

# **Regular Town Council Meeting**

**October 10, 2023**

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## **Call to Order**

Mayor Sulka called the meeting to order at 5:00 PM.

Town Manager Stephen Steese, Assistant Town Manager Heather Colin, Assistant Town Manager Chris Forster, Chief of Police Joe Babkiewicz, Town Clerk Marcia Hunter, and Town Attorney Terry Finger were also present.

The Pledge of Allegiance was given by Mayor Lisa Sulka and invocation by Councilmember Larry Toomer.

## **Adoption of the Agenda**

**A motion was made by Mayor Pro-Tem Toomer to approve the agenda as presented, Seconded by Councilmember Frazier.**

## **Adoption of the Minutes**

1. Regular Meeting Minutes of 09/12/2023  
**Mayor Pro-Tem Toomer made a motion to approve the Regular Meeting Minutes of 09/12/2023, as presented, Seconded by Councilmember Wood. The motion carried unanimously.**
2. Town Council Quarterly CIP Workshop 07/18/2023  
**Mayor Pro-Tem Toomer made a motion to approve the Town Council Quarterly CIP Workshop Minutes of 07/18/2023, as presented, Seconded by Councilmember Hamilton. The motion carried unanimously.**

## **Presentations, Celebrations and Recognitions**

1. Beaufort County School District Character Student of the Month – Mayor Lisa Sulka
2. Proclamation Recognizing National Planning Month - Mayor Lisa Sulka
3. Cyber Security Awareness Month Proclamation - Mayor Lisa Sulka
4. Presentation Municipal Achievement Award - Ashely Kellahan, Municipal Association of SC
5. Beaufort County Update on Burnt Church Road Improvements Project - Jared Fralix, Assistant County Administrator, Engineering

## **Public Comment**

**No public comment. Rober Jones submitted an electronic comment card, he was not present to discuss concerns with Council.**

## **Communications from Mayor and Council**

**Councilmember Frazier attended a program for Poverty Awareness Month at Bluffton High. She recognized and congratulated Dr. Corley, Bluffton High School and Red Cedar Elementary School in reference to receiving excellent ratings again.**

**Councilmember Frazier expressed the importance for men to be vigilant and get breast cancer screenings as well.**

Mayor Pro-Tem Toomer discussed the Bluffton Art and Seafood Festival kick off on Sunday. As a special treat, his nephews will be bringing the big boats to town for community members to tour. The boats will be at the Calhoun Street Dock and Oyster Factory Park.

Councilmember Wood has recognized Mayor Sulka as a board member of the Bluffton Jasper Volunteers in Medicine.

