



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, March 1, 2022, 3:00 PM
AGENDA

The Town Council meeting will be held in-person at Town Hall in the Benjamin M. Racusin Council Chambers. The meeting can be viewed on the [Town's Public Meetings Facebook Page](#), the [Beaufort County Channel](#) and Spectrum Channel 1304.

1. **Call to Order**
2. **FOIA Compliance** Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Roll Call**
4. **Pledge to the Flag**
5. **Invocation** Reverend Denise A. Trogdon, All Saints Episcopal Church
6. **Approval of the Agenda**
7. **Approval of the Minutes**
 - a. Workshop - February 8, 2022
 - b. Regular Meeting - February 15, 2022
8. **Report of the Town Manager**
 - a. Items of Interest
 - b. Board of Zoning Appeals Semi-Annual Update - Patsy Brison, Chair
 - c. Status Update on the Business Plan and Master Plan for Mitchelville Freedom Park - Ahmad Ward, Executive Director
9. **Reports of the Members of the Town Council**
 - a. General Reports from Town Council
 - b. Report of the Lowcountry Area Transportation Study – Councilman Stanford
 - c. Report of the Lowcountry Council of Governments – Councilwoman Becker
 - d. Report of the Southern Lowcountry Regional Board – Councilman Lennox
 - e. Report of the Beaufort County Airports Board – Councilman Ames

- f. Report of the Community Services & Public Safety Committee – Councilman Harkins
 - g. Report of the Public Planning Committee – Councilman Ames
 - h. Report of the Finance & Administrative Committee – Councilman Lennox
10. **Appearance by Citizens** Citizens who wish to address the Mayor and Town Council during Appearance by Citizens must contact the Town Clerk at 843.341.4701 no later than 12:00 p.m. the day of the meeting.

Citizens may submit written comments concerning any of the items on the agenda through the eComment portal. The eComment portal can be found by following this link: [March 1, 2022 Town Council Meeting Information](#)

11. **Unfinished Business**

- a. Second Reading Proposed Ordinance 2022-05 - Amendments to the Town of Hilton Head Island Municipal Code Concerning Electronic Public Meetings

12. **New Business**

- a. Consideration of a Resolution Authorizing Beach Operations Updates to Include the Beach Parking Passes, Restriction of Certain Vehicles and Access to Islanders' Beach Park.

13. **Executive Session**

- a. Discussion of negotiations to the proposed sale or purchase of property in the William Hilton Parkway, Fresh Market Shoppes area [pursuant to SC Freedom of Information Act Sec. 30-4-70(a)(2)]
- b. Discussion of negotiations pertaining to proposed contractual arrangements and proposed sale or purchase of property in the Newport Villas area [pursuant to SC Freedom of Information Act Sec. 30-4-70(a)(2)]
- c. Receipt of legal advice related to a pending, threatened, potential claim, or other matters covered by the attorney-client privilege - Hilton Head Landscapes v. Town of Hilton Head Island [SC Freedom of Information Act Sec. 30-4-70(a)(2)]
- d. Discussion of Personnel Matters Related to an Appointment to the Beaufort County Citizens Advisory Committee [SC Freedom of Information Act Sec. 30-4-70(a)(1)]

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

15. **Adjournment**



Town of Hilton Head Island
TOWN COUNCIL WORKSHOP
Tuesday, February 8, 2022, 10:00 a.m.
MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Town Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Interim-Director of Community Development*; Jennifer Ray, *Capital Program Manager*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the workshop to order at 10:00 a.m.

2. FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Roll Call

Roll was taken by the Town Clerk, and attendance of all members of Town Council was confirmed.

4. Approval of the Agenda

Mr. Harkins moved to approve. Mr. Stanford seconded. The motion carried by a vote of 7-0.

5. Workshop Discussion

- a. Mid-Island Redevelopment District**
- b. Mid-Island Tract Development**
- c. Island-Wide Conditions & Trends Assessment**

Mr. Orlando opened the meeting by discussing the various projects and potential for the island with these projects. He introduced the MKSK team who delivered a presentation to the Mayor and Town Council on the workshop discussion items.

Mr. Kinzelman and his team reviewed the Mid-Island engagement with stakeholders and the public, the analysis summary of the Mid-Island District, and the initial recommendations on the Mid-Island District. They also reviewed the analysis summary

of the Mid-Island Tract, Mid-Island Tract Programming, and closed their presentation with the Island Wide Conditions & Trends Assessment.

Town Council asked questions throughout the presentation and had a lengthy discussion after the conclusion. MKSK will return in the coming months with updates based on the discussion had during the workshop.

6. Adjournment

By unanimous vote, the meeting adjourned at 12:39 p.m.

Approved: March 1, 2022

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, February 15, 2022, 3:00 p.m.
MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Town Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Angie Stone, *Assistant Town Manager*; Shawn Colin, *Interim-Director of Community Development*; Jennifer Ray, *Capital Program Manager*; Jenn McEwen, *Director of Cultural Affairs*; John Troyer, *Director of Finance*; John Tuttle, *Technology & Innovation Director*; Jeff Buckalew, *Town Engineer*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the workshop to order at 3:00 p.m.

2. FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Roll Call

Roll was taken by the Town Clerk, and attendance of all members of Town Council was confirmed.

4. Invocation – Pastor Todd Cullen – Hilton Head Island Community Church

Pastor Cullen delivered the invocation.

5. Pledge to the Flag

6. Approval of the Agenda

Mr. Harkins moved to approve. Mr. Stanford seconded. The motion carried by a vote of 7-0.

7. Approval of the Minutes

a. Regular Meeting – January 18, 2022

Mr. Harkins Moved to approve the meeting minutes from January 18, 2022. Mr. Stanford seconded. The motion carried 7-0.

8. Report of the Town Manager

a. **Items of Interest**

Mr. Orlando reviewed various items of interest within the town.

b. Overview of Hilton Head Hospital’s Operational Conditions and Discussion of Future Needs – Joel Taylor, CEO Hilton Head Regional

Mr. Taylor review the current operating conditions within both Hilton Head and Coastal Carolina Hospitals. He said things since the last COVID spike are coming down, but that staffing is still an issue. When asked about how many of his current staff live on the Island. He said to his knowledge it is less than 30% of his entire staff within the hospital.

c. Presentation of Check to Expanding Company – RX Industries – John O’Toole, Executive Director of the Beaufort County Economic Development Corporation

Mr. O’Toole presented a check in the amount of \$25,000 for the expansion of RX Industries. The Town Manager and Town Council congratulated the business and thanked Mr. O’Toole.

d. Status Update on the Beaufort County Solid Waste & Recycling Program – Eric Greenway, Beaufort County Administrator

Mr. Greenway provided an overview and update on the status of the Beaufort County Solid Waste & Recycling Program. He answered questions and said he would provide additional information for those questions he could not answer.

e. Status Update of the Student Art Mural Temporary Exhibition – Jenn McEwen, Director of Cultural Affairs

Ms. McEwen provided an update on the Student Art Mural Temporary Exhibition. The update included locations and mockups of the exhibits.

f. Capital Improvement Program Quarterly Status Update – Jennifer Ray, Capital Program Manager

Ms. Ray reviewed the status of various projects within the Capital Improvement Program. She answered questions and provided information in preparation of upcoming updates.

