

THE TOWN OF HILTON HEAD ISLAND

REGULAR TOWN COUNCIL MEETING

Date: Tuesday, July 5, 2011

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Ken Heitzke, *Mayor-Pro Tem*; Bill Ferguson; George Williams, Bill Harkins, Kim Likins, Lee Edwards, *Council Members*.

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Scott Liggett, *Director of Public Projects and Facilities*; Lavarn Lucas, *Fire Chief*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Jill Foster, *Deputy Director of Community Development*; Jeff Buckalew, *Town Engineer*; Brad Tadlock, *Deputy Fire Chief – Operations*; Ed Boring, *Deputy Fire Chief – Support Systems*; Joheida Fister, *Fire Marshall*; Teri Lewis, *LMO Official*; Cinda Seamon, *Public Education Officer*; Anne Cyran, *Senior Planner*; Julian Walls, *Facilities Manager*; Alice Derian, *Contracts and Services Administrator*; Paul Rasch, *Emergency Management Coordinator*; Mark Torin, *Special Projects Inspector*; Numerous Staff Members from Fire and Rescue; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: None

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.

Mayor Laughlin announced there was a request to postpone the Special Meeting/Land Acquisition Workshop which was scheduled to immediately follow the regular Town Council meeting. He asked if there was anyone present in the audience present for the Special Meeting/Land Acquisition Workshop. There was no response. Mayor Laughlin stated the meeting would be postponed and rescheduled at a later date.

5) Proclamations and Commendations

Mayor Laughlin presented a Commendation to Josh Barrett for heroic actions.

6) Approval of Minutes

a. Town Council Budget Workshop – June 9, 2011

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes from the June 9, 2011 Town Council Budget Workshop were approved by a vote of 7-0

b. Town Council Special Meeting – June 14, 2011

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes from the June 14, 2011 Town Council Special meeting were approved by a vote of 6-0-1. Mrs. Likins abstained because she was not present at the meeting.

c. Town Council Special Meeting – June 16, 2011

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes from the June 16, 2011 Special Town Council meeting were approved by a vote of 6-0-1. Mrs. Likins abstained because she was not present at the meeting.

d. Regular Town Council Meeting – June 21, 2011

Mr. Williams moved to approve. Mr. Harkins seconded. The minutes from the June 21, 2011 Town Council meeting were approved by a vote of 6-0-1. Mr. Heitzke abstained because he was not present for the entire meeting.

7) Report of the Town Manager

a. Presentation by Island Beautification Association

Mr. Steve Tenant presented a certificate of appreciation to the Town of Hilton Head Island for the Town's efforts in maintaining the landscaping on the Island. He acknowledged the excellent working relationship between the Association and the Facilities Management Department. Alice Derian accepted the certificate on behalf of the Town.

b. Town Managers Items of Interest

Mr. Riley reported on some Items of Interest.

c. Update – Palmetto Electric Power Line Burial Project – Mark Torin

Mark Torin updated Town Council on the Project by reviewing past efforts and accomplishments, along with future plans for power line burial.

d. July, 2011 Quarterly Report

Mr. Riley noted that the quarterly report was included with the agenda package for Town Council's review.

e. May, 2011 Financial Statements – Susan Simmons

Mr. Riley noted the Financial Statements for May were included in the packet and asked if there were any questions. Mr. Williams suggested the additional funds spent on advertising for The Heritage should be included in the report. He also asked for a brief report explaining how the Hospitality Tax is distributed.

8) Reports from Members of Council

a. General Reports from Council

Mr. Harkins shared his concerns over the parking situation at Islanders Park and requested that the situation be reviewed.

Mr. Ferguson noted his concerns with the traffic and speeding on Highway 278. He suggested lowering the speed limit during the tourist season.

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

Mr. Williams reported there will be a Special Meeting held on Monday, July 11, 2011 at 9:00 a.m. and the topic would be redistricting options.

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

None.

- d. Report of the Planning & Development Standards Committee –Bill Ferguson, Chairman

None.

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

Mrs. Likins said the Committee met at 2:00 p.m. today and there were two recommendations to Town Council that would be heard at this meeting. She said one was the right of way transfer at Arrow Road and Dunnagan’s Alley and the other item was the proposed land swap with Henry Driessen, Jr.

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

None.

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

Mrs. Likins reported the Committee will continue to meet weekly. She stated there are many members from the public attending the meetings which is very appreciated by all Committee members.

9) Appearance by Citizens

None.

10) Unfinished Business

a. Second Reading of Proposed Ordinance No. 2011-11

Second Reading of Proposed Ordinance No. 2011-11 to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, the Land Management Ordinance, Chapter 4, to revise Section 16-4-1204 and to add Section 16-4-13xx. This amendment commonly referred to as the *WMU Outdoor Recreation Amendment* as noticed in the Island Packet on March 27, 2011, includes changes that provide for an amendment to LMO Section 16-4-1204, use table and the addition of a new Section, 16-4-13xx, Outdoor Recreation; and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mrs. Likins seconded. Mr. Frank Segandorf spoke in opposition to the proposed ordinance. The motion was approved by a vote of 7-0.

