

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, April 20, 2010

Time: 4:00 P.M.

Present from Town Council: Thomas D. Peeples, *Mayor*; Ken Heitzke, *Mayor Pro-Tem*; George Williams, John Safay, Bill Harkins, Drew Laughlin, Bill Ferguson, *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 and Facilities*; Susan Simmons, *Finance Director*; Nancy Gasen, *Director of Human Resources*; Tom Fultz, *Director of Administrative Services*; Julian Walls, *Facilities Manager*; Teri Lewis, *LMO Official*; Randy Nicholson, *Comprehensive Planning Manager*; Shawn Colin, *Senior Planner*; Heather Colin, *Development Review Administrator*; Marcy Benson, *Senior Grants Administrator*; Paul Rasch, *Emergency Management Coordinator*; Vicki Pfannenschmidt, *Administrative 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**
 - a. **Sexual Assault Awareness Month**

Jeanne Owens accepted the proclamation on behalf of Hope Haven of the Lowcountry.
- 6) **APPROVAL OF MINUTES**
 - a. **Regular Town Council Meeting of April 6, 2010**

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes were approved by a vote of 7-0.
- 7) **REPORT OF THE TOWN MANAGER**
 - a. **Town Manager's Items of Interest**

Steve Riley reported on some items of interest.
 - b. **April 2010 Quarterly Report**

Steve Riley noted the quarterly report was attached to the agenda package. He invited Council Members to contact him or staff if they had any questions.
 - c. **Budget Workshop dates**

Mr. Riley reviewed the schedule of dates for the Budget Workshops pointing out there was one revision which consisted of moving the Public Hearing and Revised First Reading to 5:00 p.m. as part of the regular Town Council Meeting on June 15, 2010 and that will require a Second

and Final Reading of Budget on June 22, 2010 at 4 p.m. He stated all other budget workshop dates remain the same.

8) REPORTS FROM MEMBERS OF COUNCIL

a. General Reports from Council

Mr. Safay stated there is a Town Ordinance on the books which affects homeowners adjacent or near areas that are posted "No Parking." He said the ordinance states the homeowner can obtain a permit for guest parking for a \$2.00 per car fee. He asked if staff could review the ordinance to see if the charge should be continued. Mayor Peoples asked if Steve Riley would look in to the matter. Mr. Riley said he would.

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

Mr. Williams reported the regular meeting for April was cancelled due to a lack of agenda items.

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

Mr. Laughlin stated staff is working on scheduling a meeting of the Committee.

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

No report.

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

No report.

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

No report.

9) APPEARANCE BY CITIZENS

None.

10) UNFINISHED BUSINESS

a. Second Reading of Proposed Ordinance No. 2010-06 to amend Title 17 General Regulations of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 12 (Special Events), Section 17-12-128 authority to waive; and providing for severability and an effective date.

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

b. Second Reading of Proposed Ordinance No. 2010-07 to amend Title 15 Building and Building Codes of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Fees and Permits), Section 15-5-211 (C) Waiver of Fees; 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.

c. Second Reading of Proposed Ordinance No. 2010-09 to amend Chapter 1 (General Provisions) of Title 3 (Elections) of the Municipal Code of the Town of Hilton Head

Island, South Carolina by amending Section 3-1-70 (a) Manner of Filing; 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.

d. Second Reading of Proposed Ordinance No. 2010-10 authorizing the execution of that certain utility easement agreement with Hilton Head Public Service District over property owned by the Town of Hilton Head Island, South Carolina, known as Manatee Way pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2009), 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. Heitzke moved to approve. Mr. Ferguson 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 proclaiming April 2010 as Fair Housing Month.

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

b. Consideration of a recommendation that the Town Council of the Town of Hilton Head Island approve the funding request of the Public Art Committee of the Community Foundation of the Lowcountry to develop a Public Art Exhibition at Honey Horn in Fall, 2011.

Mr. Heitzke moved to approve. Mr. Harkins seconded. Mr. Safay spoke in support of the program. He suggested that in the future the Foundation consider going through the Accommodations Tax Advisory Committee application process for funding. The motion was approved by a vote of 7-0.

c. Consideration of a recommendation that Town Council authorize the transfer of funds within the Capital Improvement Program Fiscal Year 2009-2010 Pathway Category Funding and amend the Town's Consolidated Municipal Budget for 2009-2010 in the following manner to augment funding for the construction of the New Orleans Pathway Project.

Mr. Heitzke moved to approve. Mr. Williams seconded. Scott Liggett approached the dais and explained this was not an increase in the budget but merely a transfer of funds from one area to another. The motion was approved by a vote of 7-0.

d. Consideration of a recommendation that the Town Council of the Town of Hilton Head Island direct the Town Manager to direct staff to coordinate with the Beaufort County Engineering Division in developing a joint written response to the United States Fish and Wildlife Service Transportation Study recommendations.

Mr. Heitzke moved to approve. Mr. Williams seconded. Mayor Peoples asked that the recommendation be clarified noting that if for some reason Beaufort County was unable or tardy in completing a joint recommendation, the Town would proceed without them. All Council members agreed. The motion was approved by a vote of 7-0.

- e. **First Reading of Proposed Ordinance No. 2010-08 to provide for the adoption of “The Town of Hilton Head Island 2010 Comprehensive Plan;” 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 .

12) EXECUTIVE SESSION

Mr. Riley said that he needed an executive session for contractual matters pertaining to land acquisition; including a request to buy town-owned land; contractual matters pertaining to the cable franchise agreement with Hargray Cable; legal matters pertaining to pending litigations and potential litigation; contractual matters pertaining to a possible grant award from the South Carolina Department of Health and Environmental Control.

At 4:21 p.m., Mr. Heitzke moved to go into Executive Session for the reasons stated by the Town Manager. Mr. Ferguson seconded. The motion was approved by a vote of 7-0.

Mayor Peeples called the meeting back to order at 5:38 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 approve the request of Hargray Cable TV Company, Inc., for a state-issued Certificate of Franchise Authority filed with the South Carolina Secretary of State on March 19, 2010. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Mr. Safay moved that the Town Council for the Town of Hilton Head Island authorize the execution of a contract for the sale of 1.09 acres known as Palmetto Dunes Fire Station to Palmetto Dunes Property Owners Association, Inc. for three-hundred thousand (\$300,000.00) dollars. Mr. Heitzke seconded. The motion was approved by a vote of 7-0.

13) ADJOURNMENT

At 5:39 p.m., Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Vicki Pfannenschmidt, Secretary

Approved:

Thomas D. Peeples, Mayor