

A work session meeting of the Beaufort City Council was held on May 22, 2012 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, George O'Kelley, 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.

CALL TO ORDER

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

REDEVELOPMENT COMMISSION REPORT

Jon Verity said there's a recent project at 314 Charles Street which will be a renovation into a two-apartment flat for rent and restoration of the house by the Dickersons.

Also:

- The Rail to Trail RFP is under review for use of the Depot Building.
- The charettes are ongoing; Mr. Verity said business people and others in Sector 4 and Lady's Island have been interviewed and their ideas obtained.
- The day dock project is moving along. They are modifying drawings that council has seen in previous meetings, Mr. Verity said. There may be dry storage for kayaks and other possibilities. Mayor Keyserling asked if this would be an amendment to Sector One, and Mr. Verity said it would.
- A liaison with Beaufort Housing Trust has been chosen.
- The Redevelopment Commission is taking an ongoing look at incentives for future developers.
- They hope to have a plan in the next week or two on Lafayette Street, Mr. Verity said.

PRESENTATION OF FY 2013 BUDGET

Planning

Libby Anderson described the five areas of responsibility for the Planning Department and a list of the highlights in Planning for 2011. She showed a tracing of new construction; single-family building is back to 2008 levels with the developments at Midtown and River Point at Live Oak off of Salem Road. The biggest change for the budget is taking out the Office of Civic Investment from Planning's budget. The contracts for Building Codes and Codes Enforcement and a request for property demolitions are in contractual services. There have been requests for small increases for the form-based code which will require more money for postage and advertising in the next 12-18 months. Ms. Anderson said **Kathy Todd** would make a few adjustments from the budget council received, such as for telephone and for tort liability.

Mayor Keyserling asked where the Office of Civic Investment had been moved in the budget. Mr. Dadson said it has its own section and he would find it. Councilman Sutton noted that the

vehicle total has gone down; Ms. Anderson said they don't have a Planning vehicle per se. The one they had was moved to the police department.

Public Works

Isaiah Smalls showed a Power Point presentation, first describing all of Public Works' responsibilities. He showed the Public Works budget for 2012. He said the costs are based on actuals and on projections throughout the year. He described the duties of the streets department and the statistics on what they had done in the previous year and how much would be expended on various functions.

Mr. Smalls said in South Carolina, 62% of the roads are owned by the state, whereas nationally only 19% of public roads are state-owned (as opposed to being owned by the municipal or county governments). South Carolina invests fewer state dollars per mile than any other state. He went on to explain how this works in terms of the federal government as well.

In regard to capital acquisitions, Public Works is requesting \$85,000 and are recommended \$40,000 because they want a scarifier and equipment for sidewalk repair and paving. They have a small increase in costs for The Greenery's work.

In regard to the parks department, there are planned capital improvements for Pigeon Point Park, Tic Toc Park, and Horse Hole Park as well as a commercial grade mower for \$11,000. He showed statistics relating to traffic control and the building maintenance department. He said gas costs account for an increase in expenses. Fleet and equipment maintenance are for 43 pieces of rolling stock and 23 small engine pieces. The budget was "tweaked back" by \$4000, Mr. Smalls said, on the recommendation of staff. In regard to the stormwater department, Mr. Smalls described what the department does and said 90% of the budget would be spent on SCDOT's assets.

Mr. Smalls said there's a small contract for sweeping the TIF 1 district. There was a discussion about street sweeping and sweepers. Councilman Sutton said he hates to see a sweeper purchased at this cost. Mr. Dadson suggested there could be cost-sharing with Port Royal. Mr. Smalls acknowledged that Port Royal doesn't have its own sweeper. Councilman O'Kelley suggested enforcement of the ordinance against putting debris and leaves in the street to help maintain the equipment better. Councilman Sutton the landscape companies mow and blow debris into the street, and it appears that residents need to be educated. Mr. Dadson asked how often Mr. Smalls has to talk to people about blowing into the street. Mr. Smalls said once the larger companies were on board, they "only needed to be concerned with people with a truck and a mower," and now they need to be worked with. He guessed that he's talked to 8-10 people about this. Mayor Keyserling said keeping the ditches draining has saved money on stormwater.