9. Reports of the Members of Town Council

a. General Reports of Town Council

Mayor McCann reported that he has started a new segment on the Beaufort County Channel and at his most recent taping had the pleasure of speak with Mr. Barnwell.

Mr. Stanford reported on the recent workshops on the redistricting process for the Town. He complimented Town staff for their hard work and keeping everyone well informed.

Mr. Ames reported on an event taking place at the Boys & Girls Club to honor Mr. Stan Smith. The event, Honoring an Icon will be held on March 4th honoring Mr. Smith’s 50-year tennis career and his service to the Boys & Girls Club. Mr. Ames asked Mayor McCann if we could honor Mr. Smith with a Resolution. Mayor McCann agreed, asking the Town Clerk to prepare and finalize.

Mr. Brown reported that he recently read in an email that the Beaufort County Council was taking their meetings on the road. He said he applauded the County, stating that it is important that we continue the conversations with the County Council.

b. Report of the Lowcountry Area Transportation Study – Councilman Stanford

Mr. Stanford reported that at the last meeting they received a presentation from Craig Winn with the SCDOT who have reported that they have agreed to most all of the recommendations that were made by MKSK to improve the appearances of the William Hilton Parkway project. He

reported that there would be a public hearing on March 3rd at the Island Rec. Center to review and address the recent updates to the project. Mr. Stanford also reported that the state has approved 700 new crosswalks in the state, but only 7 in the lowcountry. He said something needs to be done about that.

c. Report of the Lowcountry Council of Governments – Councilwoman Becker

Mrs. Becker reported that the Council will meet in March since the February meeting had been cancelled.

d. Report of the South Carolina Floodwater Commission – Councilman Brown

Mr. Brown stated he did not have a report.

e. Report of the Southern Lowcountry Regional Board – Councilman Lennox

Mr. Lennox reported that the Board met on January 25th where they met on various items, one being the Regional Housing Trust Fund. Mr. Lennox said that the Town would need to determine soon if they plan to participate in the program.

f. Report of the Beaufort County Airports Board – Councilman Ames

Mr. Ames stated he did not have a report.

g. Report of the Community Services & Public Safety Committee – Councilman Harkins

Mr. Harkins reported that the Committee would be meeting soon to discuss various items, including an appointment to the Design Review Board. He also mentioned that the Greater Island Council had requested to have Town Council approve a resolution concerning solid waste and recycling. Mr. Harkins said he understood the resolution would be coming forward to a later meeting of his committee and then on to Council.

h. Report of the Public Planning Committee – Councilman Ames

Mr. Ames reported that the Committee met on January 27th where they received an update on the Short-Term Rentals initiative. He said they also received a presentation and acted on various items related to Islanders' Beach Park.

i. Report of the Finance & Administrative Committee – Councilman Lennox

Mr. Lennox reported on the various workshops the Committee has had for the redistricting on the Island. He also reported on the items of discussion from the meeting earlier in the day. The first being a report from the Community Foundation of the Lowcountry and a Town Financial Update.

10. Appearance by Citizens

Peter Kristian: Addressed the Mayor and Town Council on the County's solid waste and recycling program. He said he has been working with Councilman Rodman and the GIC is looking at a sustainability campus somewhere south of the Broad.

Skip Hoagland: Address the Mayor and Town Council on various matters related to the Chamber and Town of Hilton Head Island.

Mr. Lennox requested a transcript of Mr. Hoagland's comments.

11. Unfinished Business

- a. **Second Reading of Proposed Ordinance to Amend Chapter 1 of Title 8 (Beaches), of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 8-1-112 relating to the Definition of Beach; and providing for severability and an effective date.**

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, the motion carried by a vote of 7-0

- b. **Consideration of the Final Draft of the Affiliated Agency Application**

Mr. Harkins moved to approve. Mr. Stanford seconded. With little discussion, the motion carried by a vote of 7-0.

12. New Business

- a. **Consideration of a Resolution Dedicating a Garden in Honor of Sally Krebs for her Service with the Town of Hilton Head Island.**

Mr. Harkins moved to approve. Mr. Stanford seconded. The motion carried by a vote of 7-0.

- b. **Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing the Town Manager to enter into an agreement with the Hilton Head Plantation Property Owners' Association to provide funding assistance for the maintenance and renourishment of Pine Island Beach.**

Mr. Harkins moved to approve. Mr. Stanford seconded. With little conversation, the motion carried by a vote of 7-0.

- c. **First Reading Proposed Ordinance 2022-05 to amend the Municipal Code of the Town of Hilton Head Island South Carolina, Sections 2-5-15 and 2-5-16, to provide for regular and special meetings and public hearing of the Town Council and Town Boards & Commissions by electronic means; to amend Section 2-5- 80, to specify the Rules of Decorum apply to all public meeting bodies for the Town of Hilton Head Island; and providing for severability and an effective date.**

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, the motion carried by a vote of 7-0.

- d. **Consideration of a Resolution by the Town Council of the Town of Hilton Head Island to authorize the Town Manager to prepare the necessary documents to establish a nonprofit Economic Development Corporation to coordinate and implement economic plans and initiatives with an emphasis on the Historical Neighborhoods of Hilton Head Island.**

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, the motion carried by a vote of 6-1, Mrs. Becker opposing.

- e. **Discussion of Hilton Head Island Representation on the Beaufort County Citizens Advisory Committee Regarding a Possible 2022 Transportation Sales Tax.**

Mr. Gruber reviewed the item and gave an overview of what was being proposed. Town Council was concerned that by appointing someone to the Committee, they were giving their approval and support to the Sales Tax. After much discussion by Town Council, Mr. Harkins made a motion to appoint Mr. Gruber to the committee. Mr. Stanford seconded. After

additional discussion and debate, the motion carried 4-3, Mr. Brown, Mr. Ames, and Mrs. Becker opposing.

13. Adjournment

By unanimous vote, the meeting adjourned at 4:54 p.m.

