will need to go back to the Planning Commission for review of the changes; and a Workforce Housing Agreement document would be required before second reading.

Members of Council asked questions and made comments regarding: reasoning that the staff recommendation of a maximum of four bedrooms per unit; confirmation that there will be a floor area ration requirement included in the upcoming LMO amendments; confirmation that the text amendment addresses some of the mass and scale concerns; confirmation that the Bonus Density Program only applies to properties owned in RM4; confirmation that functional open space is defined it as the designated area which should offer active or passive recreational and gathering spaces for the use of residents.

Mayor Perry invited Mr. Tiller to address Council. Mr. Tiller referenced *Our Plan* and the goal of assessing development standards and building codes to foster private sector development of needed and diverse attainable housing options. He noted that is what they are proposing with this request. Mr. Tiller conducted a review of the project and requirements in detail. He thanked Council for their consideration and noted his team was available for any questions.

Mr. DeSpain addressed Council assuring Council they will do their best efforts to make the project work and thanked them, along with staff, for all the time and effort that has gone into this request.

Mayor Perry asked for public comment:

Gray Smith addressed Council noting that while hospitality workers will be living in the proposed housing, they may enroll at USCB to obtain high education which would in turn increase enrollment.

Dee Anthony addressed Council in support of the Islander Mixed-Use text amendment due to the parameters within the amendment which will assist in moving forward with housing needs in a positive way.

Gregory Thompson, representing the Sea Pines Property Owners Association Advisory Board addressed Council requesting they reject the proposed text amendment to create a new use called Islander Mixed-Use within the Sea Pines Circle District.

David Ellis, Chairman of the Board of Directors of the Sea Pines Community Service Association spoke on behalf of the Association asking that Council either postpone or deny the request.



Donald Sigmon addressed Council stating his support for the text amendment stating he does not see that it will have an impact on Sea Pines traffic.

Mike Wagner, Beach Patrol Director, Shore Beach Services addressed Council noting the need for housing for his employees. He stated he feels the project would satisfy a need for workforce housing.

Daniel Anthony addressed Council in support of the text amendment stating it is a good first step in addressing the housing issues.

Senator Tom Davis addressed Council applauding the process that was taking place. He stated that if the concern regarding the text amendment is an increase in traffic on the Sea Pines Circle and an impact to the quality of life of Sea Pines residents, you not only have to look at what the increase in traffic is going to be as a result of this text amendment, but what would the traffic increase be as a result of the development by right. He stated since there is a meeting scheduled next week for the Planning Commission there is more opportunity for community input and having questions answered.

Lynn Pico Bullard addressed Council in support of the text amendment stating the need to support students that will be attending USCB.

Alan Wolf, President of SERG Group, addressed Council stating his support of the text amendment. He reviewed the reasoning for the AMI of 130%.

Sherry Mikrut addressed Council in support of the Islander Mixed-Use text amendment noting it has been on the Town website for over a year. She voiced her opinion that there will not be a negative impact on traffic.

George Paletta addressed Council in support of the text amendment stating it is an opportunity to address needs. He noted the developer is using his own money.

Ray Deal addressed Council and read a letter written from the Hilton Head Island-Bluffton Chamber of Commerce in support of the Island Mixed-Use text amendment.

Xiaodan Li addressed Council restating her support for the text amendment.

Frank Babel addressed Council stating he is a Sea Pines resident and spoke in support of the text amendment.

Jay Wiendl, General Manager of Beach House Resort spoke in support of the text amendment noting the housing difficulties his employees face.

Sue Gibson, Instructor, Hospitality Management Program at USCB addressed Council in support of the text amendment noting the hardship students face in commuting to the Island for classes.

Peter Kristian addressed Council in support of the text amendment stating that

as an employer he is 100% behind the project.

Mayor Perry asked if there was a motion.

