

BLUFFTON TOWN COUNCIL MEETING MINUTES  
SEPTEMBER 13, 2016

Mayor Lisa Sulka called the meeting to order at 6:00 p.m. Council members present were Mayor Pro Tempore Larry Toomer, Fred Hamilton, Harry Lutz and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Director of Finance Shirley Freeman, Director of Growth Management Heather Colin, Director of Engineering, Brian McIlwee, Police Chief Joey Reynolds, Major/Deputy Chief Joseph Manning, and Town Attorney Terry Finger were also in attendance.

Pledge of Allegiance and Invocation was given by Councilman Hamilton.

Adoption of Agenda:

**Wood moved to adopt the agenda as presented. Lutz seconded. The motion carried unanimously.**

Adoption of Minutes:

- a. Minutes of Regular Town Council Meeting of August 9, 2016:  
**Toomer moved to adopt the minutes of August 9, 2016 as presented. Hamilton seconded. The motion carried unanimously.**

Presentations, Celebrations and Recognitions:

Presentation of the Municipal Association (MASC) of South Carolina Municipal Achievement Award for the Town of Bluffton Old Town Master Plan; Eric Budds, MASC Deputy Director, gave an overview of the award that the Town of Bluffton received and presented Mayor and Council with an award and plaque.

**Mayor Sulka** read/acknowledged the following Proclamations:

- Beaufort Jasper Water and Sewer Association "Live Without Water Campaign" Proclamation, which was accepted by Ed Saxon, General Manager of Beaufort Jasper Water and Sewer Association and Michael Bell, Vice Chair and Bluffton Representative for the Beaufort Jasper Water Sewer Association Board of Directors;
- Boys and Girls Club of the Lowcountry "Day For Kids" Proclamation;
- Daughters of the American Revolution's Constitution Week Proclamation, which was accepted by representatives of the Bluffton Emily Geiger Chapter;
- Bluffton Rotary's "Walk for Water" Proclamation, which was accepted by Michael Putich, Bluffton Rotary Club President;

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Presentations, Celebrations and Recognitions- Continued:

- Bluffton Bulls 2016 Amateur Athletic Union (AAU) 9<sup>th</sup> Grade Boys Basketball Team Recognition for Winning the State Championship:  
The team began competing in tournaments across the state in late March and finished their season competing in the National Championship in Myrtle Beach in July. During the season, the 9<sup>TH</sup> Grade Bulls were able to win two different state championships. In July the Bluffton Bulls went to Myrtle Beach to represent the area on the National Level. The following players along with Coach Joe Babkiewicz were recognized:
  - Deshawn Martin- Bluffton
  - Desmond Gillard- Beaufort
  - Ramell Rivers- Bluffton
  - Davis Malloy- Hilton Head
  - Traeshawn Heyward- Beaufort
  - Christopher "CJ" Brown- Beaufort
  - Andrew Babkiewicz- Bluffton
  - Myles Middleton- Beaufort
  - Clayton "CJ" Chewning- Bluffton
  - Brandon Smalls- Beaufort
  - Chris Pinto-Beaufort

Introduction of New Employees:

- Zana Jones- Police Crossing Guard
- Adam Deyo- Police Officer
- Vanessa McQueen- Police Officer
- Adam Nass- Police Officer
- Charity Prosser- Police Officer
- Brian McIlwee- Director of Engineering
- Constance Clarkson- Capital Projects Administrator
- Juli Leister – Business License Coordinator

The following transfers were announced:

- Rocio Rexrode transferred from the Department of Growth Management as the Growth Management Coordinator to the Department of Engineering as the Engineering Coordinator;
- Marcia Hunter transferred in the Department of Growth Management as a Customer Service Representative to the Growth Management Coordinator;  
(Continued)

- Terrie Green transferred from the Department of Growth Management as a Customer Service Representative to the Finance Department as the Finance Administrative Assistant.

