

**Minutes  
Public Hearing  
Yvonne C. Butler Council Chambers, 700 Paris Avenue  
March 3, 2010**

**Members Present:** Mayor Samuel Murray and Councilmembers  
Vernon DeLoach, Mary Beth Heyward and Henry  
Robinson

**Staff Present:** Town Manager Van Willis, Planning Administrator  
Linda Bridges, Police Chief Jim Cadien and  
Municipal Clerk Tanya Payne

**I. CALL TO ORDER:**

Mayor Murray called the public hearing to order at 6:30 pm and welcomed those present.

**II. PURPOSE:**

- A. Ordinance 2010-4. An ordinance to amend various sections of Chapter 17.5, "Subdivision Regulations" of the Code of Ordinances of the Town of Port Royal, South Carolina to bring the chapter in line with state statutes, update the definition of the planning commission and add new traffic impact analysis language**

Mayor Murray read Ordinance 2010-4 by title.

Town Manager Willis explained the ordinance would require a traffic analysis for all projects in the Town except those located south of Ribaut Road. He said the Joint Municipal Planning Commission had unanimously recommended the change.

**III. COMMENTS:**

There were no further comments.

**IV. ADJOURNMENT:**The public hearing adjourned at 6:34 pm.

Respectfully submitted,

Tanya L. Payne  
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the public hearing was posted in the local newspaper thirty days prior to the hearing and on the town bulletin board two weeks before the hearing. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the hearing.

**Minutes  
Council Workshop  
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

**March 3, 2010**

**Members Present:** Mayor Samuel Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Henry Robinson

**Staff Present:** Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Jim Cadien and Municipal Clerk Tanya Payne

**I. CALL TO ORDER:**

Mayor Murray called the workshop to order at 6:34 pm.

**II. REVIEW AGENDA FOR THE March 10, 2010 COUNCIL MEETING:**

Town Manager Willis told Council four bids were received for drainage projects at 9<sup>th</sup> Street and Madrid Avenue, 16<sup>th</sup> Street and Paris Avenue and median bed lengthening in front of the school. He said they would be asked to award the contract at the March 10<sup>th</sup> Council Meeting. Mr. Willis said he had met with Ward Edwards and ATM concerning the Cypress Wetlands. He explained a formal presentation would be made at the March meeting concerning proposed improvements to the wetlands. Mr. Willis explained this work would be funded through the TIF along with mast arm signalization and lighting at the Ribaut Road/Lady's Island Drive intersection.

Town Manager Willis further briefed Council concerning:

- arranging meeting with all governmental entities concerning infrastructure at the port property
- issues resolved at Shrimp Dock; Spirit of South Carolina tied up at dock
- Jefferson Commons plans received today; building is vacant

- working with SCDOT on median plantings, resurfacing on Ribaut Road will begin around March 15<sup>th</sup>; still working with county to insure all area is resurfaced
- Northern Regional Plan - held discussion and saw presentation concerning train; no rail will be south of Ribaut Road
- property tax collection and TIF funds tracking as expected
- still working on maps with Burton Fire District to get proper reading of what properties are in or out of the district
- will be meeting with ATM and State Commerce staff to discuss Ft. Frederick sewer project; more properties have been added; brings total project to about one million dollars

Town Manager Willis read Ordinance 2010-3 by title and explained it would add planning administrator to the zoning chapter of the Town code to comply with state law. He read Ordinance 2010-4 by title and explained it would require a traffic impact analysis for development on all properties in the Town except those located south of Ribaut Road.

Town Manager Willis explained the Intergovernmental Agreement would allow the Town and the City of Beaufort to work together on RFP's, RFQ's, etc. in order to limit cost of services. He also told Council four bids were received for drainage and median work in the Town and that they would need to award the contract at the March 10<sup>th</sup> meeting.

### **III. IMPORTANT DATES AND INFORMATION:**

- A. Thursday, March 4, 2010, 5:30 pm – Design Review Board, Yvonne C. Butler Council Chambers, 700 Paris Ave.**
- B. Monday, March 8, 2010, 5:30 pm – Joint Municipal Planning Commission, Yvonne C. Butler Council Chambers, 700 Paris Ave.**
- C. Wednesday, March 10, 2010, 6:00 pm – Needs Assessment Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- D. Wednesday, March 10, 2010, 6:30 pm – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- E. Wednesday, March 10, 2010, immediately following the scheduled Public Hearing - Council Meeting, Yvonne Butler Council Chambers, 700 Paris Avenue**

Town Manager Willis reviewed the list of important dates and information and added the Beaufort County Legislative Delegation meeting to be held at 10:30 am on March 19<sup>th</sup> at the USCB's South Campus.

### **IV. ADJOURNMENT:**

Councilmember Heyward moved to adjourn the workshop and Councilmember Robinson seconded the motion.

