

TOWN COUNCIL MEETING

Kiawah Island Municipal Center

Council Chambers

July 11, 2017; 2:00 PM

Minutes

I. Call to Order: *Mayor Weaver called the meeting to order at 2:05pm.*

II. Pledge of Allegiance

Present at the meeting: Craig Weaver, Mayor
John R. Wilson
Diana Mezzanotte
Chris Widuch

Absent: Jack Koach

Also Present: Stephanie Monroe Tillerson, Town Administrator
Dwayne Green, Town Attorney
Petra Reynolds, Town Clerk

III. Approval of Minutes:

A. Minutes of the Town Council Public Hearing of June 2, 2017

Mr. Wilson made a motion to approve the minutes of the June 2, 2017 Town Council Public Hearing. The motion was seconded by Mrs. Mezzanotte and the minutes were unanimously passed.

B. Minutes of the Town Council Meeting of June 6, 2017

Mr. Widuch made a motion to approve the minutes of the June 6 2017 Town Council Meeting. The motion was seconded by Mr. Wilson and the minutes were unanimously passed.

C. Minutes of the Town Council Public Hearing of June 22, 2017

Mr. Widuch made a motion to approve the minutes of the June 22, 2017 Town Council Public Hearing. The motion was seconded by Mrs. Mezzanotte and the minutes were unanimously passed.

IV. Mayor's Update:

Mayor Weaver stated that the new Municipal Center is nearing completion and the Town will be closing its offices on August 3rd and 4th for the move. He noted that the next Town Council meeting is on August 1st and will be held at the current Town Hall. A Grand Opening ceremony is scheduled for September 7th and 8th at the New Municipal Center.

V. Citizens' Comments (Agenda Items Only):

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick thanked Mr. Widuch for his efforts in facilitating communication with Captain Martin on her concerns with the speed of traffic both exiting and entering the Island.

Mayor Weaver stated that Mr. Elder with the Community Association purchased a monitoring system that will allow the placement of boxes in different locations to measure traffic speeds along with other critical information. Mr. Elder has consented to place a box in the area where traffic leaves the Island and the entrance to the new building to collect data.

David Adams – 1410 Shipwatch Road – Courtside Villas

Mr. Adams asked Town Council to remove the amendments under the consent agenda and place them in a regular discussion agenda so that the Council can respond to the public comments made. He also stated that the conference center proposed for West Beach could easily be constructed at East Beach where a conference center already exists.

VI. Consent Agenda:

Mayor Weaver stated he would treat the **Consent Agenda** items as discussion items. He stated the six ordinances have been reviewed and recommended to Town Council for approval by the Planning Commission. Town has held two Public Hearings and Town Council approved the first reading for the six ordinances.

- A. Ordinance 2017-10** - To Amend The Text Of Chapter 12, Land Use Planning And Zoning Of The Town of Kiawah Island, South Carolina Zoning Ordinance, By Amending Article II, Division 2, Zoning Map/Districts by Adding a New Principal Use within the Rst-1 Resort Zoning District to Allow Church, Synagogue, Temple or Religious Assembly; and Amending Section 12-102 to Table 3a. Authorized Uses In Zoning Districts, Of the Zoning Ordinance of the Town of Kiawah Island – **Second Reading**
- B. Ordinance 2017-14** - To Amend The Text Of Chapter 12, Land Use Planning And Zoning Of The Town of Kiawah Island, South Carolina Zoning Ordinance, By Amending Article II, Division 2, Zoning Map/Districts by Amending Lot Standards for the Rst-2 Resort Zoning District and Allowing Conference Center as a Principal Use within the RST2 Resort Zoning District; And Amending Section 12-102 By Adding Conference Center as a Principal Use to Table 3a. Authorized Uses in Zoning Districts, Of The Zoning Ordinance of the Town of Kiawah Island – **Second Reading**
- C. Ordinance 2017-15** - To Amend the Town of Kiawah Island Comprehensive Plan Map IX.2, Future Land Use; To Change the Future Land Use Designation for the Subject Property (207-06-00-407; and 402) From “Active Recreation and Open Space” To “Resort” – **Second Reading**
- D. Ordinance 2017-16** - To Amend The Text Of Chapter 12, Land Use Planning And Zoning Of The Town of Kiawah Island, South Carolina Zoning Ordinance, By Amending Article II, Division 2, Zoning Map/Districts by Rezoning the Properties Located At Sparrow Road and Shipwatch Road (207-06-00-407; and 402) From Park and Recreation (PR) To Rst-2, Resort Zoning District. Authorized Uses in Zoning Districts, Of the Zoning Ordinance of the Town of Kiawah Island, South Carolina; and Providing For Severability and an Effective Date. – **Second Reading**
- E. Ordinance 2017-17** - To Amend The Town Of Kiawah Island Comprehensive Plan Map IX.2, Future Land Use; To Change the Future Land Use Designation for the Subject Property (207-06-00-404; -405; and -013) From “Resort” to “Active Recreation and Open Space” – **Second Reading**

