



The Town of Hilton Head Island Regular Town Council Meeting

Tuesday, August 7, 2012

4:00 P.M.

AGENDA

**As a Courtesy to Others Please Turn Off All Cell Phones and Pagers During
the Town Council Meeting**

- 1) **Call to Order**
- 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. Dan Driessen
- 6) **Approval of Minutes**
 - a. Town Council Meeting– July 3, 2012
- 7) **Report of the Town Manager**
 - a. Semi-Annual Report of the Board of Zoning Appeals – Peter Kristian, Vice-Chairman
 - b. Town Managers Items of Interest
 - c. June, 2012 Quarterly Report
- 8) **Reports from Members of Council**
 - a. General Reports from Council
 - b. Report of the Intergovernmental Relations Committee – George Williams, Chairman
 - c. Report of the Personnel Committee – Lee Edwards, Chairman
 - d. Report of the Planning & Development Standards Committee –Bill Ferguson, Chairman
 - e. Report of the Public Facilities Committee – Kim Likins, Chairman
 - f. Report of the Public Safety Committee – Bill Harkins, Chairman
 - g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member
 - h. Report of the Economic Development Committee – Bill Harkins, Town Council Liaison
- 9) **Appearance by Citizens**

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2012-20

Second Reading of Proposed Ordinance 2012-20 ratifying the execution of a lease with Seaside Family Chiropractic, LLC for property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2006), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

11) New Business

a. First Reading of Proposed Ordinance 2012-21

First Reading of Proposed Ordinance 2012-21 authorizing the execution and delivery of a lease of real property owned by the Town of Hilton Head Island, South Carolina, with the Beaufort County Sheriff's Office and Beaufort County, South Carolina, 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.

b. First Reading of Proposed Ordinance 2012-22

First Reading of Proposed Ordinance 2012-22 authorizing the execution of that certain utility easement agreement with Hilton Head No. 1 Public Service District for an easement over town owned property in conjunction with the Mathews Drive LPS/Broad Creek Headwaters Sewer Project pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2011), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

c. First Reading of Proposed Ordinance 2012-25

First Reading of Proposed Ordinance 2012-25 authorizing the execution and delivery of a contact to sell town owned real estate known as a portion of the Crossings Park tract to the South Island Public Service District, and to grant a temporary construction easement over town owned real estate known as the Crossings Park Tract and to authorize the execution of an agreement related to a Pollution Free Zone encumbering town owned real estate known as the Crossings Park Tract, 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.

d. First Reading of Proposed Ordinance 2012-26

First Reading of Proposed Ordinance 2012-26 authorizing the granting of an easement to Hilton Head Public Service District encumbering real property owned by the Town of Hilton Head Island, South Carolina, known as "Spanish Wells 1", being 2.4 acres on Spanish Wells Road, pursuant to the authority of S. C. Code Ann. § 5-7-40 (supp. 2010), 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.

e. First Reading of Proposed Ordinance 2012-27

First Reading of Proposed Ordinance 2012-27 authorizing the execution of a lease with American Towers, LLC, for property owned by the Town of Hilton Head Island, South Carolina, known as the "Jenkins Island" Tract, and authorizing the execution of two easements in favor of American Towers, LLC, encumbering town owned land, known as the "Jenkins Island" Tract, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

f. Consideration of a Resolution – Metropolitan Planning Organization

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island to adopt geographical boundaries for a Beaufort County and Jasper County Metropolitan Planning Area and to create a Metropolitan Planning Organization.

g. Consideration of a Resolution – American Towers, LLC/Fire Station 7 Site

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution and delivery of a second amendment to the October 25, 2011, Communications Tower Ground Lease between the Town of Hilton Head Island, South Carolina, and American Towers, LLC, for a tower site at the Town's Fire Station 7 Property on Marshland Road.

h. Consideration of a Resolution regarding an Agreement with HHPSD

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution and delivery of a contract between the Town of Hilton Head Island, South Carolina, and the Hilton Head No. 1 Public Service District relating to the sewage expansion projects known as the "Mathews Drive LPS/Broad Creek Headwaters", the "William Hilton Parkway LPS/Chaplin Linear Park", the "Squire Pope Sewer Extension/Ford's Shell Ring" and sewage connection project known as the "Fish Haul Sewer Connection" project.

i. Consideration of a Recommendation regarding Prior Year Accommodation Tax Grant Extensions

Consideration of a Recommendation that the Town Council of the Town of Hilton Head Island extend the 2011 Accommodations Tax Grants for the Hilton Head Island St. Patrick's Day Parade and the Shelter Cove Harbour Company 4th of July Fireworks through December 31, 2012; and (2) Town Council delegate to Town Manager the authority to approve prior year grant extensions in the future.

j. First Reading of Proposed Ordinance 2012-23

First Reading of Proposed Ordinance 2012-23 of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the execution of a development agreement with Shelter Cove Towne Centre, LLC for the redevelopment of the Mall at Shelter Cove pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2011), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

k. First Reading of Proposed Ordinance 2012-24

First Reading of Proposed Ordinance 2012-24 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 in conjunction with the Mall at Shelter Cove Development Agreement and 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, As Amended); and providing for severability and an effective date.

l. First Reading of Proposed Ordinance 2012-28

First Reading of Proposed Ordinance 2012-28 authorizing the establishing of covenants and restrictions on real property in conjunction with the Mall at Shelter Cove Development Agreement and 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, As Amended); and providing for severability and an effective date.

m. First Reading of Proposed Ordinance 2012-29

First Reading of Proposed Ordinance 2012-29 authorizing the extinguishment of covenants and restrictions on real property in conjunction with the Mall at Shelter Cove Development Agreement and 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, As Amended); and providing for severability and an effective date.

n. First Reading of Proposed Ordinance 2012-19

First Reading of Proposed Ordinance 2012-19 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 26, 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 amend the uses and associated density for Parcel 26, Tax Map #12B to 295,000 square feet of commercial uses, excluding uses listed in LMO 16-4-209, but permitting liquor store and gas sales, community park and 76 multi-family dwelling units; and the portion of Parcel 12, Tax Map #12C to 134 multi-family dwelling units and community park.; and providing for severability and an effective date.

12) 5:00 P.M. - PUBLIC HEARING – PROPOSED DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF HILTON HEAD ISLAND AND SHELTER COVE TOWNE CENTRE, LLC (RE: TRACT KNOWN AS THE MALL AT SHELTER COVE)

13) Executive Session

a. Land Acquisition

b. Legal Matters

1) Development Agreement with Shelter Cove Towne Centre, LLC

c. Boards and Commissions

1) Accommodations Tax Advisory Committee Member Re-designation

14) Adjournment