

**TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS
February 6th, 2007, 2:00 PM**

Minutes

I. Call to Order: Mayor Wert called the meeting to order at 2:00 PM.

II. Pledge of Allegiance

III. FOIA: Notice of this meeting has been published, and posted, in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

IIII Roll Call

Present: William G. Wert, Mayor
Council: Alan L. Burnaford Mayor Pro Tem
Charles R. Lipuma
G. Steven Orban

Also Present: Tumiko Rucker, Town Administrator
Kathryn McLerren, Acting Clerk
Dennis Rhoad, Town Attorney

Absent: Amber Simmons, Town Clerk
Don McIver

IV. Approval of Minutes

A. Town Council Meeting: January 9, 2007

Mr. Lipuma moved to approve the January 9, 2007 minutes; motion seconded by Mr. Burnaford.

Mr. Burnaford and Mr. Lipuma had corrections on pages 2, 3, and 8. With those corrections the minutes were approved.

V Citizens Presentation:

Mr. Dylan Jones, Kiawah Island Golf Resort: Mr. Jones expressed is appreciation to the Town for allowing him to address the Council on the issue of the Beach Franchise Agreement. He noted that the recently amended agreement excluded West Beach. He explained that

retaining this end of the beach was vital to current programming in that area of the beach, including some of the Nature Programs. He asked that the Town Council reconsider their decision, and allow the Resort to retain this section of the beach as well.

Mr. Bill Daniel, Resort Quest: Expressed his concern as a rental company on the Island whose guests use this section of the beach. Mr. Daniel stated that many of Resort Quests' guests have been unhappy with the service that they received from the Resort's Franchise operation at the Western end of the beach. He asked that the Town Council consider assigning this section of the beach to Island Products.

Mr. Lynn Pierotti, The Island Eye: Introduced himself, and explained that he was the owner of a newspaper company that currently publishing newspapers on the Isle of Palms and will be starting a similar newspaper for Kiawah and Seabrook Island. He left his business cards and newspapers for the Town to review and consider.

VI. Old Business:

A. Ordinance 2006-10 Eugenia Ave Setbacks (2nd Reading)

Mr. Orban moved to approve the second reading of ordinance 2006-10 Eugenia Ave Setbacks; motion seconded by Mr. Burnaford. Motion carried unanimously.

Mayor Wert gave a brief explanation of the changes that were made to this ordinance prior to second reading. Mayor Wert said that lots that are in existence as of the adoption of the Kiawah Island Zoning Map effective January 9, 2007 would have a ten-foot side yard setback. Mayor Wert further stated that any properties on Eugenia Ave that are subdivided after January 9, 2007 would not have a ten-foot side yard setback requirement but would be held to the same standard as any other property on the island.

B. Roundabout Paving Alterations

Mr. Orban gave a brief explanation of the roundabout paving alterations. Mr. Orban said that because of damage caused by vehicular traffic at the roundabout, an additional eighty feet of curbing is required. Mr. Orban stated that the Ways and Means Committee met on January 26, 2007 and recommended the approval of the roundabout alterations not to exceed \$10,000.00. Three Oaks Contractors would complete the work.

Mr. Lipuma moved to approve the request for the roundabout alterations not to exceed \$10,000.00; motion seconded by Mr. Burnaford. Motion carried unanimously.

VII New Business:

A. Public Safety Committee Appointment

Mr. Orban moved to appoint Mr. Dick Sula as a new member of the Public Safety Committee with the approval of Town Council; motion seconded by Mr. Lipuma. Motion carried unanimously.

C. Environmental Committee Appointment

Mr. Lipuma moved to appoint Ms. Jennifer Hayes as a new member of the Environmental Committee with the approval of the Town Council; motion seconded by Mr. Burnaford. Motion carried unanimously.

C. Ordinance 2007-01 Article 12 Revisions (1st Reading)

Mayor Wert gave an explanation of ordinance 2007-01 Article 12 Revision. Mayor Wert said that the Town of Kiawah Island is tasked with the responsibility of the Island Land Use and Zoning. Last year the Council amended Article 12A-216 Table 2M of the Municipal Code to increase the critical line setbacks for residential lots greater than 1200 square feet from 30 feet to 50 feet. Due to this change, certain buildable lots in existence prior to the Town Council adopting the Ocean Coastal Resource Management's (OCRM) critical line setbacks were rendered unbuildable. Critical lines are mainly associated with lots boarding on the marsh or other bodies of water. Mayor Wert said that the purpose of this ordinance is to amend table 12A-216, table 2M, Waterfront Development Standards and to adopt the parcel specific setback requirement for certain lots. This change restores the 30 feet setback to lots greater than 12000 square feet and the building envelope to the original platted setbacks on certain "other" properties. These 40 "other" properties are listed in the ordinance. Mayor Wert further stated that this ordinance would take effect immediately and is in place for 61 days.

Mayor Wert said that this item would go before the Town of Kiawah Island Planning Commission for a recommendation and that a Public Hearing would be held on March 6, 2007.

Mayor Wert moved to approve Ordinance 2007-01 Article 12 Revisions; motion seconded by Mr. Burnaford. Motion carried unanimously.

D. Communications Tower Concerns

Mr. Orban said that he wanted to address the letters that the Town received opposing the stealth towers. Mr. Orban said that SunCom had completed the necessary steps for a permanent tower at Osprey Point. The permanent tower is necessary to improve the cell phone service on the Island. Mr. Orban said that this stealth tower meets the requirement of Article 12, and the standards set by the Kiawah Island Architectural Review Board.

Mr. Orban moved to approve continuation of the communications stealth towers and the location as approved by the Kiawah Island Architectural Review Board; motion seconded by Mr. Burnaford. Motion carried unanimously.

F. 2007/2008 Budget Calendar

Mayor Wert explained that each year the Council must approve an annual budget calendar and that the calendar presented followed those of previous years (See Attached Document).

Mayor Wert moved to approve the 2007/2008 budget calendar; motion seconded by Mr. Burnaford. Motion carried unanimously.

G. Contract Approval- Computer Server

Mayor Wert said that the Ways and Means Committee met on January 26, 2007 and approved the replacement of the computer server not to exceed \$13, 000.00.

Mrs. Rucker gave a brief explanation of the contract approval. Mrs. Rucker said that the current server is over five years old and is at capacity. Mrs. Rucker said that because the current server is working at maximum capacity we have been experiencing numerous problems including its ability to adequately back up important data. Mrs. Rucker said that the new server would provide additional security features and memory. The new server is also designed to be fully integrated with other technology at Town Hall including the upgraded sound system, website, and WiFi capabilities.

Mayor Wert moved to approve the purchase of the computer server not to exceed \$13,000.00; motion seconded by Mr. Burnaford. Motion carried unanimously.

I. Kiawah Island Golf Resort letter reference to Development Agreement

Mayor Wert said that the Town has received a letter from Kiawah Island Golf Resort wanting to reinitiate discussions on a development agreement with the Town.

J. Dangerous Dog Concerns

Mayor Wert referred the dangerous dog concerns to the Public Safety Committee for review and recommendations to the Town Council.

K. Bicycle Helmet Concerns

Mayor Wert referred the bicycle helmet concerns to the Public Safety Committee for review and recommendations to the Town Council.

VIII. Correspondence: None

IX. Committee Reports:

Communications Committee

Mr. Burnaford said that a sub-committee was formed to research the feasibility of combining the *Town Notes* and the *Kiawah Island Digest* the subcommittee will consist of Dr. Glassman, Ms. Bragg, and Mrs. McAdory. Mr. Burnaford said that this would allow the Town Notes to reach more property owners, and be more cost effective.

Johns Island Town Council

Mr. Burnaford attended the Johns Island Town Council meeting during which the storm water run-off issue was discussed as a new state mandate that affected Johns Island residents in the form of a one-time \$36.00 fee in their water bills.

Mr. Burnaford announced that a "Fix or Roads First" Rally would be held on Monday, February 12, 2007 at St. Johns High School. Mr. Burnaford urged residents to attend and emphasized the Town's position on John's Island Roads. He explained that the Town's position was not to stop the Mark Clark, but rather focusing on fixing the existing roads.

Financial Affairs

No Report

Public Safety Committee

Mr. Orban provided an update on the false alarms on the island, which has improved under Mr. Burnaford's leadership. Mr. Orban said that the Public Safety Committee would be scheduling the annual beach kickoff meeting, and a meeting with the Sheriff's office to discuss constant speed monitoring.

Mr. Orban reported that the parkway project had been advertised, and the 30-day comment period would end at noon on February 26, 2007.

Environmental Committee

Mr. Lipuma reported that he and Mrs. Rucker traveled to Columbia on January 24, 007 to receive the Town's award for the Palmetto Pride Grant.

Mr. Lipuma said that Animal Planet would be filming on the island from the beginning of April through mid-May. April 14, 2007 will be the airing of the first show.

Arts Council

Mr. Lipuma reported that Charleston Ballet performance at the Sanctuary on January 27, 2007 was outstanding. The Lee Chin event on January 14, 2007 at the Episcopal Church was well attended and Mr. Lipuma discussed the Irish Weekend, which occurred February 2, 2007 and February 3, 2007.

Mr. Lipuma stated that he and Mary Johnson would be meeting with Ellen Dressler Moryl to bring Spoleto Events to the Johns Island area. Mr. Lipuma will provide an update at the next Town Council meeting.

X. Town Administrator's Report

Mrs. Rucker reported that the Kiawah Island Utility Company requested a rate increase from the Public Service Commission which would be heard by the Commission during the week of February 5th, 2007.

XI. Mayor's Report

Mayor Wert said that the rate increase would be .08% if approved. Mayor Wert said that on May 17, 2007 the Charleston Symphony Orchestra would perform at Freshfields. Mayor Wert emphasized that the Town's position was not to stop I-526, but rather to concentrate on improving the Johns Island roads first. The Mayor urged residents to attend the meeting.

Mayor Wert wanted to answer a few questions from the last meeting pertaining to meeting notifications. Mayor Wert said that additional links have been added to the Town's website for meeting dates and times. Mayor Wert also said that The Town Council meetings and Planning Commission meeting notifications will be posted at the front gate.

XII. Citizens' Comments/Questions

Jim Piet, 127 Bufflehead Drive: Mr. Piet commented that he would be very slow to support delaying I-526. He stated that Kiawah should not go against Charleston County, and needed to think about the future, when Kiawah may need the County's support. He expressed that negotiating with County Council was very important.

XIII. Council Members Comments

Mr. Lipuma, no comment

Mr. Orban, no comment

Mr. Burnaford restated the Town's position as it relates to Johns Island roads. Mr. Burnaford said that the Town's position remains neutral as it pertains to I-526 but wants to improve the Johns Island roads.

Mayor Wert moved to adjourn the Town Council meeting at 3:20 PM and move into executive session at 3:23 PM; motion seconded by Mr. Orban. Motion carried unanimously.

XIV. Executive Session/ Personnel Matters

Mayor Wert and the Town Council moved into executive session at 3:23 PM to discuss legal matters. No votes were taken during this session.

XV. Adjournment

Mayor Wert moved to adjourn the meeting at 4:10 PM; motion seconded by Mr. Burnaford. Motion carried unanimously.

Submitted by _____
Amber Simmons, Town Clerk

APPROVED: _____
William G. Wert, Mayor

DATE: _____

- CC: Mayor Wert
- Dennis Rhoad, Esq.
- Tumiko Rucker, Town Admin
- Council Members
- Town Treasurer
- Planning Commission