Mr. Smalls said in regard to solid waste, the costs are primarily for contractual services. Mayor Keyserling said these issues had been raised with The Point, "who wanted to know who

controls what.” The proposed municipal vehicle tax, he said, would raise about a third of what’s needed. He said the highway commissioner “listens to us” well. South Carolina refuses to do anything where they have a way to raise revenues for this maintenance, Mayor Keyserling said; even if the city pushes with the vehicle fee, they’re still only getting a third of what the city needs. What the city maintains, as opposed to what it doesn’t maintain, is vast, Mayor Keyserling said. Hilton Head Island goes into Bluffton with maintenance, and the county cost-shares that with them.

Councilman Sutton said obviously there’s a problem, and they either have to fund it or not do it. They have to find a solution. He’d research a half-cent local option sales tax and asked why they don’t consider that. Mayor Keyserling said it would have to be county-wide, and they won’t allow it on the ballot. Mr. Dadson said it’s capital, and it has to lower the mill; Mayor Keyserling said it has to roll back property taxes. He said there are special tax districts, and there’s an optional sales tax limited to capital investments, like the road tax. Mr. Dadson said the “tool box is fairly limited.” A road maintenance fee is fairly common, he added. Councilman Sutton asked if there’s a fee not based on vehicle ownership. Mr. Dadson replied that there are stormwater fees. Mayor Keyserling said that’s collected county-wide, and Mr. Dadson agreed but added that there are varying rates in the various municipalities. There are other emergency management fees, as well, Mr. Dadson said.

Mr. Dadson described the calculations for 4% and 6% residential tax and 10% commercial taxes. Councilman Sutton said the tax on businesses is high; residents “have been protected as the surface costs go up.” He is hesitant to keep pressure on businesses. Mr. Dadson said that’s why the vehicle tax was proposed for a road maintenance fee. There are efforts to keep the 4% as low as possible. Fees and property taxes can be adopted, and “all that’s been carved out of home rule has been property taxes.”

Councilman O’Kelley said it would be nice if the city could charge a half-cent or penny across the board to residents and visitors alike. Mr. Dadson said he and Ms. Todd like the idea of local option sales tax to fund the capitalization of what they want to do. A large portion of business license fees, i.e., retail, are ultimately paid for by visitors.

Councilman Sutton said the city has 28 parks now, and they have to provide a certain level of service. He asked if the standards for service are being pushed too high. Mr. Dadson said they are in certain places, in which what they take in leaves them at a deficit, such as the maintenance of Waterfront Park. The city cut costs and outsourced as much as possible, but all costs rise. Mayor Keyserling said they added on services and then had to add on fees. Councilwoman Beer said they are now used to a certain level of service.

Mayor Keyserling said the highway commissioner has been looking for incentives to get cities to take back streets. The city will have more control, but the streets the city takes have to be up to a certain level, and they would have to be paid annually for each street that they took. Mayor Keyserling said a new legislature or highway commissioner could change everything, though.

There was a general discussion of options that could be explored for fees. Mayor Keyserling suggested that they should continue to look at this issue. He said he'd like to hear new options that the state gives the city other than a straight fee. Mr. Dadson said he'd bring local option sales tax information to the next work session. Councilman McFee asked him to look into fleet vehicles. Councilman McFee said stormwater may need to be increased as well. Councilman Sutton said "it may all end up there in stormwater." Councilman McFee said it will once again end up in real estate, which they were trying to avoid.

Conway Ivy said that in California, they charge 35 cents a gallon on gas (as opposed to 16 cents here), and that might be worth looking into, and Mr. Dadson said that's not a local tax. **Paul Michau** said the street cleaning is good, and if it falls under stormwater, he agrees that that's where the increase ought to come from. Mr. Dadson said he's concerned with the differential for business owners; if it is increased, he feels that it should be lessened for them. Mr. Michau said they need to adjust the formula.

