

TOWN OF KIAWAH ISLAND
TOWN COUNCIL MEETING
Via Live Streaming
September 1, 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
Bruce Spicher, Community Services Director
Petra Reynolds, Town Clerk

II. Approval of Minutes:

A. Minutes of the Town Council Meeting of August 4, 2020

Councilmember Connelly made a motion to approve the minutes of the August 4, 2020 Town Council Meeting. Councilmember Prickett seconded the motion, and the minutes were unanimously approved.

III. Mayor's Update:

Mayor Weaver stated that September 1st was the first day to file for candidacy in the December 1st Town Council election for both the Mayor and the four Council seats. Documents to file are available at Town Hall, and any interested party can file with the Town Clerk until the deadline at noon on October 2nd.

Mayor Weaver gave an update on the June Sea Level Rise discussion, which centered around identifying and structuring priorities moving forward into the future and supporting a recommendation around an adaptive management approach to initiate a course of action. The first stage of the approach was to have a group of community volunteers, working with the Town and Community Association, develop a survey to obtain input from resident property owners on their concerns with the Sea Level Rise issue. He stated the group has been meeting, holding focus groups, and working hard on building a community-wide survey that should be ready mid-month to go out to property owners with the results presented at the November Council meeting.

Mayor Weaver stated that a rezoning request had been submitted to the Charleston County Planning Commission to develop the property next to Town Hall for a miniature golf facility. He noted that the developer held a public question and answer gathering at the site with a few people from Kiawah and Seabrook in attendance. The Charleston County Planning Commission has scheduled a meeting to initially review the proposal, but not for voting on approval.

Mayor Weaver stated that the property is not in Kiawah, and therefore, the rezoning request was not submitted to the Town. He indicated that any information on the Charleston County Planning Commission, timeline, meetings, and how to submit comments to the Commission on the property's proposed use would be communicated to residents.

Mayor Weaver gave an update on the activities taking place concerning the use of SGAs and the Town's concerns with their prevalence in the island's environment and impact on bobcats. He noted that there has been growing local interest with news stories in the Post and Courier and all the local networks. Communications to the community explaining and educating on the issues have inspired a good response in supporting the Town's Bobcat Pledge from residents, property managers, all the major entities, and several of the larger pest control companies. South Carolina Senator Chip Campsen has also displayed his support by communicating with Clemson University and the SC Department of Pesticide Regulation on the Town's behalf.

Mayor Weaver expressed condolences to the wife and family of Mr. Jack Regan, who passed away over the weekend. For many years, Mr. Regan served the Town as the co-founder of the Community Emergency Response Team (CERT) and was a strong contributor to the Town as part of the Public Safety Committee.

IV. Old Business:

A. To Consider Approval of Ordinance 2020-08 - An Ordinance to Amend Article 2, General Government and Administration, Chapter 2, Municipal Council, Section 2-201, and Article 3, Elections, Chapter 1, Election of Mayor and Council, Sections 3-102 and 3-103 to Adopt Four-Year Terms of Office and Staggered Terms for Council- **Second and Final Reading**

Mayor Weaver indicated that at following the first reading of the Ordinance, members agreed that prior to the second reading, it would address any community questions or issues around making the change to the Council terms from two years to four years, along with any effect on potential candidate considering running in the upcoming December election.

Mayor Weaver confirmed that there had not been any objections or concerns raised by the Community to moving forward. Apart from the change coming so close to the upcoming election, generally, comments were supportive that the proposed change to four-year terms would provide better continuity for the Town.

Councilmember Said made a motion to approve the second reading of Ordinance 2020-08 to Amend Town Council Term Limit from a 2-year term to a 4-year term. Councilmember Prickett seconded the motion.

Mayor Weaver reviewed the approach to be taken in the December election to transition into the staggered terms. In the Ordinance as written, the approach is based on the two candidates obtaining the highest votes taking the four-year terms. Councilmember Prickett explained an alternative approach used by municipalities is to run two separate term elections. Candidates file to run for a preference of a two-year term or a four-year term with voters selecting for two candidates in each of the terms. Councilmembers discussed the alternative approach, agreeing that providing the candidates the opportunity to make the term selection would provide a smoother transition and supported changing the language in the Ordinance.

Councilmember Prickett made a motion to amend the implementation language of Ordinance 2020-08 to read "In order to implement the Ordinance and staggered terms, the next election to be held on December 1, 2020, will elect a mayor for a term of four years, two council members for a term of four years, and two council members for a term of two years. The two-year term seats and the four-year term seats will be separate elections. Persons applying to be a candidate for council members in the next election will designate whether they desire to run for a two-year or a four-year term." The motion was seconded by Councilmember Connelly and was unanimously passed.

Following the discussion, the motion to approve Ordinance 2020-08 as amended was unanimously passed.

V. **New Business:**

- A. To Consider Approval of **Ordinance 2020-10** - An Ordinance for the Town of Kiawah Island, South Carolina, the Purposes for Which are to Amend Article 14 -General Regulations, Chapter 1 – Flood Damage Prevention, Section 14-114 – Basis for Establishing the Areas of Special Flood Hazard, Section 14-115 - Definitions and Section 14-173 – **First Reading**

Councilmember Said made a motion to approve the first reading of Ordinance 2020-10 to Amend Article 14 -General Regulations, Chapter 1 – Flood Damage Prevention, Section 14-114 – Basis for Establishing the Areas of Special Flood Hazard, Section 14-115 - Definitions and Section 14-173. Councilmember Prickett seconded the motion.

Mr. Spicher explained that the proposed amendment to the Town’s flood ordinance would change the effective date for the enforcement of the Flood Insurance Rate Map (FIRM) to January 29, 2021. He noted that the amendment would also reflect new definitions and a new delineation line required to comply with the new FIRM’s and ensure the Ordinance remains an enforceable document based on the latest edition of the FEMA Flood Insurance Rate Maps.

Councilmembers engaged in an in-depth discussion of the flood map approval process, which has spanned several years, and with new flood maps in place, the potential implications of potential changes in freeboard levels based on the direction of the new flood map designations along with the necessity for a more comprehensive discussion of the issue in the near future.

Following the discussion, the motion to approve the first reading of Ordinance 2020-10 was unanimously passed.

- B. To Consider Approval of **Ordinance 2020-11** - An Ordinance to Amend Article 15 - General Offenses, Chapter 2 - Offenses Against Public Peace, Section 15-212 -Littering – **First Reading**

Mayor Weaver stated that Ordinance 2020-11 is amending the language of an existing ordinance to deal with the growing problems with trash and specifically address the long-term issue with trash thrown on the ground at the Sora Rail waste disposal facility that has become a public health issue. He noted that despite aggressive measures with having been taken with the placement of cameras and signage to mediate the issue, the propensity to leave trash on the ground continues.

Mr. Wilson reviewed the proposed language amendments, which would provide better enforcement and provide clarification for the more successful prosecution of offenders in the Town’s Municipal Court. He noted the language is taken from a model code suggested for municipalities.

Councilmember Said made a motion to approve the first reading of Ordinance 2020-11 to amend Article 15 - General Offenses, Chapter 2 - Offenses Against Public Peace, Section 15-212 -Littering. The motion was seconded by Councilmember Connelly and was unanimously passed.

- C. To Consider Approval of the HR&A Kiawah Island Housing Market Study

Mayor Weaver began by indicating that the Council would not be considering the approval but rather adopting the Housing Market Study that HR&A presented to Council members for review and discussion. He stated HR&A held an additional presentation that invited residents and property owners to present comments and questions to HR&A.

