



Town of Hilton Head Island
Community Services & Public Safety Committee

Monday, June 24, 2019 at 9:00 am
Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present From the Committee: Marc Grant; Tamara Becker

Present from Town Council: David Ames

Present from Town Staff: Scott Liggett, Charles Cousins, John Troyer, Jeff Buckalew, Jeff Netzinger, Darrin Shoemaker, Jennifer Ray, James Cook, Anne Cyran

Present from Media: Katherine Kokal, *The Island Packet*

1. Call to Order

2. FOIA Compliance - Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Approval of Minutes – March 25, 2019 – Council Member Becker moved to approve. Chairman Grant seconded. The Minutes of March 25, 2019 were unanimously approved. June 3, 2019 - Council Member Becker moved to approve. Chairman Grant seconded. The Minutes of June 3, 2019 were unanimously approved.

4. Unfinished Business

a. Town Council Request for Traffic Signal Analysis at Long Cove Club Drive and US 278 (Business)

Scott Liggett, Director of Public Projects & Facilities advised that staff recommends no further Town involvement in the pursuit of a traffic signal at the intersection of Long Cove Club Drive and William Hilton Parkway (US 278 Business.)

At the direction of Town Council, the Town funded traffic counts and provided supporting data to the South Carolina Department of Transportation (SCDOT), and requested a signal warrants analysis be performed at this intersection. SCDOT conducted this analysis and determined that a traffic signal is not recommended at this location.

5. New Business

a. 1st Quarter Crime Statistics – BCSO

Captain Angela Viens from the Beaufort County Sheriff's Department gave a presentation on the 1st Quarter Uniform Crime Report. Captain Viens reported the Sheriff's Department reported they just added a dog to our canine troop. Canine Reg is an explosive detection and human remains detection dog. We used him at the St. Patrick's Day Parade and he will be used at any festivals that are drawing large crowds. He also assists with a Hazmat Team in the low country when called upon.

We had one murder during the 1st Quarter that was actually a murder that happened on Point Comfort Road. It eventually turned out to be a murder/suicide the same day with the suicide occurring in Jasper County.

We have seen a dramatic increase in the robberies during the 1st Quarter and those can be attributed to three different things: we had an ATM robbery at Shelter Cove that has been cleared by arrest of a group of individuals out of Beaufort. The Parkers Gas Station at the corner of Spanish Well and Old Wild Horse was robbed and cleared by arrest with a group from the Hilton Head Gardens area. We had a blitz of robberies that were occurring around the Marshland Road and Mathews Drive area. Those have been attributed to an internet dating or prostitution website called Skip the Games. We had four reported – unfortunately some of our victims are not cooperative for obvious reasons. Some were falsely reported as robberies that occurred somewhere else with different circumstances. Without cooperating victims in those cases we are having to work alternatively and find other methods through computer crimes violations because it is an internet based service.

There was a slight increase in our larcenies – in auto theft and burglaries we saw a spike and I think that if you remember we had a cluster of events that happened at the Avalon right outside the Indigo Run gate. We had several burglaries that night with at least three cars stolen. Those folks have been incarcerated – juveniles that came to our area from Jasper County.

We have seen a drastic decrease in traffic accidents in this quarter. We had one fatality which happened in Sea Pines – a cyclist was struck by a dump truck. Both our traffic citations and our traffic warnings have increased a little bit – about 10%.

Chairman Grant thanked Captain Viens for her report.

b. Main Street Private Rights of Way Dedication

Scott Liggett said he had some introductory remarks before he invites staff up for their presentation. As a refresher for the Committee and frankly for those who may be here in the audience as well, we have been discussing the public dedication of Main Street for some time, although it literally has been years since it appeared on an agenda here of Committee here or with Town Council.