Fire

Fire Chief **Sammy Negrón** said the fire department had another ISO (Insurance Service Office) evaluation. The City of Beaufort and the Town of Port Royal went through it as a joint fire department. The Beaufort fire department maintained their Class 2 ISO rating and raised the Class 3 rating of the Town of Port Royal.

Chief Negrón shared the fire department's mission. He said in the last few years, the fire department administration has done things differently as a result of that mission. He went on to show the functions of the fire department. He showed Power Point slides of the year in review with data about emergency response. Structural fires were very low. In regard to calls for service, between Beaufort and Port Royal, they totaled 2492; 1801 calls were in the city and 691 in the Town of Port Royal. The vast majority of these calls were medical. Mayor Keyserling asked if these numbers covered Burton and Lady's Island; Chief Negrón said they were for "strictly the city core." He said Burton responds to 600 calls annually to city and county addresses.

Chief Negrón showed customer data; 70% of those benefitting from the fire department's services are in the city, and 23% are North of the Broad. In regard to fire prevention, he shared the numbers for inspections, violations, and the corrected data. 176 burn permits were requested, but only 57 were issued in the city. The Town of Port Royal has the same ordinance, but only had 14 permits issued. 91 events were conducted for the fire prevention education of 424 adults and 2,619 children. They have a free smoke detector and fire extinguisher program, Chief Negrón said. They also offer safety surveys.

Chief Negrón showed the numbers in regard to training; the total number of hours was 16,013. He went on to compare the administration budget numbers over the last 5 years as well as O&M and personnel services. Personnel numbers are "pretty much flat," he said. Budget

numbers will go down, he said, in FY2013 when the capital expenses are taken out. Councilman Sutton noted that the 2012 and 2013 numbers for O&M are remaining the same, and Chief Negrón clarified why that is.

Comparing 2012 and FY2013, the budget is \$198,000 more this year, Chief Negrón said. The O&M is only \$1100 more. Most of the increase is in personnel, at a cost of \$197,500. Councilman Sutton asked where the increase of \$140,000 is coming from, and Chief Negrón said in addition to the COLA (cost of living allowance), it's for salaries and "an increasing cost of service." Mr. Dadson said the benefit costs rise with the costs of personnel such as insurance, FICA, etc. He said raising a salary by 3% raises the other benefit numbers. Mr. Dadson said he would break that out for council.

Finally, Chief Negrón showed the capital projects; on the front burner is the replacement of the Mossy Oaks station and the purchase of an aerial and replacement pumper for Engine 5. He said the Office of Civic Investment has put together some numbers, which in the present market range from \$3.4 to \$1.7 million.

THE POINT NEIGHBORHOOD ASSOCIATION – UTILITY PETITION

Mr. Michau said they are presenting as Beautify Beaufort, not as The Point; this is part of the project for utility poles and cable. **Peter Hussey** said they have collected 250 signatures on a petition to encourage the city to continue talks with the power and cable companies to eliminate redundant poles in town. In The Point, there are 21 poles standing and in the community at large, Mr. Hussey said, there are dozens more.

Mayor Keyserling said council negotiated for 2 years to enable SCE&G to get the high voltage lines to Lady's Island. Federal law requires that those lines go higher. During that negotiation, SCE&G agreed to a certain number of things, most of which have been done. The issue of landscaping the old rusty poles was discussed but hasn't been done. They also said they would go underground along their route, Mayor Keyserling said. Then, because of telecommunications regulations, other companies have varying contractual agreements to be on SCE&G poles. They were to work with those companies to come off the poles and go underground if possible – "but that fell apart," Mayor Keyserling said. This explains the randomness and complexity of what's there, he said, and explains the impotence of the city to do anything about it.

