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**CITY OF BEAUFORT**  
1911 BOUNDARY STREET  
BEAUFORT MUNICIPAL COMPLEX  
BEAUFORT, SOUTH CAROLINA 29902  
(843) 525-7070  
**CITY COUNCIL REGULAR MEETING AGENDA**  
**April 13, 2021**

**STATEMENT OF MEDIA NOTIFICATION**

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

**REGULAR MEETING - Electronic Meeting - 7:00 PM**

**Please note, this meeting will be conducted electronically via Zoom and broadcasted via livestream on Facebook. You can view the meeting live via Facebook at the City's page City Beaufort SC.**

**I. CALL TO ORDER**

- A. Stephen D. Murray III, Mayor

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

- A. Mayor Pro Tem, Mike McFee

**III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS**

- A. Charter Education Proclamation - Clinton Brown, Joseph Shanklin Elementary School  
B. Proclamation proclaiming April 2021 as Donate for Life Month  
C. Proclamation proclaiming April 2021 as Child Abuse Prevention Month  
D. Proclamation proclaiming April 2021 as Fair Housing Month

**IV. PUBLIC COMMENT**

**V. PUBLIC HEARING**

- A. Zoning Map Amendment at 1703 Lafayette St.

**VI. MINUTES**

- A. Special Council Meeting - March 30, 2021

**VII. NEW BUSINESS**

- A. Authorize City Manager to enter into Contract for Compensation Study  
B. Business License Appeal - Beaufort Construction of SC

**VIII. REPORTS**

- City Manager's Report
- Mayor Report

- Reports by Council Members

**IX. ADJOURN**



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 3/30/2021  
**FROM:** Traci Guldner, City Clerk  
**AGENDA ITEM TITLE:** Charter Education Proclamation - Clinton Brown, Joseph Shanklin Elementary School  
**MEETING DATE:** 4/13/2021  
**DEPARTMENT:** City Clerk

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*BACKGROUND INFORMATION:*

Clinton Brown from Joseph Shanklin Elementary School is being chosen as the Student of the Month for February 2021 for his Honesty/Integrity

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*PLACED ON AGENDA FOR: Action*

**REMARKS:**

**ATTACHMENTS:**

Description	Type	Upload Date
Proclamation	Backup Material	3/30/2021



## PROCLAMATION

**WHEREAS**, the character education movement reinforces the social, emotional, and ethical development of students; and

**WHEREAS**, schools, school districts and states are working to instill important core ethical and performance values including caring, honesty, diligence, fairness, fortitude, responsibility, and respect for self and others; and

**WHEREAS**, character education provides long-term solutions to moral, ethical, and academic issues that are of growing concern in our society and our schools; and

**WHEREAS**, character education teaches students how to be their best selves and how to do their best work; and

**WHEREAS**, the Eleven Principles of Effective Character Education include: Promoting core ethical and performance values; Teaching students to understand, care about and act upon these core ethical and performance values; Encompassing all aspects of the school culture; Fostering a caring school community; Providing opportunities for moral action; Supporting academic achievement; Developing intrinsic motivation; Including whole-staff involvement; Requiring positive leadership of staff and students; Involving parents and community members; and assess results and strives to improve; and

**WHEREAS**, the Beaufort County School District's Character Education program was formed to support parents' efforts in developing good character in their children; and

**WHEREAS**, the purpose of the Character Education program is to integrate good character traits into the total school environment, as well as into the community; and

**WHEREAS**, each school's counselor identified a list of character words and definitions deemed important regardless of a person's political leanings, race, gender, or religious convictions; and

**WHEREAS**, the words are friendship, kindness, acceptance, courage, tolerance, respect, gratitude, compassion, citizenship, perseverance, honesty, integrity, self-control, forgiveness responsibility and cooperation; and

**WHEREAS**, Clinton Brown was selected as the winner by Joseph Shanklin Elementary School as the student of the month.

**NOW, THEREFORE**, the City Council of the City of Beaufort, South Carolina, hereby proclaims February 2021 as

### **CLINTON BROWN AS JOSEPH FRANKLIN ELEMENTARY STUDENT OF THE MONTH**

The City of Beaufort thereby pronounces *Honesty/Integrity* as the word for the month of February and applauds Clinton Brown, the Beaufort County School District, and Joseph Shanklin Elementary School for their work and specifically honors Clinton Brown as Joseph Shanklin Elementary School student of the month.

**IN WITNESS THEREOF**, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 13th day of April 2021.

\_\_\_\_\_  
STEPHEN D. MURRAY III, MAYOR

ATTEST:

\_\_\_\_\_  
TRACI GULDNER, CITY CLERK



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 3/30/2021  
**FROM:** Traci Guldner, City Clerk  
**AGENDA ITEM TITLE:** Proclamation proclaiming April 2021 as Donate for Life Month  
**MEETING DATE:** 4/13/2021  
**DEPARTMENT:** City Clerk

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***BACKGROUND INFORMATION:***

Request for proclamation was made by Dr. Scott Allen from Hartsville, SC who is a Liver Transplant recipient and also volunteers with Donate Life SC.

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***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

**ATTACHMENTS:**

Description	Type	Upload Date
Proclamation	Backup Material	3/30/2021



## PROCLAMATION

**WHEREAS**, one of the most meaningful gifts that a human being can bestow upon another is the Gift of Life through organ, eye, and tissue donation; and

**WHEREAS**, more than 108,000 children and adults await lifesaving transplants, of which more than 1,300 are in South Carolina; and

**WHEREAS**, in 2020, for the first time ever, more than 200 South Carolinians said “Yes” to organ donation, saving the lives of 514 people awaiting their second chance at life: and

**WHEREAS**, we are still losing an average of 20 lives every day due to the lack of organs available for transplantation because every 10 minutes, another name is added to the national transplant waiting list, and

**WHEREAS**, according to national research conducted by Donate Life America, more than 90 percent of Americans support donation and more than 54 percent of South Carolinians have registered at the DMV; and

**WHEREAS**, the decision to become an organ donor can save up to eight lives and tissue donation can enhance many more men, women, and children who depend on the generosity and sacrifice of others to receive a second chance at life: and

**WHEREAS**, every person should support this life saving effort by learning more about organ, eye, and tissue donation, making their families aware of their wishes and registering online at [www.DonateLifeSC.org](http://www.DonateLifeSC.org), or when they receive or renew their South Carolina driver’s license; and

**NOW, THEREFORE**, the City Council of the City of Beaufort, South Carolina, hereby proclaims, April 2021 as

### **DONATE FOR LIFE MONTH**

**IN WITNESS THEREOF**, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 13th day of April.

\_\_\_\_\_  
STEPHEN D. MURRAY III, MAYOR

ATTEST:

\_\_\_\_\_  
TRACI GULDNER, CITY CLERK



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 3/30/2021  
**FROM:** Traci Guldner, City Clerk  
**AGENDA ITEM TITLE:** Proclamation proclaiming April 2021 as Child Abuse Prevention Month  
**MEETING DATE:** 4/13/2021  
**DEPARTMENT:** City Clerk

