

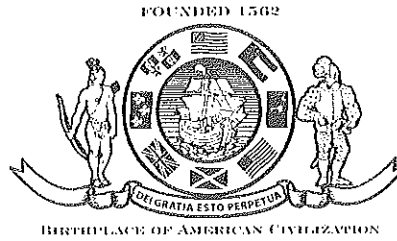
Town of Port Royal, South Carolina

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

February 6, 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 2013-1. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .61 acres as shown and described as Beaufort County Tax District 110, Map 9, Parcels 23A and 23F to be rezoned from General Residential (GR) to Mixed Use-2 (MU-2) (located at 132 and 134 Johnny Morrall Circle)

Town Manager Willis read Ordinance 2013-1 by title and showed the property on the map. He told Council the Metro Planning Commission had recommended this change and said it was in compliance with the Town's Comprehensive Plan and Future Land Use Map.

There was no further comment on this item.

B. Ordinance 2013-2. An ordinance of the Town of Port Royal, South Carolina, amending the Code of Ordinances, Chapter 12 entitled "Licenses and Business Regulations" by adding Article VI regarding registration of rental property; and by adopting by reference Port Royal Town Code Chapter 12 and Section 67

Town Manager Willis read Ordinance 2013-2 by title and explained he had met with realtors and rental property managers to discuss concerns with the proposed ordinance. He recommended items 4, 5 and 6 concerning criminal back ground checks, existing leases and the drug free addendum be removed.. Mr. Willis explained these items were not required by the ordinance but said the town was asking if these details existed. He also recommended removing the section referring to first and second offenses and the table of offenses. Mr. Willis further explained there would be no fee for registration. He said the ordinance was an attempt to have better information on the owners and property managers in case there was a need to contact them.

Judy Lohr who owns a rental in the Town said some of her issues had already been taken care of but said she did not want anyone to tell her how to write her lease.

Annette Bryant asked Council to carefully consider the ordinance and how it will affect the real estate market in the town.

Sally Germer told those present she has short term rentals in the town and said they already had a point system to follow. Ms. Germer said she felt this was a good system.

John Perrill, CBCN Bank, asked to see the final draft of the ordinance and expressed concerns about its effect on rental property owners. Mr. Perrill stated that both he and the bank owned rental properties in the town. He asked if there was currently a major problem with rentals in the town.

Bob Bundy of Bundy Realty said he had some issues with Ordinance 2013-2 as it was first written and asked to see a copy of the revised ordinance.

Susan Trogdon with Bundy Realty asked if Council would be voting on the revised ordinance and asked how people could find such information.

Fran Heckrotte, Orphan Homes Property Management, said most of her concerns had been addressed with removal of the aforementioned sections from the ordinance. She asked why the owner of a property would be liable for a tenants actions. Ms. Hectrotte said she thought the ordinance was a bad idea because it would scare away potential property buyers.

Michael Mark said concerns by the Beaufort Board of Realtors had been addressed and commended Council on what they were trying to do. He said it was necessary to have good contact information for owners and managers of rental properties.

Monti Hopey who owns rental property on Battery Park Drive said the ordinance was heavy handed and recommended that Council get rid of it. He suggested that the town try harder to get information to those who would be interested in knowing about certain issues.

Scott Bingham, Ballenger Realty, thanked Council for making changes to the ordinance.

Eric Baaske expressed concerns about the ordinance.

Delores Hopey felt all rental owners were being penalized for problems caused by a few.

Town manager Willis explained the only thing the revised ordinance asked for is good information about who is managing the property in case the town needed to contact them for some reason. He said there is a lot of absentee ownership in the town making it difficult to contact property owners or managers when needed.

C. Ordinance 2013-3. An ordinance amending Chapter 22, "Zoning" Article IV, Sections 22-62. B (5), 22-63. B (5), 22-65. and B(6) and Article VI. Section 22-131 of the Code of Ordinances of the Town of Port Royal pertaining to allowance of chickens within residential zones as a dwelling accessory

Town Manager Willis read Ordinance 2013-3 by title and explained adoption of this ordinance would allow residents to have six female chickens with no rooster within the town limits. He said the chickens must be located at least forty feet from property lines food containers must be rodent proof.

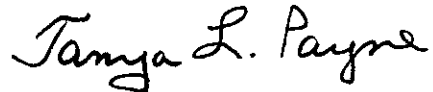
III. COMMENTS:

There were no further comments.

IV. ADJOURNMENT:

The hearing adjourned at 7:15 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 and on the Town bulletin board fifteen days in advance of the hearing. A copy of the agenda was given to the local media and at the hearing location twenty-four hours prior to the hearing.

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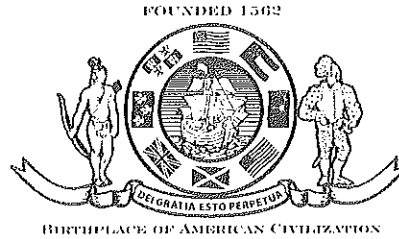
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Minutes Council Workshop Yvonne C. Butler Council Chambers, 700 Paris Avenue February 6, 2013

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 7:16 pm.

II. COUNCIL BRIEFING:

Town Manager Willis told Council the Metro Planning Commission had met to discuss the Town's Growth Boundary and redrew the growth lines between the Town and the City of Beaufort. He said the City would get more acreage with more value but the Town would get more road footage along Robert Smalls Parkway and more raw land. Mr. Willis explained the current line was drawn based on water service lines and said the new lines were more sensible. Mr. Willis showed the proposed lines on the map and said he hoped to have a recommendation from the MPC for next month's meeting.

Town Manager Willis explained the Redevelopment Commission had met with the Lowcountry Housing Trust for an overview of what had been done so far for the Town. He said the Town had partnered with the LHT in order to leverage funds and make them stretch farther. Mr. Willis said they discussed several loans which were available to install a certified DHEC kitchen in "The Shed" which could be made available to Farmer's Market Vendors. He said the kitchen would also make it a more attractive venue for events. Mr. Willis told Council the Ribaut Road Sewer Project for commercial sewer would be down sized because of lack of response from property owners. He said sewer service would be extended to Kent's Court, the 19th Street Project and the Weinberger strip mall. He said the Edinburgh Ave. area would be stubbed out for future

use but said those property owners would be required to pay for their connections. Mr. Willis explained that due to time restrictions on TIF funds, the project needed to move forward. He told Council he had met with Chief Beach concerning expansion of the Police Department and had also sent a request to the Fire Department for any needs they might have. Mr. Willis said he had been talking with County Administrator Kubic and said there might be a reduction in the Town's payment for the Form Based Code.

Planning Administrator Bridges told Council the Form Based Code Review Committee was meeting every two weeks and said the group was reviewing the proposed code very closely. She said progress was slow but it was very important to get it right.

Town Manager Willis told Council a shrimp boat had sank at the shrimp docks and that he was talking with salvage companies about removal. He explained the owner has said he would remove the boat but so far this has not happened. Mr. Willis said he has spoken with one individual and a group who want to manage the dock. He said the group was very interested and would like to move in within sixty days. Mr. Willis said this is a very viable proposal which would allow local shrimpers to work year round. He explained the product would be moved off dock for processing at another location.

Town Manager Willis explained ATM had submitted a proposal to use the 12 million gallons of capacity at the Cypress Wetlands to help offset stormwater development costs by handling onsite stormwater retention and detention. He said by hydro graphing and modeling stormwater, ATM would identify total capacity of the wetlands. He said this would make the town attractive for new development. Mr. Willis also told Council a planted bed in front of the BiLo store and one at the Lady's Island Bridge had been damaged by vehicle accidents and he was working with insurance carriers to pay for these repairs, two dangerous trees at Live Oaks Park have been removed and he had requested an estimate for installation of up-lighting at the Anchor Park. He said the town had committed in 1999 to ensuring adequate access to lots on 17th Street which were owned by the Beaufort Housing Authority. Mr. Willis said the town would be removing trees on that street and graveling that road.

III. REVIEW AGENDA FOR THE FEBRUARY 13, 2013 COUNCIL MEETING:

Town Manager Willis read Ordinance 2013-1 by title and showed the property on the map. He said the Metro Planning Commission had recommended this request which was in compliance with the Town's Comprehensive Plan and the Future Land Use Map.

Town Manager Willis reviewed Ordinance 2013-2 to amend the Business License Ordinance to require registration of rental properties and Ordinance 2013-3 to allow property owners to keep up to six female chickens on their property. He told Council appointments were needed to fill seats on the Historic Preservation Commission and the Metro Planning Commission. Mr. Willis said those now holding these seats were willing to be reappointed if Council chose to do so. He said the Fire Services Contract with the City of Beaufort would also be on the agenda consideration.

IV. IMPORTANT DATES AND INFORMATION:

- A. Thursday, February 7, 2013, 5:30 pm – Design Review Board Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- B. Thursday, February 14, 2013 6:30 pm - Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**

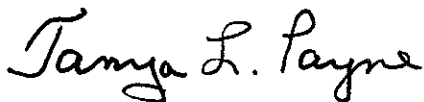
Town Manager Willis reviewed the list of important dates and information.

V. ADJOURNMENT:

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

The workshop adjourned at 7:53 pm.

Respectfully submitted,



Tanya L. Payne
Municipal Clerk

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;

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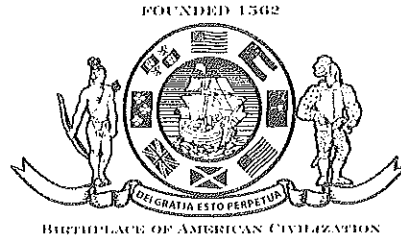
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Minutes Regular Council Meeting Yvonne C. Butler Council Chambers, 700 Paris Avenue

February 14, 2013

TIME: 6:30 pm

SUBJECT: Regular Council Meeting

LOCATION: Yvonne C. Butler Council Chambers, 700 Paris Avenue

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 Public Hearing of January 2, 2013
- B. Minutes from the Council Workshop of January 2, 2013
- C. Minutes from the Public Hearing of January 9, 2013
- D. Minutes from the Regular Council Meeting of January 9, 2013

Councilmember Heyward moved to accept the minutes of the Public Hearing of January 2, 2013, the Council Workshop of January 2, 2013, the Public Hearing of January 9, 2013 and the Regular Council Meeting of January 9, 2013. Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

IV. AMENDMENTS TO THE AGENDA

V. COUNCIL BRIEFING:

There were no updates at this time.

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

There were no comments at this time.

VII. SECOND READINGS:

- A. Ordinance 2013-1. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .61 acres as shown and described as Beaufort County Tax District 110, Map 9, Parcels 23A and 23F to be rezoned from General Residential (GR) to Mixed Use-2 (MU-2) (located at 132 and 134 Johnny Morrall Circle)**

Town Manager Willis read Ordinance 2013-1 and showed the property on the map. He explained the rezoning request had been unanimously recommended by the Metro Planning, Commission and said it was in compliance with the Town's Future Land Use Plan and Comprehensive Plan.

Councilmember Lee moved to adopt Ordinance 2013-1 and Councilmember Klein seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2013-2. An ordinance of the Town of Port Royal, South Carolina, amending the Code of Ordinances, Chapter 12 entitled "Licenses and Business Regulations" by adding Article VII regarding registration of rental property; and by adopting by reference Port Royal Town Code Chapter __ and Section __**

Town Manager Willis read Ordinance 2013-2 and explained at the request of property owners and realtors, changes had been made to the ordinance. He said all references to fees, criminal background checks, lease agreements and a points system had been removed from the ordinance. Mr. Willis explained these items were never a requirement but merely asked if they were available.

Councilmember Lee moved to adopt Ordinance 2013-2 and Councilmember Klein seconded the motion.

The motion carried by unanimous vote.

- C. Ordinance 2013-3. An ordinance amending Chapter 22, "Zoning" Article IV, Sections 22-62. B (5), 22-63. B (5), 22-65. and B (6) and Article VI. Section 22-131 of the Code of Ordinances of the Town of Port Royal pertaining to allowance of chickens within residential zones as a dwelling accessory**

Town Manager Willis read Ordinance 2013-3 and explained the ordinance would allow residents to keep up to six chickens with no rooster on their property. He said the chickens must be located at least forty feet from the property line and food must be kept in a closed rodent proof container.

Councilmember Klein moved to adopt Ordinance 2013-3 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

VIII. FOR COUNCIL'S ACTION:

A. Appointments:

1. Historic Preservation Commission (reappoint three):

Councilmember Lee moved to reappoint Buddy Brown, Eric Erickson and Bill Scheper to the Historic Preservation Commission and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

2. Metro Planning Commission (reappoint two):

Councilmember Lee moved to reappoint Jim Crower and Joe DeVito to the Metro Planning Commission and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

B. Fire Services Contract:

Town Manager Willis explained the fire contract with the City of Beaufort had been had been under discussion for almost a year. He said Council had received financial information with anticipated cost over the next five years. Mr. Willis said the previous management fee for fire services had been five thousand dollars and now it would be five percent of the cost, the contract excluded capital such as furniture and the City would maintain an ISO rating of 2, the Town's pro rata share would be twenty-four percent while the City's would be seventy-six percent of cost. Mr. Willis said a two year

separation notice was required from the Town should they decide to dissolve the agreement.

Mr. Willis said the City would provide a monthly report of activities that take place in the Town. Mr. Willis recommended that Council approve the contract. Fire Chief Negrón was present to answer any questions Council might have.

Councilmember Lee moved to adopt the Fire Services Contract and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

C. Approval of Modeling Contract for Stormwater Capacity:

Town Manager Willis explained a significant amount of stormwater capacity had been identified at the Cypress Wetlands.

Michael Klink, representing the ATM explained commercial developments could divert their stormwater to the wetlands. He said this would allow the developments to use their maximum potential rather than wasting space for retention ponds. Mr. Klink said the wetlands would benefit from the extra water. He explained they would review existing data on the wetlands, get surveyors to verify existing water levels, perform a tree count, update the drainage models and create a drainage report which would be submitted to DHEC for approval. Mr. Klink said the study would take approximately two months.

Councilmember Lee moved to approve the Modeling Contract for Stormwater Capacity at the wetlands and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

IX. IMPORTANT INFORMATION AND DATES:

- A. Monday, February 18, 2013, 5:30 pm – Metro Planning Commission, Beaufort City Hall, 1911 Boundary Street**
- B. Wednesday, March 6, 2013, 6:30 pm – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- C. Wednesday, March 6, 2013, immediately following the scheduled Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- D. Thursday, March 7, 2013, 5:30 pm – Design Review Board Meeting, Town Hall, 700 Paris Avenue**
- E. Wednesday, March 13, 2013, 6:30 pm - Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- F. Monday, March 18, 2013, 5:30 pm – Metro Planning Commission, Beaufort City Hall, 1911 Boundary Street**

Council Meeting
February 14, 2013

Town Manager Willis reviewed the list of important information and dates and added Bands, Blues and Barbeque to be held at "The Shed" on February 22nd and 23rd.

Councilmember Klein added the Community Supper sponsored by the Historic Port Royal Foundation at the Union Church on 11th Street to be held on March 14th.

Council agreed to hold its Annual Council Retreat on March 23, 2013 at 8:30 am.

X. COUNCIL'S COMMENTS:

Councilmember Lee asked what was happening to the billboards on Ribaut Road.

Planning Administrator Bridges explained the support structure for the billboards was being replaced.

Councilmember Lee also asked if the St. Marks Church meeting the Union Church could legally use sandwich boards on Sunday mornings to direct people to their services.

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.

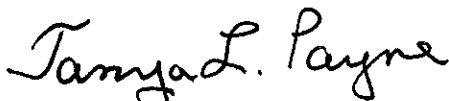
There were no comments at this time.

XIII. ADJOURNMENT:

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

The meeting adjourned at 6:59 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 prior to the meeting date. 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.

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