

# TOWN COUNCIL MEETING

Kiawah Island Municipal Center

Council Chambers

May 1, 2018; 2:00 PM

## AGENDA

I. Call to Order: Mayor Weaver called the meeting to order at 2:00 pm.

II. Pledge of Allegiance

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

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

III. Approval of Minutes:

A. Minutes of the Town Council Meeting of April 3, 2018

*Mr. Widuch made a motion to approve the minutes of the April 3, 2018 Town Council Meeting. The motion was seconded by Mrs. Mezzanotte and the minutes were unanimously approved.*

IV. Mayor's Update:

Mayor Weaver stated at the last Town Council meeting he reported on the creation of the John's Island Growth Management Committee. He reported that he attended the first meeting which took place on April 17<sup>th</sup> and was dominated by input from Johns Island residents concerned about the need for infrastructure improvements, flooding and development and its impact on stormwater drainage. He noted that it was early in the process and was optimistic the Committee can accomplish something important and was going in the right direction.

Mayor Weaver reported that there is a state election primary in June that will determine the County Council seat that represents both Kiawah, Seabrook, James and part of John's Islands. The Republican race includes the incumbent, Joe Qualey and is being contested by Jenny Honeycutt who was in attendance at the meeting. Mayor Weaver stated the County Council seat is very important to the Islands so he and Seabrook Mayor Ciancio will co-host a Meet-the-Candidate event for residents. The event will be held in Council Chambers at 1:00 pm at a date to be announced.

Mayor Weaver stated the Planning Commission will be meeting tomorrow to consider the final plat or Parcel 13. There had been a great deal of focus on the Commission because of the concerns and issues with the plat approval but since the last meeting the final plat submitted by the Partners was amended. The plat now looks substantially similar to the originally approved preliminary plat and hopefully no longer be a controversial issue.

Mayor Weaver stated that he sent out a poll to get a sense of community priorities on issues that could have a potential impact on residents. He stated the full results would be communicated by E-Blast later this week but shared some of the highlights:

- 674 responses
- Demographics included full time residents, part-time resident and rentals
- Responses between full and part-time resident were fairly even
- Top 4 issues
  - 1) Maintaining the beach and dunes
  - 2) Protecting Kiawah's wildlife and natural habitat
  - 3) Having roads across John's Island safer and less congested
  - 4) Keeping the island well maintained and representative of a premier community
- 86 individual comments

Mayor Weaver stated that at the last meeting there was a public comment made which alleged inaccuracies in the calculations of the compensation of the Town Clerk over a number of years and that those errors had not been addressed by the Town. The Mayor indicated that after all the information and calculations submitted was reviewed it has determined that the allegations are incorrect but more likely a misunderstanding and misreading of numbers.

**V. Citizens' Comments (Agenda Items Only)**  
**None**

**VI. Presentation:**

**A. Steve Traynum, Coastal Science & Engineering – Annual Monitoring Report**

Mr. Traynum gave a PowerPoint presentation outlining Kiawah's ten miles of beach which extends along a mostly east-west configuration from the Stono Inlet to the east, and Captain Sam's Inlet to west. He gave a brief history of the large scale 2006 restoration project, the 2015 channel realignment project and highlighted the key events and volume changes that led to the latest dune scraping/dune restoration project along with a brief overview of the Capt. Sam's inlet relocation project completed in April by Seabrook.

Mr. Traynum reviewed a summary of the 2017 Survey Report and recommendations:

- Overall the island lost ~280,000 cy of sand from Jan to Nov 2017, mostly due to Hurricane Irma. Erosion was widespread.
- Dune erosion between 10 and 30 feet along residential area in addition to Matthew losses
- Emergency dune restoration performing well
- Natural dune building ongoing, no additional action needed; however, planting may promote more rapid recovery
- Sand fencing not necessary; but should be as close to the primary dune as possible if installed
- The east end project area continues to evolve as a washover attaching shoal
- Constructed channel has closed, lessening threat to Ocean Course
- Permit allows for another project to be completed, if necessary, but triggers are not met
- An additional survey can be obtained to document recovery of upper beach profile

**VII. Old Business:**  
**None**

**VIII. Consent:**

Mayor Weaver stated that the five ordinance changes, A through E, have been discussed and approved for first reading and public hearing, then asked that they be grouped together for second reading.

- A. Ordinance 2018-02 – to amend Section 12-78, Dock Key Locations to allow a floating dock for property located at 248 Eagle Point Road (TMS# 265-02-00-162). – **Second Reading**
- B. Ordinance 2018-03 - to amend the Town of Kiawah Island Dock Key Locations Map for the property located at 248 Eagle Point Road (TMS# 265-02-00-162) from the Fixed Dock designation to a Floating Dock designation. – **Second Reading**
- C. Ordinance 2018-04 - to create a new Future Land Use Category Active Recreation, Residential and Open Space; and to change the existing Future Land Use designation for the property located at 1000 Ocean Course Drive (TMS 265-16-00-184) from Active Recreation and Open Space to Active Recreation, Residential, and Open Space. – **Second Reading**
- D. Ordinance 2018-05 - to create a new zoning district, PR-OC: Parks and Recreation - Ocean Course – **Second Reading**
- E. Ordinance 2018-06 - to rezone the property located at 1000 Ocean Course Drive (TMS 265-16-00-184) from the Parks and Recreation (PR) Zoning District to the Parks and Recreation – Ocean Course (PR-OC) Zoning District. (28.753 acres) – **Second Reading**

*Mr. Widuch made a motion to approve the second reading of Ordinance 2018-02 to amend Section 12-78, Dock Key Locations to allow a floating dock for property located at 248 Eagle Point Road, Ordinance 2018-03 to amend the Town of Kiawah Island Dock Key Locations Map for the property located at 248 Eagle Point Road from the Fixed Dock designation to a Floating Dock designation, Ordinance 2018-04 to create a new Future Land Use Category Active Recreation, Residential and Open Space; and to change the existing Future Land Use designation for the property located at 1000 Ocean Course Drive from Active Recreation and Open Space to Active Recreation, Residential, and Open Space, Ordinance 2018-05 to create a new zoning district, PR-OC: Parks and Recreation - Ocean Course, Ordinance 2018-06 to rezone the property located at 1000 Ocean Course Drive from the Parks and Recreation (PR) Zoning District to the Parks and Recreation – Ocean Course (PR-OC) Zoning District. The motion was seconded by Mr. Wilson and was unanimously passed.*

**IX. New Business:**

- A. To Consider Approval of the of the SATAX Funding Amounts

Mayor Weaver stated the Town’s State Accommodations Tax (SATAX) Committee reviews and recommends to the Ways and Means Committee the allocation of the SATAX funds received by the Town. The Ways and Means Committee recommended funding allocations as follows:

Applicant Sponsor	2018/2019 Application Request	Ways & Means Committee Recommended	Recommended to Other Funds
TOKI/Freshfields Village	\$ 17,000	\$ 15,000	
TOKI/Freshfields Village	\$ 55,000	\$ 35,000	
TOKI / Kiawah Island Golf Resort	\$ 475,000	\$ 435,000	
Kiawah Island Motoring Retreat	\$ 30,000	\$ 10,000	\$ 15,000
Professional Golfer's Association of America	\$ 120,000	\$ 120,000	
Town of Kiawah Island	\$ 254,000	\$ 100,000	
Town of Kiawah Island	\$ 423,000	\$ 385,000	
<b>Totals for Year Ending</b>	<b>\$ 1,374,000</b>	<b>\$ 1,100,000</b>	

**Mr. Koach made a motion to approve funding to Freshfields Village, Kiawah Island Golf Resort, PGA and Town of Kiawah as recommended by the Ways and Means Committee. The motion was seconded by Mr. Widuch and was unanimously passed.**

**Mr. Widuch made a motion to approve \$10,000.00 in funding to the Kiawah Island Motoring Retreat as recommended by the Ways and Means Committee. The motion was seconded by Mrs. Mezzanotte. The motion was passed with Mr. Wilson recusing himself.**

**B. Ordinance 2018-07 - To Amend Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 – Permits – First Reading**

Mr. Widuch stated that several months ago the Mayor asked that a group review the permitting guidelines for the Town. The charge was to find ways to make the permitting process more customer friendly.