Approved: March 1, 2022

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



TOWN OF HILTON HEAD ISLAND

Board of Zoning Appeals Memo

TO: Town Council
FROM: Patsy Brison, Chair of the Board of Zoning Appeals
DATE: January 18, 2022
SUBJECT: Board of Zoning Appeals Semi-Annual Report: July-December 2021

In the second half of 2021, the Board of Zoning Appeals held three meetings. During this time, the board heard 3 Variance requests, 0 Appeal requests and 0 Special Exception requests.

Variations

VAR-001375-2021 – Request from Joseph Perota for a variance from LMO Section 16-5-102, Setback Standards to allow an existing HVAC unit to remain in the adjacent use setback. The property address is 13 Mangrove Street with a parcel number of R510 004 000 0382 0000. This variance was denied by a vote of 4-1-0.

VAR-001411-2021 – Request from Brian Rose, of Rose Landscape LLC, on behalf of Monica Duvall, for a variance from LMO Sections 16-5-113, Fence and Wall Standards, 16-5-102 Setback Standards, and 16-5-103 Buffer Standards, to allow a proposed fence to exceed the maximum fence height of 7 feet on or along a common property line. The property address is 14 Ibis Street with a parcel number of R550 015 00A 0301 0000. This variance was denied by a vote of 6-0-0.

VAR-002117-2021 – Request from Courtney Struna on behalf of the Palmetto Hall Property Owners Association for a variance from LMO Sections 16-5-113, Fence and Wall Standards, 16-5-102 Setback Standards and 16-5-103 Buffer Standards to allow a proposed fence to exceed the maximum fence height of 4 feet in an adjacent street setback and buffer. The parcel numbers of the properties associated with this variance request include R510 005 000 0278 0000, R510 004 000 0370 0000, and R510 004 000 0304 0000. This variance was approved by a vote of 6-0-0.

Appeals

There were no Appeal hearings.

Special Exceptions

There were no Special Exception hearings.

Other Matters

Waivers – The BZA receives a report at each regular meeting which shows the number and types of waivers granted by staff pursuant to provisions in the LMO. Per a request by the BZA, a staff report of waivers approved since 2017 was presented at the July 29, 2020 meeting. After review of the report, the BZA unanimously adopted a motion to forward the summary to the Planning Commission and appropriate persons to review and determine whether amendments to the LMO might be appropriate. The Public Planning Committee heard the matter at their July 21, 2021 meeting and requested Staff provide them with a detailed summary of waivers granted to date.

LMO Language – As a follow up to BZA motions on January 27, 2020, to authorize the BZA Chair to send letters to the Town Council and Planning Commission to request consideration of amendments to the LMO to allow outdoor bicycle storage in the Light Industrial (LC) District and to address Nano Breweries and Microbreweries, the staff reported on July 29, 2020, that the letters had been sent and that the amendments would be added to the next set of proposed LMO amendments. At the BZA meeting on November 22, 2021, Town staff informed the BZA that no LMO amendments would be taken forward until adoption of the Strategic Action Plan and possible re-write of the LMO. It is understood this could potentially change and amendments may come forward sooner.

Rules of Procedure – The Board requested that Town staff proceed with amendments to its Rules of Procedure at its meeting in March of 2021. The Board understands that the amendments will be ready for its February 2022 meeting.



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Marc Orlando, ICMA~CM, Town Manager
FROM: Jayme Lopko, AICP Senior Planner
VIA: Shawn Colin, AICP, Senior Advisor to The Town Manager
VIA: Anne Cyran, AICP, Interim Comprehensive Planning Manager
DATE: February 17, 2022
SUBJECT: Historic Mitchelville Freedom Park Update

Recommendation:

Review of the Historic Mitchelville Freedom Park presentation on recent and upcoming activities and the notion of a potential future lease of additional parcels along Beach City Road that are jointly owned by the Town and Beaufort County.

Summary:

The presentation includes updates on recent media coverage, the installation of interpretive panels, and upcoming events, as well as the notion of a potential future lease of additional parcels along Beach City Road that are jointly owned by the Town and Beaufort County.

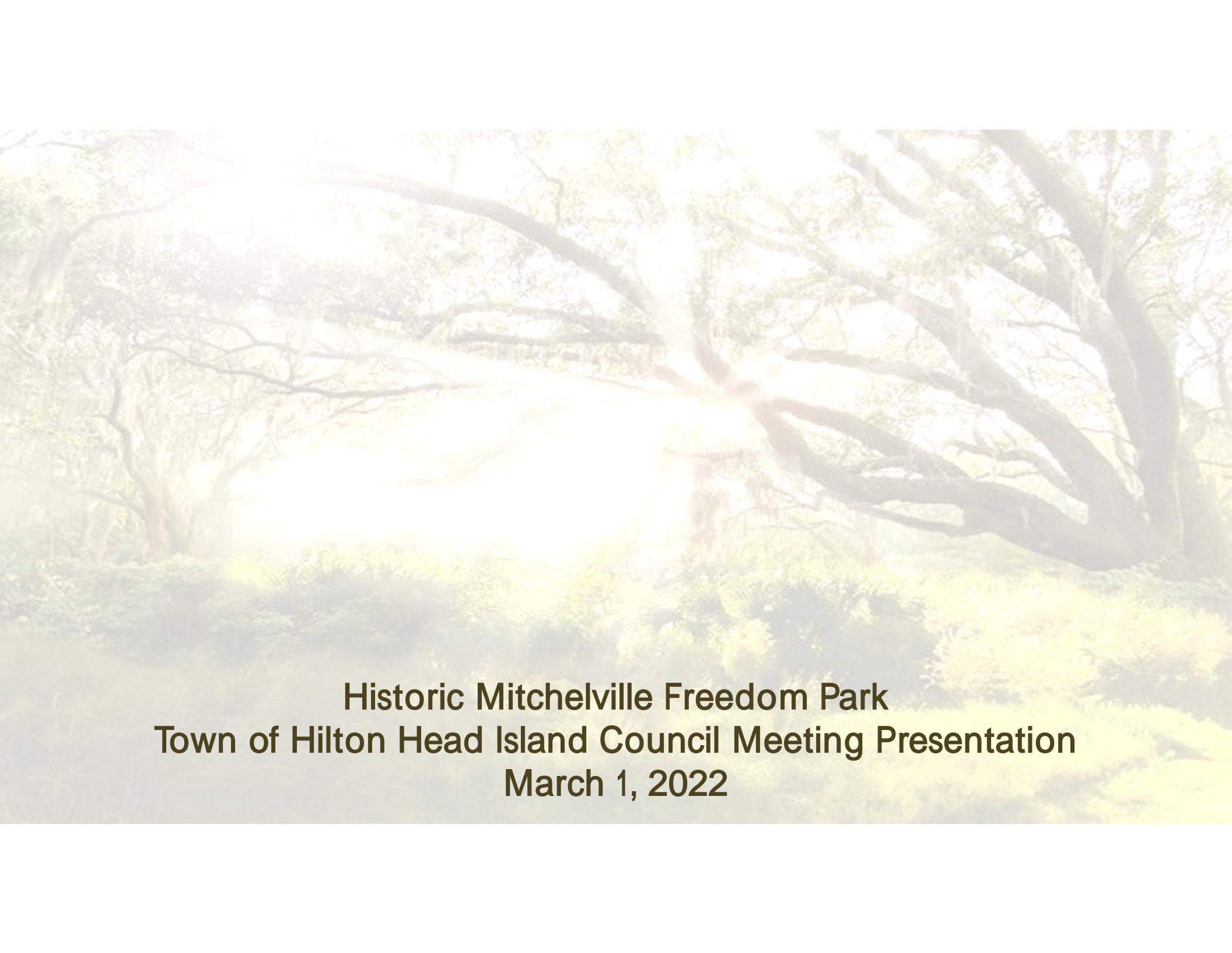
Background:

The Town of Hilton Head Island and Historic Mitchelville Freedom Park, LLC (Mitchelville) entered into a Lease Agreement and Memorandum of Understanding on April 18, 2017, for property located on Beach City Road, referred to as Historic Mitchelville Freedom Park.

At the January 25, 2021, Community Services & Public Safety Committee meeting, the Lease Agreement and Memorandum of Understanding between the Town and Mitchelville was updated and renewed. As part of the discussion, Mitchelville was asked to present updates on their progress every six months. The first update was given to the Finance & Administrative Committee on October 19, 2021.

Attachment:

- A. Historic Mitchelville Freedom Park Presentation



**Historic Mitchelville Freedom Park
Town of Hilton Head Island Council Meeting Presentation
March 1, 2022**

19 Black History Month Destinations You Should Visit

Learn about African American life and history at these important institutions, from museums to historical sites to important monuments.

January 14, 2022

Pinterest Facebook Twitter Email



By: [Deanne Revel](#) and [Felicia Feaster](#)

HMFP was selected as one of 19 Black History Month Destinations You Should Visit by HGTV.com





Mitchelville was recently featured in the USA Today Super Bowl preview. This periodical has a circulation of roughly 5 million people

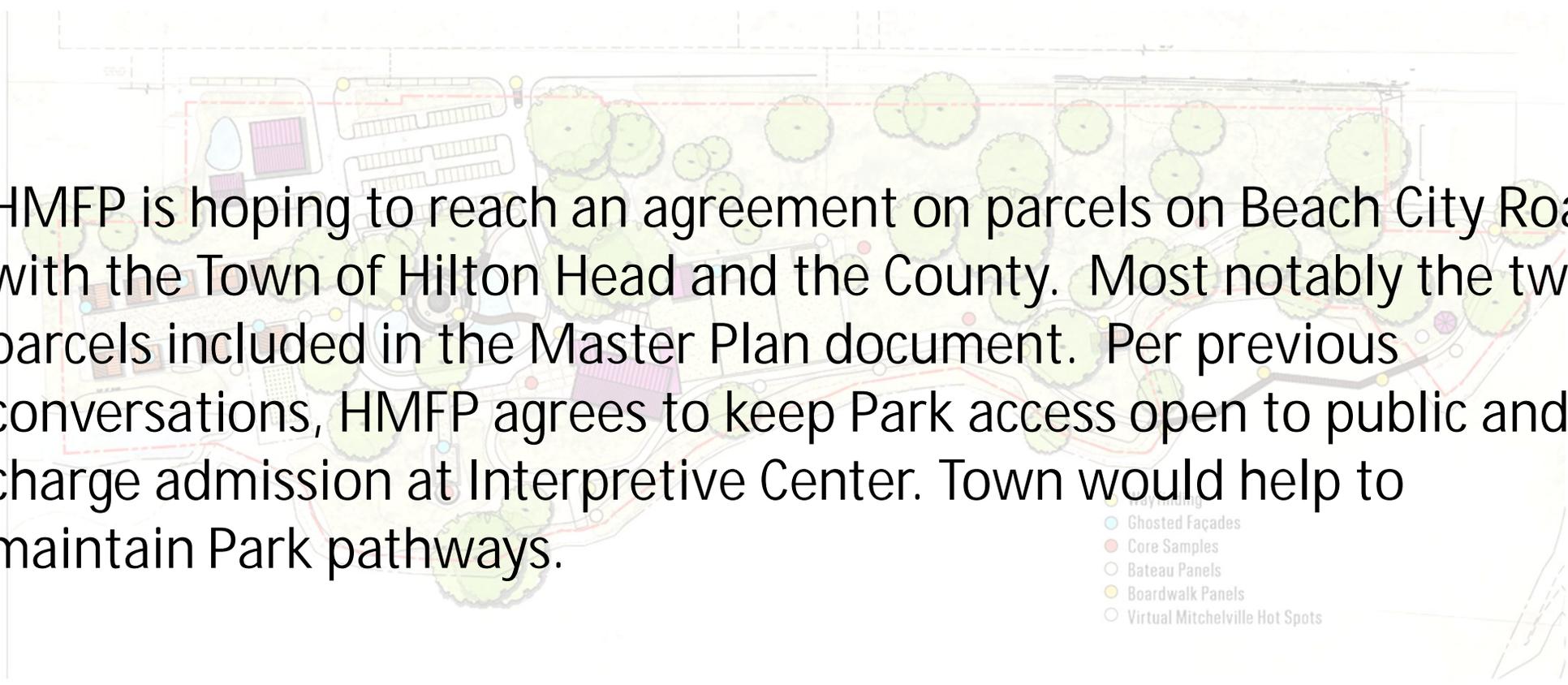


The organization is creating three Bateau Panels, featured in the Master Plan that we hope to install in the Park in the Spring.

These panels will discuss Mitchelville's connection with connection with Gullah culture, highlighting Land and ownership, Sweetgrass basket weaving and the Bateaus used in everyday life during and after the time period.

Need for Lease agreement for jointly owned Beaufort County and Town Property

HMFP is hoping to reach an agreement on parcels on Beach City Road with the Town of Hilton Head and the County. Most notably the two parcels included in the Master Plan document. Per previous conversations, HMFP agrees to keep Park access open to public and charge admission at Interpretive Center. Town would help to maintain Park pathways.

- 
- Ghosted Façades
 - Core Samples
 - Bateau Panels
 - Boardwalk Panels
 - Virtual Mitchelville Hot Spots

HISTORIC MITCHELVILLE FREEDOM PARK

Interpretive Site Plan



HMFP has proposals out currently that could impact the selected area and its surroundings. Should this funding come through in the next few months, we would like to be ready to move on the necessary infrastructural changes to prep for implementation of the Plan.

○ Virtual Mitchelville Hot Spots

SAVE THE DATE

Mitchelville Blues and BBQ Fundraiser

March 26th

Historic Mitchelville Freedom Park

Tickets available on Exploremitchelville.org

Annual Juneteenth Celebration

June 17th -18th

Historic Mitchelville Freedom Park

Virtual Juneteenth Partnership - blkfreedom.org

Please visit us:

Web: <http://exploremitchelville.org/>

Facebook: <https://www.facebook.com/mitchelville>

Twitter: <https://twitter.com/mitchelville>

Email: info@exploremitchelville.org
award@exploremitchelville.org

A photograph of a sunlit forest. The scene is filled with large, mature trees with thick, gnarled trunks and dense green foliage. Sunlight filters through the canopy, creating a bright, hazy atmosphere. The ground is covered in lush green undergrowth, including ferns and other plants. The overall mood is peaceful and natural.

Questions?



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Town Council
FROM: Joshua A. Gruber, Deputy Town Manager
VIA: Marc Orlando, Town Manager

DATE: February 16, 2022
SUBJECT: Second Reading of Proposed Ordinance 2022-05, Amendment to the Municipal Code Pertaining to Electronic/Virtual Meetings

Recommendation:

Staff recommends Town Council approve the second reading of Proposed Ordinance No. 2022-05 which amends Chapter 5 of Title 2, pertaining to Electronic/Virtual Meetings.

There have been no changes since the first reading on February 15, 2022.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, SECTIONS 2-5-15 and 2-5-16, TO PROVIDE FOR REGULAR AND SPECIAL PUBLIC MEETINGS AND PUBLIC HEARINGS OF THE TOWN COUNCIL AND TOWN BOARDS AND COMMISSIONS BY ELECTRONIC MEANS; TO AMEND SECTION 2-5-80, TO SPECIFY THE RULES OF DECORUM APPLY TO ALL PUBLIC MEETING BODIES FOR THE TOWN OF HILTON HEAD ISLAND; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Hilton Head Island, South Carolina is a political subdivision, organized under the laws of the State of South Carolina operating pursuant to state and municipal law of that State; and

WHEREAS, at times it may become impractical or impossible for the Town Council for The Town of Hilton Head Island, South Carolina, or any Town Board or Commission to hold regular in-person public meetings, special meetings, or public hearings at Town Hall; and

WHEREAS, during the extended pandemic, beginning in March of 2020 and continuing to date, along with ongoing technological advances and trends towards electronic meeting attendance, Town Council has conducted its regular public meetings and special meetings in person, electronically, and in a hybrid manner where some members are in physical attendance and others attending electronically; and

WHEREAS, Town Council, its Boards and Commissions have successfully live-streamed the meetings on the internet to enable anyone who wishes to observe, hear, and comment when appropriate during the meeting are able to do so; and

WHEREAS, for the meetings that have been held in this fashion, the agenda and the documents to be reviewed by Town Council at the electronic meetings are posted on the internet in advance of the meetings, and a method is available for citizens and others to submit their comments in writing or to phone into the meeting to verbally share their comments related to any agenda item in advance of the electronic meeting for consideration by Town Council or board and commission members; and

WHEREAS, Town Council declares that the purpose of this ordinance is to increase public participation, not limit public participation, at all regular and special public meetings; and

WHEREAS, the Town Council for The Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town, and its citizens and residents to adopt amendments to its ordinance allowing for regular and special public meetings to be conducted in-person, electronically, or a combination thereof.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS ORDAINED BY THE AUTHORITY OF THE TOWN COUNCIL THAT THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, SHALL BE AMENDED AS FOLLOWS:

Underlined and bold-face typed text indicates additions to the Municipal Code of the Town of Hilton Head Island, South Carolina. ~~Stricken~~ text indicates deletions from the Municipal Code of the Town of Hilton Head Island, South Carolina.

Section 1. Amendment to the Municipal Code of the Town of Hilton Head Island. The Municipal Code of the Town of Hilton Head Island, South Carolina, is hereby amended as follows:

Sec. 2-5-15. Public Meetings and Public Hearings of Town Council and Boards and Commissions, ~~with Final Decision-Making Authority by Electronic means during Declared State of Emergency.~~

- ~~(a) During any state of emergency in The Town of Hilton Head Island, South Carolina, declared by the Governor of South Carolina, or by The Mayor of The Town of Hilton Head Island, the Town Council, for The Town of Hilton Head Island, and any Boards and Commissions of The Town of Hilton Head Island, South Carolina, with final decision making authority, may conduct regular and special public meetings and public hearings solely and exclusively by means of telephone conference call, broadcast video, internet livestream, or such other forms of electronic transmission of video and audio as may become available from time to time. Any such electronic meeting shall be conducted in conformity with standards set out in this Section 2-5-15, and the South Carolina Freedom of Information Act [S. C. Code Ann. § 30-4-10, *et seq.* (Supp. 2020)].~~
- (a) **Regular meetings, special meetings and/or public hearings of the Town Council and any of its Boards and Commissions may be held at Town Hall, may be held electronically, or by a combination thereof with some members in physical attendance and others attending electronically.**
- (i) No less than ~~five (5) days~~ **24 hours** prior to the beginning of any meeting to be conducted under the authority of this Section 2-5-15, a complete agenda package shall be posted on the Town of Hilton Head Island web page. Any citizen may comment on any agenda item through the “Open Town Hall” application, or such other application as may be used from time to time by the Town for that purpose, at any time up to two hours prior to the commencement of the public meeting. All comments made through the “Open Town Hall” application or such other application as may be used from time to time by the Town for that purpose, will be forwarded to Town Council or the members of the Board or Commission prior to the commencement of the meeting.
- (ii) **If a meeting is scheduled to be an in-person meeting, any member of the Town Council or Board or Commission who desires to attend by way of electronic media must receive prior approval from the Mayor or Chairperson of the Board or Commission.** At the beginning of any meeting to be conducted under the authority of this Section 2-5-15, the presiding officer shall poll the members of the Town Council, or Board or Commission, to confirm attendance, and any member of the Town Council, or Board or Commission attending by way of electronic media shall be considered present for the purpose of constituting a quorum.
- (iii) Throughout the duration of any meeting to be conducted under the authority of this Section 2-5-15, all members of the Town Council, or a Board or Commission, as well as any officials, staff, or presenters required to speak at the meeting, must have the capability to be heard at all

times by any other member of the Town Council, or a Board or Commission, and by the general public.

