

TOWN COUNCIL MEETING

Municipal Center Council Chambers

January 11, 2022; 2:00 PM

Minutes

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

II. **Pledge of Allegiance**

III. **Roll Call:**

Present at meeting: John D. Labriola, Mayor
Dan Prickett, Mayor Pro Tem
Maryanne Connelly, Councilmember
John Moffitt, Councilmember

Present Via Zoom: Dr. Scott Parker, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
Joe Wilson, Town Attorney
Petra Reynolds, Town Clerk
Patrick J. Cawley, M.D., MHM, CACHE, CEO, MUSC Health & V.P. for Health Affairs
Mark Permar, Kiawah Partners

IV. **Approval of Minutes:**

A. Minutes of the Town Council Meeting of December 7, 2021

Councilmember Connelly made a motion to approve the minutes of the December 7, 2021 Town Council Meeting. Mayor Pro Tem Prickett seconded the motion, and it was unanimously approved.

Councilmember Connelly made a motion to amend the order of business, moving the MUSC (Medical University of South Carolina) acknowledgment as the next agenda item. The motion was seconded, and it was unanimously approved.

V. **Acknowledgment:**

A. MUSC Sea Islands Medical Pavilion

Mayor Labriola introduced Dr. Patrick Crawley, CEO of MUSC Health & V.P. for Health Affairs.

Dr. Crawley thanked the Town for the gift to the MUSC Sea Islands Medical Pavilion project that will break ground in the summer and open approximately one year later. He stated MUSC believes that care should be provided locally, and the facility is a great example of MUSC working with the Town and a growing community to provide much-needed emergency care. He stated that the facility would be a great step forward for the community and, on behalf of the Board of Trustees at MUSC and President Cole, again thanked the Town.

VI. **Mayor's Update:**

Mayor Labriola stated that at the last Town Council meeting, Southwest Water Company and Kiawah Island Utility presented the rate increase request submitted to the PSC (Public Service Commission). After the presentation, Ms. Diane Lehder, in her comments, stated there was a need for the Town to intervene in the request. Mayor Labriola stated that the Town has contracted with Mr. Jack Pringle to intervene on the rate request and behalf of the Town.

Mayor Labriola indicated that on January 4th, the Town received a petition from Kiawah residents “to amend, modify and clarify Section 12-79 and to add conditions to 12-155 for Town Council to consider before approving the Planned Development rezoning application.” He indicated that the process had begun with the first Town Council Retreat session held earlier today. It was the first of a number of sessions that will be held dealing with annexation and zoning. A Council workshop is scheduled for February 8th, and Public Comment Workshop is scheduled for February 22nd.

Mayor Labriola stated that during today’s Council Retreat session, Mr. Wilson and Ms. Tillerson assisted Council in understanding the existing ordinance and the implications of the proposed changes. The fifteen proposed changes, five associated with Section 12-79 and ten associated with Section 12-155, were reviewed but required additional discussion.

Mayor Labriola introduced Mr. Craig Harris as the Public Safety Director for the Town.

VII. Citizens’ Comments (Agenda Items Only):

Doug Benham – 119 Ocean Course Drive

Mr. Benham’s stated he felt there were still serious deficiencies in the ordinance proposed for second reading that should be addressed. He reviewed his issues and also provided suggestions on language changes.

Brad Belt – 151 Bobcat Lane

As a member of the Riverview Property Owner Association, he expressed the concern from Riverview residents on the use of multiple leaf blowers at the real estate office in early morning hours and the provision allowing landscaping work from 7 am to 7 pm that was added to the noise ordinance.

VIII. New Business:

A. Discussion of Amendment to the 2013 Amended and Restated Development Agreement

Mr. Permar stated that Kiawah Partners (KP) are the owners of a collection of parcels along Beachwalker Drive. As a part of the informational session, he presented an aerial view of the properties along with an in-depth review of the background, entitlements, KP concepts, and potential development agreement amendment considerations for the parcels.

Mr. Permar stated that the information presented was not part of a development proposal but rather sharing an accumulation of the work done over multiple years in advance of a more specific plan on development and adjustments. The conceptual plan would combine multiple parcels into a singular parcel allowing a more comprehensive approach to developing a master plan for one parcel rather than each parcel. Mr. Permar reviewed specific areas that would be considered during the planning process for the parcel, including considerations for zoning, dwelling units per building, building height, access, existing trail system, and overall site organization. He noted that the intent was to take the appropriate amount of time to share the process with the neighbors before proposing a specific process to the Town.

