

**TOWN OF KIAWAH ISLAND
TOWN COUNCIL MEETING
Via Live Streaming
August 4, 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
Stephanie Braswell Edgerton, Town Communications Manager
Jim Jordan, Town Biologist
Andrea Kozloski, CARTA Deputy Director of Operations & Support
Petra Reynolds, Town Clerk

II. Approval of Minutes:

A. Minutes of the Special Call Town Council Meeting of June 29, 2020

Councilmember Prickett made a motion to approve the minutes of the June 29, 2020 Special Call Town Council Meeting. Councilmember Connelly seconded the motion, and the minutes were unanimously approved.

B. Minutes of the Town Council Meeting of July 7, 2020

Councilmember Said made a motion to approve the minutes of the July 7, 2020 Town Council Meeting. Councilmember Prickett seconded the motion, and the minutes were unanimously approved.

III. Mayor's Update:

Mayor Weaver gave an update on several items; he commented that the island was very fortunate to have avoided any impact from the current storm event. He noted that there was no damage to the island from wind or any beach erosion from storm surge. Information from the monitoring equipment showed a max wind of only 37 miles per hour and just short of eight feet on the highest tide.

Mayor Weaver stated preparations made by Town staff as well as the other island entities in the days prior to the storm are the same no matter the type of storm. It is a coordinated effort. He thanked staff members, Ms. Tillerson and Ms. Braswell, for their continuous work in planning, creating communications, Mr. Gottshalk, for making last-minute preparations, and Mr. Spicher's post-storm assessment team.

Mayor gave an update on the discussion at the last Council meeting; he indicated in an effort to discourage the use of the rodenticides that are harmful to the island's bobcat population, the Town, working with the Conservancy, has taken on a campaign to build voluntary community-wide support for the elimination of the use on the island. He explained the campaign focuses on

educating property owners, as well as the island's major entities, businesses, and pest control companies on the concerns and asks for their voluntary pledge not to use the rodenticides.

Mayor Weaver stated that a response was expected in the coming days to the formal request made to the State Regulatory Agency for a one-year moratorium on the use of the chemicals. He thanked Mr. Steven Cole with Clemson University for his assistance along with the letter written by Senator Campsen on behalf of Kiawah supporting the moratorium.

Mayor Weaver stated that following the Sea Level Rise (SLR) discussion and adopting the adaptive management approach, the process of bringing together the focus groups has begun. Mr. Hernandez and Ms. Pumphrey are leading the larger supportive group on the initial effort to gather resident issues and concerns on SLR with the creation of a community-wide survey with Council having the opportunity to review the results by the November meeting.

Mayor Weaver indicated the Property Value Study being conducted by HR&A is ongoing and will hopefully be completed for presentation to the Council in the coming months.

Mayor Weaver expressed his appreciation to all the residents that volunteer their services to the Town. He noted a special thanks to the members of the Turtle Patrol who have had an extremely challenging season this year but, regardless, are always on the beach doing a tremendous job.

IV. Scheduled Citizen Comment – Chad Goerner

Mr. Goerner was scheduled to comment but was unable to attend the call.

V. Old Business:

A. To Consider Approval of Ordinance 2020-07 - An Ordinance to Amend Article 14, General Offenses, Chapter 8, Short-Term Rental Permit and Regulations – Second and Final Reading

Mayor Weaver stated Ordinance 2020-07 was discussed and approved on first reading at the July Town Council meeting.

Mayor Pro Tem Widuch made a motion to approve the second and final reading of Ordinance 2020-07 to amend the Short-Term Rental Ordinance 2019-08. Councilmember Connelly seconded the motion.

With no changes, comments, or discussion since the first reading, the motion was unanimously passed.

VI. New Business:

A. To Consider Approval of Resolution 2020-03 – Beach Management Plan

Mr. Jordan gave an overview of the Beach Management Act, which requires that all beachfront ocean communities prepare a local comprehensive management plan that must include a minimum of ten specific elements. He stated the plan, which is approved by the municipality, is submitted to DHEC-OCRM for review and state approval every ten years and must be reviewed every five years.

Mr. Jordan indicated that the Town's current plan was approved by DHEC-OCRM in 2012 and is still within the required ten year update period, so a majority of the changes presented updates existing information. The proposed update specifies a site plan review process as the mechanism by which the Town approves beach projects and a mapping of all structures along the beachfront based on the 2018 setback line.

Mr. Jordan stated the size of the plan is cumbersome to manage, so work is being done on developing a condensed version that details the Town's beach management policy and approach.

Councilmember Said made a motion to approve Resolution 2020-03- Beach Management Plan. The motion was seconded by Councilmember Prickett and was unanimously passed.

B. To Consider Approval of the Amendment of Emergency Ordinance 2020-03

Mayor Weaver stated the amendment of the emergency ordinance is intended to extend the requirements of the previous ordinance that placed restrictions on grocery store occupancy and family member limitations along with incorporating the recent orders from the Governor making the voluntary guidelines on in-store dining mandatory.

Mr. Wilson stated that the amendment of Emergency Ordinance 2020-03 includes the adoption of all Emergency Orders, including a reference to the Governor's recent Executive Order placing a number of mandatory restrictions on restaurants. He also noted the current amendments include language that will substitute criminal fines in place of civil fines and extend the expiration date to August 27, 2020. Additionally, the emergency ordinance will be amended to reduce the penalties from \$500.00 to \$100.00 and include the number, 2020-50, in reference to the Governor's recent Executive Order.

Councilmember Said made a motion to the amendment of Emergency Order 2020-03, as presented in Emergency Order 2020-03.1. Councilmember Connelly seconded the motion.

Councilmember Prickett made a motion to amend the motion to include proposed changes in the language to designate Governor McMaster's Executive Order as No. 2020-50 accurately and to reduce the penalties from \$500.00 to \$100.00. The motion was seconded by Councilmember Said as unanimously passed.

Following further discussion, the motion to approve the amended Emergency Order 2020-03.1 was unanimously passed.

C. To Consider Approval of the CARTA (Charleston Area Regional Transportation Authority) Proposed 2021 Fiscal Year Budget

Mayor Weaver stated that as a member and participant on the CARTA board, the Town, along with the other participating municipalities are asked to consider and approve the annual budget.

Ms. Tillerson indicated the CARTA Board approved the proposed budget for the 2021 Fiscal Year as presented to the Directors at the June CARTA meeting. Ms. Kozloski pointed out the additional expenditures incurred due to COVID19 requirements.

Councilmember Connelly made a motion to approve the CARTA proposed 2021 Fiscal Year Budget. The motion was seconded by Councilmember Said and was unanimously passed.

D. To Consider Approval of the Emergency Services Contract Amendment with Phillips and Jordan

Mayor Weaver stated the contract amendment with Phillips and Jordan was discussed and reviewed by the Ways and Means Committee and recommend to Town Council for approval. Mr. Gottshalk indicated the amendment is the first one-year extension to the existing five-year "as needed" contract. The contract is primarily for post-disaster debris removal along with secondary resources that include temporary shelter, climate-controlled bunks, marine vessels, and a temporary bridge if the need arises.

Councilmember Prickett made a motion to approve the Emergency Services Contract Amendment with Phillips and Jordan. The motion was seconded by Councilmember Connelly and was unanimously approved.

E. Discussion of State Accommodations Tax Promotion Funds

Mayor Weaver stated the discussion would introduce to members a concept as it relates to the use of State Accommodation Tax funds received by the Town for promoting tourism activities on the island and also to obtain feedback and direction from Councilmembers.

Mayor Pro Tem Widuch indicated that one of the Town's larger budget items is currently disbursed from State Accommodations Tax (SATAX) revenues. State law requires that 30% of SATAX revenues go to a nonprofit entity focused on promoting tourism to the area, and historically, the Town has paid those funds to the Charleston Visitors Bureau (CVB). He noted the entire 30% does not have to go to the CVB, so the question was raised if an organization within the Town could better utilize a portion of the funds. The organization would be set up with a board of directors, and a diverse membership would be responsible for the expenditure of the funds to more directly drive promotion to the island.

Ms. Braswell reviewed the Folly Beach restructuring model in which a Visitor Promotion Committee was established to serve as the nonprofit 501(c)(3). The 30% SATAX funding was channeled through the committee, and a board was established to oversee the committee and fund distribution. With the committee having control over marketing strategies and placement, the decision was made that spending would be divided into three parts. One third going to the CVB for the promotion of the Charleston Metro Area, one third allocated for Ad placement with CVB marketing services providing more control on advertisement and demographics placement, and one third for use to promote themselves providing control based on the committee's input.

Ms. Braswell indicated that while still exploratory, the structuring of a committee and board made a great deal of sense and was similar to the structure of the Town's Arts Council and Board. She observed it would be beneficial to comprise any future committee or group with individuals from island entities with marketing, communications, and public relations experience to develop a scope, evaluate different avenues to promote the island, and to ensure consistent branding for the community. She also noted a benefit in having a more targeted messaging for Kiawah as a community versus a beach community in the greater Charleston area.

Mayor Weaver pointed out the amount of money both the Resort and Kiawah Partners spend on the marketing of the Kiawah brand. He noted that while in the future, the Resort will continue its marketing efforts, the amount of money that is spent by the Partners will subside. This opportunity allows the community to begin using the dollars generated to sell the Kiawah brand and to promote the lifestyle of Kiawah Island.

Councilmember engaged in an in-depth discussion of the restructuring concept, including if there are justification and benefit in taking the next step and if Councilmembers would want to explore a more specific outline.

Councilmembers agreed to support the use of staff time over the next months to take the next step to assemble the information on what would be involved in implementing the restructuring concept. Mayor Weaver stressed that in no way was it the Town's intent to consider stopping or eliminating a considerable portion of the current contribution to the CVB but the beginning of creating an alternative for some portion of those funds.

F. To Consider Approval of **Ordinance 2020-08** - An Ordinance to Amend Town Council Term Limit from 2-year term to 4-year term

Mayor Weaver stated that currently on Kiawah, the terms for both Mayor and Councilmembers are two years. Two-year terms are not consistent within other municipalities who have staggered four-year terms in which every two years, two councilmembers or the Mayor and two councilmembers come up for re-election. He indicated that in the past, there had been discussion on if the current terms were the most effective approach when trying to achieve stability and consistency in thought and direction with the potential of having all the councilmembers change every two years.

Councilmember Prickett stated that the issue surrounding identifying qualified candidates to serve as Mayor, Councilmembers, and Committee Members were identified as one of the long-term risks the Town faces. He indicated that a small percentage of the Town's population are residents and eligible for election to Council. He pointed out that with two-year terms, there is the potential of Mayor and Council turning over disrupting continuity and that a strategy or solution to an issue may take longer than two years to execute or implement.

Councilmember Prickett endorsed moving to staggered four-year terms to begin addressing the issue strategically. He also proposed exploring the option of the Mayor serving a two-year term to provide an election every two years where the Mayor and two Councilmember are being elected.

Councilmembers discussed the recommendation to consider and potentially approve the ordinance on first reading, recognizing that changes could be made before the required second reading. The time would allow the opportunity to receive feedback and to evaluate any impact on the upcoming election. Also discussed was the legality of the Mayor having a different term, and the options available in setting up the election to transition to staggered terms.

Councilmember Prickett made a motion to approve the first reading of Ordinance 2020-08 to Amend Town Council Term Limit from a 2-year term to a 4-year term. The motion was seconded by Councilmember Connelly and was unanimously passed.

VII. **Town Administrator's Report:**

Mr. Gottschalk gave an update on the Parkway project by stating that work on the permanent pavement markings has begun along with the handwork or installation of turn arrows, diagonals, and the word "stop" at every intersection on the bike path along the Parkway. He indicated that the installation of the pavement markings signifies the project is near completion except for a couple of areas that still need some final touches.

Ms. Tillerson gave an update on the Parkway Landscaping project by stating that the contract with the landscaper, Artigues, had been received and sent to the attorney for review. Based on the schedule work, they are projected to start the week of September 28th, ending by December 23rd. She noted that while Artigues was waiting for the completion of the repaving, work was going on in the background where their greenery supplier began work on growing the plants required in the landscape plan.

Ms. Tillerson stated that the Town is working with Haulover Creek, the Resort's parent company, to obtain right-of-way behind the new bike path. In the MOU (Memorandum Of Understanding), there is an agreement that if the Town desired, it could get right-of-way.. The recommendation is for a 20-foot easement that, without ownership, will allow the Town the right to landscape, or to relocate the bike path or do utility in the future. Work is now being done on the survey with the completed deed coming to Council for approval.

VIII. Council Member:

- a. Committee Updates
- b. General Comments

Councilmember Connelly indicated bicycle safety as a very challenging issue on Kiawah. To raise awareness of safe riding practices, more striping and stop signs are being added to all the intersections on the bike path between Beachwalker Drive and Freshfields. Additionally, the Sheriff's Department is instituting a bike patrol. The trial program will involve training of two of the existing deputies and is being done due to the increased bike traffic and a general disregard for safe bike behavior. The patrol will allow greater visibility of the deputies.

Mayor Pro Tem Widuch provided an update on the work being by HR&A over the past five months. He indicated that virtual meetings have been taking place in two-week intervals with a core group consisting of representatives from the Community Association, Kiawah Partners, the Resort, and Town staff. Each of the entities was instrumental in HR&A collecting a voluminous amount of data to analyze and translate into recommendations and action items. A meeting with the core group is planned in approximately two weeks in which HR&A will share their preliminary findings on the Kiawah Housing Market. Following any feedback from the core group, Town Council will hold a special call meeting on August 25th to hear a presentation of the study from HR&A along with the possibility of having a virtual Town Hall meeting for presentation to the public for their feedback. The final report would be presented at the September 1st Town Council meeting for consideration and adoption.

Councilmember Prickett thanked the Town for the use of Municipal Center and staff to provide a venue for the Kiawah Arts Guild event. The Guild's third summer art show was well attended by locals residents along with many that were visitors to the island, allowing the artists successful art sales.

IX. Executive Session:

None

X. Adjournment:

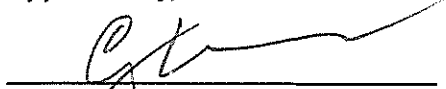
Councilmember Prickett motioned to adjourn the meeting at 4:02 pm. The motion was seconded by Councilmember Connelly and carried unanimously.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor

9-2-2020
Date