

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

**Date:** Tuesday, April 5, 2016

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

**Present from Town Council:** David Bennett, *Mayor* Bill Harkins, *Mayor Pro Tem*; Lee Edwards, Marc Grant, Tom Lennox, Kim Likins, John McCann, *Council Members*

**Absent from Town Council:** Marc Grant, *Council Member*

**Present from Town Staff:** Steve Riley, Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities/Chief Engineer*; Darrin Shoemaker, *Traffic & Transportation Engineer*; Brad Tadlock, *Fire Chief*; Brian Hulbert, *Staff Attorney*; Susan Simmons, *Director of Finance*; John Troyer, *Deputy Finance Director*; Shawn Colin, *Deputy Director of Community Development*; Melissa Cope, *Systems Analyst*; Erica Madhere, *Finance Administrator*; Lynn Buchman, *Senior Administrative Assistant*; Numerous staff members of Hilton Head Island Fire Rescue

**Present from Media:** Rebecca Lurye, *Island Packet*; WJCL –TV Reporter

---

**1) CALL TO ORDER**

Mayor Bennett 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 distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

**5) Proclamations and Commendations**

**a. Child Abuse and Sexual Assault Awareness Month**

Christine Smith, Director of Prevention & Outreach and Dave Ames, Board Member of Hope Haven of the Lowcountry were present to accept the proclamation.

**b. National Public Safety Telecommunications Week**

Deborah Pinson, Communications Supervisor of Hilton Head Island Fire Rescue was present to accept the proclamation.

**c. Beaufort County School District Character Education Students of the Month**

- Hilton Head Island International Baccalaureate Elementary School

Carlos Hernandez 5<sup>th</sup> grade

Jill McAden, Principal of Hilton Head Island International Baccalaureate Elementary School was present to recognize Carlos Hernandez and accepted the award on his behalf.

- Hilton Head Island High School

Samantha Mendoza 11<sup>th</sup> grade

Amanda O’Nan, Principal of Hilton Head Island High School was present to recognize Samantha Mendoza. Samantha was present to accept her award.

**6) Approval of Minutes**

**a. Town Council Meeting, March 15, 2016**

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the March 15, 2016 regular Town Council meeting were approved by a vote of 6-0.

**7) Report of the Town Manager**

**a. Hilton Head Island Economic Development Corporation Quarterly Update**

Executive Director Don Kirkman provided Council with the quarterly update.

**b. Tax Increment Financing Annual Report**

Susan Simmons reviewed the report included in the packet. She noted the report will be sent on to all TIF partners and expressed appreciation for their participation. She explained it is a transitional period noting the TIF extension began in FY16 and explained the agreement details. She added that planning is continuing on the USCB and Coligny areas and that estimated costs continue to rise. She stated that in the near future staff will rebalance the costs for the budget process to determine which costs can be covered by the TIF extension and whether other revenue sources will be required.

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

Mr. Riley reported on the items of interest listed below.

(1) Town News

(2) Noteworthy Events

Mr. McCann inquired as to the status of road maintenance. Mr. Riley explained that staff is working on a road maintenance program for existing roads and a funding source which will be discussed during the budget process. Mr. McCann asked if it would include roads that need sewers. Mr. Riley explained there is a separate dirt road acquisition program and some of those roads tied to the sewer program were included in the Capital Project Sales Tax application and said that the Town does not have a funding source sufficient to handle the dirt road program at this time.

Mr. McCann inquired about televising additional committee meetings. Mr. DeLoach explained the need to know which committees and the dates of the meetings to provide to Beaufort County so they can assess their availability to do so. After discussion, Mayor Bennett asked the Committee Chairs to give him their input as to the need for broadcasting. He added that he would add his own thoughts. Mayor Bennett stated the need to broadcast meetings that are of importance to the community at this time. Mr. DeLoach noted the need for Beaufort County to have the meeting dates well in advance for scheduling purposes. Mayor Bennett inquired as to the capability of live-streaming meetings on our website. Mr. DeLoach stated he would look into it and get back with Council regarding available options.

Mayor Bennett referenced an email from Council Member Grant with photos of Mustang Lane off of Wildhorse Road denoting drainage issues making it impassable. He voiced concern for emergency vehicle access in the future. He stated that during the budget process he would like to address these issues and also asked Mr. Riley to let Council know at that time if additional personnel would be needed and the costs.

## 8) Reports from Members of Council

### a. General Reports from Council

Mr. McCann asked the Mayor for a status update regarding the Capital Project Sales Tax Commission. Mayor Bennett recapped the meetings with the Commission regarding the Arts and Cultural Venue noting his disappointment in the process and said he does not feel the Chairman of the Committee intends to advance the project. He said he would welcome Council's feedback on the events and a suggested path forward.

Mr. Lennox requested that the proposed and contemplated purchase of the Arts Center of Coastal Carolina be placed on the April 19 Town Council agenda. He explained he would like the community to hear the proposal and weigh in. Mayor Bennett noted that at the November Council Workshop it was agreed that Council would seek an engineering study on the overall condition of the facility and that it has not been initiated or prepared at this point. Mr. McCann asked Mr. Riley what the study would cost. Mr. Riley stated that at this time he did not know but he could get an estimate of the cost. Mr. Harkins and Mrs. Likins voiced concern of the timing. Mrs. Likins noted the Venue Committee is being formed and an evaluation of the existing Arts Center is included in the scope of work for the Committee. Mr. Edwards agreed with Mrs. Likins but stated he supported placing the issue on the April 19 Town Council agenda for public input. Mr. McCann requested that Council ask the Town Manager to look into funding the Arts Center needs for repair to the lighting system in the amount of \$500,000 outside of the ATAX funds. Mr. Lennox stated he felt with the item on the agenda it would benefit the Venue Committee because of public input. After further discussion Mayor Bennett requested a vote of Council on adding the proposed purchase of the Arts Center on the April 19 Town Council agenda. The results were 2-4. (Mayor Bennett, Mr. Harkins, Mrs. Likins and Mr. McCann were opposed.)

After discussion regarding the lighting concerns at the Arts Center, Mr. McCann moved to ask the Town Manager to look into funding the Arts Center needs for repair to the lighting system in the amount of \$500,000 outside of the ATAX funds. Mr. Harkins seconded. Mrs. Likins stated the need for independent verification for the immediate need of the funds. Mr. Edwards emphasized the seriousness of the problem noting if the lighting system goes down the Center will close. He noted the value of the building and stated he feels Town Council should purchase the building. Mrs. Likins reiterated her need for some form of validation of the \$500,000 cost before considering. Mayor Bennett asked Mr. Riley to determine if there are funds available outside of the ATAX funds that could be used to help in the short term and if he could work with the Art Center to obtain the authentication that Mrs. Likins is asking for. Mr. Riley stated he would get the options on funding and will try to see what can be developed for the authentication request. Mr. McCann amended his motion to place on the April 19 Town Council agenda that the Town Manager to look into funding the Arts Center needs for repair to the lighting system in the amount of \$500,000 outside of the ATAX funds providing the Town Manager can provide all the information that is needed to have a discussion at that meeting. Mr. Harkins seconded with the understanding that if it could not be on the April 19 meeting than it should be on the May 3 meeting agenda. The amended motion was unanimously approved by a vote of 6-0.

**b. Report of the Intergovernmental Relations Committee – Bill Harkins, Chairman**

No report.

**c. Report of the Community Services Committee – Kim Likins, Chairman**

Mrs. Likins stated the Committee has completed interviews for the Venue Committee and they will be brought forward to Council during Executive Session. She commented on the great slate of candidates and expressed her appreciation to all who came forward and applied.

**d. Report of the Public Planning Committee – Tom Lennox, Chairman**

Mr. Lennox said the Committee held a special meeting on Thursday, March 17 to review the Steven Ames recommendation and to formulate and construct a recommendation to Town Council which is included in the agenda packet.

**e. Report of the Public Facilities Committee – Lee Edwards, Chairman**

No report.

**f. Report of the Public Safety Committee – Bill Harkins, Member**

Mr. Harkins reported the Committee met on Monday, April 4 to discuss the issues and concerns of the North Forest Beach community. He said recommendations were coming forward concerning the lock-out units and review from outside Counsel regarding the units. He requested the items be placed on the Town Council agenda coming forward and the Mayor concurred.

**g. Report of the Finance and Administrative Committee - John McCann, Chairman**

Mr. McCann reminded Committee chairs their lists regarding proposed consultant fees for the upcoming year for Committees is due on May 3. He reported that the Committee met earlier in the day and reviewed proposed budgets for the Beaufort County Sheriff's Office, Solicitors Office, USCB and the HHIEDC. He said they would be passing them along to Council in the near future with comments. Mr. McCann reported the Hilton Head Island Chamber of Commerce presented the DMO year-end performance metrics. He added that he requested the official DMAI report from the Chamber and they will have it at the next Finance and Administrative Committee meeting. Mr. McCann reported the following items would be coming forward to Council: HHIEDC request to utilize funds for a site analysis of a Town-owned tract; request from Hilton Head Plantation for assistance with costs regarding Pine Island beach erosion and a recommendation regarding RFP's for a performance review of the contract with the Beaufort County Sheriff's Office for police services.

**h. Report of the Circle to Circle Committee - Tom Lennox, Town Council Liaison**

Mr. Lennox stated the Committee met on March 23 for discussion regarding recommended trail connections, recommended road connections, and the Sea Pines Circle mitigation. He reviewed the four options recommended and stated they would be reviewed and discussed by the Committee on April 13 at 8:30 in Council Chambers.

## 9) Unfinished Business

### a. Consideration of a Recommendation – Cordillo Courts

Consideration of a Recommendation by the Public Facilities Committee to recommend that Town Council approve the sale of the 1.42 acre Cordillo Courts.

Mr. Harkins moved to discuss. Mr. McCann seconded. Mrs. Likins stated that she was one of the Committee members in favor of the sale. She explained that after viewing the property and meeting with members of NOC she has changed her mind and does not recommend the property be sold. She stated she is very concerned with maintenance on the property. She said her hopes are that the property owners would work with the Town and release the covenants so the Town could turn it into green space and maintain the property. Mr. Edwards voiced his reservations regarding moving forward with the sale of the property and agreed with Mrs. Likins. Mayor Bennett distributed a map from LCOG showing data that 48.5% of the households that reside in that census block have no access to public transportation determines the need for recreational facilities in the community. He suggested looking at all the land assets in that area and the recreational needs of the residents and tourists in a comprehensive fashion. Mr. McCann suggested that the Circle to Circle Committee be involved so there is one plan for the area. Mr. Harkins spoke in favor of leaving the covenants in place and upgrading the tennis courts along with restrooms, picnic facilities along with other improvements on Town-owned land in the area.

Dr. Sharma spoke on behalf of NOC and asked one of the children to address Council. The student asked Council to keep the land available for the children to use for play. Ally Cook, on behalf of NOC, conducted a presentation in opposition of the sale and recommended the Town keep the property and improve it.

Eric Esquivel spoke in opposition of the sale specifically stating he was against the proposed agreement and stated his concerns about displacing the children along with the elimination of low-income housing on the Island.

Gregg Wynn of GW Services addressed Council on behalf of the Regimes. He stated the Regimes have no problem with the property remaining tennis courts but request that the Town fix them up and maintain them. He said he does not know the reality of getting 130 owners to vote to change the covenants. Karen Patel, Board President of Cordillo Courts spoke expressing safety concerns and stated that if the property was owned by the Regimes and only the residents of the area had access to the property it would be safer and much better. She added that the Town has been a poor steward of the property and as a result the owners have no interest in changing the covenants. Ms. Patel also noted that from the very beginning the Regimes had the intention of obtaining the property and turning it into a green space for the children of their area.

Property owner Sherry Connelly spoke in support of the sale of the property noting that she invested in her unit for her future and the property has become an eyesore for the Regimes and needs repaired and maintained.

Gary Talshir(sp) spoke of the fiduciary responsibility of Town Council and in opposition to the sale.

Property owner Mike Ray spoke in support of the sale and said the goal of the property owners was to have the property improved and maintained.

Mr. Lennox noted the lack of consensus as to whether maintain the property as a park or to enter into a sales transaction with the Regimes. He expressed concern about the comments on crime in the area. He explained that the proposal was not about the finances but about providing benefit to the tenants and residents in the community.

Mr. Harkins expressed concern about transition of ownership and recommended the Town maintain title to the property and suggested that with community participation and guidance a plan for recreational activity for the children be created. Mr. Harkins withdrew his motion for discussion and moved to deny the Town's intent to sell the property. Mrs. Likins seconded. Mr. Edwards stated that in the long term the Town should explore the option of selling to the owners with revised covenants. Mayor Bennett spoke of maintenance of the property and better access. The motion was approved by a vote of 5-1. (Mr. Lennox was opposed.)

## **11) New Business**

### **a. First Reading of Proposed Ordinance 2016-06**

First Reading of Proposed Ordinance 2016-06 to amend Chapter 3 (Municipal Council) of Title 2 (General Government and Administration) of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Section 2-3-60 Compensation and Expenses; and provide for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 6-0.

### **b. First Reading of Proposed Ordinance 2016-07**

First Reading of Proposed Ordinance 2016-07 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2016; to provide for the expenditures of certain funds; to allocate the sources of revenue for the said funds; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 6-0.

### **c. Consideration of a Resolution – Fair Housing Month**

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to proclaim April, 2016 as Fair Housing Month.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 6-0.

### **d. Consideration of a Resolution –CDBG**

Consideration of a Resolution of the Town Council of the Town Of Hilton Head Island, South Carolina to approve the Community Development Block Grant (CDBG) Entitlement Program Fiscal Year 2016-2017 (Program Year 2016) Annual Action Plan.

Mr. Harkins moved to approve. Mr. McCann seconded. Mrs. Likins voiced concern that only one person attended the public hearing and the low number of people that would benefit from the plan. She stated the need to encourage citizens to come forward next year at the appropriate time to bring forth projects that can really be vetted for the best use of the funds. The motion was unanimously approved by a vote of 6-0.

#### **e. Consideration of a Recommendation – Visioning Process**

Consideration of a Recommendation by the Public Planning Committee to develop a comprehensive long-range Vision for Hilton Head Island.

Mr. Harkins moved to approve. Mr. McCann seconded. Dave Ames spoke in support of the plan but noted that the defined steering committee would be a large group and suggested the committee be a smaller group that has the responsibility of making sure the process goes smoothly and be comprehensive. He added that the Community at-large would be the ones steering the process. The Mayor asked Mr. Lennox to follow up on Mr. Ames' suggestion at the next Public Planning Committee meeting. The motion was unanimously approved by a vote of 6-0.

#### **f. Consideration of a Recommendation – RawleMurdy**

Rawle Murdy Scope of Work, Arts and Cultural Public Communication Initiatives.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 6-0.

### **12) Appearance by Citizens**

Skip Hoagland addressed Council regarding the Hilton Head Island - Bluffton Chamber of Commerce and FOIA.

Taiwon Scott addressed Council regarding Gullah Geechee Catering and economic development opportunities within the Native Island community within the LMO. At the request of Mayor Bennett a meeting will be scheduled with the Mayor, Mr. Riley, Mr. Scott, Alex Brown and Council Member Marc Grant.

Theresa White. Founder, President and CEO of Pan African Family Empowerment Land Preservation Network, addressed Council regarding her organization and the Gullah Geechee people and culture of the United States, specifically Hilton Head Island, suggested amendments the LMO to benefit the Native Island community, requested ATAX funds, requested funding for the Mitchelville Preservation Project, and requested a Town Council Workshop to address many issues with the Native Islanders.

Wesley Campbell and Daniel Fraser addressed Council regarding 148 William Hilton Parkway and the lack of an entrance on the east side of the building due to the Town purchasing the property and closing the entrance making it a hardship to gain access.

Betty Miller, William Stewart, John Stewart, Belinda Stewart-Young, Ben Driessen and Palmer Simmons addressed Council regarding the proposed widening of US278 in the Stoney/Squire Pope area. They expressed concern for safety for the residents/property owners and losing frontage on their property due to the widening.

Alex Brown addressed Council regarding the visioning process noting it will be an opportunity to fix things that have been done wrong in the past regarding the Native Island community. He stated members of the Native Island community are ready and willing to assist.

Abraham Abdul Malik addressed Council regarding the Town making an effort to ease conditions to the betterment of the Native Island property owners.

### **13) Executive Session**

Mr. Riley stated he needed an executive session for Land Acquisition: Discussion of negotiations incident to the proposed sale, lease or purchase of property: (1)related to a parcel near the intersection of Fish Haul Road and Mitchellville Road; (2)related to a parcel near the intersection of US 278 and Gumtree Road; (3)related to a parcel in the Coligny Area; (4)related to parcels near the intersection of US 278 and Beach City Road; a Legal Matter: Receipt of legal advice related to pending litigation concerning the USCB Campus on Hilton Head Island; Personnel Matters: Appointments to Boards and Commissions; potential appointments to the Venue Committee; and Contractual Matters: (1) Discussion of negotiations incidental to proposed contractual arrangements for engineering services and (2) discussion of negotiations incidental to a proposed contractual agreement associated with transportation improvements.

At 7:40 p.m. Mr. Harkins moved to enter into executive session for the reasons listed by the Town Manager. Mr. McCann seconded. The motion was approved by a vote of 6-0.

### **13) Possible actions by Town Council concerning matters discussed in executive session.**

Mayor Pro-Tem Harkins called the meeting back to order at 8:20 p.m. and stated there was one item of business to address as a result of Executive Session.

Mrs. Likins moved the Venue Committee be established and be made up of fourteen persons and nominated the following people:

- Jane Joseph
- Robert Lee
- Rex Garniewicz
- Tim Ridge
- Gregg Russell
- Dan Castro
- Cindy Creamer
- Gilbert Campbell
- Suzanne Thompson
- Juliann Foster
- Florence Gibbes
- Lili Coleman
- Terry Herron
- Karen Attaway

and furthermore nominated Cindy Creamer as the Chairperson and Jane Joseph as Vice-Chair. Mr. Edwards seconded. Mr. McCann moved to amend the motion and add Charlie Clark of the Hilton Head Island-Bluffton Chamber of Commerce as a member of the Committee. Mrs. Likins, the maker of the original motion stated she was comfortable with the amendment. Mr. Edwards seconded the amended motion. The amended motion was approved by a vote of 5-0. (Mayor Bennett had to leave immediately after Executive Session due to a previous commitment so he did not participate in the vote.)

---

**14) Adjournment**

The meeting was adjourned at 8:22 p.m.

---

Vicki L. Pfannenschmidt  
Executive Assistant/Town Clerk

Approved: 04/19/2016

---

David Bennett, Mayor