

A work session of the Beaufort City Council was held on July 19, 2011 at 5:00 p.m. in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Mayor Billy Keyserling, council members Donnie Ann Beer, Mike Sutton, and Mike McFee, and City Manager Scott Dadson.

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.

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

PRESENTATION BY BEAUFORT POLICE DEPARTMENT ON HURRICANE PREPAREDNESS

Lieutenant Rob Carson said wind and water as a result of storms are big concerns in Beaufort. He explained what happens in terms of public safety for the city during hurricane season, June 1 to November 30. All city departments review their hurricane plans, employees are trained, and logistics are prepared. They are always looking for ways to protect data, Lt. Carson said. 12-18 storms are predicted for this season. He went on to explain the OPCON levels and the considerations of transition from one level to the next. He reviewed key city structures in a hurricane. The city is less reliant on local facilities than it was before the building of the municipal complex. There is less shuttering than before as well. Key personnel are allotted space at Allendale / Fairfax High school. Personnel will stay in Beaufort as long as they can, then go to the school until the all clear is given, at which time they will return.

Lt. Carson said the task force concept will create teams that will spread out into different neighborhoods which ensures coverage, safety, and security of city employees and can help the city before residents return. Training exercises and recovery plans were conducted in Emmitsburg for a large contingent of Beaufort County personnel. Lt. Carson said disaster victims want to return as soon as they can to begin recovery, and a recovery plan should consider economic vitality, environmental quality, social and intergenerational equity, etc. There are opportunities to take something positive out of the negative impact of a storm, he said. There are a variety of mitigation opportunities, such as land use, that can be put in place. The next steps include updating response plans.

Lt. Carson discussed evacuation issues in regard to the flow of traffic on the highways out of town. They may need to convert the direction of lanes to increase traffic flow out of the county. Road blockages need to be eliminated as quickly as possible to avoid massive traffic issues.

After the storm is over, volunteers, logistics, and donations must be coordinated. Other concerns are debris management, life safety issues, security and "taking care of our own (food/shelter/water)." The police department is setting up meetings with department heads to coordinate efforts to update plans as things change.

Councilman Sutton asked about communication issues that had been brought up last year. Lt. Carson said the county has the 800 statewide system “that has the capability to switch over.” The fire departments have portable repeaters they can put on an apparatus to increase the operability of a radio. Councilman Sutton said the city has to rely on the county for communications. Lt. Carson said the Beaufort County Emergency Operations Center has plans for particular personnel to have assigned desks and locations at the Emergency Operations Center. Councilman Sutton asked if Beaufort staff is prepared to follow the plan to move their operations. Mr. Dadson said it is. Mr. Dadson went on to explain that the Emergency Operation Center in the municipal complex is for post-storm recovery. He said that staff is learning how to be better at important post-storm activities such as the filing of FEMA forms, etc.

Councilman Sutton asked if Lt. Carson was comfortable with the 800 series to communicate post-storm with radios for all who need them. Lt. Carson said the county has public works radios but not radios for “every echelon.” Councilman Sutton provided an example of an issue that arose in the Gulf oil spill aftermath and stressed the importance of good communication in the recovery phase. Mr. Dadson said “our radio system is the county system.” The staff has some satellite phones, and “there’s an old CB type set-up.” He feels like the communications “are as good as we can get it right now.” Lt. Carson said there are different levels within the communication systems, and some depends on the severity of the storm. He feels like they can push through any issues that may come up.

Councilman Sutton said during a hurricane on Kauai, a tire repair kit was the most important tool. Lt. Carson said most Public Safety vehicles have a can of Fix-A-Flat in them to get them back into the city. He enumerated other issues that will occur, and through a coordinated effort with the county, there will be only “a brief period of chaos” until the plans are implemented.

Lt. Carson explained the pathway of donated supplies to be distributed to storm victims. **John Dickerson** said due to Hurricane Katrina, servers were lost, even with redundancies, and he asked if there were mirrored servers outside the area. Mr. Dadson said yes, they’re inland. Lt. Carson went on to explain further back-up procedures for data.

