

**TOWN OF KIAWAH ISLAND
TOWN COUNCIL MEETING
Municipal Center Council Chambers
June 15, 2020, 10:00 AM**

Special Call Meeting

Minutes

I. Call to Order: Mayor Weaver called the meeting to order at 10:00 am.

Present at the meeting: Craig Weaver, Mayor
Chris Widuch, Mayor Pro Tem
Maryanne Connelly, Councilmember
Dan Prickett, Councilmember

Absent: Klaus Said, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
Joe Wilson, Town Attorney
Stephanie Braswell Edgerton, Town Communications Manager
Petra Reynolds, Town Clerk

II. New Business:

A. To Consider Approval of *Ordinance 2020-03* – An Emergency Ordinance of the Town Council of the Town of Kiawah Island Regarding Restrictions on Essential Businesses That Serve Prepared Food

Mayor Weaver began the discussion on the draft ordinance by stating that over the past months, the Town's Emergency Ordinances, for the most part, were requirements to either support or to build on what the Governor put in place. Any additional actions taken were considered important to Kiawah but still supported by or not inconsistent with anything the Governor ordered.

The Governor is now in the process of rescinding the thirty to thirty-five COVID related orders, including recently removing the capacity limitation restrictions on non-essential businesses (retail stores). These actions have confused local businesses and citizens who are now questioning what restrictions would still be in place for the holiday if the Town let the current ordinance elapse on July 5. It was decided that reconciling the Town's Emergency Ordinances with what has been rescinded will give better clarity.

Mayor Waver stated that Section One of the draft ordinance basically removes all restrictions put in place the 2020-01 and 2020-02 Ordinances unless they continue to be valid under a Governor's order. He noted that it would eliminate the restriction on groups exceeding ten unrelated people along with occupancy constraints for non-essential retail stores.

Mr. Wilson pointed out that the Governor's Executive Order 2020-21, Section 1(i) had not been rescinded, was still in effect, and mandated occupancy constraints, social distancing practices, and

sanitation requirements for essential business. He defined non-essential businesses as those that had to close and were allowed to reopen under voluntary guidelines. Essential businesses were defined as those that did not shut down like grocery stores, pharmacies, banks, and gas stations that are still subject to the mandatory restrictions.

Councilmembers engaged in an in-depth discussion of the grocery store in Freshfields as an area of great concern and, as an essential business, must comply with the occupancy constraints, social distancing practices, and sanitation requirements as ordered in the draft ordinance. Also was discussed was enforceability, voluntary compliance by essential businesses, and that the limited ability to use discretion when shopping for groceries on the island requires the Town to keep an extraordinary measure in place for public safety.

In the discussion of the elimination of the restriction on groups unrelated people in excess of 10, Mayor Weaver stated that the opening of restaurants and businesses in no way is limiting things to ten people, the restriction would be inconsistent, and unable to enforce. Councilmembers agreed with Mayor Weaver.

Mayor Weaver began a discussion of the requests that the Town considers putting in place an order mandating masks. He noted that while the effectiveness of masks is debated and does appear effective in reducing the contagion, the Governor has made it clear that he has no intent to require masks. Mayor Weaver indicated that a mask requirement was not included in the draft ordinance because it would not have emanated from a Governor's order, the Governor has explicitly told businesses to operate based on the guidelines for that business, and there has been no basis found for the Town to require masks.

Councilmember Connelly stated she felt wearing a mask is a personal responsibility noting that many stores require patrons to wear masks. Kiawah has been very fortunate because residents have taken personal responsibility and followed recommendations, but still reminders to stay vigilant with the influx of vacationers. She asked that Town messaging to the public continue to reinforce social distancing and sanitation practices.

Councilmember Prickett stated that like a lot of people, he thought by June or July, the virus would have been at the tail end, but clearly, it is nowhere near that. He stated that the ordinance presented makes great sense and encouraged the mayor to communicate the ordinance to the public and citizens, along with guidelines on wearing masks when appropriate.

Mayor Weaver stated the ordinance was somewhat confusing to some because of the wording "That Serve Prepared Food," which can be interpreted as meaning restaurants. He suggested that those words be removed from the title of motion.

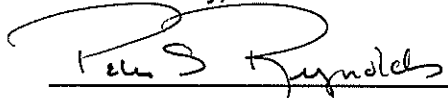
Mayor Pro Tem Widuch made a motion to approve Ordinance 2020-03 – An Emergency Ordinance of the Town Council of the Town of Kiawah Island Regarding Restrictions on Essential Businesses. The motion was seconded by Councilmember Connelly.

Following an additional comment, the motion unanimously passed.

III. Adjournment:

Councilmember Prickett motioned to adjourn the meeting at 11:00 am. The motion was seconded by Councilmember Connelly and carried unanimously.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor

7.9.2020

Date