

CITY OF HARDEEVILLE  
PUBLIC HEARING & REGULAR  
CITY COUNCIL MEETING  
MINUTES  
August 16, 2007  
6:00 PM

Present: Mayor Rodney Cannon, Mayor Pro-Tem Brooks Willis, Council Members Earl Cooler, Bea Jones and Bill Horton, City Manager Shane Haynes, Assistant City Manager Kevin Griffin, Public Information Director Paul Floeckher, Police Chief Richard Nagy, Fire Chief John Ekaitis, Recreation Director Joe Gailey, Planning Director Brana Snowden, Assistant City Manager Jeff Slocum, Economic Development Director Ted Felder and Municipal Judge John Carroll.

I. CALL TO ORDER

Mayor Cannon called the meeting to order at 6 p.m.

II. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Willis gave the invocation.

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

Mr. Eugene Williams noted that Jenkins Avenue is no longer safe. He expressed Concern with speeding traffic and stagnant water around that area. Mayor Cannon stated part of that area was a retention pond for drainage and he had someone spray recently for mosquitoes. Mayor Cannon also asked the Assistant Manager to contact the owner of Jenkins Plumbing and ask for vehicular traffic to travel in from the opposite direction lessening the traffic in that area.

IV. OLD BUSINESS

- A. SECOND READING OF AN ORDINANCE PROVIDING FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 029-00-02-076 (+/- 20.53 ACRES) NOT ALREADY LOCATED WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY **HARDIN TRACT (2007-8 -2A)**  
**PUBLIC COMMENT – NONE**

**There was no public comment. A motion was made by Mayor Pro-Tem Willis to adopt Ordinance No. 2007-8-2A at second reading. The motion received a proper second by Council Member Cooler and passed unanimously.**

- B. SECOND READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING PARCEL LOCATED ALONG HONEY HILL ROAD FROM RESTRICTED DEVELOPMENT (RD) IN JASPER COUNTY TO

**MIXED USE (MU) 029-00-02-076 (+/- 20.53ACRES) HARDIN TRACT (2007-8-2B) PUBLIC COMMENT - NONE**

**There was no public comment. A motion was made by Council Member Jones to adopt Ordinance No. 2007-8-2B at second reading. The motion received a proper second by Council Member Horton and passed unanimously.**

**C. SECOND READING OF AN ORDINANCE PROVIDING FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 042-00-04-023 (+/- 4.01 ACRES) NOT ALREADY LOCATED WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY BRICKYARD SWAMP RENAISSANCE TRACT (2007-8-2C) PUBLIC COMMENT**

**There was no public comment. A motion was made by Council Member Horton to adopt Ordinance No. 2007-8-2C at second reading. The motion received a proper second by Mayor Pro-Tem Willis and passed unanimously.**

**D. SECOND READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING PARCEL LOCATED ALONG HIGHWAY 278 BETWEEN JOHN SMITH ROAD AND INTERSTATE 95 FROM RESTRICTED DEVELOPMENT (RD) IN JASPER COUNTY TO GENERAL COMMERCIAL (GC) 042-00-04-023 (+/- 4.01 ACRES) BRICKYARD SWAMP RENAISSANCE TRACT (2007-8-2D) PUBLIC COMMENT**

**There was no public comment. A motion was made by Council Member Cooler to adopt Ordinance No. 2007-8-2D at second reading. The motion received a proper second by Council Member Jones and passed unanimously.**

**E. SECOND READING OF AN ORDINANCE PROVIDING FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 042-00-04-007 (+/- 5 ACRES) NOT ALREADY LOCATED WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY BRICKYARD SWAMP RENAISSANCE TRACT (2007-8-2E) PUBLIC COMMENT**

**There was no public comment. A motion was made by Mayor Pro-Tem Willis to adopt Ordinance No. 2007-8-2E at second reading. The motion received a proper second by Council Member Cooler and passed unanimously.**

**F. SECOND READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING PARCEL LOCATED ALONG HIGHWAY 278 BETWEEN JOHN SMITH ROAD AND INTERSTATE 95 FROM RESTRICTED DEVELOPMENT (RD) IN JASPER COUNTY TO GENERAL COMMERCIAL (GC) 042-00-04-007 (+/- 5 ACRES) BRICKYARD SWAMP RENAISSANCE TRACT (2007-8-2F) PUBLIC COMMENT**

**There was no public comment. A motion was made by Council Member Jones to adopt Ordinance No. 2007-8-2F at second reading. The motion received a proper second by Council Member Cooler and passed unanimously.**

G. SECOND READING OF AN ORDINANCE PROVIDING FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 079-00-00-009 (+/- 9.11 ACRES) NOT ALREADY LOCATED WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY SANDERS TRACT (2007-8-2G)  
**PUBLIC COMMENT**

**There was no public comment. A motion was made by Council Member Jones to adopt Ordinance No. 2007-8-2G at second reading. The motion received a proper second by Mayor Pro-Tem Willis and passed unanimously.**

H. SECOND READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING PARCEL LOCATED ALONG HIGHWAY 170 FROM RESTRICTED DEVELOPMENT (RD) IN JASPER COUNTY TO GENERAL COMMERCIAL (GC) 079-00-00-009 (+/- 9.11 ACRES) SANDERS TRACT (2007-8-2H) **PUBLIC COMMENT**

**There was no public comment. A motion was made by Mayor Pro-Tem Willis to adopt Ordinance No. 2007-8-2H at second reading. The motion received a proper second by Council Member Jones and passed unanimously.**

V. A. PRESENTATION & APPROVAL OF MINUTES FROM THE AUGUST 2, 2007 PUBLIC HEARING & REGULAR CITY COUNCIL MEETING

**A motion was made by Council Member Horton to approve the minutes of the August 2, 2007 City Council Meeting. The motion received a proper second by Council Member Jones and passed unanimously.**

VI. NEW BUSINESS

A. "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARDEEVILLE, SOUTH CAROLINA, DESCRIBING MODIFICATIONS TO THE TRADITION IMPROVEMENT DISTRICT AND THE REVISED AND SUBSTITUTED TRADITION IMPROVEMENT PLAN TO BE EFFECTED THEREBY, THE PROJECTED TIME SCHEDULE FOR THE ACCOMPLISHMENT OF THE REVISED AND SUBSTITUTED TRADITION IMPROVEMENT PLAN, THE ESTIMATED COST OF THE REVISED IMPROVEMENTS AND THE AMOUNT OF SUCH COSTS TO BE DERIVED FROM ASSESSMENTS, BONDS, OR OTHER FUNDS; SETTING FORTH THE PROPOSED BASIS AND RATES OF ASSESSMENTS TO BE IMPOSED WITHIN THE TRADITION IMPROVEMENT DISTRICT, AS MODIFIED;

ORDERING A PUBLIC HEARING; AND OTHER MATTERS RELATING  
THERE TO." PUBLIC COMMENT

Attorney Margaret Pope, City Bond Council, explained that the resolution is the first step in making necessary changes to move forward to modify the improvement plan and district to have the Tradition Development in the proper place for the issuance of bonds this fall. The resolution has many pages of findings so that everyone will have the correct chronology of what has occurred. She continued that this project began in December 2005 and though there are not many changes, there is much more detail, explanation and better picture of what is being constructed on the property. She introduced Mr. David Paige, Core Communities, Attorney Kerry Griffin, and Engineer Alan Ward who were all present for any questions.

She continued that the action before the City Council is a resolution which has to be published for clarity. We are bringing documents up to date and certain changes are being made which will be republished so everyone knows what is before them. The biggest change in the improvement district is the addition of the commercial properties. If the properties are not in the improvement district then they may not be assessed. You may have certain improvements that are being built with the proceeds not included within the district if there is a proper benefit.

An amended development agreement will be coming forward for City Council approval because of changes in the improvement plan and financing. She responded to Mayor Cannon she would need a public hearing scheduled for September 6<sup>th</sup>.

She walked City Council through the resolution to be acted upon which included the improvement plan, the attached Engineers Opinion of probable cost and site map.

Under section two the resolution restates the improvement plan to include the addition of commercial properties.

The revision to the Resolution was: page 3 where the word "might" in the last paragraph, last sentence to "shall" so the sentence now reads: Once one or more plats relating thereto have been approved and filed, the affected parcel or parcels which include the golf course, certain recreational property, and/or the governmental and property owners' association property and appurtenant areas thereto, **shall** be excluded from the Improvement District and therefore, not subject to the Assessments, by operation of the methodology used to impose the Assessments.

Mr. Horton stated for example this may be wetlands and common areas which would be excluded from the improvement district.

Attorney Pope stated that section 3 contains very general paragraphs about the plan as presented and section 4 gives descriptions of the improvements. The improvements take on definite meaning to include water, sewer, roads, and those areas that may be paid from the proceeds of the MID bonds.

Attorney Pope continued that the first phase should be completed by the 4<sup>th</sup> quarter of 2010, and phase 2 should begin within 3 to 5 years. Section 6 is the total number of improvements and anticipated principal amount of bond issue and total assessments to include assessment A and Assessment B. Assessment A generally stays with the property – Assessment B or paid down assessment is intended to be paid at the time the lot is sold. The methodology is reviewed in section 7 where residential is per parcel and commercial is based on square footage. The final section eight provides for the public hearing required which is scheduled for September 6, 2007.

An amendment to the MID Ordinance will be coming forward which sets up the district so properties can be included that were excluded before.

Attorney Pope responded to Mr. Horton that the residential fee assessment will be equal per unit. Attorney Pope responded to Mayor Pro-Tem Brooks that one addition includes a large lake that was constructed as part of storm drainage system and would be a great amenity for the city. Mr. Allen Ward pointed out the lake in front of Town Center consisting of approximately 15 acres that is being dedicated to the city. Mayor Cannon announced this area would be nice for citizens to utilize which could include benches, trails and other recreational uses.

Mr. David Paige, Core Communities, stated that you can now drive up the main road of section A and see the landscaping evolving and he is excited because they always intended something special for that area. There are benches and a dock going in that area which is near the Town Center with activities to include Jazz concerts. He also noted that you can see a road constructed all the way up to the intended Police and Fire stations. He pointed out Phase II section which would bring a four-lane landscaped road and there will be allowances for lights and signals. He responded to Mayor Cannon that the Master Homeowners' Association is responsible for the upkeep along the main road and for the homeowner's maintenance as well.

Council Member Horton asked about acreage dedicated to city recreation and was this lake in addition to the original development agreement? The response was yes. Council Member Horton stated that this dedication of land shows how far our developers have gone above and beyond.

Attorney Pope concluded that the final revision to the Revised and Substituted Improvement Plan was: page 5, paragraph 3 they inserted "to be" before "purchased," and it now reads: The public improvements include the construction, furnishing, and equipping of police and fire protection facilities on site(s) **to be** purchased from the Developer by the City.

#### **PUBLIC COMMENT - NONE**

**A motion was made by Council Member Jones to adopt the resolution noted as Item A under new business. The motion received a proper seconded by Mayor Pro-Tem Willis and carried unanimously.**

B. MOTION TO APPROVE SIGNAL MAST ARM CONTRACT BID AWARD TO W.M. ROEBUCK, INC. IN THE AMOUNT OF \$75,000 CONTINGENT UPON STATE APPROVAL.

Ms. Jarrett explained that W.M. Roebuck came in as the low bidder in the amount of \$75,000. There were three bids and one arrived late which was returned. Ms. Jarrett stated that the city is waiting for the state's approval; however Michelle Knight has endorsed the project and is moving forward with the paperwork. Ms. Jarrett responded to Mr. Horton that the project is coming out of the remaining funds left over from the beautification grant.

**A motion was made by Council Member Jones to approve item B. The motion received a proper second by Council Member Horton and carried unanimously.**

VII. COMMITTEE REPORTS

**Public Works:** Mayor Pro-Tem Willis reported on the following projects: Boyd Street, McTeer Street, Industrial Park, Furman Street, Highway 17 and 278, emergency project near Heyward Street and other drainage issues.

**Public Works: Council Member Cooler** deferred to Mr. Joe Gailey, Director of Public Works, to announce the new hires. Mr. Gailey reported three new hires in the Public Works, one who will be working the streetscape area and the two additional hires would be maintaining the other areas needing attention in the city. Council Member Cooler reported on the status of repairs to the railroad crossings.

**Recreation: Council Member Jones** thanked staff for their help during the recent National Night Out. She reported on the Warriors football game this past Saturday and encouraged everyone to attend the next game.

**Recreation: Mr. Horton** announced that another game is scheduled for 6 p.m. this Saturday. He explained that game times are working out well with the last game completed by 9:15 p.m. Patrons were able to eat at the local restaurants following the game. He reported the 1<sup>st</sup> High School regulation football game is scheduled for this Friday night at 7:30 p.m. He encouraged all to attend, to see the stands full and show how we as a community support the new team and school. He reported that the Little League's First home game is scheduled for August 25th at 5 p.m. which will run no later than 9 p.m.

**Public Safety:** – Council Member Jones reported that Jasper County requested an updated version of the hurricane plan and both the Police and Fire chief are aware of distributing the hurricane checklist for local businesses. Council Member Jones reported on an excellent community meeting with Police Chief Nagy and the citizens of Hardeeville.

**Festival Committee:** Council Member Jones reported on the Festival Committee and requested that applications be turned in early this year. There will be a concert on Friday night.

**Mayor Cannon** stated that in speaking with the younger crowd they admit there is usually no music for the young people. This year will be more rock music on Friday with a small charge.

**Council Member Jones** reported she would be out next week in Austin, Texas for the National Conference for Community Development.

**Mr. Horton** reported that he represented the city at a presentation held by Congressman Joe Wilson who spoke on bills in the house and senate.

VIII. MANAGER'S REPORT – NO REPORTS

IX. EXECUTIVE SESSION

- A. DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF PROPERTY IN ACCORDANCE WITH S.C. CODE OF LAW 30-4-70(A)(2) AND DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY THE PUBLIC BODY IN ACCORDANCE WITH S.C. CODE OF LAW 30-40-70(A)(5).

**A motion was made by Council Member Horton to move from regular session to executive session. The motion received a proper second by Council Member Jones and carried unanimously.**

**A motion was made by Council Member Jones to return to regular session from executive session. The motion received a proper second by Council Horton and carried unanimously.**

**A motion was made by Council Member Jones that the City Manager is authorized to sign a Memorandum of Understanding concerning Project Powerhouse in accordance with the discussion held in executive session to include such changes as the City Manager deems to be in the best interest of the city. The City Manager is then directed to report back to City Council the final terms of the Memorandum of Understanding if and when such an agreement is signed at an appropriate time. The motion received a proper second by Mayor Pro-Tem Willis. The Mayor asked for any comments at this time: Mr. Horton explained that he felt he has seen items presented and commitments made however he was not presented with how we will pay for these items. He also felt that he did not have enough time to make a sound judgment for the citizens of Hardeeville.**

**The motion passed 4-1 with voting as follows: Mayor Cannon, for, Mayor Pro-Tem Willis, for, Council Member Cooler, for, Council Member Jones, for, Council Member Horton, against.**

X. ADJOURNMENT

A motion was made by Council Member Jones and seconded by Council Member Cooler to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 8:30 p.m.

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Virginia S. Haas, City Clerk

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Date

SEAL