



T O W N O F K I A W A H I S L A N D

21 BEACHWALKER DRIVE • KIAWAH ISLAND, SC 29455 • (843) 768-9166 • FAX (843) 768-4764

**TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS**

July 10, 2007, 2:00 PM

Agenda

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

Donald H. McIver, Jr.

G. Steven Orban

Town Administrator

Tumiko Rucker

- I. **Call to Order:**
- 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.
- IV. **Roll Call:**
- V. **Approval of Minutes:**
 - A. Town Council Minutes for Public hearing May 14, 2007
 - B. Town Council Minutes for June 12, 2007
- VI. **Citizens Presentation:** Howard Chapman- CARTA
- VII. **Old Business:**
 - A. Ordinance 2007-05: To Amend Article 12A-205, Residential; To Amend Section 12A-206, R-2 Residential; to Adopt Parcel Specific Setback Requirements for certain lots; To add Article 12G, Kiawah Island Property setback requirements appendix; and to amend section 12A-216 Waterfront Development Standards (2nd Reading)
 - B. Ordinance 2007-06: To approve the Issuance of a General Obligation Bond for the Kiawah Island Parkway Project (2nd Reading)
- VIII. **New Business:**
 - A. FY 2007/208 CARTA Budget- Approval
- IX. **Correspondence**
- X. **Committee Reports**
- XI. **Town Administrator's Report**
- XII. **Mayor's Report**
- XIII. **Citizens' Comments/Questions**
- XIV. **Council Members Comments**
- XV. **Executive Session-Legal-Contractual Matters**
- XVI. **Adjournment**



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**TOWN COUNCIL MEETING
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July 10, 2007, 2:00 PM

Minutes

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

Donald H. McIver, Jr.

G. Steven Orban

I. **Call to Order:** Mayor Wert called the meeting to order at 2:00 PM. Town Administrator
Tumiko Rucker

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.

IV. **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
Amber Simmons, Town Clerk
Dennis Rhoad, Town Attorney
Kenneth Gunnells, Town Treasurer

Absent: Don McIver

v. **Approval of Minutes:**

A. **Town Council Minutes for Public hearing May 14, 2007**

Mr. Orban moved to approve the Town Council Public Hearing Minutes for May 14, 2007, motion seconded by Mr. Lipuma.

Mr. Burnaford made a correction on page 5 of the minutes.

With this correction the minutes were approved unanimously.

B. **Town Council Minutes for June 12, 2007**

Mr. Burnaford moved to approve the Town Council Minutes for June 12, 2007; motion seconded by Mr. Orban.

Mr. Orban, Mr. Burnaford, and Mr. Lipuma made corrections to the minutes. With their corrections the minutes were approved unanimously.

VI. Citizens Presentation: Howard Chapman- CARTA

Howard Chapman, Executive Director of CARTA, expressed his gratitude to the Mayor and Council for allowing him to speak. Mr. Chapman thanked Mrs. Rucker for her leadership provided as chair of the Budget Committee for CARTA.

Mr. Howard discussed some of the accomplishments made by CARTA this year. These accomplishments include additional services such as regular routes, express service, neighborhood shuttles, and CARTA at night. Secondly, we were able to install twenty-two bus shelters. Third, we have received bids for the Intermodal Center; this area will include a park and ride area. Lastly, we are under application for a new train center in North Charleston.

Mr. Howard was pleased to report that the number of riders on the buses has increased and is currently about the same as the 2004 numbers.

Mr. Howard discussed the CARTA 2007 budget. (Copy of budget attached). He stated that the proposed budget is very lean and does not include any new projects. He noted that the proposed budget includes a capital investment reserve account, which CARTA did not have previously.

Mayor Wert noted that as an interested observer it is very nice to see a full budget instead of the one page budget.

Mr. Orban asked if CARTA planned to buy smaller buses. Mr. Howard said that they have already purchased sixteen smaller buses with funds from the ½ cent sales tax. Those buses are being operated in the neighborhood routes which are in less densely populated areas.

Mr. Orban asked if CARTA planned to have any commuter routes for example from Mount Pleasant to Downtown Charleston. Mr. Howard said that they already have this in place using the express service.

VII. Old Business:

- A. Ordinance 2007-05: To Amend Article 12A-205, Residential; To Amend Section 12A-206, R-2 Residential; to Adopt Parcel Specific Setback Requirements for certain lots; To add Article 12G, Kiawah Island**

Property setback requirements appendix; and to amend section 12A-216 Waterfront Development Standards (2nd Reading)

Mr. Lipuma moved to approve Ordinance 2007-05: To Amend Article 12A-205, Residential; To Amend Section 12A-206, R-2 Residential; to Adopt Parcel Specific Setback Requirements for certain lots; To add Article 12G, Kiawah Island Property setback requirements appendix; and to amend section 12A-216 Waterfront Development Standards motion seconded by Mr. Burnaford. Motion carried unanimously.

Mr. Lipuma noted that during last months meeting he asked where Article 12G was located. Since that time, he, Dan Pennick, Amanda Mole, and Mrs. Rucker, had a meeting. Article 12G was identified and located. Mr. Lipuma reviewed Article 12G, making sure that it is consistent with the Zoning Map. Mr. Lipuma requested that Charleston County Planning Staff draft a preface statement for Article 12G. This statement will be attached to the Article 12G.

B. Ordinance 2007-06: To approve the Issuance of a General Obligation Bond for the Kiawah Island Parkway Project (2nd Reading)

Mr. Burnaford moved approve Ordinance 2007-06: To approve the Issuance of a General Obligation Bond for the Kiawah Island Parkway Project; motion seconded by Mr. Orban. Motion carried unanimously.

No discussion.

VIII New Business:

A. FY 2007/2008 CARTA Budget- Approval

Mayor Wert moved to approve the FY 2007/2008 CARTA Budget; motion seconded by Mr. Orban. Motion carried unanimously.

No discussion

B. Approval of the LPA Traffic Analysis Contract

Mayor gave a brief explanation of the LPA Traffic Analysis Contract. He stated that LPA is currently on retainer by the Town for the purpose of conducting road and traffic studies. The cost of a traffic analysis is \$11,000. This information would be used in the negotiating process for a potential development agreement with the KIGR. This study would collect data from nine different locations on the island to determine traffic counts. This information can be used to analyze and determine if in fact some of the requests that are coming from KIGR, as part of the development agreement,

are justified. We will continue to focus on the three core issues, which are density, traffic, and green space. This study will take place during the week of July 16, 2007 if approved by Council. They will then come back with an analysis of the data and discuss increasing or decreasing the number of bedrooms available at various locations on the island and would determine what effect it may or may not have on traffic and density.

Mayor Wert moved to approve the LPA Traffic Analysis Contract; motion seconded by Mr. Lipuma.

Mayor Wert noted that Councilmen McIver has spoken to him, regarding the LPA traffic analysis contract, and that he is not in favor of the Town paying for the study. Mr. McIver is in favor of the Resort paying for the study.

Mayor Wert said that he respectfully disagrees with Mr. McIver, on who should pay for the traffic study. He believes that it is the Town's responsibility to pay for the study. If we take information that is provided to us by the Resort, then it puts us in a position where we might question the integrity of the data. He further noted that sometimes data is slanted, based on who is paying for the information.

Mr. Orban said that he agrees with Councilmen McIver. He does not think that the Town should be paying for this study at this point and time. He believes that the Resort should have to do a traffic study at their cost. After the Resort conducts a traffic study, they should be required to show the Town what the impact of traffic would be on various roads and intersections on the island.

At that point and time, the Town may want to conduct its own traffic study. Once the Town knows what improvements or buildings are being planned. In order to do a traffic study, you must know what is going to be built first. Mr. Orban believes that this is very preliminary for the Town to pay for a traffic study at this time, because we don't know exactly what is going to be built.

In addition, Mr. Orban said that at a later time, he would be in favor of the Town paying for a traffic study, but not at this time.

Mr. Lipuma said that this study would provide us with some base line data during a period of the year when traffic is at its heaviest. He noted that it would not do us any good to postpone this study until February, when traffic is at it's lowest. Besides giving us some basic traffic counts, this study will provide information to develop some correspondence between traffic generated by residences and traffic generated by a hotel. This is not something that can be done by the consultants using correlations and

textbooks. Although the consultants will have certain guidelines, those guidelines are not going to be worth very much. Mr. Lipuma thinks that it behooves us to get this information in our pocket in advance. Now getting back to Mr. Orban's comment, the Town could always ask that the Resort to pay the \$11,000 during the negotiations. Mr. Lipuma personally thinks that this traffic study would provide valuable information.

Motion carried 3 to 1 with Mayor Wert, Mr. Lipuma and Mr. Burnaford voting in Aye and Mr. Orban voting Nay.

IX. **Correspondence:** None

X. **Committee Reports**

Environmental Committee

On June 19, 2007 Mr. Lipuma, Mr. Jordan and Mrs. Rucker met with Dr. Tim Kana to discuss the draft of his final report, "East End Erosion and Beach Restoration Project." This report chronicles the project from inception to completion, and includes monitoring and maintaining recommendations. Dr. Kana's final report should be released in early August.

With Dr. Kana, a beach inspection tour was conducted. This inspection and ongoing surveillance showed the following:

- Some beach segments adjacent to the Ocean Course gained sand due to accretion over the winter.
- Two storms and some unusual high tides caused dune scarfing. Scarfing is most evident Eastward of the Beach Club where dunes in some areas have lost 1-2 feet of sand. Accretion during the summer months is expected to counter this loss.
- The Flushing channel cut at the extreme-most East End of the Renourishment Project appears to be closing, however; a new, parallel channel has formed about ¾ mile east of the old Ocean Course Clubhouse.

Mr. Lipuma noted that there were five wildlife calls for the month. Mr. Lipuma only mentioned a few of the notable wildlife calls, which are as follows: a collared bobcat was hit by a car and has not been located; a nuisance alligator was removed from Canvas Back Pond, and on a lighter note a property owner called in a report of a bobcat kitten which turned out to be a domestic cat.

Arts Council

In May the Arts Council concluded a season of 16 events. Costs ranged from \$500 (Silent Film Night) to \$17,500 (American Music Weekend). The total expenditures for the season were slightly over \$72,000 versus a budget of \$75,000.

Mayor Wert noted that the Arts Council's season was a success and expressed his gratitude to Mr. Lipuma and the Arts Council members for their hard work and dedication.

Public Safety Committee

Mr. Orban said that the Public Safety committee would meet on Tuesday, July 17, 2007. Some of the topics for discussion during the meeting are as follows: speeding on Ocean Course Drive, Beach Safety, additional no biking signs for the Kiawah Island Parkway, and the contract with the Charleston County Sheriffs Office.

Final Report for Roundabout Project

Mr. Orban said that the Town received a reimbursement check from the Department of Transportation for nearly 100% of the construction expenses related to the Roundabout Project near Freshfields. We received a check for \$219,407.37 to cover landscaping, irrigation, and signage costs. Mr. Orban noted that our only other major expenditure was \$150,000, which was the Town's matching contribution in order to get the project started. We would like to thank the prior administration and all those who worked on the project for a job well done.

Kiawah Island Parkway

Mr. Orban said that the Town has submitted the response to the Corps of Engineers and has requested a meeting with the agencies. The purpose of this meeting is to finalize any issues that they may have, so that we can obtain a permit and proceed with the work. We are currently awaiting a response from our consultants, LPA, concerning our request. Hopefully, we will receive a response sometime next week.

Financial Report: None

Communications Committee

Mr. Burnaford noted that the last independent *Town Notes* would be mailed in August and thereafter would be mailed in conjunction with the *Digest*. Mr. Burnaford reiterated that *Town Notes* would cover Town business and maintain its own identity. The Communications Committee continued discussion on the philanthropy of Kiawah Island property owners. The committee will continue to put together articles for inclusion into the local newspaper.

Johns Island Council

Mr. Burnaford noted that the Johns Island Council did not meet this month therefore he did not provide a report.

Mr. Burnaford said that he would attend the upcoming Charleston County Council meeting on July 24, 2007.

XI. Town Administrator's Report

Mrs. Rucker noted that the upgrades and computer replacements would begin later this month and be completed by the first quarter of FY07/08.

The installation of the Disaster Recovery software has been completed.

Mrs. Rucker noted that we are well underway in the FY07/08 budget year with the FY 06/07 budget closed out by Mr. Gunnells, Town Treasurer.

Mrs. Rucker said that the Town has received notification that we were successful in receiving 3 national awards. The first award is the certificate of Excellence in Financial Reporting presented by the Government Finance Officers Association of the United States and Canada for the Town's published comprehensive annual financial report (CAFR) and the Popular Financial Report (PAFR). The third award is a Certificate of Excellence for the Town's Disaster Preparedness Policy designed to minimize the impact of a disaster on the Town Financial operations. This certificate is presented by the Association of Public Treasurer's of the United States and Canada, and will be accepted at the National Conference in San Diego, California in August.

Mrs. Rucker recognized new employee, Dell Heise, who will perform the duties of Administrative Assistant. She will also be working with the Arts Council, Environmental Committee, and Communications Committee.

XII. Mayor's Report

Mayor Wert said that the last issue of *Town Notes* was the most complete and accurate issue in the last 9 years. He congratulated the staff and communications committee for their efforts in producing this issue.

Mayor Wert said that the Disaster Awareness Day June 13, 2007, was a success and well received by the public.

Mayor Wert noted that historically the Town does not conduct a Town Council meeting in August; however we are going to leave it on the schedule. The meeting will consist of committee reports and an Executive Session. During this session Mr. Burnaford and I will provide an update to Council Members on a potential development agreement.

Mayor Wert discussed the loss of 9 firefighters at the Sofa Super Store in Charleston. Mayor Wert said that the Town contributed \$9,000 to the fallen fire fighters fund.

In addition, Mayor Wert said that he was glad to see many of the Kiawah Island property owners participating in the event held at Charleston Place on behalf of the fallen fire fighters. He said that it was amazing to see the outpour of sympathy and donations from the community. Mayor Wert noted that he spoke with the Executive Director for the event who indicated that approximately \$500,000 was collected during this event.

Lastly, Mayor Wert encouraged the citizens to never forget the public service that is provided on a daily basis by the policemen, firemen, and teachers. He noted that while they are not paid very well they make a great contribution to our society. He encouraged the citizens to thank the policemen, firemen, and teachers for their service.

XIII. Citizens' Comments/Questions

Wendy Kulick, 38 March Edge Lane, wanted to mention while there were a number of citizens present, an article that was published in the *Kiawah Island Talk* last month concerning Mt. Zion Elementary School. She noted that the new school year will start on August 21, 2007, and the Kiawah community has been very supportive of the students and teachers of Mt. Zion Elementary School in terms of donating supplies and uniforms.

Mrs. Kulick noted that Harriett and Linda Lipinsky, from Seabrook Island, have coordinated this effort for the past twelve years but have moved onto other projects. As a result, Mrs. Kulick and the Pete Trees will now coordinate this effort for Mt. Zion. Mrs. Kulick noted that a list of supplies would be listed on the list-serve and asked that the supplies be given to her by August 15, 2007. She further stated that if you could not buy the supplies but still wanted to contribute, that a check could be written to "Support Mt. Zion Kids," and it would go for the same purpose.

In addition, if anyone is interested in mentoring or tutoring a student from Mt. Zion Elementary School, it would be greatly appreciated. The students are so grateful for the time that is spent at the school by residents from Seabrook and Kiawah Island. She further noted that you do not have to be a teacher to participate in mentoring or tutoring and that it is very rewarding to help these children.

XIV. Council Members Comments:

Mr. Burnaford said that if you were unable to attend the event in Charleston for the firefighters, individuals could make contributions for the fallen Firefighters at any Bank of America.

Mr. Orban said that the Disaster Awareness Day was successful and a number of presenters participated during the event; however, he proposed that we host this event in conjunction with Seabrook Island next year, to ensure a larger turnout.

Mayor Wert noted that every year the Town sponsors the graduation ceremony for students from Mt. Zion Elementary in conjunction with the Resort.

XV. Executive Session-Legal-Contractual Matters

Mayor Wert moved to adjourn the regularly scheduled Town Council meeting at 2:45 PM; motion seconded by Mr. Burnaford. Motion carried unanimously.

Mayor Wert moved into executive session at 2:50 PM to discuss legal and contractual matters; motion seconded by Mr. Burnaford. Motion carried unanimously.

Mayor Wert noted that no decisions or actions were taken during executive session.

XVI. Adjournment

Mr. Lipuma moved to adjourn the meeting at 4:25 PM; motion seconded by Mr. Orban. Motion carried unanimously.

Submitted by Amber Simmons
Amber Simmons, Town Clerk

Approved: William G. Wert
William G. Wert, Mayor

Date: 8-7-07

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