

**THE TOWN OF HILTON HEAD ISLAND**  
**REGULAR TOWN COUNCIL MEETING**

**Date:** Wednesday, November 5, 2014

**Time:** 4:00 P.M.

**Present from Town Council:** Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Marc Grant, Kim Likins, Lee Edwards, 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*; Nancy Gasen, *Director of Human Resources*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Brian Hulbert, *Staff Attorney*; Teri Lewis, *LMO Official*; Darrin Shoemaker, *Traffic and Transportation Engineer*; Heather Colin, *Development Review Administrator*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant/Town Clerk*

**Present from Media:** Dan Burley, *Island Packet*

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**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**

**a. Pancreatic Cancer Awareness Month**

Mr. Richard Boccabella was present to accept the Proclamation.

**6) Approval of Minutes**

**a. Town Council Meeting, October 21, 2014**

Mr. Harkins moved to approve. Mr. McCann seconded. Mr. Riley noted two corrections for the minutes on Page 5 of 6.

1. *Mr. Rommell stated the lagoon is a roosting site for 200 birds at a time.*
2. *Mayor Laughlin stated the next public hearing would take place on November 5 at 5:30 p.m.*

The maker and the seconder of the motion were in agreement with the corrections. The corrected minutes of the October 21, 2014 Town Council meeting were unanimously approved by a vote of 7-0.

**7) Report of the Town Manager**

**a. Town Manager's Items of Interest**

Mr. Riley reported on some items of interest. He added that there is Community Development Block Grant Program Community Needs Assessment Public Hearing scheduled for November 13, 2014 at 6:00 p.m. in the Benjamin M. Racusin Council Chambers.

## 8) Reports from Members of Council

### a. General Reports from Council

Mr. Williams moved that the November 18, 2014 regular Town Council meeting be rescheduled to take place on Wednesday, November 19, 2014 at 5:30 p.m. The motion was unanimously approved by a vote of 7-0.

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

Mr. Williams stated the next meeting of the Committee is scheduled for Monday, November 17 at 10:00 a.m. but discussions were taking place as to the need for the meeting. He said all would be notified if it is cancelled.

### 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

Mrs. Likins stated the Committee had met earlier in the day to review three items of business. They were consideration of an amendment to the Master Plan for the Rowing and Sailing Center at Squire Pope Community Park to add a storage shed, to allow SCDOT to acquire town owned land for the Spanish Wells Road Bridge placement and to consider scope revisions for the Beach Renourishment Project. She said the items would be coming forward to Town Council.

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

Mr. Grant reported the Committee met on Monday, November 3 to review the 3rd Quarter Crime Statistics. He said the Committee discussed traffic concerns in the North Forest Beach area and bike path issues. Mr. Grant stated the Committee wanted to obtain further information on the bike paths before moving forward to Council.

## 9) Appearance by Citizens

None.

## 10) Unfinished Business

None.

## 13) Executive Session

Mr. Riley stated he needed an Executive Session for contractual matters pertaining to the proposed relocation of an easement across Town-owned property; and legal matters pertaining to the Shelter Cove Towne Centre Development Agreement.

At 4:27 p.m. Mr. Harkins moved to go into Executive Session for the reasons as set forth by the Town Manager. Mr. McCann seconded. The motion was approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 5:29 p.m.

**11) 5:30 p.m. - PUBLIC HEARING ON THE PROPOSED AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN SHELTER COVE TOWNE CENTRE, LLC, SHELTER COVE II, LLC, AND THE TOWN OF HILTON HEAD ISLAND.**

Mayor Laughlin opened the Public Hearing at 5:30 p.m.

Mark Senn addressed Council and reviewed the request. He stated he was prepared to conduct the presentations again and was available to answer any questions Council had concerning the request.

Mr. Aubry Vaughan, on behalf of the Newport Condominium Association; John Phelps, Mary Margaret McGaughey, Owner, Copper Penny; Charles Davis, President, Shelter Cove Harbour Company; Jan Martin, Vice President, Newport Condominium Association; spoke in support of the changes to the development agreement.

Ms. Christine Bokine stated the developer is doing a nice job but expressed her concerns with the size of the apartments, availability of parking, noise level and traffic in the area.

Mrs. Likins stated that since the development was in her ward she tried to speak with her constituents to come up with the best solution for them and the community as a whole. She stated she supported the project and read a statement explaining her support. She said she believes the luxury apartments are needed and a missing amenity on the Island. Mrs. Likins noted that with the new design 42 parking places are available for public parking in the park area noting the hidden parking garage for the apartments is an attractive design and convenient and safe for the tenants. She added that the apartments will add additional revenue for the Shelter Cove Harbour Company and enable them to provide needed infrastructure for the area. Mrs. Likins stated that she believes that 50 years from now all will say this was a really great thing to do.