- (iv) Any vote of the Town Council, or a board or commission, must be conducted by individual voice vote of the members of the town council, or a board or commission, who shall verbally indicate their vote on any matter by stating “yes” or “no” or equivalent statement **or by a show of a visual affirmative or negative vote.** All of the members Town Council, or a Board or Commission, who shall verbally indicate their vote on any matter by stating “yes” or “no” or equivalent statement. All individual votes shall be recorded by the clerk, secretary, or presiding officer as appropriate. Council members as well as Board and Commission members in attendance by telephonic or other electronic means shall have all rights, including, but not limited to, the right to make motions, second motions, and discuss and vote on all matters under consideration.
- (v) Any meeting to be conducted under the authority of this Section 2-5-15, shall be recorded or minutes kept in the same manner as an in a solely in- person meeting as required by the South Carolina Freedom of Information Act.
- (vi) All members of Town Council, or a board or commission, or any officials, staff, or other presenters shall identify themselves and be recognized prior to speaking. Members of the Town Council, or a Board or Commission shall comply with the rules of the Town Council, or a board or commission as they relate to procedural matters.
- (vii) In any meeting to be conducted under the authority of this Section 2-5-15, executive sessions shall be permitted in accordance with the terms of S. C. Code Ann. § 30-4-10, *et seq.* (Supp. 2020) and the Town Council, or a Board or Commission shall properly announce its reason for going into executive session in conformity with the terms of S. C. Code Ann. § 30-4-70 (Supp. 2020). The executive session may be held ~~using a separate telephone, broadcast video, internet based, or other~~ **via in person attendance, an** electronic platform, or ~~any a~~ combination of **electronic and in person attendance** ~~them,~~ provided that the executive session shall not be broadcast, made available to the public for viewing or listening, or be distributed by any other means to the public.
- ~~(viii) For the purpose of any Public Hearing of the Town Council, or any Board or Commission with final decision-making authority, if the electronic meeting platform has sufficient capability to allow members of the public to submit comments, either in written form or by voice, during the Public Hearing, then Town Council or the board or commission will allow public comment in whichever form the capabilities of the electronic meeting platform allow. In the event that the electronic meeting platform does not have sufficient capability to allow members of the public to submit comments, either in written form or by voice, during the meeting, the complete agenda package for the Public Hearing shall be posted on the Town’s web page five (5) days prior to the date and time of the Public Hearing. Any citizen may comment on any agenda item through the “Open Town Hall” application on the Town’s web page, or such other application as may be used from time to time by the Town for that purpose, at any time up to two hours prior to the commencement of the public hearing. All comments made through the “Open Town Hall” application or such other application as may be used from time to time by the Town for that purpose, will be forwarded to Town Council or the members of the board or commission prior to the commencement of the Public Hearing. Any comments submitted by the public shall be made a part of the record.~~

- (viii) With respect to any electronic meeting of Town Council or its Boards and Commissions, and subject to the terms of the applicable agenda for such meeting, members of the public may also participate electronically as follows:
- (1) Public Comments for Electronic Meetings. Individuals wishing to provide written comments for any public comment period, to include public hearings, may submit written comments to the clerk no later than two hours prior to any meeting in accordance with the instructions printed on the meeting agenda. In the absence of established procedures for admitting individuals desiring to make public comment into the electronic forum, the Town Clerk, or other person as designated by the Mayor, may read such comments aloud during the applicable public comment period.
 - (2) If the electronic meeting platform utilized by the Town has sufficient capability to allow members of the public to submit comments during a meeting or public hearing, in written form, by voice, or by video, then general public comment, public comment on old business and public comment on new business agenda items, and public hearings shall be taken using the method the electronic meeting platform supports, and shall be otherwise be conducted in accordance with all other rules and procedures of council. Notices of public meetings and public hearings shall include detailed instructions regarding the manner in which the public comment shall be held.
- (b) Section 12.5.80, rules of decorum, shall apply during electronically hosted meetings in accordance with this section. Except in the case of an emergency meeting of the Town Council for the Town of Hilton Head Island, South Carolina, during any state of emergency in The Town of Hilton Head Island, South Carolina, declared by the Governor of South Carolina, or by The Mayor of The Town of Hilton Head Island, in the event of any conflict between the text of this Section 2-5-15, and the text of any other Ordinance or adopted rule of procedure of the Town, the terms of this Section 2-5-15, shall control.
- ~~Sec. 2-5-16. Public Meetings of Boards and Commissions That Do Not Have Final Decision-Making Authority by Electronic Means.~~
- (a) ~~In addition to times where there is a state of emergency in The Town of Hilton Head Island, South Carolina, declared by the Governor of South Carolina, or by The Mayor of The Town of Hilton Head Island, Boards, Committees and Commissions of The Town of Hilton Head Island, South Carolina, that do not have any final decision making authority, may conduct regular and special public meetings and public hearings solely and exclusively by means of telephone conference call, broadcast video, internet livestream, in person by physical attendance, electronically, or such other forms of electronic transmission of video and audio as may become available from time to time. A decision to hold any meeting by any such electronic means must be by affirmative vote of two-thirds (2/3) majority of the membership of the Board, Committee or Commission, to conduct any subsequent meeting or meetings by electronic means. Any such electronic meeting shall be conducted in conformity with standards set out in this Section 2-5-16, and the South Carolina Freedom of Information Act [S. C. Code Ann. § 30-4-10, et seq. (Supp. 2020)].~~
 - (i) ~~No less than five (5) days prior to the beginning of any meeting to be conducted under the authority of this Section 2-5-16, a complete agenda package shall be posted on the Town of~~

~~Hilton Head Island web page. Any citizen may comment on any agenda item through the “Open Town Hall” application, or such other application as may be used from time to time by the Town for that purpose, at any time up to two hours prior to the commencement of the public meeting. All comments made through the “Open Town Hall” application or such other application as may be used from time to time by the Town for that purpose, will be forwarded to the members of the Board, Committee or Commission prior to the commencement of the meeting.~~

- ~~(ii) At the beginning of any meeting to be conducted under the authority of this Section 2-5-16, the presiding officer shall poll the members of the Board, Committee or Commission, to confirm attendance, and any member of the Board, Committee or Commission attending by way of electronic media shall be considered present for the purpose of constituting a quorum.~~
- ~~(iii) Throughout the duration of any meeting to be conducted under the authority of this Section 2-5-16, all members of the Board, Committee or Commission, as well as any officials, staff, or presenters required to speak at the meeting, must have the capability to be heard at all times by any other member of the Board, Committee or Commission, and by the general public.~~
- ~~(iv) Any vote of the Board, Committee or Commission, must be conducted by individual voice vote of the members of the Board, Committee or Commission, who shall verbally indicate their vote on any matter by stating “yes” or “no” or equivalent statement. All individual votes shall be recorded by the clerk, secretary, or presiding officer as appropriate.~~
- ~~(v) Any meeting to be conducted under the authority of this Section 2-5-16, shall be recorded or **minutes kept in the same manner as an in person meeting as required by the South Carolina Freedom of Information Act.**~~
- ~~(vi) All members of the Board, Committee or Commission, or any officials, staff, or other presenters shall identify themselves and be recognized prior to speaking. Members of the Board, Committee or Commission shall comply with the rules of the Board, Committee or Commission as they relate to procedural matters.~~
- ~~(vii) In any meeting to be conducted under the authority of this Section 2-5-16, executive sessions shall be permitted in accordance with the terms of S. C. Code Ann. § 30-4-10, *et seq.* (Supp. 2020) and the Board, Committee or Commission shall properly announce its reason for going into executive session in conformity with the terms of S. C. Code Ann. § 30-4-70 (Supp. 2020). The executive session may be held using a separate telephone, broadcast video, internet-based, or other electronic platform, or any combination of them, provided that the executive session shall not be broadcast, made available to the public for viewing or listening, or be distributed by any other means to the public.~~

Sec. 2-5-80. - Rules of decorum.

- (1) Rules of decorum.

While any meeting of **Town** Council, **its Boards or Commissions** is in session, the following rules of decorum shall be observed:

- (a) Any person who speaks at a council, **board or commission** meeting shall conduct himself or herself in a manner appropriate to the decorum of the meeting and shall not use any profane, abusive or obscene language nor any fighting words or otherwise engage in disorderly conduct. Any person who makes such remarks or otherwise engages in disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of a council,

board or commission meeting shall, at the discretion of the mayor, or in his absence, the mayor pro tempore, or such chairperson of the meeting, be barred from further audience before council, the board, or commission during that meeting and may be removed from the building.

~~(b) Any law enforcement officer who is serving as security during the meeting of council shall carry out all orders and instructions given by the mayor or in his absence, the mayor pro tempore, for the purpose of maintaining order and decorum at the council meeting. Upon instruction of the mayor, or in his absence, the mayor pro tempore, it shall be the duty of such law enforcement officer to remove from the council meeting any person who is disturbing the proceedings of council.~~

~~(e)~~**(b)** This section in no way limits any person from being charged or arrested for criminal conduct which occurs during the course of a council meeting or during the course of a person being removed from a council meeting pursuant to this section.

Section 2. Severability. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This Ordinance shall be effective upon adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2022.

By: _____
John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

First Reading: _____, 2022

Second Reading: _____, 2022

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member:



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Town Council
FROM: Jeff Buckalew, Town Engineer
VIA: Marc Orlando, Town Manager
CC: Josh Gruber, Deputy Town Manager
Curtis Coltrane, Town Attorney
Shawn Colin, Int. Dir. of Community Services
DATE: February 15, 2022
SUBJECT Beach Park Operations at Islanders Beach Park

Recommendation:

Consideration of Public Planning Committee recommendations to:

1. not remove the parking meters at Islanders Beach Park at this time, but continue to negotiate a better treatment of this situation with SCDHEC;
2. adopt a revised Beach Parking Pass application and eligibility requirements (Exhibit B);
3. sell annual Beach Parking Passes at \$15.00 each;
4. restrict certain shuttle vehicles not transporting island residents from entering Islanders Beach Park; and
5. not limit pedestrian and bicycle access into Islanders Beach Park and to construct a multi-use pathway into the beach park as soon as possible.

Summary:

At their January 27, 2022, meeting the Public Planning Committee heard discussion and acted on five motions related to this item.

1. Removal of Parking Meters: Motion to recommend Town Council to not remove the parking meters at Islanders Beach Park at this time but continue to negotiate a better treatment of this situation with SCDHEC. Motion passed 4-0.
2. Revised Eligibility for Beach Parking Pass: Motion to recommend Town Council approve the eligibility requirements as proposed by staff. Motion passed 4-0

3. Beach Parking Pass Fee: Motion to recommend Town Council approve a one-year fee of \$15.00 for an annual Beach Parking Pass, subject to further review based upon the development of the Beach Parking Master Plan. Motion passed 4-0

4. Limit access of shuttle vehicles into Islanders Beach Park: Motion to recommend Town Council restrict commercial motor vehicles (including tour busses, busses, shuttle vehicles) from entering the park, with exceptions granted for vehicles registered to Hilton Head Island assisted living facilities, non-profits, religious institutions, and other similar civic/community groups that exclusively transport Island residents. Motion passed 4-0

5. Limit pedestrian and bicycle access into Islanders Beach Park: Motion to recommend Town Council not limit pedestrian and bicycle access into Islanders Beach Park and to construct a multi-use pathway into the beach park as soon as possible. Motion passed 3-1

Background:

Based on input received by beach pass holders regarding operational issues at Islanders Beach Park, Town Council directed staff to assess these issues and develop solutions for improvements. Staff has met with citizens regarding their concerns and brought those items to Town Council for discussion. These items have been heard at the October 25, 2021, Community Services and Public Safety Committee meeting, the November 16, 2021, Town Council meeting, and the December 16, 2021, and January 27, 2022, Public Planning Committee meetings. At those meetings and in preparation for those meetings, the items and solutions for improvements were thoroughly vetted and refined, including legal review, to culminate in a series of motions and recommendations to Town Council made at the January 27, 2022, Public Planning Committee meeting.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, TO REVISE THE ELIGIBILITY REQUIREMENTS FOR TOWN BEACH PARKING PASSES, TO REVISE BEACH PARKING PASSES TO BE AN ANNUAL PASS FOR THE CALENDAR YEAR IN WHICH THE PASS IS ISSUED, TO RESTRICT COMMERCIAL VEHICLES INCLUDING SHUTTLE BUSES FROM ENTERING ISLANDERS' BEACH PARK, EXCEPT FOR VEHICLES OPERATED BY ASSISTED LIVING FACILITIES, RELIGIOUS INSTITUTIONS, SCHOOLS OR SIMILAR COMMUNITY OR CIVIC GROUPS SERVING RESIDENTS OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND DIRECTING THE TOWN MANAGER TO CONTINUE NEGOTIATIONS WITH SCDHEC-OCRM REGARDING PARKING AT ISLANDERS' BEACH PARK AND TO PLAN THE CONSTRUCTION OF A MULTI-USE PATHWAY INTO ISLANDERS' BEACH PARK.

