

A work session of the Beaufort City Council was held on June 23, 2015 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Mike McFee, George O’Kelley, Stephen Murray, and Phil Cromer, and City Manager Bill Prokop.

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.

RELOCATION OF FARMERS MARKET FROM DOWNTOWN WATERFRONT PARK TO PIGEON POINT PARK

Liza Hill said that Mr. Prokop and Councilman Murray had told her that the downtown farmers market needed to move from the Waterfront Park venue. They would like to go to Pigeon Point Park, where it was for one year. At that time, Ms. Hill recalled, it suffered because there wasn’t enough advertising. She had gathered PTAC members’ responses to the idea of the farmers market being there via email, and those had been given to a council in a report. There’s no electrical hookup at Pigeon Point Park, and parking is limited, Ms. Hill added.

When the farmers market was at Waterfront Park, **LaNelle Fabian** said, Pigeon Point residents have asked her about it coming back to their neighborhood. In regard to the downtown farmers market, Wednesday “is not a great day,” she said, and leaving it open another hour hasn’t helped. Vendors have tried it out, but there are more tourists as customers than locals. Ms. Fabian feels that given the amount of time and money that’s been put into the market, and the money that goes back out, the market should continue, but not in the Waterfront Park location.

Wednesday is a church night, Ms. Fabian said, while Bluffton’s market is on Thursdays, which isn’t. Mayor Keyserling said the Port Royal farmers market has a great location and is “an event,” not a market, with prepared food bought as frequently as produce and traditional market fare. To succeed, he believes the farmers market needs a good location, “event status,” and something special “to make it a destination.” Is it really viable, Mayor Keyserling asked, to have two farmers markets in one community, given the issues it has had? It’s struggled, he said, and the prices are typically higher than they are in a supermarket. He wonders if they are “forcing something,” and maybe the Port Royal farmers market should be “everybody’s farmers market.” There’s “no obligation” to have another one, Mayor Keyserling feels, and “there’s nothing unique about” the Beaufort version.

When Main Street Beaufort started the farmers market, Ms. Fabian said, city staff at the time “wanted a strict farmers market,” so the percentage of non-food vendors was kept to just 20%. Therefore, when they only had 3–4 farmers, “there wasn’t room for an arts and crafts person” to sell their wares. Plus, Ms. Fabian added, downtown merchants “need to be kept happy,” so they also didn’t want the farmers market to include non-food vendors. When the market was on West Street, she said, people liked when the downtown restaurants had their goods for sale

– tomato pies, for example – but “then (the restaurants) started dropping out, one-by-one.”

Ms. Fabian said this request would mean that the farmers market would move out of Main Street’s hands when it moves out of downtown. She said some people on the Pigeon Point neighborhood page on Facebook seem excited about it. Councilman Murray said he and his wife had liked having the farmers market in Pigeon Point on Tuesdays, but his wife doesn’t go to the farmers market downtown because it’s not as convenient. Councilman Murray and Ms. Fabian had talked about moving it back to Pigeon Point Park, and according to his assessment of the private Facebook page for the Pigeon Point Neighborhood Association, “there is some enthusiastic support” for it. “Pigeon Point is in the middle of a renaissance,” he feels: There is some new construction and redevelopment, and younger people are moving into the neighborhood. Farmers’ market prices are now comparable to supermarket prices, Councilman Murray added. If this move were to happen, people could go to the Saturday Port Royal market, and then to one mid-week in Pigeon Point Park to restock their fresh produce.

Ms. Fabian said Pigeon Point is still considered downtown, and Main Street Beaufort will still support it. Main Street Beaufort will give whoever runs the new location the signs and banners they’d had made, and the organization would do whatever they can to help it succeed.

When asked why the farmers market was leaving downtown, Ms. Fabian said a sponsorship they had for the market has run out; they had done some advertising and bought signs, so “when the sponsor was not going to move forward,” they decided to end it.

“The original question was if the Pigeon Point homeowners group would want to take the farmers market over,” Ms. Hill said. **Julian Johnson**, of the Lady’s Island Flea Market, is a vendor who sells bread with the current farmers market, and he’s said he would run it in Pigeon Point. There needs to be someone on site to support it.

Ms. Hill said someone needs to be there to make sure the vendors’ trucks don’t damage trees and their roots. There’s a little limit on parking, though that can be overcome, as it is in Port Royal at that market. Mayor Keyserling asked, if Mr. Johnson can’t be there for some reason, if Ms. Hill would do it. Mayor Keyserling doesn’t feel the city should take on the responsibility. Mr. Prokop said he would have to check on insurance. Councilman McFee said the Pigeon Point neighborhood association couldn’t take it over because the farmers market is “still in a city park.” Mr. Prokop said park liability is covered by the city’s insurance, but he would have to check on whether it covers the person running the market.

Councilman Cromer asked, if the parents are at the market, and the kids are playing in the park, if that will create an issue. He said also that vendors may not need electricity, but “whatever they use instead” could be a concern. Ms. Fabian said one vendor has a cash register, but they haven’t always had electricity downtown, either. Ms. Hill said there’s electricity in the men’s and women’s restrooms, and an outlet could be installed on the outside of it. At Port Royal, they cook onsite with gas. Ms. Fabian said they didn’t allow cooking at Waterfront Park. Councilman Cromer said it would require DHEC approval to enable anyone to do so.

Mayor Keyserling said, if everyone were really excited about this, he could be more excited, too, instead of feeling like “We’re *trying again*.” They don’t want to have it on Saturdays, he warned, because that’s Port Royal’s day. Ms. Fabian said this farmers market has some of the same vendors as Port Royal’s. She said there’s a farmers market once a month in Sun City, so they could try doing that in Pigeon Point. The Sun City market’s pretty successful, she said. Councilman O’Kelley said they could give it a try in Pigeon Point, and if it doesn’t work, they can say they have tried to do it in three different places. **Beth Caron**, Main Street Beaufort, agreed that some of the vendors are the same in downtown and Port Royal. The downtown market doesn’t allow cooking. Some people do the Saturday Port Royal market as a part-time job, so Wednesday afternoons are not an option for them.

Ms. Hill said she was trying to organize a site meeting at Pigeon Point Park to look at the location; she suggested that maybe they shouldn’t move the farmers market immediately and could open next week. Councilman Murray said Mr. Johnson “could have a second in command.”

Councilman Cromer and Councilman O’Kelley agreed that they should try it and see if it works. Mayor Keyserling said, “That puts it on Liza.” Councilman Murray said he likes the suggestion of getting a meeting together and getting a commitment on paper that there is someone to run the market, other than city staff. Councilman Murray feels this would be a good way of getting people to invest in the city.

Mayor Keyserling said again that he’s “nervous” about what he perceives as “a lack of enthusiasm” and about the farmers market becoming the city’s responsibility. Ms. Hill said she wants it to go well, and she’ll meet with Mr. Johnson and see if he has a backup when he can’t be there.

Councilman Murray said **Kit Bruce** is the reason that Port Royal’s farmers market is such a success. Mr. Prokop said, “This is not Liza’s job.” The city can oversee it for a month, he said, “but it can’t be an ongoing city thing.”

Ms. Fabian said the farmers market traditionally goes through September, though once they went through October.

JUSTICE ASSISTANCE GRANT (JAG) APPLICATION

Chief **Matt Clancy** said every year, the police department gets a JAG, and they have a couple weeks to say how you want to spend it. They have received \$11,277, so they have put together items they had chopped off their budget: an all-terrain vehicle (they use a golf cart for some things now, but it is old) that is gas powered and could be used to patrol on Spanish Moss Trail and downtown; a clearing barrel (to load or unload pistols); a jumper box for each patrol team to jump start cars; a fingerprint matcher that compares known fingerprints to the ones put in it; a box to secure cleared pistols in; pepper spray foam that doesn’t spread out and sticks to the person who’s sprayed (for use where there are bystanders).

OTHER GRANT APPLICATION/OPPORTUNITIES FOR THE POLICE DEPARTMENT

Chief Clancy said there's a grant for two police officers pending; it covers salaries and cars if they're used for traffic enforcement purposes. They also put one in for the Department of Justice's COPS grant, and they've asked for three officers; it is a matching grant, he said, and will pay for 75% of their salaries (\$476,000). They submitted the grant, but if they get it, and the city can't match it (the match would total \$159,000 over three years), the police department can turn it down.

Mr. Prokop said the grants committee has already met twice this year since the retreat, and "they have some applications (for grants) in."

Councilman O'Kelley made a motion, second by Councilman McFee, to amend the agenda to take up the executive session now, before the regular meeting. The motion passed unanimously.

EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law, **Councilman O'Kelley made a motion, second by Councilman McFee, to enter into Executive Session** for discussion of contractual matters. **The motion passed unanimously.**

The work session was adjourned at 5:51 p.m.

A regular meeting of the Beaufort City Council was held on June 23, 2015 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, council members Mike McFee, George O’Kelley, Stephen Murray and Phil Cromer, and City Manager Bill Prokop.

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.

Councilman O’Kelley made a motion, second by Councilman Murray to come out of Executive Session and enter the regular council meeting. The motion passed unanimously.

CALL TO ORDER

Mayor Keyserling called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman McFee led the invocation and the Pledge of Allegiance.

REAPPOINTMENT OF CITY MUNICIPAL JUDGES

Councilman Murray made a motion, second by Councilman Cromer, to approve the reappointment of the city municipal judges. The motion passed unanimously. Judge **Ned Tupper** said he and Judge **Mary Sharp** “appreciate the city’s trust and confidence” in them.

PROCLAMATION OF JUNE 23, 2015 AS ALVIN SETTLES DAY

Councilman McFee made a motion, second by Councilman Murray, to approve the proclamation. The motion passed unanimously. Councilman McFee read the proclamation, and Mayor Keyserling presented it to Mr. Settles, who said that before the Greene Street gym was built, there was nowhere for kids to learn to swim. Mr. Greene had told Mr. Settles that he wanted people to learn to swim and to be safe. Since then, Mr. Settles has taught people to swim at all levels for more than 33 years. Adults are “the most challenging and fun,” he said.

PUBLIC COMMENT

Jerry Ashmore, with The Greenery, noted how the city had looked before The Greenery began its partnership with the City of Beaufort, 5.5 years ago. Two years ago, they renegotiated their contract, and to make it more viable for the city, The Greenery had spread out their expenses over 4 years, which the city attorney, city manager, city staff, and the Public Works director all approved of. The Greenery made reductions, and now, two years later, he said, “the city is bidding out the contract,” which Mr. Ashmore said makes him “nervous.” He said he feels “it’s more than just a 12-month budget.” The Greenery is part of the community – partners with the city – and the company has done much that isn’t required of them. He asked that the city remember that “you will get what you pay for,” and he hopes they will remember the partnership with The Greenery, rather than “just looking for the lowest bidder.”

PUBLIC HEARING: ORDINANCE REZONING A PARCEL OF PROPERTY LOCATED AT 4 AIRPORT CIRCLE FROM S1 INDUSTRIAL DISTRICT TO HIGHWAY COMMERCIAL DISTRICT

Mayor Keyserling opened this public hearing. Libby Anderson indicated this parcel on a map. The applicant for this project is Beaufort Rental Investment. It's a rezoning request as a result of annexation. The property is undeveloped currently but was formerly a solid waste convenience center. It is contiguous to the city limits, and all services will be available to it. The current county zoning is S-1 Industrial. Ms. Anderson described the uses permitted under this zoning, such as mall businesses and incubators. The city designation would be Highway Commercial District, Ms. Anderson said. It adjoins the Airport Junction PUD, so Highway Commercial seems to be the best match for it. The Civic Master Plan does not discuss this property.

In regard to surrounding uses, the property across from Airport Circle is a packing shed, which is busy, Ms. Anderson said. It's adjacent to the property zoned for a PUD, which is proposed to be a large retail development called Island Shops, which will include a Wal-Mart and 33,000 square feet of outparcel development. The infrastructure will be installed as part of the island shops' development. All public notice has been made, Ms. Anderson said. The Planning Commission recommended approval, but only if the Open Land Trust was notified of the annexation, because the organization owns property that adjoins this one, but the organization had not been notified when the applicants appeared before the Planning Commission. Ms. Anderson said the Open Land Trust has now received notification, and they have no objections to the proposed annexation.

Councilman O'Kelley said there's a little extension to the parcel that is shown on some drawings but not on others. Ms. Anderson explained, "It is apparently an easement . . . perhaps with a lifespan to it." **There being no public comment, Mayor Keyserling closed this public hearing.**

MINUTES

Councilman Murray made a motion, second by Councilman O'Kelley, to approve the minutes of the special work session May 5, 2015. The motion to approve as submitted passed unanimously.

Councilman Murray made a motion, second by Councilman McFee to approve the minutes of the work session and regular meeting May 12, 2015. The motion to approve as submitted passed unanimously.

FY 2015 BUDGET AMENDMENT

Councilman McFee made a motion, second by Councilman Murray to approve the budget amendment on second reading. Kathy Todd reviewed the individual amendments:

1. Insurance reimbursements for vehicles that were in accidents: The net effect on fund balance is zero.
2. The police department received a bulletproof vest grant: The net effect is zero. The police department also received a state grant for uniforms: this increases revenues and expenditures related to the grant; the net effect is zero.
4. There was a shortfall in the budget to complete the fire station project; council authorized

that it be moved to the capital projects fund.

5. The Brantley Construction lawsuit settlement – Council passed a resolution to use committed fund balance to pay the legal fees.

6. There will be a transfer \$180,000 from TIF2 for the Lovejoy project, per a signed memorandum of understanding that council approved.

7. This item accounts for income from training fees that the fire department charges for its CPR classes.

The motion passed unanimously.

FY 2016 BUDGET

Councilman Murray made a motion, second by Councilman McFee, to approve the 2016 budget on second reading. Mayor Keyserling explained the budget process to the public. There will be no additional taxes, he said, “but the temporary deficit mill is being made up by a small amount we were allowed by the state . . . the net effect on the tax bill will be no increase.” **The motion passed unanimously.**

ANNUAL REQUESTS FROM WATER FESTIVAL FOR WATER FESTIVAL 2015

Ivette Burgess said there’s nothing different in this request from years past. Staff met with this year’s commodore. She said Water Festival “is very good to work with.” Council has to approve street closures, alcohol sales in Waterfront Park, waiver of the noise ordinance, and closure of the seawall and marina boat ramp. **Bill Damude**, the 2015 Water Festival commodore, said the air show would be on the last Sunday, after the blessing of the fleet. The parade and the Dragon Boat races will be on the second Saturday, as they are traditionally scheduled.

Councilman Murray asked if the public restrooms problem had been resolved. Ms. Burgess said that the situation has been rectified. **Councilman O’Kelley made a motion, second by Councilman McFee, to approve the requests for the event. The motion passed unanimously.**

WAIVER OF NOISE ORDINANCE REQUEST

Councilman Murray made a motion, second by Councilman McFee, for discussion of the request from Alan McNeal, LLC for residential construction work at 845 Ribaut Road for July 6 – August 6, 2015. Mr. McNeal said the current noise ordinance forbids noise before 8 a.m. The waiver serves as a request to start at 7 a.m., beginning on July 6. Mr. McNeal said starting that early “gives us a good start on the day” when the weather is very hot. They are constructing a new housing development.

Mr. McNeal said he had wanted to include the month of August in his request. Ms. Burgess said staff recommended that he try it for one month, and see if it works for the neighbors. Councilman McFee said a neighbor had responded that she had no objection to the construction noise.