Mr. Williams stated that early on he felt the project was over the top but as they worked through issues he came to realize the advantages of the parking garage and the additional concessions made by the developer to assist with infrastructure. He stated he has come to the conclusion that this is a much better plan and he would be voting in favor of it.

Mr. Edwards stated that he had been quiet concerning the plan because his company is doing the landscaping for the project. He added that in certain situations he recused himself from executive session. He explained that he would not recuse himself from the vote because it would not be fair to the people who elected him. He expressed concern over the misinformation that was out in the public. He reviewed what could have been developed on the property as to what has been developed noting that working with Blanchard and Calhoun has resulted in a successful project and a good plan. He reminded all that the developer has planted many more trees than required and there are many more to be planted. He stated he would be voting in favor of the plan.

Mr. McCann stated that he feels Blanchard and Calhoun did an outstanding and professional job, not only working with the residents of Newport and the Veterans on making changes to benefit all. He complimented the layout of the retail stores and the park. He his concern is and will continue to be the added density in the community.

Mr. Grant said he agrees with the parking garage being placed within the building which would result in on street parking availability for attendees to the park. He commended Blanchard and Calhoun for working with members of the community and stakeholders.

Mr. Harkins said this is a classroom example of a good and excellent private and public partnership. He said he knew there are some in the community that felt the Town should have purchased and developed the property. Mr. Harkins stated he felt that was ill-advised because the Town is not in the business for development but in the business to create a climate for positive development. He further explained the Town should bring quality to the community, not at the expense of the taxpayer but with the investment opportunity of the private sector.

Mayor Laughlin stated everyone has a vested interest in the success of the project. He said he felt Shelter Cove Towne Centre is a great example of the results that can be achieved when parties work cooperatively to achieve mutual success. He said he is very much in favor of the project.

There being no further requests to comment Mayor Laughlin closed the Public Hearing at 6:17 p.m.

## **12) New Business**

### **a. First Reading of Proposed Ordinance 2014-25**

First Reading of Proposed Ordinance 2014-25 of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of an Amended and Restated Development Agreement for Shelter Cove Mall with Shelter Cove Towne Centre, LLC And Shelter Cove II, LLC for the redevelopment of property known generally as the Mall at Shelter Cove, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); 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.)

### **b. First Reading of Proposed Ordinance 2014-31**

First Reading of Proposed Ordinance 2014-31 of the Town Council 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, in exchange for land owned by Shelter Cove Towne Centre, LLC and/or Shelter Cove II, LLC, in conjunction with the Amended and Restated Development Agreement for Shelter Cove Mall, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

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

### **c. First Reading of Proposed Ordinance 2014-32**

First Reading of Proposed Ordinance 2014-32 of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the establishment of covenants and restrictions on real property in conjunction with the Mall at Shelter Cove Development Agreement and any amendments or modifications thereto, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

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

**d. First Reading of Proposed Ordinance 2014-24**

First Reading of Proposed Ordinance 2014-24 to amend Title 16, “the Land Management Ordinance,” of the municipal code of the Town of Hilton Head Island, South Carolina, by amending section 16-4-102, the Official Zoning Map and the Palmetto Dunes Resort Master Plan with respect to the certain parcels identified as parcel 12 on Beaufort County Tax Map #12B, and a 9.3 acre portion of parcel 12 on Beaufort County Tax Map #12C, within the Palmetto Dunes Resort Master Plan under the PD-1 Planned Development Mixed Use District, to decrease the number of multifamily dwelling units on Parcel 26, Tax Map #12B to 50; increase the number of multifamily dwelling units on Parcel 12, Tax Map #12C to 210; the aggregate total of dwelling units for both properties would not exceed 240 units; and no other changes to the Master Plan land use designations and associated densities for the properties; and providing for severability and an effective date.

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

**e. Consideration of an easement relocation agreement for Shelter Cove Marina area**

Mrs. Likins moved that the Town Council for the Town of Hilton Head Island adopt an ordinance authorizing the execution of a soil pipeline easement relocation agreement for the purpose of relocating an easement by the Town of Hilton Head Island to Greenwood Communities and Resorts, Inc. on Hilton Head Island South Carolina, pursuant to the authority of South Carolina Code, Section 5-7-40 and Section 2-7-20, *Code of the Town of Hilton Head Island*, South Carolina and providing for severability and an effective date. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

**14) Adjournment**

Mr. Williams moved to adjourn. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0. The meeting was adjourned at 6:23 p.m.

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Vicki L. Pfannenschmidt,  
Executive Assistant/Town Clerk

Approved: 11/19/2014

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Drew A. Laughlin, Mayor