

Regular Town Council Meeting

Theodore D. Washington Municipal Building, Henry “Emmett” McCracken Jr. Council Chambers, 20
Bridge Street, Bluffton, SC

April 09, 2024

I. CALL TO ORDER

Mayor Toomer called the meeting to order at 5:00 PM.

PRESENT

Mayor Larry Toomer

Mayor Pro-Tempore Dan Wood

Councilmember Fred Hamilton

Councilmember Brigitte Frazier

Councilmember Emily Burden

II. PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance and Invocation were led by Mayor Pro-Tempore Wood.

III. ADOPTION OF THE AGENDA

Motion made by Councilmember Frazier, Seconded by Mayor Pro-Tempore Wood to adopt the agenda as presented.

IV. ADOPTION OF THE MINUTES

A motion made by Councilmember Hamilton, Seconded by Councilmember Frazier to approve the Regular Meeting Minutes of 03/12/2024 as submitted.

V. PRESENTATIONS, CELEBRATIONS, AND RECOGNITIONS

1. Beaufort County School District Character Student of the Month - Mayor Larry Toomer

Mayor Larry Toomer, on behalf of Town Council, honored Avery DeHaan from Red Cedar Elementary for the character trait of honesty and integrity.

2. Fair Housing Month Proclamation – Mayor Larry Toomer

Mayor Toomer, on behalf of Town Council, presented this proclamation to Kevin Icard, Director of Growth Management.

3. Arbor Day Proclamation - Mayor Larry Toomer

Mayor Toomer, on behalf of Town Council, presented this proclamation to members of the Town’s Beautification Committee.

4. Child Abuse Prevention and Awareness Month Proclamation - Mayor Larry Toomer

Mayor Toomer, on behalf of Town Council, presented this proclamation to Charmian Hedrick (CAPA) & Sally McAlister (Hopeful Horizons)

5. 2024 SC Chef Ambassador Leslie Rohland - Mayor Larry Toomer

Mayor Toomer, on behalf of Town Council, presented this proclamation to Leslie Rohland, owner of The Cottage and other food businesses, honoring her as one of three 2024 "SC Chef Ambassadors" for the state.

6. Don Ryan Center for Innovation Update - David Nelems, CEO

David Nelems, Chief Executive Officer of The Don Ryan Center for Innovation, presented Town Council with a department update. The Don Ryan Center is the Town's economic development department.

7. Destination Marketing Organization Annual Marketing Plan, Report of Progress and Actions - Ariana Pernice, Vice-President Visitor & Convention Bureau, Hilton Head Island-Bluffton Chamber of Commerce

Destination Marketing Organization Annual Marketing Plan, Report of Progress and Actions by Hilton Head Island-Bluffton Chamber of Commerce was postponed until a later date.

VI. PUBLIC COMMENT

Sharon Brown - 163 Buck Island Road - Ms. Brown spoke of the legal matter regarding Councilmember Frazier and of racial injustices within the community.

Shauntel Richardson - 7 Albert Green Ln - Ms. Richardson recommended changing the time of the Town Council meeting. She also inquired about the engineering plans and permits filed through the Town for existing projects.

VII. COMMUNICATIONS FROM MAYOR AND COUNCIL

Councilmember Burden stated she has had a great first month serving on Council. She expressed gratitude to everyone that has supported and helped her thus far.

Councilmember Hamilton stated there is an open-door policy for Council and Town staff. He advised should there be an issue to discuss, the first point of contact is Town Manager, Mr. Steese. If someone is not satisfied with communications, contact Councilmember Hamilton and he will reach out to address the concern for resolution.

Councilmember Wood spoke regarding the recent upgrade of DuBois Park and advised a job well done.

VIII. WORKSHOP AGENDA ITEMS

No Workshop Agenda Items

IX. PUBLIC HEARING & FINAL READING

1. Consideration of an Ordinance for Certain Amendments to the Town of Bluffton Code of Ordinances Chapter 23 – Unified Development Ordinance, Including Amendments to Article 3 – Application Process, Sec. 3.13 (Development Surety and Stormwater Surety), Sec. 3.14 (Certificate of Construction Compliance), Sec. 3.18 (Certificate of Appropriateness-Historic District), Sec. 3.19 (Site Feature-Historic District Permit); and, Sec. 3.25 (Designation of Contributing Resources); Article 4 – Zoning Districts, Table 4.3 (Uses by District); Article 5 – Design Standards, Sec. 5.10 (Stormwater); 5.11 (Parking); and, Sec. 5.15 (Old Town Bluffton

Historic District); and, Article 9 – Definitions and Interpretations, Sec. 9.2 (Defined Terms) – Public Hearing and Final Reading – Kevin Icard, Director of Growth Management

Motion made by Mayor Pro-Tempore Wood, Seconded by Councilmember Frazier to approve Certain Amendments to the Town of Bluffton Code of Ordinances Chapter 23 – Unified Development Ordinance as submitted.

Town Council unanimously approved the Second and Final Reading of this ordinance.

X. FORMAL AGENDA ITEMS

1. Consideration of an Ordinance to Amend Chapter 26 – Traffic and Motor Vehicles, Article VII. Towing and Wrecker Services to Provide Clarifications and Updates to the Maximum Fees – Second and Final Reading – Chief Joe Babkiewicz, Bluffton Police Department

Motion made by Hamilton, Seconded by Mayor Pro-Tempore Wood to approve the amendments to the Town of Bluffton Code of Ordinances, Chapter 26 – Traffic and Motor Vehicles, Article VII – Towing and Wrecker Services with the following changes having been made from the First Reading:

Removal of Section 26-173.G Personnel and Operations – the requirement for adequate background checks on drivers has been removed from the Ordinance.

Section 26-174.B. Holding and Releasing of Vehicles states, “Towing Companies must accept forms of payment other than cash at the point of transaction.” Tow companies must accept alternate forms of payment, including cash at the point of transaction.

Update Section 26-177.A. Schedule of Fees for Rotation List Services to lower Law Enforcement Requested Tows Exceeding One Hour from \$200 to \$150; and, lower Tows Exceeding one hour from \$60 to \$50 per half hour.

In a 4 to 1 vote, Town Council approved the Second and Final Reading of this Ordinance after reducing some of the fees. Voting Yea: Mayor Pro-Tempore Wood, Councilmember Frazier, Councilmember Hamilton, and Councilmember Burden. Voting Nay: Mayor Toomer

2. Consideration of an Ordinance to Approve an Amendment to the Town of Bluffton Zoning Map to Rezone Certain Real Property Owned by Cornerstone Church of Bluffton and Lalie Ann Mole Consisting of Approximately 43.31 Acres, More or Less, Located at 11 Grassey Lane and 21 Lake Lane and identified as Beaufort County Tax Map Nos. R610 036 000 0014 0000 and R610 036 000 014B 0000 from PUD Zoning to a mix of Agricultural Zoning and Rural Mixed Use Zoning - First Reading - Kevin Icard, Director of Growth Management

Motion made by Mayor Pro-Tempore Wood, Seconded by Councilmember Hamilton to approve the amendment to the Town of Bluffton Zoning Map to rezone certain real property owned by Cornerstone Church of Bluffton and Lalie Ann Mole, located at 11 Grassey Lane and 21 Lake Lane from PUD Zoning to a mix of Agricultural Zoning and Rural Mixed Use Zoning as presented in the First Reading.

Town Council unanimously approved the First Reading of this Ordinance.

3. Consideration of an Ordinance to Amend Certain Sections of the Town of Bluffton’s Municipal Code of Ordinances, Chapter 23, Unified Development Ordinance, Article 5 – Design Standards, Sec. 5.4 (Wetlands) and Sec. 5.10 (Stormwater); and, Article 9 – Definitions and

Interpretations, Sec. 9.2 (Defined Terms). First Reading - Kevin Icard, Director of Growth Management

Motion made by Mayor Pro-Tempore Wood, Seconded by Councilmember Frazier to approve the amendments to the Town of Bluffton Code of Ordinances Chapter 23 – Unified Development Ordinance, including Article 5 – Design Standards, Sec. 5.4 (Wetlands) and Sec. 5.10 (Stormwater); and Article 9 – Definitions and Interpretation, Sec. 9.2 (Defined Terms) as recommended by the Planning Commission with staff revisions.

Town Council unanimously approved the First Reading of this Ordinance.

4. Approval to Authorize a Task Authorization to J. Bragg Consulting, Inc. for Engineering Services related to the Comprehensive Drainage Plan Improvements Project (Fiscal Impact: \$231,107.04) - Kimberly Washok-Jones, Director of Projects and Watershed Resilience

A motion made by Mayor Pro-Tempore Wood, Seconded by Councilmember Hamilton to approve a Task Authorization to J. Bragg Consulting, Inc. for Engineering Services related to the Comprehensive Drainage Plan Improvements Project as presented.

Town Council unanimously approved the authorization of this contract.

5. Approval to Authorize a Contract Amendment with DH Abney for Site Development Construction of the New River Linear Trail Parking Lot Amenities Project (Fiscal Impact: \$129,338) - Kimberly Washok-Jones, Director of Projects and Watershed Resilience

A motion made by Councilmember Burden, Seconded by Mayor Toomer to approve a Contract Amendment with DH Abney for Site Development Construction of the New River Linear Trail Parking Lot Amenities Project as presented.

Town Council unanimously approved this contract amendment.

6. Consideration of a Proposed Lighting Agreement with Dominion Energy for the Wharf Street Lighting Project (Fiscal Impact: \$153,648.58 over a 10-year term) - Kimberly Washok-Jones, Director of Projects and Watershed Resilience

A motion made by Councilmember Hamilton, Seconded by Councilmember Frazier to approve the Proposed Lighting Agreement with Dominion Energy for the Wharf Street Lighting Project as presented.

Town Council unanimously approved this agreement.

XI. CONSENT AGENDA ITEMS

Motion made by Councilmember Hamilton, Seconded by Councilmember Frazier to approve the Consent Agenda Items as presented.

Town Council unanimously approved this motion.

1. Monthly Department Reports: Police, Finance and Administration, Human Resources, Municipal Court, Projects & Watershed Resilience, Public Services, Don Ryan Center for Innovation, and Growth Management
2. Town Manager Monthly Report

3. Consideration of a Resolution to Affirm the Continued Dedication of the Town of Bluffton to Fair Housing Principles and Regulations Established by the State of South Carolina and the United States Federal Government – Kevin Icard, Director of Growth Management
4. Consideration of a Resolution Approving the Town of Bluffton Assessment District Roll for Tax Year 2024 - Heather Colin, Assistant Town Manager
5. Consideration of a Resolution to Accept the Buckwalter Access Management Plan for Phase 2, Lake Point Drive to Barton's Run Crossing - Heather Colin, Assistant Town Manager
6. Consideration of a Proposed Lighting Agreement with Dominion Energy for the Boundary Street Lighting Project (Fiscal Impact: \$26,425.36 over a 10-year term) - Kimberly Washok-Jones, Director of Projects and Watershed Resilience
7. Approval to Authorize a Lighting Agreement with Dominion Energy for the New Riverside Village Park Project (Fiscal Impact: \$65,664.69 over a 10-year term) - Kimberly Washok-Jones, Director of Project and Watershed Resilience
8. Consideration of Planning Commission Recommendations for Fiscal Year 2025 Capital Improvement Program Projects Project Prioritization - Kimberly Washok-Jones, Director of Projects and Watershed Resilience

XII. EXECUTIVE SESSION

1. Discussions Relating to Arrangements for Proposed Land Acquisition in the Area of the Historic District and Buckwalter PUD (Pursuant to SC Freedom of Information Act 30-4-70 [a] [2])

XIII. ACTION FROM EXECUTIVE SESSION

Town Council took no votes nor action after Executive Session.

XV. ADJOURNMENT

Motion made by Mayor Pro-Tempore Wood, Seconded by Councilmember Hamilton to adjourn at 7:37PM.

Larry C. Toomer, Mayor

Town of Bluffton, South Carolina

Marcia Hunter, Town Clerk

Town of Bluffton, South Carolina