

Town of Port Royal, South Carolina

Council

Samuel E. Murray
Mayor

Vernon DeLoach
Mayor Pro Tempore

Mary Beth Heyward
Tom Klein
Joe Lee



Van Willis
Town Manager

T. Alan Beach
Chief of Police

Jeffrey S. Coppinger
Daniel G. Lemieux
Operations

Linda Bridges
Planning

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

April 3, 2013

Members Present: Mayor Sam Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Tom Klein

Staff Present: Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Alan Beach 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 2013- 4. An ordinance to amend the land use element of the Comprehensive Plan of the Town of Port Royal, South Carolina adopted 12-9-2009, Ordinance 2009-13**

Town Manager Willis read Ordinance 2013-4 by title and showed the area on the map. He pointed out the proposed walkable neighborhood and activity center and said the Metro Planning Commission had unanimously recommended this change to the Comprehensive Plan.

- B. Ordinance 2013-5. An ordinance annexing to the Town of Port Royal approximately 13.74 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31, Parcel 2C, and Beaufort County Tax District 100, Map 28, Parcel 120d (Forest Lawn Cemetery at Robert Smalls**

Parkway, 599 Robert Smalls Parkway and behind 611 Robert Smalls Parkway)

Town Manager Willis read Ordinance 2013-5 by title and showed the property on the map. He reviewed the proposed zoning for the property and said the Metro Planning Commission had unanimously approved both the annexation and zoning.

- C. Ordinance 2013-6. An ordinance to zone approximately 13.74 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 31, Parcel 2c and Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 28, Parcel 120D shall be zoned as Highway Commercial (HC) with the Robert Smalls Parkway Overlay (Forest Lawn Cemetery located on Robert Smalls Parkway, 599 Robert Smalls Parkway and behind 611 Robert Smalls Parkway)**
- D. Ordinance 2012-7. An ordinance to authorize the Town Manager to convey excess real property to facilitate construction of sidewalks within the Town described as Beaufort County Tax District 110, Map 11, Parcel 325 (approximately 75.4 ft. on 12th Street)**

Town Manager Willis read Ordinance 2013-7 by title and this request for sidewalk on 12th Street conforms to the requirements of the Town's Sidewalk Policy.

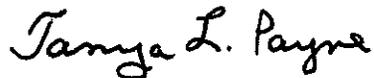
III. COMMENTS:

There were no comments.

IV. ADJOURNMENT:

There being no further comment, the Public Hearing adjourned at 6:36 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 hearing was posted in the local news paper and on the Town bulletin board 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 prior to the hearing.

Public Hearing
April 3, 2013

THE TOWN OF PORT ROYAL DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN THE ADMISSION TO, ACCESS TO, OR OPERATIONS OF PROGRAMS, SERVICES, OR ACTIVITIES. QUALIFIED INDIVIDUALS WHO NEED ACCESSIBLE COMMUNICATION AIDS AND SERVICES OR OTHER ACCOMMODATIONS TO PARTICIPATE IN PROGRAMS AND ACTIVITIES ARE INVITED TO MAKE YOUR NEEDS AND PREFERENCES KNOWN TO THE 504/ADA COORDINATOR. IF AT ALL POSSIBLE, PLEASE GIVE US AT LEAST A THREE TO FIVE DAY ADVANCE NOTICE SO WE CAN ADEQUATELY MEET YOUR NEEDS. 504/ADA COORDINATOR: DANIEL LEMIEUX, 986-2237

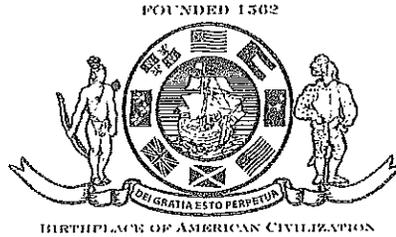
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Minutes Council Workshop Yvonne C, Butler Council Chambers, 700 Paris Avenue

April 3, 2013

Members Present: Mayor Sam Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Joe Lee and Tom Klein

Staff Present: Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Alan Beach and Municipal Clerk Tanya Payne

I. CALL TO ORDER:

Mayor Murray called the workshop to order at 6:36 pm and welcomed those present.

II. COUNCIL BRIEFING:

Town Manager Willis told Council because of expressed concerns about the jelly fish operation, there would be an experimental off-loading at the shrimp dock to allow everyone to observe the process. He explained this is permissible through the existing licensing agreement with the State Ports Authority. Mr. Willis told Council Steve Giese is planning an opportunity for Council to travel to Raffields in Florida to observe their jelly fish operation. Mr. Willis told those present the Redevelopment Commission was looking at its governing regulations and was considering modifying them to allow only town residents or town business owners or operators to sit on the commission. He said the RFP for renovations at the Police Department had been issued and that there had been some interest shown from contractors. Mr. Willis said members had been given areas of responsibility such as economic development, ecology and environment, community development and business retention and development to work on. He explained survey work on the Ribaut Road Sewer Project has been completed with some modifications and told Council BJWSA would be donating the lift station and making contributions to the project. He said a heavy chain had been placed at the Sands to replace the gate which was destroyed by vandals.

Mr. Willis said meetings were still under way for the Form Based Code, OCRM had issued a deadline for removal of the sunken shrimp boat to its owner and changes are needed at the docks whether or not the jelly fish operation takes place. He said the dock would need management, ice manufacturing abilities and the fish market to make it viable. Town Manager Willis told Council a contractors list has been posted on the website, he had met with the Greenery concerning upgrading the Buoy Park, Anchor Park and the Gullah Monument area, the net needs replacing at the tennis court, he is checking into electrical cost for the court and also the surface needs upgrading. Mr. Willis said a fence at the wetlands would be very expensive and explained signs warning people alligators might be present would be posted.

Councilmember Heyward expressed concerns that someone might be harmed by the alligators. Mr. Willis then instructed Chief Beach to obtain two tags form DNR to have the alligators destroyed.

Town Manager Willis told Council he was working toward online payments for Town collections, said the facebook manager would be receiving copies of meeting agendas, and the fence line at the port property is scheduled for clearing.

III. REVIEW AGENDA FOR THE April 10, 2013 COUNCIL MEETING

Town Manager Willis read Ordinance 2013-4 by title and explained this ordinance would amend the Comprehensive Plan by changing the growth boundary between the Town and the City of Beaufort. He said the new area would be planned as a walkable neighborhood with an activity center. Mr. Willis said the Municipal Planning Commission had unanimously recommended the change.

Town Manager Willis read Ordinance 2013-5 by title and reviewed Ordinance 2013-6 to annex and zone property located along Robert Smalls Parkway. He explained the requested zoning for the property was highway commercial with the Robert Smalls Parkway Overlay. He reviewed Ordinance 2013-7 to convey right-of-way for construction of sidewalks and explained the request meets requirements of the sidewalk policy. Mr. Willis reviewed resolutions to set dates for the upcoming November election, and resolutions regarding non-discrimination on the basis of disability and fair housing. He reviewed first reading Ordinance 2013-9 which would designate the town as a Chain Free town, discussed funding for the Spanish Moss Trail and naming the boardwalk after former Mayor and Councilmember Henry Robinson.

IV. IMPORTANT DATES AND INFORMATION:

- A. Thursday, April 4, 2013, 5:30 pm – Design Review Board Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- B. Wednesday, April 10, 2013 6:30 pm - Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

Town Manager Willis reviewed the list of important dates and information and added the Spring Clean for the Casablanca Park on April 13th.

Bob Bender suggested should the alligator be killed that it might be preserved and displayed at the wetlands for pictures. He also spoke concerning the ship Olympia and said it is too large to be displayed in Port Royal. Mr. Bender said it would hinder those wishing to enjoy the view. He also expressed concern over the well being of the spider crab and the environment should the jellyball operation take place at the dock.

Buddy Brown encouraged Council to support the Spanish Moss Trail. He also expressed concerns with the proposed jellyball operation at the Sands.

V. ADJOURNMENT:

The workshop adjourned at 7:20 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 the meeting. A copy of the agenda was given to the Local news media and posted at the meeting location.

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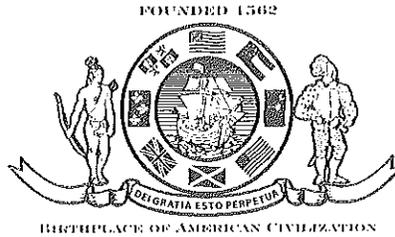
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Minutes Council Meeting Yvonne C. Butler Council Chambers, 700 Paris Avenue

April 10, 2013

Members Present: Mayor Sam Murray and Councilmembers Vernon DeLoach, Mary Beth Heyward, Tom Klein and Joe Lee

Staff Present: Town Manager Van Willis, Planning Administrator Linda Bridges, Police Chief Alan Beach 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 DeLoach offered the invocation.

III. APPROVAL OF MINUTES:

- A. Minutes from the Council Workshop of March 6, 2013
- B. Minutes from the Regular Council Meeting of March 13, 2013
- C. Minutes from the Council Retreat of March 23, 2013

Councilmember Heyward moved to adopt the minutes from the Council Workshop of March 6, 2013, the Regular Council Meeting of March 13, 2013 and the Council Retreat of March 23, 2013. Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

April 10, 2013

IV. COUNCIL BRIEFING:

Town Manager Willis told Council the trial Jellyball operation would take place within the next two weeks with two boats being offloaded. He said the initial DNR permit had been issued for the experimental run. Mr. Willis stated that some minor improvements would be made at the sight before the trial run. He told Council the RFP for renovations at the Police Department had been issued and that six applications had already been received.

Engineer Tony Magilone discussed options on ways to handle the alligator situation at the Cypress Wetlands. He said signage could be used to warn visitors there may be alligators present and showed examples of such signs, said fences could be placed at open areas around the wetlands and showed areas where they would be placed, or the alligator could be removed and destroyed. Mr. Magilone stated the fence would cost approximately twenty-six thousand dollars. After much discussion Council decided to place warning signs around the perimeter of the wetlands and revisit the issue once hatchling season for the birds was over.

Town Manager Willis told Council the Open Land Trust had purchased the old house at the end of Old Fort Road. He explained that once torn down, this would give open access to the Ft. Frederick boat landing. Mr. Willis said this would alleviate some of the crowded conditions at the Sands boat landing. He said the county has funds available for boat landing improvements.

V. 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

Rose Bennett told Council there was a drainage problem at 2327 and 2329 Hillside Court and explained water from the street was running into the yards at these two properties. She also asked if it were possible to have a curfew set for the John Parker Park.

Chief Beach said he would have a sign posted at the park setting a 9:00 pm curfew.

David Tedder updated Council on progress of the Spanish Moss Trail. He said the group was working to secure a grant to bring the trail from Allison Road in Beaufort to Ribaut Road in Port Royal. Mr. Tedder presented a letter stating that funding for the next leg of the trail had been transferred from the Burton area to the Allison/Ribaut area.

April 10, 2013

VI. SECOND READINGS:

A. Ordinance 2013- 4. An ordinance to amend the land use element of the comprehensive plan of the Town of Port Royal, South Carolina adopted 12-9-2009, Ordinance 2009-13

Town Manager Willis read Ordinance 2013-4 by title and showed the property on the map. He explained this ordinance would amend the Comprehensive Plan to adopt modified growth lines between the City of Beaufort and the Town. Mr. Willis explained the Metro planning Commission had recommended a walkable residential/commercial neighborhood with an activity center. He said the Metro Planning Commission had unanimously recommended this change.

Councilmember Lee moved to adopt Ordinance 2013-4 and Councilmember Klein seconded the motion.

Mayor Murray and Councilmembers Heyward, Klein and Lee voted yes. Councilmember DeLoach abstained due to a conflict of interest.

The motion carried.

B. Ordinance 2013-5. An ordinance annexing to the Town of Port Royal approximately 13.74 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31, Parcel 2C, and Beaufort County Tax District 100, Map 28, Parcel 120d (Forest Lawn Cemetery at Robert Smalls Parkway, 599 Robert Smalls Parkway and behind 611 Robert Smalls Parkway)

Town Manager Willis read Ordinance 2013-5 by title and showed the property on the map. He explained the property is the current location of the Barrier Island Boat Dealership on Highway 170. Mr. Willis said the Metro Planning Commission had unanimously recommended the annexation. He also reviewed the zoning request of Highway Commercial with the Robert Smalls Parkway Overlay and said the MPC has also recommended this request.

Councilmember Klein moved to adopt Ordinance 2013-5 and Councilmember Lee seconded the motion.

Mayor Murray and Councilmembers Heyward, Klein and Lee voted yes. Councilmember DeLoach abstained due to a conflict of interest.

The motion carried.

C. Ordinance 2013-6. An ordinance to zone approximately 13.74 acres of real estate located in Beaufort County described as Beaufort

April 10, 2013

County Tax District 112 (formerly Beaufort County Tax District 100), Map 31, Parcel 2c and Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 28, Parcel 120D shall be zoned as Highway Commercial (HC) with the Robert Smalls Parkway Overlay (Forest Lawn Cemetery located on Robert Smalls Parkway, 599 Robert Smalls Parkway and behind 611 Robert Smalls Parkway)

Councilmember Heyward moved to adopt Ordinance 2013-6 and Councilmember Klein seconded the motion.

Mayor Murray and Councilmembers Heyward, Klein and Lee voted yes. Councilmember DeLoach abstained due to a conflict of interest.

The motion carried.

- D. Ordinance 2013-7. An ordinance to authorize the Town Manager to convey excess real property to facilitate construction of sidewalks within the Town described as Beaufort County Tax District 110, Map 11, Parcel 325 (approximately 75.4 ft. on 12th Street)**

Town Manager Willis read Ordinance 2013-7 by title and showed the property on the map. He said this request is in compliance with the Town's sidewalk policy.

Councilmember Heyward moved to adopt Ordinance 2013-7 and Councilmember Klein seconded the motion.

The motion carried by unanimous vote.

VII. RESOLUTIONS:

- A. Resolution 2013-1. A resolution setting election and related dates for two (2) members of Town Council pursuant to Sections 6-6 through 6-11 of the Town of Port Royal Code of Ordinances**

Town Manager Willis read Resolution 1- 2013 by title and explained it would set the election date of November 5, 2013 and other related dates.

Councilmember Heyward moved to adopt Resolution 1-2013 and Councilmember Klein seconded the motion.

The motion carried by unanimous vote.

April 10, 2013

B. Resolution 2013-2. Fair Housing Resolution

Town Manager Willis read Resolution 2- 2013 by title and explained Council was required to pass this resolution annually in order to apply for Community Development Block Grants.

Councilmember Lee moved to adopt Resolution 2-2013 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

C. Resolution 2013-3. A resolution regarding non-discrimination on the basis of disability as established by Section 504 of the Rehabilitation Act, as amended, and the Americans with Disabilities Act of 1990 (ADA)

Town Manager Willis read Resolution 3- 2013 by title and explained the Americans with Disabilities resolution insures that the Town complies with federal ADA standards and was required to be adopted each year.

Councilmember Lee moved to adopt Resolution 3-2013 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

VIII. FIRST READING:

A. Ordinance 2013-8. An ordinance amending Chapter 3, "Animals", of the Code of ordinances of the Town of Port Royal to add Section 3:55. "Chaining and tethering"

Town Manager Willis read Ordinance 2013-8 by title and reviewed changes which would be made to the Code of Ordinances concerning tethering and chaining of animals in the Town.

Councilmember Klein moved to adopt first reading of Ordinance 2013-8 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

IX. FOR COUNCIL'S ACTION:

A. Appointments:

April 10, 2013

1. Zoning Board of Adjustments and Appeals

Councilmember Lee moved to appoint Rose Bennett to the Zoning Board of Adjustment and Appeals and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

B. Challenge Grant for Spanish Moss Trail

Town Manager Willis told Council money was available through TIF funds to help match the \$60,000 challenge grant for the Spanish Moss Trail.

David Tedder, spokesman for the trail asked Council to please assist with funding. He said the Path Foundation from Atlanta would be assisting with the design of the trail.

Councilmember Klein moved to donate twenty-five thousand dollars toward the Challenge Grant for the Spanish Moss Trail from Allison Road to Ribaut Road. Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

C. Name boardwalk after Henry Robinson

Held over to next month's meeting.

X. IMPORTANT INFORMATION AND DATES:

- A. Saturday, April 13, 2013, 9:00 am – Casablanca Neighborhood Spring Clean, John Parker Park**
- B. Monday, April 15, 2013, 5:30 pm – Metro Planning Commission, Beaufort City Hall, 1911 Boundary Street**
- C. Saturday, April 20, 2013, noon until 5:00 pm – Soft Shell Crab Festival sponsored by the Old Village Association and the Town of Port Royal, Paris Avenue**
- D. Friday, April 26, 2013, 7:30 am – Business Breakfast, Port Royal Town Hall, 700 Paris Avenue**
- E. Wednesday, May 1, 2013, 6:30 pm – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- F. Wednesday, May 1, 2013, immediately following the scheduled Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- G. Thursday, May 2, 2013, 5:30 pm – Design Review Board Meeting, Town Hall, 700 Paris Avenue**
- H. Wednesday, May 8, 2013, 6:30 pm - Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

April 10, 2013

- I. **Saturday, May 18, 2013, 6:30 pm – StreetMusic on Paris Avenue, Music of Your Life featuring Terry Herron and the Savannah Jazz All Stars, between 9th and 10th Streets**
- J. **Monday, May 20, 2013, 5:30 pm – Metro Planning Commission, Beaufort City Hall, 1911 Boundary Street**

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

XI. COUNCIL'S COMMENTS:

Councilmember Lee said he was not sure how the tethering ordinance would help the Town and said he had asked Chief Beach to get information from Beaufort as to how it has helped them.

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.

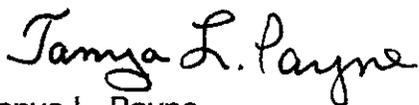
Shirley Heyward addressed Council concerning parking problems at her property on Belleview Circle caused by customers from Fat Patties Restaurant. She stated the restaurant customers were parking on her property and expressed concerns about being held liable should something happen.

XIII. ADJOURNMENT:

Councilmember Heyward moved to adjourn and Councilmember Klein seconded the motion.

The meeting adjourned at 8:33.

Respectfully submitted,



Tanya L. Payne
Municipal Clerk

In accordance with South Carolina Code of Laws, 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 posted at the meeting location twenty-four hours prior to the meeting.