

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

**September 12, 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 Chief Jim Cadien, Assistant Fire Chief Jim Colwell and Municipal Clerk Tanya Payne**

**I. PLEDGE OF ALLEGIANCE:**

Mayor Murray opened the meeting 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 August 1, 2007**
- B. Minutes from the Council Workshop of August 1, 2007**
- C. Minutes from the Regular Council Meeting of August 8, 2007**

Councilmember Heyward moved to adopt the minutes of the Public Hearing of August 1, 2007, the Council Workshop of August 1, 2007 and the Regular Council Meeting of August 8, 2007. Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

#### **IV. AMENDMENTS TO THE AGENDA:**

Town Manager Willis told Council Mr. William Murray who was slated to give a presentation on the Safety Check Program was ill and would not be attending the meeting.

Councilmember Heyward moved to remove the Safety Check Program presentation from the agenda and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

#### **V. COUNCIL BRIEFING:**

Town Manager Willis told Council a Visioning Retreat would be held from 4:00 pm until 7:00 pm on Wednesday, September 17<sup>th</sup> with Mr. Tom Wilson moderating the meeting. He said the punch list for the Casablanca Project was under way and that he hoped to use extra funds from that project for drainage on Hillside Court. Mr. Willis said a bid was received for the West Paris Avenue sidewalk and said the work could start as early as September 17<sup>th</sup>. He said the Midtown signal had been completed with the exception of planting the median and that there were several parties interested in submitting bids to purchase the port property. Mr. Willis told those present the Summer Performance Series had gone very well and that he was considering having another series next year.

#### **VI. PRESENTATION:**

##### **A. Safety Check Program – Mr. William R. Murray, Executive Director, Standards Foundation**

There was no presentation at this time.

#### **VII. 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.**

Linda Arnold, a resident of Katherine Court opposed the proposed the annexation of property located on Dowlingwood Drive. She said this was a well established neighborhood and the annexation of these few parcels would be of little benefit to the Town.

Barbara Stanley speaking on behalf of the Shell Point Neighborhood Association opposed the Dowlingwood annexation. She asked that Council abide by the Joint Municipal Planning Commission's recommendation and refuse the request.

Craig Arnold opposed the Dowlingwood annexation.

Reed Armstrong speaking on behalf of the Coastal Conservation League opposed the Dowlingwood annexation and asked Council to vote it down at first reading.

Carlotta Ungaro, President and CEO of the Beaufort Regional Chamber of Commerce made correction to a recent Beaufort Gazette article concerning the Farmer's Market. She also commented that the Chamber was working very hard to market Port Royal

Patrick Moore, new South Coast Director for the Coastal Conservation League introduced himself and told Council he is a Port Royal resident.

**VIII. 2<sup>ND</sup> READINGS:**

- A. Ordinance 2007-52. An ordinance annexing to the Town of Port Royal approximately 5.63 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31, Parcels 1E, 1D, 193, 1G and 1 (624 and 628 Robert Smalls Parkway)**

Town Manager Willis read Ordinance 2007-52 by title and showed the property on the map. Mr. Willis said the property is located in the Town's projected growth area and pointed out nearby properties and explained their zoning. Mr. Willis reviewed Ordinance 2007-53 and explained the owners were requesting MU-1 zoning for the property. He said the Joint Municipal Planning Commission had unanimously recommended this request.

Councilmember Robinson moved to adopt Ordinance 2007-52 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2007-53. An ordinance to zone approximately 5.63 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 31, Parcels 1E, 1D, 193, 1 and 1G as a Mixed Use-1 (MU-1) zoning district**

Councilmember Robinson moved to adopt Ordinance 2007-53 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

- C. Ordinance 2007-54. An ordinance to rescind in its entirety, Ordinance 2007-20 amending Chapter 22, Article VI, Section 22-131 (3), Uses customarily accessory to retail business, office uses and commercial recreational facilities regulating outdoor display of merchandise and replace it with 2007-54**

Town Manager Willis read Ordinance 2007-54 by title and explained this ordinance had been amended since first reading.

Planning Administrator Bridges explained that the changes would allow shop owners to display indoor merchandise outdoors extending five feet past the exterior of the building. She said this would mirror the City of Beaufort's ordinance regarding outdoor displays.

Councilmember Heyward moved to adopt Ordinance 2007-54 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**IX. 1<sup>ST</sup> READINGS:**

- A. Ordinance 2007-55. An ordinance annexing to the Town of Port Royal approximately 1 acre of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 31A, Parcels 274 and 284 (6005 and 6025 Dowlingwood Drive)**

Town Manager Willis read Ordinance 2007-55 by title and showed the property on the map. He said this was a one hundred percent annexation request and the property was located in the Town's future growth district. Mr. Willis also reviewed Ordinance 2007-56 which would zone the property as an R-17 zoning district.

Mayor Murray recommended that these ordinances be tabled until the property owner could exhaust all avenues with the County to build a longer dock.

Councilmember Robinson moved to table Ordinance 2007-55 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

- B. Ordinance 2007-56. An ordinance to zone approximately 1 acre of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100, Map 31A, Parcels 274 and 284 as a Residential-17 (R-17) zoning district**

Councilmember Robinson moved to table Ordinance 2007-56 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**C. Ordinance 2007-57. An ordinance annexing to the Town of Port Royal approximately 1.956 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 28, Parcels 557, 558 and 559 (567, 571 and 573 Riley Road)**

Town Manager Willis read Ordinance 2007-57 by title and showed the Riley Road property on the map. Mr. Willis said the Joint Municipal Planning Commission had recommended the MU-2 zoning request by a vote of four to one.

Councilmember Heyward moved to adopt first reading of Ordinance 2007-57 and Councilmember Robinson seconded the motion.

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

Councilmember DeLoach voted no.

The motion carried.

**D. Ordinance 2007-58. An ordinance to zone approximately 1.956 acres of real estate located in Beaufort County described as Beaufort County Tax District 112, (formerly Beaufort County Tax District 100, Map 28, Parcels 557, 558 and 559 as a Mixed Use-2 (MU-2) zoning district**

Councilmember Heyward moved to adopt first reading of Ordinance 2007-58 and Councilmember Robinson seconded the motion.

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

Councilmember DeLoach voted no.

The motion carried.

**E. Ordinance 2007-59. An ordinance to rezone in the Town of Port Royal, South Carolina, approximately .22 acres as shown and described as Beaufort County Tax District 110, Map 10, Parcel 120 from Residential-12 to Mixed Use-1 (MU-1) with the Traditional Town Overlay District (1713 West Paris Avenue)**

Town Manager Willis read Ordinance 2007-59 by title and showed the property on the map. He explained the property is located on West Paris Avenue and that the owners were requesting MU-1 zoning. Mr. Willis said the Joint Municipal Planning Commission had suggested adding the property to the Traditional Town Overlay District but maintain the R-12 zoning.

Councilmember DeLoach expressed concerns about traffic coming off Ribaut Road and suggested waiting to evaluate the situation when the reconfiguration of that intersection occurs.

Town Manager Willis explained the reconfiguration of this intersection would be funded by the new one cent sales tax and that it was now in the permitting stage. He said it would be approximately twelve to eighteen months before the project is completed.

Councilmember Lee moved to table Ordinance 2007-59 until reconfiguration of the intersection could take place. Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**F. Ordinance 2007-60. An ordinance amending Chapter 22, Article V., Section 93 Definitions and interpretations to add LED Video Display Sign and Section 95 Table 1.5A and 1.5C of the Code of Ordinances of the Town of Port Royal, South Carolina**

Town Manager Willis read Ordinance 2007-60 by title and showed the property on the map. Mr. Willis said the Joint Municipal Planning Commission did not recommend this change to the code.

Town Manager Willis explained that the sequence for the sign to change messages had been revised since the Workshop. He said it would change every ten seconds.

Claude Dinkins explained the sign would be placed on a building rather than free standing and showed an example of what the sign would look like. He said this was very new technology and that it would be good for the Town and the businesses who wished to advertise there. He further explained it could be used for public service announcements.

Councilmember Robinson moved to adopt first reading of Ordinance 2007-60 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**G. Ordinance 2007-61. An ordinance approving a first amendment to Development Agreement between the Town of Port Royal and Lyttleton Partners, LLC and authorizing the Mayor of Port Royal to execute the same on behalf of the Town.**

Town Manager Willis read Ordinance 2007-61 and explained changes needed to be made to the Mobley Tract Development Agreement due to the lawsuit settlement. Mr. Willis said the number of units would be reduced from two-hundred fifty to one-hundred twenty-five and the term of the agreement would be extended by one year to make up for time lost.

Councilmember Robinson moved to adopt first reading of Ordinance 2007-61 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**X. FOR COUNCIL'S ACTION:**

**A. Appointments:**

**1. Design Review Board, reappoint Mark Sutton; appoint 1**

Councilmember Lee moved to reappoint Mark Sutton to the Design Review Board and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

Councilmember Robinson moved to appoint Sing Pappas to the Design Review Board and Councilmember Heyward seconded the motion.

Councilmember Lee moved to appoint John Ellerbe to the Design Review Board and Councilmember DeLoach seconded the motion.

Mayor Murray and Councilmembers Heyward and Robinson voted to appoint Sing Pappas to the Design Review Board.

Councilmembers DeLoach and Lee voted to appoint John Ellerbe to the Design Review Board.

Sing Pappas was appointed to the Design Review Board by a vote of three to two.

**2. Housing Advisory Board (1)**

There was no appointment at this time.

**B. Intergovernmental Agreement for Bond Hearings**

Town Manager Willis explained this agreement would contract with the City of Beaufort Court to hold bond hearings for the Town on weekends. He said this arrangement would be cost efficient for the Town.

Councilmember Heyward moved to adopt the Intergovernmental Agreement between the Town and the City of Beaufort concerning bond hearings. Councilmember Lee seconded the motion.

The motion carried by unanimous vote

### **C. Potential Port Royal Visitors Center**

Town Manager Willis explained this item was tabled at last month's meeting.

Nancy Vista representing the Old Village Association asked Council to fund a centrally located, multi-functional visitor's center within the Town. She said this would allow visitors a central place to go to for information about the Town. Ms. Vista told Council most people do not know the Old Village Area of the Town exist, therefore, businesses were being forced to close their doors.

Councilmember DeLoach suggested that Council assist new businesses by paying half of the first year's membership dues to the Chamber. He also said the Chamber had prepared a letter for distribution to local businesses explaining how the Chamber markets the Town.

Elizabeth Finger, owner of Lollygags, spoke to Council concerning the need for a visitor's center. She said there needed to be a sign to promote the "Old Town" area. Ms. Finger said she felt there was no support from the Town. She said the Town needed a marketing firm to market the businesses.

Town Manager Willis stated that the Town was committed and had done so by establishing a million dollar TIF District and installing a traffic signal on Ribaut Road. He said the Town had participated in every advertising opportunity that had been requested and said the Town was currently involved in a video production marketing the Town. He explained this video would be broadcast to approximately 80,000 customers on Hargray cable. He further explained an eighteen to twenty thousand dollar sign was in the planning stages for the Ribaut Road/Paris Avenue intersection. Mr. Willis reviewed other ways the Town was working to solve the problem.

Sherry Johnson, Paris Avenue business owner expressed concerns about the ability to keep her business open. She said she is a member of the Chamber but said something was needed to pull traffic into the lower part of Town.

Mayor Murray suggested that representatives from the Town, the Chamber and the OVA meet to try to find ways to get visitors into Town.

Councilmember Heyward suggested that she, Town Manager Willis, Carlotta Ungaro (Chamber), and Nancy Vista (OVA) get together to discuss ideas to remedy this situation.

Council decided to hold the vote on the Visitor's Center funding until they could get a report back from this meeting.

Town Manager Willis showed a rendering of the proposed sign for the Ribaut Road/Paris Avenue intersection and told Council the cost would be between eighteen and twenty thousand dollars. He asked Council whether he should continue with these plans or scale it back to a more appropriate budget.

Councilmember Heyward moved to continue with the current plans for the sign and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**D. Revocable Easement Agreement**

Town Manager Willis explained the fence and shed at the log cabin on 15<sup>th</sup> Street had been built over the property line onto Town property. He said this agreement would allow the fence and shed to stay but said if the Town ever needed them moved it must be done within sixty days.

Councilmember Lee moved to adopt the Revocable Easement Agreement and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

**XI. IMPORTANT INFORMATION AND DATES:**

- A. Wednesday, September 19, 2007, 4:00 pm until 7:00 pm – Council Retreat, Police/Fire Training Room, 1748 Paris Avenue**
- B. Monday, October 1, 2007, 5:30 PM – Joint Municipal Planning Commission (JMPC) Meeting, 700 Paris Avenue**
- C. Monday, October 1, 2007, 6:00 pm – Joint Meeting with the City of Beaufort, place to be announced**
- D. Wednesday, October 3, 2007, 6:30 PM – Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- E. Wednesday, October 3, 2007, immediately following the scheduled Public Hearing – Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- F. Thursday, October 4, 2007, 5:30 pm – Design Review Board (DRB) Meeting, 700 Paris Avenue**
- G. Wednesday, October 10, 2007, 6:30 pm – Regular Council Meeting, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- H. Saturday, October 13, 2007 – John Parker Day at the John Parker (Casablanca) Park in Port Royal**
- I. Saturday, October 20, 2007, noon until 5:00 pm – 5<sup>th</sup> Annual Oktoberfest, Paris Avenue, Port Royal**
- J. Tuesday, November 6, 2007 – Port Royal Municipal Election**

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

Nancy Vista told those present the next First Friday event would be on October 5<sup>th</sup> featuring Tina Fripp. She also said there was a very good lineup for the Oktoberfest with bands and lots of vendors.

**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.**

Sing Pappas asked if entertainment events could be moved further down Paris Avenue closer to the shops.

Councilmember DeLoach said the timing on the traffic signal at Boundary Street and Ribaut Road needed to be changed.

Mike Jones had questions concerning whether or not the Shrimp Docks located on Port property would remain open.

Councilmember Lee told those present the Historic Port Royal Foundation was busy taking pictures of historic buildings in the Town and working on the Historic Preservation Ordinance.

**XIII. ADJOURNMENT:**

Councilmember Robinson moved to adjourn the meeting.

The meeting adjourned at 7:45 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 prior to 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.