

CITY OF HARDEEVILLE
PUBLIC HEARING & REGULAR
CITY COUNCIL MEETING
MARCH 1, 2007
6:00 PM

Present: Mayor Rodney Cannon, Mayor Pro Tem Willis, Council Members Bea Jones, Bill Horton & Earl Cooler. City Manger Shane Haynes, Assistant City Manager Kevin Griffin, City Attorney David Tedder, Media Director Paul Floeckher, Finance Director Michelle Werner, City Engineer Karen Jarrett, Planning Director Brana Snowden, Fire Chief John Ekaitis, and Lt. Dan Martin

I. CALL TO ORDER

Mayor Cannon called the meeting to order.

II. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Pro Tem Willis gave the invocation.

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

IV. RESOLUTIONS & PROCLAMATIONS

A. RESOLUTION OF THE CITY OF HARDEEVILLE, SOUTH CAROLINA, APPROVING THE EXECUTION AND DELIVERY OF A LETTER OF INTENT WITH HILTON HEAD LAKES, LLC; AND OTHER MATTERS RELATING THERETO

City Manger Haynes stated that Hilton Head Lakes, LLC has approached the city council about the possibility of taking advantage of the option within the Development Agreement of entering the property into the Municipal Improvement District. The Municipal Improvement District would implement water, sewer, roads, etc. The resolution would authorize the Mayor to sign and the City Manager to execute the Letter of Intent between the developer and the city. Council Member Horton made a motion to accept this resolution as written; his motion received a proper second from Council Member Jones and passed unanimously.

V. OLD BUSINESS

None

VI. PRESENTATION & APPROVAL OF MINUTES FROM THE FEBRUARY 15, 2007 PUBLIC HEARING & REGULAR CITY COUNCIL MEETING

Council Member Horton would like to make a correction in the minutes. On page four of the committee reports for public works, the last item Council Member Cooler was talking in reference to the railroad crossings are in bad shape, and the minutes say the railroad tracks are in bad shape. Council Member Horton made a motion to accept the minutes as amended; his motion received a proper second from Council Member Jones and passed unanimously.

VII. NEW BUSINESS

- A. FIRST READING OF AN ORDINANCE OF THE CITY OF HARDEEVILLE, SOUTH CAROLINA, APPROVING EXECUTION AND DELIVERY OF AN AGREEMENT PURSUANT TO SECTION 5-37-45 (A) (2) OF THE SOUTH CAROLINA CODE OF LAWS OF 1976, AS AMENDED, WITH HILTON HEAD LAKES, LLC; AND OTHER MATTERS RELATING THERETO (2007-3-1A)

Manager Haynes stated this ordinance would set in place the process and statutorily lays out certain items that must be included and also deals with the items such as the publication of notice of the intent. This will set the course of pursuing a possibility of a municipal improvement district. Passing of the ordinance is not the only thing that must be done; it is a lengthy process. Council Member Horton would like to reconfirm that the developer will be responsible for all fees that are incurred with the Municipal Improvement District. Manager Haynes stated that is correct even if the document is not executed, they still pay the fees.

PUBLIC COMMENT-None

Council Member Jones made a motion to accept the ordinance as written; her motion received a proper second from Mayor Pro Tem Willis and passed unanimously.

- B. FIRST READING OF AN ORDINANCE GRANTING CONSENT TO AN APPLICATION FOR FRANCHISE FOR CABLE SERVICE AND SETTING A FRANCHISE FEE (2007-3-1B)

Manager Haynes stated that this is a proposed telecommunications franchise and consent for Embarq Communications. City Attorney Tedder stated that this ordinance is modeled from the Municipal Association. The Municipal Association collects the franchise fees and remits them to the city on the basis that is required under the state statute. The franchise fees are regulated by the state.

PUBLIC COMMENT-None

Council Member Jones made a motion to accept the ordinance as written; her motion received a proper second from Council Member Cooler and passed unanimously.

- C. FIRST READING OF AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 039-00-01-035 (+/- 12.28 AC) NOT ALREADY WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY (2007-3-1C) (**GRAVES**)

Planning Director Snowden stated that the property is located on Hwy 17 across from the Speedway. They are contiguous to the city through the Hardeeville tract.

PUBLIC COMMENT-None

Mayor Pro Tem Willis made a motion to accept the ordinance as written; motion received a proper second from Council Member Horton and passed unanimously.

- D. FIRST READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING TMP 039-00-01-035 (+/-12.28 AC) LOCATED ON HIGHWAY 17 FROM RESTRICTED DEVELOPMENT (RD) IN JASPER COUNTY TO GENERAL COMMERCIAL (GC) (**GRAVES**) (2007-3-1D)

Planning Director Snowden stated that the Planning Commission did review this as well as staff and recommends approval.

PUBLIC COMMENT-None

Council Member Horton made a motion to accept the ordinance as written; his motion received a proper second from Council Member Jones and passed unanimously.

- E. FIRST READING OF AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS TMP 039-00-01-043 (+/- 5 AC) NOT ALREADY WITHIN THE CITY LIMITS OF HARDEEVILLE IN JASPER COUNTY (**MCKIM**) (2007-3-1E)

Planning Director Snowden stated that this property is located next to the Graves property and is contiguous through the Sherwood Plantation tract.

PUBLIC COMMENT-None

Mayor Pro Tem Willis made a motion to accept the ordinance as written; his motion received a proper second from Council Member Cooler and passed unanimously.

- F. FIRST READING OF AN ORDINANCE FOR A ZONING AMENDMENT FOR THE FOLLOWING TMP 039-00-01-043 (+/- 5AC) LOCATED ON HIGHWAY 17 FROM RESTRICTED DEVELOPMENT (RD) IN JASPER COUNTY TO GENERAL COMMERCIAL (GC) (**MCKIM**) (2007-3-1F)

Planning Director stated this is the same as Item D.

PUBLIC COMMENT-None

Council Member Jones made a motion to accept the ordinance as written; her motion received a proper second from Council Member Horton and passed unanimously.

- G. FIRST READING OF AN ORDINANCE TO ADOPT A MASTER FOR THE PARCEL KNOWN AS AUSTON CHASE (TRACT A OF THE PENINSULA TRACT) (PORTION OF 067-00-01-015) LOCATED NORTH OF THE PENINSULA TRACT ENTRANCE ROAD (+/- 36 AC) (2007-3-1G)

Planning Director Snowden stated this is a portion of the Peninsula tract that was adopted as a Development Agreement and a concept PDD in 2004 by Jasper County. The property is now surrounded by the City of

Hardeeville and within our planning area. This is being processed through the city's standards. This has been presented to the Planning Commission and the applicant is requesting 420 units which is the multi family portion of the Peninsula tract. The Peninsula tract fronts on Hwy 141 or Argent Blvd. The portion to the southwest is Argent East. The main entryway is under construction now which will serve all of the residential for the Peninsula tract. The traffic impact assessment from the City Engineer Karen Jarrett states that there are some details missing from the assessment that the staff strongly recommends be there. The assessment shows the level of service fails at the intersection of Hwy 141 and New River Parkway which will be the main entrance in to East Argent. There is also a very low level of service at the intersection of Jasper Station Road and Hwy 141 during the peak hours. Planning Director Snowden stated that there needs to be some sort of connectivity to alleviate the traffic on Hwy 141 and having to go to those two intersections. The Planning Commission recommended that the applicant needed to work on their traffic. They did recommend approval for the concept of the master plan. The staff is trying to figure out the best way for the connectivity. Mr. Gabe Smith from Thomas & Hutton is representing HH Hunt for Auston Chase. Mr. Smith stated that it is evident in their parcel that they cannot connect to an adjacent parcel to the north because of jurisdictional wetlands. It would be detrimental to the wetlands to fill them and difficult to get a permit through the Corps of Engineers. Mayor Cannon inquired on what the developer is willing to do as far as the upgrading of Hwy 141 for what traffic they are putting on the road or is the developer considering maybe helping with the problems they will be bringing in. Mr. Smith they did not have anything to show them at this time. Council Member Jones stated that the area is congested in the afternoons now without structures. Council Member Horton stated everyone has worked hard to get the traffic plan in place and the city is taking a stance that we are not going to have traffic problems as in neighboring communities.

PUBLIC COMMENT-None

City Attorney stated that a suggestion was to move to remand this back to Planning Commission meeting with staff and the developer to resolve those issues and then bring back to council. Mayor Pro Tem Willis made a motion to table Item G due to the information provided and also due to the report from the consultant representing the developer and send back to the Planning Commission; his motion received a proper second from Council Member Cooler and passed unanimously.

- H. FIRST READING OF AN ORDINANCE TO ADOPT A MASTER PLAN FOR THE PARCEL KNOWN AS PENINSULA NORTH (A PORTION OF THE PENINSULA TRACT) (PORTION OF 067-00-01-015) LOCATED NORTH OF THE PENINSULA TRACT ENTRANCE ROAD (+/- 18.5 ACRES) (2007-3-1H)

Planning Director Snowden stated that this parcel is north of the previous and is for 88 town homes. This one has the same concerns, but is a different group. The Planning Commission recommended the same way. Mr. Lewis Hammett is with the developer and realizes the traffic concerns. Mr. Hammett stated that the Development Agreement is through Jasper County which precedes any of arrangements with Jasper County and has never been rescinded. They have done a traffic study and will try to work something out. Any interconnectivity will need to be done with East Argent.

PUBLIC COMMENT-None

Council Member Horton made a motion to table Item H, send it back to the Planning Commission to attempt to work out the traffic problems and return back to council at a later date; his motion received a proper second from Council Member Jones and passed unanimously.

VIII. COMMITTEE REPORTS

Recreation-Council Member Jones stated that the committee will be meeting in the morning. They are still having signs ups for baseball. They will also be having an Easter Egg hunt. Council Member Horton stated that he attended a workshop at West Hardeeville Elementary School. He stated that you can see a full report on the state's website.

Planning & Zoning-Council Member Cooler stated that the committee will be meeting in the morning.

Public Works-Mayor Pro Tem Willis stated they do not have a report and will meet again next Wednesday.

Attorney Tedder stated that in the Hilton Head Lakes ordinance (Item A), it mentions when the publications will occur and also states when the public hearing will be. Mayor Cannon stated there will be another public hearing on March 15 for Hilton Head Lakes, LLC.

IX. MANAGER'S REPORT

Recreation Director Gailey stated adult flag football continues through the 11th. Youth basketball finishes this Saturday. The middle school baseball team will be playing on Field 3 starting this Saturday. Youth baseball/softball registration continues through tomorrow and will be having open registration at Piggly Wiggly from 4-7. Mr. Gailey met with Jasper Dixie baseball group on Monday. They had 32 bike riders total for the Cpl. Mark Jones for Carolina Cops.

Public Works-Director Gailey stated they will start clearing next week on McTeer Street. The wiring will follow. The potholes have been taken care of. The fence behind Public works building was knocked down and has been repaired. The speed limit sign on Jenkins Avenue has been changed from 30 mph to 35 mph temporarily and will be changed to 30 mph permanently.

Manager Haynes stated that staff met with Jenkins Avenue residents, Mr. Williams and Mr. Davis. Staff met with them to discuss their concerns on Jenkins Avenue.

Economic Development-Mr. Ted Felder stated that the city is ahead of schedule in all phases of the economic development front.

Manager Haynes stated that the Finance Director Michelle Werner is going to try to contact the A-Tax members and see if they would still like to serve.

X. ADJOURNMENT

Council Member Jones made a motion to adjourn; motion received a proper second from Council Member Horton and passed unanimously.