

TOWN OF SEABROOK ISLAND

Ways and Means Committee Meeting Agenda

November 9, 2021 – Virtual



MINUTES

1. Call to Order – Pledge of Allegiance – Roll Call – Freedom of Information

The November 9, 2021 Ways and Means Committee meeting was conducted as a video conference using 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, Councilmembers Finke, Fox, and Goldstein, Town Clerk Watkins, Zoning Administrator Newman, and Town Administrator Cronin participated in the meeting. Mayor Gregg confirmed with the Town Clerk that notice of the meeting was properly posted, and the requirements of the SC Freedom of Information Act were met.

2. Mayor John Gregg

- Mayor Gregg introduced the new Zoning Administrator/Chief Code Enforcement Officer to members of Council and welcomed the newly elected Dan Kortvelesy to all and noted the swearing in ceremony for all of Council will be on January 4th.
- Discussion of request for special election for proposed referendum concerning short-term rentals

Mayor Gregg summarized an email received by all members of Council requesting that the Town hold a special election for a proposed referendum concerning regulation of short-term rentals. He added the request proposed that the special election be held in February of 2022.

Mayor Gregg reminded members that at the October Council meeting he proposed that the Town's *Ad Hoc* Committee for Short-Term Rentals be "re-invigorated" with a charge to identify factual inquiries that are implicated by the recent petition, referendum, and related materials, all to the effect of seeking that the Town implement a cap on short-term rentals. Until topics for factual inquiry have been identified, inquiries made, and the results of those inquiries are provided to Council, Council has insufficient basis for evaluating whether further regulation of short-term rentals is needed, and, if so, the nature of such further regulation. He added that the *Ad Hoc* Committee for short-term rentals will keep Council apprised of the progress being made in the ordinary course of reporting at future Council meetings.

Council discussed the Seabrook Island Property Owners Association's (SIPOA) long range planning committee and their findings with regards to short-term rentals, and how the data will be collected by the ad hoc committee.

Council further discussed that the obligation that they have to the voters and should include the authors of the petitioners when conducting research, and whether a special election is necessary.

Council clarified the difference between a non-binding referendum vs. referendum and state law regarding zoning changes by referendum.

- Discussion of resident request for relief under Town's business license requirements

Mayor Gregg summarized an email from a resident who asserts that he engages in photography as a hobby and sells notecards and calendars in connection with that hobby. The resident has requested that Council consider the requirements of the Town's business license ordinance and whether a "carve out" should be made "for hobbyists or residents who sell anything on the island". In particular, the request is to be relieved of a requirement to obtain any business license whatsoever for such sales. The mayor noted that the Town's ordinance exempts payment of fees for sale of personal items at the owner's residence (as in a so-called "garage sale") but requires that the seller register information required with the license inspector. Further, current practice is to issue single-day licenses for a nominal fee to artists and craftsmen to sell items at art shows, craft shows and events. Neither of these regimes provide the specific relief sought. The new model business license ordinance the Town will be adopting, would allow the Town to create specific sub-classes under Class 9 that could accommodate specific rates but would not appear to eliminate the need for a license.

Town Administrator Cronin clarified the model ordinance for Council and the various rate classes as specified in Ordinance 2021-15.

Council clarified the difference between a hobbyist and business for photographers, arts and crafts, etc. and application of a vendor's license is for a special event.

Council further clarified if relief were to be made, how this would affect the integrity and enforcement of the business license ordinance.

Council discussed how the Town can classify certain businesses as certain rates, the new rate schedule, and which types of businesses would qualify for a special event permit.

- Follow-up from meeting with representatives of SIPOA concerning short-term rentals

Mayor Gregg noted that on November 5, he and the Mayor *Pro Tem* participated in a video conference with representatives of SIPOA to discuss matters pertaining to regulation of short-term rentals. It was noted that SIPOA is bound by the Restrictive Covenants which do not currently limit short-term rentals. An amendment of the Restrictive Covenants would require a vote by property owners. Conversely, SIPOA's Long Range Planning Committee is currently engaged in data gathering and has been working with the Council of Villa Associations and Regimes to improve information that SIPOA has regarding concerns of regimes pertaining to short-term rentals. That effort is ongoing and SIPOA contemplates sharing information it collects with the Town. As noted with reference to the Town's *Ad Hoc* Committee for Short-Term Rentals, the

Town is also undertaking to gather data that will inform consideration of whether further regulation of short-term rentals is warranted. He further added Councilwoman Fox participates in SIPOA LRP meetings and is a member of the Town's *Ad Hoc* Committee for Short-Term Rentals and invited her to comment further concerning the ongoing work of both.

Councilwoman Fox summarized the SIPOA long-range meeting for Council with regards to short-term rentals.

- Follow-up from meeting with Mike Shuler (principal of owners of Bohicket Marina).

Mayor Gregg summarized the meeting with Mike Shuler, principal of the owners of Bohicket Marina, on November 3rd. In advance of the meeting, he provided Mr. Shuler the Town's Seabrook Island Road Corridor Concepts presentation and following the meeting, he provided him the Town's Seabrook Island Road Drainage Evaluation presentation. Mr. Shuler expressed support for improvements reflected in the Corridor Concepts presentation and offered to assist the Town with its efforts at improving Seabrook Island Road.

Mr. Shuler indicated that work has been undertaken at the Marina to address issues known to the Town including occurrence of sinkholes that had developed a few years ago along the boardwalk to the townhouses as well as residential uses at a Marina retail structure. The Marina owners are continuing to pursue plans to make further improvements at the Marina and have been contacted by businesses interested in occupying space.

Mr. Shuler confirmed that he has been in touch with representatives of the Town of Kiawah Island concerning the proposed MUSC facility at the parcel at 1884 Seabrook Island Road (formerly occupied by Miss Lulu's). He shared a site plan drawing that reflected a proposed "curb cut" at Andell Bluff Blvd. in addition to the existing "curb cut" on Seabrook Island Road.

- Comment concerning proposed development on Johns Island (Island Park Place Medical Health and Wellness Village)

Mayor Gregg summarized the Charleston County Planning Commission Workshop on November 8 at which a proposed planned development at a parcel on Betsy Kerrison Parkway identified as the Island Park Place Medical Health and Wellness Village was considered. The Town has been copied on comments submitted to Charleston County by two residents expressing opposition to the proposed development. In addition, on November 4, the Johns Island Task Force submitted a comment opposing the development. The mayor noted he had distributed copies of the Workshop presentation to members of Council.

Council discussed raising concerns from the Town to the Charleston County Planning Commission.

Council clarified if the Seabrook Island Utility Commission was informed of this plan and if they would be the ones to provide service to the proposed development. They further clarified if a certificate of need was presented as it had been for MUSC.

3. Town Council Members:

- **Jeri Finke**

None.

- **Patricia Fox**

Councilwoman Fox summarized the recent Town communications in the Seabrooker and on Tidelines for October.

Councilwoman Fox restated the most recent SIPOA long-range planning committee meeting.

Councilwoman Fox clarified the date and time of the Holiday drive thru on December 9th and when the Toys for Tots collection boxes would be available at Town Hall. She also clarified the date and time of the Town Council swearing in ceremony on January 4th.

- **Barry Goldstein**

None.

4. Town Administrator Joe Cronin

Action Items for November 16, 2021 Meeting:

- Second Reading Items

- 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

Town Administrator Cronin summarized Ordinance 2021-14 and that these changes would go into effect on January 1st, 2022.

Council discussed notifying members who are currently on the committees if they would like to continue to serve and updating the volunteer form on the website.

- First Reading Items

- Ordinance 2021-15: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 8, Businesses and Business Regulations; so as to adopt a revised Business License Ordinance in accordance with the Business License Standardization Act (2020 Act No. 176)

Town Administrator Cronin summarized Ordinance 2021-15 to match the model ordinance for the state mandated business license standardization.

Town Administrator Cronin clarified when the changes will go into effect next year based on communications with MASC on how to handle the transition to the new rates.

- Ordinance 2021-16: An ordinance to adopt a budget for the Town of Seabrook Island, South Carolina, for the Fiscal Year beginning January 1, 2021, and ending December 31, 2021

Town Administrator Cronin summarized Ordinance 2021-16 and the changes made to the budget based on the workshop sessions with council.

Council discussed changing the equipment for the new Building and Grounds Manager to be electric and what costs would be associated with making these changes.

- Town Administrator Cronin asked Ms. Watkins to update Council on the status of accepting credit cards in Town Hall and hosting a Town Council orientation prior to the swearing in ceremony.
- Town Administrator Cronin updated Council on the Seafields turn lane construction and the updated schedule based on issues had with the utilities.

5. Adjourn

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

The meeting adjourned at 3:47PM

Date: November 18, 2021

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