

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, March 1, 2016

Time: 4:00 P.M.

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

Absent from Town Council: Lee Edwards, *Council Member*

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Jill Foster, *Deputy Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities/Chief Engineer*; Jeff Buckalew, *Town Engineer*; Darrin Shoemaker, *Traffic & Transportation Engineer*; Brad Tadlock, *Fire Chief*; Brian Hulbert, *Staff Attorney*; Susan Simmons, *Director of Finance*; John Troyer, *Deputy Finance Director*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant/Town Clerk*;

Present from Media: Don McLoud, *Island Packet*

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

Information Technology Task Force Recognition

Mayor Bennett stated the Information Technology Task Force was formed in February, 2011 as the Telecommunications Task Force which was an advocacy group to improve cell service of Hilton Head Island. He reviewed their accomplishments and current projects. Mayor Bennett recognized the following members for their efforts and expressed his thanks. The members are Joe Baker, Kathy Ewell, Shea Farrar, Bill Jordan, John Lundin, Dick Mathews Paul McMenamin, Bill Schmitt, Dick Sell and their Chairman, Jim Collett.

6) Approval of Minutes

- a.** Town Council Meeting, February 16, 2016

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the February 16, 2016 regular Town Council meeting were approved by a vote of 6-0.

7) Report of the Town Manager

- a.** Semi-Annual Update of the Planning Commission – Alex Brown, Chairman

Mr. Brown reviewed the previous six months activity of the Committee. He stated they look forward to the Circle to Circle report in the near future. Mr. Brown said he had the pleasure of meeting with Steven Ames regarding the Visioning Plan and the Committee stands willing and ready to assist in the process.

b. Palmetto Electric Overhead to Underground Burial Project Update

Mr. Tony Pierce introduced Mr. Wil Saleeby, Vice President of Engineering & Operations for Palmetto Electric. Mr. Saleeby presented a power point concerning the procedures and status of the power line burial program.

c. Town Manager's Items of Interest

Mr. Riley reported on the items of interest below.

- (1) Town News
- (2) Noteworthy Events

8) Reports from Members of Council

a. General Reports from Council

Mr. McCann inquired as to the status of acquiring the dirt roads. Mr. Riley responded that originally the plan was to acquire four per year but funds are no longer available. He stated an alternative funding report would be coming forward in the future.

Mrs. Likins updated Council on a conference call held with herself, Mr. DeLoach and the Town's Public Communications Firm. She stated they provided the firm with background on the recently adopted recommendations of the Arts & Cultural Strategic Planning Committee.

She stated she would like the following recommendations to Council as directives for the PR firm:

1. To direct Rawle Murdy to provide the town options on how to best market the town as an Arts & Cultural Destination to both residents and visitors alike. This would include using current town communications mediums, the DMO marketing tools and any new media recommendations. The goal being that residents and visitors/would-be visitors will gain a better understanding of the rich and varied AC&H assets and organizations the town enjoys.
2. To direct Rawle Murdy to provide suggestions on how to best educate residents on the importance of creating the Hilton Head Island Culture & Arts Network and the value it will bring to the Arts & Cultural community, as well as the Island residents. And, to educate citizens about why we are committing local funding to pay for the organization's Executive Director. We explained that HHICAN will have as its primary mission to develop, advocate and market the Island's AC&H community.
3. To direct Rawle Murdy to provide suggestions on how to best educate residents about the potential value/importance/impact a cultural arts center provides for residents quality of life and tourism attraction. We explained the Beaufort County Project Sales Tax potential, the impact of the competing Beaufort County School District sales tax proposal, and the need for private investment in such a center for long term sustainability.

Finally, she recommended that Council direct Rawle Murdy to recommend and develop information that educates our residents about traffic concerns associated with the facility development, economic and social impacts of the facility, student enrollment and graduation rates in the Hospitality Management program and measures the town is

taking to mitigate traffic issues in the Sea Pines Circle and Pope Avenue area noting that she believed this should be a joint effort between the town and USCB.

Mr. McCann requested the item be placed on the next Town Council meeting agenda so Council could review in advance of voting. Mr. Harkins asked that in addition to the items Mrs. Likins mentioned that the communications firm should work on the Vision Process that will be coming forward to Council. Mr. Lennox concurred stating that communication with the public regarding status on Arts & Cultural and Circle to Circle should not be too far ahead of the Vision Plan. Mr. Grant expressed concern over the process. Mr. DeLoach reviewed the original policy adopted by Council regarding the process. After lengthy discussion regarding Mrs. Likins' request Mr. Harkins moved that Council identify the items as targets for the communication program and encourage the firm that Council identifies these as two topics to start doing their homework and research but don't come up with direction yet. Mrs. Likins clarified that the firm would investigate the best way to approach communication regarding the items and come back to Town Council with a plan as to how to proceed. Mr. Lennox seconded the motion. The motion was approved by a vote of 6-0.

Mr. Likins read the following statement for the record:

As we all know in prior meetings during public comment, Mr. Hoagland has made baseless personal attacks on me and I have not publicly responded to these even when he has sought to draw me into an argument with him. However, because he continues with the relentless attacks, I do feel compelled to at least make one public statement regarding his accusations. I want the public to know that I have done my very best to serve this community with honor and dignity. First of all, I have always listened to the points of view, comments and concerns expressed by the citizens. I respect the opinions of my constituents even when I may not agree with them. I have never lied about listening to the comments of citizens or anything else that Mr. Hoagland has suggested. Number two, any time Council has address an issue where there has been any potential conflict of interest on my part either personal or professional, I have recused myself. And finally, number three. Mr. Hoagland's attacks on me personally became increasingly personal and caused me to be forced to file a defamation lawsuit against him. He has stated that I have conflicts of interest on Town Council and that I am a liar, that I am corrupt, that I have violated the public's trust and that I am even not fit for my own job. All of these statements about me are completely false and I am pursuing my lawsuit against him to prove that he has maliciously stated these false things. I felt compelled to make this statement so that in the future, when Mr. Hoagland makes statements regarding me, my integrity, my fitness for serving, my profession, that my silence will not be construed as any type of admission or acknowledgement, rather my silence reflects my respect for the purpose of the Town Council meetings, which is to make important decisions impacting our citizens, my respect for my fellow council members and my respect for the citizens in the audience.

Mayor Bennett stated he and Mr. Riley were honored and privileged to participate in the Hilton Head Island Fire Rescue Awards and Advancement program this past weekend. He also updated Council on the heritage tourism effort and distributed an updated list of advisory committee members, a complete listing of the historical and cultural sites in Beaufort County and an initial rating by the advisory committee on those heritage tourism assets. He said the committee will meet again mid-March.

Mr. McCann suggested televising the Circle to Circle Committee and Visioning Process meetings, as well as other important meetings the community would have an interest in. Mr. Harkins agreed. Mr. DeLoach explained the existing contract with Beaufort County for broadcasting. He said communication with the County would need to take place as to availability for them to broadcast. Mayor Bennett requested that Mr. Riley check into whether or not the County could accommodate broadcasting the Circle to Circle Committee meetings and follow up with the Visioning meetings. Mr. Grant suggested other Committee meetings be considered for broadcasting such as the Economic Development Corporation and also suggested one of the current Committees review and decide which meetings are to be televised.

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

Mr. Harkins stated a meeting will be scheduled between Hilton Head Island, City of Savannah and the Town of Bluffton which will be an opportunity for complementation versus competition for all parties.

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

Mrs. Likins stated the Committee is currently accepting applications for the Venue Committee.

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

Mr. Lennox said he has reviewed drafts and expects the final report from Steven Ames, of Ames Group Consulting soon and he will make it available to Town Council, adding that it will be part of the agenda packet for the March 3 meeting.

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

No report.

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

Mr. Grant stated the next meeting will be held on Monday, March 7 at 10:00 a.m.

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

Mr. McCann reported the Committee met earlier in the day to review the Accommodations Tax Advisory Committee's proposed for off cycle grants, discuss an increase in Council compensation for meeting attendance, and increasing the budget for the Mayor's speechwriting. He said recommendations from the Committee will come forward to Council at the March 15 meeting. He said they also discussed and approved that they would proceed with a performance audit of the Beaufort County Sheriff's Office.

