

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

**November 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 Public Hearing to order at 6:30 pm and welcomed those present.

**II. PURPOSE:**

- A. Ordinance 2010-12. An ordinance repealing in its entirety Chapter 9, "Flood Damage Prevention" and deleting Section 22-77, "FH flood hazard district" of the Town of Port Royal Code of Ordinances and replacing it with attached newly revised Chapter 9, "Flood Damage Prevention"**

Mayor Murray read Ordinance 2010-12 by title.

Town Manager Willis explained the Insurance Services Office (ISO) had reviewed the Town's flood damage prevention plan and had recommended this update. He said this ordinance would bring all flood issues into one chapter of the code and would bring the Town's flood ordinance in line with the National

Flood Program. He said there would likely be more inspections to insure that the Town was in compliance with the national requirements.

Planning Administrator Bridges explained the most current flood maps were prepared in 1987 and that she was hoping for new digital maps in the near future.

### **III. COMMENTS**

There were no public comments.

### **IV. ADJOURNMENT:**

The hearing adjourned at 6:38 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 fifteen days prior to the hearing. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours before the meeting.

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

**November 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 6:38 pm.

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

Town Manager Willis told Council stormwater drainage Cypress Wetlands was moving along well. He said the work on of the Duck Blinds Pond was almost complete. Mr. Willis said they were working at 16<sup>th</sup> Street and Richmond and that all the work should be connected and ready to roll in about three weeks. He told Council there were some issues concerning the walkway around the wetland at the Keith property which might cause the connectivity of the path to change slightly. Mr. Willis continued to brief council concerning TIF spending, the RFP for BJWSA to extend sewer. He explained the Town was paying for the extension and BJWSA would be doing the work. Mr. Willis explained the TIF money needed to be used within the next year and one half. He told council they might see a request to change the vending ordinance soon, the fire station, the port property developers were working to determine the amount of open space they could work with, a future request for a smoking ban, TDR's receiving areas.

Planning Administrator Bridges briefly discussed TDR's saying they would be placed in the municipality growth areas. She explained the next Northern Regional Plan meeting would be held on the third Friday of the November.

Town Manager Willis discussed the yearend financial statements, told Council the audit was underway and would be presented at the December meeting. He said the Shrimp Dock operation had strained the budget but that this was expected. Mr. Willis further explained the Public Works study was being implemented, and that the Town was beginning to feel the strain of foreclosures. He said a remedy was not the role of Council and that the Housing Rehab program did not apply to foreclosures.

Town Manager Willis read Ordinance 2010-12 by title and said it was a first step to bring the Town in compliance with National Flood Insurance Program.

Town Manager Willis read Ordinance 2010-13 by title and said the Town Code did not currently address service stations or gas stations and that this ordinance would set standards for these types of businesses along Robert Smalls Parkway Overlay and Shell Point Overlay. He explained that since these corridors also run through the city of Beaufort and the county that they were considering similar ordinances. Mr. Willis also told Council Garner Jones had agreed to be reappointed to the Zoning Board of Adjustments and Appeals and said there would be a resolution concerning Regional Economic Development on the agenda.

Mr. Willis said he would be requesting approval of a contract with Cornerstone GIS to upgrade the Town's website including interactive maps. Also on the agenda was a contract endorsement for Phases II and III of the form-based code. Mr. Willis explained the cost of Phases II and III would be eight-five thousand dollars and that he would negotiate with the county to pay this amount in increments.

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

- A. Thursday, November 4, 2010, 5:30 pm – Design Review Board, Town Hall, 700 Paris Avenue**
- B. Wednesday, November 10, 2010, 6:30 pm - Council Meeting, Yvonne Butler Council Chambers, 700 Paris Avenue**

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

Grant Gillespie, Legislative Director for Governor Mark Sanford thanked Council for the job they do and spoke concerning open space in the redevelopment of the port property. He encouraged a large park for the property.

Jeff Pinckney asked Council to read a new urbanism article in the Lowcountry Weekly, suggested that the Farmer's market be moved to the older section of town and stated he did not agree with Mr. Gillespie's statements.

Billy Gavigan also stated he did not agree with the open space issue at the port property. He invited Council and those present to a grand opening party for the new development located at the foot of the Parris Island Bridge. The party would be held on Saturday, November 6<sup>th</sup>.

Ms. Bessie Gordon, whose house was about to go into foreclosure, asked Council if they could help her in any way.

Town Manager Willis said he had been researching this problem and so far has not come up with a solution. He said he was still looking for assistance for those in this difficulty.

Town Manager Willis told Council the Union Church on 11<sup>th</sup> Street was being reviewed by federal officials for placement on the National Historic Register.

#### **IV. ADJOURNMENT:**

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

The workshop adjourned at 7:27 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 Workshop was posted on the town bulletin board two weeks before to the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours before the meeting.

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

**November 10, 2010**

**Members Present:** Mayor Sam 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 6:30 pm and led the Pledge of Allegiance.

**II. INVOCATION:**

Councilmember Robinson offered the invocation.

**III. APPROVAL OF MINUTES:**

- A. Minutes from the Council Workshop of October 6, 2010**
- B. Minutes from the Public Hearing of October 13, 2010**
- C. Minutes from the Regular Council Meeting of October 13, 2010**

Councilmember Robinson moved to adopt the minutes from the Council Workshop of October 6, 2010, the Public hearing of October 13, 2010 and the Regular Council Meeting of October 13, 2010. Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

#### **IV. AMENDMENTS TO THE AGENDA:**

Town Manager Willis requested amendments to the agenda as follows:

1. Add Item B under First Readings of Ordinance 2010-14 to allow vending at the Sands Beach
2. Add an Executive Session to discuss a potential property acquisition

Councilmember Heyward moved to add Ordinance 2010-14 under First Readings and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

Councilmember Heyward moved to amend the agenda to add an Executive Session to discuss a potential property acquisition and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

#### **V. PRESENTATION:**

##### **A. Beaufort County School District – Mr. Fred Washington, Chairman:**

Mr. Fred Washington, representing the Immigration Joint Initiative Planning Group told Council their purpose was to conduct a community education forum to get out the facts on immigration concerning education, health and human services, law enforcement and business communities. Mr. Washington said they did not support illegal immigration but supported legal immigration avenues. He told Council the group was asking municipalities and the county go on record in support of the forum. Mr. Washington also asked that a representative from the town be present at the forum on November 17<sup>th</sup> to reinforce the Town's support.

Councilmember Lee moved to adopt Resolution 8-2010 endorsing the Immigration Joint Initiative Planning Group that Council go on record as not condoning illegal immigration and also supporting the pursuit of legal immigration as dictated by Federal Law. Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

#### **VI. COUNCIL BRIEFING:**

Town Manager Willis told Council the new tipping system for drainage of the Cypress Wetlands was ready to be opened. He said with the new system they would be able to regulate the depth of the water. Mr. Willis told Council the roads which had been disturbed for work on the system would be repaved. Mr. Willis said there would be a meeting next week to discuss vertical elements of the plan.

He said invasive species were being removed from the wetlands. Mr. Willis also told Council the fifteen year TIF bond was about to mature and he was pushing to get the projects completed. He explained he had begun discussing details of transition of the TIF funds with the County.

## **VII. 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.**

John Ellerbe told Council he felt Phases II & III of the Form Based Code were too expensive and that a plan could be generated locally at a lesser cost.

Ann Marie Adams told Council the OVA, the Historic Port Royal Foundation and local businesses would be hosting several events throughout the holidays. She listed upcoming events to include: Holiday Kickoff events on November 26<sup>th</sup> and 27<sup>th</sup>, December 1<sup>st</sup> Tree Lighting and Christmas in the Park, December 9<sup>th</sup> free supper at the 11<sup>th</sup> Street Church (limited to 72), December 11<sup>th</sup> Golf Cart Parade and Decoration Contest, and a Christmas Eve Service at the 11<sup>th</sup> Street Church.

Nancy Vista invited Council to the opening celebration of the Christmas Tree Lot which would be on November 26<sup>th</sup> beginning at 5:00pm. She said refreshments would be served and proceeds of the sales would go to help fund OVA events. Ms. Vista also told Council its members would be working with Town staff to decorate the town.

## **VIII. SECOND READINGS:**

- A. Ordinance 2010-12. An ordinance repealing in its entirety Chapter 9, "Flood Damage Prevention", of the Town of Port Royal Code of Ordinances and replacing it with attached newly revised Chapter 9, "Flood Damage Prevention"**

Town Manager Willis read Ordinance 2010-12 by title and explained this was a step in coming into compliance with the National Flood Insurance Program requirements. He said the Town was being evaluated in order to become a certified flood prevention community and this was one of the recommendations by the advisor.

Councilmember Lee motioned to adopt Ordinance 2010-12 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.



**IX. FIRST READINGS:**

**A. Ordinance 2010-13. An ordinance amending Chapter 22, Zoning and Chapter 15.5, Overlay Districts of the Code of Ordinances of the Town of Port, South Carolina pertaining to automobile service stations and gas stations**

Town Manager Willis read Ordinance 2010-13 by title and explained there were currently no guidelines for service stations or gas stations in the town code. He explained this ordinance would create standards of design for these types of businesses in the Shell Point Overlay and Robert Smalls Corridor Overlay Districts of the town.

Councilmember Robinson motioned to adopt first reading of Ordinance 2010-13 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**B. Ordinance 2010-14. (added item) vending ordinance**

Town Manager Willis explained this reading would be by title only. He said he had received a request to sell hot dogs at the Sands Beach and that there was currently no ordinance allowing this. He said this ordinance would allow that service at the Sands.

Councilmember Heyward moved to adopt first reading of Ordinance 2010-14 and Councilmember Robinson seconded the motion.

Councilmember Lee asked that there be stipulations of where the venders were allowed to park so they would not interfere with public parking.

Councilmember DeLoach said the ordinance needed to address sanitation issues as well as set other limitations.

The motion carried by unanimous vote.

**X. FOR COUNCIL'S ACTION:**

**A. Appointments:**

**1. Zoning Board of Adjustments and Appeals – reappoint Garner Jones**

Councilmember Heyward moved to reappoint Garner Jones to the Zoning Board of Adjustments and Appeals and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**2. Resolution 7-2010. A resolution concerning Regional Economic Development**

Town Manager Willis explained this resolution would endorse creation of the Regional Economic Development Plan and commit appointed staff and at least one Councilmember to join in the regional planning process.

Councilmember Lee suggested the words “or Council appointed citizen” be added after the words “one Councilmember”.

Councilmember Lee moved to adopt Resolution 7-2010 with the stated changes and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**3. Contract with Cornerstone GIS for web upgrade and interactive map**

Councilmember Lee moved to approve a contract with Cornerstone GIS to upgrade the Town website with interactive maps. Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**4. Contract endorsement for Phases II and III of form-based code**

Town Manager Willis reviewed Phases II and III of the form-based code. He said the City of Beaufort had issued a letter of endorsement for their participation. Mr. Willis said the Town’s remaining share would be eighty-five thousand dollars and that the project would be completed in about a year. He said both the Town and the City would be paying a total of one hundred thousand dollars and the county would pay three hundred thousand dollars for the code.

Mayor Murray suggested that the Town pay its share in increments over a couple budgeting periods

Councilmember Robinson moved to endorse Phases II and III of the form-based code with the eighty-five thousand dollar fee being divided over two budgeting periods. Councilmember DeLoach seconded the motion.

Mayor Murray and Councilmembers DeLoach and Robinson voted yes.

Councilmembers Heyward and Lee voted no.

The motion carried.

**XI. IMPORTANT INFORMATION AND DATES:**

- A. Thursday, November 11, 2010 – Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of Veteran’s Day**
- B. Thursday and Friday, November 25 and 26, 2010 – Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of Thanksgiving**
- C. Wednesday, December 1, 2010, 6:30 pm – Christmas in the Park with a visit from Santa, Live Oaks Park, 14<sup>th</sup> Street and Paris Avenue**
- D. Thursday, December 2, 2010, 5:30 pm – Design Review Board, Town Hall, 700 Paris Avenue**
- E. Monday, December 6, 2010, 5:30 pm – Metropolitan Planning Commission, Beaufort City Hall, 1911 Boundary Street, Beaufort**
- F. Wednesday, December 8, 2010, 6:30 pm – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- G. Friday and Monday, December 24<sup>th</sup> and 27<sup>th</sup>, 2010 – Town Hall, Public Works and the administrative office of the Police Department will be closed in observance of Christmas**
- H. Friday, December 31, 2010 – Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of New Year’s Day**

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

**XII. 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.**

Brad Samuel from SCANA told Council SCANA would be contributing five hundred dollars to be used at the Town’s Annual Christmas in the Park and Tree Lighting Ceremony on December first.

John Ellerbe, Historic Port Royal Foundation, told those the foundation would be sponsoring a free sit down supper for seventy-two Port Royal citizens at the 11<sup>th</sup> Street Church on December ninth at 6:30 pm. He said this was a good way to spread the word about the Historic Foundation and other events in the Town. Mr. Ellerbe said although there is no cost, those planning to attend would need to make reservations.

Tom Klein, Historic Port Royal Foundation president spoke concerning getting more traffic on Paris Avenue and requested that directional signs be used to direct customers to businesses and non profits located off Paris Avenue.

Jayson Gardener representing the Beaufort Regional Chamber of Commerce invited Council to its Annual Legislative Reception on November 29<sup>th</sup> at the Beaufort Yacht and

Sail Club. He passed out information to clear up some rumors concerning the F-35 squadrons.

**XIII. EXECUTIVE SESSION: (added item)**

**A. Possible property acquisition**

Councilmember Robinson moved to adjourn to Executive Session for discussion of possible property acquisition. Councilmember Heyward seconded the motion.

Council adjourned to Executive Session at 7:33 pm.

Council returned at 7:50 pm.

No action was taken.

**XIII. ADJOURNMENT:**

The meeting adjourned at 7:50 pm.

Respectfully submitted,

Tanya L. Payne  
Municipal Clerk

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