Mayor Weaver indicated the comprehensive study captured important data about the community housing market by highlighting some of the near term and long term future issues, which would be the beginning of future discussions and the foundation of future activity. He also stressed that the

report's adoption did not suggest that the Council or any other entity involved in the development agreed to adopt or implement every point or recommendation suggested in the report. He indicated that the study would be a more detailed discussion with the Community Association, Resort, and Kiawah Partners and more communications going out to residents and property owners to create a better understanding of the essential key points in the coming months of the study.

Mayor Weaver stated that the concept of doing the study was motivated by community concerns about the strength of Kiawah's housing market, and if Kiawah was still a strong community competitively and still performing well. The study analysis indicates that today Kiawah continues to be a strong community with a very strong regional and national reputation and a fundamentally strong real estate market. Still, the Community will have to focus on investment and redevelopment to stay fresh, and a vibrant community.

Mayor Pro Tem Widuch and Ms. Tillerson added comments on HR&A's work and thanked them for a great job.

Following the discussion, Councilmembers unanimously voted to formally adopt the HRNA Kiawah Island Housing Market Study.

Mayor Weaver made an additional comment to the "Mayor's Update" by congratulating Mr. Jim Jordan on his 20th year as the official Town's Biologist and also thanked him for his continued contribution to the Town.

VI. Town Administrator's Report:

Ms. Tillerson gave an update on the Parkway project stating that the previous discussion questioned if the slope of where the right turn lane driveway intersects the bike path was constructed per the engineer designs. McCormick Taylor is in the process of reviewing the required "As-Built Drawings" completed by Banks Construction. Once the final review is completed and approved, the repaving project can be closed out. She stated the landscaping portion of the project is scheduled to begin at the end of September. The acquisition of additional easement or right-of-way behind the new bike path from the Haulover Group has been surveyed and will finalize when the "As-Built Drawings" has been approved.

Mayor Weaver stated that to address the safety concerns where the bike path is raised and visually looks close to the turn lane, a combination of hedging and fencing will provide a structural separation.

Councilmember Said questioned if there had been a significant increase in the short-term rental licenses issued during the current active rental market. Ms. Tillerson responded that a significant increase had not been noted.

VII. Council Member:

- a. Committee Updates
- b. General Comments

Councilmember Connelly reported that the deputy bike patrol program's implementation had been delayed due to appropriate bicycles' unavailability. Still, the deputies will be moving forward with their training. She reported that the Community Association would delay a decision on electric bicycles due feedback on the bike paths' condition, noting that the additional striping and stenciling on the bike paths will encourage cyclists to stop at the stop signs.

Mayor Pro Tem Widuch thanked each of the entity representatives and residents who participated in the HR&A study and a special thank you to Ms. Tillerson for her coordination efforts throughout the study.

Councilmember Prickett provided highlights of the 2019-2020 Arts Council Annual Report by stating there had been 34 events attended by almost 1200 people. The majority were musical events and four art films, along with a ballet and dance band. He noted that the upcoming year would be different with the first half of the 2020-2021 season's events, from July to December being canceled due to the COVID virus. He stated that the Arts Council is working on planning events that would begin in January 2021, depending on the Town's health and welfare, its residents, and guests. He also thanked Ms. Edgerton and Ms. Laughlin for the tremendous help they provide to the Arts Council.

Mayor Weaver thanked all the Arts Council members for the work that goes into planning the events.

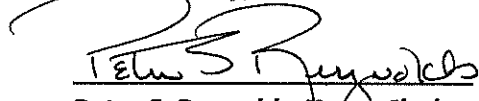
Ms. Tillerson thanked Ms. Shubert and Ms. Edgerton for the great work done on the *Budget at a Glance*, which gives residents a quick view of what the Town does and how it spends its money and is now available in the lobby at Town Hall, sent out by E-blast and posted on the Town's website.

- VIII. Additional Documents (information only):**
A. Arts and Cultural Events Council Annual Report
B. Budget at a Glance

IX. Adjournment:


Councilmember Prickett motioned to adjourn the meeting at 3:35 pm.

Submitted by,

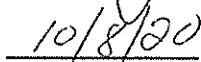


Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor



Date