Public Hearing and Final Reading:

- a. Consideration of an Ordinance Approving an Agreement to the Master Plan for Property Located on Simmonsville Road North of Fuller Court Consisting of Approximately 1.9 Acres:  
Mayor opened Public Hearing at 6:40 p.m.  
Comments: There were none.  
Public Hearing closed at 6:40 p.m.

Kevin Icard, Planning & Community Development Manager gave an overview. The Planning Commission recommended that Town Council approve Second Reading of an Ordinance approving an Amendment to the Master Plan for the property located on Simmonsville Road north of Fuller Court consisting of 1.9 acres.

The Town Council approved the first reading on February 9<sup>th</sup>, 2016 with the following four conditions that needed to be addressed prior to the second reading:

1. Planning Commission's recommendation
2. Conduct a traffic count analysis
3. Notification of Fuller Court's adjacent property owners
4. Privacy fence

All conditions were met.

On October 26, 2015, Land Asset Holdings, LLC submitted an application for an Amendment of the Master Plan for a 1.9-acre tract (PIN R610-031-000-0250-0000) located on Simmonsville Road (the "Property"). This Property is part of the Rose Hill Planned Unit Development (PUD). The purpose of the Application is to change the designated use from Multi-family residential (16 du/acre) to limited commercial uses including self-storage facilities with outdoor storage for vehicles, recreational vehicles and boats, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop, with site specific buffer and setback requirements for the property. These uses are currently allowed within the Rose Hill PUD.

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Consideration of an Ordinance Approving an Agreement to the Master Plan for Property Located on Simmonsville Road North of Fuller Court Consisting of Approximately 1.9 Acres – Continued:

The Property is a currently undeveloped triangular shaped lot and is bounded on the west by Simmonsville Road, on the north by a Santee Cooper Power line Right-of-Way, on the southeast by Bluffton Park Business Park (Bluffton Self Storage - Lot 4), and on the southwest by New Hope Village Residential Subdivision. Lot 4 is owned by Bluffton Self Storage, LLC and is currently developed as a self-storage facility. Bluffton Self Storage, LLC has a contract with the Applicant to purchase the property contingent upon the approval of this Application. If approved, Bluffton Self Storage will connect the two properties via an internal access road and utilize the subject property for outdoor and covered storage of vehicles, recreational vehicles and boats. All of these requested uses are presently allowed by the commercial designation in the Rose Hill PUD.

The residential use could still be made available to the property in the future with a Town Council approval of a Master Plan Amendment.

The Property is part of the Rose Hill PUD Master Plan Area that was originally approved by Beaufort County in 1980 which included Rose Hill, Belfair, Westbury Park, the Estates at Westbury Park, Plantation Business Park, Sheridan Park and other residential and commercial properties. The Rose Hill PUD Master Plan was amended several times by Beaufort County prior to being annexed into the Town of Bluffton in December of 2005 as part of the Buck Island-Simmonsville Neighborhood Annexation petition. While the PUD zoning district allows for a broad range of uses that includes single-family estates, single-family (various densities), single-family patio, recreation, multi-family (various densities) and commercial uses, the original and existing Land Use designation for the Property is Multi-Family Residential with a density of 16 dwelling units per acre (MF-16). With the adoption of the Unified Development Ordinance and associated Zoning Map in 2011, the majority of the Rose Hill PUD parcels were reassigned from PUD zoning to a General Mixed Use Zoning. However, a few Rose Hill parcels adjacent to, and including the subject Property remained PUD zoning with a Land Use designation of MF-16.

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Consideration of an Ordinance Approving an Agreement to the Master Plan for Property Located on Simmonsville Road North of Fuller Court Consisting of Approximately 1.9 Acres – Continued:

Planning Commission found that the requirements of Section 3.9.3 of the Unified Development Ordinance are met and recommended approval to Town Council with the following conditions:

- a. Permitted land uses shall be the same as the adjacent property within Bluffton Park known as Lot 4 and located in the Bluffton Park Business Park district limited to self-storage facilities with outdoor storage for vehicles, recreational vehicles, and boats, general office, medical offices and health services, car wash, research and laboratory, and artisan workshop.
- b. Street Right-of-Way Setback and Buffer: 50 feet
- c. Setback and Buffer to Residential Use: 25 feet
- d. Setback and Buffer to Non-Residential Use for non-structural storage of vehicles and items: 10 feet
- e. Setback and Buffer to Non-Residential Use of storage in/under structures: 25 feet
- f. Conformance with the buffer requirements found in UDO Section 5.3.7.B.3.
- g. Conformance with the development standards set forth in the UDO or any future modification thereof.
- h. Inclusion of a heavy buffer to provide more opaque screening within the 25 feet buffer area.

