

**TOWN OF KIAWAH ISLAND
TOWN COUNCIL MEETING
Via Live Streaming
May 5, 2020; 2:00 PM**

MINUTES

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

Present at the meeting: Craig Weaver, Mayor
Chris Widuch, Mayor Pro Tem
Maryanne Connelly, Councilmember
Dan Prickett, Councilmember
Klaus Said, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
Joe Wilson, Town Attorney
Stephanie Braswell Edgerton, Town Communications Manager
Petra Reynolds, Town Clerk
George Schneidmuller, Outdoor Spatial Design
Evan Brandon, Outdoor Spatial Design

II. Approval of Minutes:

A. Minutes of the Town Council Meeting of April 7, 2020

Mayor Pro Tem Widuch made a motion to approve the minutes of the April 7, 2020, Town Council Meeting. The motion was seconded by Councilmember Connelly, and the minutes were unanimously approved.

B. Minutes of the Special Call Town Council Meeting of April 8, 2020

Councilmember Prickett made a motion to approve the minutes of the April 8, 2020, Town Council Meeting. The motion was seconded by Mayor Pro Tem Widuch, and the minutes were unanimously approved.

III. Mayor's Update:

Mayor Weaver commented on the tragic event experienced on the island on Friday evening. The incident in which involved an alligator was communicated by the Town and commented on how reasonability the incident was reported by the Press based on the information provided by the Charleston County Sheriff's Office (CCSO) and responders. He stated the Town, when possible, would try to get a better understanding of what occurred and if any areas need to be addressed to ensure that the public and alligator cohabitate as safely as possible.

Mayor Weaver informed the members that CCSO has chosen to release the actual reports without a narrative or final conclusion of the events leading up to or having an effect on the outcome of the incident. He indicated the Town would be looking at the legalities of drawing a conclusion from all the reports and summaries submitted to provide an answer to if the alligator's behavior was a random aggressive act or a provoked response.

Mayor Weaver stated the first responders from; STJFD, CCSO, KICA Security, and Town Staff were remarkable, as was the response from SC DNR, County Forensics and Coroner. He also touched on those who made a very heroic effort to protect and rescue a friend.

Councilmember Prickett indicated that both families involved had asked him, on their behalf, to thank the Town, and CCSO, along with all the first responders. He stated that not only were they professional and helpful, but they have also continued to follow-up to make sure that the families have all the resources available to them.

Mayor Weaver stated the Town receives from Charleston County a percentage of the Local Accommodations Taxes (LATAX) they collect. The LATAX funding is a significant revenue source to the Town and is used to support tourist activities, environmental programs, deputy coverage, and Beach Patrol. The notification was received by email that Charleston County has made the decision to not only suspended the second LATAX payment for 2020 but also suspended the LATAX payments for the 2021 year. He noted that the loss is a substantial amount and will include taxes collected during the time that the PGA will be on the island. Mayor Weaver indicated that he had asked Mr. Wilson to investigate the legality of the decision, along with requesting to engage in a dialog with Charleston County on the decision.

Mayor Weaver indicated that it was the intent of the Charleston County Park and Recreation Commission (CCPRC) to tentatively open Beachwalker Park on Friday, May 8. In a conversation with the Parks Commission, the Mayor ask for a delay in opening the park. He cited concerns with the number of people trying to gain entrance to the park, if park personnel were ready to manage the demand of large groups without the support of the Town's Beach Patrol, and the impact on Freshfields and grocery store with large groups making purchases or waiting to enter the park. He also noted at issue was that the replacement of the old boardwalk has not been completed and opening the park with the use of its bathroom facilities. Mayor Weaver indicated that the situation is being monitored and will be another challenge with the number of new people it will bring to the island.

Mayor Weaver called attention to the situation with parking in the pull-off area near the bridge. He indicated this area is being used by contractors to access the island without having to buy a pass along with being used as beach parking. Recently with the number of vehicles that have been parked in the pull-off far surpasses the amount intended and a potential safety issue. Discussions have taken place to consider ways to control the parking, but with no signage and limitations on restricting usage, a solution is difficult. It is the hope that with the county parking opening, the issue will resolve along with signage to be posted to restrict parking.

IV. Old Business:

A. To Consider Approval of Ordinance 2020-04 - An Ordinance to Amend the Municipal Code of the Town of Kiawah Island, South Carolina, Article 15 - General Offenses, CHAPTER 3 – Offenses Against Public Safety, Sec. 15-306. - Prohibited Noise – Second Reading

Mayor Weaver indicated Ordinance 2020-04 was considered and approved by Town Council with the first reading. The amendment to the current noise ordinance changes the objective description of noise not allowed to a specific 60-decibel level during the hours of 11:00 pm, and 7:00 am.

Councilmember discussion included that there had little, or no feedback had been received since the first reading if sufficient communication of the changes had been provided, and the option of deferring the seconding reading to acquire further feedback.

Councilmember Connelly made a motion to table the second reading of Ordinance 2020-04. The motion was seconded by Mayor Pro Tem Widuch and was unanimously passed.

V. New Business:

A. To Consider Approval of the 2020 Kiawah CCSO Permanent Deputy Contract

Mayor Weaver stated the 2020 Kiawah CCSO Permanent Deputy Contract was discussed and recommended for approval by the Ways and Means Committee.

Councilmember Said made a motion to approve the 2020 Kiawah CCSO Permanent Deputy Contract. The motion was seconded by Councilmember Prickett and was unanimously passed.

B. To Consider Approval of the Amendment to CCSO Off-Duty Deputy Contract

Mayor Weaver stated the 2020 Kiawah CCSO Off-Duty Deputy Contract was discussed and recommended for approval by the Ways and Means Committee.

Mayor Pro Tem Widuch made a motion to approve the 2020 CCSO Off- Duty Deputy Contract. The motion was seconded by Councilmember Prickett.

Mayor Pro Tem Widuch stated as part of the budget discussion, the Ways and Means Committee considered cutting one deputy from the third shift as a potential cost-saving measure. With no consensus from the committee, the measure was not implemented, and with additional budget cuts, the third shift remains fully staffed.

Following further discussion, the motion for approval was unanimously passed.

C. To Discuss the Kiawah Island Parkway Landscaping Project

Mayor Weaver stated that the Parkway Landscaping Project was designed by Outdoor Spatial Design (OSD) along with a staff workgroup. The project, having been discussed in concept, reached a general agreement on that work needs to be done. The look and feel of the Parkway are important to the community, but there have been concerns with the potential cost of the project. During the bidding process, the project was segmented into four areas providing a cost for each, along with recommendations of potential options.

Mr. Jordan stated that in response to the project RFP, the Town received five responses, including a bid substantially lower than the estimated cost. During this economy, the bidder, a small company, has bid the project mainly as a way to keep their workers and bid at a different time cost may be significantly higher.

Mr. Evan, with OSD, reviewed the design created with the vision of the Town in mind pointing out the installation of the plant material and extensive repairs the irrigation system requires will require a sizable investment. With the repaving of the Parkway OSD, recommended areas two and three be considered first but pointed out that the cost of work in the additional areas may be higher in the future. Mr. Evan indicated that having worked with the low bidder, Artigues is a reputable company who also worked with the Town's landscape maintenance company.

Councilmember discussion included the potential of lower maintenance and water costs in the future and the savings in the current pricing as deciding factors. In-depth discussion of which areas should be addressed and the reasoning behind the recommendations concluded with each Councilmember giving their opinion.

Councilmember Connelly expressed her opinion that the repair of the irrigation system was very important and recommended the completion of areas one and four. Councilmember Prickett expressed his opinion to complete areas two, three, and four, leaving the area one which included the roundabout as is. Councilmember Said stated that taking into consideration the significantly higher costs that may be incurred with delaying any areas and having the work completed before the PGA, his opinion to complete the full project. Mayor Pro Tem Widuch expressed his opinion to re-sod area two, completing areas three and four. Councilmember Connelly followed up her earlier comments indicating that she agreed with Councilmember Said and endorsed completing the entire project.

Mayor Weaver questioned if there were any concerns with perceptions of Kiawah spending a substantial amount of money on landscaping, given the current economic climate and pending budget restrictions. Councilmembers reasoned that while there may be criticism, it was acceptable to advocate the expenditure as a solid business decision along with completing only selective areas.

D. To Consider Approval of Charitable Grant Funding Amounts

Mayor Weaver stated that for a number of years, the Town had set aside an amount of up to \$150,000.00 to be allocated to local charitable organizations with a primary focus on providing services to the Sea Island Communities. The funding recommendations amounts have been reviewed and recommend for approval by the Way and Means Committee by a 4 to 1 vote. The vote against the motion was based on budgetary concerns.

A motion was made and seconded to the approval of Charitable Grant Funding amounts as recommended and was unanimously passed.

Mayor Weaver indicated the funding of the recommended Charitable Grants has been budgeted in the current fiscal year and represents many organizations that are supported by Kiawah residents in addition to their need for financial assistance. He noted the availability of funds Charitable Grants in the next year would be reevaluated during the FY 2021 budget process.

Mayor Pro Tem Widuch pointed out that in previous motion, Councilmember recusals were not noted in the motion.

Mayor Weaver made a motion to approve the recommended funding amounts, excluding the funding of the Kiawah Island Women’s Foundation, Sea Island Habitat for Humanity, and Respite Care. The motion was seconded by Councilmember Said and was unanimously passed.

Mayor Pro Tem Widuch made a motion to approve the recommended funding amounts for the Sea Island Habitat for Humanity and Respite Care. The motion was seconded by Councilmember Prickett and was passed by a 4 to 0 vote. Councilmember Connelly recused herself from the vote.

Councilmember Said made a motion to approve the recommended funding amount for the Kiawah Island Women’s Foundation. The motion was seconded by Councilmember Connelly. The motion was passed by a 3 to 0 vote. Mayor Weaver and Mayor Pro-Tem Widuch recused themselves from the vote.

Town of Kiawah Island	
2020 Charitable Grants Approved Funding Amounts	
Organizations Name:	2020 Town Council Approved
AMOR Healing Kitchen	\$ 2,000.00
Arts, etc.	\$ 4,000.00
Backpack Buddies Seabrook Island	\$ 2,000.00
Barrier Island Free Medical Clinic, Inc	\$ 20,000.00
Barrier Island Little League	\$ 1,300.00
Charleston Area Therapeutic Riding	\$ 7,084.00
Kiawah Womens Foundation	\$ 7,000.00
Lowcountry Food Bank	\$ 10,000.00
New St. James Bethel African Methodist Episcopal Church	\$ 1,116.00
Operation Home	\$ 6,500.00
Operation Sight	\$ 4,000.00
Our Lady of Mercy Community Outreach Services	\$ 20,000.00
Reading Partners	\$ 5,000.00
Respite Care Charleston	\$ 5,500.00
Sea Islands Hunger Awareness Foundation - Blessing Basket	\$ 4,500.00
Sea Island Habitat for Humanity	\$ 10,000.00
Sea Islands Water Wellness Mission	\$ 25,000.00
Sweetgrass Garden Co-op	\$ 4,500.00
Teachers Supply Closet	\$ 6,500.00
The Paraclete Foundation of Holy Spirit Catholic Church	\$ 4,000.00
Total Budgeted Funds to be awarded	\$ 150,000.00

E. To Consider Amending the Town of Kiawah Island Emergency Order 2020-02

Mayor Weaver began the discussion of Emergency Order 2020-02 by stating while the precautions for COVID 19 are still in effect, at this point, changes in direction are occurring very quickly on both the Federal and State Levels. While the virus is dangerous and contagious, it can be managed through social distancing and appropriate hygiene. The management has now pivoted from governmental isolation to prevent the spread of the virus to a direction of self-management as daily activities begin to return to a more normal state. While there will be anxiety and concern on the part of those who feel things are moving too fast, there is a need for a change in the Town's role and approach. The previous role was to put into place measures supportive of the regulatory approaches, along with communication and enforcement. With businesses reopening the responsibility to make necessary changes to provide for the safety of their workers, customers and community will fall on the private sector in the form of guidelines rather than regulations or restrictions with people taking on individual responsibility.

Mayor Weaver indicated the Town would take on more of support that a regulatory role, with a focus on having oversight to ensure that public areas, like the grocery store and beach, remain safe, along with continuing communications on the virus. Councilmember Connelly stated that in her opinion, the emphasis should be on personal responsibility in all aspects of returning to normal activities. Councilmember Said agreed with Councilmember Connelly the exception of the need for more regulation of the grocery store since it continues to be an issue.

Mayor Weaver, along with Councilmembers, reviewed and made changes to the Emergency Ordinance 2020-02 that went into effect on April 8, 2020.

1. *The Town's prior Emergency Ordinance, Ordinance No. 2020-01, remains in full force and effect with the exception that Section 8 of 2020-01 is amended to read the Property managers or owner of a Short-Term Rental (STR) is prohibited from accepting new reservations for a STR stay with the first day of occupancy commencing on March 25, 2020 through May 15, 2020.*
2. *The following emergency procedures are hereby adopted, effective immediately, and to remain in effect until May 22, 2020, unless otherwise noted, subject to termination, amendment, or extension by Council.*

In addressing the Short-Term Rentals (STR), the Mayor suggested that items prohibiting the reservations, occupancy, and advertising lapse at the end of the day, May 15, 2020, as stated. With the opening STR, there will eventually be a significant increase of visitors and an impact on social distancing. To ease the impact, rental companies have agreed to give renters information on guidelines before coming to the island.

Mayor Weaver indicated that also discussed was the safety-risk posed by STR if not managed by a proper cleaning protocol along with the medical advice to leave rental unoccupied for 24 hours. He noted that additional discussions would be taking place with the major rental companies along with MUSC to agree on best practices. He suggested the Town intends not to extend the STR ban. Still, if an issue arose and deemed necessary in the interest of safety, the Town reserves the option to adopt a regulation to address that issue. Further discussion included the major rental companies' willingness to comply with the 24 hour waiting period on the new rental and considering requiring rentals of more than three days to limit turnover.

Following discussion, Councilmembers agreed to allow the STR ban elapse by the end of the day on May 15, 2020. If deemed necessary, the Town reserves the option to reconvene by the end of the week to discuss the need to adopt a regulation.

3. *Pursuant to CDC guidelines, social gatherings of 10 or more people, for any reason other than working at or receiving essential services, is prohibited. Essential services include healthcare operations, utilities, gas stations, grocery stores and all food and beverage stores, pharmacies, convenience stores, restaurants and bars but only for take-out or delivery, hardware and building material stores, commercial delivery of products to homes or*

Parkway for the turn lanes. Banks will then be able to create work a work schedule and begin the construction of the turn lanes also confirming the project is on track to be completed by May 18th.

VII. Council Member:

- a. Committee Updates
- b. General Comments

Councilmember Connelly asked that as part of Public Safety, she reminded everyone to be alert and cautious around Kiawah wildlife and to enjoy the outdoors safely and responsibly. She also noted the programs for children that are provided by the Nature Center.

Mayor Weaver gave an update on the earlier message to partner with MUSC to engage the business community better understand and think through better practices while reopening. He noted there have been several communications and moving slower than anticipated but making progress.

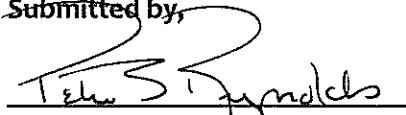
Mayor Weaver stated he is taking with MUSC to arrange providing COVID antibody testing for the permanent resident population on the island. He indicated the testing location would be on the island, and participation will be voluntary. The testing will let individuals know if they have been exposed to the virus but also give a better understanding of community exposure and the potential for a future outbreak.

VIII. Executive Session:

IX. Adjournment:


Mayor Weaver adjourned the meeting at 5:15 pm.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor

6.3.2020
Date