

A work session of Beaufort City Council was held on June 25, 2019 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilwoman Nan Sutton, Councilman Mike McFee, and Bill Prokop, city manager. Councilmen Phil Cromer and Stephen Murray were excused absences.

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

### **CALL TO ORDER**

Mayor Keyserling called the work session to order at 5:00 p.m.

### **EMPLOYEE NEW HIRE RECOGNITION**

Fire Chief **Reece Bertholf** introduced **Kevin Schnaubelt** and **Robert Clayton**, new firefighters in the Beaufort-Port Royal Fire Department.

**David Prichard** introduced **Annie Peifer**, a permit technician in the Community & Economic Development Department.

### **PRESENTATION: STORMWATER PROJECTS UPDATE**

**Neal Pugliese** said there has been some progress in Mossy Oaks on the Jane Way canal project. There was a lot of rain in a 2½-day period, but they received no reports about water in yards because it collected in the ditch. That project is nearly completed, he said.

Mr. Pugliese reviewed the 9+ challenged areas.

**Allison Road** – There is an existing grant for this project, **Jared Fralix** said, and they will have a preliminary report to staff soon. There will be one 8' pathway on one side of the street, he told Mayor Keyserling. The stormwater will be on the south side of the road, he said, along with all of the other infrastructure and improvements.

**Lafayette outfall** – The survey is underway, Mr. Fralix said.

**Calhoun Street** – The project has grown and now encompasses the entirety of Calhoun Street – from Rodgers Street to the other end, Mr. Fralix said. They have completed the geo-tech and other work, he said.

**King's Ridge** – Not a lot is happening here, Mr. Fralix said, as they are awaiting the survey and design.

**Broad Street ditch** – This has been incorporated into the Mossy Oaks Basin 2 design.

**Johnny Morrall Circle** – Mr. Fralix said the survey and preliminary design are complete

and have been given to staff. There was a discussion about an old agreement and the new one. Mr. Fralix said it's ready when staff is ready to take the next step.

**Hay Street outfall** – Mr. Fralix said the design is complete, and they're getting ready to get permits.

**The Point** – Mr. Fralix said it's been looked at, but it's "the next Mossy Oaks," so they will continue working on it. Mr. Prokop said USCB, the Rising Sea Level Task Force, and a senior intern from the College of Charleston are all working on this and will do designs, etc. so that this project will be grant-eligible. Mr. Fralix said those groups would help with the assessments, which could be paired up with future designs.

**Twin Lakes Road** – This project will be a partnership between the city, DOT, and Potter Construction, **Neil Desai** said. DOT is looking for funding, and Mr. Desai has authorized Potter Construction to order some materials.

**Battery Shores** – Design and permitting are complete, Mr. Desai said, and some property acquisition is underway.

Mr. Fralix said Twin Lakes and Battery Shores are "the 'plus' in the '9+ challenged areas'." The Point all the way up to Mossy Oaks were the original 9 that we were taking a look at. Twin Lakes and Battery Shores were two others in the area that were coinciding with the work we were [doing] together with the city, so that's a little extra."

Mr. Prokop said they are working with Potter Construction, trading that company's work for facilities for a lay-down lot, which is "benefitting everybody" and saving the city money.

Mr. Pugliese showed the status of various projects. Mossy Oaks 1 and 2 are 40% complete for design and permitting, he said, and the construction phase will be "child's play" compared to this phase.

Mr. Pugliese reviewed the updated project timeline for Mossy Oaks. The kickoff of the \$1 million grant should come "sooner rather than later," he said. The clean-out of Jane Way canal is "ongoing," and they are submitting for the dredging of the Duck Pond, Mr. Pugliese said.

Mr. Pugliese said they would review the six major components of Basin 1, which is referred to as the "Duck Pond." Basin 2 is being called "Southside Park."

1. **The Jane Way ditch** – Mr. Pugliese showed the area that has been cleaned out and the ditch that they need to get into, which they have submitted to do "under a maintenance construct." He showed a photo of a small portion of the two 30-yard containers of junk that has been "pulled out of there." Mr. Prokop said they would be bringing forward an ordinance for warning and then fining people who

put things into the city's stormwater. Mr. Pugliese said the residents around the areas are "fired up" about what is coming out of the ditch, and the school district has been "great" about granting them access.