#### Formal Agenda Items

1. Consideration of an Ordinance Approving a Public Private Partnership to Develop and Transfer Ownership of Town Owned Parcels within the Buckwalter Multi County Industrial Park – Second and Final Reading – Chris Forster, Assistant Town Manager  
**Mayor Pro-Tem Toomer made a motion to approve the second and final reading of the ordinance, Seconded by Councilmember Hamilton. Town Council unanimously approved the second and final reading of the ordinance.**
2. Consideration of an Ordinance to Amend the Town of Bluffton Code of Ordinances, to Add a New Section 18-137 Providing that a Person Who Violates Another with the Intent to Intimidate Another Person or Persons in Whole or In Part because of the Actual or Perceived Race, Color, Creed, Religion, Ancestry - Gender, Sexual Orientation, Gender Identity, Physical or Mental Disability or National Origin of the Other Person or Persons is Guilty of the Separate Offense of Hate Intimidation - Second and Final Reading - Stephen Steese, Town Manager  
**Councilmember Frazier made a motion to approve the second and final reading of the ordinance, Seconded by Councilmember Wood. Town Council unanimously approved the second and final reading of the ordinance. Bluffton is the fourth city/town in South Carolina to adopt a local Hate Intimidation Ordinance.**
3. Consideration of an Ordinance Amending the Town of Bluffton Fiscal Year 2024 Budget to Provide for the Expenditures of Certain Funds; and to Allocate Sources of Revenue for the Said Funds to Carryover Unspent Expenditures and Encumbrances from the FY2023 Budget to the FY2024 Budget – Second and Final Reading – Natalie Majorkiewicz, Director of Finance  
**Councilmember Toomer made a motion to approve the second and final reading of the ordinance, Seconded by Councilmember Wood. Town Council unanimously approved the second and final reading of the ordinance.**
4. Approval to Authorize a Design-Build Contract with Carolina Recreation and Design, LLC for the Oscar Frazier Splash Pad Project (Fiscal Impact: \$750,240.39) – Kimberly Washok-Jones, Director of Projects and Watershed Resilience  
**Councilmember Frazier made a motion to authorize a Design-Build Contract with Carolina Recreation and Design, LLC for the Oscar Frazier Splash Pad Project, Seconded by Mayor Pro-Tem Toomer. Town Council unanimously approved the authorization of this contact.**
5. Approval to Authorize an Amendment to Contract #2023-42 with Nix Construction Company, Inc. for Construction of Phase II Development at the New Riverside Barn Park Project (Guaranteed Maximum Price Fiscal Impact – \$10,903,573.00) - Kimberly Washok-Jones, Director of Projects and Watershed Resilience

**Mayor Pro-Tem Toomer made a motion to authorize an Amendment to Contract #2023-42 with Nix Construction Company, Inc. for Construction of Phase II Development at the New Riverside Barn Park Project, Seconded by Councilmember Wood. Town Council unanimously approved the authorization to this contract amendment.**

6. Consideration of Accommodations Tax Advisory Committee Funding Recommendations for Quarter Ending June 30, 2023 - Natalie Majorkiewicz, Director of Finance

**Seven (7) Action Items for consideration:**

1. **Councilmember Wood made a motion to approve up to \$6,000 Accommodations Tax funding to Congregation Beth Yam for its inaugural Bluffton Hanukkah Celebration/December 9 at Martin Family Park, Seconded by Mayor Pro-Tem Toomer. Town Council unanimously approved the funding.**
  2. **Councilmember Hamilton made a motion to approve \$10,836 Accommodations Tax funding to Coastal Conservation Association for its "Celebrating Conservation" event, Seconded by Councilmember Wood. Town Council unanimously approved the funding.**
  3. **Councilmember Hamilton made a motion to approve \$10,000 Accommodations Tax funding to BlacQuity for its Roots & River Festival, Seconded by Councilmember Wood. Town Council unanimously approved the funding. Mayor Sulka and Councilmember Frazier recused themselves from this vote.**
  4. **Councilmember Hamilton made a motion to approve \$21,650 Accommodations Tax funding to the Bluffton Boys and Girls Club for its Bike Bluffton event, Seconded by Councilmember Wood. Town Council unanimously approved the funding. Mayor Sulka recused herself from this vote.**
  5. **Councilmember Hamilton made a motion to approve \$80,000 Accommodations Tax funding to Historic Bluffton Arts & Seafood Festival, Seconded by Councilmember Wood. Town Council unanimously approved the funding. Mayor Pro-Tem Larry Toomer recused himself from this vote.**
  6. **Councilmember Hamilton made a motion to approve \$175,000 Accommodations Tax funding to Bluffton Gullah Cultural Heritage Center, Seconded by Councilmember Wood. Town Council unanimously approved the funding. Mayor Lisa Sulka and Councilmember Bridgette Frazier recused themselves from this vote.**
  7. **Mayor Pro-Tem Toomer made a motion to approve \$127,000 Accommodations Tax funding to Campbell Chapel AME Church for its restoration project, Seconded by Councilmember Frazier. Town Council unanimously approved the funding. Councilmember Fred Hamilton recused himself from this vote.**
7. An Ordinance Authorizing the Conveyance of Certain Real Property Owned By The Town Of Bluffton To Workforce State Of Mind, LLC, Located At 1095 May River Road And Consisting Of

1.78 Acres, More or Less, And Identified As Beaufort County Tax Map No. R610 039 000 0498 0000; And, Authorizing The Execution And Recording Of Associated Documents - First Reading - Heather Colin, Assistant Town Manager

***Mayor Pro-Tem Larry made a motion to approve the first reading of this ordinance authorizing the conveyance of certain real property owned by the Town of Bluffton to Workforce State of Mind, LLC, located at 1095 May River Road, Seconded by Councilmember Hamilton. Town Council unanimously approved the funding.***

#### **Consent Agenda Items**

1. Monthly Department Reports: Police, Finance and Administration, Human Resources, Municipal Court, Projects and Watershed Resilience, Public Services, Don Ryan Center for Innovation, and Growth Management
2. Town Manager Monthly Report
3. Consideration of an Ordinance and Ratification of a Non-Exclusive Easement Over Certain Real Property Owned by the Town of Bluffton Consisting of Parcel R610 028 000 1006 0000 in favor of Dominion Energy of South Carolina Inc. for Dominion Energy's System Improvement Project – Second and Final Reading – Kimberly Washok-Jones, Director of Projects and Watershed Resilience
4. Consideration of an Ordinance and Ratification of a Non-Exclusive Easement Over Certain Real Property Owned by the Town of Bluffton Consisting of Parcel R610 035 000 0016 0000 in favor of Dominion Energy of South Carolina Inc. for the New River Linear Trail – Second and Final Reading – Kimberly Washok-Jones, Director of Projects and Watershed Resilience
5. Approval to Authorize a Lighting Agreement with Dominion Energy for the New Riverside Barn Park Project (Fiscal Impact: \$325,220.40 over a 10-year term) – Kimberly Washok-Jones, Director of Projects and Watershed Resilience

**Councilmember Hamilton made a motion to approve the Consent Agenda as presented, Seconded by Councilmember Wood. The motion carried unanimously.**

#### **Executive Session**

1. Update and Discussions Relating to the Acquisition of Ghost Roads In and Around Old Town (Pursuant to SC Freedom of Information Act 30-4-70 [a][2])
2. Discussions Relating to Negotiations and Contractual Arrangements for Proposed Land Acquisition in Buck Island Road, and Highway 278 (Pursuant to SC Freedom of Information Act 30-4-70 [a][2])
3. Personnel Matters Regarding Town Council Appointments of Boards, Committees, and Commissions (Pursuant to Freedom of Information Act 30-4-70 [a][1])

#### **Action from Executive Session**

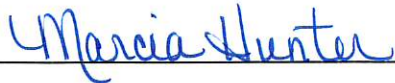
**Town Council took no actions nor votes on items 1 and 2.**

**Mayor Pro-Tem Toomer made a motion to remove Tim Wood from the Accommodations Tax Advisory Committee, effective immediately, Seconded by**

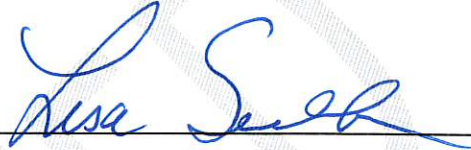
**Councilmember Hamilton. The motion carried unanimously. Councilmembers Dan Wood and Bridgette Frazier recused themselves from this vote.**

**Adjournment**

**Mayor Pro-Tem Toomer made a motion for adjournment at 8:05 PM, Seconded by Councilmember Hamilton. The motion carried unanimously.**



Marcia Hunter, Town Clerk



Lisa Sulka, Mayor

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*"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."*

*In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Auditory accommodations are available. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or [adacoordinator@townofbluffton.com](mailto:adacoordinator@townofbluffton.com) as soon as possible but no later than 48 hours before the scheduled event.*

*\*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Town Clerk. Public comment is limited to 3 minutes per speaker.*