The applicant provided a Traffic Assessment Analysis for this property showing that the use of a storage facility for 47 spaces for Boats and RVs will be less of an impact on the road system compared to what is currently allowed (30 multi-family units). The applicant used the Institute of Transportation Engineers (ITE) Trip Generation manual to determine the total number of trips and the AM/PM peak trip count for both apartments and an outdoor storage facility.

Hamilton expressed his concern that there is an excess of commercial property being located on Simmonsville Road.

**Toomer moved to have final reading on an Ordinance Approving an Agreement to the Master Plan for Property Located on Simmonsville Road North of Fuller Court Consisting of Approximately 1.9 Acres. Wood seconded. The vote was four in favor of the motion. Hamilton opposed.**

Beaufort County Capital Project Sales Tax Commission Update:

Mike Tripka, Town of Bluffton Representative to the Commission gave an overview of the Beaufort County Capital Project Sales Tax Commission. The Commission was tasked with the duty of considering proposals for funding capital projects within the County and formulating a question to appear on the ballot in November 2016 to impose a one cent sales tax.

Capital Projects were broken up into four groups; public safety, environmental impact, economic development, and quality of life and were funded as follows:

- Public Safety - \$44,692,653 with 37% of the funding
- Environmental Impact- \$13,800,000 with 12% of the funding
- Economic Development- \$29,000,000 with 24% of the funding
- Quality of Life- \$32,412,000 with 27% of the funding

A copy of the presentation will be placed on the website for information.

May River Road Streetscape Update:

Scott Marshall, Deputy Town Manager gave an update. Staff met with representatives of the South Carolina Department of Transportation on August 10 to review their most recent comments. On August 11, staff and property stakeholders reviewed J.K. Tiller's preliminary landscape/hardscape design. Feedback was productive, with guidance from stakeholders to keep the design simple and to use irrigation systems that will be prevalent in the final product. Project roadway schedule and costs will be refined after the construction contract award.

The current status on easements is:

- 31 easements signed
- 4 owners have agreed in principal and will sign
- 3 owners are in the process of condemnation process

The next steps for the project are:

- Final approval of plans and issuance of encroachment permit
- Revised landscape plans based on final approved construction plans and comment from stakeholder's meeting
- Execution of contract with preferred materials

Public Comments:

**Emmet McCracken**, 58 Stock Farm Road, stated that he was in opposition of the name chosen for the new business in Bluffton Village called "Frickin Chicken". He does not feel that the Town should endorse the word "frickin" as part of a business name.

**Trey Snow**, 43 Lakeside Drive, owner of Bluffton Bike Taxi, stated that he would like to request a change in the ordinance regarding the allowed hours of operation for his pedicab business.

**Charlene Gardner**, 1 Pine Island Road, stated that as a Bluffton business owner, she does not support or approve of the name "Frickin Chicken" and suggested that the Town enact a decency ordinance.

**Skip Hoagland**, 61 Sparwheel Lane, Hilton Head, stated that his First Amendment Right was violated when he was asked to leave a past Town Council meeting and that he will be filing a First Amendment Lawsuit soon. Hoagland also stated Town Attorney Finger failed to release his annual income from the Town in a recent Freedom of Information Act Request.

Communications from Mayor and Council:

**Toomer** stated that he spoke with the owners of the incoming business "Frickin Chicken" about the community's dissatisfaction with the name that has been chosen. The owner will take this into consideration. Toomer also pointed out that he has the utmost respect for Mayor Sulka and the other members of Town Council.

