

CITY OF HARDEEVILLE  
PUBLIC HEARING & REGULAR  
CITY COUNCIL MEETING  
MINUTES  
October 4, 2007  
6:00 PM

Present: Mayor Rodney Cannon, Mayor Pro-Tem A. Brooks Willis, Council Members Earl Cooler, Bea Jones and Bill Horton, Assistant City Manager Kevin Griffin, City Attorney David Tedder, Assistant City Manager Jeff Slocum, City Clerk Virginia Haas, Public Information Director Paul Floeckher, Police Chief Richard Nagy, Assistant Chief Dan Martin, Assistant Chief Dan Morgan, City Engineer Karen Jarrett, Recreation Director Joe Gailey, Planning Director Brana Snowden, and 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)

Mayor Cannon announced prior starting the agenda that item VI. G requires changing because it was noticed for a public hearing. A motion was made by Council Member Jones to add a public hearing to item VI. G. The motion received a proper second by Council Member Horton and carried unanimously.

Mayor Cannon introduced Sheriff Wooten the interim Jasper County Sheriff. Sheriff Alan Wooten stated that he was looking forward to working with the Hardeeville Police Department.

Mr. Eugene Williams stated that the water around the Jenkins area is growing larger and there is no solution to the problem. Mayor Cannon replied that there was a retention pond for that property and Public Works staff ensures that it is sprayed for mosquitoes. It was noted that there is a new engineer at Jenkins Plumbing and they are working on the problem area. Mr. Griffin asked that Mr. Williams meet with City Engineer Jarrett after the meeting to review the details. Mr. Williams stated that he is seeing Hardeeville city limit signs throughout the city and asked where the city limits were. Mayor Cannon responded that the city has a few donut holes in certain areas and the city is hoping that the legislature will help resolve this problem sometime this year. Mr. Williams stated that some area buildings are not maintained and the accumulation of garbage around these buildings should be a sanitation concern. Mayor Cannon responded that Mr. Williams should give these problem areas to Mr. Gailey and have these issues addressed.

Council Member Horton stated there is a map on the city web site that shows where the city limits are now and why the city placed the signs in particular areas.

A. PROCLAMATION FOR DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Cannon read the proclamation in its entirety and proclaimed October Domestic Violence Awareness Month.

IV. PUBLIC HEARING

A. PUBLIC HEARING ON MODIFICATIONS TO THE IMPROVEMENT PLAN AND IMPROVEMENT DISTRICT. **ARGENT WEST PUBLIC COMMENT**

City Bond Attorney Margaret Pope stated that this was the first public hearing on the changes to the Argent West improvement plan and improvement district. She continued that the major changes are that we are now including the commercial property in the improvement plan. The amount of the permissible bonds has been increased to defray the cost of the improvements and you must have a public hearing before second reading. **There was no public comment.**

B. PUBLIC HEARING ON CLARIFYING DESCRIPTION OF IMPROVEMENT PLAN. **ANDERSON TRACT PUBLIC COMMENT**

Attorney Pope explained that this is Hilton Head Lake's property and they worked very hard to try to define the property in the improvement district. She continued that this document clarifies that the property including the commercial and mixed-use will remain in the improvement district regardless whether it changes zoning at a later time. This clarifying assists in making things clear to those who buy the lots and who will be assessed and who will not be assessed. **There was no public comment.**

V. RESOLUTIONS

A. A RESOLUTION OF THE CITY OF HARDEEVILLE, SOUTH CAROLINA, APPROVING AN ASSESSMENT ROLL AND THE SENDING OF A NOTICE OF THE ASSESSMENT TO PROPERTY OWNERS; AND OTHER MATTERS RELATING THERETO. **ARGENT WEST PUBLIC COMMENT**

Attorney Pope said this is the initial step toward the confirmation of the assessment role for the Tradition Improvement District. Attorney Pope continued under state statute you must give a 10-day notice period so anyone owning property in this district may come forward and ask for a hearing. She stated that this is the new assessment roll and is more complicated than the Anderson Tract assessment. She continued that once preliminarily approved a specified notice will be sent from the city to each property owner. Attorney Pope stated that Saturday

they post in the newspaper a notice that they have completed the assessment roll. At that point there will be one month where property owners can call the city and ask for a hearing. She explained that an individual lot total assessment is \$14,000 to \$15,000 paid over a period of 30 years. She summarized that this is the first step which authorizes the sending of individual notices to the people who own the property. There was no public comment. **A motion was made by Council Member Horton to approve Item V.A as submitted. The motion received a proper second by Council Member Jones and carried unanimously.**

## VI. OLD BUSINESS

- A. SECOND READING OF AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 042-00-02-014 (+/- 45.74 AC) NOT ALREADY WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY (2007-9-20A) (EXIT 8 INVESTORS)  
**PUBLIC COMMENT**

**There was no public comment. A motion was made by Mayor Pro-Tem Willis to adopt Ordinance No. 2007-9-20A at second reading. The motion received a proper second by Council Member Cooler and carried unanimously.**

- B. SECOND READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING TMP 042-00-02-014 (+/-45.74 AC) LOCATED ON HIGHWAY 17 FROM INTENSE DEVELOPMENT (ID) IN JASPER COUNTY TO LIMITED INDUSTRIAL (LI) (2007-9-20B) (EXIT 8 INVESTORS)  
**PUBLIC COMMENT**

Ms. Snowden stated that a corrected map for the parcel sizes was shown on the overhead. **There was no public comment. A motion was made by Council Member Cooler to adopt Ordinance No. 2007-9-20B at second reading. The motion received a proper second by Mayor Pro-Tem Brooks and carried unanimously.**

- C. SECOND READING OF AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 042-00-02-012 (+/- 83.23 AC) NOT ALREADY WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY (2007-9 -20C) (EXIT 8 INVESTORS)  
**PUBLIC COMMENT**

**There was no public comment. A motion was made by Council Member Jones to adopt Ordinance No. 2007-9-20C at second reading. The motion received a proper second by Council Member Horton and carried unanimously.**

- D. SECOND READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING TMP 042-00-02-012 (+/-83.23 AC) LOCATED ON HIGHWAY 17 FROM INTENSE DEVELOPMENT (ID) IN JASPER COUNTY

TO LIMITED INDUSTRIAL (LI) (2007-9-20D) (EXIT 8 INVESTORS)  
PUBLIC COMMENT

**There was no public comment. A motion was made by Mayor Pro-Tem Willis to adopt Ordinance 2007-9-20D at second reading. The motion received a proper second by Council Member Cooler and carried unanimously.**

- E. SECOND READING OF AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 042-00-02-015 (+/- 81.73 AC) NOT ALREADY WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY (2007-9-20E) (EXIT 8 INVESTORS)  
PUBLIC COMMENT

**There was no public comment. A motion was made by Council Member Cooler to adopt Ordinance No. 2007-9-20E at second reading. The motion received a proper second by Mayor Pro-Tem Willis and carried unanimously.**

- F. SECOND READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING TMP 042-00-02-015 (+/-81.73 AC) LOCATED ON HIGHWAY 17 FROM INTENSE DEVELOPMENT (ID) IN JASPER COUNTY TO LIMITED INDUSTRIAL (LI) (2007-9-20F) (EXIT 8 INVESTORS)  
PUBLIC COMMENT

**There was no public comment. A motion was made by Council Member Jones to adopt Ordinance 2007-9-20F at second reading. The motion received a proper second by Mayor Pro-Tem Brooks and carried unanimously.**

- G. SECOND READING OF AN ORDINANCE OF THE CITY OF HARDEEVILLE, SOUTH CAROLINA, TO AMEND THE **ARGENT WEST DEVELOPMENT AGREEMENT** BY DELETING ARTICLE XI.C (PARKS) AND SUBSTITUTING THEREFORE A NEW ARTICLE XI.C, DELETING ARTICLE XI.D AND SUBSTITUTING THEREFORE A NEW ARTICLE XI.D AND RENUMBERING THE FOLLOWING ARTICLE SUBSECTIONS, AND RENAMING THE "SCHOOL" DEVELOPMENT FEES IN ARTICLE XI.I "EDUCATIONAL AND INSTITUTIONAL". (2007-9-20H)  
PUBLIC COMMENT

**There was no public comment. A motion was made by Mayor Pro-Tem Willis to adopt Ordinance No. 2007-9-20H at second reading. The motion received a proper second by Council Member Cooler and carried unanimously.**

- H. SECOND READING OF AN "ORDINANCE PROVIDING FOR AND APPROVING A MASTER TRUST INDENTURE AND A 2007 SUPPLEMENTAL TRUST INDENTURE BETWEEN THE CITY OF

HARDEEVILLE, SOUTH CAROLINA AND U.S. BANK NATIONAL ASSOCIATION; PROVIDING FOR THE ISSUANCE AND SALE OF THE CITY OF HARDEEVILLE, SOUTH CAROLINA, ANDERSON TRACT MUNICIPAL IMPROVEMENT DISTRICT ASSESSMENT REVENUE BONDS, SERIES 2007A AND SERIES 2007B, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING FIFTY FOUR MILLION DOLLARS (\$54,000,000) PURSUANT TO THE MASTER TRUST INDENTURE AS SUPPLEMENTED BY THE 2007 SUPPLEMENTAL TRUST INDENTURE FOR THE PURPOSE OF DEFRAYING THE COST OF PROVIDING IMPROVEMENTS WITHIN THE **ANDERSON TRACT MUNICIPAL IMPROVEMENT DISTRICT**; AND OTHER MATTERS RELATED THERETO." (2007-9-6A )  
**PUBLIC COMMENT**

Attorney Pope stated that this is same ordinance from first reading at the last meeting and there are two technical changes. The front cover will be changed to October 4<sup>th</sup> and on page 4 section 3, titles A and B will be combined. She noted that no wording has changed. She stated they would be moving forward to close in November. **There was no public comment. A Motion was made to adopt Ordinance No. 2007-9-6A at second reading with the noted changes described by Attorney Pope. The motion received a proper second by Council Member Cooler and passed unanimously.**

VII. PRESENTATION & APPROVAL OF MINUTES FROM THE SEPTEMBER 20, 2007 REGULAR CITY COUNCIL MEETING

**A motion was made by Council Member Jones to approve the minutes from the September 20, 2007 Regular City Council Meeting. The motion received a proper second by Council Member Cooler and passed unanimously.**

VIII. NEW BUSINESS

A. FIRST READING OF AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF HARDEEVILLE, SOUTH CAROLINA; FOR THE FISCAL YEAR BEGINNING JULY 1, 2006 AND ENDING JUNE 30, 2007. (2007-10-4A)

**PUBLIC COMMENT**

Finance Director Michelle Werner stated that City Council has been provided with a summary of the budget amendments and called for any questions. The Mayor commended Ms. Werner on doing a great job on the budget. **A motion was made by Council Member Jones to approve Ordinance No. 2007-10-4A at first reading. The motion received a proper second by Mayor Pro-Tem Willis.** Council Member Horton applauded staff on a most professional budget however there were certain expenditures made over the amount without prior approval and he would like to see this procedure changed. **The motion passed**

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

B. FIRST READING OF AN ORDINANCE APPROVING AN AMENDMENT TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF HARDEEVILLE AND HILTON HEAD LAKES, LLC, OF SOUTH CAROLINA, OWNER OF THE LAND WITHIN THE CITY OF HARDEEVILLE, COMMONLY KNOW AS THE “ANDERSON TRACT”. (2007-10-4B).

**PUBLIC COMMENT**

Assistant Manager Griffin stated that these are adjustments made to the development agreement and it was determined that a date certain was needed for the roads to be turned over to the city. Attorney Tedder reiterated that specific dates are being inserted at which point the city will accept the completed roads. Council Member Horton inquired on page 2 as it speaks to sidewalks and adjacent pathways. He continued that the city was to maintain the roads and the homeowners association would be responsible for the landscaping, walkways and pathways. He noted that the term adjacent concerned him. Attorney Tedder stated that the intention of the ordinance was for the city to take the hard-scape maintenance services as their main responsibility. **There was no public comment. A motion was made by Council Member Horton to approve Ordinance No. 2007-10-4B at first reading. The motion received a proper second by Council Member Jones and carried unanimously.**

C. FIRST READING OF AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 080-00-03-065 (+/- 35.28 ACRES) NOT ALREADY WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY. **REYNOLDS ROAD, LLC** (2007-10-4C)

**PUBLIC COMMENT**

Ms. Snowden pointed to the displayed map and stated that this property is contiguous through the Forino Track also Known as Jasper Commons. The petition meets all standards and the petitioner is requesting annexation. Ms. Snowden responded to Council Member Horton that the front portion is commercial and the rear portion is limited industrial. **There was no public comment. A motion was made by Council Member Cooler to accept Ordinance No. 2007-10-4C at first reading. The motion received a proper second by Mayor Pro-Tem Willis and carried unanimously.**

D. FIRST READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING PARCEL LOCATED ALONG ARGENT BLVD (HIGHWAY 141) AND JASPER STATION ROAD FROM INTENSE DEVELOPMENT (ID) IN JASPER COUNTY TO

GENERAL COMMERCIAL (GC) AND LIMITED INDUSTRIAL (LI)  
080-00-03-065 (+/-35.28 ACRES).  
**REYNOLDS ROAD, LLC (2007-10-4D)**  
**PUBLIC COMMENT**

Ms. Snowden stated the parcel will be subdivided and the plat will be available prior to second reading which contains two separate zonings. There is other commercial and limited industrial in that area and Planning Commission and staff recommends approval. Mr. Horton asked at what point will there be specified acreages for these zonings. Ms. Snowden stated that they are awaiting the plat to be received any day now. Mr. Griffin stated that they are working on a property swap to the south east to ensure that the residential and commercial do not encroach upon each other. However, the petitioners wanted to begin the annexation process and will be proceeding with some adjustments to the Planned Development District. Mr. Horton voiced concern about approval without specified amount of property acreage. Ms. Snowden replied to Council Member Horton that the acreage is approximately 25.28 limited industrial and 10 acres of general commercial running through the wetlands. She continued that we did not want to assign precise figures until the plat was received. The changes will be less than an acre either way. **There was no public comment. A motion was made by Council Member Horton to approve Ordinance 2007-10-4D at first reading with the condition of finalized acreage being received prior to second reading. The motion received a proper second by Council Member Jones and passed unanimously.**

E. SPECIAL EVENT PERMIT FOR HARDEEVILLE HIGH SCHOOL  
HOMECOMING PARADE ON FRIDAY OCTOBER 12, 2007.

Mr. Gailey explained that he was approached by the school homecoming committee to conduct a Homecoming Parade which would follow the same route as the Christmas parade. The parade will start at 4:30 and be complete by 6 p.m. with the game beginning at 7:30 p.m. Mayor Cannon asked if any council would like to ride in the parade and asked that the Media Department to advertise the roads being closed. Council Member Horton stated that October 12<sup>th</sup> was a Friday afternoon, at which times the roads are heavily used and will put a burden on citizens within the city. Mr. Gailey suggested an alternate route as turning down Martin Street without going to Highway 17. Assistant Chief Martin stated that this would be a good alternate route. **A motion was made by Council member Cooler to approve the special event permit with the Martin Street alternate route. The motion received a proper second by Council Member Jones and passed unanimously.** Council Member Jones wanted to ensure that the parade traveled part of Highway 17 route.

IX. COMMITTEE REPORTS

**Mayor Pro-Tem Brooks** apologized for not being present at the last meeting. He reported on a meeting needed with the Finance Committee concerning decorative street lighting funding.

**Mr. Cooler reported that Public Works** has much work to complete and a new list is created each meeting. He reported that last Monday night's **Planning & Zoning Committee** was a very productive meeting.

**Council Member Jones** reported on **public safety** and **Celebrate Hardeeville Festival**.

X. MANAGER'S REPORT

**Municipal Court: Judge Carroll** reported 519 tickets for September which resulted in a 130 increase. He reported 38 bond hearings for the month and 18 arrest warrants. Judge Carroll stated that he started a new procedure where he tries some of the minor offense court cases at the Jail which saves city money, jail space, and transporting costs.

**Planning Department: Ms. Snowden** reported that the Board of Zoning and Appeals met recently with a quorum and the city will be providing a training session to that board.

**Mr. Griffin** reported that there was a pre-application meeting on Jenkins Avenue and the representative is aware that there are problems that need to be addressed. Mr. Griffin stated that the Board of Zoning and Appeals should be reviewed and asked council to think of any names of persons to serve on that Board.

**Engineering: Ms. Jarrett** reported on 278A and stated that she had completed two presentations receiving positive feedback and enthusiasm. She reported that she is working on a highway 141 widening plan with Thomas and Hutton. She reported on the signal mast arm project and decorative street lights to be installed with any extra grant money. Ms. Jarrett reported on drainage projects, and a meeting with FEMA and the Department of Natural Resources.

**Recreation Director Joe Gailey** reported on public works project, Exit 5, John Smith Road, Pine Arbor and the Streetscape project. He reported that new street signs had been ordered and some already installed. Mr. Gailey stated that the street light outages are being reported to him by the Police Department. He reported on the Warrior Football tryouts this Saturday at 9 a.m. He reported on the hurricanes High School game, Patriots game and flag football. He concluded that Celebrate Hardeeville information is all posted on the City Web Site and arts and craft vendors are encouraged to apply.

Council Member Horton commended Mr. Gailey and staff on work completed at the back park and the cover for the press box.

**Police Department: Chief Martin** reported 1,094 calls for service, 333 generated reports, and 37 arrests. He continued that the grant applied for in April for the Traffic team has been approved by the State in the amount of \$66,248 and the officer will be dedicated to traffic.

**Fire Department: Chief Morgan** reported 57 emergency calls, 3 building fires, 12 vehicle collisions and a total of 699 calls for the year. In Code Enforcement, he reported 23 code violations, 2 citations, and 46 permits. He reported that the department received a Safe Neighborhood Heroes Grant from Walmart in the amount \$1,000.

**Finance:** Michelle stated the audit is complete and they are waiting on the budget amendment adoption. The auditors would be arriving in mid-November.

**Mr. Griffin reported** on the emergency management plan, MZDO, and a meeting with the County Finance Director and Assessor's office.

**Attorney Tedder** reported that he would be absent at the November 1<sup>st</sup> City Council Meeting as he will be attending a seminar, however Attorney Pope would be available for any questions.

Mr. Griffin reported that Judge Carroll, Chief Nagy and Mayor Cannon would be speaking to the youth at Hardeeville School on Friday.

XI. ADJOURNMENT

A motion was made by Council Member Horton and seconded by Council Member Jones to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 7:10 p.m.

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Virginia S. Haas, City Clerk

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Date

SEAL