

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

**Date:** Tuesday, December 15, 2009

**Time:** 4:00 P.M.

**Present from Town Council:** Thomas D. Peebles, *Mayor*; Ken Heitzke, *Mayor Pro-Tem*; George Williams, Drew Laughlin, Bill Ferguson, John Safay, Bill Harkins, *Councilmen*.

**Present from Town Staff:** Stephen G. Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Curtis Coltrane, *Assistant Town Manager*; Lavarn Lucas, *Fire Chief, Fire & Rescue*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities*; Susan Simmons, *Finance Director*; Nancy Gasen, *Director of Human Resources*; Brian Hulbert, *Staff Attorney*; Jeff Buckalew, *Town Engineer*; Jill Foster, *Deputy Director of Community Development*; Julian Walls, *Facilities Manager*; Teri Lewis, *LMO Official*; Heather Colin, *Development Review Administrator*; Jennifer Hasting, *Asst. Town Engineer*; Jayme Lopko, *Senior Planner*; Paul Rasch, *Emergency Management Coordinator*; Darrin Shoemaker, *Traffic & Transportation Engineer*; Sally Krebs, *Natural Resources Administrator*; Susan Blake, *Executive Assistant*

**Present from Media:** Laura Nahmias, *Island Packet*

---

**1) CALL TO ORDER**

**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**

**6) APPROVAL OF MINUTES**

**a. Regular Town Council Meeting of December 1, 2009**

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

**7) REPORT OF THE TOWN MANAGER**

**a. Town Manager's Items of Interest**

The Town Manager reported on some items of interest.

Steve Riley invited Glenn Stanford, who works with Beaufort County on their land buying program, to make an announcement. Mr. Stanford reported that County Council last night unanimously approved the acquisition of a one half interest jointly with the Town of Hilton Head Island in the four parcels that the Town previously acquired on Spanish Wells Road. That closing should move forward promptly. The County was pleased to have the opportunity to again join with the Town in a land conservation project.

Steve Riley noted that approximately \$1.2 million dollars would be returned to the Land

Acquisition fund as a result of the County's decision.

**b. 2009 Town Council Targets and Goals – year end update**

Steve Riley noted that the year end update of Council's Targets and Goals was included with their agenda package.

**8) REPORTS FROM MEMBERS OF COUNCIL**

**a. General Reports from Council**

Mr. Ferguson expressed his concern about the burial of power lines in his ward. He wished that Palmetto Electric could speed up the process to accomplish this in a timely manner.

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

Mr. Williams reported that the committee reviewed the list of upcoming legislation for 2010. They also have recommended that the Mayor send a letter to the Legislative Delegation regarding a proposed tax incentive for a mall developer off-Island. There was grave concern about the scope of the incentives and the potential for a serious negative impact on existing businesses both on the Island and in the Bluffton and Beaufort areas if this mall was built. The letter would ask the delegates to very carefully review all aspects of the potential tax incentives to be offered to the developer before proceeding further. Mr. Williams moved that the Mayor be authorized to sign the letter and Mr. Harkins seconded. The motion was approved by a vote of 7-0.

At the January 5, 2010 Town Council meeting, the committee would be bringing forward a letter currently being drafted by staff in opposition of the point of sale bill roll-back. They will be asking the Town Council to authorize the Mayor to sign this letter.

**c. Report of the Personnel Committee – Drew Laughlin, Chairman**

No report.

**d. Report of the Planning and Development Standards Committee – Bill Ferguson, Chairman**

No report.

**e. Report of the Public Facilities Committee – John Safay, Chairman**

No report.

**f. Report of the Public Safety Committee – Bill Harkins, Chairman**

The Chairman noted that the committee met and they have an item on tonight's agenda.

**9) APPEARANCE BY CITIZENS**

Peter Ovens noted that the Chamber of Commerce would be providing informational pamphlets on all of the non-profit organizations and charities here on the Island. This information would be available at the Community Space within Shelter Cove Mall, the Hilton Head Island library as well as other prominent public spaces.

Frank Babel encouraged Council to participate in the "Bike Friendly Community" program.

Mary Amonitti spoke on a number of topics regarding the Town's environment and the

Council's order of business.

Starletta Hairston asked Town Council to pass the Lawful Employment Ordinance that Beaufort County passed two years ago.

**10) UNFINISHED BUSINESS**

- a. Second Reading of Proposed Ordinance No. 2009-38 to amend Chapter 5 of Title 9 of the Municipal Code of the Town of Hilton Head Island, to add Section 9-5-211, Post-Disaster Debris Collection; and providing for severability and an effective date.**

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

- b. Second Reading of Proposed Ordinance No. 2009-42 to amend Chapter 1 of Title 9 of the Municipal Code of the Town of Hilton Head Island, to amend Section 9-1-115, Abatement of Nuisance; and providing for severability and an effective date.**

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

**11) NEW BUSINESS**

- a. Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, establishing the Town of Hilton Head Island Vision Statement, The Five Year (2015) Goals, 2010 Policy Agenda/Targets for Action, and 2010 Management Agenda.**

Mr. Heitzke moved to approve. Mr. Harkins seconded. The Mayor mentioned that he felt that the wording of some of the targets and goals needed more clarification and elaboration. Mr. Williams said that regarding the presentation they just heard about a Bike Friendly Community, he wanted to let the public know that this topic was discussed at the workshop but it did not make the list of priorities. Mr. Williams asked that the Town Manager keep this program in mind for possible action at a later date during 2010.

After discussion, Mr. Laughlin moved that the Town Manager review the wording of the targets for revision and bring consideration of the Resolution back to the January 5, 2010 meeting. Mr. Ferguson seconded. The maker and seconder of the original motion agreed. The motion was approved by a vote of 7-0.

- b. First Reading of Proposed Ordinance No. 2009-39 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance, Chapter 4, Section 403. These amendments include changes that provide for amendments to: Airport Overlay District Regulations and the Approach Path; providing for severability and an effective date; and considering invoking pending ordinance doctrine.**

Mr. Harkins moved to approve. Mr. Williams seconded.

Charles Cousins presented on overview of the process and changes that had occurred at the review of the Proposed Ordinance at the Public Safety Committee level.

When Charles Cousins completed his presentation, Mr. Harkins commented that some of these changes did not appear to coincide with his recollection of the recommendations of the Public Safety Committee. After a lengthy discussion, Mr. Harkins moved and Mr. Williams seconded the motion to return the proposed ordinance to staff for further refinements and consideration at

the January 5, 2010 Town Council meeting. The maker and seconder agreed.

The motion was approved by a vote of 7-0.

**12) EXECUTIVE SESSION**

Mr. Riley stated that he needed an executive session for land acquisition matters, including a request to sell Town owned land.

At 6:20 p.m., Mr. Heitzke moved to go into Executive Session for the reasons stated by the Town Manager. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Mayor Peeples called the meeting back to order at 7:05 p.m. and asked if there was any business to take up as a result of executive session.

Mr. Heitzke moved that the Town Council for the Town of Hilton Head Island authorize the execution of a contract for purchase of 0.71 acres on William Hilton Parkway from William Green, Jr., Margaret Polite, Allen Green, Kelvin G. Grant and Calvin Green for Three Hundred Thousand (\$300,000) dollars. Mr. Williams seconded. The motion was approved by a vote of 6-0-1. Mr. Ferguson recused himself from the Executive Session discussion and the vote on the Resolution. A signed, completed disclosure of potential conflict of interest form is attached.

**13) ADJOURNMENT**

At 7:06 p.m., Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Susan Blake, Secretary

Approved: January 5, 2010

Thomas D. Peeples, Mayor