Ms. Brison moved to approve the text amendment to the Land Management Ordinance (LMO) as set out in Proposed Ordinance #2023-07 subject to the following amendments:

- (1) A four (4) bedroom per dwelling unit maximum as recommended by the staff.
- (2) Including the definition of “functional open space” or “common amenity space” as has been recommended as staff has included language about that.
- (3) Increase the workforce housing standards closer to that already provided in the LMO for increased density, so that instead of 15% of Islander Mixed Use Units there would be 20%; for households earning up to 90% of the AMI per the Town’s Workforce Housing Agreement requirements; excluding student housing units for USCB, for a term of a minimum of 20 years from the date of the initial certificate of occupancy for completion of construction of the last workforce housing unit, and if there be any document recorded in the Office of the Register of Deeds for Beaufort County to restrict the property to those Workforce Housing requirements.
- (4) That there be a clarification regarding shared use parking so that the Mixed-Use development may utilize shared parking on Education Use property for so long as the property is used for Education Use and that the shared parking is limited to the same number of parking spaces as the number of beds provided in student housing for the Education Use.

Ms. Becker seconded.

Mr. Ames Moved to amend the motion to add that a workforce housing provision be attached within the text amendment with the intent that if the property is sold it remains workforce housing and does not become an apartment complex. Mr. Brown seconded. Amendment to the Motion carried 5-1-1(Brison against, Becker abstained).

Ms. Brison’s original motion, as amended by Mr. Ames motion, was approved by a vote of 7-0.

## **12. Executive Session**

- a. Discussion of Matters Relating to the Proposed Location, Expansion, or the Provision of Services Encouraging Location or Expansion of Industries or Other Businesses in the area Served by the Public Body (Pursuant to South Carolina Freedom of Information Act Section 30-4-70(a)(5)) related to:

1. Project Cloud
- b. Discussion of Personnel Matters [pursuant to the South Carolina Freedom of Information Act Section 30-4-70(a)(1)] Related to:
  1. Town Council Appointments to Town Boards and Commissions
    - i. Housing Action Committee
- c. Discussion of Legal Advice from the Town Attorney on Matters Covered Under the Attorney-Client Privilege (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 [a][2]) Related to:
  1. Mount Calvary Missionary Baptist Church of HHI, et al vs Town of HHI, et al
  2. Mitchelville Road Dirt Road Paving
  3. Transcon Industries, et all vs Town of HHI, et al
  4. Hilton Head Motorcoach et al vs Town of HHI, et al
- d. Discussion of Negotiations Incident to Proposed Contractual Arrangements and Discussions for the Proposed Sale or Purchase of Property (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 [a][2]) related to:
  1. Marshland Road Area
  2. Chaplin Area
  3. Stoney Area
  4. Dillon Road Area
  5. Jonesville Road Area
  6. Pope Avenue Area
  7. Muddy Creek Road Area
  8. Beach City Road Area
- e. Discussion and Status Update on the Negotiations Incident to Proposed Contractual Arrangements for the Northpoint Public-Private Partnership Workforce Housing Project (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 [a][2])

Mr. Orlando stated the need to go into Executive Session for the purposes listed above. At 8:05 p.m., Mr. Ames moved to go into Executive Session for the reasons stated by the Town Manager. Mr. Stanford seconded. Motion carried 7-0.

### **13. Action from Executive Session**

At 9:57 p.m. Council returned from Executive Session and Mayor Perry asked if there were any items to be addressed as a result of Executive Session.

Mr. Ames moved to appoint the following to the Housing Action Committee: Jack Alderman, Sarah Jones-Anderson and Luana Graves Sellars. Mr. Stanford seconded. Motion carried 6-1 (Becker opposed).

Mr. Ames moved to adopt a Resolution of the Town Council of The Town Of Hilton Head Island, South Carolina, under the authority of S. C. Code Ann. § 28-2-10, *et seq.* (Supp. 2023), and § 16-5-105(d)(5), *Municipal Code of the Town of Hilton Head Island, South Carolina* (1983), authorizing acceptance of property for a public right of way for a roadway known as “Mitchelville Lane,” and a pathway easement. Ms. Brison seconded. Motion carried 7-0.

#### **14. Adjournment**

The meeting was adjourned at 10:00 p.m.

**Approved: August 15, 2023**

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Kimberly Gammon, Town Clerk

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Alan R. Perry, Mayor

The recording of this Meeting can be found on the Town’s website at [www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov)