



**The Town of Hilton Head Island  
Regular Town Council Meeting**

**December 20, 2016**

**4:00 P.M.**

**HILTON HEAD ISLAND BRANCH LIBRARY  
(LARGE MEETING ROOM)**

**AGENDA**

**Please  
note  
change in  
location of  
meeting.**

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**As a Courtesy to Others Please Turn Off/Silence All Mobile Devices During  
the Town Council Meeting**

- 1) Call to Order**
- 2) Pledge to the Flag**
- 3) Invocation**
- 4) FOIA Compliance** – Public notification of this meeting has been published, posted and distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.
- 5) Proclamations and Commendations**
- 6) Approval of Minutes**
  - a. December 6, 2016
- 7) Report of the Town Manager**
  - a. Hurricane Matthew Update
  - b. Town Manager's Items of Interest
    - (1) Town News
    - (2) Noteworthy Events
- 8) Reports from Members of Council**
  - a. General Reports from Council
- 9) Unfinished Business**
  - a. **Second Reading of Proposed Ordinance 2016-32**

Second Reading of Proposed Ordinance 2016-32 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.

**b. Second Reading of Proposed Ordinance 2016-33**

Second Reading of Proposed Ordinance 2016-33 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 2-5-60, Committees of Council; and providing for severability and an effective date.

**10) New Business**

**11) Appearance by Citizens**

**12) Executive Session**

**a. Personnel Matters**

**Appointments to Boards and Commissions**

- (1) Recommendation to the Beaufort County Legislative Delegation for an appointment to the Beaufort-Jasper Water & Sewer Authority.

**b. Land Acquisition**

Discussion of negotiations incident to the proposed sale, lease or purchase of property:

- (1) related to parcels in the Coligny area.
- (2) related to a parcel in the Sea Pines Circle area.

**c. Contractual Matters**

Discussion of negotiations incident to proposed contractual arrangements with the Town Attorney.

**d. The receipt of legal advice related to pending, threatened or potential claim related to:**

- (1) Buonaiuto Complaint
- (2) Tai Scott BZA Appeal
- (3) Likins versus Hoagland lawsuit
- (4) ArborNature BZA Appeal

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

**a. Consideration of a Recommendation to the Beaufort County Legislative Delegation for an appointment to the Beaufort-Jasper Water & Sewer Authority.**

**b. Consideration of the Town Attorney Contract**

**14) Adjournment**

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

**Date:** Tuesday, December 6, 2016

**Time:** 4:00 P.M.

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

**Present from Town Staff:** Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities*; Brad Tadlock, *Fire Chief*; Brian Hulbert, *Staff Attorney*; John Troyer, *Deputy Director of Finance*; Marcy Benson, *Senior Grants Administrator*; Alice Derian, *Contracts & Services Administrator*; Erica Madhere, *Finance Administrator*; Cindaia Erwin, *Finance Assistant*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant*

**Present from Media:** Teresa Moss, *Island Packet*; Georgiarae Godfrey, *WTOC-TV*

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**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) Swearing in of Ward 1 Council Member – Marc A. Grant**  
**-The Honorable Maureen Coffey**

**Swearing in of Ward 3 Council Member – David Ames**  
**-The Honorable Maureen Coffey**

**Swearing in of Ward 6 Council Member – John J. McCann**  
**-The Honorable Maureen Coffey**

Judge Coffey administered the Oaths of Office.

**6) Election of Mayor Pro Tempore**

Mr. Ames nominated Kim Likins. Mr. Grant seconded. Mr. McCann nominated Bill Harkins. Mr. Lennox seconded. After discussion Mr. Harkins requested his name be withdrawn from the nominations. The motion to elect Mrs. Likins as Mayor Pro Tempore was unanimously approved by a vote of 7-0.

**7) Proclamations and Commendations**

None.

**8) Approval of Minutes**

**a. November 15, 2016**

Mr. Ames moved to approve. Mr. McCann seconded. The minutes of the November 15, 2016 regular Town Council meeting were unanimously approved by a vote of 7-0.

## **9) Report of the Town Manager**

### **a. Introduction/Photos of Student Government Day Participants**

Mayor Bennett welcomed the participants and asked each of them to come forward and introduce themselves and state the name of the school they attend. He stated that after introductions the students, Town Council members and the Town Manager would go into the lobby for photos.

### **b. Zika Presentations**

Symatha Drains, RN, BSN - SC DHEC Low Country Public Health Region  
Gregg Hunt, Director of Beaufort County Mosquito Control

Ms. Drains and Mr. Hunt gave detailed presentations concerning the Zika virus and the plans in place within Beaufort County, along with instructions for control and resources for assistance.

### **c. Hurricane Matthew Update**

Mr. Liggett played a video prepared by Crowder Gulf detailing the collection site for debris and how it is processed. He updated Council on the current numbers regarding debris removal and the volume of debris on the Island as compared to other areas.

### **d. Town Manager's Items of Interest**

Mr. Riley reported on some items of interest listed below.

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

## **8) Reports from Members of Council**

### **a. General Reports from Council**

Mr. McCann inquired about the progress of the Heritage Tourism Advisory Committee. Mayor Bennett detailed the progress of the Committee and stated they have asked Dr. Andy Bell to lead the Advisory Committee. He stated that Dr. Bell and John Salazar recently gave a presentation highlighting the interests of the Millennials and Generation X individuals that compose those populations groups and their interests in heritage tourism and other unique cultural experiences. Mayor Bennett explained the intent is to meet to talk about the story lines that can be told here in Beaufort County and begin the process of getting the stories out. He added that they may need to hire someone to help with craft the stories and developing the marketing.

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

No report.

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

Mrs. Likins announced that the Venue Committee would be meeting on December 16 at 9:00 a.m. and stated the contract has been signed with the consultant and they are working on dates to have the on-site visits in early January. She said the Personnel Committee met and interviewed candidates for the Beaufort-Jasper Water & Sewer Authority and a recommendation for the position will be forthcoming.

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

Mr. Lennox informed Council that at the recently completed workshop, Council directed the Committee to work with the consultant over the next 30 days to come up with a revised timeline for scheduling of the Vision project during 2017. He said the report would be completed by the end of January.

**e. Report of the Public Facilities Committee – David Ames, Chairman**

No report.

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

No report.

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

No report.

**9) Unfinished Business**

**None**

**10) New Business**

**a. Consideration of Recommendations of the Accommodations Tax Advisory (ATAX) Committee**

Mr. McCann moved to accept the report from the ATAX Committee in its entirety and to recognize the immediate and ongoing impact of Hurricane Mathew on many of the ATAX recipients for the upcoming year and to authorize these funds for early in the calendar year to those that have been awarded \$35,000 or more. Mr. Harkins seconded.

John Troyer introduced Stu Brown, ATAX Chairman to make remarks. Mr. Brown expressed his appreciation to the Committee members and explained that due to the hurricane, at times 2 or more members were absent from the presentations. He further explained that those that were absent acquired the audio tapes of the presentations and reviewed the recordings so they could make informed decisions regarding their votes. He then answered questions from Council members regarding the recommendation.

After lengthy discussion regarding the motion and review of the recommendations, Mr. McCann amended his original motion to move to accept the report from the ATAX Committee in its entirety. Mr. Harkins seconded. The amended motion was unanimously approved by a vote of 7-0.

Mr. McCann moved the due to circumstances this year, Council permit an advance of 25% of the granted requests be given to the organizations in accordance with the current requirements of providing all bills and receipts by the end of the year. Mr. Harkins added the words legally compliant. Mr. McCann agreed. The motion was unanimously approved by a vote of 7-0.

**b. First Reading of Proposed Ordinance 2016-32**

First Reading of Proposed Ordinance 2016-32 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.

Mrs. Likins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

**c. First Reading of Proposed Ordinance 2016-33**

First Reading of Proposed Ordinance 2016-33 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 2-5-60, Committees of Council; and providing for severability and an effective date.

Mrs. Likins moved to approve. Mr. Ames seconded. Mr. Lennox stated he had reconsidered the changes and he was not in agreement with combining the Public Planning Committee and the Public Facilities Committee. He explained that he felt the Visioning process will take up quite a bit of time and he would like that to be the focus of the Public Planning Committee. Mr. Ames and Mrs. Likins stated they felt the Public Planning Committee and Public Facilities Committee would be a good combination as planning always entails facilities. After lengthy discussion, the motion was defeated by a vote of 3-4. (McCann, Grant, Harkins and Lennox were opposed.)

Mr. Lennox moved to reconsider Proposed Ordinance 2016-33. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

Mr. Ames moved to amend the ordinance to exclude the combination of the Public Planning Committee and the Public Facilities Committee and restrict it to the others that were identified. Mr. Harkins seconded.

For clarity the changes are below:

*The Town Council shall have standing committees to assist in the efficient operation of the Town Council, namely the Finance and Administrative Committee, Intergovernmental ~~Relations~~ and Public Safety Committee, Community Services Committee, Public Planning Committee, and Public Facilities Committee, ~~and Public Safety Committee.~~*

Mr. Grant stated he would agree to the change if the same people were not on Public Facilities Committee and Public Planning Committee. He explained he felt having different people on each Committee would create more input and different views. Mayor Bennett stated there is crossover on the committees and the idea is to place people where they are best capable of serving the Town. He said he would not support that. The motion was approved by a vote of 6-1. (Mr. Grant was opposed.)

**11) Appearance by Citizens**

Skip Hoagland addressed Council regarding the Town of Hilton Head Island and the Hilton Head Island-Bluffton Chamber of Commerce.

**12) Executive Session**

None.

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

**14) Adjournment**

Mr. Harkins moved to adjourn. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0. The meeting was adjourned at 6:35 p.m.

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Vicki L. Pfannenschmidt  
Executive Assistant/Town Clerk

Approved:

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David Bennett, Mayor



# ITEMS OF INTEREST

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## DECEMBER 20, 2016

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### Town News

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Town Hall Administrative offices will be closed Monday, December 26, 2016 and Monday, January 2, 2017 in observance of Christmas and New Year's Day.

### Noteworthy Events

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Some of the upcoming meetings:

- Finance and Administrative Committee – January 3, 2017, 2:00 p.m. - CANCELLED
- Town Council – January 3, 2017, 4:00 p.m. – CANCELLED
- Venue Committee – January 4, 2017, 9:00 a.m. - CANCELLED
- Community Services Committee - Monday, January 9, 2017, 9:00 a.m.
- Design Review Board – Tuesday, January 10, 2017, 1:15 p.m.
- Venue Committee – Wednesday, January 11, 2017, 9:00 a.m.
- Finance and Administrative Committee – January 17, 2017, 4:00 p.m.
- Town Council – January 17, 2017, 4:00 p.m., Hilton Head Island Branch Library

(Additional meetings may be scheduled and all meetings are subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at [www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov) for Committee meeting dates and agendas.

### Hilton Head Island Events

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Daily thru January 1, 2017 4:30 p.m. – 10:00 p.m.	Ice Skating in the Park Island Recreation Association	Shelter Cove Community Park
Daily thru January 1, 2017 5:00 p.m. – 10:00 p.m.	“Light Up the Harbour” Holiday Boat Lights Around the Marina	Shelter Cove Harbour & Marina
December 31, 2016 6:00 p.m. – 12:30 a.m.	New Year’s Eve Celebration Ball Drop	Harbour Town Lighthouse



# **MEMORANDUM**

**TO:** Town Council  
**FROM:** Stephen G. Riley, ICMA-CM, Town Manager  
**Via:** Brian Hulbert, Staff Attorney  
**RE:** Proposed Ordinance Number 2016-32 Agenda and Order of Business  
**DATE:** December 7, 2016

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At the First Reading of the Proposed Ordinance 2016-32 on December 6, 2016 Town Council made no changes to the proposed ordinance.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO.**

**PROPOSED ORDINANCE NO. 2016-32**

**AN ORDINANCE 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.**

**WHEREAS**, the Town Council of the Town of Hilton Head Island, South Carolina previously adopted Ordinances 1983-5, 1994-09, 2002-01, and 2008-03 to address the setting of agendas and the order of business for Town Council meetings for the efficient operation of the Town Council; and

**WHEREAS**, the Town Council now desires to amend Section 2-5-50 to provide for an efficient operation of the Town Council meetings that will benefit both the Town and its citizens.

**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 SAID TOWN COUNCIL:**

**NOTE: Underlined and bold-faced** typed portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

**Section 1. Sec. 2-5-50. – Agenda and order of business.**

- (a) Matters to be considered at a regular meeting or called special meeting, except a called emergency special meeting, of council shall be placed on a written agenda and conform to the order of business of council.
- (b) The municipal clerk shall post the agenda on the Town website and on a bulletin board in a publicly accessible place at Town Hall or at the meeting place of the Town Council as early as is practicable but not later than 24 hours before the meeting.
- (c) Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this section, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After the meeting

begins, an item upon which action can be taken may only be added to the agenda by a two-thirds vote of the members present and voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with this section, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda.

- (d) The order of business of council shall be as follows:
- (1) Call to order by presiding officer.
  - (2) **Executive Session.**
  - ~~(2)~~**(3)** Pledge of allegiance.
  - ~~(3)~~**(4)** Invocation.
  - ~~(4)~~**(5)** Proclamations.
  - ~~(5)~~**(6)** Reading of minutes of previous meeting, their consideration and approval.
  - ~~(6)~~**(7)** Reports from municipal officers.
  - ~~(7)~~**(8)** Reports of council.
  - ~~(8)~~**(9)** Reports of committees.
  - ~~(9)~~**(10)** Unfinished business.
  - ~~(10)~~**(11)** New business.
  - ~~(11)~~**(12)** Appearances by citizens.
  - ~~(12)~~**(13)** Possible actions by Town Council concerning matters discussed in executive session.
  - (14) Adjournment.
- (e) If it is desired to transact business out of its order, it shall be necessary to suspend the rules by a vote of a majority of members present.
- (f) Executive Sessions, if necessary, for regular meetings shall begin at 4:00 pm and end no later than 5:00 pm. The pledge of allegiance and the public portion of the regular meeting shall begin at 5:00 pm and end no later than 8:00 pm. The Mayor shall have the discretion to extend the meeting if circumstances warrant. Council may reenter Executive Session at any time during the public portion of the meeting if a majority of Council determines it necessary.**

**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 thereof by the Town Council for 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 \_\_\_\_\_, 2016.**

By: \_\_\_\_\_  
**David Bennett, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Victoria L. Pfannenschmidt, Town Clerk**

**First Reading:** \_\_\_\_\_  
**Second Reading:** \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Gregory M. Alford, Town Attorney**

**Introduced by Council Member:** \_\_\_\_\_

# **MEMORANDUM**

**TO:** Town Council

**FROM:** Stephen G. Riley, ICMA-CM, Town Manager

**RE:** Proposed Ordinance Number 2016-33 Committees of Council

**DATE:** December 7, 2016

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At the First Reading of the Proposed Ordinance 2016-33 on December 6, 2016 Town Council decided to not combine the Public Planning Committee with the Public Facilities Committee. These two committees will remain as separate committees. The Intergovernmental Relations Committee will be combined with the Public Safety Committee to form the Intergovernmental and Public Safety Committee.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO.**

**PROPOSED ORDINANCE NO. 2016-33**

**AN ORDINANCE 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 2-5-60, COMMITTEES OF COUNCIL; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Hilton Head Island, South Carolina previously adopted Ordinance 2015-05, amending Section 2-5-60 for the purpose of codifying Town Council Standing Committees, namely the Finance and Administrative Committee, Intergovernmental Relations Committee, Community Services Committee, Public Planning Committee, Public Facilities Committee, and the Public Safety Committee; and

**WHEREAS**, the purpose of the Town Council Standing Committee system is to facilitate a more efficient Town Council system within the Town Council/Manager form of government and to allow for in-depth analysis of issues, proposed ordinances, and other Town-related matters; and

**WHEREAS**, the Town Council now desires to amend Section 2-5-60 by combining the Intergovernmental Relations Committee with the Public Safety Committee to form the Intergovernmental Relations and Safety Committee in order to allow for a more efficient analysis of issues, proposed ordinances, and other Town-related matters; and

**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 SAID TOWN COUNCIL:**

**NOTE: Underlined and bold-faced** typed portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

**Section 1. Sec. 2-5-60. - Committees of council.**

- (a) The Town Council shall have standing committees to assist in the efficient operation of the Town Council, namely the Finance and Administrative Committee, Intergovernmental ~~Relations~~ **and Public Safety** Committee, Community Services Committee, Public Planning Committee, and Public Facilities Committee, ~~and Public Safety Committee~~. Each committee shall be composed of three (3) Town Council members and an alternate, who

shall also be a member of council. The Mayor shall appoint the members and the alternate and shall designate a chairman.

- (b) The Town Council may appoint, by resolution, such other committees i.e. non-standing committees, composed exclusively of council members as it shall deem necessary and appropriate for the efficient operation of the Town Council. To assist such council committees, the Town Council may appoint town resident citizens to serve as committee members. The term of the committee membership of any town resident citizen shall be as prescribed by resolution, but in no event shall the term of any committee extend beyond the term of the then sitting council.
- (c) The Town Council may, by resolution, adopt rules and procedures to guide the operation of standing committees. The Town Council may, at the time of the creation of any other committees of council, as part of the resolution creating the committee, or separately, adopt rules and procedures to guide the conduct of such committees.

**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 thereof by the Town Council for 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 \_\_\_\_\_, 2016.**

By: \_\_\_\_\_  
**David Bennett, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Victoria L. Pfannenschmidt, Town Clerk**

**First Reading:** \_\_\_\_\_

**Second Reading:** \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Gregory M. Alford, Town Attorney**

**Introduced by Council Member:** \_\_\_\_\_