11) New Business

a. Consideration of a Recommendation regarding a Right-of-Way Conveyance

Consideration of a Recommendation that the Town Council of the Town of Hilton Head Island, South Carolina, approve a right-of-way transfer transaction at Arrow Road / Dunnagan's Alley between the Town of Hilton Head Island and the South Carolina Department of Transportation (SCDOT).

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

b. Consideration of a Recommendation for a Land Swap

Consideration of a Recommendation that the Town Council of the Town of Hilton Head Island, South Carolina, approve a land swap with Henry Driessen, involving property in the Patterson Estate, off Marshland Road.

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

c. First Reading of Proposed Ordinance No. 2011-13

First Reading of Proposed Ordinance No. 2011-13 to amend Chapters 10 and 13 of Title 4 (Finance and Taxation), of the Municipal Code of the Town Of Hilton Head Island, South Carolina, by amending Section 4-10-70, Permitted Uses of Local Accommodations Tax Funds; amending Section 4-10-100, Management And Use of Local Accommodations Tax; amending Section 4-13-80, Permitted Uses of Funds; and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mr. Williams seconded. Steve Riley provided a brief overview. 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; including a land swap with Mr. Henry Driessen, and conveyance of land to Habitat for Humanity; contractual matters pertaining to a transfer of right-of-way to the SCDOT; contractual matters pertaining to a cell tower lease on the Fire Station 7 site; contractual matters pertaining to an exchange of properties and interest involving the Town, Greenwood Development and the Palmetto Dunes POA; and personnel matters pertaining to the annual review of the Town Manager.

At 4:40 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 Laughlin called the meeting back to order at 6:40 p.m. and asked if there was any business to take up as a result of executive session.

Mr. Heitzke moved that Town Council amend the Town Manager's Contract of Employment to provide for mileage reimbursement for business travel greater than 50 miles one way and that the Town Manager's Contract be amended to clarify language pertaining to the contract term and the provision of automatic one year extensions, to be effective with the Contract term starting July 1, 2011. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Mr. Ferguson moved that the Mayor and Town Manager be authorized to execute a contract for the exchange of Town owned real property for real property owned by Henry C. Driessen, Jr., and that the Mayor and Town Manager be authorized to take such other and further actions as may be necessary to complete the transaction described in the contract. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Mr. Ferguson moved that the Town Council for the Town of Hilton Head Island give approval on First Reading to an ordinance authorizing the Town to exchange real property owned by the Town for real property owned by Henry C. Driessen, Jr., and that the Mayor and Town Manager be authorized to take such other and further actions as may be necessary to complete the conveyance of the property. Mr. Williams seconded. The motion was approved by a vote of 7-0.

Mr. Ferguson moved that the Mayor and Town Manager be authorized to execute a contract for the conveyance of town owned real property to Hilton Head Regional Habitat for Humanity, and that the Mayor and Town Manager be authorized to take such other and further actions as may be necessary to complete the transaction described in the contract, provided that Habitat for Humanity agrees to revise the contract to provide:

- 1) The Town will retain easements for drainage and utilities over Lots 8(eight) through 11(eleven), and 16 (sixteen).
- 2) Habitat agrees that title to the real property will revert to the town:
 1. If Habitat contracts to sell the property to a developer other than Habitat.
 2. The development is not completed within the following time frames:
 - a) The Phase 1(one) road and utility installation must be completed in 5 (five) years.
 - b) The Phase 1(one) development of homes on Lots 5(five) and 6(six) must be complete in 10(ten) years.
 - c) The Phase 2(two) road and utility installation must be complete in 15(fifteen) years.
 - d) The Phase 2(two) development of homes on Lots 12 though 15 must be complete in 20(twenty) years.

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

Mr. Ferguson moved that the Town Council for the Town of Hilton Head Island give approval on First Reading to an ordinance authorizing the Town to convey real property owned by the Town to Hilton Head Regional Habitat for Humanity, and that the Mayor and Town Manager be authorized to take such other and further actions as may be necessary to complete the conveyance of the property. Mr. Heitzke seconded. The motion was approved by a vote of 7-0.

Mr. Edwards moved that the Town Council for the Town of Hilton Head Island adopt an ordinance authorizing the transfer of real property being a portion of right of way known as the Arrow Road/Dunnagan's Alley Roundabout to the South Carolina Department of Transportation via execution and delivery of a Quit Claim Deed. Mr. Williams seconded. The motion was approved by a vote of 7-0.

13) Adjournment

Mr. Heitzke moved to adjourn. Mr. Williams seconded. The meeting was adjourned at 6:40 p.m.

Vicki Pfannenschmidt, Secretary

Approved: August 2, 2011

Drew A. Laughlin, Mayor