

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

**April 14, 2010**

**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, Fire Chief Sammy Negrón 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 March 3, 2010**
- B. Minutes from the Council Workshop of March 3, 2010**
- C. Minutes from the Regular Council Meeting of March 10, 2010**
- D. Minutes from the Council Retreat of March 20, 2010**

Councilmember Robinson moved to adopt the minutes from the March 3, 2010 Public Hearing, the March 3, 2010 Council Workshop, the March 10, 2010 Public Hearing, the March 10, 2010 Regular Council Meeting and the March 20, 2010 Council Retreat. Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**IV. AMENDMENTS TO THE AGENDA:**

There were no amendments to the agenda.

**V. COUNCIL BRIEFING:**

Town Manager Willis told Council he and staff had been working on departmental budgets and that they would be ready for review at the first budget workshop on May 5<sup>th</sup>. He also told them plans were available for the upgrade to Buoy Park. Mr. Willis said the park had been cleaned by volunteers and that he planned to do a little more work to make it a nice neighborhood park. He explained he was working on plans to install lighting and other elements at Anchor Park on Paris Avenue. Mr. Willis said landscaping had been completed at the Town sign at Mossy Oaks Road and also the median bed at Richmond Avenue. He said all easements and applications had been signed for the Cypress Wetlands project and the architect was working on plans for the structures in that project.

**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.**

Henry Robertson read a statement opposing the annexation and zoning of 11.92 acres in Shell Point. He said this would be unnecessary growth considering there were already homes and commercial properties in the Shell Point area that were not being utilized.

Carolyn Davis read a statement saying very little change had been made to the overall PUD. She opposed annexation and zoning of the property and said it would not blend with the existing community.

Kitty Wright opposed the annexation saying the increased traffic would jeopardize residents. She asked Council to consider traffic and safety issues when making their decisions.

Donna Garcia who lives on Hickory Street spoke of flooding problems when it rains and traffic issues on Shell Point Road and Hickory Street.

Reed Armstrong from the Coastal Conservation League said this was a well designed project but expressed concerns about land use. He said his main concern was stormwater management on the property saying it would be hard to maintain. Mr. Armstrong said this was the wrong place for the project.

**VII. PRESENTATION:**

**A. Present Quit-Claim Deed to Union Baptist Church:**

Mayor Murray presented a Quit-Claim deed to Pastor Edward Johnson for the cemetery located on Royal Palms Road and told him it would be cleaned up soon by the Town's landscaper.

Pastor Johnson thanked the Town for the deed and told Council the church would do its best to keep the cemetery clean and well marked.

Councilmember Robinson said he had paid ten dollar fee for the deed on behalf of the church. He told Council the Historic Port Royal Foundation would help pay for signage at the cemetery and that the entrance of the cemetery would be relocated.

**VIII. SECOND READINGS:**

**A. Ordinance 2009-8. An Ordinance annexing to the Town of Port Royal approximately 11.92 acres of real estate located in Beaufort County described as Beaufort County Tax District 100, Map 33A, Parcels, 22, 26, 27, 53, 54, 55, 56, 61, 122, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172**

Town Manager Willis read Ordinance 2009-8 by title and reviewed Ordinance 2009-9 which provided zoning for the property.

Attorney David Tedder reviewed changes made to the PUD in order to meet requests of Council and Shell Point residents. He explained the plan had been developed in accordance with the Town's Comprehensive Plan and the Shell Point Neighborhood Plan.

Engineer Steve Andrews reviewed the process the development would need to take over the next few years before any construction could begin. He stated that in the best scenario it would be two years before any development could begin but explained with today's economy it would most likely be three to five years before construction could begin.

Councilmember Heyward moved to reject Ordinance 2009-8 and Councilmember DeLoach seconded the motion.

Mayor Murray explained that the request met the requirements of the Shell Point Neighborhood Overlay and the Northern Regional Plan. He also said the property is located in the Town's future growth boundary.

Councilmembers DeLoach, Heyward, Lee and Robinson voted yes.

Mayor Murray voted no.

The motion to reject the ordinance carried.

- B. Ordinance 2009-9. An ordinance to zone approximately 11.92 acres of real estate located in Beaufort County described as Beaufort County Tax District 112 (formerly Beaufort County Tax District 100), Map 33A, Parcels 22, 26, 27, 53, 54, 55, 56, 61, 122, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 as a Planned Unit Development (PUD) zoning district with the Shell Point Neighborhood Overlay**

No action was taken on Ordinance 2009-9.

#### **IX. PROCLAMATION:**

- A. Child Abuse Prevention Month:**

Mayor Murray read a proclamation declaring April as Child Abuse Prevention Month in the Town and presented it to Charles Brown who accepted on behalf of Beaufort County Social Services.

Mr. Brown thanked Council for the proclamation and told them the Social Services budget and staff had been cut due to the economy. He said they were still working hard to prevent child abuse.

#### **RESOLUTIONS:**

- A. Resolution 1-2010. Fair Housing Resolution**

Town Manager Willis told those present the Fair Housing Resolution and the Non-discrimination Resolution were adopted every year in order to apply for Community Development Block Grants.

Councilmember Heyward moved to adopt Resolution 1-2010 and Councilmember Robinson seconded the motion.

The motion carried by unanimous vote.

- B. Resolution 2-2010. Non discrimination on the basis of disability (ADA)**

Councilmember Robinson moved to adopt Resolution 2-2010 and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**C. Resolution 3-2010. Endorsing the Fort Frederick Sewer Extension Project**

Town Manager Willis explained Resolution 3-2010 endorses the Fort Frederick Sewer Extension Project.

Councilmember Heyward moved to adopt Resolution 3-2010 and Councilmember Lee seconded the motion.

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

Councilmember Robinson abstained from the vote because he lives in the Ft. Frederick area.

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

**A. Appointments:**

**1. Redevelopment Commission: Reappoint Ann Marie Adams-Arrington and Kent Bishop**

Councilmember Lee moved to reappoint Ann Marie Adams and Kent Bishop to the Redevelopment Commission. Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**B. Approval for contracts for median improvements on Ribaut Road**

Town Manager Willis explained that proposals had been received from Mazzanna's Lawn and Landscape Service, Inc., The Greenery and Southern Palmetto Landscapes, Inc. to do median improvements on Ribaut Road. He told Council the Greenery was lowest bidder at approximately twenty-five thousand dollars.

Councilmember Lee moved to award the contract for median work on Ribaut Road to The Greenery and Councilmember Heyward seconded the motion.

The motion carried by unanimous vote.

**XI. IMPORTANT INFORMATION AND DATES:**

**A. Friday, April 16, 2010, 7:00 am – Business Breakfast, Town Hall, 700 Paris Avenue**

- B. Wednesday, May 5, 2010, 6:30 pm - Public Hearing, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
  
- C. Wednesday, May 5, 2010 immediately following the scheduled Public Hearing, Council Workshop, Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- D. Thursday, May 6, 2010, 5:30 pm – Design Review Board Meeting (DRB), 700 Paris Avenue**
- E. Saturday, May 8, 2010, 6:30 – Street Music on Paris Avenue featuring *Reggae with Patwa*, Paris Avenue**
- F. Monday, May 10, 2010, 5:30 pm – Joint Municipal Planning Commission, 1901 Boundary Street, Beaufort, Municipal Court Building**
- G. Wednesday, May 12, 2010, 6:30 pm, Regular Council Meeting, GG Yvonne C. Butler Council Chambers, 700 Paris Avenue**
- H. Saturday, May 22, 6:30 pm – Street Music on Paris Avenue featuring *The Space Heaters*, Paris Avenue**
- I. Monday, May 31, 2010, Town Hall, Public Works and the administrative offices of the Police Department will be closed in observance of Memorial Day**
- J. Saturday, June 5, 2010, 6:30 pm – Street Music on Paris Avenue featuring *Sol Driven Train*, Paris Avenue**
- K. Saturday, June 19, 2010, 6:30 pm – Street Music on Paris Avenue featuring *Town Mountain*, Paris Avenue**

Town Manager Willis reviewed the list of important dates and information. He also reminded Council of the upcoming Joint Meeting with the City of Beaufort on April 19<sup>th</sup> and the Soft Shell Crab Festival on April 24<sup>th</sup>.

**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.**

John Ellerbe reminded those present the Historic Port Royal Foundation would be presenting the third in a series of historical lectures on Friday, April 16<sup>th</sup> at the Union Church on 11<sup>th</sup> Street. The speaker would be retired Beaufort Gazette editor Jim Cato who would be speaking on events that had taken place since he began working with the newspaper.

County Councilmember Brian Flewelling thanked Council for their votes on the failed annexation.

Carolyn Davis thanked Council for allowing Shell Point residents take part in the annexation process.

Monique Dawson presented Council with information packets from the Coastal South Tobacco Coalition which was working to stop smoking in public buildings. She explained the dangers of second hand smoke to those who work in buildings where smoking is allowed. Ms. Dawson asked Council to consider creating a smoke-free ordinance for the Town of Port Royal.

**XIII. EXECUTIVE SESSION:**

**A. Discussion of a legal matter:**

Councilmember Robertson moved to adjourn to Executive Session to discuss a legal matter and Councilmember Heyward seconded the motion.

Council adjourned to Executive Session at 7:35 pm.

Council returned from Executive Session at 7:55 pm.

No action was taken.

**XIII. ADJOURNMENT:**

The meeting adjourned at 7:55 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.