The current process requires a contractor to obtain a permit from the Town for work done with a value of over \$1000.00. The original reason for this position was to satisfy FEMA requirements for the Town to track "Substantial Improvements". In the event that a home reach a certain threshold it would be required to be brought up to code, thereby theoretically reducing FEMA's exposure in the event of a large storm. A more liberal reading of the regulations, consistent with how the surrounding communities are operating, allows the Town far more leeway in how it track "Substantial Improvement."

The group's recommendation is to eliminate all residential trade permits, regardless of value, if the work does not require an inspection by Town personnel upon completion. Work that involves any of the five areas that do require an inspection, Mechanical, Electrical, Plumbing, Propane or other Gas, and any Structural changes, will still need a Town Permit. A list of the types of jobs not requiring an inspection is included in the revised ordinance.

This position, if adopted by Town Council, will eliminate roughly 50% of all permits issued by the Town and should ease the burden on our residents when planning improvements to their property.

**Mayor Weaver made a motion to approval the first reading of Ordinance 2018-07 to amend Article 9 – Building and Building Codes, Chapter 4 – Permits, Licenses and Fees, Division 1 – Permits. The motion was seconded by Mr. Widuch.**

Mr. Spicher, Town Building Official, clarified the definition of minor electrical repair work was work such as the replacement of a ceiling fan or light fixture that did not require the contractor to open a wall, reroute wiring or reconfiguring the system. He added that minor plumbing followed the same guidelines.

Once the ordinance is approved contractors and residents will be advised of the changes via email and E-Blast with informational classes to be held prior to the July 1<sup>st</sup> effective date.

**Following discussion, the motion was unanimously passed.**

**C. Ordinance 2018-08 - To Adopt the Fiscal Year 2018-2019 Budget for The Town of Kiawah Island, SC (7/1/18 Through 6/30/19) – First Reading**

Mayor Weaver reviewed a PowerPoint on the highlights of this year's budget. He stated that the Budget covers the fiscal year period from July 2018 through June 2019 and is projected to have a

budget surplus of \$2.5 million before capital expenditures and \$2.0 million including capital expenditures along with budgeting for total spending next fiscal year of \$8.3 million.

Mayor Weaver discussed the \$10.3 million in projected revenues that include unrestricted and restricted funding and nearly \$900,000.00 of one-time non-recurring revenue. He noted that the Town's revenue is drive by economic activity and is projecting moderated growth tourism and business/construction and a significant short-term increase in revenue from major Resort projects.

Mayor Weaver reviewed a list of the how Town's restricted and unrestricted fund are spent, funds allocated toward the support of tourism, the \$8.3 million in expenditures and cost drives of some of those expenditures, anticipated large future expenditures of Parkway Improvements and Beach re-nourishment and unanticipated storm clean up expenditures.

***Mr. Koach made a motion to adopt the first reading of Ordinance 2018-08 to adopt the Budget for the Town of Kiawah Island, SC (7/1/18 Through 6/30/19). The motion was seconded by Mrs. Mezzanotte and was unanimously passed.***

**X. Other Business:  
None**

**XI. Town Administrator's Report:**

Ms. Tillerson stated that after contact SCEL P there was no report present at this time due to the DHEC comment period being extended to allow time for review before permit consideration.

Mayor Weaver stated that Mr. Randy Gilmore, Chairman of the Board of Zoning Appeals (BZA) has submitted his resignation due to the sale of his home on Kiawah. The BZA opening will be posted on the Town website.

Mayor Weaver thanked Mr. Gilmore for his service to the Town having served as a member of the BZA since 2012 and its Chairman since 2016 and to the community as a member of the Community Association Security Committee and as a member of the former Kiawah Property Owners Group along with many other community activities.

**XII. Council Member:**

- a. Committee Updates
- b. General Comments

Mrs. Mezzanotte reported the last Arts Council event for this year will be May 6<sup>th</sup> at Holy Spirit in which Charleston County Mayor Tecklenburg will playing the piano along with two other Charleston local musicians.

Mrs. Mezzanotte reported Dr. Norm Levine, an associate professor at the College of Charleston, and director of the Santee Cooper GIS lab and the Lowcounty Hazard Center, along with graduate student Lucas Hernandez, from the College of Charleston, will be speaking to the Sea Level Rise Subcommittee on May 10<sup>th</sup> at 9:30 at Town Hall. They will be discussing their work on a Tropical Irma flood study which will include Kiawah.

Mr. Wilson reported that last week he attended the CHATS meeting at which there was a presentation by the Department of Transportation of various projects. He noted that the with the current state of John's Island roads and traffic on the Gelegotis Bridge that is expected to triple over the next several years and the only project on island to help mitigate traffic is at the base of

the bridge on the Johns Island end and is not expected to be effective because of the design. Mr. Wilson discussed a number of the designs recommendations made by Dr. Paul Roberts who is a renowned transportation expert and has studied Johns Island roads for many years. He stated the cost of the needed changes are very expensive, and to give a perspective, made comparisons to the cost of projects that are being done in other areas.

Mr. Wilson stated that it has been acknowledged that the Johns Island road need some attention but nothing effective has been done and very little that is effective is planned. He encouraged Kiawah residents to contact their elected officials to insist that something be done.

Mr. Widuch stated the Disaster Awareness Day, hosted along with Seabrook, will be held on Wednesday, June 13<sup>th</sup> in Council Chambers. It will be held from 2:00 pm to 4:00 pm, with a wine reception afterwards in the lobby and on the back lawn.

### **XIII. Citizens' Comments:**

#### **Jenny Honeycutt – Republican Candidate**

Mrs. Honeycutt introduced herself and stated she was running against the incumbent, Joe Qualey, in the Republican Primary on June 12<sup>th</sup> for the District 9 seat representing James Island, Folly Beach, Kiawah and Seabrook on Charleston County Council. She thanked Mr. Wilson for his comments and stated that she was actively involved with some of the John's Island transportation issues, has met with Dr. Roberts, done research on his recommendation for a cross island parkway and is hopeful that, if elected, she can begin addressing the John's Island infrastructure needs.

***Mr. Wilson made a motion to move into executive Session on a personnel matter to discuss Town employee salaries. The motion was seconded by Mrs. Mezzanotte and unanimously passed.***

### **XIV. Executive Session:**

**A.** To Receive Legal Advice from the Town Attorney regarding Filing a Civil Lawsuit Against the Former Town Administrator, Former Town Treasurer, and Former Auditors

***Mr. Widuch made a motion to leave Executive Session. The motion was seconded by Mrs. Mezzanotte and unanimously passed.***

***Mr. Widuch made a motion to return to Regular Session. The motion was seconded by Mrs. Mezzanotte and unanimously passed.***

Upon returning to Regular Session, Mayor Weaver stated that no decisions were made or votes taken that would bind the Town to a specific course.

### **XV. New Business:**

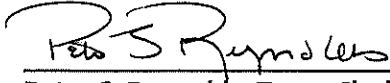
**D.** To Consider Approval to take action against the Former Town Administrator, Former Treasurer, and Former Auditors.

***Mayor Weaver made motion to give the Town Attorney the authority to pursue civil actions against the former Town Auditor, Treasurer and Town Administrator on behalf of the Town with the applicable statute of limitations for each. The motion was seconded by Mr. Widuch and unanimously passed.***

### **XVI. Adjournment:**

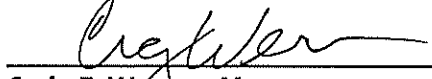
Mr. Widuch motioned to adjourn the meeting at 4:30 pm. The motion was seconded by Mr. Wilson and carried unanimously.

Submitted by,

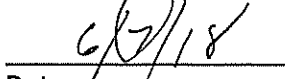


Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor



Date