

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

**Date:** Tuesday, July 7, 2009

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

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

**Absent from Town Council:**

**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*; Charles Cousins, *Director of Community Development*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Scott Liggett, *Director of Public Projects & Facilities*; Brian Hulbert, *Town Attorney*; Jill Foster, *Deputy Director of Community Development*; Teri Lewis, *LMO Official*; Ed Drane, *Urban Designer*; Susan Blake, *Executive Assistant*

**Present from Media:** Daniel Brownstein, *Island Packet*

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**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**

**a. Earl “Happy” Mitchell Commendation**

Mr. Mitchell accepted the Commendation.

**6) APPROVAL OF MINUTES**

**a. Special Town Council meeting of June 9, 2009**

Mr. Heitzke moved to approve. Mr. Williams seconded. Mr. Ferguson asked that the minutes reflect that in the mast-arm signage funding motion, he tried to piggy-back on that by getting the Council to add more signage for crosswalks. The current signs are right at the crosswalk and he felt that there should be signs in advance of the crosswalk. Mr. Ferguson said that this was not really a correction, but merely a point of order on that issue. The minutes were approved by a vote of 6-0.

**b. Regular Town Council Meeting of June 16, 2009**

Mr. Williams moved to approve. Mr. Heitzke seconded. The minutes were approved by a vote of 6-0.

**7) REPORT OF THE TOWN MANAGER**

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

The Town Manager reported on some items of interest.

**b. Report of the Design Review Board – Marvin Caretsky, Chairman**

Mr. Caretsky provided Town Council with an update on the Design Review Board activities for the first half of 2009.

**c. July 2009 Quarterly Report**

Steve Riley pointed out that the July quarterly report was included with the agenda package. He invited Town Council to contact him if they had any questions.

**d. Semi-Annual Land Acquisition Report**

As of June 30, 2009 available funds for land acquisition totaled \$3.18 million. Mr. Riley said he would like to suggest the Town put \$1 million of the uncommitted RETF fund in reserve for Debt Service. Several members of Council expressed their approval of the suggestion. No action was taken at this time. Steve Riley said he would bring a formal proposal to Town Council at a later date for their consideration.

**e. FY2009 Financial Statements through May 2009**

This financial statement was also included with the agenda package. Town Manager Steve Riley suggested that any questions about the statements could be directed to Susan Simmons or to him.

**8) REPORTS FROM MEMBERS OF COUNCIL**

**a. General Reports from Council**

None.

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

No report.

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

The Committee was searching for a candidate to fill a vacancy in the Design Review Board and was scheduling interviews.

**d. Report of the Planning and Development Standards Committee – Drew Laughlin, Chairman**

No report.

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

The committee met and discussed increasing the Storm Water Utility Fee to either \$83.23 or \$100.43. The Committee ultimately voted to recommend a fee increase of \$83.23 and this would be coming forward to the next Town Council meeting for discussion.

**f. Report of the Public Safety Committee – George Williams, Acting Chairman**

The July meeting was cancelled for lack of agenda items and the next meeting scheduled for

the committee is August 3<sup>rd</sup>.

**9) APPEARANCE BY CITIZENS**

Mary Amonitti spoke to Town Council about the economic downturn's effect on some of the Island's population. She asked that the Town Council partner with Bluffton and other neighboring towns to coordinate a joint effort to assist those people in need.

**10) UNFINISHED BUSINESS**

- a. Second Reading of Proposed Ordinance No. 2009-22 to amend Title 16 "The Land Management Ordinance" (LMO), of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Chapter 4, section 16-4-102, the official zoning map, specifically to rezone parcel 192 on Beaufort County Tax Map #5 from RM-4, Light to Moderate Residential to IL, Light Industrial; and providing for severability and an effective date.**

Mr. Heitzke moved to approve. Mr. Laughlin seconded. Ms. Fran White expressed the opposition of their neighborhood to this proposed rezoning. Mr. Ferguson stated that he voted against this zoning change at first reading and he would be voting against it again. Mr. Heitzke noted that he voted for this at first reading because he was under the impression that the Baygall area residents were not strongly opposed to the rezoning. Now that he knew that was not accurate, he intended to vote against it. The motion failed by a vote of 3-3. Mr. Safay, Mr. Williams and Mr. Laughlin were in favor and Mr. Heitzke, Mayor Peoples and Mr. Ferguson were opposed.

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

- c. Second 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 to approve. Mr. Laughlin seconded. The motion was approved by a vote of 4-2. Mr. Heitzke and Mr. Williams were opposed.

**11) NEW BUSINESS**

- a. None.**

**12) EXECUTIVE SESSION**

Steve Riley said that he needed an executive session for land acquisition matters, including a request for easements by Hargray across Town-owned land, a legal matter pertaining to potential litigation and the review of the Town Manager.

At 4:30 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 6-0.

Mayor Peeples called the meeting back to order at 6:30 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 adopt a Resolution authorizing the Mayor and the Town Manager to execute and deliver a right of entry to Hargray, Inc. for the purposes of installing telecommunications infrastructure at various fire stations and the Fire and Rescue Training Center. Mr. Ferguson seconded. The motion was approved by a vote of 6-0.

**13) ADJOURNMENT**

At 6:31 p.m., Mr. Heitzke moved to adjourn. Mr. Safay seconded. The motion was approved by a vote of 6-0.

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Susan Blake, Secretary

Approved:

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Thomas D. Peeples, Mayor