

CITY OF HARDEEVILLE
REGULAR CITY COUNCIL MEETING
AND PUBLIC HEARINGS
MINUTES
AUGUST 7, 2008
6:00 PM

Present: Mayor Bronco Bostick, Mayor Pro-Tem Roy Powell, Council Members A. Brooks Willis and Michael Foskey, City Manager Kevin Griffin, Assistant City Manager Jeff Slocum, Fire Chief Dan Morgan, Police Chief Richard Nagy, Assistant Chief Steve Murphy, Recreation Director Joe Gailey, Planning Director Brana Snowden, Building Official Bob Klein, Municipal Judge John Carroll, City Attorney David Tedder, City Clerk Lori Pomarico and Public Information Director Jason Rogers.

I. CALL TO ORDER

Mayor Bronco Bostick called the meeting to order at 6:00 p.m.

II. INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Brooks Willis gave the invocation

III. PUBLIC PRESENTATIONS/COMMENTS (2 MINUTE TIME LIMIT)

Ms. Missy Santorum of Palmetto Electric spoke on Palmetto Electric's Educational Programs. Ms. Santorum stated that commitment to community is one of their core values. The Bright Idea Program awards grants up to \$1,000 to teachers in grades K through 12 in public or private schools in Jasper, southern Beaufort or Hampton Counties to implement innovative classroom projects. Applications for the 2008 to 2009 school year are due September 11, 2008. Since 2004 when the program was implemented, Palmetto Electric has awarded 119 teachers nearly \$103,000.

Mayor Bronco Bostick asked how long the application process takes for the Bright Idea Program. Ms. Santorum responded that the applications are available May 1 and the teachers have through the summer to apply. This year's deadline is September 11. Palmetto Electric will be out in the schools in mid-late October awarding the grant.

Council Member Michael Foskey asked if the grant money had to be spent on state programs or could it be spent on outside sources such as tutoring. Ms. Santorum responded that the teachers normally would come up with an innovative classroom project as long as it is kept in the classroom, not for field trips or professional development.

Ms. Santorum listed several programs including Safety Day, Washington Youth Tour, and WIRE Scholarship (Women Involved in Rural Electrification). For additional information go to www.palmetto.coop or stop by any of the local offices.

Ms. Linda Nease stated that she and her husband enjoyed both the July 4th celebration sponsored by Tetra, and National Night Out. Ms. Nease complimented how wonderful and well planned National Night Out was and to see the City employees out there working so hard for the citizens meant a lot to her. Ms. Nease remarked that when she saw the 12 or 13 police cars lined up, the nice fire equipment and the beautiful sports complex she thought about the Hardeeville she grew up in the 50's and 60's where they had nothing. They had an old fire truck, one policeman and sometimes a night watchman. Ms. Nease stated that this made her realize how much Hardeeville has come and how fortunate they are with the caliber of police and fire they have now. Ms. Nease also commented on the intern that came to her home today to conduct a survey and stated that this is a wonderful program and hopes that it will continue.

Council Member Brooks Willis thanked Ms. Nease for coming forward with her compliments and that it is appreciated and makes everyone want to work harder and do more.

Mayor Pro Tem Roy Powell asked Officer Richard Jennings to come forward and be recognized as the person who was responsible for the organization of National Night Out.

A. A PUBLIC ANNOUNCEMENT REGARDING WARD EDWARD'S ANNUAL GRANT OF \$10,000 FOR ENVIRONMENTAL SUSTAINABILITY PROJECTS.

Mr. John Rimbald of Ward Edwards stated that he was here to speak regarding Ward Edward's 2nd Annual Healthy Community Grant. This grant is to a non-profit organization either in 14 counties in South Carolina and 11 counties in Georgia in the amount of \$10,000 which could be a single award or multiple awards that are split. Ward Edwards is trying to encourage people to think about stewardship of the environment, environmental education, and some kind of a solution to a problem that is innovative. A one page summary is due on September 10, 2008 for this grant. A full application can be downloaded from their website at www.wardedwards.com. Mr. Rimbald noted that handouts are available tonight, or people can call their office with questions.

B. ANNOUNCEMENT OF SPECIAL CITY COUNCIL MEETING ON AUGUST 14, 2008 AT 5:00 PM.

City Manager Kevin Griffin stated that there are a number of time sensitive items that require a special meeting next Thursday at 5:00 p.m. Mr. Griffin also indicated that there are only two new business items on tonight's agenda that may be covered at the August 14th meeting and therefore may not need to have the August 21st regular meeting.

Mayor Bostick asked what would be covered at the August 14th special meeting. Mr. Griffin responded that one item would be the Sunday Alcohol Sales Ordinance which has to be in by August 15th for referendum to get on the November ballot. The second item would most likely be the 6320 bond financing for the Hargray building and the refinancing for the current municipal complex.

IV. OLD BUSINESS

- A. SECOND READING OF AN ORDINANCE PROVIDING FOR THE ANNEXATION FOR THE PARCELS LOCATED ON HIGHWAY 170 KNOWN AS **THE WILLIAMS TRACT** TMP 080-00-03-032 (+/-22.3 ACRES) **(2008-7-24D)**
PUBLIC COMMENT

City Manager Griffin stated that this is the second reading of the Williams Tract Annexation. There have been no changes since first reading.

There was no public comment. A motion was made by Council Member Foskey to accept Ordinance No. 2008-7-24D at second reading. The motion received a proper second by Mayor Pro Tem Powell and carried unanimously.

- B. SECOND READING OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE HARDEEVILLE MUNICIPAL ZONING AND DEVELOPMENT ORDINANCE TO REZONE FROM RESIDENTIAL (R-2) IN JASPER COUNTY TO GENERAL COMMERCIAL (GC) IN THE CITY OF HARDEEVILLE **THE WILLIAMS TRACT** TMP 080-00-03-032 (+/-22.3 ACRES) **(2008-7-24E)**
PUBLIC COMMENT

City Manager Griffin stated that this is the zoning assignment for the Williams Tract. There have been no changes since first reading.

Mike Armistead, of Keller Williams Realty, agent for the owner, commented that the owner appreciates the City's kind consideration.

There was no public comment. A motion was made by Council Member Willis to accept Ordinance No. 2008-7-24E at second reading. The motion received a proper second by Council Member Foskey and carried unanimously.

- C. SECOND READING OF AN ORDINANCE TO ADOPT A MASTER PLAN FOR THE PARCEL KNOWN AS **THE SHOPS AT HILTON HEAD LAKES OF HARDEEVILLE** (A PORTION OF THE ANDERSON PLANNED DEVELOPMENT DISTRICT) LOCATED ALONG INDEPENDENCE BLVD. (HIGHWAY 278) (+/- 74.32 ACRES) **(2008-7-24F)**

PUBLIC COMMENT

City Manager Griffin deferred to Planning Director Brana Snowden. Ms. Snowden stated that after legal review some language on page 8 of the text of the Master Plan is already in the Development Agreement and does not have a place in the Master Plan. It is being stricken from the document with Council's approval. Planning Commission and staff recommend approval.

City Attorney David Tedder's recommendation be that the text be stricken and insert "intentionally deleted" so the rest of the pages do not have to be renumbered.

Mayor Bostick asked for questions from Council. Mayor Pro Tem Powell asked for clarification of what was being agreed to, and asked if they can change any commercial property to residential dwellings at their convenience. Ms. Snowden responded that this is not what is stated. There are certain standards that allow for administrative changes in master plans, changing of land uses is not one. Any changes in land uses would have to go back to Planning Commission and Council.

Mayor Pro Tem Powell asked if it was known when the entrances on Hwy 278 would take place. Ms. Snowden deferred to the applicant's engineer, Jamie Starling of Thomas and Hutton. Mr. Starling referred to a visual display of the master plan and noted that one entrance, which is a full intersection, is already constructed. The second intersection, which is a right in right out, has not been constructed. It is permitted through the SCDOT and Mr. Starling believes that it would be constructed as needed. Ms. Snowden added that it would be necessary to go through a development plan review for anything they do, including those entrances and roadways. Mayor Pro Tem Powell asked if the main entrance across from Tradition is included in this development. Mr. Starling responded that it is not.

Mayor Bostick asked if they had gotten a price on the lots. Mr. Starling responded that he believes they are starting at \$140,000 and go up from there based on location.

Mayor Pro Tem Powell asked if Insight is buying this from Hilton Head Lakes and wanted to know if this was a local, regional or new company. Mr. Starling responded that this is a group of four investors, one of which is an investor with Hilton Head Lakes, and is based out of two locations in South Carolina, Myrtle Beach and Columbia.

Mayor Pro Tem Powell asked about the four phases of this project. Mr. Starling pointed out on the map that there are actually five phases. The first phase will be the apartment complex. Mr. Starling pointed out the remaining phases on the map and noted where the sales center, which is in the second phase, would be moving to in the third phase.

Mayor Pro Tem Powell mentioned the name of the apartment complex being The Haven at Hilton Head Lakes and questioned if the owners are aware that there is already a Haven at New Riverside. Mr. Starling responded that he believes the owner is aware and stated that this is their

signature. All of the apartments they build in South Carolina have The Haven at (a location) attached to it. Mayor Pro Tem Powell commented that this may be confusing for a lot of people.

Mayor Pro Tem Powell had a question regarding parking, and stated that in the original paperwork done in August 2007, it was agreed that multi-family dwellings would have two parking spots per unit and this is bringing it down to 1.8. Mayor Pro Tem Powell wanted to know the reason. Ms. Snowden responded that this is a request that has been made and has been reviewed by Planning Commission, but it is ultimately the Council's decision. These projects have been done around the Southeast and this is a standard they use. They are able to add different types of parking such as truck parking and compact car parking which seems to alleviate parking concerns. Mayor Pro Tem Powell stated that he would like to see that we go to a standard and hold everybody to the same thing.

There was no public comment. A motion was made by Mayor Pro Tem Powell to accept Ordinance No. 2008-7-24F at second reading. The motion received a proper second by Council Member Foskey and carried unanimously.

V. PRESENTATION & APPROVAL OF THE MINUTES FROM THE
JULY 24, 2008 REGULAR CITY COUNCIL MEETING

A motion was made by Council Member Foskey to approve the July 24, 2008 Regular City Council Meeting Minutes. The motion received a proper second by Mayor Pro Tem Powell and carried unanimously.

VI. NEW BUSINESS

A. FIRST READING OF AN ORDINANCE PROVIDING FOR THE
ANNEXATION FOR THE PARCELS LOCATED ON HIGHWAY 170 TMP
079-00-00-006 AND 079-00-00-008 (+/-3.5 ACRES) (SOUTHCOAST
FINANCIAL) (2008-8-7A)
PUBLIC COMMENT

City Manager Griffin stated that this property is located north of the Okatie Crossings project on Hwy 170. This is the first reading of the annexation petition.

Mayor Bostick called for public comment. Mr. Bob Taylor asked if this was in Hardeeville, Beaufort County or Jasper County. City Manager Griffin responded that it was in Jasper County.

A motion was made by Council Member Willis to accept Ordinance No. 2008-8-7A at first reading. The motion received a proper second by Council Member Foskey and carried unanimously.

B. FIRST READING OF AN ORDINANCE AMENDING THE OFFICIAL
ZONING MAP OF THE HARDEEVILLE MUNICIPAL ZONING AND

DEVELOPMENT ORDINANCE TO REZONE FROM RURAL
PRESERVATION (RP) IN JASPER COUNTY TO GENERAL COMMERCIAL
(GC) IN THE CITY OF HARDEEVILLE (SOUTHCOAST FINANCIAL)
TMP 079-00-00-006 AND 079-00-00-008 (+/-3.5 ACRES) (2008-8-7B)
PUBLIC COMMENT

City Manager Griffin deferred to Planning Director Snowden. Ms. Snowden stated that these two parcels combined make 3.5 acres. The applicant is requesting general commercial. It was presented to Planning Commission last week. To the north of these parcels are two parcels that are in unincorporated Jasper County and that there are other commercial uses surrounding it. Staff and Planning Commission recommend approval. Mayor Pro Tem asked for an explanation of Rural Preservation. Ms. Snowden responded that it is the designation Jasper County came through with when they redid their ordinance at the end of last year. It is one dwelling unit per acre that allows rural uses and residential.

There was no public comment. A motion was made by Council Member Foskey to accept Ordinance No. 2008-8-7B at first reading. The motion received a proper second by Mayor Pro Tem Powell and carried unanimously.

C. FIRST READING OF AN ORDINANCE OF THE MAYOR AND COUNCIL
OF THE CITY OF HARDEEVILLE TO REQUEST A REFERENDUM AND
BALLOT TO ALLOW SUNDAY ALCOHOL SALES (2008-8-7C)
PUBLIC COMMENT

City Manager Griffin deferred to City Attorney David Tedder. Attorney Tedder stated that after reviewing the proposed ordinance, a few grammatical changes needed to be made. First was to change a section number of the state statute from C to D; he also changed twenty-four in numerals to be written out; and he changed the language to have our Municipal Election Commission coordinate with Jasper County in placing on the November 4th ballot this referendum question. Attorney Tedder stated that the City Council had a workshop with Tom Sponseller of the South Carolina Hospitality Association in conjunction with the local Chamber of Commerce. City Manager Griffin added that the workshop was held on Friday. This ordinance is in response to the Hardeeville Chamber of Commerce and a number of other business groups who have asked for the question to be put on the ballot in November for the Sunday Sales of Alcohol in restaurants and eating establishments only. They have asked for it as an economic development initiative to help attract some of the larger restaurants and other businesses into some of our commercial developments. City Manager Griffin added that Council tonight would just be having first reading to put the item on the ballot, the electorate would actually decide the question.

Mayor Pro Tem Powell asked if the words “not to exceed twenty-four hours” would read that way on the referendum. City Attorney Tedder responded that this is a direct quotation from the statute. The state legislature tells us what the exact language has to be, you cannot deviate from it. These are temporary permits and this is one of the two sections of this law that has to be used

to get this going. The other section would have allowed for grocery stores and convenience stores. Mayor Pro Tem Powell asked for clarification because his interpretation suggests that if someone wanted to sell alcohol wherever they choose this would allow them to do so. Mayor Pro Tem Powell asked if this is going to read just for Sunday alcohol sales in restaurants, and is every Sunday a special license. Attorney Tedder responded that every Sunday is a special license unless you want to pay for a 52-week permit that goes along with the normal license. There is also a special event license in a different section that would allow for festivals. Council Member Willis noted that the Catfish Festival would be held on City property and alcohol is against the law on City property. Attorney Tedder followed that there is a City ordinance that prohibits the consumption of alcoholic beverages on City property whether owned or leased from the City.

Mayor Bostick asked for public comment. Mr. Sal Arzillo first spoke of Bob Barrett stating that he was on the Board of the Hardeeville Chamber, a strong advocate of the Hardeeville Chamber, the library and of Hardeeville and he will be missed. Mr. Arzillo stated that the Hardeeville Chamber wants to see the Sunday alcohol sales happen, that it is of economic value. Mr. Arzillo stated that no restaurants will come to this town unless this is passed. Mr. Arzillo thanked everyone for their help and he hopes that this gets on the ballot in November.

A motion was made by Mayor Pro Tem Powell to accept Ordinance No. 2008-8-7C at first reading. The motion received a proper second by Council Member Foskey and carried unanimously.

At this time, City Manager Griffin added that there will be a Public Hearing and second reading of this item on Thursday, August 14th, at 5:00 pm.

D. DISCUSSION OF REQUEST FOR CAPITAL IMPROVEMENT FUNDS
DONATION TO THE HARDEEVILLE K-12 SCHOOLS
PUBLIC COMMENT

City Manager Griffin stated that there have been a number of discussions with the Hardeeville K-12 schools on different things we can do to help one another. One thing that has been discussed at the staff level is the possible donation of some capital improvement funds that are made available to Hardeeville through development agreements. They have asked for assistance for both their athletic programs and landscaping.

Mayor Bostick stated that he has met with Dr. Sanford and some of the basketball coaches. Mayor Bostick added that the new school is badly in need of maintenance and landscaping and through our economic development funds we have some money for this year that he is willing to donate. Mayor Bostick asked that Council donate \$9,000 to the school for landscaping and \$6,000 to the athletic department for a total of \$15,000.

Mayor Bostick opened for questions from Council. Mayor Pro Tem Powell asked how much the City has in the funds and how long we have been collecting these funds. City Manager Griffin

responded that at this time there is a little over \$65,000 which we have been collecting for approximately a year and a half. Mr. Griffin added that a considerable balance has to be kept in the fund. Mayor Pro Tem Powell asked what can be expected to be taken in over the next year or two. Mr. Griffin said roughly, based on today's trends, approximately \$35,000 per year.

Mayor Pro Tem Powell asked if Dr. Sanford had specific items for this money. Mayor Bostick responded said that there are specific items and we would definitely have to have a paper trail. Mayor Bostick added that he does not mind giving this money to the school because in the past we were given economic development money that was put in a certain line item where it sat for a couple of years and then was moved into another line item where it was spent and the schools never received any. This is not taxpayers' money and we need to start giving the schools and the library their fair share. Mayor Pro Tem Powell stated that because this is coming from development money, he would like to account for everything we spend out of that fund regardless of what it is for, and keep a good record. He would like to know specifically how the money is spent.

City Manager Griffin stated that it could be added to the motion that we would grant them up to \$15,000 with submission of receipts for reimbursement.

Mayor Bostick opened for public comment. Ms. Kim Powell commented that she feels that this is good for the school and recreation. Ms. Powell stated that in working with the Hardeeville Patriots, there are a lot of kids that want to play ball, but their parents cannot afford it. If there is money that is available for recreation, would the Council consider giving some of that money to the Patriots ball team so that some kids could play ball that otherwise could not afford it? Mayor Bostick stated that there is a meeting scheduled for Monday at 5:00 pm with the Recreation Department, coaches and administrators. City Manager Griffin added that this account is specifically for capital improvements and has to be spent on capital improvements; it cannot be spent on employment fees or any other type of fees. Mayor Bostick added that this money is for the impact that the development causes the schools.

Mr. Gordon, the Science Department Chair at Hardeeville Middle High School, stated that at this time a Math, Science and Engineering Academy is being implemented at the school. It is going to take some resources to implement this program. Mr. Gordon stated that he would like to apprise the Council of the initiatives they are taking in education because in the near future they may be coming to Council with a proposal for how the Council may potentially help to implement this program.

A motion was made by Council Member Foskey to approve New Business Item VI D as discussed. The motion received a proper second by Mayor Pro Tem Powell and carried unanimously.

VII. MANAGER'S REPORT

City Manager Griffin thanked the citizens that came out Tuesday night for National Night Out. It was an outstanding event.

City Manager Griffin stated that Hilton Head Regional Health Care, which includes Coastal Carolina Hospital and Hilton Head Hospital, will host an informational seminar on its twelve week Healthy Living Program at 5:30 pm on Wednesday, August 13th, in the Community Room at Hardeeville City Hall. To pre-register for the seminar, call 1-877-58-CARES (2737). The program begins after this initial meeting.

City Manager Griffin stated that the Jasper County Boards and Disability and Special Needs will have their barbeque on Saturday at 6:30 pm. For more information call 726-4499 ext 216.

City Manager Griffin stated that the Taste of Jasper Benefit will be Saturday, August 9th, 6:00 pm, at the Jasper County Farmer's Market. For more information, contact Ashley Rhoades, Event Coordinator at 368-2554 or Anne Walker at 812-4357.

City Manager Griffin reminded all that Coastal Carolina and the American Red Cross continue their blood drives. If anyone would like to contribute; call 843-422-4985 for Coastal Carolina and 757-7437 for the American Red Cross.

City Manager Griffin stated again that there is a Special Meeting at 5:00 pm, Thursday, August 14th for the final reading and public hearing on the Sunday Alcohol Sales Ordinance and a few other items.

Mayor Bostick opened for Council comments. Council Member Willis recognized Mr. Bill Miles of the Hilton Head Chamber of Commerce. Mr. Miles stated that on October 1st they will be having the State of the Region Breakfast at the Westin Hotel on Hilton Head Island at 9:00 am.

VIII. ADJOURNMENT

A motion was made by Mayor Pro Tem Powell and seconded by Council Member Foskey to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 7:03 p.m.

Lori Pomarico, City Clerk

Date

SEAL