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***BACKGROUND INFORMATION:***

Request was made by CJ Akins, Volunteer Coordinator with Hopeful Horizons

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***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

**ATTACHMENTS:**

Description	Type	Upload Date
Proclamation	Backup Material	3/30/2021



## PROCLAMATION

**WHEREAS**, South Carolina's future prosperity and quality of life depend on the healthy development of the more than 1.1 million children residing in the diverse communities across our state; and

**WHEREAS**, preventing child abuse and neglect must be a priority that requires individuals, families, child-serving organizations, schools, faith-based groups, businesses, government agencies, and civic leaders to support the physical, emotional, social and educational well-being of all children; and

**WHEREAS**, child abuse is a serious public health issue with wide-ranging societal consequences, as data shows the link between the abuse and neglect of children and a wide range of costly medical, emotional, psychological, and behavioral issues into adulthood; and

**WHEREAS**, parents and caregivers who have a support system of family and friends, know where to find public resources, and understand how to remain resilient in challenging times are best equipped to provide safe, nurturing environments for their children; and

**WHEREAS**, statewide and community prevention programs serve as proven and effective ways to reduce child abuse and neglect no matter the geographic region, race or ethnicity, or economic status; and

**WHEREAS**, in fiscal year 2019-2020, there were 8,924 founded Child Protect Services investigations in South Carolina; and

**WHEREAS**, in 2020, Hopeful Horizons and CAPA provided child abuse prevention training to over 3,000 children and adults; and

**WHEREAS**, the city of City of Beaufort, in conjunction with Hopeful Horizons, CAPA and concerned citizens around the state, designates the month of April as Child Abuse Prevention Month while urging all citizens to dedicate themselves to protect the quality of life for every child and every adult;

**NOW, THEREFORE**, the City Council of the City of Beaufort, South Carolina, hereby proclaims April 2021 as

### CHILD ABUSE PREVENTION MONTH

**IN WITNESS, THEREOF**, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 13<sup>th</sup> day of April 2021.

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STEPHEN D. MURRAY III

ATTEST:

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TRACI GULDNER, CITY CLERK



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 4/1/2021  
**FROM:** Ivette Burgess, HR Director  
**AGENDA ITEM TITLE:** Proclamation proclaiming April 2021 as Fair Housing Month  
**MEETING DATE:** 4/13/2021  
**DEPARTMENT:** City Managers Office

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**BACKGROUND INFORMATION:**

Annual adoption of Fair Housing Proclamation.

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**PLACED ON AGENDA FOR:** Action

**REMARKS:**

**ATTACHMENTS:**

Description	Type	Upload Date
Proclamation	Backup Material	4/6/2021



## PROCLAMATION

**WHEREAS**, April 2021 marks the 53<sup>rd</sup> Anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, and the State of South Carolina enacted the South Carolina Fair Housing Law in 1989, that both support the policy of Fair Housing without regard to race, color, creed, national origin, sex familial status, and handicap, and encourages fair housing opportunities for all citizens, and

**WHEREAS**, the City of Beaufort is committed to addressing discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every citizen of their right to fair housing; and

**WHEREAS**, the City of Beaufort rejects discrimination on the basis of race, religion, color, sex, national origin, disability or familiar status in the sale, rental, or provision of other housing services; and

**WHEREAS**, the City of Beaufort desires that all its citizens be afforded the opportunity to attain a decent, safe and sound living environment.

**NOW, THEREFORE BE IT RESOLVED** that the Council of the City of Beaufort, South Carolina does hereby designate April 2021 as being **Fair Housing Month**, and recognizes the policy supporting Fair Housing by encouraging all citizens to endorse Fair Housing opportunities for all, not only during Fair Housing Month, but throughout the year.

**IN WITNESS THEREOF**, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 13<sup>th</sup> day of April 2021.

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STEPHEN D. MURRAY III, MAYOR

Attest:

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TRACI GULDNER, CITY CLERK



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 7/17/2020  
**FROM:** Beaufort Midway Development, LLC  
**AGENDA ITEM**  
**TITLE:** Zoning Map Amendment at 1703 Lafayette St.  
**MEETING**  
**DATE:** 4/13/2021  
**DEPARTMENT:** Community and Economic Development

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***BACKGROUND INFORMATION:***

1703 Lafayette St. (R120 001 000 196 0000) is 29,877.5 sq. ft. measuring 160 ft. along Lafayette St. and 130.48 ft. along Cuthbert St. The current land use is vacant. The applicant wants to create residential cottages.

The property is currently zoned T3-S. Adjacent properties to the west, north, and across Cuthbert St. to the east are also zoned T3-S. The property across Lafayette St. to the south is zoned T3-N. See Attachment - Zoning Doc for the map and zoning district descriptions.

The applicant is requesting to re-zone the property to T3-N in order to increase the allowable density. This will reduce the minimum lot size by 55% and reduce the minimum lot width by 47%. See Attachment - BDC District Development Standards.

The allowable land uses are mostly identical between T3-S and T3-N. The notable differences are that 2-3 unit dwellings are not allowed in T3-S but are allowed conditionally in T3-N. Civic facilities, group day care homes, and beds & breakfasts are not allowed in T3-S but are allowed in T3-N by special exception. See Attachment - BDC Permitted Uses.

The 2009 Comprehensive Plan envisioned "townhome lots" halfway along Cuthbert Street from Lafayette towards the park. See Attachment - 2009 Comp Plan - Lafayette area.

The Civic Master Plan does indicate a specific vision for the parcels along Cuthbert St. See Attachment - Civic Master Plan - Higginsonville.

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***PLACED ON AGENDA FOR: Discussion***

***REMARKS:***

The current development pattern with the larger lots allowed by T3-S along Cuthbert St. leading to the park and along the riverside is consistent and attractive. The transition to the higher allowable density of T3-N and then T4-N as you move south toward Boundary with its T5-UC district is in accordance with the transect

principles outlined in the Civic Master Plan and the Beaufort Development Code.

Regarding the 2009 Comprehensive Plan, the stated vision for this area shows the creation of new roads running parallel to Lafayette and changes to Lafayette and Laudonniere streets requiring the acquisition of private property. I am unaware of any plans to accomplish this, therefore, I am unsure that this vision is still current. See Attachment - 2009 Comp Plan - Lafayette area.

Regarding the Civic Master Plan, the demonstrated vision for this area shows a public park with a north-south alignment south of Lafayette St. This would require the acquisition of private property. I am unaware of any plans to accomplish this, therefore, I am unsure that this vision is still current. See Attachment - Civic Master Plan - Higginsonville.

Public notice of this public hearing:

- Signs posted on property - March 8, 2021
- Postcards sent to property owners within 200 ft - March 9, 2021
- Published in the Beaufort Gazette - March 10, 2021
- Published with the Island News - March 18, 2021

**ATTACHMENTS:**

Description	Type	Upload Date
Zoning Map and District Descriptions	Backup Material	4/7/2021
Zoning District Development Standards	Backup Material	4/7/2021
Zoning Districts' Permitted Uses	Backup Material	4/7/2021
2009 Comp Plan Lafayette Area Excerpt	Backup Material	4/7/2021
Civic Master Plan Higginsonville Excerpt	Backup Material	4/7/2021



Figure 1 City of Beaufort, SC Zoning Map

#### T3-SUBURBAN DISTRICT (T3-S)

T3-Suburban district is single-family residential in character, with less development than other Transect-based districts within the city. While almost exclusively residential, civic and park functions are also complementary to the character within this district.

#### T3-NEIGHBORHOOD DISTRICT (T3-N)

The T3-Neighborhood district is residential in character and includes a mixture of residential and civic uses. Residential units are an assortment of sizes and types including cottages, small houses, two- and three-family dwellings, village houses, and cottage courts. Carriage houses, located behind single family homes, and on the interior of lots, may contain studios or other small businesses.

#### T4-NEIGHBORHOOD (T4-N)

The T4-Neighborhood district is a mixed-use zone of urban residential units and limited commercial development. A wide range of building types exist in the T4-Neighborhood district, including, but not limited to, apartment buildings, mixed-use buildings, rowhomes, duplexes, corner stores, and both attached and detached single-family housing.

#### T1-NATURAL PRESERVE DISTRICT (T1)

The T1-Natural Preserve district is intended to preserve areas that contain sensitive habitats, active or passive open spaces and urban parks, cemeteries, and limited agricultural uses. This district typically does not contain buildings, with the exception of small civic buildings, interpretive centers, or supportive recreation facilities. There are no specific development standards listed for this district.

## 2.4: DISTRICT DEVELOPMENT STANDARDS

### 2.4.1 TRANSECT-BASED DISTRICT STANDARDS

DISTRICT	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC
<b>A. LOT CONFIGURATION</b>						
1. Lot Width at Front Setback	75 ft min; for waterfront lots see Section 2.5.4	40 ft min, 60 ft min in the Hundred Pines neighborhood	40 ft min, 60 ft min in The Point	n/a	n/a	n/a
2. Lot Size	9,000 sf min; for waterfront lots see Section 2.5.4	4,000 sf min; 3,000 sf min for alley-served lots	4,000 sf min; 6,000 sf min in The Point	n/a	n/a	n/a
3. Maximum Lot Coverage <sup>1</sup>	30% of lot area	45% of lot area	55% of lot area	70% of lot area	100%	100%
4. Frontage Build-Out <sup>2</sup>	n/a	n/a	75% max	60% min; 85% max	75% min	60% min
<sup>1</sup> This percentage indicates maximum lot coverage by roofs; total impervious coverage may be an additional 10%. Parcels may also be subject to Section 8.3 (Stormwater). <sup>2</sup> See Section 2.5.1.B for additional frontage build-out standards.						
<b>B. PRIMARY BUILDING PLACEMENT</b>						
1. Front Setback; <i>for infill lots also see Section 2.5.2</i>	20 ft min	15 ft min	average Prevailing Setback on block	0 ft min	0 ft min	0 ft min
	No max	30 ft max <sup>3</sup>		15 ft max	max. Prevailing Setback on block	15 ft max
2. Side Setback - Corner /Alley	15 ft min	6 ft min	5 ft min	0 ft min	0 ft min	0 ft min
	No max	No max	No max	10 ft max	15 ft max	15 ft max
3. Side Setback - Interior	10 ft min	6 ft min	6 ft min, 10 ft min in The Point	5 ft min, or 0 ft if attached	0 ft min	0 ft min
4. Rear Setback <sup>4</sup>	15 ft min	15 ft min	15 ft min	10 ft min	0 ft min	5 ft min
5. Rear Setback from Alley <sup>4</sup>	n/a	0 ft	0 ft	0 ft	0 ft	0 ft
6. Attached Garage/Carport Setback (from front facade) <sup>5,6</sup>	5 ft min	5 ft min	attached garages shall only be accessed via an alley; garage doors shall not face the street			
<b>C. ACCESSORY BUILDING PLACEMENT</b> - see section 3.11 for additional requirements						
1. Front Setback	accessory structures shall be located behind the front facade of the primary structure, except as provided for in Section 2.5.4 (Waterfront Lots) and Section 4.5.3 (Carriage House); see item 6 below for setback for detached garage doors					
2. Side Setback - Corner / Alley <sup>5</sup>	5 ft min	5 ft min	5 ft min	3 ft min	0 ft min	0 ft min
3. Side Setback - Interior	5 ft min	5 ft min	5 ft min	5 ft min	0 ft min	0 ft min
4. Rear Setback <sup>4</sup>	5 ft min	5 ft min	5 ft min	5 ft min	0 ft min	0 ft min
5. Rear Setback from Alley <sup>4</sup>	3 ft min	3 ft min	3 ft min	3 ft min	3 ft min	3 ft min
6. Detached Garage Door/Carport Setback (from front facade) <sup>5</sup>	5 ft min	20 ft min	20 ft min	20 ft min	shall be located behind primary building and accessed via alley or side street <sup>7</sup>	
<sup>3</sup> When lot width is 75 ft or greater, there is no maximum front setback. <sup>4</sup> Garage doors shall be 15 ft min from alley centerline. <sup>5</sup> In addition to the setback requirements listed above, garage doors/carports which face a public right-of-way, except for rear alleys, shall be set back a minimum of 20 ft from that right-of-way. <sup>6</sup> The Battery Shores and Islands of Beaufort neighborhoods are exempt from this standard when garage doors do not face a public right-of-way. In the Jericho Woods neighborhood, carports are exempt from this standard. <sup>7</sup> Also see Section 2.5.7 (Street Access Standards).						
<b>D. BUILDING FORM</b>						
1. Primary Building Height - see Section 2.6	No min	No min	No min	2 stories min <sup>8</sup>	2 stories min	2 stories min <sup>8</sup>
	2.5 stories max	2.5 stories max	3 stories max	4 stories max; 3.5 stories max in & fronting Historic District & interior lots along Allison Rd.	3 stories max at property line, see 2.6.1.G	5 stories max; 3.5 stories max in & fronting Historic District
2. Accessory Building Height	2 stories or 30 ft max	2 stories or 30 ft max	2 stories or 30 ft max	2 stories or 30 ft max	2 stories max	2 stories max
3. Building Width at Frontage	n/a	n/a	n/a	100 ft max	100 ft max <sup>9</sup>	160 ft max <sup>9</sup>
<sup>8</sup> 2 stories are only required at significant intersections, in accordance with Section 2.6.3 and the Street Hierarchy Diagram in Appendix C.3 <sup>9</sup> Buildings exceeding this maximum shall comply with the Large Footprint Building standards in Section 4.5.10.						
<b>E. PARKING PAD LOCATION</b> - there are no interior side setbacks for parking unless buffers are required per Section 5.5. See Section 2.5.8 for additional provisions						
1. Front Setback	there are no parking setbacks, however, driveways shall be located to the side of the lot/primary structure except on waterfront lots meeting the conditions stated in 2.5.4.		40 ft min	40 ft min	40 ft min	40 ft min
2. Side Setback - Corner			5 ft min	15 ft min	5 ft min	5 ft min
3. Rear Setback			5 ft min	5 ft min	0 ft min	0 ft min

District. Conditions may be listed in the “Additional Standards” section as appropriate. Other uses permitted in the general T4-N district may have special conditions for T4-NA; those conditions are also listed in the additional standards section as appropriate.

G. **Prohibited Uses (—):** The use is prohibited in the specified district.

### 3.2 TABLE OF PERMITTED USES

Land uses in transect-based and conventional districts shall be permitted in accordance with the table below. Special provisions related to uses in the AICUZ Overlay District are in Section 2.7.4. The zoning designation of water is the same as the land it is adjacent to.

DISTRICT	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	LI	IC	MHP	ADD'L STANDARDS WHEN APPLICABLE
<b>RESIDENTIAL</b>												<b>3.3</b>
<b>Household Living</b>												
Single-Family Dwelling	—	P	P	P	P	E	E	E	E	E	—	—
2- or 3-Unit Dwelling	—	—	C	P	P	P	P	—	—	P	—	4.5.5
Rowhome	—	—	—	—	C	P	P	P	—	P	—	4.5.6
Apartment House (a.k.a. Multifamily Dwelling - 4+ units)	—	—	—	—	C	P	P	P	—	P	—	4.5.7
Home Occupation - Minor	—	C	C	C	C	P	P	P	—	—	—	3.3.2.D
Home Occupation - Major	—	SE	SE	SE	C	P	P	—	—	—	—	
Live-Aboard Boat	C	C	C	C	C	C	C	C	C	C	C	3.3.2.D
Live/Work Unit	—	—	—	—	C	P	P	P	C	P	—	4.5.8
Manufactured Home	—	—	—	—	—	—	—	—	—	—	C	3.3.2.G
<b>Group Living</b>												
Group Dwelling (≤ 8 residents)	—	—	—	—	P	P	P	P	—	—	—	—
Group Dwelling (> 8 residents)	—	—	—	—	SE	SE	P	P	—	P	—	—
<b>PUBLIC AND CIVIC</b>												<b>3.4</b>
<b>Civic/ Government Facilities</b>	<b>C</b>	—	<b>SE</b>	<b>SE</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	—	<b>3.4.2.A</b>
<b>Educational Facilities</b>												
College/University/Trade/Vocational	—	—	—	—	C	P	P	P	C	P	—	3.4.2.B.1
School, Public or Private	—	C	C	C	P	P	P	P	—	P	—	3.4.2.B.2
<b>Parks and Open Space</b>												
Cemetery	C	E	E	E	E	E	E	C	E	E	E	3.4.2.C
Park/Open Space	P	P	P	P	P	P	P	P	P	P	P	7.4
<b>INSTITUTIONAL</b>												<b>3.5</b>
Community Service	—	SE	SE	SE	P	P	P	P	SE	P	—	—
<b>Day Care Facility</b>												
Family Day Care Home (≤ 6 clients)												see Home Occupation — Minor
<i>P=Permitted Use C=Conditional Use SE=Special Exception E=in Existing Building/Facility Only RF=Retail Frontage Only A=T4-Neighborhood Artisan subdistrict Only —=Prohibited use</i>												

DISTRICT	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	LI	IC	MHP	ADD'L STANDARDS WHEN APPLICABLE
Group Day Care Home (7-12 clients) & Commercial Day Care Center (>12 clients)	—	—	SE	C	C	P	P	P	P	P	—	3.5.2.A
<b>Treatment Facility</b>	—	—	—	—	SE	SE	SE	P	—	SE	—	—
<b>Health Care Facilities</b>	—	—	—	—	—	—	P	P	—	P	—	—
<b>Religious Institution</b>	—	C	C	P	P	P	P	P	—	P	—	3.5.2.B
<b>COMMERCIAL</b>												<b>3.6</b>
<b>Entertainment</b>												
Indoor Entertainment	—	C	C	—	C	P	P	P	P	P	—	3.6.2.A
Outdoor Entertainment	—	—	—	—	C	P	P	P	—	P	—	3.6.2.A
Sexually-Oriented Business	—	—	—	—	—	—	—	—	C	—	—	13.2.1
<b>Office</b>	—	—	—	—	P	P	P	P	P	P	—	—
<b>Overnight Guest Accommodation</b>												
Bed and Breakfast	—	—	SE	SE	P	P	P	—	—	—	—	3.6.2.C.1
Short-Term Rental	—	C	C	C	C	C	C	—	—	C	—	3.6.2.C.2
Inn/Motel/Hotel	—	—	—	—	C	P	P	P	—	—	—	3.6.2.C.3
Recreational Vehicle Park	—	—	—	—	—	—	—	SE	—	—	—	—
<b>Retail &amp; Restaurants</b>					C	C	C	P	—	C	—	3.6.2.D
<b>VEHICLE- AND BOAT-RELATED USES</b>												<b>3.7</b>
Vehicle and Boat Sales and Rental	—	—	—	—	A	—	C	P	—	—	—	3.7.2.A
Drive-Thru Facility	—	—	—	—	—	—	C	C	SE	—	—	3.7.2.B
Fuel Sales / Car Wash	—	—	—	—	—	—	C	C	P	—	—	3.7.2.C
Vehicle Service and Repair	—	—	—	—	C	—	C	C	P	—	—	3.7.2.D
Parking, Commercial, Surface	—	—	—	—	C	C	P	P	P	P	—	3.7.2.F
Parking, Structure	—	—	—	—	RF	P	P	P	P	P	—	—
Passenger Terminals	—	—	—	—	—	—	SE	P	P	—	—	3.7.2.G
Water/Marine-Oriented Facilities	P	—	—	—	P	P	P	—	—	P	—	—
<b>INDUSTRIAL</b>												<b>3.8</b>
Aviation Services	—	—	—	—	—	—	—	—	P	—	—	—
Light Industrial Services	—	—	—	—	A	—	C	C	P	—	—	3.8.2.A
Manufacturing and Production Services	—	—	—	—	A	—	—	C	P	—	—	3.8.2.B
Truck Terminal	—	—	—	—	—	—	—	—	P	—	—	—
<b>COMMUNICATION &amp; INFRASTRUCTURE USES</b>												<b>3.9</b>
Major Infrastructure/Utilities	—	—	—	—	A	—	—	SE	P	—	—	3.9.2.A
Minor Infrastructure/Utilities	E	C	C	C	C	C	C	C	P	C	—	3.9.2.B
Waste Related Services	—	—	—	—	—	—	—	—	SE	—	—	3.9.2.C
Wireless Communications Facility	—	—	—	—	—	—	—	C	C	—	—	3.9.2.D
<b>FORESTRY, AGRICULTURE, HORTICULTURE</b>												<b>3.10</b>
<i>P=Permitted Use C=Conditional Use SE=Special Exception E=in Existing Building/Facility Only RF=Retail Frontage Only A=T4-Neighborhood Artisan subdistrict Only —=Prohibited use</i>												



**DEVELOPMENT TOTALS**

- Conservation Area
- Single Family Lots
- Linear Park w/ Parkway Street
- Parkway Street
- Townhome Lots
- Enhanced Park Area

**▲ REGENERATION OF LAFAYETTE STREET**

**Existing Development**

Detached Homes/Empty Lots: 127  
 Parks & Open Space: 9 Acres (Ballfields)

**Conceptual Redevelopment**

Townhomes: 72  
 Detached Homes: 184  
 Total: 256 Units (Increase of 129)

**Parks & Open Space**

9 acre Ballfields (Improved)  
 2 acre Linear Park (with bioremediation)  
 .35 acre Square  
 2750 linear feet of Parkway Street



**▲ EXISTING CONDITIONS**

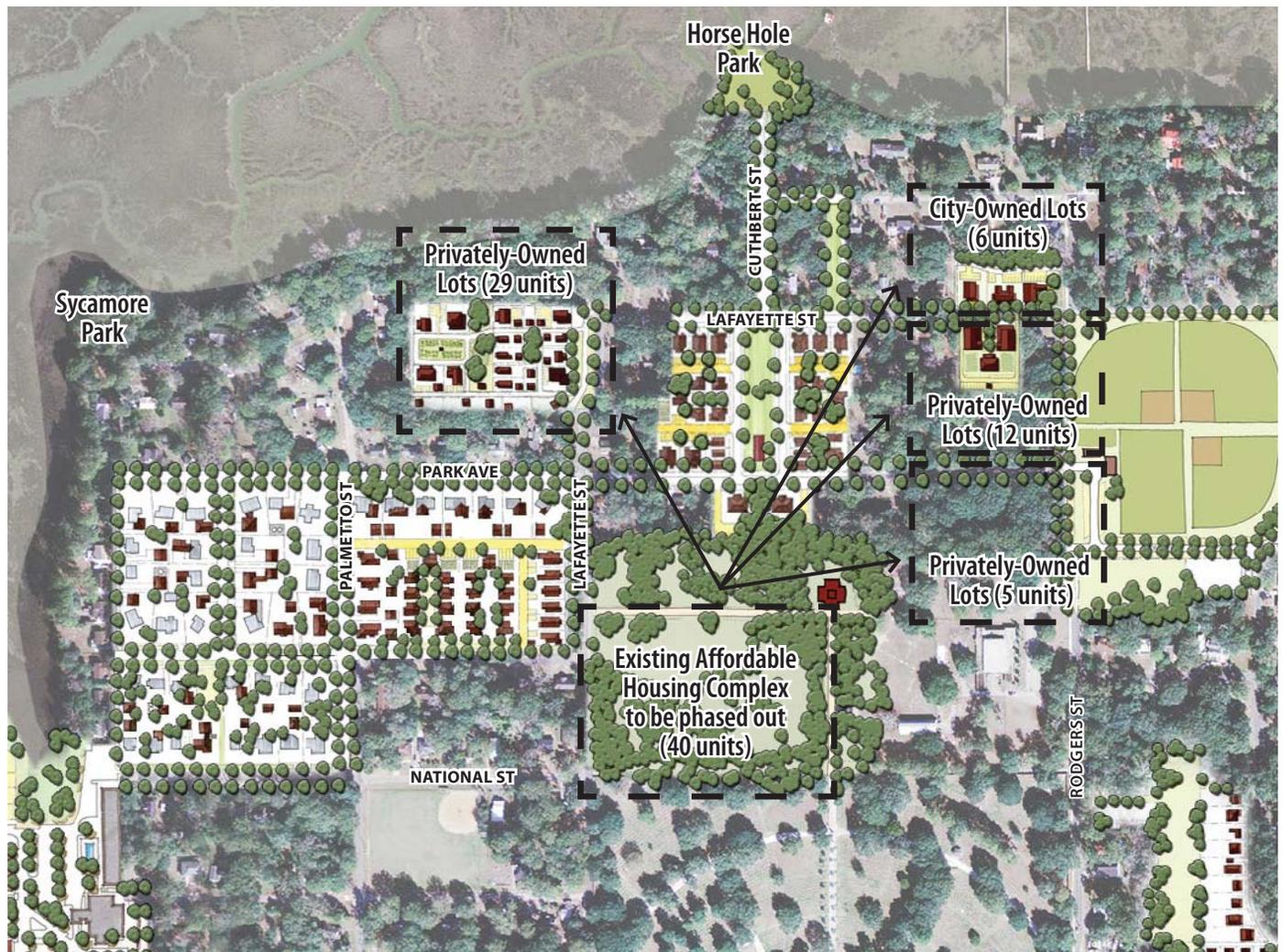
## Higginsonville

While a large portion of the Higginsonville neighborhood is occupied by the expansive Beaufort National Cemetery, this plan proposes a conceptual redevelopment plan that would take advantage of this network of residential streets that wrap the cemetery and provide convenient access to Albergotti Creek, the Basil Green Complex, and amenities along Boundary Street,

This plan proposes strengthening Higginsonville's relationship to Albergotti Creek and the Beaufort River through to two small waterfront parks, Sycamore Park and Horse Hole Park. This would require that the city acquire the two privately-owned parcels where Sycamore Park would be located, at the northwest corner of the downtown peninsula. Improvements to the existing Horse Hole park could also be tied to a new green space at the south side of Lafayette Street that would act

as a pedestrian extension of Cuthbert Street and neighborhood focal point that leads directly north through Horse Hole Park and to the waterfront.

The plan also recommends a strategy of incremental infill housing development within Higginsonville's residential blocks, including a variety of housing options that could replace the current affordable housing units if the cemetery expands to the north. Proposed accessory dwelling units would be built at the rear of residential lots to allow for a greater density without changing the character of the street or neighborhood. Several blocks would include bungalow courts, in which small homes are arranged around interior public open spaces (see 6.1 for example). This traditional arrangement would allow a more efficient use of Higginsonville's block structure, create more affordable housing units, promote civic engagement, and provide more housing choices within the city.



▲ CONCEPTUAL INFILL AND REDEVELOPMENT OF HIGGINSONVILLE



▲ CONCEPTUAL ILLUSTRATION OF CIVIC SPACE IN HIGGINSONVILLE



▲ CONCEPTUAL EXAMPLE OF BUNGALOW COURT INFILL



# City Council Special Meeting Meeting Minutes – Electronic Meeting

March 30, 2021

## **I. CALL TO ORDER**

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**7:00 PM**

Mayor, Stephen D, Murray III

All of Council members in attendance - Phil Cromer, Neil Lipsitz, Mike McFee, Mitch Mitchell and Mayor Murray.

## **II. INVOCATION AND PLEDGE OF ALLEGIANCE**

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Interim Mayor Pro Tem, Phil Cromer

## **III. CITY COUNCIL ORGANIZATION**

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### A. Mayor Pro Tem Nomination

Councilman Mitchell made a motion to elect Interim Mayor Pro Tem, Cromer as Mayor Pro Tem.

Interim Mayor Pro Tem, Cromer made a motion to elect Councilman McFee as Mayor Pro Tem.

Interim Mayor Pro Tem, Cromer withdrew his name for consideration.

Councilman Lipsitz seconded the motion to elect Councilman McFee as Mayor Pro Tem.

Councilman McFee accepted the nomination.

All were in favor.

## **IV. PUBLIC COMMENT**

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No Public Comment

## **V. MINUTES**

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### B. Worksession and Regular Meeting - March 9, 2021

Motion to approve was made by Councilman Cromer and seconded by Councilman Mitchell.

Minutes approved as presented.

## **VI. NEW BUSINESS**

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- A. Request for Co-Sponsorship from Lowcountry Wind Symphony for use of the Waterfront Park for a Spring Concert on Saturday, May 1, 2021.

Motion to approve was made by Councilman Cromer and seconded by Mayor Pro Tem, McFee.

Mr. George Smedley with the Lowcountry Wind Symphony gave background on the organization and spoke about the Spring Concert that they wish to conduct and that the event is free to the public.

Approval was unanimous.

B. Request for waiver of Alcohol Ordinance from Beaufort Power Squadron for the America's Boating Club District Annual Dinner Meeting, Friday, April 23, 2021 at the Waterfront Pavilion.

Motion to approve was made by Councilman Cromer and seconded by Mayor Pro Tem, McFee.

Approval was unanimous.

C. Request from Beaufort Water Festival for use of the Waterfront Park, street closures, sale of alcohol, use of seawall, day dock, waiver of Noise Ordinance and Co-Sponsorship for Opening Ceremonies for Water Festival 2021, July 16-25, 2021.

Motion to approve was made by Councilman Cromer and seconded by Mayor Pro Tem, McFee.

Commodore Erin "Tank" Morris pointed out that in their request to Council dated March 24, 2021, the dates in item number one should read July 13, 2021 through July 27, 2021. He spoke about the Festival and what it means to the Community and stated that all guidelines, recommendations, and safety protocols in place by the state and local government would be adhered to.

Councilman Cromer asked if the requested items were the same as in the past.

Linda Roper, Downtown Operations and Community Services Director stated that the only difference was that they were requesting a \$7,500 Co-Sponsorship for the Opening Ceremonies Fireworks display. This request is normally \$5,000.

Bill Prokop, City Manager, stated that the City is also giving them a one-time 50 percent discount on the park fee.

Mayor Murray agreed with Mr. Prokop by saying that we all needed to give a little extra help to get the economy going, and that he is certain they will have a safe and successful Water Festival.

Approval was unanimous.

D. Extension of emergency ordinance requiring individuals to wear face covering in certain circumstances and locations in the Municipal limits of the City of Beaufort.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Cromer.

Mr. Prokop stated that a 30-day extension will give us the opportunity to see where things are heading now that the positive rate has dropped below 5 percent. There is still a concern since only 33 percent of the local population has received the vaccination.

Councilman Cromer stated he would rather see Council strongly recommend rather than mandate. There should be more personal responsibility, both corporate and individual. He is

willing to support another 30 days, but after that, if we are still below the 5 percent threshold then the ordinance should be lifted.

Mayor Murray is supportive of another 30-day extension. He feels that we are close, but from the information that was received from the medical professionals, we need to have a 70/80 percent vaccination rate to help prevent spreading. He understands the concerns and asked the public for continued patience.

Approval was unanimous.

## **VII. REPORTS**

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### **City Manager's Report**

Mr. Prokop thanked everyone for a successful Council Retreat and stated that the draft with recommended changes will be out soon for review and comment.

The Mossy Oaks Stormwater project is about 99 percent complete. A ribbon cutting date will be announced within the next two to three weeks. He stated that this project is very successful. The system is working as designed.

He urged all citizens to get vaccinated.

The Southside Park survey has concluded. There was a total of 1,171 responses. The committee has published the survey results. He thanked the committee for their hard work.

The First Friday event is taking place on Friday, April 2, 2021, downtown. He hopes that all will attend and support local businesses.

### **Mayor's Report**

Mayor Murray thanked Council and Staff for a great retreat. He was encouraged by the thoughts and debates that transpired.

Would like for those that feel comfortable in doing so, to please head downtown and support the downtown merchants during the First Friday event.

He also encouraged residents to go get their vaccines.

In closing, he shared a quote that said, "Don't believe everything you read on the internet". He suggested that we do the research needed, and to not take all things at face value.

### **Councilman Lipsitz**

Nothing to report.

### **Councilman Mitchell**

Councilman Mitchell stated that on March 25, 2021, he and the Mayor had a conversation with Laura Rose with Clemson University about establishing Community Gardens. He hopes to present more about this subject soon.

He has been in conversation with other community members about the Green Street Gym, in hopes of revitalizing the facility.

Lastly, he reported that he had taped a small message that will be aired on the Radio. Station 94.5 will be running the segment that urges the community to continue to wear their masks.

**Mayor Pro Tem, McFee**

Council was thanked for their support as Mayor Pro Tem, and appreciated the confidence bestowed upon him.

**Councilman Cromer**

Nothing to report.

**VIII. ADJOURN**

**7:42PM**

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Motion to adjourn was made by Councilman Cromer, and seconded by Mayor Pro Tem, McFee.

All in favor.

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Disclaimer: All City Council Worksession and Regular Meeting minutes are recorded. Live stream can be found on the City's website at [www.cityofbeaufort.org](http://www.cityofbeaufort.org) (Agenda section). Audio recordings are available upon request by contacting the City Clerk, Traci Guldner at 843-525-7024 or by email at [tguldner@cityofbeaufort.org](mailto:tguldner@cityofbeaufort.org).



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 4/2/2021  
**FROM:** Kathy Todd  
**AGENDA ITEM TITLE:** Authorize City Manager to enter into Contract for Compensation Study  
**MEETING DATE:** 4/13/2021  
**DEPARTMENT:** Finance

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*BACKGROUND INFORMATION:*

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*PLACED ON AGENDA FOR:* Action

*REMARKS:*

**ATTACHMENTS:**

Description	Type	Upload Date
Recommendation Memo	Cover Memo	4/2/2021
Draft Contract for Evergreen Solutions, LLC	Cover Memo	4/6/2021

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**CITY OF BEAUFORT - INTERNAL MEMORANDUM**

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**TO:** BILL PROKOP  
**FROM:** JAY PHILLIPS  
**SUBJECT:** RFP 2021 – 113 EMPLOYEE COMPENSATION STUDY  
**DATE:** 4/2/2021  
**CC:** IVETTE BURGESS, KATHY TODD, REECE BERTHOLF, JOHN ROBINSON

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The City issued a Request for Proposal, RFP 2021 – 113 for Employee Compensation Study on January 21, 2021. The RFP was posted on the City’s website, Vendor Registry, the State of South Carolina (SCBO) procurement websites and was advertised in the Island News on January 21<sup>st</sup> and 28<sup>th</sup>. This project is for consulting services to conduct a City-wide employee compensation study.

The City received twelve (12) sealed proposals by 2:00 PM on February 23, 2021. The proposals were publicly opened and read in accordance with the RFP notice at 2:01 PM on that day during a Zoom video conference meeting.

HR Bridging	Easley, SC	\$13,500
Pontifex Consulting Group	Blaine, MN	\$17,750
The Archer Company	Rock Hill, SC	\$19,500
McGrath Human Resources Group	Wonder Lake, IL	\$20,895
Evergreen Consulting Group	Tallahassee, FL	\$22,500
Management Advisory Group	Spartanburg, SC	\$22,500
GovHR USA, LLC	Northbrook, IL	\$26,750
Baker Tilly US, LLP	Tampa, FL	\$32,800
Capitol Hill Healthcare Consulting	Columbia, SC	\$40,000
MGT Consulting,	Tampa, FL	\$61,500
Chatman Consulting, LLC	Lithonia, GA	\$75,000
Gallagher Human Resources	Beaverdam, VA	\$77,320

On March 25th, the selection committee of Ivette Burgess, Kathy Todd and Reece Bertholf met to review the proposals and discuss the independent evaluation criteria scoring. The committee selected the top three proposers, 1. HR Bridging, 2. Management Advisory Group , and 3. Evergreen Consulting Group. These firms were then invited to attend interview

meetings via Zoom video conferencing on March 30<sup>th</sup> (HR Bridging and Management Advisory Group) and March 31<sup>st</sup> (Evergreen Consulting Group).

Following the interview meetings, the committee met and selected Evergreen Consulting Group as the most responsive bidder. They are a national public sector management consulting firm with a history of working with local governments, especially in the State of South Carolina. They have worked previously with the Town of Hilton Head and are currently engaged with the Town of Bluffton and Beaufort County to conduct similar studies. The committee is unanimous in recommending the Evergreen Consulting Group to conduct a City-wide employee compensation study.



William Prokop  
CITY MANAGER  
843-525-7070

COUNCIL MEMBERS:  
Stephen Murray, Mayor  
Mike McFee  
Philip Cromer  
Neil Lipsitz  
Mitch Mitchell

**CITY OF BEAUFORT**  
1911 Boundary Street  
BEAUFORT, SOUTH CAROLINA 29902

*Standard Agreement Between*

*City of Beaufort and Evergreen Solutions, LLC*

*where the basis of payment is a STIPULATED SUM*

***This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.***

**AGREEMENT** made as of the \_\_\_\_ day of **April** in the year **2021**.

**BETWEEN** the Owner:

**CITY OF BEAUFORT  
1911 BOUNDARY STREET  
BEAUFORT, SOUTH CAROLINA 29902**

and the Consultant:

**EVERGREEN SOLUTIONS, LLC  
2878 REMINGTON GREEN CIRCLE  
TALLAHASSEE, FLORIDA 32308**

The Project is:

**RFP 2021-113 EMPLOYEE COMPENSATION STUDY**

**The Owner and Evergreen Solutions, LLC agree as follows:**

**ARTICLE 1 - THE DOCUMENTS**

The contract Documents consist of this Agreement, (**City of Beaufort and Evergreen Solutions, LLC**) Conditions of the Contract (General, Supplementary and other Conditions), the Request for Proposal (RFP #2021-113) and the Proposal Submitted by Evergreen Solutions, LLC in response to this RFP, Drawings, Specifications, addenda issued prior to execution of this Agreement, other documents listed in this Agreement and Modifications issued after execution of this Agreement; these form the Contract and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Document, other than Modifications appears in Article 8.

**ARTICLE 2 - THE WORK OF THIS AGREEMENT-**

**Evergreen Solutions, LLC** shall fully execute the Work described in the Agreement, except to the extent specifically indicated in the Agreement to be the responsibility of others.

**ARTICLE 3 - DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**

**3.1** The date of commencement of the Work shall be the date of this Agreement unless a different date is stated below, or provision is made for the date to be fixed in a notice to proceed issued by the Owner.



William Prokop  
CITY MANAGER  
843-525-7070

COUNCIL MEMBERS:  
Stephen Murray, Mayor  
Mike McFee  
Philip Cromer  
Neil Lipsitz  
Mitch Mitchell

## CITY OF BEAUFORT

1911 Boundary Street  
BEAUFORT, SOUTH CAROLINA 29902

### NOTICE TO PROCEED WILL BE ISSUED WITHIN (1) DAY OF SIGNED AGREEMENT.

If, prior to the commencement of the Work, the Owner requires time to file mortgages, mechanic's liens and other security interests, the Owner's time requirement shall be as follows:

#### SEVEN (7) DAYS

3.2 Time shall be measured from the date of commencement.

3.3 **Evergreen Solutions, LLC** shall achieve Substantial Completion of the entire Work not later than **June 14, 2021** or as follows, subject to adjustments of this Agreement as provided in the Contract Documents.

#### ARTICLE 4 - CONTRACT SUM

4.1 The Owner shall pay the Consultant the Contract Sum in current funds for the Consultant's performance of the Contract. The Contract Sum shall be:

**(\$22,500) Twenty-Two Thousand, Five Hundred Dollars and Zero Cents.**

subject to additions and deductions as provided in the Agreement.

***ANY ADDITIONS ABOVE THE ORIGINAL DOLLAR AMOUNT WILL BE THE RESPONSIBILITY OF THE OWNER.***

4.2 The Contract Sum is based upon the following alternates, if any, which are described in the Agreement and are hereby accepted by the Owner: **None.**

#### ARTICLE 5 - PAYMENTS

5.1 Final payment, constituting the entire balance of the Contract Sum, shall be made by the Owner to **Evergreen Solutions, LLC** when:

**Evergreen Solutions, LLC** has fully performed the Agreement except for the City's responsibility to correct Work, and to satisfy other requirements, if any, which extend beyond final payment.

5.2.2 The Owner's final payment to **Evergreen Solutions, LLC** shall be made no later than (5) five days after the acceptance and completion of work, by the City.

#### ARTICLE 6 - TERMINATION OR SUSPENSION

6.1 The Agreement may be terminated by the Owner or Consultant prior to work commencing.

6.2 The work may be suspended by the Owner.



William Prokop  
CITY MANAGER  
843-525-7070

COUNCIL MEMBERS:  
Stephen Murray, Mayor  
Mike McFee  
Philip Cromer  
Neil Lipsitz  
Mitch Mitchell

## **CITY OF BEAUFORT**

1911 Boundary Street  
BEAUFORT, SOUTH CAROLINA 29902

### **ARTICLE 7 - MISCELLANEOUS PROVISIONS**

7.1 The Owner's representative is:

**IVETTE BURGESS, HUMAN RESOURCES DIRECTOR  
CITY OF BEAUFORT  
1911 BOUNDARY STREET  
BEAUFORT, SOUTH CAROLINA 29902**

7.2 **EVERGREEN SOLUTIONS, LLC** representative is:

**Dr. JEFF LING  
EVERGREEN SOLUTIONS, LLC  
2878 REMINGTON GREEN CIRCLE  
TALLAHASSEE, FLORIDA 32308  
(850) 383-0111**

7.3 Neither the Owner's nor the **EVERGREEN SOLUTIONS, LLC** representative shall be changed without ten days' written notice to the other party.

### **ARTICLE 8 - ENUMERATION OF CONTRACT DOCUMENTS**

8.1 The Agreement, except for Modifications issued after execution of this Agreement, are enumerated as follows:

8.1.1 The Agreement is this executed Standard Form of Agreement Between the City of Beaufort and (Owner) and Evergreen Solutions, LLC (Consultant)

8.1.2 The General Conditions are the Owner's General Conditions.

8.1.3 The Specifications are those of RFP 2021-113.

8.1.4 The Addenda, if any, are as follows:

#### **1. ADDENDA 1-3**

8.1.5 Other documents, if any, forming part of the Contract Documents are as follows:

- **THE REQUEST FOR PROPOSAL: RFP# 2021-113, AND THE PROPOSAL SUBMITTED IN RESPONSE TO THE RFP ARE ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN**
- **CERTIFICATES OF LIABILITY AND WORKERS COMPENSATION INSURANCE**
- **CITY OF BEAUFORT BUSINESS LICENSE**



William Prokop  
CITY MANAGER  
843-525-7070

COUNCIL MEMBERS:  
Stephen Murray, Mayor  
Mike McFee  
Philip Cromer  
Neil Lipsitz  
Mitch Mitchell

**CITY OF BEAUFORT**  
1911 Boundary Street  
BEAUFORT, SOUTH CAROLINA 29902

This Agreement is entered into as of the day and year first written above and is executed in at least three original copies, of which one is to be delivered to the Director of Human Resources, one to the Consultant for use in the administration of the Agreement, and the remainder to the Owner.

\_\_\_\_\_  
**WITNESS**  
*(Signature)*

\_\_\_\_\_  
*(Printed Name)*

\_\_\_\_\_  
**CITY OF BEAUFORT**  
*(Signature)*

\_\_\_\_\_  
**CITY MANAGER**

\_\_\_\_\_  
**EVERGREEN SOLUTIONS, LLC**  
*(Signature)*

\_\_\_\_\_  
*(Printed name and title)*



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## CITY OF BEAUFORT

### DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 4/2/2021  
**FROM:** Kathy Todd  
**AGENDA ITEM**  
**TITLE:** Business License Appeal - Beaufort Construction of SC  
**MEETING**  
**DATE:** 4/13/2021  
**DEPARTMENT:** Finance

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#### *BACKGROUND INFORMATION:*

In December 2019 Beaufort Construction, Inc. owned by Merritt Patterson and Leith Webb sold its open book of work to Beaufort Construction of SC, LLC owned by Marty Miley and Paul Webb. Permits issued by the City that were open by Beaufort Construction Inc and not completed as of the date of sale were transferred to Beaufort Construction of SC, LLC. The income from these open projects were not included in Beaufort Construction, Inc. 2019 Business License as the gross income had not yet been earned.

During FY 2020, as Beaufort Construction of SC, LLC obtained additional construction projects in the City of Beaufort, temporary business Licenses were obtained for some of those projects based on the estimated cost as presented in the permit documentation.

Beaufort Construction of SC submitted their business license renewal for CY 2020 but the income reported appeared much lower than in previous years. Business License staff began an inquiry in the reasons for that when they were informed of the Business transfer between Beaufort Construction Inc and Beaufort Construction of SC, LLC. Beaufort Construction of SC, LLC maintained the telephone number and moved their business location to Port Royal. Beaufort Construction, Inc - though still in business but not performing any construction. Principals of Beaufort Construction, Inc. (Leigh Webb) were employees of Beaufort Construction of SC, LLC. Attempts to reach Beaufort Construction Inc. were unsuccessful due to attempts to reach via telephone or email were responded to by Beaufort Construction of SC, LLC.

In April of 2020, Company representatives were informed by Business License Staff that even though Beaufort Construction of SC LLC had its own federal tax ID, different name and owners, it was in essence (because of the type of purchase) the same business of Beaufort Construction, Inc and would need to renew their license based on 2019 Gross income. At that time, City Staff informed Beaufort Construction of SC LLC that if Beaufort Construction renews based on their reported gross income for CY 2019 than adjustments would be made for Beaufort Construction of SC, LLC. Business License staff determined that from a compliance of the Ordinance perspective, Beaufort Construction of SC, LLC was the same as Beaufort Construction, Inc. Business License staff were informed that the accountants were still working through the purchase and revenue for 2019 and would complete the Business License renewal as soon as that was completed.

Beaufort Construction of SC, LLC renewed the CY 2020 Business License in March 2021 at the same time that they renewed the CY 2021 Business License. Beaufort Construction of SC, LLC agrees with the Business License renewal fee for CY 2020, but are coming before City Council to appeal the penalty assessed on the annual CY 2020 business license.

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***PLACED ON AGENDA FOR: Action***

***REMARKS:***

Staff recommends that the penalty remain as the renewal for CY 2020 did not take place until more than one year following the acquisition of Beaufort Construction Inc.

**ATTACHMENTS:**

Description	Type	Upload Date
Beaufort Construction of SC, LLC Appeal Letter	Cover Memo	4/2/2021



March 2, 2021

VIA Email:

Kathy Todd, Finance Director  
City of Beaufort  
1911 Boundary Street  
Beaufort, SC 29902

Re: **Appeal of Business License Renewal Penalty**

Dear Kathy:

I write this letter to appeal the decision made by the Business License Department that Beaufort Construction of SC, LLC (BCSC) is considered a renewal, and is being assessed a penalty to get an annual business license.

**Back ground:** It was determined by the Business License Department on April 9, 2020 that BCSC was the same company as Beaufort Construction, Inc. (BCI). This is not true, BCSC is a totally separate company from BCI. BCSC was formed by Marty Miley and Paul Webb in August of 2019, and in December of 2019 BCSC purchased certain assets from BCI, no liabilities. In other words, if BCI had revenue on their books in the City of Beaufort, that is their responsibility to pay those fees. On April 16, 2020 our bookkeeper, Ericka Rodas, informed the Business License Department that our accountants were working on getting the revenue calculated for BCSC for the year 2019. BCSC decided in the meantime to go on a per job basis for business licenses in order to continue to do business in the City of Beaufort for the year 2020. We have now applied to get an annual City of Beaufort business license for 2021 and were told by the Business License Department that it would be based on 2019 revenue. We have submitted the revenue generated by BCSC in 2019 to get our annual license, which will be the first time we would have an annual City of Beaufort business license, but we are being assessed a penalty of \$2,231.39 for a renewal which we respectfully appeal. We are in agreement with the annual fee of \$2,975.18.

In closing we hope your decision will allow BCSC to obtain an annual business license without penalty.

Sincerely,

Marty Miley  
President