

Town Council Regular Meeting

April 22, 2025 @ 2:30 PM

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Seabrook Island Town Hall, Council Chambers
2001 Seabrook Island Road
Seabrook Island, SC 29455



MINUTES

CALL TO ORDER

Mayor Kleinman called the meeting to order at 2:29 pm.

ROLL CALL

Town Council Members Present: Mayor Kleinman; Councilmembers Darryl May, Gordon Weis, Raymond Hamilton and Dan Kortvelesy.

Town Staff Present: Joe Cronin (Town Administrator), Tyler Newman (Planning & Zoning Administrator), Abby Grooms (Communication & Events Manager), and Peter Wiggins (Clerk/Treasurer).

FOIA STATEMENT

The Clerk/Treasurer confirmed that the meeting was advertised in compliance with the requirements of the South Carolina Freedom of Information Act. Agendas were posted and furnished to news media and all other person's requesting notification.

APPROVAL OF MINUTES

April 4, 2025

April 16, 2025

**Marshfront Management Plan Workshop
Ordinance 2025-02 Public Hearing**

Mr. Weis made a motion to approve the minutes from the two prior meetings of the Town Council, seconded by Mr. Kortvelesy.

The motion was approved UNANIMOUSLY.

PUBLIC HEARING ITEMS

There were no Public Hearing Items.

PRESENTATIONS

There were no Presentations.

CITIZEN COMMENTS

There were no Citizen Comments.

REPORTS OF TOWN BOARDS, COMMISSIONS AND COMMITTEES

**Community Promotions &
Engagement Committee**

Mayor Kleinman provided a report of the Community Promotion & Engagement Committee's most recent meeting.

Recommendation to deny the awarding of a Community Promotion Grant to Barrier Islands Free Medical Clinic in the amount of \$2,500.00.

Mayor Kleinman reminded the council that the recommendation from the Community Promotions and Engagement Committee was to deny the grant request.

Melissa Frank, Executive Director of Barrier Island Free Medical Clinic, gave a brief presentation on the clinic's mission.

Mr. Hamilton asked how many volunteers the clinic had. Ms. Frank stated the clinic has approximately 100 volunteers.

Mr. Hamilton asked why the committee recommended denial of the grant request. Mayor Kleinman stated that based on the grant criteria language, the committee felt the request should be denied.

Mr. May motioned to approve the awarding of a Community Promotion Grant to the Barrier Islands Free Medical Clinic in the amount of \$2,500.00, seconded by Mr. Weis.

Mr. Kortvelesy stated this request afforded the town the opportunity to be a good neighbor. He further stated this request was an opportunity for the town to help and he felt that awarding the clinic a \$2,500 grant was a minimal amount that the town can invest to show support.

Mr. May stated this group showed very strong connections to the Town of Seabrook Island and he was very happy to support their grant request.

The motion was approved UNANIMOUSLY.

Recommendation to approve the awarding of a Community Promotion Grant to the Seabrook Island Page Turners in the amount of \$2,500.00.

Mayor Kleinman gave a brief presentation on the group's mission.

Mr. Kortvelesy motioned to approve the grant request, seconded by Mr. May.

Mr. Hamilton asked Mr. Cronin, if by his attendance at prior and future events hosted by the Seabrook Island Page Turners, he needs to recuse himself from voting. Mr. McQuillin, the town's attorney, assured Mr. Hamilton he did not need to recuse himself.

The motion was approved UNANIMOUSLY.

Recommendation to approve the awarding of a Community Promotion Grant to the Seabrook Island Community Emergency Response Team (CERT) in the amount of \$2,500.00.

Mayor Kleinman provided a summary of the history of the grant request.

Mayor Kleinman stated it was unclear to him if CERT understood its role in emergency preparedness and response with respect to the town. However, he stated that his questions were not going to be answered before the council voted on the grant request.

Mayor Kleinman went on to state that he still had unanswered questions related to the grant request and that he was not prepared to support the awarding of the funds.

Mr. Kortvelesy motioned to approve the grant request, seconded by Mr. Weis.

Mr. Kortvelesy stated that Mr. Pollock has attended the Public Safety Committee meetings in the past. He further stated that CERT is a county recognized emergency response group. He stated that Mr. Pollock is working to recruit new members to CERT and CERT is a worthwhile community organization.

Mr. May asked if the council approves the request, in what manner will the town transfer the grant funds to CERT.

Mayor Kleinman stated the grant program is a reimbursement of already spent funds.

Mr. May stated it is his feeling that any organization requesting grant funding should be required to attend committee and council meetings.

Mr. Hamilton stated that if the trailer is unable to transport valuable materials, the council should be prepared to support the request. Further, he stated that organizations should be required to attend meetings, but he felt the council was moving the goalposts by requiring attendance in the middle of the grant year.

Mr. Weis stated that CERT is a good organization that has been active during storms and other events. Mr. Weis went on to state that he didn't know why the town was denying the group grant funding to replace something they need.

The vote was as follows:

Mr. Hamilton	aye
Mr. Kleinman	abstain
Mr. Kortvelesy	aye
Mr. May	aye
Mr. Weis	aye

The motion was approved with four aye's and one abstention.

Environment & Wildlife Committee

Mr. Weis provided a report of the Environment & Wildlife Committee's most recent meeting.

Mr. Weis announced that the committee would host an Alligator Meeting on June 2, 2025, at 7:00 pm at the Seabrook Island Lakehouse.

Public Safety Committee

Mr. Kortvelesy provided a report of the Public Safety Committee's most recent meeting.

Mr. Kortvelesy announced that the Disaster Recovery Council will meet on June 17, 2025 in preparation for the 2025 hurricane season.

Board of Zoning Appeals

No report provided.

Planning Commission

No report provided.

ATAX Advisory Committee

No report provided.

Utility Commission

No report provided.

REPORTS OF TOWN OFFICERS

Town Administrator

Mr. Cronin stated that at the prior meeting he announced the town was having an issue with their online payment service provider to pay for business licenses and zoning permits. He stated that the issue had been resolved.

Mr. Cronin also stated that council discussed the possibility of engaging a grant writer for the purposes of securing funds to be used on the Seabrook Island Road project. He stated that the program the town was hopeful would apply to the road project had been eliminated.

Clerk/Treasurer

Report of Financials for the Month of December 2024: Mr. Wiggins provided a report on the town's financial statement for the month of December 2024.

Mr. Wiggins stated that both he and the town's accountant are working on compiling documentation for submission to the audit firm in preparation for the FY 2024 audit.

Zoning Administrator

Code Enforcement Summary: Mr. Newman provided an update of code enforcement and construction activities since the March meeting.

Beach Patrol Summary: Mr. Newman provided an update of beach patrol activities.

Short-Term Rental Summary: Mr. Newman provided a summary of current STR activities.

Mr. Newman announced that the town has hired two new code enforcement officers since the last council meeting.

Mr. Kortvelesy asked how the STR cap has already been exceeded.

Mr. Cronin stated the cap will not be instituted until May 1st, per the ordinance.

Mr. May asked if the new code enforcement positions were full-time or part-time.

Mr. Newman stated the positions were part-time and seasonal.

Communication & Events Manager

Ms. Grooms stated the town has a few events scheduled for May. She stated May 9th will be the unveiling of new wildlife signs along the Seabrook Island beach. May 28th will be the first Chow Town event of the summer at Town Hall. May 29th will be Disaster Awareness Day held at the Seabrook Island Club.

ORDINANCES FOR SECOND READING

**Ordinance 2025-02:
An ordinance amending
the Town Code for the
Town of Seabrook Island,
South Carolina; Chapter 2,
Administration; Article II,
Mayor and Council;
Section 2-202, Election and
terms of office; so as to
amend the term of office
for the Mayor and
members of Town Council
from two-year non-
staggered terms to four-
year staggered terms**

Mr. Wiggins stated the town had received 19 public comments related to the ordinance.

Mr. Kleinman stated there were common questions found throughout the comments, and he asked Mr. Cronin to answer these common questions. Mr. Kleinman asked the administrator how the proposed ordinance would affect current office holders of the town.

Mr. Cronin stated the ordinance would not extend the terms of any current members of council or the mayor. He stated the way the ordinance is drafted, the term lengths would not go into effect until after the next election. He stated that in the fall of 2025, there would be two separate elections for council seats, two seats that would be for a four-year term and another two seats that would initially be for a two-year term. Those two seats would convert to four-year terms in November of 2027 so that council elections will be staggered.

Mr. Kleinman asked Mr. Cronin why council members cannot remain elected every two years and adjust the elections so two seats can be staggered.

Mr. Cronin stated that pursuant to SC Code § 5-15-40, staggering two-year terms are unlawful, as is setting a three-year term for the mayor and councilmembers.

Mr. Kleinman asked Mr. Cronin if council had the authority to change the term lengths, or if this is required to be completed by a referendum.

Mr. Cronin stated that if the form of government needed to be changed, a referendum is required, as is changing the number of council members. However, Mr. Cronin stated that the SC Attorney General has issued an opinion that expanding the term length of a mayor or councilmembers can be done by ordinance.

Mr. Weis asked if there was a mechanism by which a council member could be recalled before the end of their four-year term.

The town attorney stated that unless the governor removed a councilmember from office as a result of a crime, there was no mechanism by which an elected official could be removed. Mr. McQuillin went on to state that publicly censuring an elected official was an option. He stated that censuring is a way to publicly embarrass an elected official.

Mr. Kortvelesy asked if there was a mechanism through which a recall could be added to the ordinance.

Mr. McQuillin stated a recall creates due process concerns of removing a duly elected representative.

Mr. Cronin stated the issue that created the need for a "recall" could be presented to the voters as a referendum. Mr. McQuillin stated this recently happened on the Isle of Palms as well as Folly Beach.

Mr. May made a motion to approve the ordinance at second reading, seconded by Mr. Kleinman.

Mr. Hamilton stated he had concerns that moving to a four-year term might disincentivize residents to run for public office on Seabrook Island, and furthermore, residents who are elected to a four-year term might resign in the middle of a term creating a need for a special election.

Mr. Weis stated he was opposed to the ordinance. He stated he was elected to a condo association board in Chicago. He stated they had two year terms, and the terms were loved by the association.

Mr. Cronin presented a graph that represented the number of years mayors and councilmembers have served since Seabrook Island's founding in 1987.

Mr. May stated that if there were unanimous decisions made by the council that were unpopular with residents, even with four-year terms, the next election was never more than two years away.

Mr. May stated he read the public comments. He stated that he thought most of the questions that were raised were all answered to his satisfaction. He further stated that looking at the number of residents who spoke at the public hearing and/or submitted a public comment, this issue was not an issue that had the interest of too many Seabrookers.

Mr. Hamilton asked if the council could continue to operate with less than five representatives.

Mr. McQuillin stated that in the event of a resignation, the town would notify the South Carolina Election Commission so they could arrange for a special election. But he stated that there would be a period when the council would need to make decisions with less than five representatives.

Mr. Kleinman stated while he appreciates the uniqueness of Seabrook Island, there is a limit to that uniqueness. He stated that Seabrook Island is far outside the mainstream on the issue of two-year terms. He stated that apart from Mr. Kortvelesy, who was already elected to the council, the rest of the council took office in 2024, and the process was less than seamless. Mr. Kleinman stated that there is productivity lost as a new council takes office.

Mr. Kleinman stated that many of the same strategic priorities remain priorities due in part to a lack of continuity of council members.

After the preceding discussion, the vote was as follows:

Mr. Hamilton	aye
Mr. Kleinman	aye
Mr. Kortvelesy	abstain
Mr. May	aye
Mr. Weis	nay

Ordinance 2025-02 passed second reading with three ayes, one nay, and one abstention.

ORDINANCES FOR FIRST READING

Ordinance 2025-03: Mr. Weis made a motion to approve the ordinance on first reading, seconded by Mr. Hamilton.

An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article IV, Financial Administration; Division 1, Generally; Section 2-603, Expenditure of Funds; so as to amend the allowable methods of expending town funds; and Section 2-604; Forms of Payment; so as to amend the allowable methods of collecting payments owed to the town

Mayor Kleinman left the meeting at 4:41 pm.

The vote was as follows:

Mr. Hamilton	aye
Mr. Kleinman	absent
Mr. Kortvelesy	aye
Mr. May	aye
Mr. Weis	aye

Ordinance 2025-03 passed first reading with four ayes.

Mayor Kleinman returned to the meeting at 4:47 pm.

Ordinance 2025-04: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article V, Officers and Departments; so as to establish Town Departments; and other matters related thereto

Mr. Kortvelesy asked if there would be qualifications established for future department heads.

Mr. Cronin stated that the Town of Seabrook Island has a strong mayor form of government. He stated that minimal qualifications for all positions are reviewed by the mayor before the town posts any openings. He further stated that individuals with specific qualifications may not apply for job openings. He stated it would not be ideal to need to return to council to amend the ordinance before hiring staff that may not meet the qualifications required by the ordinance.

Mr. Hamilton had a question related to calling certain individuals a "director".

Mr. Cronin stated that in public agencies, directors are responsible for entire departments that carry out siloed activities of a municipal organization.

Mr. Hamilton asked if it would be appropriate to define the role of a director in the ordinance.

Mr. Kleinman stated he thought the ordinance already defines those roles.

Mr. Kortvelesy asked if the ordinance passes, is the town obligated to fill these new positions.

Both Mr. Kleinman and Mr. Cronin stated he should not assume these positions will be filled, as the ordinance provides for the town administrator to serve as various department heads. Mr. Kleinman also stated that in the current town hall, there is no room for additional staff.

Mr. Cronin stated that by establishing departments, it aligns the structure of the town with how the budget has been presented for the last two years.

Mr. Hamilton asked a question related to the appointment of the Finance Director and town treasurer.

Mr. Cronin stated that if the town were to hire a Finance Director, by default, that individual would serve as the town treasurer.

Mr. Kleinman motioned to approve the ordinance at first reading, seconded by Mr. Hamilton.

Mr. Kleinman's motion was approved UNANIMOUSLY.

Ordinance 2025-05: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article IV, Financial Administration; Division 2, Purchasing Requirements; so as to amend certain definitions related to the procurement of goods and services; to formalize the role of department directors in the procurement process; to allow an exception from standard 2 purchasing requirements for subscription-based information technology arrangements (SBITA); and

Mr. Hamilton asked a question related to the purchasing of goods or services off of an already existing state contract. He asked if those goods or services can be found cheaper locally rather than off a state contract, should there not be a separate bid process.

Mr. Cronin stated that the reason this is included in the ordinance was for vehicle purchases. He stated that often times, less expensive vehicles were found in the Upstate of South Carolina. He further stated that procuring the vehicle was an all day process of travelling to the Upstate and taking possession of the vehicle, or paying to have the vehicle delivered. He further stated that a local dealership would often quote a price lower than the lowest price found on a state contract.

Mr. Hamilton asked why the town cannot solicit bids, no matter the good being purchased, and then compare those bids to existing state contracts.

Mr. Cronin stated that in the case of vehicle purchases, it was difficult to receive responses from a sufficient number of bidders.

Mr. Hamilton stated he had concerns with the ability of the town to bypass bid processes to procure goods off a state contract.

other matters related thereto

Mr. Cronin stated that in his seven years with the town, the only good he has used a state contract for is vehicles.

Mr. Kortvelesy motioned to approve Ordinance 2025-05 at first reading, seconded by Mr. Weis.

Mr. Hamilton stated he wanted to read Kiawah Island's procurement ordinance before second reading.

Mr. Kortvelesy's motion passed UNANIMOUSLY.

OTHER ACTION ITEMS

**Resolution 2025-27:
A resolution adopting the Seabrook Island Marshfront Management Plan**

Mr. Kortvelesy made a motion to approve Resolution 2025-07, seconded by Mr. Weis.

Mr. May stated he was concerned with the 25' setback from a critical line, considering the number of structures that are no longer outside the setback due to the encroachment of the marsh over the past years.

Mr. May made a motion to amend the 25' setback language found on page 15 of the Marshfront Management Plan, seconded by Mr. Kleinman.

Mr. Cronin recommended that Mr. May amend his motion to strike the references to a 25' setback, keeping all other language found under the "Protect" goal.

Mr. May amended his amendment incorporating Mr. Cronin's recommendations.

Mr. May's amendment passed UNANIMOUSLY.

Mr. Kortvelesy's motion passed UNANIMOUSLY.

**Resolution 2025-28, 2025-2929:
Resolution to appoint and commission Eric Mack and Steven McGee as code enforcement officers for the proper security and general welfare for the Town of Seabrook Island**

Mr. Weis made a motion to approve Resolution 2025-28 and 2025-29, seconded by Mr. Kortvelesy.

The motion was approved UNANIMOUSLY.

Committee Appointments

Mr. Kleinman made a motion to appoint Stuart Spisak, Ann Marie O'Rourke, Chris Hix, Gary Walton, Meredith Allen, Randy Buck, and Nicole Watt to the Accommodations Advisory Tax Committee for a term of two years, ending December 31, 2026, seconded by Mr. May.

The motion was approved UNANIMOUSLY.

Mayor Pro Tempore Election

Mr. Kleinman nominated Mr. Hamilton as Mayor Pro Tempore from April 24 through May 1, 2025, seconded by Mr. May.

The motion was approved UNANIMOUSLY.

ITEMS FOR INFORMATION/DISCUSSION

There were no Items for Information/Discussion.

CITIZEN COMMENTS

There were no Citizen Comments.

COUNCIL COMMENTS

Mr. Hamilton stated he received many comments related to the removal of trash cans on the beach. He stated it was something the town should continue to look at based on the feedback he had received.

Mr. May stated that future Community Promotions and Conservation grant applications should make it clear that the council will not consider passage of applications unless a representative from the requesting entity is present either in person or virtually.

Mr. Kleinman, in response to Mr. Hamilton's concerns, stated the trash cans that were removed from the beach are not suitable to be on the beach. Mr. Kleinman stated that staff were looking at options, such as working with SIPOA. Furthermore, he stated that as has been done in the past, Beach Patrol staff are not suited for trash collection.

ADJOURNMENT

There being no further discussion, Mayor Kleinman declared the meeting adjourned at 5:11 pm.