Citizens’ Comments:

Brad Belt – 151 Bobcat Lane

Mr. Belt thanked Mr. Permar and KP for reaching out to the community as part of the process of the development initiative. Since Riverview is located across the street, the development of the parcels is of great interest. While there is no opposition to appropriate levels of

development, these is a concern with consistency to the surrounding community in terms of density and building heights.

Mr. Belt stated that residents of Riverview, and likely the residents of Inlet Cove, would oppose any amendment of the development agreement by the Town until there is a fully developed plan presented on what KP intends to build and the impact on traffic at the Beachwalker/Parkway intersection. He reviewed suggestions on the review process of planned developments and development agreement amendments.

Ms. Tillerson read a comment received from Mr. Scott Nelson – 65 Persimmon Court.

Mr. Nelson stated that the proposed amendment is being brought forth by KP rather than the Town. KP will clearly garner a significant benefit from the amendment. He urged the Town to negotiate with KP to benefit from the amendment rather than give a benefit for free. Perhaps a contribution to the Kiawah Beach Road project or similar concession could be set.

B. To Consider Approval of *Ordinance 2021-10 - 10 - An Ordinance of The Town Council of the Town of Kiawah Island Amending Section 15-306 (Noise) of the Kiawah Island Code of Ordinances – Second Reading*

Councilmember Connelly made a motion to table the second reading of Ordinance 2021-10 - An Ordinance amending Section 15-306 (Noise). Councilmember Parker seconded the motion.

Mayor Labriola stated that following lengthy discussions and extensive work, a draft noise ordinance was passed on first reading with additional changes being included in the draft ordinance for the second reading. With further concerns with the language of the draft ordinance, Mayor Labriola stated he was setting up an Ad Hoc Committee, headed by Councilmember Moffit, and interested residents in the community to review the noise ordinance before second reading.

Mayor Pro Tem Prickett added that members of the Ad Hoc Committee would include representatives from the Resort, Community Association, and the Town.

Following the discussion, the motion was unanimously approved.

C. To Consider Approval of *Resolution 2022-01 - A Resolution To Provide An Additional Benefit Option to Retirement Coverage*

Ms. Szubert stated that the Town participates in the employee benefits program run by PEBA (Public Employee Benefit Authority), which provides retirement coverage benefits under the South Carolina Retirement System (SCRS) and the Police Officers Retirement System (PORS). Currently, Town employees contribute as “active” or “retired” under SCRS and “retired” under PORS. A recent new hire has required the addition of the “active” contribution benefit option to PORS.

Councilmember Connelly made a motion to approve Resolution 2020-01 to provide an additional benefit option to retirement coverage. Mayor Pro Tem Prickett seconded the motion, and it was unanimously approved.

D. To Consider Approval of State ATAX Funding Amounts

Mayor Pro Tem Prickett stated that the Town receives a portion of the State Accommodation Tax (SATAX) to promote tourism throughout the state. Early in the year, the SATAX revenue

was uncertain and expected to be lower due to COVID but was substantially higher than anticipated.

In April 2021, \$1,093,784.00 in SATAX funding requests were recommended by the SATAX Committee and approved by Council. With a considerable amount of funding unallocated, another meeting was held in December to consider additional SATAX applications. The SATAX Committee recommended that an additional \$432,000.00 requests be funded. The total FY 2021-2022 funding would be \$1,525,764.00 of the \$2,093,764.00 projected to be available, leaving \$568,000.00 to be carried over for up to the next two years.

Town of Kiawah Island SATAX Funding Recommendations December - FY 2021-2022					
Category Number	Project	Applicant Sponsor	2021/2022 Funded Amount	December 2021/2022 Application Request	Ways and Means Committee Funding Recommendation
1	A National & Regional Influencer Event	Freshfields Village	\$ 30,000	\$ 250,000	\$ 230,000
1	Kiawah Island Marketing	Kiawah Island Golf Resort	\$ 415,000	\$ 200,000	\$ 173,000
5	Kiawah Island Map and Guest Guide	Kiawah Island Community Association		\$ 22,000	\$ 15,000
4	South Atlantic Lifesaving Association Regional Meeting	Charleston County Life Association		\$ 10,000	\$ 9,000
2	Marketing & Advertising Promoting Tourism	Freshfields Village	\$ 58,000		
1	Wedding Destination Marketing & Advertising	Andalton	\$ 42,764		
4	Beach Patrol	Town of Kiawah Island	\$ 100,000		
4	Charleston County Sheriff's Deputies	Town of Kiawah Island	\$ 423,000		
		Totals for Year Ending	\$ 1,093,764	\$ 482,000	\$ 432,000
Total Available for Funding Revised to reflect latest projections			\$ 2,093,764	\$ 1,000,000	\$ 1,000,000
			\$ 1,000,000	\$ 118,000	\$ 568,000

