

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, September 2, 2014

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Lee Edwards, Marc Grant, Kim Likins, John McCann, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Brad Tadlock, *Fire Chief*; Charles Cousins, *Director of Community Development*; Susan Simmons, *Director of Finance*; Nancy Gasen, *Director of Human Resources*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Jeff Buckalew, *Town Engineer*; Brian Hulbert, *Staff Attorney*; Shawn Colin, *Deputy Director of Community Development*; Jill Foster, *Deputy Director of Community Development*, Teri Lewis, *LMO Official*; Jennifer Ray, *Urban Designer*; Darrin Shoemaker, *Traffic & Transportation Engineer*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant/Town Clerk*

Present from Media: Dan Burley, *Island Packet*

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.

5) Proclamations and Commendations

6) Approval of Minutes

a. Town Council Workshop, July 29, 2014

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the July 29, 2014 Town Council Workshop were approved by a vote of 6-0-1. Mr. Williams abstained as he was not present at the workshop.

b. Town Council Meeting, August 5, 2014

Mrs. Likins moved to approve. Mr. McCann seconded. The minutes of the August 5, 2014 Town Council meeting were approved by a vote of 4-0-2. Mr. Harkins and Mr. Williams abstained as they were not present at the meeting.

7) Report of the Town Manager

a. Presentation of the Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year ending June 30, 2013

Mayor Laughlin presented the certificate and plaque to Susan Simmons.

- b. Miss Hilton Head Island Scholarship Organization & Pageant Update– Rachel Wisnefski

Ms. Wisnefski conducted an overview of the activities of the organization and participants and reviewed the criteria for the pageant.

- c. Emergency Repairs at Lawton Canal Storm Water Pump Station – Scott Liggett

Mr. Liggett explained the need for an authorization to execute contracts for emergency repairs at the pump station. After Mr. Liggett’s detailed summary, it was the consensus of Town Council to direct staff to proceed with the necessary steps to complete the repairs.

- d. Town Manager’s Items of Interest

Mr. Riley introduced and welcomed Mr. Don Kirkman, Executive Director of the Hilton Head Island Economic Development Corporation. He then reviewed the items of interest.

- e. August, 2014 Policy Agenda, Management Targets and CIP Updates

Mr. Riley noted the report was included in the packet and staff was available to answer any questions.

8) Reports from Members of Council

- a. General Reports from Council

Mr. Williams stated there has been a request from a group that would like to be considered as the destination marketing organization for the Town of Hilton Head Island. Mr. Williams moved that the Accommodations Tax Advisory Committee be asked to receive/review the application from the group and make a recommendation to Town Council. Mr. McCann seconded. The motion was approved by a vote of 7-0.

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

No report.

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

No report.

- d. Report of the Planning & Development Standards Committee – John McCann, Chairman

No report.

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

Ms. Likins said the Committee met earlier in the day and voted to recommend approval of the memorandum of understanding between the Town and Island Recreation Association for the management of the Rowing and Sailing Center at Squire Pope Community Park.

- f. Report of the Public Safety Committee – Marc Grant, Chairman

No report.

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

No report.

9) Appearance by Citizens

Susan Thomas of the Hilton Head Island – Bluffton Chamber of Commerce presented an update concerning the marketing perspective.

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2014-16

Second reading of Proposed Ordinance 2014-16 of the Town of Hilton Head Island, South Carolina, authorizing the sale of real property owned by the Town of Hilton Head Island, South Carolina, to the Palmetto Dunes Property Owners' Association, Inc., under the authority of S. C. Code Ann. § 5-7-40 (Supp. 2014), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983, As Amended); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was approved by a vote of 7-0.

11) New Business

a. First Reading of Proposed Ordinance 2014-19

First Reading of Proposed Ordinance 2014-19 to amend Title 16, "The Land Management Ordinance," of the Municipal Code of the Town of Hilton Head Island, South Carolina, to repeal the current Land Management Ordinance (LMO); and providing for severability and an effective date.

Mr. Harkins moved to approve. Ms. Likins seconded. The motion was approved by a vote of 6-0-1. Mr. McCann abstained.

b. First Reading of Proposed Ordinance 2014-20

First Reading of Proposed Ordinance 2014-20 to amend Title 16, "The Land Management Ordinance," of the Municipal Code of the Town of Hilton Head Island, South Carolina, to adopt a new Land Management Ordinance; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded.

Jim Gant and David Ames, LMO Rewrite Committee members, reviewed and addressed the concerns members of Council expressed at the July 29 Town Council Workshop.

Mr. Williams moved that the existing LMO verbiage concerning the separation requirements for liquor stores be brought forward in the new LMO. Mr. McCann seconded. During public comment, resident Kim Lushen questioned if the separation is going to be measured from property line to property line. Mr. Williams confirmed that was his intent in the motion. The motion was approved by a vote of 6-0-1. (Mr. Grant abstained due to a potential conflict of interest. The required form will be attached to the approved, signed minutes.)

Mr. Williams moved that the language in the existing LMO concerning time shares be brought forward in the new LMO. Mr. McCann seconded. Mr. Edwards spoke in support of the motion noting there needed to be distinction between time shares and multi-family units. Teri Lewis explained the change would need to be defined as areas have changed in the proposed LMO. Mayor Laughlin noted that if they are going to distinguish between multi-family and time shares, there is a need to determine where they are going to be permitted and categorize areas. He stated the need to eliminate special exceptions, if possible, because they are cumbersome and costly. Mr. Harkins suggested leaving the section as it is with the understanding there is a request for the Planning Commission to give thought to a future recommendation.

Mr. Riley noted the need for the motion to be more specific. He suggested the motion include the intent to restore interval occupancy as a specific use called out and allowed by right in the Coligny Resort District, the Resort Development District, Mitchelville District, in PD1 Districts where it is specifically called out in the Master Plan and the Water Oriented Mixed Use Districts and that the restrictions on bedrooms be eliminated. Mr. Williams moved to amend his motion to include Mr. Riley's suggestion. During public comment, resident Bill Iserman suggested adding that the Planning Commission needs to see that time shares should fit in to the areas where they are being located. The amended motion was approved by a vote of 7-0.

Mr. Williams moved that the residential district in the Sea Pines Circle Area remains at 4 units per acre. He explained his concern that if increased to 12 units per acre there would be high density issues. Mr. McCann seconded. Mr. Harkins expressed his concerns with traffic flow in the area. Mr. Ames explained that one of the goals is to make the area more walkable and reduce traffic. He noted that in order to accomplish that goal residential units need to be available and 4 dwelling units per acre is non-existent as an option in that area. Mayor Laughlin agreed noting that the Town is initiating a traffic study in that area to guide them in what infrastructure improvements are needed. He added that any residential development in that area would be replacing something that is already there that is not successful and may result in redevelopment of those buildings for student housing for the USCB campus. Mr. Edwards stated that increasing it to 12 units is a good starting point and there is a need to move forward with it as is.

Bret Martin, President of CSA, Sea Pines voiced concern with the traffic in the area. He said they would love to see the Sea Pines Circle area redeveloped. He expressed apprehension about the impact of development. Mr. Martin stated they support the regional traffic concept but are reluctant to support 12 units per acre. He encouraged more thought in planning into what the impact would be with the increase. Joe Kernan expressed his concerns with the increase. The motion failed by a vote of 3-4. (Mrs. Likins, Mayor Laughlin, Mr. Edwards, Mr. Grant were opposed.)

Mr. Williams expressed his concern with the elimination of separation between night clubs and bars. Mr. Gant explained the change was intended to try and improve flexibility and not restrict business type use. After discussion, Mr. Williams moved to retain the separation for night clubs and bars as in the existing LMO. Mr. Harkins seconded. The motion failed by a vote of 3-4. (Mrs. Likins, Mayor Laughlin, Mr. Edwards, Mr. Grant were opposed.)

Mayor Laughlin questioned the reduction in circumference requirements for loblolly and pine trees which are considered specimen trees. Mr. Ames explained the reduction would make it more difficult to remove the trees. Chester Williams stated his concern with the change is that if the threshold is reduced for the pine trees, it would greatly increase the number of trees and would adversely affect the ability for development or redevelopment. Mrs. Likins moved to restore the size requirement for the loblolly and pine specimen trees. Mr. Harkins seconded. The motion was approved by a vote of 7-0.

Mayor Laughlin suggested attention be given to the definition of dunes or dune systems. He suggested that, to the extent possible, the definitions be more objective and less subjective so they are better defined for property owners. Charles Cousins explained this matter needs to be addressed but cannot be completed by October 7. Mayor Laughlin concurred.

Mr. Harkins moved to retain the provisions in the existing LMO that give the administrator the authority to waive both the buffer and setback requirements under certain conditions when there are adjacent properties functioning as one development. Mrs. Likins seconded. The motion was approved by a vote of 7-0.

Mr. Edwards moved to retain the separation standards in the existing LMO for tattoo parlors. Mr. Williams seconded. The motion was approved by a vote of 7-0.

The original motion, as amended, was approved by a vote of 6-1. (Mr. McCann was opposed. He stated his opposition was due to his concern about density.)

c. First Reading of Proposed Ordinance 2014-21

First Reading of Proposed Ordinance 2014-21 to amend Title 16, "The Land Management Ordinance," of the Municipal Code of the Town of Hilton Head Island, South Carolina, to repeal the existing Official Zoning Map; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was approved by a vote of 6-1. (Mr. McCann was opposed.)

d. First Reading of Proposed Ordinance 2014-22

First Reading of Proposed Ordinance 2014-22 to amend Title 16, "The Land Management Ordinance," of the Municipal Code of the Town of Hilton Head Island, South Carolina, to adopt a new Official Zoning Map; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was approved by a vote of 6-1. (Mr. McCann was opposed.)

e. Consideration of a Recommendation – Acquisition of Dirt Road Rights of Way

Consideration of a Recommendation that Town Council approve the initiation of acquisition efforts of road rights of way on four private roads in accordance with the Capital Improvements Program. The four roads are Aiken Place, Alfred Lane, Cobia Court, and Murray Avenue.

Mr. Harkins moved to approve. Mr. Williams seconded. The motion was approved by a vote of 6-0-1. (Mr. Grant abstained due to a potential conflict of interest. The required form will be attached to the approved, signed minutes.)

12) Executive Session

Mr. Riley stated he needed an Executive Session for contractual matters pertaining to land acquisition including a request for a swap of town-owned land; a request for a lease extension on the Planters Row Golf Course; contractual matters pertaining to a proposed donation of property; contractual matters pertaining to existing leases at the Kiawah Building; matters pertaining to an economic development grant; and contractual matters pertaining to the proposed MOU with USCB.

At 6:23 p.m. Mr. Harkins moved to go into Executive Session for the reasons as set forth by the Town Manager. Mrs. Likins seconded. The motion was approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 6:56 p.m. and stated there was no business as a result of Executive Session. He announced that the proposed extension of the lease for Planters Row Golf Course will be addressed at the September 16 Town Council meeting.

13) Adjournment

Mr. Williams moved to adjourn. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0. The meeting was adjourned at 6:57p.m.

Vicki L. Pfannenschmidt,
Executive Assistant/Town Clerk

Approved:

Drew A. Laughlin, Mayor