Councilman McFee said Mr. McNeal and his employees need to accommodate the general public; by doing this, council creates a “precedent for others to do this throughout the city,” so

he's inclined to "consider the one-month trial . . . to see how it works."

Councilman Murray said he had learned that the start time is 7 a.m. on weekdays on Hilton Head and 8 a.m. on Saturdays and Sundays, so he would recommend that. Mr. McNeal said they would only work on Saturdays if they needed to get caught up. **Councilman Murray modified the motion to grant the waiver for July with a 7 a.m. start time on weekdays and 8 a.m. on Saturdays. Councilman McFee seconded. The motion passed unanimously.**

CITY MANAGER'S REPORT

Mr. Prokop thanked the mayor, council, and the public for supporting the budget, and said that now staff will begin work on the Beaufort Pride of Place program.

On July 14, there will be a day dock discussion at a work session.

They are working with the county on IT services. Mr. Prokop and **Gary Kubic** will have a joint county information meeting to explain the benefits beyond the finances.

The grant team has met twice, and the police department is actively pursuing grant opportunities to benefit the city and defray expenses, Mr. Prokop said.

The new ladder truck and the fire station are on schedule.

The Boundary Street bids are due July 7, Mr. Prokop said.

The downtown clock is chiming again, though it stops at 8 p.m. so as not to violate the city noise ordinance, Mr. Prokop said. He thanked Public Works for this.

Mr. Prokop thanked city staff for their work on customer service. He said, "The city's image is improving" because of it.

Lamar Taylor is no longer the interim director, but is now *the* director of Public Works.

The city is sponsoring a Dragon Boat, and all departments are volunteering for it.

Mayor Keyserling asked if there would be a kick-off for the Beaufort Pride of Place program. He suggested it should be "at a place like Dataw," where people have expressed interest in helping.

Councilman Murray thanked Public Works for taking out trees that have fallen lately.

MAYOR'S REPORT

Mayor Keyserling said there was "a flash mob" on Saturday afternoon in support of the families of those who were lost in the shooting in Charleston. People talked to one another "in a way we ought to be talking all the time."

Holding hands across the Woods Bridge drew about 200 people in support of a similar bridge span being done in Charleston, Mayor Keyserling said. And last night, there was a service at a sister church to Mother Emanuel and another event, so he thanked the community for reaching out with compassion.

REPORTS BY COUNCIL

Councilman Cromer said, on a personal level, his youngest daughter is engaged.

Councilman O’Kelley said the West Street Extension project is complete, “and it looks really good, but the Yacht Club contractor’s equipment broke some of the steps.” They are going to fix that, he was assured.

Councilman McFee said he would be attending a meeting Friday of the Local Area Transportation group that is working in cooperation with the LCOG. He described some of the work they’ve done and said he’s “learning a lot.” The group is still working on federal funding for the back bridge from Highway 17, which comes from Savannah across the Duck Preserve into Beaufort and Jasper Counties.

Councilman Murray said he had participated in a forum at the Maritime Center on how the private sector can support the public sector and keep fisheries sustainable. The Waddell Mariculture Center releases thousands of cobia and red drum each year; they get the cobia from the Broad River, but a little over 70% of those they catch have the same DNA, so they haven’t been able to release as much cobia as they had been because the fish have shared genetic material, which makes breeding them dangerous. The point of the forum, Councilman Murray said, was illustrated by someone like **Frank Roberts**, whose Lady’s Island Oyster Farm grew almost two million oysters last year, at a value of almost \$9 million, but only one restaurant sells them in Northern Beaufort County. The rest go “all over the East Coast,” Councilman Murray said. The *NY Times* food critic had called them the best oysters he had ever had. So, Councilman Murray asked, “How does government set the table . . . to encourage private investors to use really cool public resources like Waddell . . . and keep our fisheries sustainable?”

There being no further business to come before council, **Councilman O’Kelley made a motion to adjourn the meeting. Councilman McFee seconded. The motion passed unanimously**, and the meeting adjourned at 7:50 p.m.