BLUFFTON TOWN COUNCIL MEETING MINUTES
JANUARY 12, 2010

Mayor Sulka called the meeting to order at 6:00 p.m. Council members present were Brown, Hamilton, Mitchell and Raymond. Town Manager Barrett, Assistant Town Managers Freeman, Fletcher and Orlando and Town Attorney Finger were also in attendance.

Pledge to the Flag and invocation was given.

Swearing in of Oliver Brown and Michael Raymond for Town Council:
Town of Bluffton Associate Judge Fletcher Johnson swore in Oliver Brown and Michael Raymond.

Adoption of Agenda:
Brown moved to add to the agenda items as follows: 1) Town of Bluffton's Affordable Housing Sub-committee as no. 9.c; and 2) Appointment of Mayor Pro Tempore as no. 9.d. Raymond seconded. The motion carried unanimously.

Adoption of Minutes:
Mitchell moved to adopt the minutes of December 15, 2009 as presented. Brown seconded. The motion carried unanimously.

Public Comments:
Richard Smith, Shults Street, who resides behind Pepper's Porch, stated the excessive noise from Pepper's Porch after 10:00 p.m. is still occurring. He also stated that after he calls the police, the noise is lowered before the officers arrive and then it goes back up after they leave. Chief McAllister stated he would follow up on a better method of dispatching an officer.
Norman Thomas, 9 Traymore Place, stated his concerns on the increase of election filing fees for Council seats from $10 to $100.
Shere Colburn, Boundary Street, said ditto on Richard Smith's comments. She stated the HPC denied the affordable housing proposals due to 19 violations on building codes. She also stated that applicants deserve better.

Communications from Mayor and Council:

a. Mayor Sulka said "Happy New Year" to everyone and that Council has a lot of goals to be worked on in 2010. She welcomed Councilman Raymond. She also welcomed the Youth in Government class.
b. Hamilton stated how important it is to participate in the 2010 Census. Representation as well as state/federal monies received are based on population.

Presentations and Recognitions:

a. Martin Luther King, Jr. Proclamation –
Mayor Sulka read the Martin Luther King, Jr. Proclamation, which was accepted by Reverend Gwen Green.

b. Bluffton Township Fire District Commissioner Appointment – **Hamilton moved to appoint Raymond as the Town's representative on the Bluffton Township Fire District Board. Mitchell seconded. The vote was four in favor. Raymond abstained.**

c. Town of Bluffton's Affordable Housing Sub-Committee – White stated this committee will assist in the establishment of the affordable housing criteria for Town sponsored affordable housing development, projects, potential land acquisitions, defining the Town's affordable housing goals, guidelines, policies and funding mechanisms for future endeavors. **Brown moved to reestablish the Affordable Housing Sub-Committee as follows: 1) Mayor Lisa Sulka; 2) Mayor Pro Tempore Fred Hamilton; 3) Pat Wirth, Director, Habitat for Humanity; 4) Jenny Haney, Bluffton Self Help; 5) Charlie Wetmore, Citizen; 5) Dee Anderson, Citizen; and 6) Thomas Viljac, Citizen. Mitchell seconded. The motion carried unanimously.** Rhodes gave an overview of the Historical Preservation Committee's decisions on the proposed affordable housing plans. Staff is in the process of redesigning those plans.

d. Mayor Pro Tempore Appointment:
Raymond moved to reappoint Hamilton as the Mayor Pro Tempore. Mitchell seconded. Vote was four in favor. Hamilton abstained.

Public Hearing:

Mayor Sulka opened the public hearing at 6:15 p.m.

a. Amendment to the Unified Ordinance of the Town of Bluffton, Article 8, Stormwater – McNesby was available for questions and comments.
Public Comment – Reed Armstrong, Coastal Conservation League, commended Council for the proposed adoption of the amendment and their cooperation with Beaufort County. He also stated the Community Design needs to be implemented.

b. Amendment to the Unified Ordinance of the Town of Bluffton, Article 5, Development Standards, Section 5.1.4, Infrastructure and Services – Hodge was available for questions and comments. There were no comments.

Public hearing closed at 6:18 p.m.

Staff Reports:

a. Police – Chief McAllister stated his department will hold two job fairs at the Bluffton High School in February. He was available for questions and comments.
c. Finance/Administration – Freeman presented Council the Comprehensive Annual Financial Report (CAFR) for FY June 30, 2009. She was available for questions and comments.
d. Engineering – Fletcher discussed the Buck Island Sewer Project easements. He also stated there was no change on the Verdier Cove update due to the holidays and weather.
e. Growth Management – Orlando gave an overview of the May River Watershed Action Plan; the May River Waterbody Management Plan Implementation Committee and Water Quality Technical Advisory Committee; and update on the Affordable Housing Program.
f. Human Resources – Hershey was available for questions and comments.

Special Events Ordinance:

Malone gave an overview of the proposed ordinance. She stated the number of events, size and complexity continues to increase. Several areas for improvement have been identified as follows: 1) Clearer and consistent application submittal and processing; 2) Streamlined and consistent coordination and approval by multiple approval entities; 3) Improved participant and sponsor safety; and 4) Clear framework allowing Law Enforcement to correct unsecured or unsafe situations. She requested Council to review to enable Staff to finalize the ordinance.

Amendment to the Town of Bluffton Unified Ordinance, Article 8, Stormwater – Final Reading:

McNesby gave an overview of the major changes to the Unified Ordinance Article 8, Stormwater Design Requirements, Water Quality and Irrigation Systems. **Mitchell moved to have final reading to adopt the Amendment to the Town of Bluffton Unified Ordinance, Article 8, Stormwater. Brown seconded. The motion carried unanimously.**

Amendment to the Town of Bluffton Unified Ordinance, Article 5, Development Standards, Section 5.1.4, Infrastructure and Services – Final Reading:
Hodge stated the amendment would require developments that utilize electronic vehicular access gates to install codeless electronic entry systems as approved by the Fire Chief or his designee for use for emergency services. **Brown moved to have final reading to adopt the Town of Bluffton Unified Ordinance, Article 5, Development Standards, Section 5.1.4, Infrastructure and Services Amendment. Raymond seconded. The motion carried unanimously.**

FY 2010 Budget Amendment- First Reading:
Freeman stated the general Fund has been increased to incorporate grant awards after original budget adoption. The Planning and Environmental Sustainability's budget was increased by $525,000 for NSP grant expenditures planned for FY 2010. The Police Department's budget was increased $18,540 for the two personal mobility devices purchased with the Department of Justice's grant award for community policing. Revenues were adjusted and reappropriated accordingly. The Capital Improvements Program Fund has been reduced to more accurately reflect expenditures for this fiscal year due to project delays and deferrals. **Raymond moved to have first reading for the FY 2010 Amended Budget. Mitchell seconded. The motion carried unanimously.**

Amendment to the Town of Bluffton Unified Ordinance, Article 4 and Article 9, to Address Adult Oriented Uses – First Reading:
Rhodes stated Staff is seeking approval of a stricter amendment to the Unified Ordinance which will regulate the location and use, as well as provide a definition, of Adult Oriented Businesses in the Town of Bluffton. **Mitchell moved to have first reading for the Amendment of the Unified Ordinance that addresses the Adult Oriented Businesses and to evoke the Pending Doctrine Ordinance. Hamilton seconded. The motion carried unanimously.**

Adoption of the 2010 Town Council Meeting Schedule:
Brown moved to adopt the 2010 Meeting Schedule as presented. Mitchell seconded. The motion carried unanimously.

Public Comments:
Sharon Brown, 167 Buck Island Road, stated she would like to serve on the Affordable Housing Committee. She stated her continued concerns on the Wellstone Phase III being abandoned and not being secured and safe. She also stated the Brown's resident on Buck Island Road still has construction materials in his front yard. Hodge stated Staff is proposing an ordinance that would enable the Town to proceed with condemnation. He also stated that any cost of securing the building(s) would be billed to the owner for reimbursement. Chief McAllister stated he would increase patrols in the Wellstone Phase III area and also talk to Mr. Brown concerning the complaint.

Town Manager's Report:
Barrett discussed the Town Council's Leadership and Strategic Planning Retreat being held on January 22nd and 23rd for the purpose of setting goals, visions, missions and five-year plans for the Town of Bluffton. A citizen forum will be held on February 27th. He welcomed the Youth in Government class. He told them that Town Council deals with these types of issues every meeting. He stated for them to become informed about their local government for you are the leaders of tomorrow.

Executive Session:
a. Contractual Matters Concerning the Law Enforcement Center and Building & Grounds Facility.

Mitchell moved for Council to go into executive session to discuss the above mentioned item. Hamilton seconded. The motion carried unanimously. Council entered into executive session at 7:35 p.m.

Action from the Result of Executive Session:
Mayor Sulka called the meeting back to order at 8:43 p.m. and announced that no votes were taken.
Brown moved to authorize the Town Manager to negotiate and execute a contract with Arnold Building Systems, Inc. for design/build services for the new Building & Grounds facility. Hamilton seconded. The motion carried unanimously (continued on next page).

Action from the Result of Executive Session – Continued:
Raymond moved that the Law Enforcement Center should be allowed to proceed to the construction phase with the following three actions: 1) Approve the $6.3 million cost for the Law Enforcement Center; 2) Authorize the Town Manager, ATM-Finance, or designee to issue up to $6.5 million in General Obligation Bonds; and 3) Authorize the Town Manager, ATM- Engineering, or designee to negotiate and execute an amendment to the existing design-build contract with Choate Construction in which the construction phase is authorized within the stated budgetary parameters. Mitchell seconded. The vote was four in favor. Hamilton opposed.

Meeting adjourned at 8:46 p.m.

Lisa Sulk
Mayor

Sandra Lunsford
Town Clerk