

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

Date: Tuesday, November 7, 2017

Time: 4:00 P.M.

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

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities/Chief Engineer*; Brian Hulbert, *Staff Attorney*; Brad Tadlock, *Fire Chief*; Shawn Colin, *Deputy Director of Community Development*; Jennifer Ray, *Planning and Special Projects Manager*; Teri Lewis, *LMO Official*; Marcy Benson, *Senior Grants Administrator*; Sally Krebs, *Sustainable Practices Coordinator*; Melissa Cope, *System Analyst*; Andrew Nicholls, *System Analyst*; Krista Wiedmeyer, *Executive Assistant/Town Clerk*

Present from Media: Alex Kincaid, *Island Packet*

1. Call to Order

Mayor Bennett called the meeting to order at 4:00 p.m.

2. 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.

Mayor Bennett moved to change the order of the agenda and address item number 6(a) Recognition of the participants and presentation of Student Government Day Certificates prior to going into Executive Session. Mrs. Likins seconded, the motion was approved by a vote of 7-0.

6(a) Recognition of the Participants and Presentation of Student Government Day Certificates

Mayor Bennett presented each of the students who participated in Student Government Day with their certificate. He made remarks about the day stating that this was the second year of this program and the students this year topped the expectations that had been set last year. Mayor Bennett asked the young man who was elected Mayor by his peers to explain their mock Town Council meeting and the potential ordinance related to the plastic bag ban. The student explained that he and his peers voted 1-6 to not approve the potential ordinance to ban plastic bags. Mayor Bennett commended the one student who stood their ground and for what they believed in.

3. Executive Session

Mr. Riley stated he needed an Executive Session for: (a) Land Acquisition; Discussion of negotiations incident to proposed sale, lease or purchase of property in the Stoney area.

At 4:06 p.m. Mrs. Likins moved to go into Executive Session for matters mentioned by the Town Manager. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

Council returned to the dais at 5:00 p.m.

4. Pledge to the Flag

5. Invocation

6. Proclamations & Commendations

a. Recognition of the Participants and Presentation of Student Government Day Certificates

b. Pancreatic Cancer Awareness Month Proclamation

Mayor Bennett presented the Pancreatic Cancer Awareness Month to Mr. Bacabella. Mayor Bennett made some brief comments about Mr. Bacabella and his wife who had lost her battle to Pancreatic Cancer 8 years ago. Mr. Bacabella made remarks about Pancreatic Cancer awareness and early detection.

c. Arbor Day Proclamation

Mayor Bennett presented the Arbor Day Proclamation to Town staff Marcy Benson and Sally Krebs.

7. Approval of Minutes

a. Town Council Meeting, October 17, 2017

Mr. McCann moved to approve the Town Council meeting minutes from October 17, 2017. Mr. Ames seconded, the motion was approved by a vote of 5-0-2. Mr. Grant and Mrs. Likins were absent from the October 17, 2017 meeting.

8. Report of Town Manager

a. Hilton Head Island: Our Future

Jennifer Ray, Planning and Special Projects Manager addressed Council giving an updated about the recent Hilton Head Island: Our Future engagement sessions that took place, with over 480 citizens in attendance, including the Spanish engagement session. She stated that over 3,000 citizens have now been engaged either in person or via the online survey. Ms. Ray reported that the data visualization will be available online soon which will allow a virtual view of how many people attended the engagements, and the data from the online surveys. She also reported that within the next couple of weeks, the virtual engagement survey will be ready. This is for those who were unable to attend the engagement sessions. Ms. Ray said the next think tank takes place on December 4, 2017, 4:00 to 7:00 p.m. The invitations will be going out in the next week.

b. Update from the Gullah-Geechee Land and Cultural Preservation Task Force – Lavon Stevens and Alex Brown.

Mr. Lavon Stevens, Chairman of the Gullah-Geechee Land and Cultural Preservation Task Force, addressed Council to provide an update on the recent meetings and events that have taken place over the recent months since its creation. Mr. Stevens reported that the Task Force had their first meeting on July 11, 2017, where the Task Force voted unanimously on the name; Gullah-Geechee Land and Cultural Preservation Task Force. He further stated that on August 7, 2017 the Task Force, a couple Council members, and Town staff went on a bus tour of one of the Island neighborhoods. He further stated that during the bus tour, there was discussion that generated a lot of creative ideas. Mr. Stevens reported that on September 19, 2017, the Task Force approved a statement of work. Then at the October 24, 2017 the Task Force came up with four items to recommend to Town Council as a starting place to address issues affecting cultural preservation on Hilton Head Island. Mr. Stevens went through a prepared presentation which included the Task Force's mission statement and the four recommendations for Town Council to consider.