Mayor Keyserling continued that the city opposed Hargray being a state franchise and the secretary of state refused it. Charter has been bought by Hargray, so Charter's no longer an issue. Mayor Keyserling said they did the pilot study and "are looking for ways to experiment." The city "has no teeth" regarding the randomness of the cables, he said. He feels personally that consumers will have more power by asking for more of the vendors in terms of how they treat the city.

Mr. Michau said that the group is focused on the service companies poles that are left after SCE&G's new poles have been put in. They want a meeting to be called for representatives of

Beautify Beaufort and the companies to discuss who will and won't move their wires to another pole and to explain why it would cost too much. They want a meeting called "to create a (public relations) nightmare for these people." The city can say they're being pressured by the community by way of getting everyone together. The roadblocks that the companies might throw in their way can be publicized, for instance. He feels that the companies are treating the city "in a shoddy way." Mayor Keyserling said he used the tall poles as an example because it's been an argument for four years with finger-pointing, threats of law suits, etc.

Councilman O'Kelley asked if the redundant poles have nothing on them, or if there are low voltage wires on them. Mr. Michau said the redundant poles have nothing on them. SCE&G has been pretty good about removing them, but some are still there. The others are where there may be two companies that haven't moved their lines over. Once they're moved, Liza Hill calls SCE&G and they remove the empty poles.

Mayor Keyserling asked if he could invite the companies and use the Wednesday community neighborhood meetings as a forum. Councilman Sutton said getting the people from the companies to attend is difficult. Council has made an effort on this, and the ordinance that Beaufort has passed has caused companies to threaten lawsuits nationwide. Councilman O'Kelley said "they'll claim public service immunity."

Terry Hussey said they can bring another tool to the table; the companies "can blow off council," but the communications companies may respond to customers saying they'll leave and go to another company. Mr. Dadson said SCE&G has made an effort to clear up these issues. He said it does take customers working as a citizen group to say something to them. There are many different issues, he added. SCE&G has ordered the communications companies off their poles. He added that "it always comes down to money." The non-standard service agreement produces money that is a fund to bury lines. They don't have the same fee on the low-voltage providers, which makes it harder to get meaningful dollars from them. He cited the costs of undergrounding in a pilot program determined by the Tree Board.

Mayor Keyserling said maybe just the clean-up issue should be dealt with first; undergrounding is more complicated. Councilman Sutton said citizens can cut the wires if they're not getting service to anyone and some may belong to companies that no longer exist.

There being no further business, the meeting adjourned at 7:04 p.m.

A regular meeting of the Beaufort City Council was held on May 22, 2012 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, George O'Kelley, Mike Sutton, 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.

CALL TO ORDER

The Mayor called the meeting to order at 7:11 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was led by Councilwoman Beer, and the Pledge of Allegiance was led by the mayor.

UPDATE ON RAIL TO TRAIL

Dean Moss offered an update on the Spanish Moss Rail Trail. The PATH Foundation in Atlanta has built more than 170 miles of trail in Georgia. It's a cooperative effort between the public and private sectors, he said. He showed photos of some of the trails PATH has created. \$1.16 million was given by the Cox Foundation for the Spanish Moss Trail, \$100,000 of which is for planning of the *entire* trail. \$497,960 is for construction of the trail from Allison Road to Depot Road. \$600,000 is for a challenge grant for construction of the trail from Laurel Bay Road to Clarendon Road. Mr. Moss said the county is following up for the area from Depot to Parris Island Gateway, which leaves a section between Parris Island Gateway and Laurel Bay, which he said is currently being worked on. They feel that once people experience the first mile, they will have "an amazing amount of support for continuing the trail."

Mr. Moss showed the logo for the trail. There will be no designated parking at Allison Road, he said. He went on to describe the particulars of this phase of the trail. A bridge to TCL will cost about \$50,000, and that's not been raised yet, though there is a place designated for it. There's also a place for access near Grayson Street. There's a crossing at Hermitage which DOT will have to deal with and then the trail ends 200 yards past the Depot. The path will be 12' wide, 5" thick. What they do on this section will set the standard for the rest of the trail, Mr. Moss said. The rest needs to be consistent in terms of features, design and logos. BJWSA own the depot building and has given the city an easement on it, so the city can decide what it does with it. Merritt Patterson owns the adjacent property. The space in the building that is not used as part of the trail would be good for development. The Office of Civic Investment has made sketches of what they would like to do with that section of the Depot building.

Mr. Moss showed various signs that would appear on the trail as well as the benches, trash cans, and bike racks. The first mile will include all of these amenities, he said. There are public art opportunities along the path. The concrete color changes just before road crossings. He

went on to show the schedule of meetings in regard to the Spanish Moss Trail. Design for construction began May 11 and will run through June.

Councilwoman Beer asked if she could ride her golf cart on it, and Mr. Moss said the county, Port Royal and Beaufort would all have to adopt ordinances. Council agreed that they are all excited about the project. Mayor Keyserling asked if the county had agreed that there's no need for redundant engineering. Mr. Moss said he has no signatures, but they "have happy cooperation." PATH may not be involved in other sections, but the Friends of the Spanish Moss Trail want to be involved. Mr. Moss said he believes that they should take the intergovernmental agreement and look at it for the rest of the trail.

MINUTES

The minutes of the work session and regular meeting on May 8, 2012 were presented to council for review. Councilman McFee noted that the planes cited near the end of the minutes should be F-35s, not F-15s. Councilman O'Kelley said that in the next to last paragraph on page 1, he's reported to have said, "the new director is strong and that can help," but he doesn't recall saying it or what he would have meant, so he wanted the phrase removed from the minutes. He also wanted it to be clarified in the minutes that the magazine referred to in the "Reports By Council Members" section should be defined as "The Leatherneck" magazine. **On motion by Councilman Sutton, second by Councilman O'Kelley, council voted unanimously to approve the minutes as amended.** Councilman McFee abstained from voting because he was not present for the meeting.

ORDINANCE REVISING BATTERY POINT PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE PERTAINING TO THE FRESHWATER WETLAND BUFFER

Councilwoman Beer made a motion, seconded by Councilman McFee to approve the ordinance revision on first reading. Ms. Anderson said that the public hearing was held earlier this year. There's a discrepancy between the buffer sizes in the plats and in the PUD narrative. The property owners' association president recommended changing the PUD ordinance to the size noted in the plats. **The motion passed unanimously.**

AWARD OF DUKE STREET STREETScape CONTRACT

Councilwoman Beer made a motion, seconded by Councilman McFee, to approve the awarding of the contract. Ms. Anderson said the project went out to bid and was sent to 16 firms. There were 7 bids received. Cleland Site Prep, which is the contractor for the current phase of the Bladen streetscape, was the low bidder. They recommend that they be awarded the contract for Phase 1 of the Duke Street project. Mayor Keyserling asked about the span of \$350,000 between the highest and lowest bids. **Lamar Taylor** said he thought it was inexperience with bidding on the part of the highest bidder. Councilman Sutton noted that Cleland has been the low bidder on two projects now and for BJWSA. **The motion passed unanimously.**

REPORTS BY COUNCIL MEMBERS

Councilwoman Beer said all the fire hydrants were painted in Pigeon Point.

Councilman McFee thanked people for their support in the last few weeks.

EXECUTIVE SESSION

On motion of Councilman Sutton, seconded by Councilman O’Kelley, 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 personnel matters and advice from legal council. The motion was approved unanimously.

Councilman Sutton, seconded by Councilwoman Beer, made a motion to come out of Executive Session and resume the regular session. The motion was approved unanimously.

ADJOURNMENT

There being no further business to come before City Council, **Councilman O’Kelley made a motion to adjourn, seconded by Councilman McFee. The motion was approved unanimously,** and the meeting was adjourned at 8:41 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK