Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, June 18, 2024, 3:00 PM
Minutes

Call to Order

Mayor Perry called the meeting to order at 3:00 p.m.

Council Members present: Alan Perry, Mayor, David Ames, Ward 3, Mayor Pro-Tempore; Alex Brown, Ward 1; Patsy Brison, Ward 2; Tammy Becker, Ward 4; Steve Alfred, Ward 5; Glenn Stanford, Ward 6

Invocation – Pastor Brett Meyers, First Baptist Church of Hilton Head Island

Pastor Meyers delivered the invocation.

Adoption of the Agenda

Mr. Ames moved to approve. Mr. Stanford seconded. Motion carried 7-0.

Adoption of the Minutes

Regular Meeting Minutes of June 4, 2024

Mr. Ames moved to approve. Mr. Alfred seconded. Motion carried 7-0.

Report of the Town Manager

Mr. Orlando introduced Derrick Coaxum, Facilities Director. He stated Mr. Coaxum previously worked at the Town and has more than 25 years of experience and welcomed him back as part of the team.

General Reports from Town Council

Mayor Perry announced that the originally scheduled meeting for Thursday, June 20 at 3:00 p.m. has been changed from a meeting to a workshop where the discussion regarding the Wiliam Hilton Parkway Gateway Corridor Project will continue. He stated the room set-up will be the same as a Town Council meeting to accommodate the attendees.

Ms. Brison referenced Wednesday, June 19 as Juneteenth and expressed her appreciation to the Mitchelville Board of Directors for the wonderful celebration held on Saturday, June 15.

Mr. Ames recognized Sam Gillman stating he will be competing in the trials for the United States Olympic Team in the 1500 meter race on Friday, June 21 at 8pm. He encouraged all to root Sam on in his endeavor.

Report of the Lowcountry Area Transportation Study - Glenn Stanford

Mr. Stanford stated there was a meeting on June 7 and reviewed the County-wide Transportation Impact Analysis ordinance in an effort to move it forward, they approved support for the South Carolina Department of Transportation (SCDOT) East Coast Greenway Active Transportation infrastructure investment, and discussion regarding

Section 5.b of the Bluffton Parkway Project. He added that SCDOT presented a report on where the improvements to Interstate 95 will occur.

Report of the Lowcountry Council of Governments - Tammy Becker

No report.

Report of the Beaufort County Airports Board - David Ames

No report

Report of the Southern Lowcountry Regional Board - Glenn Stanford

Mr. Stanford stated the Board met on May 28 and received an update from Joel Taylor, President, Hilton Head Regional Hospital regarding the new ownership and the impacts emphasizing the large investment the new owners are going to make in the hospital facilities. Beaufort County Council Chairman conducted a presentation regarding the proposed tax referendum.

Report of the Island Recreation Association Board - Alex Brown

No report.

Report of the Community Services and Public Safety Committee - Tammy Becker

Ms. Becker stated the Committee has conducted interviews for upcoming vacancies for boards, commissions and committees and will be making recommendations to the full Council during Executive Session.

Report of the Public Planning Committee - David Ames

No report.

Report of the Finance and Administrative Committee - Alex Brown

No report.

Appearance by Citizens

John Casey addressed Council expressing his appreciation that Thursday's meeting is now a workshop to further the William Hilton Parkway Corridor Project.

John Davidson addressed Council regarding the need to focus on how decisions impact health care providers and workers. He stated the primary responsibility of Council is the enhancement of property values. He expressed his opinion the Town needs to hire an Urban Economic Law Firm.

Skip Hoagland addressed Council stating the need for transparency and a forensic audit.

Unfinished Business

Consideration of an Ordinance Amending Section 10-5-50 of the Municipal Code of the Town of Hilton Head Island to Award a Non-Exclusive Commercial Beach Franchise Agreement - Second and Final Reading - Josh Gruber, Deputy Town Manager

Mr. Gruber assured Council that everything discussed at the June 4 Town Council meeting has been incorporated into the document before them for consideration of approval.

Mayor Perry asked for public comment. There was none.

Council members made comments, asked questions and held discussion regarding: confirmation that the Franchise Fee is 3%.

Mr. Ames moved to approve. Mr. Alfred seconded. Motion carried 7-0.

Consideration of an Ordinance Amending Sections 2-5-15 (Public Meetings and Public Hearings of Town Council and Boards and Commissions); 2-5-50 (Agenda and Order of Business); 2-5-70 (Appearance by Citizens During Public Meetings); and 2-5-80 (Rules of Decorum) of the Municipal code of the Town of Hilton Head Island - Second and Final Reading - Josh Gruber

Mr. Gruber stated there were no changes to the proposed ordinance since first reading. He added there have been no public comments or feedback submitted. He said the item changes code regarding the order of items on agendas, the process by which people can make public comment and an outline of the expected behavior when speaking at public meetings

Mayor Perry asked for public comment.

John Davidson addressed Council suggesting asking people who speak during public comment if they are taxpayers and how they are impacted by the item being addressed because the primary duty of this Council is to promote the growth of real property values.

Mr. Ames moved to approve. Mr. Alfred seconded.

Council members made comments, asked questions and held discussion regarding: inquiry as to how the public is going to be educated and informed regarding the rules; inquiry as to how Boards, Committees and Commissions will be trained; confirmation this will define the expectations regarding conduct and procedures when there are public comments; confirmation ongoing training will take place annually for all Boards, Committees and Commissions and a confirmation public comment will still take place regarding agenda items and non-agenda items.

Ms. Becker voiced her opposition to the ordinance stating her belief that it is a violation of the First Amendment, she further inquired as to what resources were used to determine behavior and decorum requirements.

Motion carried 6-1 (Becker opposed).

Skip Hoagland addressed Council regarding the question of legality when it comes to awarding Power of Attorney to a second party to speak on your behalf.

Chester Williams stated Council has the right to regulate the time, place and manner of speech but not what an individual can say.

Christopher Cliffe inquired as to why this is being done.

Mr. Gruber continued by highlighting the revisions that were being addressed which are an attempt to clean up matters within Code in order to go through the order of business of Council and take public comment at the appropriate times.

New Business

Consideration of an Ordinance of the Town of Hilton Head Island Authorizing the Execution and Delivery of Quit Claim Deeds for a Portion of Property Owned by the Town of Hilton Head Island Identified as 54 Muddy Creek Road and the Purchase of a Stormwater Easement for the Same - First Reading - Josh Gruber, Deputy Town Manager

Mr. Gruber conducted a presentation regarding the item. He went through a chronological order of how and why this item is pending before Council.

Several years ago, the Town was contacted by members of the Williams/Jones family who were concerned that a portion of their family property located at 54 Muddy Creek Road had been inappropriately acquired by the Town. Staff and the Town Attorney conducted a search of the Town's property records associated with this acquisition and determined that the Town purchased its property in 2003 for a purchase price of $22,000.

The Town's title derives from a deed from Mr. Hubert Bernheim, that was recorded at the time of the Town's acquisition in 2003. Mr. Bernheim's title derives from a Treasurer's tax deed he received in 1996. The property that Mr. Bernheim bought at the tax sale was titled in the name of a "William Campbell." Neither the Town nor Mr. Bernheim cleared the title to the property and therefore, the Town's title is uncertain, and a title clearance action would have to be pursued to establish its ownership of the property. Sometime after 2003, a sewer lift station was installed on the southernmost portion of the Town's property. That use continues to the present day and is currently fenced in on the property.

While the Town was researching the title issues associated with this property, staff within the Stormwater Division determined that it was necessary to acquire an easement on a portion of this property as well as a portion of the main Williams Family property. A survey identifying this easement along with a corresponding property appraisal establishing the purchase value of the easement was obtained. Information pertaining to both items is enclosed as Attachments 1 and 2 respectively.

Based upon extensive discussions with the Williams/Jones family, the Town is proposing to exchange Quit Claim Deeds with the family to release any interest that it may have in the 54 Muddy Creek Road parcel while at the same time solidifying its interest in the sewer lift station property which would be retained. Additionally, the Town would purchase the stormwater easement from the family once these Quit Claim Deeds have been exchanged and recorded by the parties. The Town's appraisal indicated a fair market value of $27,904. Based upon negotiations with the Williams/Jones family, they have requested compensation of $35,000 to sign over the requested easement. Staff supports this requested value and believes that it is justifiable under the circumstances of this transaction.

If the Town Council is supportive of exchanging the quit claims deeds identified above as well as supporting the acquisition of a stormwater easement for the requested $35,000, an Ordinance authorizing the transfer of the property and a Resolution authorizing the purchase of the property will be prepared by the Town Attorney for consideration by Town Council.

Mayor Perry asked for public comment.

John Davidson addressed Council inquiring a to the merit of the transaction

Skip Hoagland addressed Council stating all transactions should benefit the Town.

Mr. Ames moved to approve. Mr. Stanford seconded.

Council members made comments, asked questions and held discussion regarding: confirmation the public benefit to this transaction is that the Town is able to maintain the sewer lift station and also gain an easement for stormwater purposes; inquiry as to how the $35,000 purchase price was determined; and confirmation fair market value was considered.

Motion carried 7-0.

Consideration of a Resolution to Accept the Hilton Head Island Conditions and Trends Assessment - Shawn Colin, Assistant Town Manager

Shawn Colin provided a presentation and the following information:

The Town of Hilton Head Conditions and Trends Assessment has been presented to the Public Planning Committee on 3 occasions. The most recent presentation on May 9, 2024, was to address all outstanding questions and feedback on the report. At that meeting, the Town of Hilton Head Public Planning Committee voted 4 to 0 to recommend that Town Council consider a resolution to accept the Town of Hilton Head Conditions and Trends Assessment.

This assessment is the result of the Island's pursuit of excellence in serving the community through decision-making based on these facts and trends. Town Council named the establishment of a Growth Management Strategy as one of the top 15 priorities for the town. This project was a key primary step to help shape that strategy. As a living document, the Conditions and Trends Assessment will be updated regularly to continuously monitor community datapoints, benchmarks and indicators for the Town of Hilton Head Island.

The report and dataset are designed to enhance the community's shared understanding of current and emergent issues. This assessment will be used by the Town in several ways including:

- Provide a common starting point
    - Add context to community conversations with respect local and regional trends
    - Connect key information; share source data and resources
    - Remove the mystery on community needs, gaps, or opportunities
- Inform future plans and studies
    - Provide base set of findings to help initially focus and direct work
    - Accelerate the data assembly process with ready-made resources, tables, maps, and other resources
    - Uncover pressing or emergent issues, opportunities, and/or needs
    - Synchronize data across multiple planning efforts, departments, and community partners
- Measure progress
    - Take a moment-in-time "snapshot" of the Island across multiple trends
    - Measure progress or movement against this benchmark
    - Evaluate policy effectiveness
    - Quantify short and long-term impacts of major projects

The Town of Hilton Head Conditions and Trends Assessment pulls together benchmark community information and statistics in 10 key topic areas including:

- Demographics
- Workforce
- Economics
- Real Estate
- Natural and Cultural Environment
- Housing
- Governance
- Community Engagement
- Systems
- Land Use

Mayor Perry asked for public comment.

Skip Hoagland addressed Council stating the Bridge Corridor project should be stopped.

Christopher Cliffe addressed Council and complimented the Community Development Team on producing a fabulous document with important information.

John Davidson addressed Council stating the greater amount of data, the better decisions can be made by the Town.

Mr. Ames moved to approve. Mr. Alfred seconded.

Ms. Becker voiced her concerns regarding the foundation for future land use and with those concerns voiced her opposition to the resolution.

Motion carried 6-1 (Becker opposed).

Executive Session

Discussion of Appointment to Boards, Commissions, and Committees [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70(a)(1)] related to:

1. Accommodations Tax Advisory Committee
2. Board of Zoning Appeals
3. Construction Board of Adjustments and Appeals
4. Design Review Board
5. Gullah Geechee Historic Neighborhood Community Development Corporation
6. Gullah Geechee Task Force
7. Housing Action Committee
8. Parks and Recreation Commission
9. Planning Commission

Discussion and Negotiations Incident to Proposed Contractual Arrangements for the Northpoint Public-Private Partnership Workforce Housing Project [Pursuant to the South Carolina Freedom of Information Act Section 30-4-70 (a)(2)]

Mayor Perry asked the Town Manager if there was a need to enter Executive Session. Mr. Orlando stated there was a need regarding the items listed above.

At 4:04 p.m. Mr. Ames moved to enter into Executive Session for the reasons cited by the Town Manager. Ms. Brison seconded. Motion carried 7-0

At 4:59 p.m. Ms. Brison moved to come out of Executive Session. Mr. Stanford

seconded. Motion carried 7-0.

Action from Executive Session

Mayor Perry asked if there was any business as a result of Executive Session.

Mr. Ames moved to appoint Ray Kisiah, Ruthie Kucharewski and reappoint Christina Kristian to the Parks and Recreation Commission with terms ending 06/30/2027. Ms. Becker seconded. Motion carried 7-0.

Mr. Ames moved to appoint Ed Cordes and reappoint Tom Henz, Ellen Whaley and Bruce Siebold to the Planning Commission with terms ending 06/20/2027. Ms. Becker seconded. Motion carried 7-0.

Mr. Ames moved to appoint Megan Fitzpatrick, Kevin Bradenburg, Patricia Pastor and reappoint Tom Parker to the Design Review Board with terms ending 06/30/2027. Ms. Becker seconded. Motion carried 7-0.

Mr. Ames moved to reappoint Pastor Louis Johnson to the Gullah Geechee Historic Neighborhoods Community Development Corporation with a term ending 06/30/2027. Ms. Becker seconded. Motion carried 7-0.

Mr. Ames moved to appoint Thomas Dowling, Adriaan Radder and reappoint John Farrell to the Accommodations Tax Advisory Committee with terms ending 06/30/2027. Ms. Becker seconded. Motion carried 7-0.

Mr. Ames moved to appoint Carolyn McVitty and reappoint David Fingerhut and Michael Sackheim to the Board of Zoning Appeals with terms ending 06/30/2027. Ms. Becker seconded. Motion carried 7-0.

Mr. Ames moved to approve a Resolution approving a Development Agreement for Workforce Housing between the Town of Hilton Head Island and OneStreet Residential. Ms. Brison seconded. Motion carried 6-1 (Becker opposed).

Adjournment

The meeting was adjourned at 5:10 p.m.

Approved: August 20, 2024

Kimberly Gammon, Town Clerk

Alan R. Perry, Mayor

The recording of this Meeting can be found on the Town's website at www.hiltonheadislandsc.gov