**Wood** stated that he agreed with the comments that have been made regarding the name of the "Frickin Chicken" restaurant and said that ways to control situations such as this needs to be explored. Wood also commended the Public Works Department on a job well done in the recent Tropical Storm Hermine.

**Hamilton** thanked Councilman Toomer for his comment and stated that he respects everyone on Town Council as well. Hamilton stated that we must have empathy for our neighbors and that the Bluffton community is changing.

**Lutz** stated that he agrees with others regarding the name of the new chicken restaurant. Lutz also thanked Mike Tripka for his presentation on the Beaufort County Capital Project Sales Tax Commission.

Accommodations Tax Advisory Committee Funding Recommendations for Quarter Ending June 30, 2016:

Shirley Freeman, Director of Finance and Administration stated that the total State and Local Accommodation Tax Funds currently available for distribution are \$168,682. The Accommodations Tax Advisory Committee met on August 16, 2016 to review the quarterly grant applications and made the following grant award recommendations for Town Council's consideration:

1. **Beaufort County Black Chamber of Commerce** – Requested \$25,000 – Committee recommended \$3980.  
**Toomer moved to grant the Beaufort County Black Chamber of Commerce \$3980. Wood seconded.**  
**Hamilton motioned for the Beaufort County Black Chamber of Commerce to be granted \$15,000. The motion died. The original motion carried unanimously.**
  
2. **Old Town Bluffton Merchants Society** – Requested \$48,000 (Annual) – Committee recommended \$48,000.  
**Hamilton moved to grant the Old Town Merchants Society \$48,000. Toomer seconded. The motion carried unanimously.**
  
3. **Historic Bluffton Arts and Seafood Festival** – Requested \$25,000 – Committee recommended \$25,000.  
**Hamilton moved to grant the Historic Bluffton Arts and Seafood Festival \$25,000. Wood seconded. The motion carried unanimously.**

Consideration of an Ordinance Authorizing an Amendment to the Town of Bluffton's Purchasing Ordinance to Align with the State of South Carolina's Procurement Code and to Allow for Provisional Professional Service Fees – First Reading:

Trisha Greathouse, Assistant Director of Finance and Administration gave an overview.

To align with the State Procurement Code and to implement best practices within the Town's purchasing process, Staff recommends amending the Purchasing ordinance so that the procurement process for products, services and project developments with low risk will be expedited in their acquisitions.

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The following sections will be amended as follows:

Sec. 2-269 *Conditions for use*: All Town contracts shall be awarded by competitive sealed bidding except as otherwise provided in section pertaining to authority to contract for certain services. Competitive sealed bidding is not required for small purchases (less than \$50,000); sole source procurement; emergency procurements; architect engineer, construction management, land surveying, design-build, and other professional services; cooperative purchasing; and usage of GSA/State contracts.

- Staff is currently required to perform the competitive sealed bidding process when the acquisition of goods and/or services exceeds \$25,000 (Article IX, Section 2-269 and Section 2-272). However, to align with the State of South Carolina's Procurement code (Title 11-35-1520), Staff recommends increasing our threshold from \$25,000 to \$50,000, except in the case of professional services which shall remain at \$25,000 as required under state code. Informal solicitations will still be required to be advertised on the Town's website for acquisitions between \$10,000 and \$50,000.

Sec. 2-272 *Small purchases*: The Town Manager shall determine the methods for small purchases not exceeding \$50,000.

- Staff is currently required to perform the competitive sealed bidding process when the acquisition of goods and/or services exceeds \$25,000 (Article IX, Section 2-269 and Section 2-272). However, to align the State of South Carolina's Procurement code (Title 11-35-1520), Staff recommend increasing our threshold from \$25,000 to \$50,000, except in the case of professional services which shall remain at \$25,000 as required under state code. By doing so, this would require the Town Manager or designee to determine the methods for small purchases not exceeding \$50,000. Examples of small purchase methods would be informal solicitations in the forms of Request for Quotes and Request for Proposal's.