In an attempt to try and reset the discussion, recognize the change in elected leadership here at the Town, recognize the change in road ownership of Main Street itself, we have got this listed here as an item of New Business going forward. That is mostly the motivation for its placement here on the Agenda. Again, from staff perspective, we do not necessarily see this as an action item for you today. In fact, I would recommend the contrary. I would invite you to hear what staff has to report back to Committee here today. I know there are stakeholder interests along Main Street in attendance as well. They may have some remarks to share as well as representative of the road owner. We have provided or will provide to all of Council the technical assessment that was completed which is really where we last left things with Council. Staff had previously completed the review of the technical merits of this dedication as well as the subjective criteria which is what the policy speaks to. As a bit of a refresher for you and those in the audience, no changes to that assessment from the staff perspective in that we have a road on its technical merit that may fall slightly short of the requires. A couple of areas in particular 1) insufficient right of way width. A couple of these roads that we can call out if necessary as well as an uncertain construction history. We are unable given the age of this road to confirm exactly what standards were employed back when this road was constructed, but we believe in the early 80's.

Regardless, I think the road in most folk's eyes has reached the end of its intended design life. That is one of the concerns that we need to call to Council's attention in particular. When we did last revisit this with Committee, staff was tasked with trying to quantify the costs of this acceptance. We had subjective criteria that we think are overwhelming or significant enough that would cause us to recommend acceptance. We haven't yet figured out how best to deal with the cost that would necessarily come. What staff believes is we have about \$500,000 worth of immediate improvements that the day after the Town were to take this road over should Council direct us to do that, we should be prepared to embark to correct. From a longer term perspective, there is the specter that this road may have to be rebuilt to a large degree in its entirety. We have for a long time identified this road as a candidate for construction of a pathway and we have also raised concerns about the potential suitability long term for storm water. The net, net for all of this financially is we would have about \$500,000 immediate investment in the road that we would have to make and a near term investment of somewhere between \$2,000,000 - \$5,000,000 over the next 3-5 years. We would need time to try and put all of that in place and deliver to Council a budget that you may be inclined to approve. Know that is the chess game that we are playing. Staff support says as is contained in the recommendation that we accept this road. From our sensibility I think we should endeavor to seek half of the costs of the immediate repairs – so roughly \$250,000 of the approximate \$500,000 immediate investment. That may or may not match with the sensibilities of Council and may or may not match with the sensibilities of the current road owners and the other stakeholder groups.

That is the introduction and I am happy to answer any questions. If not, let me invite Jeff Buckalew up and he can talk you through the assessments that have been done and the technical merits, the subjective criteria and then the hard field work that has been done.

Jeff Buckalew, Town Engineer said it is Staff's recommendation the Town accept the dedication of the following private road rights of way for perpetual ownership and maintenance with the conditions that the road owner repair the existing deficiencies to the satisfaction of the Town, or provide compensation totaling 50% of the actual cost of immediate repairs (assessments and estimates available upon request), currently estimated at not to exceed \$238,319.00, that the road owner assign to the Town currently possessed easement rights 10' wide adjacent to all rights of way for construction and maintenance of future pedestrian infrastructure, and that the rights of way not be accepted before July 1, 2020 to afford time for necessary budget and legal provisions. The private road rights of way to be dedicated are: Main Street, from Whopping Crane Way to Wilborn Road, Central Avenue, Museum Street and Merchant Street.

The owners of these private roads have offered to dedicate the rights of way to the Town. These roads and this offer do not meet all the requirements of the Town's policy for acceptance of private roads. Notable deficiencies relate to insufficient right of way width and the lack of certification that the road was constructed and surfaced in accordance with SCDOT standards. However, Town Council may wish to consider the benefits to the traveling public at large in accepting these rights of way, rather than simply relieving the road owner of their liabilities and maintenance responsibilities, and shifting the burden to the Town.

Staff has made both a technical review of the application as well as a subjective review of the application to determine if the criteria has been met and provide insights to support the recommendation to accept the roads. While certain policy criteria are clearly not met, the overall conclusion of Staff in the assessment of this application is that there would be net

benefit to the traveling public in the government ownership and maintenance of these roads if the costs of necessary and immediate repairs are shared.

Chairman Grant asked about business license fees and what businesses in that area payed the town. Do you have that number now? That might be something to look at – how much do they pay annually. Scott Liggett said they definitely would need time to extract that information – how much of it we can make publicly available I don't know as there are some sensitivities to that information. I think I understand the intent of the question. Let us respond with what we understand.