Mrs. Likins asked Mr. Stevens if the Task Force discussed a need with a greater partnership with Beaufort County as well as with the Town, and if that could play or should play a role in any of the recommendations. Mr. Stevens stated that he was not sure how deeply a partnership with Beaufort County had been explored, but that discussions had taken place as far as possible limitations of the Town. He said while the Task Force was developing the recommendations, they did realize that Beaufort County may have to step in on some things like the taxes, or work with the State on some of the LMO items too.

Mr. Alex Brown, Chairman of the Planning Commission addressed Council regarding the recommendations that Mr. Stevens discussed. Mr. Brown focused primarily on the first recommendation that asked for the Town to provide a staff liaison. Mr. Brown further explained why he felt it is important to have a Town staff employee that focused primarily on the Gullah-Geechee Land and Cultural Preservation Task Force.

Mayor Bennett ask Mr. Riley to schedule a meeting with Mr. Grant, Mr. Stevens, and Mr. Brown to have a discussion regarding the recommendations prior to the Town Council Workshop. Mayor Bennett stated that Mr. Brown will be available to speak at the last day of the Workshop on this subject.

c. Possible Cancellation of the November 21, 2017 Town Council Meeting

Mr. Riley reported that at least three members of Council will not be available for the November 21, 2017 Town Council meeting. He stated that the staff recommendation was to cancel that meeting, but does require a vote of Council since they set the annual Town Council meeting schedule by vote.

Mayor Bennett acknowledged that a vote by Council would be required and asked if there were any objections to cancelling the meeting on November 21, 2017 and returning to regular business on December 5, 2017.

Mrs. Likins moved to cancel the November 21, 2017 Town Council meeting. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

d. Items of Interest

i. Town News

Mr. Riley reported that Fire Rescue Senior Fire Inspector Jeff Anderson was recently elected to the seat of 2nd Vice Present of the South Carolina Chapter of the International Association of Arson Investigators. He also reported on Town meetings taking place throughout the month of November, including the Town Council Workshop taking place November 16 and 17, 2017.

ii. Noteworthy Events

Mr. Riley reported on upcoming noteworthy events taking place in the coming weeks.

9. Reports from Members of Council

a. General Reports from Council

Mr. McCann stated that Section 2-7-40(a) of the Town's Municipal Code provides that any member of Council may propose an ordinance. He stated that tomorrow (Wednesday) he would be doing so, delivering a proposed ordinance to the Municipal Clerk, and asked that it be placed on the agenda for the next Town Council meeting. Mayor Bennett asked Mr. McCann to repeat what he had just stated. Mr. McCann again stated the above statement regarding Section 2-7-40(a) of the Town's Municipal Code. Mayor Bennett acknowledged Mr. McCann's statement.

Mrs. Likins reported to Council that she had recently attended an event where she had the opportunity to meet Dr. Cole, the President of MUSC. He discussed the use of telemedicine used between MUSC and Hilton Head Regional Medical Center. She stated having technology like this is a huge benefit to our community. Mrs. Likins reported that she noted a recent report of telemedicine being used in Georgetown ambulances. She stated that because we have provided for the replacement of our ambulances in our budget, perhaps this is something to consider.

Mr. Harkins reported that he had the opportunity of sitting with Jim Collett and the Telecommunications Task Force where they discussed where the Island was this time last year. Mr. Harkins said, he would like to ask everyone to just stay tuned in, and maybe Mr. Collett and his group can show a brief overview of where we are and where we need to go at the offsite Workshop. Mr. Harkins said that this is a low impact way to advance the Town dramatically.

Mr. Grant reported that on November 13, 2017 there will be a Ward One meeting at the Palmetto Electric Building at 6:30 p.m. and Mr. Riley would be present to answer questions. Mr. Grant also reported that he has been speaking with his constituents and business owners in Ward One about workforce housing. Mr. Grant said one of the matters he has been looking at was the zoning on Gumtree Road. He stated that he has a constituent that is interested in building workforce housing near Hilton Head Island High School, but, the zoning on Gumtree Road, is not consistent; one side of the road is zoned R8 the other side is zoned R4. He said that he would like to see the Planning Commission take a look at Gumtree Road, and see what would need to be done to move the zoning from R4 to R8. Mr. Grant went on to say that this is a good way to begin a new vision for Ward One, and a great way to begin an economic improvement. Mayor Bennett asked if Mr. Grant was speaking about a specific piece of property. Mr. Grant indicated that he said it would be wrong to spot zone one specific area, but if the Town was to zone the entire area and make it consistent, then it would be fair. Mayor Bennett asked Mr. Riley if he had any suggestions. Mr. Riley confirmed that this was a request to move this onto the Planning Commission, which if given the assignment, they would look at it, evaluate the need, and may or may not agree with it. Mayor Bennett said that he did not have a problem with a request to send this matter of evaluating Gumtree Road's zoning to the Planning Commission. He asked Mr. Riley to work with the Planning Commission on this request.

