

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

Date: Tuesday, June 24, 2009

Time: 6:00 P.M.

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

Present from Town Staff: Stephen G. Riley, *Town Manager*; Gregory D. DeLoach, *Assistant Town Manager*; Curtis Coltrane, *Assistant Town Manager*; Lavarn Lucas, *Fire Chief, Fire Rescue*; Susan Simmons, *Director of Finance*; Charles Cousins, *Director of Community Development*; Julian Walls, *Facilities Management Director*; Steven Markiw, *Deputy Director of Finance*; Brian Hulbert, *Staff Attorney*; Teri Lewis, *LMO Official*; Paul Rasch, *Emergency Management Coordinator*; Jeff Buckalew, *Town Engineer*; Ed Boring, *Deputy Fire Chief - Support Services*; Brad Tadlock, *Deputy Fire Chief - Operations*; Susan Blake, *Executive Assistant*

Present from Media: Daniel Brownstein, *Island Packet*

1. Call to Order

2. 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.

3. 6:00 P.M. - PUBLIC HEARING – Development Agreement between the Town of Hilton Head Island and PVI Shelter Cove Limited Partnership

The Mayor opened the public hearing at 6:00 p.m. and asked if there was any public comment.

Chester Williams, an attorney on the Island who represented the owners of the Mall, addressed Council and noted for the record that this agreement came with a recommendation for approval from the Planning Commission.

No one else wished to speak, so the Mayor closed the public hearing at 6:02 p.m.

4. a. Revised First Reading of Proposed Ordinance No. 2009-06 authorizing the execution of a Development Agreement with PVI Shelter Cove Limited Partnership for the redevelopment of the Mall at Shelter Cove pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2002), and Sec. 2-7-20, Code of the Town of Hilton Head Island, South Carolina (1983); and providing for severability and an effective date.

Mr. Ferguson moved to approve. Mr. Laughlin seconded. Chester Williams again noted for the record that this proposed ordinance came with a recommendation for approval from the town staff and the Planning Commission.

The motion was approved by a vote of 5-1. Mr. Williams was opposed.

b. First Reading of Proposed Ordinance No. 2008-30 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 and the Palmetto Dunes Resort Master Plan with respect to that certain 42.45 acre parcel, located at 24 Shelter Cove Lane, to increase the density assigned to the parcel by 40,000 square feet to 314,000 square feet of which 46,000 square feet shall be limited to Cinema Complex Use, and to allow community service uses, in addition to commercial uses except as limited by LMO Section 16-4-209; and providing for severability and an effective date.

Mr. Ferguson moved for approval. Mr. Laughlin seconded. Mr. Heitzke spoke of his opposition to this proposed ordinance. A transcript of his remarks is attached in their entirety.

Mr. Williams said that he has expressed his reasons for his opposition to this plan in the past and he was not changing his mind; he was still not in favor of this.

Mr. Safay said that he did not know if a theater would save the mall or not, but if the people who's business it was to know this, felt building a theater was necessary, then he did not think they should stand in their way of what could be a very important facility in our Town.

The Mayor said he thought it would be good to have a new movie venue in the Town. He did not think the caliber of the movie-going experience was up to the standards of Hilton Head Island and he hoped this new facility would change that. He also pointed out that if this piece of property had not been part of the Palmetto Dunes Master Plan, there would not have been any zoning issues to prevent the mall expansion.

The motion was approved by a vote of 4-2. Mr. Heitzke and Mr. Williams were opposed.

5. UNFINISHED BUSINESS

- a. Second Reading of Proposed Ordinance No. 2009-19 to raise revenue and adopt a budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2010; to establish a property tax levy; to establish funds; to establish a policy for acquisition of rights of way and easements; and providing for severability and an effective date.**

Mr. Heitzke moved to approve. Mr. Laughlin seconded. The motion was approved by a vote of 6-0.

6. ADJOURNMENT

At 6:17 p.m., Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 6-0.

Susan Blake, Secretary

Approved:

Thomas D. Peeples, Mayor