- F. Ordinance 2017-18** - To Amend The Text Of Chapter 12, Land Use Planning And Zoning Of The Town of Kiawah Island, South Carolina Zoning Ordinance, By Amending Article II, Division 2, Zoning Map/Districts by Rezoning the Properties Located At Kiawah Beach Drive (207-06-00-404; And -404 And -013) from The Rst-2 Resort Zoning District to the Parks and Recreation (PR) Zoning District (5.10 Acres) Authorized Uses in Zoning Districts, Of the Zoning Ordinance of the Town Of Kiawah Island – **Second Reading**

Mr. Widuch made a motion to approve the second reading of Ordinance 2017-10 to amend lot standards for the RST-2 Resort Zoning District and to allow conference center as a principal use within the RST-2 Resort Zoning District, Ordinance 2017-14 to amend lot standards for the RST-2 Resort Zoning District and to allow conference center as a principal use within the RST-2 Resort Zoning District, Ordinance 2017-15 to change the Future Land Use Designation for the properties at Sparrow Rd and Shipwatch Rd (TMS 207-06-00-407; and -402) from Active Recreation and Open Space to Resort, Ordinance 2017-16 to rezone the properties located at Sparrow Rd and Shipwatch Rd (TMS 207-06-00-407; and -402) from the Parks and Recreation (PR) Zoning District to the RST-2, Ordinance 2017-17 to change the Future Land Use Designation for the properties located at Kiawah Beach Drive (TMS 207-06-00-404; -405; and -013) from Resort to Active Recreation and Open Space, and Ordinance 2017-18 to rezone the properties located at Kiawah Beach Drive (TMS: 207-06-00-404; -402; and -013) from the RST-2 Resort Zoning District to the Parks and Recreation (PR) Zoning District. The motion was seconded by Mr. Wilson.

Mr. Widuch thanked all those who made comments at both of the public hearings and by email. He stated that in the best interest of the entire Island he would be voting to approve the second reading of the ordinances.

Mr. Wilson was also thankful for the comments made by the public. He expressed his confidence that the Resort will provide the appropriate buffer and landscaping to minimize, if not eliminate, the impact of the new conference center on the Courtside Villas.

Following the discussion, the motion was unanimously passed.

VII. New Business:

- A.** Approval to Amend the October 5, 2010 Development Agreement with Kiawah Island Golf Resort

Mayor Weaver gave a brief history of the Development Agreements the Town has with the Developer and the Kiawah Island Golf Resort (KIGR). He noted the agreement lays out the rights and obligations between the two entities and works in conjunction with the zoning ordinances, along with interactions with entities such as the Architectural Review Board (ARB) and the Community Association which have to take place before a project is developed.

Mayor Weaver highlighted for Council Members the critical items that revise the 2010 KIGR Development Agreement (DA). The amendments incorporate properties purchased by the KIGR, reflecting all of the approved and pending zoning changes, addition of language which places obligations and clarifies expectations on the East Beach facility demolition, extension of the DA to 2027, and the potential relocation and/or reconfiguration of roads and intersections to create better traffic patterns. He clarified the DA places overall restrictions on the density of dwelling units and hotel rooms that can be built on a parcel and those standards are not being changed in the amendment.

Mr. Wilson made a motion to approve the first amendment of the October 5, 2010 Development Agreement with Kiawah Island Golf Resort. The motion was seconded by Mrs. Mezzanotte.

Mr. Wilson expressed his concern with the item “East Beach Check-In,” which states that, “prior to demolition the owner will have a landscape plan approved by the ARB,” but does not include an implementation time. He asked if a completion schedule could be included.

Following further discussion the motion was unanimously passed.

B. Approval of the Carolina Waste Contract Amendment

Ms. Tillerson stated the approval of the contract amendment was recommended by the Ways and Means Committee. There was a concern with the language of Item 10; *Responsibility for Materials Collected* and a question as to why the Town would want to be responsible for the materials once they have been disposed of. Mr. Green, the Town Attorney, reviewed the language and indicated it would give the Town the right to retrieve anything that was accidentally disposed of.

Mr. Widuch made a motion to approve the Carolina Waste Contract Amendment. The motion was seconded by Mrs. Mezzanotte.

Following further discussion the motion was unanimously passed.

C. Approval of the Selection of a Contractor for Janitorial Services

Ms. Tillerson stated that the approval to issue a one-year contract to Summit Building Services, Inc., running from August 1, 2017 to July 31, 2018, was recommended by the Ways and Means Committee. She noted the Town received only two bids to the RFP (Request for Proposals) released with Summit Building Services having the lowest bid.

Mr. Widuch made a motion to approve the selection of Summit Building Services in the amount of \$7,251.00 per annum. The motion was seconded by Mr. Wilson

Following further discussion the motion was unanimously passed.

D. Approval of the Selection of a Contractor for Information Technology Support Services

Ms. Tillerson stated the approval of the contractor selection was recommended by the Ways and Means Committee. To seek a solution to some of the service and equipment issues the Town currently experiences, Mr. Martin enlisted IT (Information Technology) specialists from the Community Association, Kiawah Partners, and Resort as consultants. She gave a brief background on the selection process that determined the final three companies. Staff site visits to local offices helped in making the final selection. The staff recommendation was to accept the proposal from Integral Solutions Group and negotiate the terms of the contract. Ms. Tillerson indicated the negotiation provided an additional \$2000.00 savings.

Mr. Widuch made a motion to approve the selection of Integral Solutions. The motion was seconded by Mrs. Mezzanotte and was unanimously passed.

E. Approval of the Town's New Accounting Policies and Procedures

Mayor Weaver indicated the Policies and Procedures have been reviewed by the Ways and Means Committee and was recommended for approval. Ms. Tillerson indicated that Mr. Wilson recommended the development of a schedule which establishes authorized spending limits for each position. After reviewing the request, she will be working to amend the Town's Procurement Ordinance and in turn, will amend the Accounting Policies and Procedures.

Mr. Wilson made a motion to approve the Town's New Accounting Policies and Procedures. The motion was seconded by Mr. Widuch.

Following further discussion the motion was unanimously passed.

F. Review and Discussion of the Proposed Employee Handbook

Ms. Tillerson stated that last year a Human Resource (HR) Work Group was formed by Town Council to assist the Town Administrator in reviewing the Town of Kiawah Island (TOKI) Employee Handbook dated January 2012. The committee met several times between August and October of 2016, with the goal and purpose of reviewing the following:

- Policies and Procedures
- Benefits and Privileges
- Compensation and Performance Evaluation Process
- Handbook Structure

Ms. Tillerson stated the draft has been reviewed by the Town Attorney as well as a Labor Attorney and edits have been made based on their recommendations. She gave an overview of some of the new policies on:

- Staff compensation in the event of non-operation
- Interaction with media
- Paid Time Off/ Personal Time Off
- Tuition reimbursement
- Professional Work Place
- Ethical Conduct

She asked for feedback from members of Council to incorporate into a document to be presented at the next Council meeting for approval.

VIII. Town Administrator's Report:

Ms. Tillerson reported that in May of this year amendments were made to the Freedom of Information Act (FOIA). She stated that the Town's website has been updated to reflect the changes and gave a brief overview of the changes. Mayor Weaver added that the rates the Town charges for staff time and coping are in compliance with the reasonable standards.

Ms. Tillerson reported the final invoices have been received for the legal expense in the Kiawah Utility Rate case. The total cost that will be shared by the Community Association is \$16,000.00.

Ms. Tillerson stated that FEMA has approved to reimburse the Town up to \$160,000.00 in public debris removal after Hurricane Matthew. An appealed letter had been sent to FEMA for the balance of the reimbursements which were submitted and denied.

IX. Council Member:

- a. Committee Updates
- b. General Comments

Mr. Widuch stated he was informed by Chief Walz that the temporary trailer will be inspected by the Kiawah Building Officials on Friday to obtain the Certificate of Occupancy (CO). The demolition of Station 6 is expected to begin the last week in July or the first week in August.

Mr. Widuch stated that traffic on Beachwalker Drive during the 4th of July holiday was reported by Captain Martin as going well, with only one complaint.

Mr. Widuch reported the Municipal Center Committee will have a walk-thru of the building on July 22nd with a CO to be issued tomorrow for the main building. He stated the project is still under budget by approximately \$500,000.00.

Mr. Wilson reported he attended the June 19th CHATS (Charleston Area Transportation Study) meeting. He stated that a presentation by DOT on projects being add to the list of potential road changes noted the improvement of the traffic flow on Main Road and a reference made to the improvement of River Road with both projects having no further details.

Mr. Wilson reported on a meeting of the State Infrastructure Bank on July 20th in Columbia to discuss the completion of I-526. He noted the meeting will be streamed live.

Mrs. Mezzanotte reported the first Arts Council Event “The Festival of Mountain Music” held at Freshfields on July 2nd was attended by approximately 400 people. She noted that Mrs. Braswell Edgerton was interviewed by Chanel 5 News at the event. The next Arts Council Event will be held in August.

Mrs. Mezzanotte reported the auditors are performing their interim review for risk assessment before the year-end work. The audit is scheduled for August 29th, with financials to be presented at the October meeting

X. Citizens’ Comments:

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick stated that it was her belief that the 2005 Development Agreement with the developer would expire on December 31st of 2017. She asked when the Agreement expired.

Mayor Weaver indicated he thought the last amendment, in which Freshfields was annexed, the DA was extended to 2023. He would check the date.

Mrs. Kulick asked if there will be any signage or icons at the new building referencing concealed weapons not being allowed in the building.

Mr. Wilson indicated that it was illegal to bring any kind of concealed weapon into a municipal building. Mayor Weaver stated the issue will be looked into.

Mrs. Kulick asked if there was any status from the US Attorney's Office or State Solicitor's Office on charges being filed on the alleged embezzlement by the former Town Administrator and Treasurer and the statute of limitation on any civil suite which could be filed.

Mayor Weaver stated that there was no further information with respect to the Federal Attorney though active investigations still continue. No decision has been made on if any action will or will not be taken.

Roger Warren – 39 Cotton Hall – KIGR

Mr. Warren expressed his thanks to all involved for the very professional and detailed process which was used for the approval of the zoning changes requested and amendment to the Development Agreement. He stated the Resort heard the concerns expressed by a number of people at the Public Hearings, and hopes, when possible, to impact those concerns in a positive way.

XI. Executive Session:
None

XII. Adjournment:

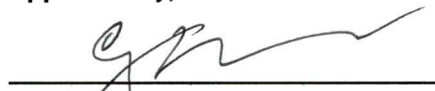
Mr. Widuch motioned to adjourn the meeting at 3:15 pm. The motion was seconded by Mr. Wilson and carried unanimously.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor

Date