**Toomer moved to approve on first reading an Ordinance Authorizing an Amendment to the Town of Bluffton's Purchasing Ordinance to Align with the State of South Carolina's Procurement Code. Wood seconded. The motion carried unanimously.**

Resolution Requesting Beaufort County Council Adopt Legislation Allowing the Operation of Golf Carts at Night per South Carolina Act 246:  
Scott Marshall, Deputy Town Manager gave an overview.

The operation of golf carts is regulated by the South Carolina Code of Laws Section 56-2-105. Previously, the SC Code only permitted the operation of golf carts during daytime hours. On June 6, 2016 Governor Haley signed Act 246 of the 121<sup>st</sup> Session of the South Carolina General Assembly ("Act") which incorporated provisions allowing for the operation of golf carts at night.

Per the Act, Counties with a population of no less than one hundred fifty thousand and no more than two hundred fifty thousand persons who have jurisdiction over a barrier island may enact an ordinance authorizing the operation of golf carts at night. As such, the Town would like to forward a formal request to Beaufort County Council to adopt an ordinance authorizing night time operation of golf carts which is inclusive of applicable roadways within the Town's municipal boundary as well as roads and streets adjacent to the Town's boundaries. The inclusion of the adjacent unincorporated areas in the request will allow residents and visitors, such as those in the Alljoy area, to travel via golf cart to patronize Town businesses and support the local economy.

Upon Beaufort County Council's adoption of the ordinance incorporating the Town's request, golf carts will be permitted to travel at night along secondary highways and streets with a posted speed limit of 35 miles per hour or less with the Town and adjacent unincorporated areas.

Marshall was asked to keep Mayor and Council up to date on the status of how other surrounding municipalities in the area stood on this new legislation.

**Toomer made a motion to adopt the Resolution Requesting Beaufort County Council Adopt Legislation Allowing the Operation of Golf Carts and Night per South Carolina Act 246. Wood seconded. The motion carried unanimously.**

An Ordinance Authorizing the Sale of Certain Property Owned by the Town of Bluffton within Bluffton Village to Dolnick Properties, LLC Consisting of an Approximately 0.63 Acre and Identified as Parcels R610 039 000 0716 0000 and R610 039 000 0722 0000, the Transfer of Development Rights, and the Conveyance of an Infrastructure Easement Final Reading:

(Continued)

An Ordinance Authorizing the Sale of Certain Property Owned by the Town of Bluffton within Bluffton Village to Dolnick Properties, LLC Consisting of an Approximately 0.63 Acre and Identified as Parcels R610 039 000 0716 0000 and R610 039 000 0722 0000, the Transfer of Development Rights, and the Conveyance of an Infrastructure Easement  
Final Reading:

Scott Marshall, Deputy Town Manager gave an overview.

The Town of Bluffton acquired a total of 0.603 acres within Bluffton Village for \$387,409.80 on August 27, 2013. Including the purchase price and carrying costs to date, the Town has invested \$486,959 in the Bluffton Village property.

On June 8, 2016, the Town Council, by majority vote, approved the "Motion to authorize the Town Manager to enter into negotiations for the sale of Town-owned property within Bluffton Village". Following negotiations with Town Staff, Dolnik agreed to the imposition of the restriction on the sale of alcoholic beverages against the Property and offered an increased Purchase Price of Five Hundred Ninety –One Thousand and No/100 (\$591,000.00) Dollars.

On July 29, 2016, Dolnik and the Town executed an Agreement for Purchase and Sale of the property. The Agreement includes specific provisions for the sale, including:

1. **Development Rights.** In accordance with the Bluffton Village Development Agreement, the Bluffton Village Town Center Declaration, the sale of the Property will transfer 16,675 heated square feet of development rights from Parcel A and 18,615 heated square feet of development rights from Parcel B, for a total combined sum of 35,290 heated square feet of development rights for the Property to Dolnik.
2. **Assignment of Infrastructure Easement Agreement.** The Town initially purchased eleven lots in Bluffton Village in 2013. With original development plans for the Property envisioning a single government building occupying the eleven parcel tract, the Town decided to consolidate the lots and recorded a boundary consolidation survey to accomplish the same. Due to POA common area dividing the lots, the Town consolidated the eleven lots into two lots separated by the POA common area. The Town then acquired an Infrastructure Easement over that common area owned by the POA so that a sky bridge could be constructed, connecting the two proposed buildings. As the Infrastructure Easement will no longer be needed by the Town, the Purchase and Sale Agreement provided for the Assignment of this easement. (Continued)

3. **Restrictive Covenant Prohibiting Alcohol Sales.** In Accordance with Town Council directive, the Purchase and Sale Agreement acknowledges the Town's intention to establish and record a restrictive covenant prohibiting the sale of beer, wine, liquor and any and all other alcoholic beverages on the Property, and that such restriction will run with the land and may only be released with the express written consent of Town Council.

**Lutz moved to have final reading on an Ordinance Authorizing the Sale of Certain Property Owned by the Town of Bluffton within Bluffton Village to Dolnik Properties, LLC. Consisting of an Approximately 0.63 Acre and Identified as Parcels R610 039 000 0716 0000 and R610 039 000 0722 0000, the Transfer of Development Rights, and the Conveyance of an Infrastructure Easement. Toomer seconded. The motion carried unanimously.**

An Ordinance Amending Chapter 7 of the Town Code, Tour Companies, By Adding and Adopting Article V, Pedicabs, for the Purpose of Regulating the Safe and Efficient Operation of Pedicab Services Within the Town of Bluffton - First Reading:

Scott Marshall, Deputy Town Manager gave an overview.

The Town of Bluffton recently received and approved its first application for a pedicab business. Currently, the Code of Ordinance for the Town of Bluffton ("Town Code") Chapter 7 only provides for the regulation of pedicabs as a tour business but not as a means of for-hire point-to-point conveyance ("Pedicab Services"). Therefore, an amendment to the Town Code is necessary to incorporate language for the permitting and operation of Pedicab Services within the Town.

To prepare the proposed ordinance, Staff and the Assistant Town Attorney reviewed pedicab regulations from other municipalities including the City of Charleston, City of Greenville, and the City of Savannah. The ordinance before Town Council combined several aspects of these municipalities' regulations will be incorporated into Chapter 7 of the Town Code as Article V – Pedicabs as summarized below:

1. Define applicable terms such as:
  - a. Old Town shall be defined as the area bounded on the west by Buck Island Road, on the south by the May River, on the East by Burnt Church Road and on the north by the Bluffton Parkway.
  - b. Operator shall mean any person who operates, drives, propels or steers a pedicab. (Continued)

- c. Owner shall be defined as any person, partnership, corporation, association or other organization.
  - d. Pedicab shall mean a bicycle with three or more wheels operated by one person for the purpose of, or capable of, transporting passengers in seats or a platform made a part thereof. This definition shall not include a bicycle with trainer or beginner wheels affixed thereto, not shall it include a wheelchair or other similar vehicle designed for the purpose of transporting a disabled person, not shall it include a tricycle built for a child or an adult with a seat for only one operator and no passenger.
2. Provide for the management of the pedicab permitting process through the Bluffton Police Department with final permit approval and issuance by the Chief of Police, or their designee.
  3. Provide that pedicab permits are valid for twelve months from issuance to the owner.
  4. Allow the Chief of Police, or their designee, to suspend or revoke a pedicab permit if the owner or their operators are in violation of the ordinance.
  5. Require all owner(s) obtain a Town of Bluffton Business License.
  6. Require all owners and their operators to possess a valid South Carolina Driver's License.
  7. Require the Police Department to conduct background investigations on all owners and operators.
  8. Require minimum insurance coverage for pedicab owners and their operators in an amount no less than one million dollars (\$1,000,000.00) combined single limit liability (CSL) per occurrence and listing the Town of Bluffton as an additional primary insured.
  9. Provide minimum pedicab equipment requirements such as maintaining pedicab equipment, keeping the pedicab clean and free of debris, and requiring reflectors and lights for nighttime operation.
  10. Allow the Police Department to conduct equipment inspections and require the removal of any pedicab deemed unsafe or in poor mechanical or physical condition from service until repaired and deemed approved for service by the Police Department.
  11. Require pedicab's to clearly display the pedicab owners name and phone number.
  12. Require pedicab operators to obey all traffic laws.
  13. Provide for the conduct of pedicab operators such as they may not be under the influence of drugs or alcohol, must have the physical strength to maintain control of the pedicab, and must possess a means of wireless communication to allow them to contact police dispatch. (Continued)

14. Define prohibited conduct such as operating on sidewalks; refusing to provide a schedule of fares upon request; collect fares, make change, or embark or disembark passengers while the pedicab is in motion; or allow passengers to consume alcohol or possess an open container. (Continued)
15. Provide for an operation area which is limited to Old Town and its immediate vicinity subject to final approval of the Town Manager
16. Require all owners and operators of a pedicab to complete a course on Bluffton history and culture through the Heyward House or other approved organization.
17. Define pedicab hours of operation which are:
  - a. Sunday through Wednesday from 8 a.m. until 12 a.m., and:
  - b. Thursday through Saturday from 8 a.m. until 2 a.m.
18. Identify stopping zones as the bike areas along Calhoun Street.
19. Require operators to utilize bike lanes when available.

**Toomer moved to have first reading on an Ordinance Amending Chapter 7 to the Town Code, Tour Companies, By Adding and Adopting Article V, Pedicabs, for the Purpose of Regulating the Safe and Efficient Operation of Pedicab Services Within the Town of Bluffton. Hamilton seconded. The motion carried unanimously. Mayor Sulka requested to evoke the Pending Doctrine Ordinance. The motion carried unanimously.**

Consent Agenda:

- a. Monthly Department Reports: Police, Finance/Administrative, Engineering, Don Ryan Center for Innovation, and Growth Management
- b. Town Manager's Monthly Report
- c. Consideration of a Resolution for the Hazard Mitigation Plan:  
Town Council adopts the Resolution to the Beaufort County Multi-Jurisdictional Hazard Mitigation Plan, as it is required by the Federal Emergency Management Agency. The Disaster Mitigation Act of 2000 states a Hazard Mitigation Plan is required by the Federal Emergency Management Agency for all counties and municipalities in the country. Its purpose is the effort to reduce loss of life and property by lessening the impact of disasters. It is most effective when implemented under a comprehensive, long-term mitigation plan. State, tribal and local governments engage in hazard mitigation planning to identify risks and vulnerabilities associated with natural disasters, and develop long-term strategies for protecting people and property from future hazard events.  
(Continued)

**Toomer moved to accept the Consent Agenda as presented. Lutz seconded. The motion carried unanimously. Hamilton requested that there be a Public Safety Update in October.**

Public Comments:  
There were none.

Executive Session:

- a. Contractual Matters Relating to Municipal Judge Contract (Pursuant to SC FOIA 30-4-70(a)(2))
- b. Personnel Matters Relating to Town Managers Annual Performance Evaluation (Pursuant to SC FOIA Act Section 30-4-70 (a)(1))

**Wood moved for Town Council to go into Executive Session to discuss the abovementioned items. Toomer seconded. The motion carried unanimously.** Town Council entered into Executive Session at 8:02 p.m.

Actions from the Result of Executive Session:

Mayor Sulka called the meeting back to order at 9:25 p.m. and announced no votes were taken.

**Wood moved to extend the present contract with Judge Clifford Bush on the same terms on a month to month basis. Toomer seconded. The vote carried unanimously.**

**Toomer moved to, based upon Town Council's evaluation of the Town Manager, to increase the Town Manager's salary by five percent effective the next pay period. Hamilton seconded. The motion carried unanimously.**

Meeting adjourned at 9:30 p.m.

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Mayor

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Deputy Town Clerk