

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

October 11, 2006

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

Members Absent: Councilmember Vernon DeLoach (family illness)

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

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 September 6, 2006**
- B. Minutes from the Workshop of September 6, 2006**
- C. Minutes from the Regular Council Meeting of September 13, 2006**

Councilmember Heyward moved to adopt the minutes from the Public Hearing of September 6, 2006, the Workshop of September 6, 2006 and the Regular Council Meeting of September 13, 2006. Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

IV. AMENDMENTS TO THE AGENDA:

Town Manager Willis requested that Ordinances 2006-22 and 2006-67 be removed from the agenda.

Councilmember Robinson moved to remove Ordinances 2006-22 and 2006-67 from the agenda. Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

V. COUNCIL BRIEFING:

Town Manager Willis briefed Council concerning the Casablanca Sidewalk project and said he had met with SCDOT about the issue.

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.

C. G. Malphrus representing the Keep Chechessee Rural Alliance asked Council to preserve the serene environment of the one hundred sixty-two acre tract on Lemon Island. He asked that the property not be overdeveloped.

Robert Boslet expressed concerns about the development of Lemon Island saying it was inappropriate. He also expressed concerns about density on the property.

Town Manager Willis told Council the applicant had just requested that Ordinances 2006-55, 2006-56 and 2006-57 be tabled at this time.

Councilmember Robinson moved to table Ordinances 2006-55, 2006-56 and 2006-57 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

Barbara Pelli spoke against the proposed annexation of five acres on Broad River Blvd. and expressed concerns about density, traffic, taxes and schools.

Anna Ghionis expressed concerns about safety and traffic should the Broad River Blvd. annexation take place. She also asked Council, should it be annexed, to keep the development single family units.

Tommy Collins said he felt the Broad River area should remain residential with single-family homes. He had concerns about the safety of the residents.

Mrs. Peter Scaglione opposed the annexation of 1001 Cypress Street saying this was a residential area and that it was not suitable for a fish market. She expressed concerns about safety and traffic problems.

Bruce Williams who lives on Cypress Street opposed the annexation and zoning of 1001 Cypress Street. He cited traffic problems and incompatible land use as concerns.

Pat Betz spoke in favor of the rezoning of property located along Parris Island Gateway in Wright's Point.

David Mandell spoke in favor of the Wright's Point rezoning.

Edward Blocker spoke in favor of rezoning the Wright's Point property to MU-1.

Mayor Murray told those present he had received twelve letters from other Wright's Point residents who were in favor of the rezoning.

Scott Chamberlin representing the Shell Point Neighborhood Association opposed the annexation and zoning of the Cypress Street property.

Heather Flurry opposed the annexation and zoning of the Cypress Street property. She asked Council to deny these requests.

VII. 2ND READINGS:

A. 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 and explained that due to some lawsuits the Municipal Association's attorneys had recommended that this ordinance be adopted by municipalities participating in the Setoff Debt Program.

Councilmember Heyward moved to adopt Ordinance 2006-58 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

B. 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 and explained it would change the method of filing for candidacy for Town elections from the petition method to filing a Statement of Candidacy and paying a filing fee.

He said the ordinance would also change the date of elections from May to November in the odd numbered years. Mr. Willis explained the ordinance, if adopted by Council would become effective only upon preclearance from the Justice Department.

Councilmember Robinson moved to adopt Ordinance 2006-58 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

C. 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 and showed the property on the map. He explained the zoning request for the property was for MU-2 and that the JMPC had unanimously recommended this zoning. Mr. Willis showed adjoining property in the Town which was also zoned MU-2.

Councilmember Robinson moved to adopt Ordinance 2006-59 and Councilmember Lee seconded the motion.

Mayor Murray and Councilmembers Lee and Robinson voted yes.

Councilmember Heyward voted no.

The motion carried.

D. 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 Lee moved to adopt Ordinance 2006-60 and Councilmember Robinson seconded the motion.

Mayor Murray and Councilmembers Lee and Robinson voted yes.

Councilmember Heyward voted no.

The motion carried.

- E. 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 and explained that passage of this ordinance would place .26 acres located on H. E. Smalls Court in the Town Overlay District.

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

The motion carried by unanimous vote.

- F. 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 modify the existing Utilities ordinance to implement the new rollcart garbage collection system. He further explained that Councilmember Lee's request to include language that would require the rollcarts to be removed from the street except for collection times was added to the ordinance.

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

The motion carried by unanimous vote.

VIII. PROCLAMATION:

- A. Domestic Violence Awareness Month, Bonnie Lawrence, Executive Director**

Mayor Murray read a proclamation declaring October as "Domestic Violence Awareness Month" in the Town of Port Royal

IX. 1ST READINGS:

- A. Ordinance 2006-22. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 17.46 acres as shown and described as Beaufort County Tax District 112, Map 33, Parcels 6 and 17 from Residential-17 (R-17) to Residential-5 (R-5) (These parcels are located on Broad River Drive)**

This item was removed from the agenda.

- B. Ordinance 2006-55. An ordinance annexing approximately 162.24 acres of real estate located in Beaufort County and described as Beaufort County Tax District 600, Map 7, Parcels 1, 11, 13-16, 18-30 and 32 (Okatie Highway)**

This item was removed from the agenda

- C. Ordinance 2006-56. An ordinance to zone approximately 162.24 acres located in the Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 600), Map 7, Parcels 1, 11, 13-16, 18-30 and 32 as a Planned Unit Development (PUD)**

This item was removed from the agenda.

- D. Ordinance 2006-57. An ordinance establishing a Development Agreement for approximately 162.24 acres of property located at Beaufort County Tax District 112, Map 7, Parcels 1, 11, 13-16, 18-30 and 32**

This item was removed from the agenda.

- E. Ordinance 2006-61. An ordinance to zone approximately 23.86 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 30, Parcels 5D, 311, 5A and Beaufort County Tax District 112, Map 30, Parcels 8, 3A and 5 and Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 31, parcels 66F and a portion of 62 as a Planned Unit Development (PUD)**

Town Manager Willis read Ordinance 2006-61 and explained the PUD was prepared at the request of Council. He explained that the zoning for this property would be General Commercial for the first two hundred fifty feet away from the highway and MU-2 for the remainder of the property. Mr. Willis said the JMPC had unanimously recommended this zoning.

Attorney David Tedder showed the property on the map and explained it was a simple PUD with mixed uses that could include offices, retail and restaurants with a neighborhood at the back of the property. He said the PUD would restrict the amount of density within the development and that the residential area would include town homes and patio homes.

Councilmember Heyward moved to adopt first reading of Ordinance 2006-61 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- F. Ordinance 2006-64. An ordinance annexing to the Town of Port Royal approximately 27 acres of real estate located in Beaufort County described as Beaufort County Tax District 600, Map 7, Parcels 1A, 5, 6, 7, 8, 9, 10 and 11 (Okatie Highway)**

This item was removed from the agenda.

- G. Ordinance 2006-65. An ordinance to zone approximately 27 acres located in the Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 600), Map 7, Parcels 1A, 5, 6, 7, 8, 9, 10 and 11 as a Mixed Use-2 zoning district (MU-2)**

This item was removed from the agenda.

- H. Ordinance 2006-67. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 9 acres as shown and described as Beaufort County Tax District 110, Map 10, Parcels 129, 130B through 130I, 116, 116, 119, 206 through 214 and 216 from Residential-10 (R-10) to Mixed Use-2 (MU-2) with the Traditional Overlay District (bounded by West Paris Avenue, Columbia Avenue, Laurel Street and 16th Street)**

This item was removed from the agenda.

- I. Ordinance 2006-68. An ordinance annexing to the Town of Port Royal approximately .36 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 33A, Parcel 24 (1001 Cypress Street)**

Town Manager Willis read Ordinance 2006-68 by title and explained the zoning request for this property was MU-2 with the Shell Point Neighborhood Overlay District. He told Council the JMPC had voted to deny this request.

Councilmember Heyward moved to deny Ordinance 2006-68 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- J. Ordinance 2006-69. An ordinance to zone approximately .36 acres located in the Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 100), Map 33A, Parcel 24 as a Mixed Use-2 zoning district (MU-2) with the Shell Point Neighborhood Overlay**

Councilmember Heyward moved to deny Ordinance 2006-69 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- K. Ordinance 2006-70. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 9.5 acres as shown and described as Beaufort County Tax District 112, Map 32, Parcel 156 (portion of) from Mixed Use-2 (MU-2) and Highway Commercial (HC) to Mixed Use-1 (MU-1) with the Shell Point Neighborhood Overlay (106 Wright's Point Drive)**

Town Manager Willis read Ordinance 2006-70 and showed the property on the map. He explained that an error had been discovered on the 1996/97 zoning map showing that property which was thought to be MU-2 was actually Highway Commercial. Mr. Willis explained that the requested zoning of MU-1 would be a down-zoning for a portion of this property and an up-zoning for the remaining portion.

Councilmember Robinson moved to adopt first reading of Ordinance 2006-70 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

X. FOR COUNCIL'S ACTION:

A. Port Royal Methodist Church Parking

Councilmember Robinson moved to table the church parking issue until the Town Manager could talk with the SCDOT on the matter. Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

XI. FOR COUNCIL'S INFORMATION:

A. Port update

Town Manager Willis told Council he was taking all comments and questions he could get on the port redevelopment plan and forwarding them to the attorney.

XII. IMPORTANT INFORMATION AND DATES:

- A. Saturday, October 14, 2006, John Parker Day, parade and celebration at the John Parker Park**
- B. Tuesday, October 17, 2006, 5:30 PM, Redevelopment Commission Meeting, Police/Fire Department Training Room, 1748 Paris Avenue**
- C. Wednesday, October 18, 2006, 5:30 PM – Special Council Meeting, Police/Fire Department Training Room, 1748 Paris Avenue**
- D. Thursday, October 19, 2006, 5:30 PM – Design Review Board (DRB) meeting, 700 Paris Avenue**
- E. Saturday, October 21, 2006, 12:00 noon until 5:00 PM – Oktober Fest, Paris Avenue**
- F. Wednesday, November 1, 2006, 6:30 PM – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- G. Wednesday, November 1, 2006, immediately following the scheduled Public Hearing, Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- H. Thursday, November 2, 2006, 5:30 PM – Design Review Board (DRB) meeting, 700 Paris Avenue**
- I. Monday, November 6, 2006, 5:30 PM – Joint Municipal Planning Commission (JMPC), 700 Paris Avenue**
- J. Wednesday, November 8, 2006, 7:00 PM – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- K. Friday, November 10, 2006 – Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of Veteran’s Day**
- L. Thursday, November 16, 2006, 5:30 PM – Design Review Board (DRB) meeting, 700 Paris Avenue**

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

Councilmember Lee told those present that the Annual Tree Lighting Ceremony and Night on the Town would be held on November 17th. He also stated that Beaufort’s Boat Parade would be held in Port Royal on Saturday, December 2nd. He explained that due to the renovation of the Waterfront Park, the City of Beaufort was unable to host the event this year and had asked the Old Village Association and the Town to do so.

Town Manager Willis told those present the Town would sponsor a “Santa Event” sometime in December.

Councilmember Lee told Council there would be a MASC Hometown SC workshop at the LOCOG office in Point South on October 19th.

XIII. 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.

One citizen asked what would become of the cemetery located at on Broad River Blvd. if that property were annexed.

Planning Administrator Bridges explained the cemetery was not included in the annexation.

XIV. ADJOURNMENT:

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

The meeting adjourned at 8:08 PM.

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 Town bulletin board two weeks before the meeting. A copy of the agenda was posted at the meeting location twenty-four hours prior to the meeting.