

TOWN COUNCIL MEETING
Kiawah Island Municipal Center
Council Chambers
March 5, 2019; 2:00 PM

MINUTES

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
Chris Widuch, Mayor Pro Tem
Maryanne Connelly, Councilmember
Dan Prickett, Councilmember
Klaus Said, Councilmember

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

Notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act. All Town Council meetings are recorded for a complete transcript.

III. **Approval of Minutes:**

A. Minutes of the Town Council Meeting of January 8, 2019

Mayor Pro Tem Widuch made a motion to approve the minutes as received. The motion was seconded by Councilmember Said and the minutes were unanimously approved.

B. Minutes of the 2019 Council Strategic Planning Retreat of January 23, 2019

C. Minutes of the 2019 Council Strategic Planning Retreat of January 24, 2019

The minutes of the 2019 Council Strategic Planning Retreat of January 23rd and January 24th were deferred to the next Town Council Meeting.

IV. **Mayor's Update:**

Mayor Weaver gave an update on the assignment of additional Council members' roles as:

- Mayor Pro Tem Widuch will be the liaison to the Kiawah Island Conservancy.
- Councilmember Prickett will be the liaison to Planning overall and as needed or as appropriate the liaison to the Planning Commission and the Board of Zoning Appeals.
- Councilmember Connelly will take on the role of responsibility for monitoring the developments that are taking place with issues on the roads.

Mayor Weaver reported the bridge project has now been completed, the area has been cleaned up, and the new landscaping is being installed. He indicated the length of the project was due to not only its complexity but also building a long wall, at water level, in an area that is affected by the tide cycle.

V. **Citizens' Comments (Agenda Items Only):**

Wendy Kulick – 38 Marsh Edge Lane

Ms. Kulick questioned when the openings on the BZA (Board of Zoning Appeals) and the Planning Commission were advertised to residents of the island, and if they were not, she asked why?

Ms. Tillerson indicated that the openings for both were advertised in Town Notes and posted on the website for several months.

Ms. Kulick stated the resignation of a BZA member was very recent.

Ms. Tillerson indicated that the selection was made from the existing applications that were received in the earlier advertisement for the positions.

Dennis McGill – 100 Pleasant Valley Drive

Mr. McGill referenced the minutes of the January meeting where he spoke to the FOIA request submitted to Ms. Tillerson requesting a detail on the amount of monies and recipients of funding which she is allowed to distribute to deserving employees. He stated the response received indicated that there was no written record of the disbursement of a total of five hundred dollars. He stated that he made a second request stating he felt there should be written documentation for any remuneration that is wages, salary or extra compensation and should be available on an FOIA request. He also requested the Town Attorney review the request to see if his claim was valid.

Mayor Weaver stated that he would follow up with the Town Attorney after the meeting to discuss Mr. McGill's request.

VI. Old Business:

A. Ordinance 2019- 01 - An Ordinance to Amend Article 16 – Beach Management, Chapter 1 – Beach Lighting – Second Reading

Councilmember Prickett made a motion to approve the second reading of Ordinance 2019- 01 - An Ordinance to Amend Article 16 – Beach Management, Chapter 1 – Beach Lighting. The motion was seconded by Councilmember Connelly and was unanimously passed.

VII. New Business:

A. 2019 Committee Appointments

- Board of Zoning Appeals

Mayor Weaver indicated the Board of Zoning Appeals had two re-appointments, Ron Hacker and Scott Parker, who he recommended for an additional three-year term along with the appointment of a new member, Frank Cassidy. Mr. Cassidy will fill the remaining term of Charlie Larson who recently resigned.

- Planning Commission

Mayor Weaver indicated that the Planning Commission had the appointment of a new member, John Moffitt. Mr. Moffitt will fill the remaining term of Dan Prickett, who is now on Town Council.

- Public Works Committee

Mr. Weaver indicated all the members of the Public Works Committee have requested to be reappointed for an additional one-year term. He recommended Dave DeStefano, Jim Gilliam,

Warren Stannard, Steve Sager, and Will Connor's reappointment to the Committee noting that a Chairman will be selected later.

- State ATAX Committee

Mayor Weaver stated the State ATAX Committee is a one-year term and requesting the reappointment of four existing members, Dan Hubbard as *Chairman*, Bill Blizard representing the Arts function, Roger Warren representing the hospitality industry, Pam Harrington representing the hospitality industry. Mayor Weaver recommended the appointment of three new members, Diana Mezzanotte, Rachel Moore, and Don Semmler.

Councilmember Connelly made a motion to approve the 2019 appointment and reappointments of members of the Board of Zoning Appeals, Planning Commission, the Public Works Committee and the State ATAX Committee as recommended. The motion was seconded by Councilmember Said and was unanimously passed.

B. To Reappoint Judge John Strauch as the Municipal Court Judge

Mayor Weaver stated that Judge Strauch, who was appointed in 2013, has indicated his willingness to serve an additional term as the Town's Municipal Court Judge. Mayor Weaver recommended the Judge's reappointment for an additional two-year term.

Councilmember Said made a motion to approve the re-appointment of Judge John Strauch as the Municipal Court Judge for an additional two-year term. The motion was seconded by Councilmember Prickett and was unanimously approved.

Mayor Weaver stated that at their last meeting the Ways and Means Committee recommended to Town Council the approval of the following spending requests:

- C. To Consider Approval of the Off-Duty Deputy Coverage Contract with Charleston County Sheriff's Office
- D. To Consider Approval of the of the Island Beach Services, Beach Patrol Contract Amendment Request
- E. To Consider Approval of the AirMedCare Network Contract Renewal
- F. To Consider Approval of the Proposal from Hoffman Mechanical Solutions for Municipal Complex HVAC Preventative Maintenance Services

Mayor Pro Tem Widuch made a motion to approve items C, D, E, and F. The motion was seconded by Councilmember Connelly and was unanimously passed.

G. Discussion of the Kiawah Island Utility Rate Increase Request

Mayor Weaver stated that as part of the discussion of the Kiawah Island Utility (KIU) Rate Increase Request he would like input from Council Members as to the next steps forward that Council might want to take concerning this issue. He indicated that KIU has submitted to the Public Service Commission rate increases to both water and sewer would result in approximately 9.96% increase. He stated that the previous Council along with the present Council discussed and chose to file as an intervener in the case. The decision to engage further legal consulting or representation would be made after the ORS (Office of Regulatory Staff) made the initial analysis and recommendations.

The ORS has recommended an amount of a 5.18% increase in water rates and a 5.42% increase in sewer rates. He stated that KIU was also looking for a 14.5% rate of return and the ORS is recommending a 14% rate of return which is their current rate.

Mayor Weaver indicated that he would recommend that at this point the Town would not seek additional legal support. He stated that from his perspective that after looking at the adjustments made and the size of the reduction that is being recommended by ORS any additional analysis or advice would not have any substantial impact on any further reduction. He also noted that KIU agrees with all the ORS line item adjustments but is not in agreement with the rate of return, and recommended that the Town, as an intervener, go on the record in support of the both the ORS positions.

Council members engaged in a discussion of the issue, with each Council Member indicating their agreement with not spending legal funds to try to get the rate below the ORS recommendation.

VIII. Town Administrator's Report:

Ms. Tillerson reported that the demolition project at 122 Turnberry is complete. She indicated the company did a great job removing the house preparing the property for some minimal landscaping work to be done with the Community Association. She also indicated she is working with Mr. Green on a lien of \$55,254.02 which will be filed on the property so that the funds can be recovered when the property is sold.

Ms. Tillerson reported on the FEMA reimbursements to date. She indicated that the clean up for Irma cost the Town \$254,000 and we have received \$102,440 in reimbursement funding.

Ms. Tillerson introduced Deputy Junkin, one of the two permanent full-time deputies assigned to Kiawah. She indicated that the two deputies officially started March 1st and the Town should receive the two remaining two deputies by the end of June.

IX. Council Member:

Councilmember Prickett reported on his work with the Arts Council in their deliberations on planning for the next calendar year of events. He stated that he had been very pleased with the amount of knowledge, time spent by the members, their understanding of how the arts community works, agents, and venues. He stated that the Council was doing a great job and was impressed by knowledge, wisdom, experience of the members on the Council and it is a pleasure to work in support of them.

X. Citizens' Comments:

Marilyn Larach – 1082 Terrapin Court

Ms. Larach asked what was happening with the Beachwalker Drive extra lane project.

Mayor Weaver stated the project is moving forward with work being done engaging contractors. He indicated the target is to have the project completed before Memorial Day. He added that the County Park is running behind on their part of the project anticipating completion and opening on May 1st.

Ms. Larach questioned if Kiawah Development Partners ended up donating any land to this project.

Mayor Weaver stated that they were willing but that there was enough Town right of way to move the road and pedestrian path toward the marsh without needing additional Kiawah Partners property. The movement toward the marsh does not impact DHEC or requires other approval.

Ms. Larach commented on the Planning Commission meeting being held tomorrow that will once again consider Kiawah Development Partners' plat to open up Duneside Road to traffic from Beachwalker East. She pointed out that many in the Community strongly feel that even though the roads are owned by the Community Association, there are also public safety issues that need to be considered along with the Town's liability, speed limits, and limited sight curves.

Mayor Weaver commented on the number of emails he has received on this issue and is aware that both the Community Association and the Developers have on numerous occasions engaged various groups in both Sparrow Pond and Duneside in conversations in trying to figure out how to resolve some of the issues. Some of the other issues that are brought up, like speed limits, are beyond the preview of the Planning Commission.

Wendy Kulick – 38 Marsh Edge Lane

Ms. Kulick commented on the look of the Municipal Center signage. She did not know if the paint was peeling or poor construction.

Mayor Weaver explained there was a recommendation at the last Ways and Means Committee meeting for a contract to replace the current temporary signs with new permanent directional signs. Of the two bidders, one was for \$35,000, and the other was for \$17,000 for five signs. The Ways and Means Committee recognizing that the signage needs to be paired or replaced believed that the two bids were not reasonable and took the recommendation from Mr. Lameo to work with the Community Association to look for more cost-effective alternatives.

Dennis McGill – 100 Pleasant Valley Drive

Mr. McGill asked why the off-duty sheriff's contract did not include payment for the 8 am to 4 pm daily.

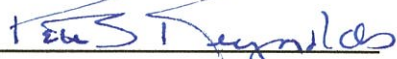
Mayor Weaver explained that those hours were part of a separate contract with the Sheriff's Department for the full-time coverage which was approved months ago.

XI. **Executive Session:**
None

XII. **Adjournment:**

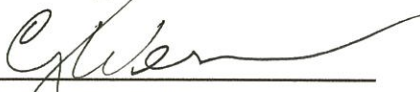
Mayor Pro Tem Widuch motioned to adjourn the meeting at 2:55 pm. The motion was seconded by Councilmember Connelly and carried unanimously.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor

4/23/19

Date