DISCUSSION ITEMS

COMBINING HISTORIC DISTRICT REVIEW AND DESIGN REVIEW BOARDS

Libby Anderson said the city has two design review boards with similar functions. The guidelines for review are different for each board, but the elements they use are the same: signs, lighting, etc. There’s been internal discussion about combining the boards to lessen administrative expense and time. Both boards are lacking members at this time. Among the benefits of combining the two boards would be “cross-pollinating” them with the members’ areas of expertise.

Ms. Anderson said both boards are seeing fewer cases due to the economy. In 2010, the DRB met only five times. Ms. Anderson said staff expects the work load to decrease more as the city

architect reviews projects when form-based code is in place. It will minimize the impact to existing board members to do this now, she said. There are issues to be considered, though, if it's decided to combine the boards.

Mayor Keyserling said a board is required to continue to have the designation of historic district status. Ms. Anderson said that would be possible with a combined board as well as one specific historic district board. **Donna Alley** said they have to make an annual report of what the board has done, and that would continue. They can be merged as long as they continue to meet certain criteria.

Mayor Keyserling said he wonders, when the Planning Commission doesn't meet because there was nothing on the agenda, why they didn't meet to look at zoning issues, for example. He thinks there should be a proactive role for the boards; the nature of their work may have changed rather than there not being as much of the work they have traditionally done. If the HDRB is left out of form-based code and future planning, why aren't they at the table to help design the code? Mayor Keyserling asked. They can help make the process better and be more proactive, he feels. They could analyze how to be better, what resources they would need for that, and even if they need to exist.

Councilwoman Beer said the HDRB is autonomous in its decisions, so she wondered how they can be combined. Councilman McFee said the DRB is, too, in terms of an applicant needing to go to court to appeal a decision the board might make. Councilman McFee said he sees Ms. Anderson's point, but there are still different directions for both boards, and he's not sure merging them can be successful.

Councilman Sutton said he feels it's a good idea to look at this now. Superficially, it seems like there could be a merging of some activity. The certified local government status was accomplished for a reason. Ms. Alley said it was done for money; substantial state and federal grants have been obtained from that status as well as training assistance and other perks, including the "status" of having the designation. Councilman Sutton said he questions the designation "if it affects the ability to do better." Grants done recently with the certified status have gone directly to Historic Beaufort Foundation for its projects; **Maxine Lutz**, Historic Beaufort Foundation, said the Arsenal was redeveloped with the city's certified local government status.

Councilman Sutton asked if the ability to do what city government is here to do is hindered by the board structure. Councilman Sutton said it sounds like the discussion is about merging the DRB into the HDRB at this level. He wants to hear tangible reasons why they shouldn't be merged, not just because two separate boards is the way business has been for a long time.

Mike Rainey, HDRB, said there are two sets of criteria, and each board works on each set. The HDRB has guidelines based on the Department of Interior standards. The criteria are black and

white, he said, and “being pro-active is not an issue.” If the DRB and HDRB were combined, the HDRB’s criteria are “more defined and finite” than the DRB’s. The HDRB can’t lessen its standards to be a part of the same group. If the boards are combined, there could be thorny legal issues. As far as staffing the HDRB, he thinks it would be no problem to find more volunteers.

Ms. Anderson said this is not a question of changing standards; they would all stay the same, but applications would just be looked at by one board. Mr. Rainey said it “would become more complicated and confusing.” He favors progress, but feels “if the system’s not broke, why fix it?” **Joel Newman**, HDRB, joked that if they were to merge, the volunteers’ pay would be doubled.

Don Starkey, DRB, said his concern is that the DRB is taking a lot of direction from the city’s Planning Department in the new guidelines they’re putting together. He said form-based code will help with telling a building that it is not suitable for the UDO. He sees DRB becoming a reviewer on the implementation of the form-based code. He currently spends 3-4 hours looking over a set of drawings for the DRB. He said the board’s last meeting was nearly four hours long, and adding that to the HDRB workload requires a lot of time from its board members, some of whom are not retired and don’t have that kind of time. Form-based code will make the work load less, Mr. Starkey said, and very soon the DRB can be a smaller group, and the HDRB can possibly make up for places where there are questions. He said he can offer names for positions that need to be filled on the DRB. He said he feels the DRB is proactive and gave the example of creating a form-based code for gas stations a few months before.

