

THE TOWN OF HILTON HEAD ISLAND

REGULAR TOWN COUNCIL MEETING

Date: Tuesday, December 3, 2013

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Kim Likins, Marc Grant, John McCann, Lee Edwards, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Lavarn Lucas, *Fire Chief*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Susan Simmons, *Director of Finance*; Jill Foster, *Deputy Director of Community Development*; Shawn Colin, *Deputy Director of Community Development*; Brian Hulbert, *Staff Attorney*; Heather Colin, *Development Review Administrator*; Teri Lewis, *LMO Official*; Anne Cyran, *Senior Planner*; Jayme Lopko, *Senior Planner*; Marcy Benson, *Senior Grants Administrator*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: Tom Barton, *Island Packet*

1) CALL TO ORDER

Mayor Laughlin called the meeting to order at 4:00 p.m.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) FOIA Compliance – Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5) Proclamations and Commendations

a. Arbor Day

Marcy Benson was present to accept the proclamation.

6) Approval of Minutes

a. Town Council Meeting– November 19, 2013

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the November 19, 2013 Town Council meeting were approved by a vote of 6-0. (Mr. Edwards arrived immediately after the vote at 4:08 p.m.)

7) Report of the Town Manager

a. Town Manager’s Items of Interest

8) Reports from Members of Council

a. General Reports from Council

None.

b. Report of the Intergovernmental Relations Committee – George Williams, Chairman

None.

- c. Report of the Personnel Committee – Lee Edwards, Chairman

None.

- d. Report of the Planning & Development Standards Committee – John McCann, Chairman

None.

- e. Report of the Public Facilities Committee – Kim Likins, Chairman

None.

- f. Report of the Public Safety Committee – Marc Grant, Chairman

None.

- g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member

None.

9) Appearance by Citizens

None.

10) Unfinished Business

None.

11) New Business

a. First Reading of Proposed Ordinance 2013-22

First Reading of Proposed Ordinance 2013-22 to amend Title 16, the Land Management Ordinance, of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-4-102, the Official Zoning Map, specifically rezoning 8.56 acres identified as Parcels 8, 336 through 342, and 344 through 375 on Beaufort County Tax Map 5 from RM-4, Low Density Residential to RM-8 Residential Moderate Density and providing for severability and an effective date.

Mr. Williams moved to approve. Mrs. Likins seconded. Jayme Lopko reviewed the request explaining the reasons staff recommended denial. She reviewed the properties the Town and the County have purchased to date in order to decrease density. Chet Williams spoke on behalf of the applicant requesting that Town Council approve the rezoning. He explained the development failed as single family residential subdivision and the new owner is trying to make it more marketable. Mr. Chet Williams explained in detail his reasoning for requesting approval of the application.

Mr. Harkins stated he took exception to the proposal. He said it was in direct violation to the Town's comprehensive plan and due to the location of the property in the airport hazard overlay an approval increases the consequence of a plane crash. Mr. Harkins referenced the efforts of purchasing property to decrease density and the development of Mitchelville as other reasons for denial. Mr. Edwards stated he was in agreement with Mr. Harkins stating that he does not agree with increasing density in an area where for years the Town has attempted to decrease density.

Mr. Grant spoke in support of the application stating affordable housing would benefit many residents and commended the owner's efforts to develop the land.

Gary Kubic, Beaufort County Administrator spoke in opposition to the request and referenced a letter he sent to Town Council stating safety concerns because of the property

being located in the airport hazard overlay. As requested by Mr. Kubic, a copy of the letter is attached to the minutes for the record.

Mr. Charles Copley spoke in opposition to the application. Curtis Coltrane spoke on behalf of the one family that owned a home in the development stating they are in support of the application and explained their reasons. Mr. Will Dopp, Member of the Beaufort County Airports Board, spoke in opposition to the application.

Mr. McCann stated he shared the concern for safety but the issue has turned in to an airport issue rather than a rezoning issue. He spoke in support of the application and suggested that if the concern is that great, Beaufort County should purchase the land so nothing is built. Mrs. Likins spoke in support of the application stating that affordable housing is needed and if safety is an issue the Town should not allow anyone to live on the property.

Mayor Laughlin stated that if RM-4 is not appropriate for this property that it would not be appropriate for many other properties.

Mr. Williams stated that as a member of the Planning & Development Standards Committee he was originally in favor of the application and after hearing the safety concerns he changed his mind and would be voting for denial.

The motion was defeated by of vote of 3-4. (Mr. Edwards, Mr. Harkins, Mr. Williams and Mayor Laughlin were opposed.)

Mr. Harkins moved for approval of an oral Resolution to deny the application based on concerns over the impact on the airport hazard overlay, public safety, and other issues cited in the staff report attached to the application. Mr. Edwards seconded. The motion was approved 4-3. (Mr. Grant, Mr. McCann and Mrs. Likins were opposed.)

b. First Reading of Proposed Ordinance 2013-24

First Reading of Proposed Ordinance 2013-24 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance, Chapter 4, Article XIII. this amendment, commonly referred to as the *LMO Amendment to Amend Auto Sales Standards*, as noticed in the Island Packet on August 11, 2013, includes a revision to Chapter 4, Article XIII, Section V, Auto Sales; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

c. First Reading of Proposed Ordinance 2013- 20

First Reading of Proposed Ordinance 2013-20 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2013; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

d. First Reading of Proposed Ordinance 2013- 19

First Reading of Proposed Ordinance 2013-19 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2014; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

e. First Reading of Proposed Ordinance 2013- 17

First Reading of Proposed Ordinance 2013-17 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2014; to provide for the budgeted appropriations of prior year encumbrances and for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

f. First Reading of Proposed Ordinance 2013-18

First Reading of Proposed Ordinance 2013-18 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2014; to provide for the budgeted appropriations of prior year budget roll-forwards and the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

g. Consideration of a Resolution – Baygall Sewer Project

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution and delivery of a contract between the Town of Hilton Head Island, South Carolina, and the Hilton Head No. 1 Public Service District relating to the sewer expansion project known as the Barker Field Expansion Pump Station, also known as the Barker Field Area Project including Mitchelville Beach Park connection.

Mr. Harkins moved to approve. Mr. Williams seconded. The motion was approved by a vote of 7-0.

h. First Reading of Proposed Ordinance 2013-27

First Reading of Proposed Ordinance 2013-27 of the Town Of Hilton Head Island, South Carolina, authorizing the execution of a contract for purchase and sale; the execution of a deed for the sale of 0.24 acres of real property located near William Hilton Parkway and the Fresh Market Shoppes to HCP Acquisition, LLC, in exchange for 0.50 acres of real property located near William Hilton Parkway and the Fresh Market Shoppes from HCP Acquisition, LLC; and the granting of an access easement to HCP Acquisition, LLC, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. Williams seconded. The motion was approved by a vote of 7-0.

12) Executive Session

Mr. Riley stated he needed an Executive Session for contractual matters pertaining to land acquisition; contractual matters pertaining to the mid-term review of the Town Attorney and personnel matters pertaining to the annual review of the Town Manager.

At 5:12 p.m. Mr. Williams moved to go into Executive Session for the reasons given by the Town Manager. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 5:51 p.m. and stated there was no business as a result of the Executive Session.

13) Adjournment

Mr. Edwards moved to adjourn. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0. The meeting was adjourned at 5:52 p.m.

Vicki Pfannenschmidt
Executive Assistant/Town Clerk

Approved: 12/17/2013

Drew A. Laughlin, Mayor