2. **West Royal Oaks** – Mr. Pugliese said he and **Rikki Parker** went home-to-home in this area and delivered letters to the area residents, then created "hold harmless" agreements so they could work in the area. They have received 3 agreements back of the 15 they gave out, and if they don't get them back, they will again go door-to-door, he said, until they get the authorizations to clean the ditch out. This area will benefit tremendously from opening the area up and letting the water get out, Mr. Pugliese said. Mr. Fralix said they intend to take out the pipe completely and put it back into a ditch. This is "the main area of focus," he said, and they can do this work without extra permits. Mr. Pugliese said the philosophy of the project is that as they are authorized to do the work, they will do it.
3. **Spanish Moss Trail** – Mr. Fralix said this upsizes the current outlet with flap gates and installs a sheet pile wall so "the dam doesn't put too much pressure on it." They have to wait on this one until the full permits are back. When the submittal is made next month, "that will really start the clock on all the permitting," Mr. Fralix said. When they introduced the wall, it meant they didn't have to raise the trail; it can extend out of the ground for a 1.5' or so. That limits the permitting, as well, he said. Mr. Desai said this is less of a burden on the permitting process because they are "disturbing less." Mr. Fralix said they are hoping that when they determine the "disturbed acreage of the critical area," and when they finalize those plans, they'll know how much that is. Mr. Pugliese said they hope that will help make the permitting less "onerous."
4. **Duck Pond** – Mr. Fralix said this work is dredging the pond and installing the outlet structure; they hope they can get this work approved as maintenance work. They will try to coordinate with the permitting agencies to get this work going.
5. **Upstream culverts** - The road culverts aren't being done on the West Royal Oaks and Jane Way canal work because of permitting, Mr. Fralix said, so this includes that work.
6. **Battery Creek Road** – To upsize the pipes under Battery Creek Road, they have to raise the road, Mr. Fralix said. He told Councilman McFee that the driveways in the area will have to be tied in, and DOT will look at that as part of its review. He told Mayor Keyserling they potentially will have to put in a new ditch system, but there is a possibility that they could use a pipe system on at least part of it. They are looking at two options, but they haven't looked at the roadway design yet, Mr. Fralix said.

#### Update on the five Basin 2 / Southside Park components

1. **Broad Street ditch** – Mr. Fralix pointed out where this is, saying it was inaccurate on the slide that was shown. He said they initially were hoping to redirect the water, "grab it, and take it to the pond" at Southside Park, but there have been

- issues with elevation and utilities. They can make the ditch flow a little better, he said, “so it’s a little bit different than we first thought.” Mayor Keyserling asked what happens to the existing ditch on top. Mr. Fralix indicated an alley and said part of it is ditch and part of it is pipe. That might flood, he said, because they are not maintained. They don’t have anything to address that, he said, because “it’s more of a private system,” and he doesn’t know if they will be involved. Mr. Desai said Public Works did some work to clean that out about a year ago.
2. **Gentry Woods outfall** – Mr. Fralix said they would create an outlet control structure, pipe it to Battery Creek Road, and introduce a system on Battery Creek Road – either a ditch or pipes. He told Councilman McFee that there is a ditch on Battery Creek Road at that point. They will be evaluating whether to pipe or open-ditch it.
  3. **Spanish Moss Trail** – Mr. Fralix said they would be upsizing the outlets with flap gates and using the sheet pile wall in the same fashion as in the Spanish Moss Trail portion that is in Basin 1.
  4. **Southside Park pond** – Mr. Fralix described what they have been saying was the plan was for this pond. The complications are that for more than 1,000 feet, “there’s less than one foot of difference in elevation,” he said, plus, there’s an issue with “intercepting” the stormwater with “twin 48” pipes and crossing Southside Boulevard,” because “Beaufort-Jasper has 5 lines that run up and down Southside Boulevard.” They could “look at crossing them in one location when we’re perpendicular to the road,” Mr. Fralix said, but “there’s just not enough real estate” to have two new 48” pipes “run longitudinally down the road” along with the utility’s five pipes of various sizes. If a pond is not introduced, they will still see a lot of relief from upsizing pipes, adding flap gates, and improving the trail itself with a sheet pile wall, he said. They are looking at a stormwater pump station, Mr. Fralix said, and they are looking at where it would be located and what it would look like. They would pump the volume to the other side of the trail and get it off the drainage area as fast as it comes on. He said it wouldn't look the same as what they have been trying to fit in with a pond, which all of the data says will not happen. Mr. Fralix said they checked the groundwater and only had the foot of elevation. If it’s left in the ditch, the storage they hoped to achieve will not be there because they can’t divert it like they had hoped to. He showed the ditch where they would intercept the water and said they are “only basically 1’ from the groundwater when we start digging in that pond area.” Mr. Pugliese said they will find a solution, but they don’t want to hold up the project while they work on that component.
  5. **Battery Creek Road** – Mr. Fralix said they will raise the road 2’ and then “tie it back down,” introducing a safe grade. Mr. Pugliese said they have to work hard to make sure DOT is comfortable with the grade of the road to the driveways. Mayor Keyserling asked if they create the potential for more flooding in the yards if they do this. Mr. Fralix said they are putting the 25’ road on top of the existing road, so the water can’t go back and forth. As in Basin 1, they are going to look at whether it needs to be a ditch system or an open pipe system on

Battery Creek Road, he said.

Mr. Pugliese said the path forward is to keep working with various agencies on permitting while working on design and permitting for other challenged areas. Things are happening “across the city,” he said, as well as in Mossy Oaks, and they are hoping to clean out West Royal Oaks in July; they are currently waiting for responses from the residents there before they go door-to-door to get back the hold harmless agreements.

Mr. Pugliese said they are continually assessing flood-prone areas. Mr. Fralix said the plan for Mossy Oaks is for infrastructure, but also for an action plan “for proactive and reactive personnel” with portable pumps, for example, when it rains and the pond starts filling up.

July 10 at 10 a.m. is the next Mossy Oaks Stormwater Task Force meeting, Mr. Pugliese said; they expect a large crowd.

Councilman McFee asked if there has been thought about adding permanent pump structures in the Spanish Moss Trail area. Mr. Fralix said that’s where they are looking at putting in a permanent pump. Most are associated with a stormwater pond, and they have a “critical area stormwater pond,” so it’s a little different, he said.

Mr. Fralix said the permanent pump is not proposed on Basin 1, but it’s something they could look at, especially after they look at Basin 2. It “may be a value-add,” he said.

Mayor Keyserling said he got an email about Hamar Street, and “this has been a question for years.” The corner lot is still “underwater,” he said, after rainstorms, but so was everywhere else. Mr. Desai said the system is functioning great and pushing out as much water as it can, but during the last heavy storm, there “was just so much water.” They know it’s “one of our hotspots,” he said, but they looked up- and downstream, and it was working.

#### **DISCUSSION: HOLY TRINITY SCHOOL - USE OF SOUTHSIDE PARK** [[L]] [SEP]

Mr. Prokop said 6 or 8 months ago, the city developed a memorandum of understanding with Holy Trinity Classical Christian School, Inc. for their use of Southside Park for soccer in case negotiations with the county and the school system “didn’t go well” for getting a permanent soccer field. It’s taken longer with the county than the school expected, he said; the appraisal is done, and negotiations are ongoing about the price.

The school needs field to use for soccer practice and games, Mr. Prokop said, so they have made minor changes to a 5-year contract with an annual review. Holy Trinity will invest a minimum of \$25,000 for the field, and the public can use it when the school isn’t.

**Minnie Bullock** said the process is ongoing with the county, but she can’t comment on

where they are in negotiations. Use of Southside Park would provide Holy Trinity with the ability to serve its students, she said; they want to stay in the city, and this would enable them to do that. The school will provide a schedule to be posted on the city's website. The field would be used less than 10% of daylight hours, Ms. Bullock said, and other parts of the park would be accessible for the public when they are on it.

Holy Trinity would take over maintenance temporarily, Ms. Bullock said, if there were a traumatic flood event, and the city is tied up elsewhere. They desire to be good neighbors, she said.

Mr. Prokop said Holy Trinity and the county held two public meetings that were advertised, and "only one resident showed up." Holy Trinity's "redesign" is taking longer than was previously thought, he said.

Mayor Keyserling said he thinks council has been conflicted about this because of people in the Southside neighborhood. The city has resolved to do something and wants to keep Holy Trinity in the city. No one on council has come up with a rational reason for not doing something in Southside Park; some residents object to it because they want it to be a passive park.

Mayor Keyserling said his only question is about the Basil Green property coming back to the city. If the county/PALS is spending the money, he doesn't "know why they wouldn't build a soccer field" and not at "outrageous prices." Improvements at Basil Green could be permanent, he said, and "they could even split the costs" with Holy Trinity.

**Greg Baisch** said the timing is the problem with what Mayor Keyserling suggested. Holy Trinity holds practices "all over the county at non-soccer facilities," and they have struggled to find places to play games, including at "the Burroughs Avenue campus," he said. Mr. Prokop agreed that the problem is the timing, and it would take a "long time to work that through the county," but in a year or two, if the county does that, they could adjust the agreement. The Southside Park field would be improved for the city, which could use it in the future, he said.

Councilwoman Sutton said Mayor Keyserling's idea is interesting. Mayor Keyserling said, "They're going to dedicate that money to improvements in Pigeon Point. Why should Holy Trinity go and build a soccer field [at Southside Park] when they're going to make improvements there? And the city could well use a soccer field, while they're improving the ball fields" at Basil Green Park. Councilman McFee said there is "a soccer field set up" at Basil Green in what was formerly a parking lot. Mayor Keyserling said Holy Trinity is paying substantial money for the property and could be spending money on "a permanent asset," rather than on a temporary one at Southside Park.

Ms. Bullock said finding fields for the Holy Trinity students to play soccer on in the

upcoming school year is “a scramble,” they often aren’t practicing on regulation-size fields, which is problematic, and they can’t host games, so it’s “hard to set a schedule.” What Mayor Keyserling is suggesting at Basil Green would be great, she said, but that’s “a long-term picture for us.” However, if that works for the city in the short-term, they’d be willing to do it, Ms. Bullock said.

Mr. Prokop said the process is for this to come to council at its next meeting. He guessed that it would be a year to a year-and-a-half before Basil Green is usable for Holy Trinity. Two of the three soccer fields at Burton Wells have bad drainage problems, he added.

Mr. Prokop said this would only require one reading from city council; it will be put on council’s next agenda.

**DISCUSSION: POSSIBLE NONCONFORMING SIGN CODE AMENDMENT REGARDING MINOR MODIFICATIONS TO SIGN-FACE ATTACHMENT** (11/15/19)

Mayor Keyserling said he supports this as long as they aren’t inadvertently creating an opportunity for additional billboards or extending the life of this structure.

Mr. Prichard said they would put those in the “Whereas” statements as they craft the ordinance.

Councilman McFee made a suggestion to add the bolded text to 11.6.1.B.2: “. . . nor does it refer to minor modifications to sign-face attachments **for the purposes of public safety.**”

**OTHER BUSINESS**

Mr. Prokop read an email he had sent to **Paul Sommerville** about adding an item about improving fields. This is “more of a concern for Northern Beaufort County,” he said. Mr. Sommerville had written him back that the item would be added to the next county council meeting agenda.

Mr. Prokop summarized a letter given to council members from **David Burre** about the grandfathered monument sign at the location of the former Applebee’s, which Mr. Burre owns. The sign also marks the entry onto Pick Pocket Plantation Drive and businesses there. Mr. Burre has a new tenant, and he’s concerned about the requirements of the sign ordinance.

Mayor Keyserling said Mr. Burre is investing money to open the restaurant, and he has a tenant. The existing sign is more than a monument sign because it identifies a road that goes to other businesses that “lost the left turn” going west on Boundary Street. It identifies Waffle House, Hampton Inn, and other businesses, and it’s “been there for years,” he said.

Mr. Prokop said there are other monument signs in the city, especially on Ribaut Road; in one location, a new tenant moved in and was told that they had to take down the monument sign that was there and put up a smaller one. There are other cases like this one, and Mr. Prokop feels the city should be careful about making exceptions, like the city has already made once on Ribaut Road, if the intent of the ordinance is to eliminate all monument signs, because such exceptions could be “a slippery slope.” On the other hand, he said, it seems “pointless” to have to take down a monument sign that’s been there for 20 years and that covers multiple businesses because one of the businesses is new.

Councilman McFee said he feels there’s justification for keeping it because it is a sign for multiple businesses. By the city’s new sign ordinance, it is non-conforming, but he asked if the ordinance provides for signs that have multiple businesses on them.

Mr. Prichard described the sign. It has been non-conforming for about 16 years under the current standard and that of the previous UDO, he said. When the business changes, allowance for the non-conforming status goes away, he said, but Mr. Burre is asking that it remain. As far as it being a sign for the shopping center, Mr. Prichard said, they should be careful about that.

Mayor Keyserling said he’d suggest asking Mr. Burre if he would have “a real monument sign for all the businesses in there.” Mr. Prichard said when a business is set back from the road, like many on Ribaut Road and Boundary Street are, if a new business moves into a building that is set back, it is being “held to a standard for a sign as if the building *wasn’t* set back.” He feels that, “in fairness” they should “look at these types of transitions.”

Councilman McFee suggested being careful about allowing a sign that the city had required businesses to take down when the Boundary Street project was happening. Mr. Prokop said the city let Palmetto Bank keep its sign instead of changing it, and the city paid to move it.

Mayor Keyserling said if the city wants interconnectivity, and Mr. Burre’s had the names of the businesses on Pick Pocket Plantation Drive and the name of the street on it, he’d support that. Mr. Prokop said it’s currently “a blank brick monument sign.”

Councilman McFee said he thinks this warrants looking at what the city could do without telling Mr. Burre they would be grandfathering it in, because it doesn’t qualify for grandfathering. He also feels they should “look at including the neighbors.”

Mr. Prichard asked if he should limit this to monument signs that serve multiple tenants, so they have a purpose beyond a single business. Councilman McFee said a single business with a sign that size would be against the ordinance and not in a way that he’d support. Mayor Keyserling said he agrees.



Councilwoman Sutton said she couldn't recall the sign, so she needs to drive over and look at it so she will know what Mr. Burre is referring to.

Mr. Prichard said this letter just came, and he'll provide pictures and will draft something that council could hone.

Mr. Prichard said for shopping centers, the master sign plan is for 5 tenants, but some centers have 3 or 4 businesses, so he'd like council to consider revising that.

There being no further business to come before council, the work session was adjourned at 6:38 p.m.