WHEREAS, The Town of Hilton Head Island, South Carolina, has begun an examination of parking at Town owned parks including Town owned beach parks; and,

WHEREAS, Town Staff has recommended that, in the period prior to the completion of the parking management plan, changes to the Town's Beach Parking Pass eligibility requirements be made, and that the Town Beach Parking pass be changed to a one calendar year pass with at a cost of Fifteen (\$15.00) Dollars; and,

WHEREAS, the Town beach park known as Islanders' Beach Park is a heavily used facility, and the presence of commercial vehicles creates hazards for other vehicles and pedestrians in the park; and

WHEREAS, the level of use of Islanders' Beach Park is such that a multi-use pathway into the park would aid in reducing congestion on the paved road system in the park, and provide safer access to pedestrians and cyclists than the paved road system; and,

WHEREAS, in order to reduce the level of use at Islanders' Beach Park, The Town of Hilton Head Island, South Carolina, has engaged in a negotiation with SCDHEC-OCRM regarding unrestricted parking at Islanders' Beach Park, and those negotiations have not

yet concluded in a manner that is satisfactory to The Town of Hilton Head Island, South Carolina; and,

WHEREAS, at a meeting held on January 27, 2022, the Public Planning Committee met and voted to forward the recommendations for action to Town Council that are set out in this Resolution.

NOW, THEREFORE, BE IT RESOLVED, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT:

1. The Town's Beach Parking Pass shall be changed as follows:
 - (a) A Town Beach Parking Pass shall cost Fifteen (\$15.00) Dollars.
 - (b) A Town Beach Parking Pass shall be valid only during the calendar year in which it is issued, irrespective of the date the pass is issued.
 - (c) A maximum of two Beach Parking Passes may be issued to any single address.
 - (d) The form attached as Exhibit "A" shall be used for all new beach pass applications.
2. A person who meets any of the following shall be deemed a "resident" for purposes of eligibility for a Town Beach Parking Pass::
 - (a) Any person who owns any single or multi-family residence in the municipal limits of the Town, irrespective of whether the person qualifies for the 4% special assessment ratio, except:
 - (i) the owner of a property that is offered for leases of any term of less than 183 days in any calendar year is not deemed a "resident" eligible for a beach parking pass based on the ownership of that property.

- (b) Any person who is a tenant under a lease of a single or multi-family residence for a period of 183 days or more in any calendar year.
 - (c) Any person who owns time-share interests totaling more than 183 days per year.
3. Commercial vehicles, including shuttle buses or other form of transport, are prohibited from entering Islanders' Beach Park, except for:
- Shuttle vehicles or other transport operated by:
- (a) Assisted Living Facilities located in the municipal limits of the Town of Hilton Head Island, South Carolina;
 - (b) Religious institutions located in the municipal limits of the Town of Hilton Head Island, South Carolina;
 - (c) Public and private Schools located in the municipal limits of the Town of Hilton Head Island, South Carolina;
 - (d) Any other similar community or civic organization located in the municipal limits of the Town of Hilton Head Island, South Carolina, serving residents of the Town of Hilton Head Island, South Carolina.
4. The Town Manager is directed to continue to negotiate with SCDHEC-OCRM on the question of the types and amounts of general public parking the Town is required to maintain at Islanders' Beach Park.
5. The Town Manager is directed to plan and build a multi-use pathway into Islanders' Beach Park.

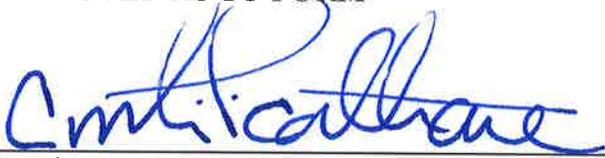
MOVED, APPROVED, AND ADOPTED ON THIS _____ DAY OF MARCH, 2022.

John J. McCann, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM



Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

EXHIBIT "A" TO RESOLUTION 2022-_____

EXHIBIT A

Town of Hilton Head Island

Facilities Management
12A Gateway Circle
Hilton Head Island, SC 29926
843-342-4580

Office Use Only

Replacement Pass # _____
Issuing Officer _____
Receipt # _____
Date Issued _____

Office Use Only

Receipt # _____
Issuing Officer _____
Cash Check # _____ CC _____
Date Issued _____

2022 Beach Parking Pass Application

Fee: \$15 per Vehicle (Limit of 2 vehicles per address)

Name _____ Phone No. _____

HHI Address _____ Zip Code _____

Mailing Address _____ Zip Code _____

Driver's License No. _____ DL State _____ DL Expiration Date _____

E-mail Address _____

Vehicle *

Beach Pass # _____

Vehicle Year _____ Make _____ Model _____ Color _____

License Plate No. _____ State _____ Vehicle Registration Expiration Date _____

To purchase a beach parking pass, the applicant must provide documented evidence of at least one of the following:

- ✓ Residential property owner's tax bill or closing documents within Hilton Head Island Town limits
- ✓ (This shall include 4 percent, 6 percent, and partial-deed or time-share ownership of greater than or equal to 183 days. However, a timeshare with less than 183 days of annual occupancy and properties that are utilized as short-term rentals are NOT eligible to receive a beach pass.)
- ✓ A current Residential Rental/Lease agreement with a term greater than or equal to 183 days

** A valid SC DMV golf cart registration must be provided to obtain a beach parking pass for a golf cart.*

- This beach parking pass (pass) is valid from 1/1/22 through 12-31-22 at all Town beach parking lots and spaces.
- This pass permits parking at the 135 beach pass spaces at Islander's Beach Park and the 30 beach pass spaces at Driessen Beach Park.
- Vehicles with a valid pass are not required to pay for metered parking at any of the Town's public beach access parking lots.
- Vehicles must be parked in a designated parking space. Any vehicle not parked in a designated space (i.e., on the road shoulder, in a No Parking zone, etc.) is subject to towing at the owner's expense.
- The pass is only authorized for the vehicle for which it is issued. Improper usage or transfer of a pass may subject the pass to revocation.
- When purchasing a new vehicle or replacing a damaged windshield, you may remove the current pass and return it to the Town for a replacement pass at no additional charge.
- The pass must be affixed by the decal adhesive on the upper driver side of the windshield. Do not tape the decal to the windshield.
- Exceptions may be made for vehicles transporting island residents which the owner may be, but not be limited to, assisted living facilities, places of worship, community and/or civic organizations, and other similar entities owning property and operating within the Hilton Head Island Town limits

I have read and understand the conditions under which this Beach Parking Pass is issued, and I certify that I am a resident and/or property owner within the municipal boundaries of the Town of Hilton Head Island and that all documents provided are true and accurate.

Signature _____ Date _____