

## BLUFFTON TOWN COUNCIL MEETING MINUTES

### ELECTRONIC MEETING

May 12, 2020

Mayor Sulka called the meeting to order at 5:30 P.M. Council members present were Mayor Pro Tempore Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Chief of Police Chris Chapmond, Director of Engineering Bryan McIlwee, Director of Finance and Administration Chris Forster Director of Growth Management Heather Colin, and Town Clerk Kimberly Chapman, and Town Attorney Terry Finger were also present.

Pledge of Allegiance and Invocation were given by Councilman Wood.

#### Adoption of the Agenda:

**Hamilton made a motion to adopt the agenda as presented. Frazier seconded. Roll call was taken, and the motion was approved unanimously.**

#### Executive Session:

1. Receipt of Legal Advice Relating to the Town of Bluffton Development Agreements (Pursuant to SC Freedom of Information Act 30-4-70 [a][2])

**Wood made a motion to move into Executive Session at 5:35 p.m. to discuss the aforementioned item. Hamilton seconded. The motion was unanimous.**

**Town Council exited Executive Session and resumed their regular public meeting at approximately 6:00 p.m. No motions were made, and no votes were taken during Executive Session.**

#### Adoption of Minutes:

Town Council Regular Meeting Minutes of April 14, 2020

**Frazier made a motion to approve the Town Council Regular Meeting Minutes of April 14, 2020. Toomer seconded. The motion carried unanimously.**

Town Council Special Meeting Minutes of April 23, 2020

**Toomer made a motion to approve the Town Council Special Meeting Minutes of April 23, 2020. Frazier seconded. The motion carried unanimously.**

Town Council Special Meeting Minutes of April 28, 2020

**Toomer made a motion to approve the Town Council Special Meeting Minutes of April 28, 2020. Frazier seconded. The motion carried unanimously.**

Town Council Special Meeting and Work Session Minutes of April 30, 2020

**Wood made a motion to approve the Town Council Special Meeting and Work Session minutes of April 30, 2020. Toomer seconded. The motion carried unanimously.**

Presentations, Celebrations and Recognitions

Mayor Sulka acknowledged the proclamations for Kids to Park Day, National Mental Health and Substance Abuse Awareness Month and National Preservation Month.

Hilton Head Island Bluffton Chamber of Commerce Bluffton's Marketing Plan and FY 21-22 Budget as the Town's Designated Marketing Organization (DMO) – Ariana Pernice, Vice President, Visitor and Convention Bureau

Pernice gave an overview of the Hilton Head Island Bluffton Chamber of Commerce Bluffton Marketing Plan. Pernice stated that the budget totals \$82,000 and consists of social media, website and campaign maintenance, collateral/fulfillment, research and planning and operation and management.

Key areas of interest are area “district” designations including history, cultural and arts, the National Historic Register Designations including the Church of the Cross and AME Campbell Chapel, Wright Family Park, Garvin-Garvey House, Bluffton Oyster Company, Palmetto Bluff/Montage and the natural beauty of the May River.

Public Comment:

Public comment was received until two hours before the meeting start time through the website and via email to the Town Clerk and read aloud for the record:

**Debbie Wunder**, 41 and 45 Bridge Street, Bluffton ([debbiewunder4@aol.com](mailto:debbiewunder4@aol.com)) -My husband, Rusty Pistachio and myself own the historic building on the corner of Bridge and Boundary, known as The Rate. We were very excited to hear there was a proposal being considered by the Town Council called the “Bailey Bill.”

We can only speak from our own experience but as owners in the middle of rehabilitating a historic structure in Old Town Bluffton, the undertaking of this project has been daunting, frustrating but ultimately rewarding as labor of love. We purchased the property two years ago from previous owners that had neglected The Rate and let it come dangerously close to a full collapse. We are not developers nor have experience in construction, but we do have a love and respect for importance of historic buildings in Old Town. Our goal was to stabilize and breathe life into this community landmark by restoring the exterior look of The Rate while making it a functioning space inside.

The support of the HPC, HPRC and the community was been overwhelming. But to say we have faced challenges in this restoration is an understatement. If we were building a brand new structure from the ground up, this project would have been completed a year ago. Thankfully, we met Josh Simpson of Simpson Construction that has a love of the town as much as we do and agreed to go on this journey of stabilizing an old cinderblock building with so many unknowns. We cannot overstate his patience, guidance and understanding of our situation. To speak plainly, we are not wealthy people and really didn't anticipate all the unforeseen costs associated with restoring a dilapidated structure with no foundation, electricity or plumbing. So when our property tax bill arrived in this past fall, we saw the amount had gone up 300% from the previous year, another cost we did not anticipate. Personally, it stung a little to be putting everything we have into bringing back a beloved building in the community and then to be hit with a tax bill of that size.

We see many great historic structures in town that would benefit the community if they were rehabilitated. In having some kind of financial incentive like the Bailey Bill would provide, we believe this would help motivate other people like us who want to do the right thing, but maybe don't have all the money needed to do so.

Another thought- in addition to an abatement on property tax like the Bailey Bill proposes, maybe there can be a fund for vetted and approved contractors who are willing to take on such a project where they can draw on these funds specifically for improvement or rehabilitation for Old Town's historic structures. Thank you for your time and consideration.

#### Communication from Mayor and Council:

Wood stated that this time is a "new normal" and asked that everyone support local non-profits and churches.

Hamilton stated that he would like to have the DMO support the Gullah culture and do a better job highlighting the Bluffton area.

Toomer stated that he would like for the parks to be opened soon.

Frazier thanked the organizations supporting citizens during the pandemic and the first responders for all their hard work.

Sulka stated that she met with Montage recently and listened to them discuss the procedures that they will be using to reopen. Sulka also thanked Councilmember Frazier and others with Helping Hands for all their work in handing out food to neighborhoods.

#### Workshop Agenda:

Discussion and Direction on the Town of Bluffton Historic District Financial Incentives to Promote and Support the Preservation of Historic Structures – Heather Colin, Director of

## Growth Management

Colin gave an overview and stated that in the FY2019-2020 Strategic Action Plan, Town Council seeks to offer incentives to help support historic preservation, specifically rehabilitation of “historic” structures, through mechanisms such as tax incentives and/or façade improvement programs.

The Strategic Action Plan establishes a vision for the Town of Bluffton based on six strategic areas where Town efforts will be most focused: Fiscal Sustainability, Economic Growth, Town Organization, Community Quality of Life, Infrastructure, the May River & Surrounding Rivers and Watersheds, and Affordable and/or Workforce Housing. Each Strategic Action Plan focus area is supported by objectives or guiding principles. To achieve these principles, supporting initiatives are identified to create a work program for the upcoming year. This initiative most closely aligns with the Economic Growth focus area and the following principles:

***Principle 3:*** Focus on strategic economic development pursuits that will increase local jobs, generate additional revenue and create demand for supporting businesses in target industries; and,

***Principle 4:*** Develop and implement a collaborative economic gardening strategy with local businesses.

Incentives may encourage owners of historic structures to rehabilitate their properties which, in turn, helps to preserve the Town’s older buildings, heritage and culture; support tourism, which supports the local economy; and, increase property values. Rehabilitation, according to Section 12-120 of the South Carolina Code of Regulations, is “the process of returning a building or buildings to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the building(s) that are significant to its historic, architectural and cultural values.”

As shown in the attached matrix (see Attachment 1), there are a variety of local, state and federal grants and tax incentives available to support historic rehabilitation efforts, each with varying eligibility criteria. One particularly promising incentive is a State of South Carolina special property tax assessment commonly known as the “Bailey Bill”.

Enacted by the South Carolina General Assembly in 1990 and amended in 2011, the Bailey Bill allows local governments the option of offering special property tax assessments—a tax abatement—for rehabilitated historic properties and low-and-moderate income rental properties. The special assessment permits a property owner to lock-in the taxable assessed value of the property based on its fair market value prior to rehabilitation. Taxes are not paid on

the increased value of the property until the special assessment period ends, which could be up to 20 years. The length of the assessment is determined by the local government.

This tax abatement can be a catalyst for property owners to undertake rehabilitation projects. Should the owner decide to sell the property during the abatement period, the tax abatement would be transferable to the new owner.

Per Section 5-21-140 of the South Carolina Code of Laws, as amended, municipalities have the same power and authority as counties (Section 4-9-195) to grant a special property tax assessment for rehabilitated historic properties. Ideally, both a municipality and the county in which it is located would offer the incentive, as the city of Beaufort and Beaufort County does, to allow for greater tax savings. To offer this incentive, the Town of Bluffton must first adopt a special tax assessment ordinance (i.e., the Bailey Bill).

Once adopted, and after voluntary application by the property owner, the assessment would be available for qualifying properties upon approved preliminary and final certifications by the Town. The preliminary review allows the Town to confirm that the structure is on the Town's contributing structure list and to approve the proposed rehabilitation activities. Final certification allows the Town to review completed work and ensure that it is consistent with the preliminary approval. Once established that a property qualifies and prior to any improvements, the Applicant will be required to apply for a Certificate of Appropriateness – Historic District for approval by the Historic Preservation Commission.

Chapter 12 (South Carolina Department of Archives and History) of the South Carolina Code of Regulations, Sections 12-120 thru 12-125 (Rehabilitation of Designated Historic Buildings) outlines the minimum standards and process for the Bailey Bill as shown in Attachment 2. The main components include:

- Establishing a preliminary and final certification process for eligible properties (Sec. 12-121, Local Governing Body Certification), including designating the responsible agency or department to perform duties, as well as notifying the County Assessor's office of the special tax assessment and of any certified properties; and,
- Establishing a system for designation of qualifying properties (Sec. 12-122, Designation of Property as Historic), which, at minimum, requires: 1) being designated on the National Register of Historic Places; 2) being designated as contributing to an individual property or historic district listed on the National Register of Historic Places; or, 3) being 50 or more years older and meeting the local criteria for designation as a contributing structure; and,

- Rehabilitation work must comply the minimum standards (Sec. 12-125 Standards for Rehabilitation) and process (Sec. 12-124 Review of Rehabilitation Work) established by the State.

Numerous communities in South Carolina have adopted this special assessment program, including but not limited to City of Beaufort, Beaufort County (only for the areas of Daufuskie Island and the City of Beaufort), Columbia, Richland County, Camden, Hartsville, Darlington County and Greenville County.

The Bailey Bill was previously discussed at a Town Council workshop in May 2018. Prior to adoption of a local Bailey Bill ordinance, related additional steps in the process were identified as needing to occur before the ordinance could be adopted. They include:

- 1. Make Necessary Corrections to the Unified Development Ordinance**

The first step is to correct inconsistent terminology in the Unified Development Ordinance (UDO) relating to “historic structures” and “contributing structures,” as well as updating the definition of contributing structures. To be eligible for the Bailey Bill, a property would have to be classified by the Town as a contributing structure.

The current definition references contributing structures from the 1996 National Register of Historic Places nomination, the “most recent Bluffton Historic Resource Survey” or any other structure that is designated as provided by in UDO Section 3.25 (Designation of Contributing Structure).

For easy reference, there should be one list. This list, an inventory of all contributing resources within the Town, is proposed as part of a separate process to update the Unified Development Ordinance. A revised definition of contributing structures and the list of all such structures will be reviewed at a future Town Council workshop tentatively scheduled for July 14.

- 2. Prepare an Updated Historic Resources Survey for the Town of Bluffton**

Related to the UDO amendments, Town Staff also recommended that the Town’s historic resources survey be updated to determine if additional structures may qualify for contributing structure status. This resulted in the *Town of Bluffton Historic Resources Update*, which was undertaken in 2019. This initiative is tentatively scheduled for a Town Council workshop on July 14<sup>th</sup> for review and subsequent adoption by Resolution.

- 3. Develop the Special Property Tax Assessment (i.e. Bailey Bill) Ordinance**

Prior to developing an ordinance, the following questions will need to be answered:

a. ***What is the Length of the Assessment Period?***

Based on research of other South Carolina communities, the assessment period is usually 10 or 20 years. During this period, the qualifying property is assessed at the pre-rehabilitation fair market value. The City of Beaufort and Greenville County both have a 10-year period, while the City of Columbia and Richland County have a 20-year period.

Staff would recommend being consistent with the City of Beaufort and establish a period of 10 years.

b. ***What Minimum Investment is Required by the Property Owner?***

As with the length of the assessment discussed above, the minimum investment by a property owner varies. The City of Beaufort requires a minimum investment of more than 75%.

Staff would recommend being consistent with the City of Beaufort and establish a minimum investment of 75% of the assessed tax value of a building.

*Example: If a property's structure is valued at \$100,000, a property owner that is willing to invest \$75,000 (75% of the value of the building) in improvements would qualify for the 10 year assessment period. The property owner would continue to pay taxes on the \$100,000 value and not would have been the reassessed value at the completion of the project.*

c. ***Which Structures Would Qualify?***

Section 12-122 identifies three (3) categories of property that may qualify as "historic": 1) any property listed individually on the National Register of Historic Places; 2) any property that contributes to an individual property or historic district listed on the National Register of Historic Places; or, 3) any property 50 or more years old that meets the local government's criteria for designation.

An inventory of all contributing resources within the Town is proposed as part of a separate process to update the Unified Development Ordinance. The list of all contributing structures, both national and/or local, will be reviewed at a future Town Council workshop tentatively scheduled for July 14<sup>th</sup> meeting.

d. ***Which Rehabilitation Efforts Qualify? Should There Be a Cap or Limit on Qualifying Expenses for Some Activities?***

Per Section 12-120 of the Act, one (1) or more of the following activities would qualify:

- Improvements located on or within the contributed structure;
- Improvements outside but directly attached to the contributing structure, which are necessary to make the building fully usable (but not the new construction of rentable/habitable floor space);
- Architectural and engineering services attributable to the design of the improvements; and,
- Costs necessary to maintain the historic character or integrity of the building.

e. ***Who Would be Responsible for Oversight of the Ordinance?***

Per Section 12-121 of the Act, Town Council is required to designate an agency or department to perform preliminary and final certifications of qualifying properties. Typically, this would be a historic board of review, such as the Town's Historic Preservation Commission.

Staff would recommend that the Historic Preservation Commission review the preliminary and final certifications for qualifying properties.

4. **Draft the Special Property Tax Assessment Ordinance**

Based on feedback from the Historic Preservation Commission (scheduled as a workshop on the May 6 agenda) and Town Council, staff will draft an ordinance that is similar to the City of Beaufort's Ordinance (see Attachment 3) to adopt a special property tax assessment for rehabilitated historic structures.

5. **Work with Beaufort County to Expand Tax Savings**

Town staff is in the process of working with Beaufort County to identify the necessary steps to pursue the special assessment ordinance for county property taxes in addition to Town of Bluffton taxes. In 2014, the County approved such an ordinance for the City of Beaufort after review by and support from the County's Finance Committee.

While the Bailey Bill has been the most sought incentive, there are grants and incentives presently available and that could be utilized. Should Town Council wish to consider any of the incentives not yet in place, Staff could bring this forward in the future in the form of ordinances, resolutions or policies.

Council supports the Baily Bill and suggested that there be a user guide and packets with a summary sheet for those interested. Council also asked that staff check on how other municipalities have used the Baily Bill and to speak to people who have done projects in the past.

Formal Items:

Consideration of an Emergency Ordinance of the Town of Bluffton Extending the Temporary Suspension of the Normal Operating Procedures of the Town of Bluffton Town Council Meetings and Other Public Meetings and to Authorize the Town Manager to Develop and Enact Such Plans and Policies Needed to Ensure Continuity in the Delivery of Government Services in Light of the COVID-19 Outbreak – Scott Marshall, Deputy Town Manager

Marshall stated that on March 16, 2020, Mayor Lisa Sulka declared that a State of Emergency existed in the Town of Bluffton as a result of the COVID-19 pandemic. On March 17, 2020 Town Council unanimously passed Emergency Ordinance 2020-03. This Ordinance sunsets on May 17, 2020 and accomplishes the following:

1. Section 1 provides standards for electronic meetings.
2. Section 2 provides authorization to the Town Manager, pursuant to the Town of Bluffton Code of Ordinances, Section 2-116, to develop and enact all such plans and policies intended to ensure the continuity of delivery of government services In light of the COVID-19 outbreak and to take necessary action to protect the health, safety, and welfare of town residents, visitors, and employees and staff.
3. Section 3 suspends certain municipal deadlines.
4. Section 4, in accordance with Governor McMasters Executive Order 2020-10, extends certain municipal tax deadlines.

Sections 3 and 4 of Emergency Ordinance 2020-3 were extended and modified on April 14, 2020 by Emergency Ordinance 2020-4, extending deadlines for certain municipal taxes and business license fees.

Marshall stated that the draft emergency ordinance presented for consideration, if approved, will effectively extend sections 1 and 2 of Emergency Ordinance 2020-03. Unless rescinded sooner, this emergency ordinance would expire on July 18, 2020.

**Hamilton made a motion to approve an Emergency Ordinance Extending the Temporary Suspension of the Normal Operating Procedures of the town of Bluffton Town Council Meetings and Other Public Meetings and to Authorize the Town Manager to Develop and Enact Such Plans and Policies Needed to Ensure Continuity in the Delivery of Government Services in Light of the COVID19 Outbreak. Frazier seconded. Roll call was taken, and the motion carried unanimously.**

Accommodations Tax Advisory Committee Funding Recommendations for Quarter Ending March 30, 2020 – Natalie Majorkiewicz, Treasury Manager

Majorkiewicz stated that in accordance with the grant process, the Accommodations Tax Advisory Committee held a meeting on April 24, 2020 to review the budget and marketing plan with the DMO contract and quarterly grant applications. The committee made the following grant award recommendations for Town Council consideration:

<b>Requesting Organization</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
<b>Hilton Head Island-Bluffton Chamber of Commerce (DMO):</b> FY2021 Budget and Marketing Plan (MP)	\$ 82,000	\$ 82,000.00
<b>Bluffton Historical Preservation Society (BHPS):</b> Welcome Center at the Heyward House	190,000	190,000.00
<b>Palmetto Bluff Conservancy:</b> Well Living	100,000	66,095.45
<b>Society of Bluffton Artists (SoBA):</b> Promoting the Arts in the Lowcountry at Beyond	16,000	12,000.00
<b>Total for the Quarter</b>	<b>\$ 388,000</b>	<b>\$ 350,095.45</b>

Palmetto Bluff notified the Town of Bluffton on May 12, 2020 to formally withdraw their request for the Well Living event due to the COVID19 Pandemic.

**Wood made a motion to adopt the Resolution for the FY2021 budget and marketing plan presented by the Hilton Head Island-Bluffton Chamber of Commerce in accordance with the contract 2019-33 as the Town of Bluffton’s Designated Marketing Organization. Toomer seconded. Roll call was taken, and the motion carried unanimously.**

*\*Let the record show that Mayor Lisa Sulka abstained from the vote on the Bluffton Historical Preservation Society due to a potential conflict of interest.*

**Wood made a motion to adopt the Resolution renewing the Memorandum of Agreement 2017-69 for an additional fiscal year term beginning on July 1, 2020 through Amendment 2 between the Town of Bluffton and the Bluffton Historical Preservation Society for Welcome Center services. Toomer seconded. Roll call was taken, and the motion carried with a vote of four due to Mayor Sulka abstaining from the vote.**

**Toomer made a motion to grant the Society of Bluffton Artists \$12,000 in support of the Promoting the Arts in the Lowcountry and Beyond project as presented in the Staff Report**

**breakdown for advertising and promotion tourism expenses. Hamilton seconded. Roll call was taken, and the motion carried unanimously.**

Consideration of an Ordinance to Authorize the Town Manager to Extend the Deadline for Payment of Business License Tax Renewals until August 7, 2020 and to Waive all Late Fees Assessed on Renewals Due but not Paid between April 30, 2020 and August 7,2020 – Second and Final Reading – Chris Forster, Director of Finance and Administration

Forster stated that on March 13, 2020, President Donald Trump declared a national emergency to assist with combating the outbreak of respiratory illness due to a novel coronavirus (COVID-10. On March 15, 2020, the Honorable Henry McMaster, Governor of South Carolina, issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus (COVID-19) and declared that a State of Emergency exists in South Carolina. On March 16, 2020, Mayor Lisa Sulka and the Town of Bluffton declared a local state of emergency in the Town of Bluffton. On April 14, 2020 the Council passed an ordinance to extend the deadline for Hospitality Tax remittance, Local Accommodations tax remittance and the Business License renewal deadline until June 14, 2020. On April 28, 2020 Town Council approved the first reading of the proposed ordinance to extend the Business License tax renewal deadline from the current June 14, 2020 deadline until August 7, 2020.

The deferral of outstanding Business License renewal fees will delay the collection of an estimated \$1.0 million until August 7, 2020. The Town currently has sufficient cash balances in the corresponding funds to sustain us until the revised tax due date of August 7, 2020.

**Toomer made a motion to approve on second and final reading, an Ordinance Authorizing the Town Manager to Extend the Deadline for Payment of Business License Tax Renewals until August 7,2020 and to Waive all Late Fees that may have been Assessed on Renewals due but not paid between April 30, 2020 and August 7,2020. Frazier seconded. Roll call was taken, and the motion carried unanimously.**

Consideration of Approval of an Ordinance to the Town of Bluffton Code of Ordinances, Chapter 28 – Utilities, Article 4 – Small Cell Facilities- First Reading – Heather Colin, Director of Growth Management

Colin gave an overview and stated that ordinance is new in its entirety to establish regulations for wireless “small cell facilities” in public rights-of-way (i.e., covered areas). If adopted, the ordinance will be placed into the Utilities chapter of the Code of Ordinances for the Town of Bluffton.

Small cell facilities are intended to support the next generation of cellular service (5G), which provides greater bandwidth and faster download speeds for the increasing number of devices

that require wireless service.

Unlike cell towers that cover a broad area, a small cell facility is an antenna (and its related equipment) that provides cellular coverage for a radius of approximately 1500 feet. Typically, the antenna is attached to a structure within a public right-of-way that is less than 50 feet in height. These types of facilities are mostly located in densely populated places but will expand with the growth of 5G technology.

To deploy these types of facilities quickly and less expensively, the telecommunications industry prefers to use structures within public rights-of-way, such as light poles and traffic light structures. To avoid delays and expenses that occurred when cell towers were first deployed, the telecommunications industry has, to some degree, attempted to pre-empt the degree to which local governments can regulate these facilities.

A Federal Order released by the Federal Communications Commission in September 2018 is intended to remove regulatory barriers that were commonplace with cell towers. This includes a “shot clock” to expedite plan review, capping application costs and limiting aesthetic review of the entire facility.

More than 25 states have adopted legislation, suggested by the telecommunications industry that is even more restrictive than the Federal Order with regards to local government control. The State of South Carolina is also considering similar legislation. House Bill 4262 was approved by the House in 2019; it is presently under review by a Senate sub-committee.

The proposed ordinance is based on a model ordinance provided by the Municipal Association of South Carolina (MASC), which it crafted with the telecommunications industry to streamline the review and permitting process. The ordinance is intended as a guide to prepare local governments to receive applications.

**Toomer made a motion to a pass on first reading, an Ordinance amending Chapter 28 of the Code of Ordinances for the Town of Bluffton, Utilities, Article 4- Small Wireless Facilities in Covered Areas. Wood seconded. Roll call was taken, and the motion passed unanimously.**

Consideration of an Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules, to Modify the Names and Rules Pertaining to the Use of Certain Town-Operated Properties – First Reading – Scott Marshall, Deputy Town Manager

Marshall stated that on August 13, 2019, Town Council approved amendments to the Town of Bluffton Code of Ordinances to consolidate and update rules for all existing Town-operated parks.

Since that time, the completion of several capital projects as well as several other pending capital projects necessitated the review of parks and facilities that the Town offers for rental. In a Workshop on March 17, 2020, Town Council conducted such a review.

The results of the March 17 Workshop included the following actionable direction to Staff:

1. Town Council Direction: Place the Martin Family Park on the Town of Bluffton Master Fee Schedule in Fiscal Year 21 and make it a rentable property.
  - a. Staff Response: The Martin Family Park is included on the on the Master Fee Schedule in the Fiscal Year 2021 Consolidated Budget for consideration. The fees proposed by Staff in the Master Fee Schedule are identical to those of the Field of Dreams at Oscar Frazier Park.
2. Town Council Direction: Modify the existing strict prohibition of alcohol at Martin Family Park, to the allowance of alcohol in conjunction with the issuance of a special events permit.
  - a. Staff Response: Amendments to the Town of Bluffton Code of Ordinances, which are presented for consideration in the Ordinance at Attachment 1, include striking paragraph 13.42(c), which reads “The possession of an open container and/or the consumption of alcohol is strictly prohibited.” With the omission of this language in paragraph 13.42, the language in paragraph 13.37(c) prevails, which reads “The possession of an open container and/or the consumption of alcohol is prohibited except as permitted in Chapter 22, Article IV.”
3. Town Council Direction: Place the Public Park at Buckwalter Place Multi-County Industrial Park (sans the Veterans Memorial) on the Town of Bluffton Master Fee Schedule in Fiscal Year 21 and make it a rentable property.
  - a. Staff Response: The Public Park at Buckwalter Place Multi-County Industrial Park is included on the Master Fee Schedule in the Fiscal Year 2021 Consolidated Budget for consideration. The fees proposed by Staff in the Master Fee Schedule are identical to those of the Field of Dreams at Oscar Frazier Park.