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

Mr. Lennox stated the Committee met on February 24. He said Mr. Salvagin reviewed the traffic study, the 2015 actual measurements as a baseline to be used in calibrating a model to forecast additional and future traffic, along with a demographic model and the 2020 and 2030 projections and reviewed in detail some mitigation options and recommended mitigations and sequence and their timing. He explained the urban planning consultants followed with a presentation on the transportation options available based on traffic volumes and anticipated growth.

9) Appearance by Citizens

Skip Hoagland previously registered, was called on and was not present to speak.

Karl Engelman addressed Town Council regarding his opinion of the lack of details in meeting minutes.

10) Unfinished Business

None.

11) New Business

a. First Reading of Proposed Ordinance 2016-03

First Reading of Proposed Ordinance 2016-03 of the Town of Hilton Head, South Carolina, authorizing the execution of a purchase and sale agreement and the execution of a deed for the sale of approximately 1.106 acres of real property along Dunnagan's Alley to the Village At Wexford Owners Association, Inc. 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. Mr. McCann seconded. The motion was approved by a vote of 6-0.

b. First Reading of Proposed Ordinance 2016-04

First Reading of Proposed Ordinance 2016-04 of the Town of Hilton Head Island, South Carolina, to amend Title 2 General Government and Administration of the Municipal Code of the Town of Hilton Head Island, South Carolina by amending Chapter 5 (Meetings of Council And Rules Of Procedure) Section 2-5-50, Agenda and Order of Business; and providing for severability and an effective date.

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

c. First Reading of Proposed Ordinance 2016-05

First Reading of Proposed Ordinance 2016-05 of the Town of Hilton Head, South Carolina, authorizing the execution of a sale and purchase agreement and related documents for the sale of approximately 0.59 acres of real property on William Hilton Parkway to PWK Enterprises, LLC, 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. Mr. McCann seconded. The motion was approved by a vote of 5-1. (Mr. Grant was opposed.)

d. Consideration of a Recommendation – Public Art Site Selection

Consideration of a Recommendation that Town Council approve the new Coligny Park, the old Gullah Market, and the NW corner of Squire Pope Road and William Hilton Parkway as potential sites for placement of Public Art on Hilton Head Island.

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

e. Consideration of a Recommendation

Consideration of a Recommendation that Town Council endorse the County's recommended alternative solution (2-A, also known as the Restricted Crossing U-Turn or Super Street option) for transportation safety and access management improvements along US 278 on Jenkins Island.

Mr. Harkins stated for discussion he moved for approval. Mr. McCann seconded.

Scott Liggett stated he and staff were available for questions. He invited Darrin Shoemaker to conduct a presentation regarding the options. Mr. Shoemaker reviewed all details concerning both options.

At the conclusion of the presentation, Mr. Harkins suggested deferring any vote on the item and requested it be sent back for a concerted effort for a plan covering the area between Moss Creek and Jenkins Island.

Mr. Grant referenced the Squire Pope area and his concern for safety as well as traffic flow noting the difficulty residents have in crossing the intersection at this time.

The Mayor invited public comment.

Mr. Joseph Kernon spoke in opposition to the options.

Mr. Mike Garrigan urged Council to support option 2A.

Frank Babel addressed Council requesting bicycling facilities be added to the project.

Paul Krunkleton noted the need for communication for the project to benefit all concerned and supported the change of two lanes to six lanes all the way to Squire Pope Road.

Mr. Ron Knight spoke in support of Mr. Babel's request.

Mr. Gary Kubic, on behalf of Beaufort County Council endorsed option 2A. He stated it would still be on the list for County projects and if not approved they will go for bonds which will increase taxes county-side.

Mr. Robert McLaughlin expressed concerns for u-turns for large vehicles in that area and for traffic safety issues in the Squire Pope community.

Mr. Harkins expressed concern in completing either project with future bridge replacement connectivity.

Mrs. Likins thanked the County and Staff for the presentation at the Public Facilities Committee.

Mayor Bennett expressed his concern that the improvements do not convey the same quality of life expected. He questions if Option 2A is the only alternative. He noted that Option 1 may take longer and cost more but that should not be the drive to select Option 2A. He added that he is not comfortable with segments being address and they should work on the entire area, even if they have to implement them in phases.

Mr. Lennox noted that Mr. Birdwell of Sea Pines Resort made it clear they do not support a traffic light and he feels the Option 2A is the best choice for public safety.

Mr. Grant stated they need to stop compromising and focus consideration on how the Squire Pope area will be affected. He encouraged the County to talk with the residents of the area to gain input into their needs.

Council continued to review and discuss the options at great length and in great detail and, at the conclusion, the motion failed by a vote of 2-4 (Mayor Bennett, Mr. Grant, Mr. Harkins and Mr. McCann were opposed.)

Mr. Harkins moved to recommend the Town develop a concept plan for the area between Gumtree Road and Moss Creek and that it is done with reasonable dispatch. Mr. McCann seconded.

Mayor Bennett asked Mr. Riley how to best go about the effort. Mr. Riley stated that they would have to sit down and figure out what it means to workload and budget. He said staff would have to take the motion and develop a report and bring it back to Council.

Mayor Bennett asked if part of the funding included from the Town to the bridge effort for the County's request to the Capital Project Sales Tax Commission could be expanded to include a look at the entire corridor and some additional master planning. Mr. Riley stated it could but questioned what reasonable dispatch would be. Mr. Riley explained the Council history of the subject of finding a solution to Windmill Harbour's traffic problem and expressed concern this would be further delay in solving the problem. He noted it would take years to come up with any type of conceptual design. He stated he could come back to Council with a proposal for the entire study area but said he did not recommend that weighing in on the sales tax is at all a prudent thing to do with that type of study.

Mayor Bennett stated he is still looking for a complete comprehensive solution and he is the first guy in line to get something done on a comprehensive basis.

Mr. Harkins clarified his original motion. Mr. Harkins moved that a conceptual plan defining the sequence and timing of project elements including roads, bridges, traffic lights, if any, median cuts between Moss Creek and Gumtree Road be undertaken with reasonable dispatch. Mr. Harkins said the motion is offered to assure the connectivity elements, such as access to Pinckney Island, Windmill Harbour, Blue Heron, Squire Pope Road and Gumtree design once and built once. Mr. McCann as the seconder of the original motion agreed and seconded the clarified motion.

Mrs. Likins stated she respected the fact the original motion failed and that they need to start back at ground zero. She said Council needs to keep in mind that priorities were established at the annual workshop and staff is directed to work on them and when something falls apart they should not make it the next priority and add to the staff workload. She said if Council is going to add items to the workload they need to look at items they can remove.

Mayor Bennett commented that additional staff could be added to accomplish the objective. He said he would be happy to sit down with Mr. Riley and anyone from Council that would like to join them to address the best way to accomplish the directive.

Mr. Lennox stated everything in Mr. Harkins' motion was covered in the presentation to the Public Facilities Committee the previous week. He said he didn't know where they would go beyond what they currently have that would improve upon the recommendations before them. He said he is concerned about public safety and the opportunity to do things that couldn't ordinarily be done to include the available funding and the timing of that available funding they see before them. He said he felt

Mr. Harkins' motion was satisfied by the presentations to Public Facilities and Town Council.

The motion was approved by a vote of 4-2 (Mrs. Likins and Mr. Lennox were opposed.)

12) Executive Session

Mr. Riley stated he needed an executive session for legal matters for receipt of legal advice related to pending litigation concerning the USCB Campus on Hilton Head Island and related to a potential settlement agreement with Kigre, Inc. which is a business license lawsuit matter.

At 6:57 p.m. Mr. Harkins moved to go into executive session for reasons as stated by the Assistant 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 Bennett called the meeting back to order at 7:33 p.m. and stated there was no action taken during executive session and asked if there was any business to take up as a result of executive session.

Mrs. Likins moved that the Town Council for the Town of Hilton Head Island adopt a resolution adopting and approving a Mediated Settlement Agreement with Kigre, Inc., to end all litigation with Kigre. A copy of the agreement shall be made available to the public immediately. Mr. McCann seconded. The motion was approved by a vote of 6-0.

14) Adjournment

Mayor Bennett adjourned the meeting at 7:34 p.m.

Vicki L. Pfannenschmidt
Executive Assistant/Town Clerk

Approved: 03-15-2016

David Bennett, Mayor