Eric Brown, DRB, said the DRB has had interesting projects lately. Talking about combining the boards is “a logistical thing” in his opinion. There’s a big discrepancy between the projects of the two boards. He tries to review the architecture of potential businesses in the area “with the Beaufort brand in mind.” HDRB gives good results, but then there can be a building close to the historic district that has nothing to do with historic Beaufort.

Mr. Starkey said the DRB has been “on thin ice” for many of its decisions. The current code doesn’t define ways and means to seek to create a Lowcountry look for new buildings. Mr. Brown described a recent issue with a wings restaurant in which the DRB gave the business options to consider in order to make their new construction more suitable to the Lowcountry in its elements. Mr. Rainey said some of the HDRB planning elements could be given to the DRB; HDRB has more clearly defined criteria to make their judgments with and therefore risks fewer lawsuits.

Mayor Keyserling asked if form-based code “gives the opportunity to define Beaufort style” in the corridors and creates those guidelines. Mr. Brown said Beaufort people want predictable results for construction. The form-based code is “a series of layers,” he said, but most form-based codes “don’t dive too heavily into the architecture.” Form-based code will provide some

tools but they could use others as well. The drawings Mayor Keyserling has seen for form-based code buildings, he said, are pretty close to Beaufort style.

Alan Dechovitz said there's been a substantial investment made in form-based code. How to spread and use that, though, hasn't been determined, so there are questions about the administrative details of form-based code. It's intended to cause redevelopment in the city, and there needs to be management oversight of the code to ensure that. Mr. Dechovitz said the decision has been made to move toward form-based code, but details on what is needed for form-based code to be effective haven't been decided. He agreed with Mayor Keyserling's charge to the committees to help determine how to manage the code if they're not busy right now. Also in the historic preservation area now, he feels there needs to be a re-examination of strategy. There will be "patches of places in Midtown where the form-based code is blocked."

The Redevelopment Commission couldn't "preserve in place" when it made an effort to do so on Duke Street, "in spite of all of their resources." Mr. Dechovitz asked if there's a strategy to preserve the city's history but not block its economic development. Buildings are being demolished anyway, so he feels they should question how to more successfully preserve history and implement other strategies such as moving buildings not viable in place to a setting where they can be preserved as museum pieces, as opposed to trying to make them residential. Then it doesn't block the city's economic development. The current historical building strategy, he said, is "left to the termites." Mr. Rainey agreed that the demolition by neglect policy doesn't work.

Mr. Newman said combining the groups only lessens the number of meetings, without lessening the number of projects before the boards, so the administrative hours would be the same. They do not have the tools to solve the problems Mr. Dechovitz is talking about. They're "trying to preserve things that are unprotectable." If there are more pragmatic solutions available, there might be more cost-effective solutions. Getting a volunteer who can learn two different sets of guidelines will be difficult, Mr. Newman added. Neither board has appropriate tools they need in order to do their jobs as effectively as possible, Mr. Newman said.

Mayor Keyserling said there's been weakness on preservation for 20 years or so. Using the Northwest Quadrant as an example, Mayor Keyserling said that every property has a different story, and redeveloping each requires different tools. **Pete Palmer** said some houses in the Northwest Quadrant are well taken care of, some are rented so investment in improving them is nil, and the owners of others are suspicious because of past history. Mr. Dechovitz said no historic preservation group can get enough money to preserve everything they'd like to; the point is to preserve that portion of history that they can manage and allow the market to do the rest: "Some of it just has to be let go."

Ms. Lutz said Beaufort has "an authentic historic district," so they don't need to move buildings elsewhere "and create a fake one." Also, combining boards would demand a bigger workload.

In the time she has worked for Historic Beaufort Foundation, they have restored the Verdier House, the Arsenal, and six individual homes, so there has been leadership, she feels.

Mr. Rainey said HDRB has approved the demolition of three structures this year, so they're not completely opposed to doing so. He suggested that they could demolish structures and store the viable materials for use in a restoration project at a later time. They aren't entirely opposed to all demolition, but they would want to do it that way. Mr. Dechovitz said there need to be fewer physical barriers; whatever is done to the boards is a secondary question. They need to align strategies to preserve history and bring in redevelopment.

Mayor Keyserling said the Redevelopment Commission learned a lot from the Duke Street project that fell through because it was "just the wrong project." The question is how to rally all the necessary resources in the Northwest Quadrant to allow the residents there "to rise with the tide, not be washed away." There's frustration about the regulatory process, Mayor Keyserling said, on a property by property basis.

Councilman Sutton said this discussion is a work session in itself. There needs to be an environment like this in which to discuss these issues. There's been little else done other than enforcing demolition by neglect codes in the Northwest Quadrant, he said. The certified local government status has brought in grants, but they're limited in dollar value and nowhere near what is needed to do work in the conservation district. There are even blocks to stabilizing structures, Councilman Sutton said. One house on Congress Street has been to the board 7 times seeking demolition, and it's been championed for saving, but no one's saving it. The problem is not solved yet, because no one would build next to it. Sweat equity is needed to find out the particular problems in each house. There's no movement on deteriorated houses in the conservation district.

Mr. Starkey said the HDRB tries to keep the historic district looking historic. Coming out of the historic district, though, only the DRB and staff are trying to make buildings look like the rest of the historic city. He gave as examples Walgreens, the proposed Olive Garden, etc. With the tools the DRB has, there's no way it can make this new construction look like the rest of the city, Mr. Starkey said. There is great pressure on the board from big firms coming into Beaufort with the promise of jobs, etc.

Mayor Keyserling said after the form-based code is implemented, there may not need to be a DRB, Ms. Anderson has posited, but the DRB can't do much more than it's doing today. The conversation should be continued after the city is further along with the form-based code, is what he is hearing.

Mr. Brown asked for more clarity on how the form-based code is coming for this group. Mr. Dadson said since Sector One has been done, and that's where the historic issues are, it's OK for the HDRB and DRB to get together with staff "and concentrate on these administrative and

tool matters.” The two groups should get together with staff and the Office of Civic Investment and have this conversation about strategies, etc. If the idea of combining the boards comes out of that conversation, that’s fine, Mr. Dadson said. There are barriers that need to be identified and dealt with for everyone to have the outcome they want.

Mayor Keyserling said the opportunity for the boards is there for them to work through these things. The form-based code is generic; the calibration of it down to the street is the most important thing. How to make the distinctions between The Point, Old Commons, and the Northwest Quadrant is important. The Office of Civic Investment doesn’t know the community like the members of the volunteer boards do. The Redevelopment Commission could drive this effort, and council could be involved as well.

Councilman Sutton said the Milner Report has made new construction in the historic district successful; he doesn’t want the historic district guidelines used city-wide, though, or nothing will ever get done. Mayor Keyserling said he’s not sure that they have always been successful with new construction; they can be cheap models. Councilman Sutton said materials taken from bigger sites have become lesser buildings.

BOARD AND COMMISSION VACANCIES

Mayor Keyserling said getting a Beaufort representative on the Planning Commission is a priority. Also, the DRB has two openings. Mayor Keyserling said he’s confused about TDAC, but feels filling positions there is less urgent. The vacancy on the Housing Authority is a “huge opportunity,” Mayor Keyserling said. The rail to trail board candidate wasn’t able to come to the meeting, but the project is extremely important to the city, and there may be a way to use two interested people to make this project happen. Mr. Dadson said there are pocket groups along the trail but not “a strong association of reach-outs.” They need advocates who live in there.

EXECUTIVE SESSION

On motion of Councilwoman Beer, seconded by Councilman McFee, council voted to move into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws for a briefing by legal counsel. The motion was approved unanimously.

Councilwoman Beer, seconded by Councilman McFee, made a motion to come out of executive session and resume the regular council meeting. The motion was approved unanimously.

There being no further business, the meeting was adjourned at 8:05 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK