

A work session meeting of the Beaufort City Council was held on September 11, 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.

PRESENTATION AND DISCUSSION OF NEW NEIGHBORHOOD FIRE STATION

Dave Malushizky of the Lawrence Group made a presentation of a feasibility study that the Lawrence Group had done about the fire department. He showed drawings of the prototype site and building designs for the new neighborhood fire station and headquarters. Collins Design Services has been engaged, Mr. Malushizky said, and they and the Lawrence Group prepared an assessment document to determine the fire department’s needs. Projected costs for the headquarters are between \$3.5 – 4.6 million.

Mr. Malushizky described the area that the Mossy Oaks station would serve and gave statistics about who it and the old building would serve, as well as statistics for the headquarters’ replacement. He showed floor plans and design considerations, and enumerated the ways they encompass trends and focus on community areas for the public. He indicated the hierarchy of programmed spaces. The style of the buildings will be determined by cost and blending it into the look of the neighborhood.

Mr. Dadson said that this is part of the existing bonded building program; it was voted on in 2007, and these are parts of those dollars, so there is no search for new money to do these projects. The Mossy Oaks station is the primary area where the rehabilitation needs to happen.

Councilman O’Kelley asked Chief Negrón whether moving these will affect the Class 2 insurance rating, and Chief Negrón said it could because of the distance to emergencies. He said he had asked the county to look at a response area, and they were able to calculate the area of responsibility of the fire department within 5 miles. Moving the station closer to Port Royal could affect the insurance rating negatively by making the station worse in terms of response time. “The middle is from Mossy Oaks to First Boulevard,” Chief Negrón said. Councilman O’Kelley said he doesn't want to see the insurance rating affected poorly. Chief Negrón said the way they respond to fires is what makes the fire department a Class 2. Councilman O’Kelley said response time can affect it, too, and Chief Negrón agreed.

Councilman Sutton said in regard to design, he’s “not keen on the extra public space” as shown in the drawings of these facilities. Councilman O’Kelley agreed. Councilman Sutton said nothing should be detrimental to the operation of a station, including bringing the public within certain

areas. There is bond money being used for long-range planning goals, which could involve up to three stations, so they need to be logical in the way that they design these two. There need to be land purchase decisions, for example, so they need to be conservative in their plans, Councilman Sutton feels. They can make the building more cost-efficient. The needs of the building have been determined, Councilman Sutton said, but they are not required to have public meeting rooms; they need training rooms, but they don't need to replicate spaces that are available elsewhere. \$225 per square foot is average, Mr. Malushizky said; \$300 per square foot is high. He said these are not facilities that are being replicated. They are needed for training and administration, but they could also be used by the public.

Councilman O'Kelley said if community rooms are built, they might sit there empty. Mayor Keyserling asked if the training capacity is needed in the neighborhood stations. Chief Negrón said that they need centralized training spaces; currently they are shared with the Port Royal fire department, and "Port Royal has taken the space over." The most central location would be Mossy Oaks. Mayor Keyserling asked if the main station would need training space as well. Chief Negrón said they would need to look at it again when they go to build headquarters, so that they don't replicate that training space. Mayor Keyserling said when they decided to postpone and to renovate the existing main headquarters, they realized that they had training space at the police department next door. Chief Negrón said because of the secure location of the training room and the needs of the police department to control access to the training room, the fire department has been limited in its ability to use it.

Councilman Sutton discussed the logic of having a station for training at the "old" headquarters when the new one is moved. He feels "the ideal neighborhood station is one that is pushed further into the neighborhood." Chief Negrón showed a graphic of the areas in which proposed stations might be built. The Beaufort Plaza fire station will come sooner than the Bellamy Curve station, Chief Negrón said. They would like to see Beaufort County EMS come in across the courthouse from the county complex.

Councilman Sutton asked if the county EMS program should be consulted about what their thoughts are for a long-range move. The Beaufort Plaza location is the most logical and practical next step for the next neighborhood station, he said, after the Mossy Oaks station. Councilman O'Kelley said if they get rid of the Ribaut Road headquarters, they are leaving downtown fairly unprotected, and the downtown station is only proposed at this point. Councilman Sutton said the headquarters station may downsize its equipment but stay in the long-term.

Mayor Keyserling said most of the calls received are medical-related for first responders. Between EMS, the county, and Port Royal, they need to figure out a long-range plan, which they have been trying to talk about, but "the county has been pretty much silent in these conversations to this point." With such big plans and money beyond the bond referendum, he feels they need to see again about working with EMS to help cover costs. Councilman Sutton said a fire truck will always roll with an ambulance until the public accepts that that doesn't need to happen. Mayor Keyserling said maybe they should take another shot at it.

Mr. Dadson said one critical step is to move forward with design and bid packages and also to determine what council wants to see go out to bid. Mossy Oaks is the primary focus. Councilman Sutton said they can't determine that until they know about the new headquarters station. He said that "the next move is Mossy Oaks." Mayor Keyserling agreed and said that and the arbitrage issue are what's driving them.

Councilman O'Kelley suggested that Mossy Oaks be made the headquarters in lieu of just being a neighborhood station. Mayor Keyserling said he's inclined to agree. Councilman Sutton said they need to ascertain how much time they have with the renovated building while they still do land purchase and building. Mayor Keyserling said the second level was for restrooms and the living station to be done without restructuring the whole building. Mr. Dadson said he hears council saying that they want the neighborhood station on a site for the headquarters with an alternative for what can be added in at the time they think it's necessary when they make the decisions in regard to the headquarters station. Mayor Keyserling said they are currently short a training room for the fire department.

Mr. Malushizky said expandability is incorporated into the models council is being shown. The expendable space would be adaptable, if they had to add a bay, for example. The support space would be on one side and the storage would be expendable, so a third bay could be added if needed. The administration and sleeping quarters are also stacked to allow for increase in their size.

Councilman Sutton said if they built the Mossy Oaks station correctly, they could modify the headquarters to serve the current needs, and then ask the county to join with EMS in the current headquarters station.

Mr. Malushizky said in regard to next steps, they encourage clients to look at the designs they want and to determine what their needs are so that they can give them a more specific package with plans, elevations, costs, etc. that are project-specific. Councilman McFee asked the time frame for that. Councilman O'Kelley said the "arbitrage is the elephant in the room," and **Kathy Todd** said they have 12-15 months for it to be committed.

Chief Negrón said a difficult issue coming up was having a design without a piece of land to put it on. Mr. Malushizky said they wouldn't want to go further than they have without a site. Mr. Malushizky said the site piece is key and may be the most time-consuming. Mr. Dadson asked Ms. Todd to obtain final word on the arbitrage period and whether it's committed or uncommitted, etc.

MILITARY ENHANCEMENT COMMITTEE MONETARY COMMITMENT

Jon Rembold said the MEC activities throughout the summer were the topic of this presentation. In June, the MEC hired a consultant in Washington, DC. Representatives met with the Pentagon and others to determine how sequestration could affect our area. There are 180

small aerospace-related businesses in the state; the larger industries can absorb sequestration better than the small ones with 5- 10 employees. They will close as soon as sequestration goes into effect. In August, delegation staffers came to Beaufort and went with the state military base staff force. He said that Hilton Head Island, Bluffton, and Port Royal have committed funds or are in the process of asking their councils about doing so.

Mayor Keyserling asked, with 180 businesses involved, what is the state doing to help. Mr. Rembold said the military base task force was meant to open the eyes of the industry. Mayor Keyserling said he knows they are talking but wondered if they had made a financial investment. There was general agreement that the funding is not there. **Col. John Payne** said they would like to build it into next year's budget, but it's not in this year's budget. Mr. Rembold said they are more aware now of the issues related to sequestration. Mr. Rembold said last week, there was supposed to be a sequestration report delivered by President Obama, but it didn't happen and may happen this week.

There are efforts to extend the time before sequestration, Mr. Rembold continued. There are a variety of Port Royal efforts happening. **Col. Jack Snider** said they are looking at \$54.7 billion in cuts for the first year unless the president signs a law to avert sequestration. Everybody expects a long-term solution, Col. Snider said. After the lame duck session, Congress is talking about putting in a short-term stop. This will probably happen whoever is president. President Obama sees no reason to make a long-term deal before the election or before January 2, 2013.

Col. Snider went on to tell what the impact would be on private sector jobs and the GDP with sequestration. He said most importantly, a long-term solution will be a BRAC. It will be a part of the cuts. The lawmakers have heard the Beaufort story, he said. **Col. John Payne** said they were positively received. Sequestration will make cuts across the board, Col. Snider said, and that's what they are hoping to hear about from President Obama this week.

Col. Payne said there are many private contractors making money at the MCAS now. The MEC costs money to keep it going, and they "are good for about ten months right now," he said. They would like more assurance than that.

Mayor Keyserling asked if the private defense contractors were more concerned than the military. Col. Payne said they have heard from Leon Panetta that they are not to utter plans about sequestration because it might not happen, and the DOD also suggests silence because they might be able "to determine what can be done without" if there's talk about the potential effects. Col. Snider said the president will not attack military pay; they will look at operating budgets and procurement; the latter will be the big one.

In January, there will be \$109 billion in cuts, Col. Snider said. They are focused on the DOD because of discretionary spending. Col. Payne said these cuts will affect the Department of Health Education and Welfare, etc. – anything that's a discretionary fund except Medicare, Medicaid, and Social Security.

There was discussion of the political origins and implications of sequestration. Col. Snider said there won't be a huge loss of jobs, but there will be cuts in jobs, i.e., the F-35 long term. Mr. Dadson said long-term, there will be budget cuts for the next 10 years. Col. Payne said they would prefer to do it through a BRAC.

Councilman O'Kelley asked if attrition is discussed. Col. Snider said the military's signed up to cut; re-enlistment will be reduced. Col. Snider said it's "a difference between bodies and toys." Mr. Dadson said people in the private sector make toys. Councilman O'Kelley asked about people in states with no military presence and whether they care. Col. Payne said they don't care. Mr. Rembold said that even those states will be affected in some way. Col. Snider said the F-35 has parts made in nearly every state.

Col. Payne said he feels they have made people aware of what sequestration is and the effects it will have at home. Mayor Keyserling said council has been asked for \$50,000 by MEC. The county is committed to \$250,000.

EXECUTIVE SESSION

On motion of Councilwoman Beer, seconded by Councilman Sutton, 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 discussion of property, contracts, and advice from legal counsel. The motion was approved unanimously.

Councilman O'Kelley, seconded by Councilman Sutton, made a motion to come out of Executive Session and resume the work session. The motion was approved unanimously.

There being no further business, the meeting adjourned at 6:55 p.m.

A regular meeting of the Beaufort City Council was held on September 11, 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 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Yancy O’Kelley said that she feels that there is not the coverage for events in Beaufort that there once was in the Beaufort Gazette. There’s also no WJWJ anymore. She hears a lot of information being spread publicly that may or may not be true about what’s going on in Beaufort. “Not every initiative has merit,” Ms. O’Kelley added, and she asked that when people are appointed to boards and committees, that council be careful about who they appoint.

Ms. O’Kelley said she knows that all of council has been approached about Ribaut Road. She feels council needs to think about the city; they need to have vision but to think about the community, too.

Ms. O’Kelley said downtown parking meters are also a concern. The people who go downtown should be considered, and people getting parking tickets keeps them from coming downtown.

In regard to the Clarendon annexation, Ms. O’Kelley said there were many heartfelt opinions; most that she knew were against its annexation. She asked again that when people are appointed by council to boards and commissions, that the word be gotten out to allow more community participation.

Mayor Keyserling acknowledged that communication is difficult, though he said he “works at it.” He admitted that it’s difficult: there is a lot to follow and it’s complicated, and there are people who don’t get involved until something directly affects them. He said public notices don’t always get published. People believe that some issues are “done deals” when they’re still just being looked at and considered.

MINUTES

The minutes of the work session on August 21, 2012 were presented to council for review. Councilman McFee said that the blanks in the Executive Session section need to be filled in.

Councilwoman Beer made a motion, second by Councilman McFee, to approve the minutes as amended. The motion passed unanimously.

The minutes of the work session and regular meeting on August 28, 2012 were presented to council for review. Councilman McFee noted that the "Hundred Pines" neighborhood was incorrectly referred to as "Hunter Pines." **Councilwoman Beer made a motion, second by Councilman McFee, to approve the minutes as amended. The motion passed unanimously.**

**ORDINANCE REVISING SECTION 5.4.G OF UNIFIED DEVELOPMENT ORDINANCE (UDO),
"SETBACK AND OTHER YARD REQUIREMENTS FOR ACCESSORY USES," TO ESTABLISH A
MINIMUM STREET SETBACK FOR GARAGES**

Councilwoman Beer made a motion, second by Councilman McFee, to approve the revision to the ordinance on second reading. Libby Anderson said there's no specific setback for garages. For most, it's 12' - 15'. On a corner lot, the front setback can be 6' - 7.5'. She read the revision to the ordinance; it will only affect those with garages that are facing the Street, and they shall be set back from any side street property line a minimum of 20'. Councilman McFee asked about side facing garages which block a side street. Ms. Anderson said it's concerned with when the doors of the garage face the street, not whether the house itself faces the street.

Councilman Sutton asked if this were new language than that discussed on first reading. Ms. Anderson said it's not. Councilman Sutton said people park in the street a lot and not in driveways, as when people go to church downtown. Councilman McFee said in regard to the form-based code and the downtown core, there are "bound to be problems with doing things less flexibly." He understands why this is needed, but he feels it's "the tip of the iceberg of issues dealing with the Beaufort code." Councilman Sutton said this would only apply when a property has a house on a corner facing the road on two sides. Councilman Sutton said this is not likely to occur too often to make it a real problem, but there are places where it will work or not work. Councilman Sutton reiterated that there is no enforcement of parking on the street. Councilman McFee said if the garage opens to a different side, it would still have to be 20' to the street. They're trying to encourage a side opening, but the example he was citing was to indicate that this couldn't be done on either of the sides which face the street on a corner; it could not be built now.

Councilman O'Kelley said most historic houses didn't have garages. Councilwoman Beer said she agrees with both sides. Mayor Keyserling said they know they want to encourage accessory units, so he will vote for it, but he would like to see this get more attention. **Maxine Lutz**, Historic Beaufort Foundation, said the group objected at the HDRB meeting, but it was passed anyway. They objected to the specific example that was being shown at the time. Councilman McFee said it is important to pass this to give the HDRB a tool. Councilman O'Kelley said there are still ZBOA adjustments to be made, if necessary, if, say, someone only had 19' for a set back. There was agreement that once there is form-based code, it will supersede the UDO. **The motion passed unanimously.**

ORDINANCE REVISING THE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO ADD A NEW SECTION 7.7, "STORMWATER," SETTING OUT NEW STANDARDS FOR STORMWATER MANAGEMENT AND CONTROL

Councilman O'Kelley made a motion, second by Councilwoman Beer, to approve the revision to the ordinance on second reading. The motion passed unanimously.

ORDINANCE REVISING PART 5 OF THE CODE OF ORDINANCES

Councilwoman Beer made a motion, second by Councilman McFee, to approve the revision to the ordinance on second reading. The motion passed unanimously.

AMEND THE FY 2012 BUDGET

Councilwoman Beer made a motion, second by Councilman Sutton, to amend the budget on second reading. Mayor Keyserling said that this is last year's budget. Ms. Todd said it will complete the closure of FY 2012. She reviewed what the amendments will do and said that they have no affect on the fund balance. **The motion passed unanimously.**

AMENDMENT TO ELECTRONIC DEVICES WHILE OPERATING A MOTOR VEHICLE IN THE CITY, SPECIFICALLY TEXTING WHILE DRIVING

Councilwoman Beer made a motion, second by Councilman McFee, to approve the amendment on second reading. Mr. Dadson asked if there was an effective date that has been put on this. Councilman O'Kelley said the police chief thought there should be, and they can take time to educate about enforcement, even though it's effective upon adoption. Mr. Dadson said they should say in the adoption that it leaves adequate time for the police department to educate about the ordinance. Mr. Dadson suggested that the ordinance shall become effective upon adoption with adequate time for the police department to educate the public, or say 30 days. Councilman O'Kelley suggested 60 days rather than just "adequate time." **Councilwoman Beer made a motion, second by Councilman McFee, to amend the original motion to include language in regard to its being effective 60 days after its adoption. The motion to amend passed unanimously. The amended motion passed unanimously.**

ORDINANCE REVISING SECTION 7.2.G.2.B OF THE UDO, "ATTACHED SIGNS," TO CLARIFY THE METHOD FOR CALCULATING THE SIZE OF ATTACHED SIGNS

Councilwoman Beer made a motion, second by Councilman Sutton to approve the revision to the ordinance on first reading. Ms. Anderson reiterated the issue as it applies to sign designers. The motion passed unanimously.

ORDINANCE ZONING A PARCEL OF PROPERTY LOCATED AT THE INTERSECTION OF US 21 AND PARRIS ISLAND GATEWAY, HIGHWAY COMMERCIAL DISTRICT

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the ordinance on first reading. The motion passed unanimously.