Mr. Lennox reported that he toured the Volunteers in Medicine facility. He stated that he was escorted throughout their facility by the Director of Development and the new incoming Chairman. Mr. Lennox said that he has had many individuals explain what it is that Volunteers in Medicine do, but it is not until you go into their facility and see it for yourself that you truly get the full picture. He recommended that if given the chance to see the facility or tour their organization that it be done.

Mayor Bennett reported that the Town hosted its second Student Government Day which was a resounding success. He gave his gratitude to Faidra Smith and the other members of Town staff that participated and orchestrated the project to make it such a big success. Mayor Bennett reported that he had asked Mr. DeLoach to look into broadcasting the Town Council Workshop on the County Channel. He said that he

felt that the Workshop is a very important discussion that should be available to any citizen, and he wanted to make everyone aware of that it would be broadcasted.

b. Report of the Intergovernmental & Public Safety Committee – Bill Harkins, Chairman

Mr. Harkins reported that the Committee met on November 6, 2017 and discussed two intersections that are problematic with higher than expected incidences of accidents. He said that through the Town Manager, he has asked the Town Engineer to look into the situation to see if any remedy could come forward. Mr. Harkins also reported on a public safety conference he attended in October hosted by MASC. He said one of the topics was related to community policing, and was presented very well. Mr. Harkins stated that in preparation of the review of how the Town does its policing, he will be sharing an article with the Town Manager.

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

Mrs. Likins reported that the Committee met on November 6, 2017, where interviews were conducted to place an additional member on the ATAX Commission with a focus on the arts. She stated that they will also be making a recommendation for three additional members for the Cultural and Arts Network Advisory Committee. Mrs. Likins also reported that the Venue Committee will meet on November 20, 2017 where the Committee will receive the Phase II report from the consultant regarding the community arts center.

d. Report of the Public Planning Committee – David Ames, Chairman

Mr. Ames reported that the Committee met on October 26, 2017 where they received an update from Mary Franzoni from Palmetto Breeze. He said that the plan is for Palmetto Breeze to begin shuttle service between Shelter Cove, Harris Teeter at Sea Pines, and Coligny Circle in May of 2018. Mr. Ames said that Committee noted that the schedule had many elements not yet completed. He said that that the Committee requested that Town staff work closely with Ms. Franzoni to finalize the plan. Mr. Ames reported that the Committee also reviewed the need for no parking signs at Bradley Circle and voted to request that the County meet with residence in order to have the signs installed.

e. Report of the Public Facilities Committee – Marc Grant, Chairman

Mr. Grant reported that the Committee met on October 30, 2017 to discuss the proposed Cordillo tennis park. He said that the Committee discussed many elements related to the tennis courts, including adequate parking in the area. At the conclusion of the discussion, he said that the Committee determined to let the Town look into the topic and check into other areas that could also provide a similar benefit throughout the Town. Mr. Grant reported that the dirt road process was also discussed during the same meeting. He said that the Town Attorney explained the legal process to the Committee, the topic of clear titles, right of ways, and other legal issues that could come up related to the dirt road matter. Mr. Grant said that the Committee discussed financing bonds for later years, and how that process would be utilized if at all. He reported that the Committee concluded that they would like to see a road process that would be implemented and take about five to seven years to get all dirt roads taken care of. Scott Liggett, Director of Public Projects & Facilities/Chief Engineer discussed the five key policy issues or positions that are influencing the draft schedules for the private road improvements. Mayor Bennett asked Mr. Liggett if he was seeking the permission of Council to proceed. Mr. Liggett responded that he was simply making Council aware of these matters.

f. Report of the Finance & Administrative Committee – John McCann, Chairman

Mr. McCann stated that he did not have a report.

10. Appearance by Citizens

Mike Ray & Ray Kisiah, Parks & Recreation Commission. Addressed Council regarding recommendations that were discussed during their recent Commission meeting that was to be discussed during the upcoming Town Council Workshop. These recommendations would be to move forward with a comprehensive needs assessment for the parks and recreations for the Island. Mr. Harkins asked both gentlemen how this particular needs assessment will be woven into the visioning process. Answering on behalf of the Commission, Mr. Ames stated that the information being gathered for the Vision Project should give a good indication of the support in the community regarding the parks and recreation, and that's where it currently stands with respect to the visioning. Mr. Ray reiterated that they are looking to capture as much data as possible.

