

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

May 9, 2007

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

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

I. PLEDGE OF ALLEGIANCE:

Mayor Murray called the meeting to order 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 April 4, 2007**
- B. Minutes from the Council Workshop of April 4, 2007**
- C. Minutes from the Joint Council Meeting of April 9, 2007**
- D. Minutes from the Regular Council Meeting of April 11, 2007**
- E. Minutes from the Council Retreat on April 14, 2007**

Councilmember Heyward moved to adopt the minutes from the Public Hearing of April 4, 2007, the Council Workshop of April 4, 2007, the Joint Council Meeting of April 9, 2007, the Regular Council Meeting of April 11, 2007 and the Council Retreat of April 14, 2007. Councilmember Robinson seconded the motion.

Mayor Murray pointed out an error on page two of the April 14th Retreat Agenda, Section C. The minutes stated that a \$50,000 contribution was required in order to be a voting member of the Greater Hilton Head Beaufort Economic Partnership when in fact it should have stated \$15,000.

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

IV. AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda at this time.

V. COUNCIL BRIEFING:

Town Manager Willis told Council the 9th Street Pond was being pumped out and said the water level had dropped considerably. He also told them that work was progressing on the Casablanca side walk and drainage projects and said problems with the 18th Street sewer project had been settled and that work would resume soon. Mr. Willis said this project would be completed in about four weeks.

Capt. Beach briefed Council concerning the damaged McTeer Bridge. He said the beams would begin arriving in about two weeks for repair of the bridge. Capt. Beach explained the traffic pattern that would be utilized and said the bridge would be closed at certain times for the repair work to be done.

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.

David Kell spoke in support of the Estuarium saying it was helpful in drawing tourist to the Town.

Mark Sutton supported the annexation and rezoning of property on Scipio Road.

David Millard spoke in support of the Estuarium.

Jaunita Roberson opposed the annexation of property in Dowlingwood Subdivision.

Carlotta Ungaro, CEO and President of the Beaufort Regional Chamber of Commerce, read a statement in support of the Estuarium.

Jerry Boe, Executive Director of the Estuarium thanked Council for its past support of the Estuarium and asked for continued support.

Tom Ogle, Vice Chairman of the Estuarium Board of Directors thanked Council for its previous support saying it was very beneficial in taking the Estuarium to local school children. He asked for continued support of the Estuarium.

Bonnie Alexander, a new board member for the Estuarium asked Council for continued support.

Dowlingwood property owner Nick Lappos supported the annexation and zoning of property located on Dowlingwood Drive.

Erin Booth of 6016 Dowlingwood Drive opposed the Dowlingwood annexation and rezoning.

Bob Bender, Estuarium Curator thanked Council for their support of the Estuarium. He told Council they were requesting funding from the County and surrounding municipalities and asked for continued support from the Town.

VII. 2ND READINGS:

- A. Ordinance 2007-18. An ordinance annexing to the Town of Port Royal approximately 4.9 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31, Parcels 66C (287 Savannah Highway)**

Town Manager Willis read Ordinances 2007-18 and 2007-19 by title and told Council the Joint Municipal Planning Commission had unanimously recommended the MU-2 zoning for this property. He showed the property on the map in relation to adjoining Town properties already zoned MU-2.

Councilmember Heyward moved to adopt Ordinance 2007-18 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2007-19. An ordinance to zone approximately 4.9 acres of real estate located in Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 110), Map 31, Parcel 66C as a Mixed Use-2 (MU-2) zoning district**

Councilmember Robinson moved to adopt Ordinance 2007-19 and Councilmember Heyward seconded the motion.

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

Councilmember DeLoach voted no.

The motion carried.

C. Ordinance 2007-23. An ordinance adopting a new chapter of the Code of Ordinances of the Town of Port Royal, South Carolina titled Boat and Water Safety

Town Manager Willis read Ordinance 2007-23 and explained the ordinance would allow the Town to regulate boat activity within the Town's waterways.

Councilmember Robinson moved to adopt Ordinance 2007-23 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

D. Ordinance 2007-24. 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 371 (approximately 144.25 ft. on 10th Street)

Town Manager Willis read Ordinance 2007-24 and showed the property on the map. He said this sidewalk would complete the whole street and was in compliance with the Town's sidewalk policy.

Councilmember Heyward moved to adopt Ordinance 2007-24 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

E. Ordinance 2007-25. An ordinance annexing to the Town of Port Royal approximately .44 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31A, Parcel 553 (6021 Dowlingwood Drive)

Town Manager Willis read Ordinances 2007-25 and 2007-26 and explained the zoning request for this property was R-17 zoning with the Shell Point Overlay.

Councilmember Robinson moved to adopt Ordinance 2007-25 and Councilmember DeLoach seconded the motion.

Councilmembers Lee and Heyward spoke in opposition of the annexation.

David Millard representing the owners said he had spoken to others along the water and said two of those had stated they would also like to annex into the Town. He said Port Royal was all around the area and that services to the property would not be a burden for the Town.

After further discussion Councilmember Robinson withdrew his motion and Councilmember DeLoach withdrew his second to the motion.

Council voted unanimously to accept the withdrawals for that motion.

Councilmember Robinson moved to table Ordinances 2007-25 and 2007-26 and Councilmember DeLoach seconded the motion.

The motion carried by unanimous vote.

- F. Ordinance 2007-26. An ordinance to zone approximately .44 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 31A Parcel 553 as a Residential 17 (R-17) zoning District with the Shell Point Overlay**
- G. Ordinance 2007-27. An ordinance annexing to the Town of Port Royal approximately 1.75 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31, Parcel 199 (3000 Oakview Drive)**

Town Manager Willis read Ordinance 2007-27 by title and explained that the applicant had requested MU-2 zoning for the property. He told Council this was also the projected zoning on the Future Land Use Map for that property but said the JMPC had recommended R-10 zoning. Mr. Willis showed the property on the map and pointed out the zoning of surrounding properties.

Realtor, Carol Poore speaking on behalf of the owners said MU-2 was the best zoning for the property.

Councilmember Heyward moved to adopt Ordinance 2007-27 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- H. Ordinance 2007-28. An ordinance to zone approximately 1.75 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 31, Parcel 199 as a Mixed Use-2 (MU-2) zoning district**

Councilmember Robinson moved to adopt Ordinance 2007-28 and Councilmember Heyward seconded the motion.

Mayor Murray and Councilmembers Heyward and Robinson voted yes.

Councilmembers DeLoach and Lee voted no.

The motion carried.

- I. **Ordinance 2007-29. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately 1.32 acres as shown and described as Beaufort County Tax District 110, Map 10, parcels 28, 33, 34, 35, 36, 37,41 and 47 from Residential – 12 (R-12) to Residential-12 (R-12) with the Traditional Town Overlay (located at 1612, 1610, 1608 and 1605 Ritter Circle and 1617, 1615, 1607 and 1614 Edinburgh Avenue)**

Town Manager Willis read Ordinance 2007-29 and showed the properties on the map. He said the JMPC had unanimously recommended the addition of the overlay for this property.

Councilmember Heyward moved to adopt Ordinance 2007-29 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- J. **Ordinance 2007-30. 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, Parcels 101 and 101A (approximately 228 ft. on 14th Street and 220 ft. on Richmond Avenue)**

Town Manager Willis read Ordinance 2007-30 and showed the property on the map.

Attorney David Tedder explained a title search had been done for this property and problems were discovered concerning the deed. He said those problems were being cleared up by ordinance.

Town Manager Willis said Ordinance 2007-32 also pertained to this property.

Councilmember Heyward moved to adopt Ordinance 2007-30 and Councilmember Robinson seconded the motion.

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

Councilmember DeLoach voted no.

The motion carried.

VIII. PROCLAMATIONS:

A. National Tourism Week - Jayson Gardner, Beaufort Regional Chamber of Commerce

Mayor Murray read a proclamation proclaiming May 12th through May 20th, 2007 as National Tourism Week in the Town and presented it to Carlotta Ungaro, President and CEO of the Beaufort Regional Chamber of Commerce.

Ms. Ungaro thanked the Town for its support and invited everyone to the Chamber Visitors Center during that week for special events that would be taking place. She also reminded everyone of the Military Appreciation Day that would take place on Saturday, May 12th at the Pigeon Point Park in Beaufort.

B. Foster Care Month – Councilmember Henry Robinson

Mayor Murray read a proclamation proclaiming May as Foster Care Month in the Town of Port Royal and presented it to Councilmember Robinson who serves as President of the Beaufort Chapter of the Foster Parent Association.

Councilmember Robinson thanked the Town for its support and told those present he had been a Foster Parent for many years. He said foster parents were needed in the Beaufort and Jasper County area and encouraged anyone who might consider being a foster parent to pick up an information packet.

IX. 1ST READINGS:

A. Ordinance 2007-31. An ordinance to amend as follows, Section I of Ordinance 2006-28 to provide for the levy of taxes for ordinary Town purposes in the Town of Port Royal, South Carolina for the fiscal year beginning July 1, 2007, and to provide for the expenditures thereof.

Town Manager Willis read Ordinance 2007-31 by title and explained this ordinance would set the budget for the upcoming fiscal year. He said the proposed budget still needed some refining and that he was working to get the figures of expected income for the year. Mr. Willis explained the budget showed about a five and one half percent increase over last year's budget with no milage increase. He told Council they needed to set dates for budget workshops.

Council set budget workshop dates for May 16th and May 23rd at 6:30 pm.

Councilmember Heyward moved to adopt first reading of Ordinance 2007-31 and Councilmember Lee seconded the motion.

The motion carried by unanimous vote.

RE: 070509cm

- B. Ordinance 2007-32. An ordinance to rescind Ordinance 2007-3 in its entirety and replace it with the following to confirm transfer of certain dedicated right-of-way as recorded December 19, 2000 in the Office of Register of Deeds for Beaufort County, Deed Book 1522, Page 1288**

Town Manager Willis read Ordinance 2007-32 and explained this ordinance would clear up a problem with deeds for property known as the 13th Street Extension.

Councilmember Heyward moved to adopt first reading of Ordinance 2007-32 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

X. FOR COUNCIL'S ACTION:

A. Appointments:

1. Design Review Board – 2; Extended DRB – 1

Councilmember Heyward moved to appoint Brian Herrmann to the Design Review Board and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

Councilmember Heyward moved to reappoint Tom Wilson and Paul Keyserling to the Design Review Board and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

2. Municipal Election Commission – 1

Mayor Murray explained he had someone in mind to fill this position but that she was currently out of the country. He said he would ask her if she would accept this appointment when she returns in a few weeks.

3. Redevelopment Commission – 1

Councilmember Robinson moved to appoint Tom Mikell to the Redevelopment Commission and DeLoach second the motion.

The motion carried by unanimous vote.

4. Housing Advisory Committee – 2

Councilmember Heyward moved to reappoint Arthermae Alston and Georgella Allen to the Housing Advisory Committee and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

XI. IMPORTANT INFORMATION AND DATES:

- A. Friday, May 11, 2007, 10:30 am - visit and lunch with U. S. S. Port Royal's Captain Alder, Union Church on 11th Street**
- B. Saturday, May 12, 2007, 11:00 am until 3:00 pm (formal ceremonies 12:00 – 12:30 pm) – Military Appreciation Day, Pigeon Point Park, Beaufort**
- C. Monday, May 14, 2007, 6:30 pm – Budget Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- D. Monday, May 21, 2007, 6:30 pm – Budget Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- E. Thursday, May 17, 2007, 5:30 PM - Design Review Board (DRB) Meeting, 700 Paris Avenue**
- F. Monday, May 28, 2007 – Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of Memorial Day**
- G. Monday, June 4, 2007, 5:30 PM – Joint Municipal Planning Commission (JMPC) Meeting, 700 Paris Avenue**
- H. Wednesday, June 6, 2007, 6:30 PM – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- I. Wednesday, June 6, 2007, immediately following the scheduled Public Hearing, Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- J. Wednesday, June 13, 2007, 7:00 PM – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- K. Thursday, June 21, 2007, 5:30 PM – Design Review Board (DRB) meeting, 700 Paris Avenue**

Town Manager Willis reviewed the list of important information and dates. He reminded Council of the meeting being held at 7:00 pm on May 17th in County Council Chambers to review the proposed Beaufort County Northern Regional Plan.

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.

Mark Sutton expressed concerns over developers using berms to separate developments from surrounding areas. He said berms were intended for properties along interstates to muffle noises and should not be allowed in towns to disguise poor development. Mr. Sutton suggested that an ordinance be passed prohibiting the use of berms within the Town.

XIII. EXECUTIVE SESSION:

A. Discussion of a personnel matter

Councilmember Heyward moved to adjourn to executive to discuss a personnel matter and Councilmember Robinson seconded the motion.

Council adjourned to Executive session at 8:25 pm.

Council returned from Executive Session at 8:45 pm.

No action was taken.

XIV. ADJOURNMENT:

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

The meeting adjourned at 8:45 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 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.