



Council

Joe DeVito
Mayor

Darryl Owens
Mayor Pro Tempore

Jerry Ashmore
Mary Beth Heyward
Kevin Phillips

Van Willis
Town Manager

T. Alan Beach
Chief of Police

Jeffrey S. Coppinger
Operations

Noah Krepps
Planning

**Minutes
Council Workshop
Port Royal Town Hall, Yvonne C. Butler Council Chambers, 700 Paris Ave
January 4, 2023**

Members Present: Mayor Joe DeVito, Council Member Kevin Phillips, Council Member Mary Beth Heyward, Council Member Darryl Owens, Council Member Jerry Ashmore

Members Absent: None

Staff Present: Town Manager Van Willis, Police Chief Alan Beach, Fire Chief Tim Ogden, Planning Director Noah Krepps, Director of Administrative Services Brooke Plank- Buccola, Town Clerk Natalia Laney, Town Attorney Lawrence Flynn

I. CALL TO ORDER

Mayor DeVito called the Council Workshop to order at 6:31pm immediately following the Public Hearing

II. COUNCIL INFORMATION

Dixie Lanier provided an update regarding the Regional Housing Trust Committee.

III. PRESENTATION

Planning Director Krepps presented and facilitated questions and answers with Council and the public regarding proposed Tree Ordinance 2022-20. Mayor DeVito began the conversation regarding definitions of under brushing. The next section of discussion, initiated by Mayor DeVito, was Section 3 item i – Pruning. Mayor DeVito then opened the floor to the public for public comment. Richard Beasley, resident, made a comment in support of changing the proposed section regarding pruning. Michael Murphy, town arborist, also commented in support of the changing the proposed section regarding pruning. Jessie White, Coastal Conservation League, had questions and comments regarding definitions of preconstruction and under

brushing. Wendy Zara, resident, made comments regarding definition of under brushing and undeveloped as well as comments regarding Hilton Head's tree ordinance. Council Member Ashmore discussed under brushing versus gyro tracking. Michael Murphy, arborist, also commented regarding under brushing and gyro tracking. Mayor DeVito asked for clarification from Planning Director Krepps regarding section 4A-i-2 regarding undeveloped properties and certified arborist. Mayor DeVito asked for clarification from Planning Director Krepps regarding Section 4B. Mayor DeVito asked for clarification on Section 4C regarding tree survey and being defined again. Town Manager Willis had questions regarding Section 5B regarding wildlife species protection. Jesse White commented in regard to protection of wildlife habitats. Mayor DeVito initiated conversation regarding Section 6 regarding penalties. Mayor DeVito asked how would penalties be enforced after a property is sold. Richard Beasley, resident, made comments regarding developers and penalties. Town Manager Willis asked Michael Murphy, arborist, if trees accidentally get cut down sometimes, and Mr. Murphy responded yes. Mayor DeVito asked if water oaks could be removed from the list of protected trees. Michael Murphy explained why water oaks still need to be on the list but removed from the landmark list and stay on specimen list. Next section discussed, initiated by Mayor DeVito, was Section B-1 regarding pervious paving and mechanical equipment use. Mayor DeVito asked if Section B-2 was redundant. It then led to discussion that does this ordinance take away the decision of removal of trees from staff and instead relies solely on the decision of the design review board. It was questioned if the decision to remove trees should go before Town Council. Wendy Zara commented that turning the decision to remove trees over to Council would make the decision political. Mayor DeVito questioned if legally can the decision come to Council. Planning Director Krepps, expressed concern in the Tree Categories Table, regarding caliper inches. Council Member Heyward made comment regarding Design Review Board versus council reviewing decision regarding tree removal. Richard Beasley, member of the Design Review Board, commented that the DRB has no issue to review tree removal decisions. He also commented regarding the section regarding building close to landmark trees. Planning Director Krepps asked for input regarding tree mitigation fee section. Council Member Phillips commented regarding zoning districts in relation to tree ordinance. Council Member Ashmore commented in support of increasing fines. Mayor DeVito asked if this ordinance was being pitched to any of the other municipalities. He was concerned that this ordinance would encourage incoming commercial development into adjacent municipalities. Jesse White, Coastal Conservation League, commented that it was her plan to pitch this ordinance to the neighboring municipalities. Richard Beasley commented that he was in favor of being a leader amongst the municipalities in passing a new tree ordinance. Council Member Phillips thanked all involved for their efforts in working on the new tree ordinance.

IV. COUNCIL BRIEFING

Town Manager Willis provided an update on the following:
There were no new updates regarding Reimagine Ribaut.

Council Workshop Minutes
January 4, 2023

Minutes have been included from the last Redevelopment Commission meeting which included the following motions: a motion for SK Social Media and AlphaGraphics to gather information based upon feedback from a question to be asked via newsletter and social media; a motion to encourage an engineered plan for BJWSA to address corridor concerns for water and sewer, request engineering describing sewer facilities along the corridor to address redevelopment; a motion to encourage delay of the Edinburgh signal until construction of the spine road on the port development has been completed; a motion to request a budget to be established to improve cosmetic improvements along the corridor, including facades, trees, signage, landscaping and other similar activities. The Commission is also asking Council to create an overlay for the corridor to expedite the review process for projects, as well as consider some zoning changes to allow additional height, address parking concerns and potentially density.

The Town will need to create an Accommodations Tax Committee this fiscal year. Advertisements will be made in the newsletters to recruit members.

A redraft of the easement document with Beaufort County regarding the Sands Beach Boat Landing has been received. It did not include initially the ability for the Town to close down the Sands for events like July 4th. The Town Attorney has added back to the document and has been forwarded back to the County for consideration.

Spanish Moss Trail is still awaiting SCDOT approval.

Dominion Electric has scheduled their annual tree trimming in Port Royal for this month.

The Town is currently in the process of relocating the two remaining boats at the Shrimp Dock. The plan is to moor the boats in the custodial waters of South Carolina.

The Town is working with BJWSA regarding an issue in the Preserve and the Royal Palms CDBG sewer project.

Atlas is continuing surveying work on Paris Ave. Phases 2 and 3 have been approved. There was no new update for Federal Funds and Grants.

A preconstruction meeting is scheduled with JOCO construction regarding sidewalk project. The RFP for street resurfacing is being finalized.

Letters have been mailed regarding short term rentals and the ability to renew via portal. State Legislation has been recently passed that will allow the State to gather information for the Town to make proper reconciliations.

150th Town Birthday was mentioned to keep on the radar for planning.

BJWSA is no longer collecting garbage and recycling fees. Residents have been notified and will receive direct billing from Waste Pro.

Council Member Owens inquired about the possibility of connecting Pinckney Blvd and Richmond Ave via sidewalk as well as a crosswalk added at Ribaut and Richmond due to the increase of pedestrian traffic in the area. Planning Director Krepps mentioned the sidewalk from Pinckney Blvd to Richmond is already being evaluated.

Council Member Phillips asked for clarification regarding Waste Pro billing.

Council Workshop Minutes

January 4, 2023

Tricia Fidrych, resident, made comments regarding Dominion Energy and tree trimming.

Richard Beasley, resident, made comments regarding the collection of garbage and recycling fees.

V. COUNCIL DISCUSSION

Council discussed the February Regular Council Meeting, and its conflict with the MASC Hometown Legislative Action Day and the Municipal Elected Officials Institute of Government classes. It was decided the item will be added to the agenda for the council meeting on January 11, 2023 to vote to change the Council Meeting from Wednesday February 8th 2023 to Thursday February 9th 2023.

Director of Administrative Services asked for feedback from Council regarding the dates of the 2023 Town Council Retreat for February 24th and February 25th.

VI. REVIEW AGENDA FOR THE JANUARY 11, 2023 COUNCIL MEETING

The proposed agenda for the January 11, 2023 council meeting was reviewed by staff and council.

VII. IMPORTANT DATES AND INFORMATION

Town Manager Willis read the following important dates and information:

- A. Thursday, January 5, 2023, at 5:30PM, Design Review Board Meeting
- B. Tuesday, January 10, 2023, at 6:30PM, Parks and Recreation Commission
- C. Wednesday, January 11, 2023, at 6:30PM, Town of Port Royal Regular Council Meeting at Town Hall
- D. Tuesday, January 17, 2023, at 4:30PM, Redevelopment Commission Meeting
- E. Tuesday, January 17, 2023, at 6:00PM, City of Beaufort/Town of Port Royal Joint Council Meeting at City of Beaufort City Hall

Mayor DeVito asked the public if there were any further comments. Wendy Zara and Richard Beasley both thanked council and staff for their efforts regarding the tree ordinance.

VIII. EXECUTIVE SESSION

At 7:58 pm Council Member Ashmore made a motion to enter into executive session regarding Legal Advice on Contractual Matters – Port Development. Council Member Heyward seconded the motion. The motion carried a unanimous vote.

At 8:19 pm Council Member Heyward made a motion to exit executive session. Council Member Owens seconded the motion. The motion carried a unanimous vote.

IX. ADJOURNMENT

Mayor DeVito adjourned the workshop at 8:19pm.

Council Workshop Minutes
January 4, 2023

Respectfully submitted,



Natalia Laney
Town Clerk

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80 (a)(d)(e), as amended, notification of regular meetings was given at the beginning of the calendar year. A copy of the agenda was posted on the Town Hall's bulletin board and website www.portroyal.org twenty-four hours prior to the meeting. A copy of the agenda was given to the local news media and requested public on file.

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 at 843-986-2245