Other housekeeping items included in the Ordinance presented for consideration include:

1. Amending paragraph 13.42 by striking “Park at 68 Boundary Street” and adding “Martin Family Park.” This action is consistent with Town Council’s previously adopted Resolution on August 13, 2019 memorializing this property in honor of the family of Jacob and Ida Martin.
2. Amending paragraph 13.48 by striking “Buckwalter Place Veterans Memorial Park,” and adding “Public Park at Buckwalter Place Multi-County Industrial Park.” The name of this

park has not yet been formally designated. Leaving it labeled as the Veterans Memorial Park may create confusion to prospective renters of the property since the Veterans Memorial itself will not be available for rent.

**Hamilton moved to approve the Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules, to Modify the Names and Rules Pertaining to the use of Certain Town Operated Properties, as presented for First Reading. Toomer seconded. Roll call was taken, and the vote carried unanimously.**

Consideration of an Ordinance Approving the Town of Bluffton Fiscal Year 2021 Proposed Consolidated Budget – Marc Orlando, Town Manager

Orlando stated that this proposed financial plan supports our Bluffton Town Vision that states, “Bluffton, the heart of the Lowcountry, a town that appreciates the past, focuses on today and is planning together for a greater future.” This financial plan provides the resources and staff for all our commitments to making Bluffton a better place.

The proposed consolidated budget concentrates on the Town of Bluffton Strategic Plan priority Focus Areas that include May River & Surrounding Rivers and Watersheds, Town Organization, Economic Growth, Fiscal Sustainability, Community Quality of Life, Affordable and/or Workforce Housing, and Infrastructure.

The proposed consolidated budget consists of four funds, the General Fund, the Stormwater Utility Fund, the Capital Improvements Program (CIP) Fund, and Debt Service Fund.

The proposed consolidated budget is a decrease of 8.3% from the FY20 budget which reflects the potential impact of the COVID-19 pandemic on FY21 revenues. The budget keeps the tax millage rate the same at 38.50, which reflects an increase in General Fund mills from 35.30 to 36.80 and a decrease in Debt Service Fund mills from 3.20 to 1.70 mills. In addition, it proposes a new vehicle tag fee to support public works and public safety, a proposed stormwater utility fee increase to complete unfunded stormwater projects that improve the May River and surrounding watershed stormwater quality improvements and a National Pollutant Discharge Elimination System (NPDES) plan review fee and inspection fee.

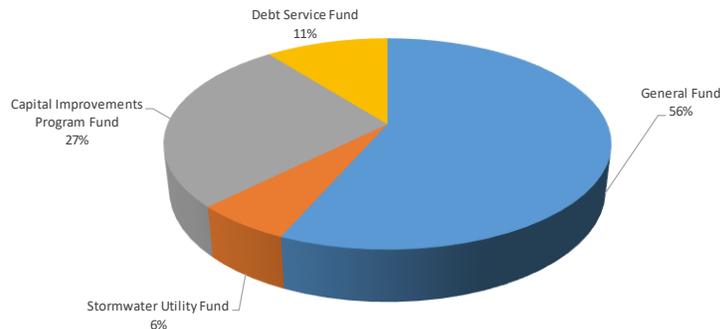
**The General Fund** accounts for and reports the financial resources for the Town’s primary operating fund. Principal sources of revenue are property taxes and licenses and permit fees. The General Fund budget is 56.6% of the consolidated budget at \$19,363,015. Budget details are available in the attached Executive Consolidated Budget Summary.

**The Stormwater Fund** accounts for and reports the financial resources of all stormwater-related expenditures including Watershed Management staffing and operations, routine

watershed maintenance and capital projects. The primary source of revenue is stormwater utility fees. The Stormwater Fund budget is 6.0% of the consolidated budget at \$2,043,817 and includes a transfer of funds to the Capital Improvement Program Fund for stormwater related projects. Budget details are available in the attached Executive Consolidated Budget Summary.

**Capital Improvement Program (CIP) Fund** accounts for and reports financial resources that are restricted, committed or assigned to expenditures for capital outlays including the land acquisition and/or construction of capital facilities and other capital assets. Capital projects are primarily non-recurring in nature. All capital categories require a unit cost threshold of greater than \$5,000, except roads, buildings, and computer software (recorded in the general fund) whose threshold is \$50,000. The CIP budget is 26.8% of the consolidated budget at \$9,185,407 and supports diversified projects throughout our Bluffton neighborhoods. Budget details are available in the attached Executive Consolidated Budget Summary.

**Debt Service Fund** accounts for the accumulation of resources for the payment of interest and principal on general long-term debt obligations. The primary source of revenue is property tax and bond proceeds. The Debt Service Fund budget is \$3,631,628 or 10.6% of the consolidated budget and supports the debt service for the 2014 Tax Increment Revenue Bond, 2020 General Obligation Bond for the Law Enforcement Center at Buckwalter Place, a transfer to the Capital Improvement Program Fund for allowable projects, and future debt payments and allowable expenditures. Budget details are available in the attached Executive Consolidated Budget Summary – attached to the minutes.



Expenditures	FY 2020 Original Budget	FY 2020 Revised Budget	FY 2020 Year-End Estimate	FY 2021 Proposed Budget	\$ Change	\$ Change
General Fund	\$ 20,032,800	\$ 20,189,114	\$ 19,360,141	\$ 19,363,015	\$ (826,099)	-4.1%
Stormwater Utility Fund	2,051,695	2,022,752	1,410,444	2,043,817	21,065	1.0%
Capital Improvements Program Fund	9,661,470	11,895,271	7,455,021	9,185,407	(2,709,864)	-22.8%
Debt Service Fund	3,195,475	3,195,475	3,274,002	3,631,628	436,153	13.6%
<b>Consolidated Budget</b>	<b>\$ 34,941,440</b>	<b>\$ 37,302,612</b>	<b>\$ 31,499,608</b>	<b>\$ 34,223,867</b>	<b>\$ (3,078,745)</b>	<b>-8.3%</b>

**Toomer made a motion to approve the first reading of an Ordinance Approving the Town of Bluffton Fiscal Year 2021 Proposed Consolidated Budget. Hamilton seconded. Roll call was taken, and the motion passed unanimously.**

Consent Agenda:

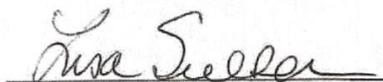
1. Monthly Department Reports: Police, Finance & Administration, Municipal Court, Engineering, Don Ryan Center for Innovation, and Growth Management
2. Town Manager's Monthly Report
3. Consideration of a Resolution Approving the Town of Bluffton Assessment District Roll for Tax Year 2020 – Heather Colin, Director of Growth Management
4. Consideration of Proposed Outdoor Lighting Agreement with Dominion Energy Relating to the Second Phase of Street Lighting for Boundary Street – Bryan McIlwee, Director of Engineering
5. Consideration of Proposed Contractual Agreement Relating to Residential Solid Waste and Recycling Collection Services – Bryan McIlwee, Director of Engineering
6. Consideration of a Resolution to Approve Renewal of the Memorandum of Understanding with Cornerstone Church to Provide Public Parking in the Bluffton Historic District – Scott Marshall, Deputy Town Manager
7. Consideration of a Resolution to Approve Renewal of the Bluffton Ambassador Program Memorandum of Agreement with the University of South Carolina Beaufort – Scott Marshall, Deputy Town Manager

**Hamilton made a motion to approve the consent agenda as presented except for the monthly Police Department Report. Frazier seconded. The motion carried unanimously.**

Chief Chapmond gave a snapshot of how the COVID 19 pandemic has affected the Town of Bluffton. Calls for service increased and nearly doubled, with 9500 during the month of April. Proactive policing was down due to the potential exposure rate of COVID 19.

Domestic violence was up approximately 13%, as was forgery and fraud at 90%. Minor assaults, mental subject transports, and breaking an entering number are also up from past months.

**Hamilton made a motion to adjourn at 9:08 p.m. Toomer seconded. The motion carried unanimously.**



Lisa Sulka, Mayor



Kimberly Chapman, Town Clerk