ORDINANCE ANNEXING PROPERTY LOCATED AT THE INTERSECTION OF US 21 AND PARRIS ISLAND GATEWAY

Councilwoman Beer made a motion, second by Councilman McFee, to approve the ordinance on first reading. Councilman O’Kelley told the public that this is the old Dixie Trailer Park. Councilman Sutton said that the current county zoning allows for similar activity on that parcel, even though the county’s zoning is called something different. Ms. Anderson said yes, and described the similarities in the types of zoning. Ms. Anderson said it’s not an upzoning, just a change because it’s being annexed. **The motion passed unanimously.**

MOTION ALLOWING CITY MANAGER TO ENTER INTO BOUNDARY STREET INTERGOVERNMENTAL AGREEMENT WITH BEAUFORT COUNTY

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the entrance of the city manager into the intergovernmental agreement with Beaufort County. Mr. Dadson said there is an MOU to manage the Boundary Street project. This is necessary because the Federal Highway Administration is a new player due to the TIGER grant. This modification “will make it very clear where every penny of the money flows,” Mr. Dadson said. **The motion passed unanimously.**

REQUEST TO ALLOW PUBLIC ASSEMBLY ON CITY COMPLEX GROUNDS FOR BEAUFORT LIFE CHAIN 2012

Councilwoman Beer made a motion, second by Councilman O’Kelley, to approve the request for the October 28, 2012 event. Councilman McFee asked what this group does. **Teresa Williams** said that it is “a pro-life prayer service” done throughout the country. They usually meet in front of the county building for a prayer and then assemble on Ribaut Road and Boundary Street with signs. She described what the group does while assembled and showed the anti-abortion signs they will hold. The people in “the chain” would just be on Boundary Street for safety. **The motion passed unanimously.**

REQUEST FROM THE EXCHANGE CLUB TO HOST ANNUAL GHOST TOURS

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the request for the event October 12 - 28, 2012. The motion passed unanimously.

REQUEST FOR STREET CLOSURE IN THE MOSSY OAKS NEIGHBORHOOD FROM MOSSY OAKS ELEMENTARY FOR A 5K RUN/ WALK

Councilwoman Beer made a motion, second by Councilman Sutton, to approve the request for the October 13, 2012 event. Councilman O’Kelley asked if they will need police presence and the event’s representative said yes. She said the school is doing a fundraiser that will pay for the police supervision. Mr. Dadson said the chief did not endorse the route, and Mr. Dadson feels that they should endorse the event *with a change of route* for safety. **Councilwoman Beer made a motion, second by Councilman Sutton, to revise her original motion to say that council would approve the event request *after a new route has been established by the Chief of Police.* The motion to amend passed unanimously. The amended motion passed unanimously.**

MAYOR’S REPORT

Mayor Keyserling said at 2:00 p.m. September 13, the groundbreaking for the Spanish Moss Rail Trail will take place. Also, thanks to a transition grant from the LEA, TWEAK was launched, and they have been getting phone calls from businesses looking for workers from Beaufort County and surrounding counties.

COUNCIL MEMBER REPORTS

Councilman O’Kelley said the southern half of Bladen Street is almost open, and people can get by Horse Trough Park “either way now.”

Councilwoman Beer thanked the city for help with putting on the 9-11 service that morning. She added that the Lt. Dan concerts will be on the upcoming Friday and Saturday nights.

Councilman Sutton asked the city manager about the mooring field. The permit’s been put in, and Councilman Sutton “wants the city to stay on top of it.” He also noted that there is an increase in derelict vessels.

Councilman McFee addressed the public, saying that there are three council workshops and two regular public sessions of council a month. He has heard criticism about council speeding through votes on first and second readings without discussion, but the issues therein have been discussed for many hours in work sessions before the regular meetings. Ms. O’Kelley asked if work sessions are open to the public, and Councilman McFee said yes, plus they are reported in the minutes which are distributed to media and can be found on the website of the city. Ms. O’Kelley said that assumes everyone has a computer but not everyone does.

Mayor Keyserling said the city was presented with a plaque from the Exchange Club of Beaufort.

ADJOURNMENT

There being no further business to come before City Council, **Councilwoman Beer made a motion to adjourn, seconded by Councilman O’Kelley. The motion was approved unanimously** and the meeting was adjourned at 8:02 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK