

# TOWN OF SEABROOK ISLAND

Town Council Meeting  
October 26, 2021 – Virtual



## MINUTES

### 1. Call to Order – Roll Call – Freedom of Information

The October 26, 2021, Town Council Meeting was conducted via Zoom, and was simultaneously made available to the public via YouTube live stream and by conference call, all in keeping with practices adopted to address the ongoing coronavirus pandemic. Mayor Gregg, Councilwomen Finke and Fox, Councilman Goldstein, Town Administrator Cronin, and Town Clerk Watkins participated in the meeting.

2. **Minutes:**
- Town Council Public Hearing September 28<sup>th</sup>, 2021
  - Town Council Meeting September 28<sup>th</sup>, 2021
  - Ways and Means Committee Meeting October 12<sup>th</sup>, 2021
  - Town Council Special Called Meeting October 14<sup>th</sup>, 2021
  - Town Council Special Called Meeting October 21<sup>st</sup>, 2021

Councilwoman Finke moved to approve the Public Hearing Minutes of September 28<sup>th</sup>; Councilwoman Fox seconded. All voted in favor.

The Public Hearing minutes of September 28<sup>th</sup> were approved.

Councilwoman Finke moved to approve the meeting minutes of September 28<sup>th</sup>; Councilwoman Fox seconded. All voted in favor.

The meeting minutes of September 28<sup>th</sup> were approved.

Councilwoman Finke moved to approve the Ways and Means Committee meeting minutes of October 12<sup>th</sup>; Councilwoman Fox seconded. All voted in favor.

The Ways and Means Committee meeting minutes of October 12<sup>th</sup> were approved.

Councilwoman Finke moved to approve the special called meeting minutes of October 14<sup>th</sup>; Councilwoman Fox seconded. All voted in favor.

The special called meeting minutes of October 14<sup>th</sup> were approved.

Councilwoman Finke moved to approve the special called meeting minutes of October 21<sup>st</sup>; Councilwoman Fox seconded. All voted in favor.

The special called meeting minutes of October 21<sup>st</sup> were approved.

**3. Financials:** For the Month of September 2021

Mayor John Gregg reviewed the financials for September as follows:

- The total fund balance for the period ending September 30, 2021, was \$6,213,297 about \$875,286 more than the balance as of September 30, 2020, and about \$1,258,771 more than for the same period of 2019.
- Unrestricted revenue for September totaled \$57,719 and unrestricted revenue for the year totaled \$1,252,711, representing about 94% of the 2021 annual budget and being about \$263,417 more than for the same period in 2020.
- Expenditures for September totaled \$74,883 and expenditures for the year totaled \$701,775, representing about 50% of the 2021 annual budget. Expenditures for the year were about \$38,662 more compared to the same period of 2020.
- Excess of expenditures over revenues was \$17,164 for the month of September and excess of revenues over expenditures for the year was \$550,936 compared to an excess of revenues over expenditures of about \$326,181 as of September 30, 2020, reflecting the significantly greater revenue in the period this year as compared to the same period of 2020.

**4. Public Hearing:**

- Ordinance 2021-11: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront Management; Division 2, Restrictions; Section 32-42, Vehicle Use; so as to amend the requirements relating to the operation of motor vehicles on the beaches of Seabrook Island

No public comments were made.

- Ordinance 2021-12: An ordinance adopting a temporary moratorium on the consideration of zoning map amendments (i.e., “rezonings”), annexation requests, and certain subdivision approvals for a period not to exceed one hundred and eighty (180) days

No public comments were made.

- Ordinance 2021-13: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article V, Financial Administration; Division 2, Purchasing Requirements; so as to amend the policies and procedures related to the procurement of goods and services by the town

No public comments were made.

Councilwoman Finke moved to adjourn the public hearing meeting; Councilwoman Fox seconded. All voted in favor.

The public hearing meeting adjourned at 2:47PM.

## 5. Citizens/Guests Presentations, Comments:

### Presentations:

- Ted Flerlage – Preserve Seabrook petition presentation

Mr. Flerlage presented to Council about the petition submitted on October 4<sup>th</sup> with the update on October 25<sup>th</sup> and why this is necessary for the Town.

A copy of his presentation is attached with the minutes.

- Paul McLaughlin – Preserve Seabrook petition presentation

Mr. McLaughlin presented to Council about the petition submitted on October 4<sup>th</sup> with the update on October 25<sup>th</sup> and this is necessary for the Town.

A copy of his presentation is attached with the minutes.

- Nancy Buck – Presentation against short-term rental caps

Ms. Buck presented to Council against the proposed petition to limit short-term rentals and why short-term rentals are important to the community.

A copy of her presentation is attached with the minutes.

- Dr. William Marsteller – Presentation against the petition submitted to Council

Dr. Marsteller spoke to Council against the proposed petition submitted to Council that limits short-term rentals and used himself as an example of why they are important to the community. He also added these issues should be made with the Seabrook Island Property Owners Association (SIPOA) to include all property owners.

There was no presentation submitted to Council.

### Comments:

- David Paschkes – Comment regarding the petition submitted to Council

Mr. Paschkes spoke against the proposed petition to Council and summarized how he became a property owner of Seabrook Island by renting a short-term rental. He also added that if a committee were formed regarding this issue, he would volunteer to be on this committee.

- Mary Ann Lloyd – Comment in opposition to the petition submitted to Council

Ms. Lloyd spoke against the proposed petition to Council and added this issue be brought to SIPOA for all property owners to give input.

- Terri Murphy – Comment in opposition to the petition submitted to Council

Ms. Murphy spoke against the proposed petition to Council and summarized how she became a property owner of Seabrook Island by renting a short-term rental.

- Mary Gwyn – Comment in opposition to the petition submitted to Council

Ms. Gwyn spoke against the proposed petition to Council and added that she has been coming to Seabrook Island since 1977 through short-term rentals.

- James Edmiston – Comment in opposition to the petition submitted to Council

Mr. Edmiston spoke against the proposed petition to Council and against any future restrictions on short-term rentals.

- David Zimmerman – Comment in opposition to the petition submitted to Council

Mr. Zimmerman spoke against the proposed petition and brought up his concerns on what this proposed petition will do to the island. He used himself as an example of why short-term rentals are important to the island.

Mayor Gregg opened the floor for other comments and allowed up to one minute to speak for each comment.

- Lisa (no last name given) commented that the issue of short-term rentals is a Town issue to evaluate and spoke in favor of the petition presented.
- Alan Weiss spoke in favor of the petition submitted to Council and used himself as an example of issues with short-term rentals.
- Ted Flerlage clarified what the petition asked for and added if a committee is formed to discuss this issue, he would volunteer to be a part of it.
- Paul McLaughlin responded to other comments made against the petition and clarified surrounding jurisdictions who have made short-term rental caps.
- James Lagos commented against the petition presented and used himself as an example of how short-term rentals are important.

#### **6. Reports of Standing Committees, Commissions, Boards:**

- **Public Relations/Communications**

Councilwoman Fox the public relation and communications updates from the Town posted in the Seabrooker and Tidelines.

- **Public Safety & Special Projects**

Councilman Goldstein updated Council that road design project with ESP is moving forward.

Councilman Goldstein summarized the Public Safety meeting for October, and they are reviewing the after-action report from the emergency disaster exercise for the November meeting.

- **Beach Administration and Community & Government Relations**

Councilwoman Finke updated Council that research to update the beach ordinance is still ongoing and will work with the proposed Environmental Committee to review all aspects of the ordinance and make a recommendation for Council. She added this would also include review of the no wake zone area.

Council discussed including the use of flying lanterns, balloons, etc. to be included with the research for the revisions to the beach ordinance.

Councilwoman Finke informed Council the Community Promotions Grant Committee will be coming together to make some changes/clarifications on the application process and eligibility of which projects for funding.

Councilwoman Finke thanked residents for their emails and has responded to all of them and added that sometimes her email does end up in the spam folder and reminded residents to check there as well.

- **Ways & Means**

Mayor Gregg summarized the Ways and Means Committee meeting of October 12<sup>th</sup>, 2021, and updated Council regarding related news pertaining to certain items since the Ways and Means meeting.

- **Planning Commission**

None.

- **Board of Zoning Appeals**

None.

**7. Reports of Ad Hoc Committees:**

None.

**8. Reports of Town Officers:**

- **Mayor** – John Gregg
  - Follow-up concerning cooperation with the Town of Kiawah Island regarding Johns Island roads

Mayor Gregg updated Council that representatives of Seabrook and Kiawah met with Charleston County Council Chairman Teddie Pryor on October 22. He

added that he believes the Town of Kiawah has scheduled a meeting for the week of October 24 with representatives of Charleston County who are engaged in planning for roads on Johns Island. Both Towns continue to consider advocacy for improvements of Segment C (Bohicket Road from Maybank Highway to Betsy Kerrison Parkway).

- Contemplated short-term rental discussions with the Seabrook Island Property Owners Association

Mayor Gregg notified Council that he will be meeting with representatives of SIPOA along with the Mayor Pro Tem on November 5 to discuss matters relating to short-term rentals.

- **Town Administrator/Zoning Administrator**

- DSO & Zoning Map Update

Town Administrator Cronin updated Council on the remaining steps for the Development Standards Ordinance (DSO) and zoning map updates. He added there will be another meeting of the DSO Advisory Board to review the latest update and move forward with adoption in mid-November.

- Contract Updates: Exterior Maintenance & Painting Services / Roof Replacement

Town Administrator Cronin updated Council on the two contracts awarded to Mariner Construction for the exterior maintenance and painting services, and for the Town Hall roof replacement.

- Town Administrator Cronin updated Council that the Town was awarded the MASC (Municipal Association of South Carolina) Hometown Economic Development Grant in the amount of \$25,000 for the gateway and wayfinder signage for the Town.
- Town Administrator Cronin reminded Council the new Zoning Administrator and Chief Code Enforcement Officer Tyler Newman starts on November 1, 2021.
- Town Administrator Cronin summarized the 2020 Census Data for the Town of Seabrook with regards to population, housing units, occupancy of the housing units, and occupancy rate.

- **Town Council Members**

None.

- **Utility Commission**

Commissioner Smith summarized the Utility Commission meeting of September 15<sup>th</sup>, the August financials, and the water usage and distribution for August. The next Utility Commission Meeting will be on October 20<sup>th</sup> with a budget meeting on October 27<sup>th</sup>.

#### 9. Petitions Received, Referred or Disposed of:

- Preserve Seabrook: It's Our Home (Received October 4, 2021, updated October 25, 2021)

Mayor Gregg clarified that Council is not voting today on any ordinance or resolution concerning the proposed referendum of the petition received October 4 or the updated petition received October 25. Further, it is to be understood that were Council to determine that further regulation of short-term rentals by the Town be appropriate, the process to achieve that regulation would afford all interested parties an opportunity to be heard through outreach and/or public hearings. As for the petition, it is noted that State law requires that a referendum question be made available no later than forty-five days in advance of the relevant election. Notwithstanding that today's agenda allowed both presentations and comments concerning the petition, the result of the untimeliness of submission of the petition is that the request for placing the proposed referendum on the ballot for the Town's 2021 election is denied.

In view of the extraordinary volume of comments received by the Town concerning the petition, Mayor Gregg proposed to "re-invigorate" the Town's *Ad Hoc* Committee for Short-Term Rentals with a charge to review the petition and related materials to identify topics for factual inquiry. He added that it is his intention that the *Ad Hoc* Committee report to Council with recommendations for such inquiries, including the assertion of "un-checked growth of short-term rentals". Mayor Gregg also added that it is his expectation that results of such inquiries may produce information that would be worthy of sharing with SIPOA as SIPOA and the Town undertake cooperative effort to address matters of concern to residents.

Mayor Gregg noted to Council that he found the proposed referendum objectionable as pertaining to a legislative matter for Council while excluding participation by non-resident property owners who do not have the right to vote in a Town election. He added the petitioners were made aware that changes to zoning are not susceptible of address by referenda but have persisted in pursuing a non-binding referendum in an apparent attempt to induce Council to effect such changes.

#### 10. Ordinances for Second Reading:

- Ordinance 2021-11: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches; Article II, Beachfront Management; Division 2, Restrictions; Section 32-42, Vehicle Use; so as to amend the requirements relating to the operation of motor vehicles on the beaches of Seabrook Island

Councilwoman Finke moved to approve Ordinance 2021-11; Councilwoman Fox seconded. All voted in favor.

**Ordinance 2021-11 passed second reading and was adopted.**

- Ordinance 2021-12: An ordinance adopting a temporary moratorium on the consideration of zoning map amendments (i.e., “rezonings”), annexation requests, and certain subdivision approvals for a period not to exceed one hundred and eighty (180) days

Councilwoman Finke moved to approve Ordinance 2021-12; Councilwoman Fox seconded. All voted in favor.

Ordinance 2021-12 passed second reading and was adopted.

- Ordinance 2021-13: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article V, Financial Administration; Division 2, Purchasing Requirements; so as to amend the policies and procedures related to the procurement of goods and services by the town.

Councilwoman Finke moved to approve Ordinance 2021-13; Councilwoman Fox seconded. All voted in favor.

Ordinance 2021-13 passed second reading and was adopted.

#### **11. Ordinances for First Reading:**

- Ordinance 2021-14: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article III, Procedures, Committees and Ordinances; Section 2-111, Standing Committees; so as to amend the town’s advisory committees; and Article IV, Officers and Departments; so as to establish provisions related to the position of Town Administrator

Councilwoman Finke moved to approve Ordinance 2021-14 with the effective date of January 1, 2022; Councilwoman Fox seconded. All voted in favor.

Ordinance 2021-14 passed first reading.

#### **12. Miscellaneous Business:**

- Resolution 2021-24: A resolution directing the expenditure of unbudgeted revenues from the Charleston County Accommodations Tax Program

Councilwoman Finke moved to approve Resolution 2021-24; Councilwoman Fox seconded. All voted in favor.

Resolution 2021-24 was approved.

#### **13. Public Comments:**

David Zimmerman thanked Council for all their service to the Town.

#### **14. Adjourn**



Councilwoman Finke moved to adjourn the meeting; Councilwoman Fox seconded. All voted in favor.

The meeting adjourned at 4:38PM.

Date: November 1, 2021

Prepared by: *Katharine E. Watkins*  
Town Clerk/Treasurer