

TOWN COUNCIL MEETING

Municipal Center Council Chambers

May 3, 2022; 2:00 PM

Minutes

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

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*
Dr. Scott Parker, *Councilmember*

Also Present: Stephanie Tillerson, *Town Administrator*
Joe Wilson, *Town Attorney*
Dorota Szubert, *Town Treasurer*
John Taylor, Jr., *Planning Manager*
Petra Reynolds, *Town Clerk*

IV. **Approval of Minutes:**

A. Minutes of the Town Council Workshop of February 22, 2022

Councilmember Parker made a motion to approve the minutes of the Town Council Workshop of February 22, 2022. Councilmember Moffitt seconded the motion, and it was unanimously approved.

B. Minutes of the Special Call Town Council Meeting of March 28, 2022

Councilmember Parker made a motion to approve the Special Call Town Council meeting minutes of March 28, 2022. Councilmember Connelly seconded the motion, and it was unanimously approved.

C. Minutes of the Town Council Meeting of April 5, 2022

Mayor Pro Tem Prickett made a motion to approve the Town Council meeting minutes of April 5, 2022. Councilmember Parker seconded the motion, and it was unanimously approved.

V. **Mayor's Update:**

Mayor Labriola stated at the April meeting the ARB (Architectural Review Board) addressed some of the issues that were brought forward regarding The Cape. At the conclusion of the presentation and discussion Council asked that the residents and community members in attendance submit any questions to the Town. The questions received were reviewed by staff and forwarded to the ARB.

Mayor Labriola stated that in the past, a potential project raised the subject of the number of dwelling units embedded in the Development Agreement. After a great deal of work by Town staff, an assessment or audit of the number has been released via email and will be presented to Council by Mr. Taylor later in the meeting. Any questions can be submitted to the Town and would go through the same procedure process.

Mayor Pro Tem Prickett provided an update on Segment C of the Main Road Corridor Project. A year and a half ago, Charleston County presented five alternatives for improvements to Segment C. On April 28th, the County announced six alternatives; three were new alternatives, and the others were existing alternatives that were modified and re-presented. The County is hosting two drop-in sessions to educate residents on the implications of all those alternatives. The first one was held on April 28th, and the second will be held on Thursday, May 12th, from 3 to 7 p.m. at the St John's Parrish Church. Also, next Monday, May 9th at two o'clock, he and Mr. Taylor will be hosting a workshop to provide information and discuss all the options.

Mayor Pro Tem Prickett strongly encouraged citizens to provide their comments to the County on the presented alternatives during the public comment period, which closes at the end of the month.

VI. Citizens' Comments (Agenda Items Only):

Andy Capelli – 160 Governors Drive

Mr. Capelli stated that a draft of the text amendments in Ordinance 2022-03 was discussed by the Planning Commission at its last meeting but felt areas in the ordinance language needed further review.

Mr. Capelli provided suggested modifications for Council consideration. He noted the Planning Commission's recommendation that the word "Community" be removed from all the references to "Town of Kiawah Island" was not included in the Town's Annexation Policy and Procedures Manual draft.

VII. Public Hearing

A. To Consider Approval of *Ordinance 2022-02* - An Ordinance to Amend the Town of Kiawah Island Municipal Code Chapter 12 - Land Use Planning and Zoning Ordinance – Article II. – Zoning, Division 2. – Zoning Map/Districts, Section 12-79. Designation of Annexed Territory – *Public Hearing and First Reading*

Mayor Pro Tem Prickett made a motion to open the Public Hearing. Councilmember Parker seconded the motion, and it was unanimously approved.

Mr. Taylor stated the zoning text amendment application case #AZ022-000001 for Section 12-79. Designation of Annexed Territory was reviewed and recommended for approval by the Planning Commission at the April 6th meeting.

Mr. Taylor reviewed the request from the community that prompted the revisions and that drafts of the proposed amendments were presented and reviewed at two community workshops.

Mr. Taylor stated the proposed purpose and intent of the amendment is to describe the Town's policies and procedures for the annexation of property located outside of the Town's boundaries and reviewed the key factors of the proposed text amendment:

- provides clarity to the authority of annexation powers.
- clearly affirms that annexation petitions and zoning map amendment applications may be submitted concurrently.
- establishes a base zoning designation for properties requesting annexation that do not declare a specific zoning designation.

Councilmember Moffitt made a motion to close the Public Hearing. Councilmember Parker seconded the motion, and it was unanimously approved.

Councilmember Connelly made a motion to approve the first reading of Ordinance 2022-02 - An Ordinance to Amend the Town of Kiawah Island Municipal Code Chapter 12 - Land Use Planning and Zoning Ordinance – Article II. – Zoning, Division 2. – Zoning Map/Districts, Section 12-79. Designation of Annexed Territory. Councilmember Parker seconded the motion, and it was unanimously approved.

- B. To Consider Approval of Ordinance 2022-03 - An Ordinance to Amend the Town Of Kiawah Island Municipal Code Chapter 12 - Land Use Planning and Zoning – Article II. – Zoning, Division 5. – General Procedural Requirements, Section 12-159. Planned Development – Public Hearing and First Reading**

Councilmember Parker made a motion to open the Public Hearing. Mayor Pro Tem Prickett seconded the motion, and it was unanimously approved.

Mr. Taylor stated that this was the second of the proposed amendments and was also presented and reviewed at the two community workshops. He reviewed the key factors of the proposed text amendments:

- Increases the opportunity for public engagement with Planned Development applications including required community workshop(s).
 - Conceptual Planning Commission review
 - Community workshops
- Provides additional planned development stipulations for analysis and review.
 - Stormwater
 - Approval criteria

Councilmembers discussed the suggested revisions Mr. Capelli described in his comments and asked that staff work with him to make the language revisions for Council review.

Councilmember Moffitt made a motion to close the Public Hearing. Councilmember Parker seconded the motion, and it was unanimously approved.

Councilmember Moffitt made a motion to approve the first reading of Ordinance 2022-03 - An Ordinance to Amend the Town Of Kiawah Island Municipal Code Chapter 12 - Land Use Planning and Zoning – Article II. – Zoning, Division 5. – General Procedural Requirements, Section 12-159. Planned Development. Councilmember Parker seconded the motion, and it was unanimously approved.

VIII. Old Business:

- A. To Consider Approval of Ordinance 2022-01 - An Ordinance of The Town Council of the Town of Kiawah Island Repealing Section 15-306 (Noise) of the Kiawah Island Municipal Code and Adding Chapter 8 –Noise Prohibited – Second Reading**

Councilmember Parker made a motion to approve the second reading of Ordinance 2022-01 - An ordinance of The Town Council of the Town of Kiawah Island repealing Section 15-306 (Noise) of the Kiawah Island Municipal Code and adding Chapter 8 – Noise Prohibited. Councilmember Moffitt seconded the motion, and it was unanimously approved.

IX. New Business:

- A. To Consider Approval of the Fiscal Year 2022/2023 State ATAX Funding Amounts**

Mayor Labriola stated that the recommended funding amounts from the SATAX Committee were reviewed by the Ways and Means Committee and recommended to Council for approval.

Mayor Pro Tem Prickett made a motion to approve the Fiscal Year 2022/2023 State ATAX Funding Amounts. The motion was seconded by Councilmember Parker.

Councilmember Moffitt asked if the information requested by Ways and Means to provide a better understanding of the percentage designated to tourism was available. Ms. Szubert indicated that she had not received all data; however, another meeting will be scheduled with the SATAX Committee for staff to provide a presentation on the tourist to resident percentage.

Council members discussed the SATAX funding and the provision to adjust the reduced amounts following the percentage presentation.

Following the discussion, the motion was unanimously approved.

B. To Consider Approval of Ordinance 2022-03 - An Ordinance to Adopt the Fiscal Year 2021-2022 Budget for the Town of Kiawah Island, South Carolina (7/1/22 Through 6/30/23) – First Reading

Ms. Szubert stated there had been no changes to the budget since the line-by-line review by the Ways and Means Committee. Therefore, the staff is recommending the approval of the proposed budget with a total expenditure of \$11,260,000.00.

Councilmember Connelly made a motion to approve the first reading of Ordinance 2022-03 – An Ordinance to Adopt the Fiscal Year 2022-2023 Budget for the Town of Kiawah Island, SC. The motion was seconded by Councilmember Parker.

Following further discussion, the motion was unanimously approved.

C. Discussion on the Development Agreement Dwelling Unit Cap

Mr. Taylor presented the “Dwelling Unit Cap Assessment” document. The Development Agreement identifies a cap on the total number of new single-family residential lots and multifamily new dwelling units that can be developed after the 2005 Development Agreement. The presentation provided a timeline for the caps in the Development Agreements, an assessment summary, and active developments.

D. To Consider Approval of the Planning Commissioner Appointment

Mr. Taylor stated that Dr. Heidingsfelder, who has served on the noise ordinance workgroup, is being recommended to fill the Planning Commission vacancy.

Councilmember Connelly made a motion to approve the appointment of Dr. Michael Heidingsfelder to the 2022 Planning Commission. Councilmember Moffitt seconded the motion, and it was unanimously approved.

E. To Consider Approval of the Amendment to the existing Arts and Cultural Events Charter

Councilmember Connelly made a motion to approve the amendment to the existing Arts and Cultural Events Charter. Councilmember Parker seconded the motion, and it was unanimously approved.

F. To Consider Approval of the Amendment to the existing Arts Council Board Charter

Mayor Pro Tem Prickett made a motion to approve the amendment to the existing Arts Council Board Charter. Councilmember Parker seconded the motion, and it was unanimously approved.

X. Town Administrator's Report:

Ms. Tillerson reported that the RFP (Request for Proposals) for the Kestral Court improvement project had been released. She noted that the work on the site would be completed, but the new equipment from Carolina Waste is not expected to arrive until August; the current equipment will be used until that time.

XI. Council Member:

- a. Committee Updates
- b. General Comments

Councilmember Moffitt reported that the work on the garage improvements and the Beachwalker bike path project had been completed.

XII. Citizens' Comments:

XIII. Adjournment:


Councilmember Parker made a motion to adjourn the meeting at 4:00 p.m. Councilmember Connelly seconded the motion, and it was unanimously passed.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



John D. Labriola, Mayor

6-17-2022
Date