

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

September 13, 2006

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

Staff Present: Town Manager Van Willis, Police Chief Jim Cadien,
Assistant Fire Chief Jim Colwell, and Municipal Clerk
Tanya Payne

Staff Absent: Planning Administrator Linda Bridges (personal
vacation)

I. PLEDGE OF ALLEGIANCE:

Mayor Murray opened the meeting at 7:00 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 August 2, 2006**
- B. Minutes from the Special Meeting\Workshop of August 2, 2006**
- C. Minutes from the Regular Council Meeting of August 9, 2006**

Councilmember Robinson moved to adopt the minutes from the Public Hearing of August 2, 2006, the Special Meeting/Workshop of August 2, 2006 and the Regular Council Meeting of August 9, 2006 and Councilmember Heyward seconded the motion.

Councilmember DeLoach pointed out a mistake on page five of the August 9th Council Meeting minutes. The minutes stated that Councilmember DeLoach moved to adopt Ordinance 2006-37 when should have stated that he moved to deny the ordinance.

RE: 060913cm

The correction was made and the motion carried by unanimous vote.

IV. AMENDMENTS TO THE AGENDA:

Town Manager Willis asked Council if they wanted to place the Port Royal Methodist Church's request to accept a portion of 16th Street into the Town's road system on the agenda.

Council asked the Town Manager to discuss this matter with SCDOT to see what could be done to help them and then place it on the October agenda if needed.

V. COUNCIL BRIEFING:

Town Manager Willis briefed Council concerning:

- Mast arm street signs have been ordered
- Restriping of Paris Avenue, parking stoppers, bid process should be done by October
- 18th Street sewer project, Dupriest Construction will do work by end of the year
- rollcarts ordered at good price, dark green with serial number and Port Royal on the cart
- 14th Street Park plan is being created, PARD funds will be used
- Bluffton, Beaufort and Port Royal concerned over outstanding stormwater funds; waiting for response from county; could be enough to fund one stormwater project
- Casablanca side walk project; SCDOT concerned over drainage
- Personnel – Codes Enforcement Officer Bill Eustis leaving; Building Inspector Chuck Atkinson gone; Sgt. Andre Massey will be leaving for Iraq.
- 12th Street drainage to be done on Saturday; next Indigo Woods and Cypress Wetlands
- will scoop out 10th Street lagoon; approved by OCRM

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. 2nd READINGS:

- A. Ordinance 2006-37. 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 60A (approximately 100 ft. on London Avenue and 100 ft. on 8th Street)**

Town Manager Willis read Ordinance 2006-37 by title and explained it would allow conveyance of property for sidewalks. He said the ordinance was tabled the previous month to allow for revisions to the Sidewalk Policy. Mr. Willis said this request meets the requirements of the amended Sidewalk Policy.

Councilmember DeLoach said although the policy had been revised, some issues still needed to be addressed. He expressed concerns about parking requirements and wanted to know whether the size a building could be increased due to the larger lot size.

Councilmember Heyward moved to table Ordinance 2006-37 until the policy could be further reviewed and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2006-48. An ordinance to rezone in the Town of Port Royal, approximately .48 acres as shown and described as Beaufort County Tax District 111, Map 9, Parcel 5 from Highway Commercial (HC) with the Traditional Overlay District Code to General Commercial (GC) with the Traditional Town Overlay Code (1409 Ribaut Road)**

Town Manager Willis read Ordinance 2006-48 and showed the property on the map. He explained that the Joint Municipal Planning Commission had unanimously recommended this change.

Councilmember Robinson moved to adopt Ordinance 2006-48 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

- C. Ordinance 2006-49. An ordinance to authorize the Town manager to convey excess real property to further the vision of the Town of Port Royal and its Master Plan, approximately .295 acres located on Ribaut Road at Paris Avenue**

Town Manager Willis read Ordinance 2006-49 and showed the property on the map.

Councilmember Lee told Council the Town portion of the property was not large enough for the Town to use the property as planned.

Town Manager Willis told Council he would have another survey prepared for this property.

Councilmember Robinson moved to table Ordinance 2006-49 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

VIII. PROCLAMATION:

A. Estuaries of the Lowcountry Week – Bob Bender

Mayor Murray read a proclamation declaring the final week of September as Estuaries of the Lowcountry Week and presented it to Estuarium Curator Bob Bender.

Bob Bender thanked the Mayor for the proclamation and invited everyone to attend a program at the Beaufort County Library on September 28th explaining what an estuary is and giving information on the local eco system.

IX.1ST READINGS:

A. Ordinance 2006-45. 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 10, Parcel 97 (approximately 150 ft. on 12th Street and 108 ft. on Columbia Avenue)

Town Manager Willis read Ordinance 2006-45 by title and explained it would allow the construction of sidewalk on 12th Street and Columbia Avenue.

Councilmember Heyward moved to table Ordinance 2006-45 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

B. Ordinance 2006-52. An ordinance relating to the recovery of Collection costs as a part of delinquent debts collected pursuant to the Setoff Debt Collection Act

Town Manager Willis read Ordinance 2006-52 by title and explained that due to some law suites, the Municipal Association was requesting that entities who participate in the Set Off Debt Program pass this ordinance in order to strengthen program.

Councilmember Robinson moved to adopt first reading of Ordinance 2006-52 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

C. Ordinance 2006-53. An ordinance annexing approximately 3 acres of real estate located in Beaufort County and described as Beaufort County Tax District 100, Map 31, Parcel 49 (223 and 225 Castle Rock Road)

Town Manager Willis read Ordinance 2006-53 by title and showed the property on the map. He said the property was located on Castle Rock Road adjacent to recently annexed Wingsong Mobile Home Park. Mr. Willis said the Joint Municipal Planning Commission had unanimously recommended the requested MU-2 zoning for this property,

Councilmember Heyward moved to adopt first reading of Ordinance 2006-53 and Councilmember Lee seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

D. Ordinance 2006-54. An ordinance to zone approximately 3 acres located in the Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 100), Map 31, Parcel 49 as Mixed Use-2 (MU-2)

Councilmember Lee moved to adopt first reading of Ordinance 2006-54 and Councilmember Heyward seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

E. Ordinance 2006-58. An ordinance amending Chapter 6, "Elections", of the Code of Ordinances of the Town of Port Royal, South Carolina regarding election dates, means of filing for candidacy and other items as stated

Town Manager Willis read Ordinance 2006-58 by title and explained this was in response to concerns expressed concerning the petition method of filing for candidacy

to run in a Town election. He explained it would change the filing procedure to the Statement of Candidacy method with a filing fee. Mr. Willis explained the ordinance would also change the Town's election day from May to November.

Councilmember Lee moved to adopt first reading of Ordinance 2006-58 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

F. Ordinance 2006-59. An ordinance annexing to the Town of Port Royal approximately 5.17 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 27, Parcel 36B (649 and 679 Broad River Blvd.)

Town Manager Willis read Ordinance 2006-59 by title and showed the property on the map. He told Council the MU-2 zoning request had been recommended by the Joint Municipal Planning Commission.

Councilmember Lee moved to adopt first reading of Ordinance 2006-59 and Councilmember Heyward seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

G. Ordinance 2006-60. An ordinance to zone approximately 5.17 acres located in the Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 100), Map 27, Parcel 36B as a Mixed Use-2 zoning district (MU-2)

Councilmember Heyward moved to adopt first reading of Ordinance 2006-60 and Councilmember Robinson seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

H. Ordinance 2006-62. 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 103 (approximately 200 ft. Richmond Avenue)

Councilmember Heyward moved to table Ordinance 2006-62 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- I. Ordinance 2006-63. An ordinance to rezone in the Town of Port Royal, approximately .26 acres as shown and described as Beaufort County Tax District 110, Map 9, Parcel 17 from General Residential (GR) to General Residential (GR) with the Traditional Town Overlay (H. E. Smalls Court)**

Town Manager Willis read Ordinance 2006-63 by title and showed the property on the map.

Councilmember Heyward moved to table Ordinance 2006-63 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- J. Ordinance 2006-66. An ordinance amending Chapter 21, Utilities, of the Code of Ordinances of the Town of Port Royal, South Carolina concerning the collection of accumulated dry kitchen refuse, kitchen garbage and rubbish**

Town Manager Willis read Ordinance 2006-66 and explained this ordinance would change the Town Code to accommodate the new rollcart system for garbage collection.

Councilmember Robinson moved to adopt first reading of Ordinance 2006-66 and Councilmember Heyward seconded the motion.

Mayor Murray and Councilmembers Heyward, Lee and Robinson voted yes.

Councilmember DeLoach voted no.

The motion carried.

X. FOR COUNCIL'S INFORMATION:

A. Port update

Town Manager Willis told Council he had met with the Port Authority attorneys and said the port plan would arrive next week. He said the proposed PUD would be presented to the Joint Municipal Planning Commission at the October meeting. Mr. Willis told those present the PUD mirrors the Town's plan for the property and that the development agreement was being prepared. He said the Redevelopment Commission would be meeting soon to review the plan.

XI. IMPORTANT INFORMATION AND DATES:

- A. Monday, October 2, 2006, 5:30 PM – Joint Municipal Planning Commission (JMPC), 700 Paris Avenue**
- B. Wednesday, October 4, 2006, 6:30 PM – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- C. Wednesday, October 4, 2006, immediately following the scheduled Public Hearing, Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- D. Thursday, October 5, 2006, 5:30 PM – Design Review Board (DRB) meeting, 700 Paris Avenue**
- E. Wednesday, October 11, 2006, 7:00 PM – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- F. Saturday, October 14, 2006, John Parker Day, parade and celebration at the John Parker Park**
- G. Thursday, October 19, 2006, 5:30 PM – Design Review Board (DRB) meeting, 700 Paris Avenue**
- H. Saturday, October 21, 2006, noon until 5:00 PM – Oktoberfest, Paris Avenue**

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.

Mayor Murray introduced Board of Education candidate Emile Bernard and Mike Passanite who was running for the District 11 County Council seat.

Mike Jones asked what the plans are for the cemetery at the Preserve and what day of the week are white goods picked up.

David Kell expressed concerns about drainage on 9th Street. He said water was running of the new development property and that during the recent heavy rain, the water was eighteen inches deep. Mr. Kell showed a picture of the flooding and asked the Town for help.

Councilmember Lee told those present that the delivery of the free Tuesday newspaper in the Town had finally stopped and thanked Linda Bridges for taking care of this issue.

XIII. ADJOURNMENT:

Councilmember Robinson moved to adjourn the meeting.

The meeting adjourned at 8:06 PM.

RE: 060913cm

Respectfully submitted,

Tanya L. Payne
Municipal Clerk

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