

TOWN OF HILTON HEAD ISLAND PUBLIC FACILITIES COMMITTEE

Date: September 2, 2014

Time: 2:00 P.M.

Members Present: Kim Likins, John McCann, Marc Grant

Members Absent: None

Staff Present: Scott Liggett, Charles Cousins, Jeff Buckalew, Nicole Dixon, Julian Walls, Darrin Shoemaker, Brian Hulbert, Jill Foster

Others Present: George Williams, Bill Harkins, *Councilmen*, Frank Soule, *Island Recreation Association*, Lou Strayer, David Staley, *Main Street Realty*

Media Present: Dan Burley, *The Island Packet*

1. Call to Order:

The meeting was called to order at 2:00 p.m.

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. Committee Business:

Approval of Minutes: Councilman Grant moved to approve the Minutes of August 5, 2014. Councilman McCann seconded. The Minutes of August 5, 2014 were unanimously approved.

4. Unfinished Business: None

5. New Business

- **Memorandum of Understanding between The Town of Hilton Head Island and the Island Recreation Association – Amendment to include the Management of the Rowing and Sailing Center at Squire Pope Community Park**

Nicole Dixon, Senior Planner stated staff recommends the Memorandum of Understanding (MOU) between the Town of Hilton Head Island and the Island Recreation Association be amended to include the management and operation of the Rowing and Sailing Center at Squire Pope Community Park and that such Agreement be forwarded to Town Council with a recommendation of approval.

The Town owns the property known as the Rowing and Sailing Center at Squire Pope Community Park. The park is currently under construction, with an estimated construction end date of October, 2014. The Island Recreation Association will manage the operation of the park, which will involve the coordination of special events, scheduled rowing, sailing and other paddle craft programs and activities, as well as picnic pavilion usage.

After a brief discussion, Councilman Grant moved the Memorandum of Understanding (MOU) between the Town of Hilton Head Island and the Island Recreation Association be amended to include the management and operation of the Rowing and Sailing Center at Squire Pope Community Park and that such Agreement be forwarded to Town Council with a recommendation of approval. Councilman McCann seconded. The motion unanimously passed.

- **Private Road Rights-of-Way Acceptance Policy Status/Main Street Dedication**
Scott Liggett, Director of Public Projects & Facilities/Chief Engineer stated he had staff here to go over everything in detail, but would like to make some introductory remarks. The notion of a publicly owned Main Street has been discussed at various venues for years and years. Keeping in mind the Town currently owns the Eastern portion of Main Street. We are here today to talk about the Western portion of Main Street and its connecting roads. Most recently, we engaged in conversation with Main Street Realty, the entity who owns those roads in accordance with the Town Council policy that was developed earlier this year. An Application was submitted in that regard. You will recall that that policy was augmented with some additional more subjective language. A review of which is really why we are here today to try and gauge the interest that the Committee would recommend that Council has essentially if there is unanimity of thought that we go ahead and formally process that Application. That is what we are prepared to do or not – depending on the views of the Committee and Council. The roads in question are Main Street West as I had mentioned – the interconnecting roads that lead out to William Hilton Parkway. One of our tasks as we review this subjective criteria is to provide an assessment of how the acquisition of these roads may serve a grander public purpose - how the Town’s roadway network may be augmented as a result of that acquisition – how our infrastructure may be expanded and how we might better serve the community in that regard. I think it should be pointed out that the elephant in the room is the condition of the road. There are clearly some past due maintenance items and defects I think you will find staff would recommend be addressed prior to any acquisition if it comes to that.

Jeff Buckalew, Town Engineer stated staff has been approached by Main Street Realty to dedicate a portion of Main Street, from Whooping Crane Way to Wilborn Road, Central Avenue, Museum Street, Merchant Street and a portion of Meeting Street. Additionally, the Applicant asserts to have assignable rights within the utility easements “to construct, erect, maintain and use sidewalks and pedestrian pathways, utilities, storm sewers and storm water runoff.” The utility easement is 10 feet wide and adjacent and parallel to the exterior boundary of each parcel. Conceivably, these easements could assist in the future development of sidewalks and pathways.

Staff is seeking to determine what, if any, interest the Public Facilities Committee recommends Town Council have in accepting these roads. Currently, the roads are in poor condition. There are immediate maintenance needs including areas full depth pavement replacement, pothole patching, repair of heaved roadway and curb, repair of pavement subsidence plus installation of pavement markings and signage.

Some of the things we would ask the Applicant to provide if we go forward and make a proper recommendation to Town Council would be pavement corings to see what the

road structure consists of. We didn't have any certification that the roads were built according to DOT standards which is part of the Application and the underground storm water system – you have no way of knowing what you are getting. You can see some subsidence and issues on the surface, but we would like a video inspection of that system and those are performed by plugging the pipe ends and pumping out the water and running a camera up through it to inspect to see if there are any joints separated, any corrosion for metal pipes, etc. and to understand fully what we are getting.

We didn't fully prepare a cost estimate – Darrin Shoemaker, Traffic Engineer looked at signs and pavement markings and said it could cost up to \$50,000 to bring things up to standard. There are storm water issues we need to look at and the pavement also. We haven't fully vetted out every pothole, broken curb section, etc. as to what all the costs will be. We are more at a point of wanting to understand how Council wants to proceed before we fully vet those cost estimates.

Jeff Buckalew finished his presentation and Chairman Likins asked if the Applicant wanted to speak.

David Staley, Main Street Realty stated they were anxious to come to a resolution. Mr. Staley said that it says that Main Street Realty is seeking to dedicate the roads. Mr. Staley advised he was the President of Main Street Realty and owns the company, but they have never owned the roads. There has always been confusion about the exact ownership. The roads itself are owned by the Main Street Property Owners Association. One of the other important things to understand about the Main Street Owners Association is that we do have covenant/restrictions on the property and have annual assessments that we make to our property owners. The condition of the road is a direct result of failed businesses, people who do not pay who we file liens against. We charge on a basis of square footage of improved property for the fee for each property owner. Main Street has become very popular over the years for transportation between Hilton Head Plantation and the schools. A lot of traffic generates problems with the roads and we have tried to keep up best we could. We do have some monies in our annual budget and we do have the ability to maintain an ongoing fee of some kind that would be appropriate for everyone to help contribute to landscape maintenance or other things. We are anxious to see it turn into Town property as the other portion of Main Street did a number of years ago.

Jeff Buckalew mentioned something he forgot to add earlier – the compelling reason for the government/public to own these roads and the greatest one we have seen is the upkeep and condition of the roads of course. We looked at the connectivity and having an alternate public route to US 278 and the need for pedestrian facilities. That is a common comment or request we get – it sure would be nice to have sidewalks or pathways the full length of those roads. I think that is a great public benefit were we to own those roads and to put in the Capital Improvements Program a project to provide sidewalks and pathways. You have school children and lots of shoppers in the area along those roads and I think it would be a great public benefit if we were to own those roads and be able to do that.

Councilman McCann asked what the annual maintenance cost will be. Jeff Buckalew stated in the tens of thousands. If we programmed a certain amount like \$5,000-\$10,000 just for road maintenance to set aside for pot holes and curbing etc. The landscaping folks would have a few thousand,

Councilman McCann asked how large is this piece compared to the other piece of Main Street we already own. Mr. Buckalew said they are comparable in length. Councilman McCann asked what it costs to maintain the other part of Main Street that we already own. Mr. Buckalew said they program \$5,000/mile of road and do things as needed.

Councilman McCann asked if we were going to get the road in working condition or the way it is today. Mr. Buckalew stated that is an issue for Council to take up as to whether there would be a conditional acceptance or any requirements stated.

Chairman Likins asked from the POA's standpoint, can you tell me how much money has actually been put into these roads during the last five years? Mr. Staley stated their annual budget is approximately \$75,000. We have landscape maintenance, water for irrigation, electricity for the street lights and then general road repairs as best we could. If the Town is looking to the POA to bring them up to like new condition, curb and gutter replacement, tree root repair, we are in no position to do that. It would be well beyond anything we have even close to having available.

Councilman George Williams said he is concerned staff is asking us to figure this out before we know the costs, etc. I also have a concern that we have a homeowner's organization coming to us who have these needs and most of us live within these areas where we have budgets, special assessments, etc. It is obviously this particular group, has not done what they are quite frankly obligated to do.

Jennifer Bell, Indigo Run resident spoke to the Committee and advised she has a petition with close to 100 signatures encouraging the Town of Hilton Head to improve the safety and usability of Main Street. The three biggest concerns in our petition were 1) safety 2) economic development and 3) quality of life.

Councilman Grant stated he thought we should work with the School District to implement a safe passageway for children. I would support a way to assist Main Street to improve the road, adding a sidewalk and think about the policy going forward.

Councilman McCann said he could not presently support this the way it is for three reasons 1) I would like more numbers from the Town on the maintenance costs and what it would cost to bring the road up to standards 2) I would like some information as to what the annual costs would be after that and 3) would like some commitment from the owners as to what they are willing to give us on a yearly basis to maintain this road.

Chairman Likins stated she still has a little bit of concern about the qualifications. I understand that because Main Street has 75 feet that is ok, but the connecting roads are only 50 feet. I would assume to meet the qualifications of the policy everything should meet the qualifications – not just a component. Then when you look at the connectivity, Main Street doesn't meet the qualifications because of the connectivity to

Whopping Crane – rather than to a major arterial. Again, those are two areas along with the fact that we don't know if it has been built to DOT standards which is another qualification. At this point I would need to feel much more comfortable that these roads even qualify and then clearly understanding the cost of what it would be to fix the roads, bring them up to the standards that we would want them to be, to maintain them long term. Also, the whole piece of pedestrian walkway which I think is a wonderful idea and needed in that area – as a Council we have to go back and look at how we have established our priorities. This last year in our budget we decided to pull back on doing so many bike paths and we have clearly prioritized already the few that we do intend to do over the next several years and this wasn't even on the list to be discussed. I would hate to set the expectation with the public that we are willing to take these roads, fix them and put bike paths on them when we haven't even considered that in our capital expenses. It may be a great thing to do, but we still have to weigh that in comparison to everything else we have out there as well.

Councilman Grant moved that staff work with Main Street and come up with a feasible plan in terms of costs, how we can stay within budget and in terms of adding a sidewalk, road improvements and come back to Public Facilities Committee and verify that it meets the standards as well as come up with cost estimates and work with the POA in terms of what components they may be able to cover cost wise. Chairman Likins asked if there was a second. Having no second, the motion failed.

Scott Liggett stated the intent as I understand it of this two step process to review Applications like this was meant initially to gauge what interest, if any the Committee and ultimately Council may have. Is it a good idea for the road to be publically held despite any of the costs, the right of way or any of the technical more objective criteria? When you look at the map and see a lone little sliver of red privately owned road, does that make sense that it is surrounded by publically owned green road. If it doesn't, is there any interest that the Committee or ultimately Council may have to further negotiations and further discussions – keeping in mind that the Application process itself will force us to try and answer the questions that will ultimately take the form of our recommendation and will address cost issues, long term maintenance issues and right of way deficiency issues. The intent initially here with the subjective criteria was to try and answer the question does it make sense that this is publically owned. Is there any interest whatsoever in it being publically owned and if so let us go ahead and process the Application and return with a formal recommendation. If there is no interest in doing that we can both cut our losses now - both Town staff and the Applicant. There is no point in processing the application if at the end it doesn't make sense that this be publically owned road.

Councilman Grant moved that we process the Application. Councilman Likins seconded. The motion passed with a vote of 2-0. Councilman McCann was opposed.

Chairman Likins stated she would like to say that this in no way is an indication as a Committee we believe these roads should be accepted and have come to the agreement or understanding that there is significant public benefit to do so because I think clearly what we have stated is that we do not have enough information to determine that. We

are just giving you the go ahead to provide that information so that the decision can be made.

6. Adjournment:

Councilman Grant moved to adjourn. Councilman McCann seconded the motion. The meeting was adjourned at 3:02 p.m.

Respectfully Submitted,

Karen D. Knox
Senior Administrative Assistant