Council Member Becker said she will have a lot of questions, but most of them I will get to you during this week so I do not stumble all over them today.

Chairman Grant said he has children going to the public schools and he uses it as a short cut all the time for the simple fact that 278 is always backed up. I do recognize that there are students after school that cut through that area. I believe that because it is a commercial area that it has the opportunity for possible new development, new opportunities to increase revenue for the Town and for the community at large.

Chairman Grant opened up the discussion to the public. Ed Hughes, an Attorney here on Hilton Head Island stated he has been a tenant on Main Street for approximately 25 years. We certainly appreciate the Town making this consideration. I met with Mr. Liggett earlier and we understand the request for the \$238,000. The only challenge I see in that is this is a Property Owners Association. The road was developed back in the mid to late 80's and most of these properties have changed hands several times since then. The Main Street Property Owners Association does not have \$238,000. They would have to go through a process of a special assessment that would require approving a special assessment. If there is a flexibility of a period of time in which that could be paid that might be helpful. Asking for \$238,000 by July 1, 2020 might be difficult. If it is something the Association can do over a period of time it might be something that would be easier for the property owners to accept. I am here today to speak for the property owners and we thank you for your consideration. This is something in my mind and most owners' minds is something that needed to be done a long time ago.

Chairman Grant asked in terms of the Town are there any legal options we can look at in terms of how we would access this with partial payments or long term payments? Mr. Liggett said the short answer is yes if Council from their perspective would be interested in us embarking by which to encumber and assess properties directly as opposed to expecting the commercial entities to assess themselves and then remit payment. I am happy to work with our Finance Department and the Town Manager's office to present as part of the discussion what options we may be able to avail ourselves of as well as the expectation for success. There is a corollary that I would draw back to the early 90's just as an example. We had done a very similar if not identical thing in the public dedication of New Orleans Road. It was previously privately owned. The Town took it over at the time as I understand it the Municipal Improvement District Legislation was a little different then than has become and the District was created that allowed the Town to assess the commercial entities. As I understand those laws now, individuals can opt out which creates the circumstance that it would not appear to be too reliable. Let us work and we will get you those options for our continuing discussions.

Chairman Grant said if in the beginning everyone agreed and once they agreed and we started doing the development or improving the road they could opt out or what if a business

closes? Mr. Liggett stated the assessment would run with the property as I understand it, but that does not necessarily change the fact that a current owner may object to the payment just like a new owner might object to the payment. We would just have to assess for Council how reliable it would be if you want to go the route of assessment in some form or fashion. That would be to generate the \$238,000 if that is the direction that Council would like to go. Mr. Liggett said from our perspective we would prefer to not be the fee collector. It would be the Staff's perspective, particularly if there is some ability to allow payment through time as assessed by the commercial association. I think that would be preferable to Town staff than expecting us to keep up with those assessments.

Chairman Grant asked Mr. Liggett if they needed a Motion on this item. Mr. Liggett said what he would suggest is Staff would be prepared to come back at your meeting in July with the expectation that you would be in a position to take action and develop a recommendation for Council at that meeting. Once you see the assessment and you think about what makes most sense to you individually, I would invite you to let me know if that is a problem.

c. Update on Cordillo Tennis Courts Renovation Project

Anne Cyran, Senior Planner indicated that staff recommends the Community Services & Public Safety Committee recommend that Town Council support the design, permitting and construction of Phase 2 of the Cordillo Tennis Courts renovation project as described below:

Phase 1 of the Cordillo Tennis Courts renovation project, which consists of removing and replacing the tennis courts, is under construction. It is scheduled to be complete by mid-July.

Phase 2 would consist of a building to include restrooms and an equipment storage space and improving existing site features. Staff received a quote to design and permit Phase 2 in May. Staff anticipates construction will begin this fall, but this may change if previously planned storm water infrastructure improvements are added to the construction contract.

After a brief discussion, Council Member Becker moved to approve. Chairman Grant seconded. The motion was unanimously approved.

6. Adjournment

Council Member Becker moved to adjourn. Chairman Grant seconded. The Meeting was adjourned at 9:50 a.m.

Submitted by:

Karen D. Knox