The workshop adjourned at 7:05 pm.

Council Workshop  
March 3, 2010

Respectfully submitted,

Tanya L. Payne  
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the workshop was posted on the town bulletin board two weeks before the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the workshop.

**Minutes  
Public Hearing  
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

**March 10, 2010**

**Members Present:** Mayor Samuel Murray and Councilmembers  
Vernon DeLoach, Mary Beth Heyward, Joe Lee  
and Henry Robinson

**Staff Present:** Town Manager Van Willis, Planning Administrator  
Linda Bridges, Police Chief Jim Cadien and  
Municipal Clerk Tanya Payne

**I. CALL TO ORDER:**

Mayor Murray called the Public Hearing to order at 6:30 pm and welcomed those present.

**II. PURPOSE:**

- A. Ordinance 2009-8. An Ordinance annexing to the Town of Port Royal approximately 11.92 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 33A, Parcels, 22, 26, 27, 53, 54, 55, 56, 61, 122, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172**

Mayor Murray read Ordinance 2009-8 by title and explained Ordinance 2009-9 covered the zoning for the property. He said the request was for a Planned Unit Development (PUD) with the Shell Point Neighborhood Overlay District.

Town Manager Willis showed the property on the map. He also showed a rendering of the proposed development. Mr. Willis explained plans included fifty five percent open space, sixty units per acre, residential density at five units per acre, approximately 40 thousand square feet for commercial use, and Mixed Use 2 to include Carolina Flats and town homes.

Public Hearing  
March 10, 2010

County Councilmember Brian Flewelling speaking as a private citizen opposed the development and asked Council to hold off on adopting it. He said most of the surrounding property owners were opposed to the development and said it would set a bad precedent for the area.

Ron Petit who owns property nearby said the development would be good for the Town and encouraged Council to proceed with the adoption.

Dave Bradley opposed annexation and development of this property. He reminded Council of the petition containing three hundred fifty signatures opposing the development and read a statement expressing concerns over heavy traffic and no sidewalks.

Carolyn Davis read a statement opposing the development. She said the proposed development did not comply with the Shell Point Neighborhood Plan and the Town's Comprehensive Plan. Ms. Davis said the Joint Municipal Planning Commission had recommended R-17 zoning for this development.

James Clark stated that some items in the PUD were not allowed by the state. He said the forest would be cut and that buffers could not be maintained.

Lil Kent opposed the ordinances saying the development would create a bad situation.

Barbara Stanley showed pictures of standing water on the property and said development would be inviting scores of problems. She said she hoped the PUD would be modified through the permitting process for drainage and lower impact on the roads. She also expressed concerns for Battery Creek.

Brian Mc Daniels expressed concerns over traffic, roads and drainage problems. He said this project does not fit into this neighborhood and asked Council to deny the annexation.

Bob Bender mentioned the environmental and social risk involved.

Barbara Stanley pointed out there are already many unoccupied houses and shops in the area.

- B. Ordinance 2009-9. An ordinance to zone approximately 11.92 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 33A, Parcels 22, 26, 27, 53, 54, 55, 56, 61, 122, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 as a Planned Unit Development (PUD) zoning district with the Shell Point Neighborhood Overlay**

Public Hearing  
March 10, 2010

- C. Ordinance 2010- 3. An ordinance amending various Sections of Chapter 22, “Zoning” of the Code of Ordinances of the Town of Port Royal to comply with state statutes, change language concerning flood hazard districts, update by-laws of the zoning board of adjustment and appeals and establish the term “planning administrator”**

Town Manager Willis read Ordinance 2010-3 by title and explained it would add the term “planning administrator” to the zoning ordinance wherever the term building official appeared. He explained this would bring the ordinance in compliance with state law.

**III. COMMENTS:**

There were no further comments.

**IV. ADJOURNMENT:**

The hearing adjourned at 6:58 pm.

Respectfully submitted,

Tanya L. Payne  
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the Public Hearing was posted in the local news paper and posted on the Town bulletin board fifteen days before the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the event.

**Minutes  
Regular Council Meeting  
Yvonne C. Butler Council Chambers, 700 Paris Avenue**

**March 10, 2010**

**Members Present:** Mayor Samuel Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Henry Robinson

**Staff Present:** Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Jim Cadien and Municipal Clerk Tanya Payne

**I. PLEDGE OF ALLEGIANCE:**

Mayor Murray called the meeting to order at 7:00 pm and led the Pledge of Allegiance.

**II. INVOCATION:**

Councilmember Robinson offered the invocation.

**III. APPROVAL OF MINUTES:**

- A. Minutes from the Public Hearing of February 3, 2010**
- B. Minutes from the Council Workshop of February 3, 2010**
- C. Minutes from the Regular Council Meeting of February 10, 2010**

Councilmember Heyward moved to adopt the minutes from the Public Hearing of February 3, 2010, the Council Workshop of February 3, 2010 and the Regular Council Meeting of February 10, 2010. Councilmember Robinson seconded the motion.

Mayor Murray pointed out an error on page one of the February 3<sup>rd</sup> Council Workshop minutes. It stated that the Council retreat would begin at 8:30 pm when it should have been 8:30 am. The correction was made.

The motion carried by unanimous vote.

**IV. AMENDMENTS TO THE AGENDA:**

There were no amendments to the agenda.

## **V. COUNCIL BRIEFING:**

Town Manager Willis briefed Council concerning ownership of the cemetery on Royal Palms Road and the planting of the medians on Ribaut Road. He explained he had met with State Commerce Department officials concerning the Ft. Frederick Sewer Project and said they had walked through the project sight.

Chamber of Commerce President Carlotta Ungaro introduced the Chamber's new Executive Director Bob Moquin.

Town Manager Willis introduced Michael Brock and Greg Baisch from Ward Edwards Inc.

Michael Brock showed renderings of the proposed restoration of the Cypress Wetlands and pointed out changes and additions that would be made to enhance the area and make it more usable. He said the idea was to draw people to the wetlands while bringing it back to its natural state. Mr. Brock said there would be additional trails to connect with existing trails to allow access to the entire area and allow for wildlife viewing. He said the plan also included a sign system, seating, and parking.

Councilmember DeLoach signed an easement agreement giving the Town use of property to connect some of the wetlands. He said he was more than happy to assist in this way.

Town Manager Willis explained this was Phase 1 of the wetlands project and that other areas would also be restored. He explained he was working on a pros and cons document to determine whether the Duck Blinds Pond should be returned to salt water.

## **VI. PUBLIC COMMENTS:**

**At this time, the Mayor will recognize members of the audience who have submitted speaker forms to address the Council on agenda items. Each speaker will be limited to two minutes.**

Bob Bender spoke in favor of redirecting Highway 21 traffic to Ribaut Road. He explained with new directional signs, passers-by would be directed to areas such as the wetlands park and the Estuarium. Mr. Bender said he was also in favor of lowering the speed limit on Ribaut Road to thirty-five miles per hour.

## **VII. SECOND READINGS:**

- A. Ordinance 2010-3. An ordinance amending various sections of Chapter 22, "Zoning" of the Code of Ordinances of the Town of Port Royal to comply with state statutes, change language concerning Flood Hazard Districts, update by-laws of the Zoning Board of Adjustments and Appeals and establish the term "Planning Administrator**

Regular Council Meeting  
March 10, 2010

Town Manager Willis read Ordinance 2010-3 by title and explained this ordinance was discussed at the preceding Public Hearing and that it would add the words “planning administrator” to the ordinance where the words “building official” appear.

Councilmember Lee moved to adopt Ordinance 2010-3 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**B. Ordinance 2010-4. An ordinance to amend various sections of Chapter 17.5, “Subdivision Regulations” of the Code of Ordinances of the Town of Port Royal, South Carolina to bring the chapter in line with state statutes, update the definition of the planning commission and add new traffic impact analysis language**

Town Manager Willis read Ordinance 2010-4 by title and explained it would add traffic impact analysis language for all development in the Town with exception of properties south of Ribaut Road.

Councilmember Lee moved to adopt Ordinance 2010-4 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**VIII. PROCLAMATION:**

**A. Disabilities and Special Needs Awareness Month – Ann Wirz, Margaret Ann Gatch and Michael Swinton, Beaufort County Disabilities and Special Needs**

Mayor Murray read a proclamation to proclaim March as Disabilities and Special Needs Awareness Month in the Town and presented it to Michael Swinton. Mr. Swinton thanked the Town for the proclamation and for its part in employing clients from the Disabilities and Special Needs program.

Ann Wirz thanked the town for the proclamation and its support of the program. She told those present a new Disabilities and Special Needs building had just started construction and would hold classrooms, room for day programs, conferences and private consultations. Ms. Wirz explained the new facility which is located in the Town would be completed in about fourteen months.

**IX. COUNCIL’S ACTION:**

**A. Memorandum of Understanding with the City of Beaufort:**

Town Manager Willis explained this memorandum would allow the Town of Port Royal and the City of Beaufort to issue joint RFP’s or RFQ’s for services in order to economize by sharing joint resources, needs and possibly personnel and equipment. He explained

Regular Council Meeting  
March 10, 2010

this did not obligate either municipality but gave the opportunity should they choose to do so and brings them in compliance with state law.

Councilmember Heyward moved to adopt the Memorandum of Understanding with the City of Beaufort and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**B. Approval of contract for drainage and median work:**

Town Manager Willis explained four bids were received by ATM for drainage and median work in the Town. He explained ATM had recommended the low bidder, JOCO construction for the project with a cost of \$77,415.75. Mr. Willis said all bids had been reviewed for compliance. He further explained this bid included work at 9<sup>th</sup> Street and Madrid Avenue, 13<sup>th</sup> Street and Paris Avenue and median expansion on Paris Avenue.

Councilmember Robinson moved to award the contract for drainage and median work to JOCO Construction and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

**C. Highway 21 redesignation:**

Councilmember Lee explained he had served on a committee to evaluate all road signs in northern Beaufort County. He showed slides of the signs assigned to him from Wal-Mart to the Broad River Bridge, down Savannah Highway and into Port Royal and across the McTeer Bridge. Councilmember Lee explained how each sign would be changed to better serve the community.

Town Manager Willis reviewed a list of suggestions to the county in order for the Town to agree to re-designating Highway 21 to Ribaut Road. The list included:

1. cannot be re-designated until Ribaut Road is resurfaced from bridge to bridge
2. reduce speed to 35 MPH
3. DOT or the City cannot oppose any potential signalization as warranted due to increased volume including port development
4. City cannot prohibit truck traffic through the city except for those above the bridge weight limit
5. install temporary signage to gage how much potential traffic would be incurred by the re-routing

Councilmember DeLoach expressed concerns about allowing the Highway 21 signs being changed to re-route traffic through Port Royal. He said development of the port property and Lady's Island would cause heavy traffic in the town.

Councilmember Heyward said she would be satisfied with the change if traffic were not forbidden through the City of Beaufort.

Regular Council Meeting  
March 10, 2010

Councilmember Robinson moved to accept the Town Manager's recommendation concerning the Highway 21 traffic re-routing. Councilmember Lee seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.  
Councilmember De Loach voted no.

The motion carried.

**D. Repeal Resolution 7-95:**

Town Manager Willis explained this resolution adopted in 1995 allowed vending on the Town Hall grounds and at the Sands and said staff felt this might not be a good idea because of possible confusion at the July 4<sup>th</sup> events.

Councilmember Heyward moved to repeal Resolution 7-95 and Councilmember Lee seconded the motion.

Mayor Murray and Councilmembers DeLoach, Heyward and Lee voted yes.  
Councilmember Robinson abstained because he was Mayor at the time the resolution was adopted.

The motion carried.

**E. Adopt Stormwater Policy:**

Town Manager Willis said the Town had worked with the City of Beaufort and the Coastal Conservation in developing this stormwater policy. He said the policy mainly focused land use patterns relative to stormwater maintenance and management. Mr. Willis explained that staff felt the county's policy did not address the needs of the municipalities.

Planning Administrator Bridges explained the Town would still be using the county's BMP but that it did not address volume as needed by municipalities.

Councilmember Heyward moved to adopt the Stormwater Policy and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**X. IMPORTANT INFORMATION AND DATES:**

- A. Friday, March 19, 2010, 10:30 am – Beaufort County Legislative Delegation, UDS Beaufort's South Campus, Hargray Bld., Rm. 156**
- B. Saturday, March 20, 2010, 8:30 am – Council Retreat, Town Hall, 700 Paris Avenue**
- C. Wednesday, April 7, 2010, 6:30 pm - Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

Regular Council Meeting  
March 10, 2010

- D. Thursday, April 8, 2010, 5:30 pm – Design Review Board Meeting (DRB), 700 Paris Avenue**
- E. Monday, April 12, 2010, 5:30 pm – Joint Municipal Planning Commission, 1901 Boundary Street, Beaufort, Municipal Court Building**
- F. Wednesday, April 14, 2010, 6:30 pm - Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

Town Manager Willis reviewed the list of important dates and information.

Town Manager Willis told Council there would be a planted median approaching the bridge on Lady's Island Drive. He stated the median would not be an impediment to the Riverwind's exit.

Mayor Murray reminded Council to file their Ethics forms before April 15<sup>th</sup> to avoid severe fines.

Linda Bridges told those present that Census Worker Paul Sheppard had developed a program working with the Piggly Wiggly stores to get the Census information out to the citizens. She said they were looking for volunteers to work two hour shifts to help get tow word out and asked for Council's help in finding citizens who would be willing to volunteer.

**XI. PUBLIC COMMENTS: At this time, the Mayor will recognize members of the audience who have submitted Speaker Forms to address the Council on non-agenda items. Each speaker will be limited to two minutes.**

Barbara Stanley pointed out a Parris Island sign that was directing people down her street in error.

**XII. ADJOURNMENT:**

Councilmember Robinson moved to adjourn the meeting and Councilmember Heyward seconded the motion.

The meeting adjourned at 8:04 pm.

Respectfully submitted,

Tanya L. Payne  
Municipal Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the town bulletin board two weeks before the meeting. A copy of the agenda was given to the local news media and at the meeting location twenty-four hour prior to the meeting.