Frank Babel, Greater Island Council. Addressed Council in support of the Parks and Recreation Commission's recommendation for a comprehensive needs assessment. He presented Council with a letter

of support from the Greater Island Council which stated their unanimous support for the needs assessment.

Rodger Freedman, Business Owner. Addressed Council regarding workforce development and the issues the Island is facing due to the lack thereof. He stated that workforce housing is the only topic that we refer to as a crisis, but have been doing so for over three years with nothing being done. He also stated that the Town needed to do something sooner than relying on the County to provide a report in more than six months, the Town needs to act immediately.

Teresa White, Pan-African Family Empowerment & Land Preservation Network. Addressed Council to advocate for Native Island community. She said that she was speaking in favor of a Land Management Ordinance to ensure that the Native Islanders will be able to use their property for economic development, and not have it devalued.

Skip Hoagland. Addressed Council about his matters with the Town, HHI-Bluffton Chamber of Commerce, and DMO.

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2017-19 (LMO Amendments)

Second Reading of Proposed Ordinance to amend Title 16 of the Municipal Code of the Town of Hilton Head Island, South Carolina, The Land Management Ordinance (LMO), Chapters 2, 3, 4, 5 and 10 to Revise various Sections. These Amendments, commonly referred to as 2017 LMO Amendments – Second Set as noticed in the Island Packet on August 20, 2017, include changes that provide for general amendments to a variety of Sections in the LMO, and providing for severability and an effective date.

Mrs. Likins moved to approve the Second Reading of Proposed Ordinance 2017-19. Mr. Harkins seconded.

Mr. Ames stated that in the interest of time and accuracy that he respectfully demands a division of the question by taking up the sections related to the commercial parking lots, Section 16-3d(2) and Section 16-4-102a(6) and voting on them separately, after the other proposed LMO amendments. He said that believed that by stating the above, this would be a non-debatable option. Mayor Bennett agreed with Mr. Ames, affirming that the question would be divided, which allowed for a discussion and consideration of the LMO amendments separate from the discussion and consideration of the commercial parking lots. Mayor Bennett reaffirmed the question stating that there is a motion on the table for consideration of the approval of the LMO amendments without the commercial parking lots. Mr. Ames affirmed. Mr. Ames stated that the Public Planning Committee reviewed those amendments and voted unanimously to support them.

Mr. McCann asked the Mayor to confirm if by making this kind of change to the LMO amendments if it would revert back to a first reading instead of a second reading. Mayor Bennett stated, that he believed only the commercial parking lots would be considered a first reading, the remaining items under the LMO amendments would still be under a second read. Mr. Ames responded to the question with his understanding that although the question had been divided, it would still be a second reading on both.

Brian Hulbert, Staff Attorney was asked about the process for demanding a division of question. Mr. Hulbert stated that a motion would need to be made and seconded for this to have taken place. Mr. Ames responded that he had conducted some research, in hopes of moving this forward and be able to separate this out and have a discussion. Mr. Hulbert explained that Council has to follow the rules of procedure and Robert's Rules of Order, and asked Mr. Ames if there was a particular section within Robert's Rules that he was citing, there is no authority to move forward without a proper motion. Mayor Bennett cited page 245 of the Robert's Rules of Order stating that demand to divide would be found there. Affirming to Mr. Hulbert that it would be the latest version. Mr. Ames responded that the intent of the demand to divide is to have a debate on both items, and discuss them separately. Mayor Bennett stated that his understanding is that a motion had been made, then it was seconded, then Mr. Ames demanded a division of the question. Mr. Riley said, that this situation might be similar to previous years when they have reviewed recommendations not as a whole, but item by item. He clarified saying that Council wants to vote on this subset of the ordinance, then discuss and vote on this other subset of the ordinance.

Mayor Bennett asked Council if they were all clear that the item they were currently discussing was the LMO Amendments, without consideration of the commercial parking lots. Those would be discussed in a separate discussion and vote. All members affirmed.

Chester Williams addressed Council stating that he had reviewed the section of Robert's Rules being discussed, and then read it to Council. Mr. Williams expressed to Council that his interpretation of this particular section or Robert's Rules was not applicable to a matter such as the LMO Amendments.

With no further remarks from the audience, and no further discussion from the members of Council, Mayor Bennett asked for all those in favor of the motion and second to approve the LMO Amendments associated with the Proposed Ordinance 2017-19, not related to commercial parking lots. The motion was approved by a vote of 7-0.

Mayor Bennett asked if any of the members of Council had any comments for the LMO Amendments related to the commercial parking lots.

Mr. Grant discussed each district noted within the LMO Amendments, and the opportunities associated with the commercial parking lots. He said that he doesn't want to see the elimination of potential economic land growth for those at the North end of the Island. By allowing the commercial parking lots, this will introduce entrepreneurship within the community. Mr. Grant stated that if the commercial parking is approved, that it should be equitable to everyone on the Island.

Mr. Harkins stated that he does not take exception to anything that Mr. Grant stated. He said that looking into the future, there should be equal opportunity for everyone. Mr. Harkins said before the Town looks at the commercial parking matter, there are other matters that need to be looked into such as workforce housing, transportation, and others. He said that it is not appropriate to think there is one particular area available for commercial parking, and a plan must be in place before moving forward.

Teresa White, Tai Scott, and Ibrahim Abdul-Malik addressed Council regarding the split of the LMO Amendments, and the need for the commercial parking lots, especially on the North end of the Island. They agreed that the commercial parking lots will provide an economic advantage to those in the districts mentioned in the LMO Amendments. Tamara Becker and James McGrath addressed Council expressing their support to vote down this section of the LMO Amendments related to the commercial parking lots. They expressed the need to restrict the commercial parking lots until a plan is in place.

Mrs. Likins said she is often told by citizens not to turn paradise into a parking lot. She said that she knows this an old song, but this is another way to say there needs to be thoughtful planning in place before moving forward with the commercial lots.

Mr. Ames stated that he is someone not looking at the Island as a Councilman, but as someone who wears a community hat. He said that the challenge that this community faces is the reaction to growth, and not making a commitment to final outcome or accomplishment. Mr. Ames stated that a decision is needed to determine what it is that needs to be created on the Island, for the betterment of all people. He said that if done the right way, all of the community will receive the economic opportunity available. He further stated that if proper planning is not in place, then the community as a whole will suffer. Mr. Ames said that is why he is objecting to using land for commercial parking at this time.

Mr. Grant stated if a citizens property is zoned commercially, then allow that citizen to develop their property as they wish to. He said to make it the same for everyone, and a fair level playing field for every citizen. He went on to say that he wants to ensure everyone has an opportunity for growth, but let them decide.

Mayor Bennett stated that he believed that this discussion about the commercial parking lots came about because one citizen, asked to have a parking lot approved as a use in one district. He said from that point, we have expanded the potential use in one district to five districts from one end of the Island to the other. Mayor Bennett said that in his mind it is not about one ward over another, it is about the use on an Island. Mayor Bennett said with regards to the division of the vote, he said he is in favor of it because there are other LMO Amendments that he is strongly in favor of.

Mayor Bennett asked for all of those in favor of the motion and second to approve the LMO Amendments associated with Proposed Ordinance 2017-19, related to the commercial parking lots in the specified districts. The motion failed by a vote of 0-7.

12. New Business

a. First Reading of Proposed Ordinance 2017-22 (Stormwater Bond)

First Reading of Proposed Ordinance 2017-22 the Third Supplemental Ordinance providing for the issuance and sale of not exceeding \$14,000,000 in aggregate principal amount of the Town of Hilton Head Island, South Carolina, Stormwater System Revenue Bonds, in one or more Series, for the purpose of financing certain capital improvements and refinancing all or a portion of the \$13,810,000 original principal amount Town of Hilton Head Island, South Carolina, Stormwater System Refunding Revenue Bond, Series 2010; delegating the authority to the Town Manager to determine certain matters with respect to new bonds; prescribing the form and details of such bonds; amending certain provisions to the

General Bond Ordinance; other matters relating thereto; and providing for severability and an effective date.

Mrs. Likins moved to approve the Proposed Ordinance, Mr. Harkins seconded.

Tai Scott addressed Council with questions about the funding for the PUD fist versus the districts outside of the PUD. Mr. Ames addressed Mr. Scott and said that all but one district are in a PUD or non-gated area. He said this is an issue that we need to look at and need to ensure that all areas and districts are properly funded.

Mayor Bennett asked if there was any further discussion before calling the vote, the motion was approved by a vote of 7-0.

13. Possible actions by Town Council concerning matters discussed in Executive Session.

None

14. Adjournment

Mayor Bennett adjourned the meeting at 7:05 p.m.

Krista M. Wiedmeyer,
Executive Assistant/Town Clerk

Approved: 12/05/2017

David Bennett, Mayor