Mayor Pro Tem Prickett made a motion to approve the SATAX Funding Recommendations for \$432,000.00. Councilmember Moffitt seconded the motion, and it was unanimously approved.

E. To Consider Dissolving the existing Public Works Committee Charter

Councilmember Moffitt indicated that the Public Works Committee was established when the Town was not fully staffed. With the members not having any active involvement in current public works projects, meetings over the past several months consisted of only updates. The decision was made to take a different approach of dissolving the committee in its current form and establishing working groups for specific projects.

Mayor Pro Tem Prickett made a motion to approve dissolving the existing Public Work Committee Charter. Councilmember Connolly seconded the motion, and it was unanimously approved.

F. To Consider Approval of the Amendment to the existing Public Safety Committee Charter

Ms. Tillerson stated over the past two years, committee charters have been moved from a Councilmember chairing the committee to a senior staff member chairing the committee. The Councilmember remains active as the Council Liaison to the committee. In the amendment to the Public Safety Committee Charter, the Public Safety Director would chair the committee, and the Councilmember act as Council Liaison.

Councilmember Connolly made a motion to approve the amendment to the existing Public Safety Committee Charter. Mayor Pro Tem Prickett seconded the motion, and it was unanimously approved.

G. 2022 Committee Appointments

- Board of Zoning Appeals

Councilmember Moffitt made a motion to reappoint the new members, Mr. Berner and Mr. Rosenfeld, to the Board of Zoning Appeals. Councilmember Connelly seconded the motion and was unanimously passed.

- Environmental Committee

Councilmember Connelly made a motion to reappoint all the current members of the Environmental Committee. Councilmember Parker seconded the motion and was unanimously passed.

- Planning Commission

Mayor Pro Tem Prickett made a motion to reappoint Mr. Iwan to an additional term on the Planning Commission. Councilmember Connelly seconded the motion and was unanimously passed

- Public Safety Committee

Mayor Pro Tem Prickett made a motion to reappoint all the current members of the Public Safety Committee as presented. Councilmember Connelly seconded the motion and was unanimously passed.

IX. Town Administrator's Report:

Ms. Tillerson stated that Mr. Chris Makowski would be the new Communications Assistant for Ms. Braswell. He comes from Berkley Electric Coop and will be starting on the 24th of the month. She thanked her senior staff for the great job they do and indicated that they would be making presentations at the Council Retreat.

X. Council Member:

- a. Committee Updates
- b. General Comments

Mayor Pro Tem Prickett reported that the Town, along with community members and other local groups, remains active in the area of trying to improve roads on Johns Island. He stated that there would likely be public hearings on the proposed improvements in the coming months. Information on the meetings will be communicated along with an invitation to all residents to share their comments at those meetings.

Councilmember Parker reported that the Green Initiative Ad Hoc Workgroup had not met since October, so work could be done on implementing some of the initiatives. The workgroup will meet again in February to review the work done.

XI. Citizens' Comments:

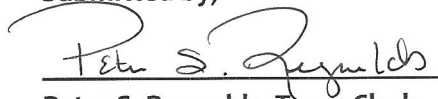
Laura McIlveen – 146 Blue Heron Pond Road

Ms. McIlveen, expressed appreciation to Council for the Workshop held earlier in the day. She indicated the workshop specifically dedicated to the annexation and zoning questions raised by the group was thought to be meaningful, productive, and had an open-minded receptivity to the suggestions forwarded by the group. She noted that she was pleased that community involvement and input were being embraced and that the group was looking forward to working on the issues.

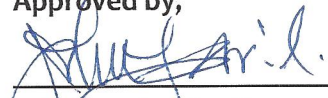
XII. Adjournment:

Mayor Labriola adjourned the meeting at 3:10 pm.

Submitted by,


Petra S. Reynolds, Town Clerk

Approved by,


John D. Labriola, Mayor

2/4/2022

Date