

A work session of the Beaufort City Council was held on July 22, 2014 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, Mike McFee, Mike Sutton, and George O’Kelley, 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

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

PRESENTATION: SCE&G NEIGHBORHOOD ENERGY EFFICIENCY PROGRAM

Gerald Freeman said he would be discussing the SCE&G Neighborhood Energy Efficiency program, which is targeted to limited income neighborhoods and helps families reduce their energy consumption by installing energy efficiency measures to help them to be more efficient and to learn more about how to increase the energy efficiency in their homes. They do an in-home assessment and educate the residents to continue it beyond what the program is doing. They will do a door-to-door delivery as part of a neighborhood sweep.

Mr. Freeman showed a slide of the measures they implement. Among them are an in-home energy assessment, 15 compact fluorescent bulbs, HVAC filters – they install one and leave a year’s worth – a ‘smart’ power strip, an adjustment to the electric water heater temperature, and they will wrap the heater and its pipe. They want as many people as possible to participate, so they will invite every customer in a neighborhood to attend an event and will have speakers. Mr. Freeman said they want the customers to know that there’s no catch to the program and to want “to get the neighborhood talking to one another.”

Mr. Freeman indicated the area from which the customers would be pulled. **Brad Samuel** said that the program is targeted to low- to moderate-income customers. Mr. Samuel said they do 8 to 10 houses a day. There will be a roll out here and then in the Town of Port Royal.

Mayor Keyserling recommended that they talk to some families and get well known neighborhood leaders who will help them sell the program to suspicious older people. They should do this before they have the community rollout, he feels. Some people just don't want strangers to come into their homes.

Chief **Sammy Negron** said the fire department would like to put in smoke detectors and fire extinguishers if they would let him tag along. **Libby Anderson** had promoted the same idea, Mr. Samuel said, and they would like to have the firemen go with them. They send an introductory letter to the customer, and it tells about the program and invites them to the kick-off event. Right before it, the technicians like to get in the field and hand out flyers. They would like to identify some of the neighborhood leaders and let them know what is going to happen in their community. Chief Negron spoke more about what they do when they go to homes and said, “It

sounds like a good fit.” Mr. Freeman said that there is an authorization form for the residents to sign, authorizing SCE&G to come into their house and “to do what we do.” They expect to get to Beaufort at the end of August, right after they get done with Aiken.

Councilman Sutton asked what their target number is. Mr. Freeman said they would like to do 250 homes between the City of Beaufort and the Town of Port Royal. Councilman Sutton said that’s a good target zone and described why. There are tenants/renters and owners’/heirs in this neighborhood, he told Mr. Freeman. The mailing may be a problem because they did that for the Block-By-Block program. Councilman Sutton asked where the event would be, and Ms. Anderson said they are hoping for the Charles Lind Brown Center/Greene Street Gym. Councilman Sutton said that they will get a good response from door hangers, and Mr. Freeman said they have some. There is a lot of vacancy, Councilman Sutton warned, and a lot of people who won’t open their doors. Councilman Sutton said “the people in that neighborhood are heavily over 80 years old,” and “they will respond to a door hanger,” but they won’t go to the Lind Center for an event. Neighborhood leaders can help Mr. Freeman “identify those people who will be hesitant.” Councilman Sutton said, “Most of those houses have window AC units.” There’s no weatherproofing in those houses, and he said the best thing would be an insulation program.

Mr. Samuel said they would do a home audit at any time. Councilman Sutton said they ‘spent so much money’ working in that neighborhood with Block-By-Block, and he described some of the things that they did. 120 houses were renovated. He said this is a great step. Mayor Keyserling recommended **Dwayne Smalley** and **Henrietta Goode** to help them get their foot in the door and improve participation. Ms. Anderson will send those contacts to him.

DISCUSSION ITEMS

Update on the Bailey Bill

Ms. Anderson said that council has been supportive and receptive of the proposal. They have taken it to the county now, and their Finance Committee was “responsive” and asked for a recommendation from the school board. **Lauren Kelly** went to one of the school board’s committee meetings, and then she and Councilwoman Beer went to the school board meeting, where their agenda item was removed during an Executive Session. They aren’t sure what the school board’s concerns are, Ms. Anderson said, but it may be their revenues during that tax freeze and/or the properties moving from 6% to 4%. They would like opportunity to reassure them about those concerns.

Mayor Keyserling said he had exchanged emails with the president of the school board, and they were taken off the agenda for something that had nothing to do with the Bailey Bill program. Mayor Keyserling offered to get information on how this can help the school board for a meeting with the financial director and the superintendent. He said that they were focused only on something in Bluffton, and the chairman didn’t want to pull focus from that issue with this one. Mayor Keyserling said they had agreed that the city would build a model and inform them of the “upside of this.”

Councilman Sutton asked if they could schedule a driving tour. Mayor Keyserling said that wouldn't hurt; they were told that this program can help them fill empty classroom seats, and they will not have to build new schools. Councilman McFee said, "Unless it's their district, they have blinders on." Mayor Keyserling said it's all about numbers, and "they're already losing money ... they lose revenue if a house goes from a 6 to a 4 ... They aren't seeing the possible impact of hundreds of thousands of dollars going into a neighborhood." The 2 board members he talked to were "pretty damn blind." Mayor Keyserling thinks the votes are there; only one person (**Jim Bequette**) had spoken up against it, and "he has subsequently rethought that," Mayor Keyserling said.

Boundary Street Code Interpretation Discussion

Ms. Kelly said staff had prepared a memo for council about how to make business easier for businesses in the Boundary Street Redevelopment District

1. Refining the code to address frontages in SCDOT's right-of-way
2. Changing some things from 'shalls' to 'shoulds' to allow greater flexibility
3. Changing the appeal body to the Design Review Board instead of the Metropolitan Planning Commission; Ms. Kelly said this would be less intimidating than the Metropolitan Planning Commission, which is the current appeal body; also, the Design Review Board is locals-only.

Ms. Kelly listed some case studies and said they had tried to illustrate areas where staff needed to allow some interpretation of the ordinance. If council finds it appropriate, they will begin to implement some of the provisions. Mr. Dadson said this is staff's "version of issues," and if it matches council's, then they would go forward. The SCDOT one is the biggest one, so they must make sure the code addresses how it deals with Boundary Street, and especially the DOT-owned right-of-way out front.

Mayor Keyserling said in regard to shalls and shoulds, he and Councilman Sutton had had a discussion about this. Councilman Sutton said when it was written, they "tried to have a strict code," and he said "changing shalls to shoulds" is "a good start." If they "are ready to jump this to the Design Review Board," the board will need some education on the code, Councilman Sutton said. They are "one of our more arbitrary decision-makers," and they acknowledge that they don't have any direction, unlike the Historic District Review Board with the Milner Report, for example.

Mayor Keyserling said he sees Redevelopment Commission more as helping developers and making things happen rather than being regulatory. Mr. Dadson asked if council thought the Design Review Board was the appropriate board to go to, and Councilman Sutton said he did.

Mr. Dadson said the county elected to do a rebidding process on the Boundary Street work, so because of that, the timeframe is moved back, but they are "trying to continue to move things forward." Next is a communication plan. The county has rejected the bids, and it goes back out

to bid on October 1. Until then the city needs to deal with:

- Settling the utility issue – All the utilities are now “at the table,” and the city has the ability to put the proper design elements into the bid. The county has been working with all of the utilities, and they are ensuring that they know where everything is.
- The right-of-way issue – There’s a conditional certification for the right-of-way, and they “need time to balance our issues,” Mr. Dadson said; they hope that the uncertainty in pricing may be better. The city is putting out a brief press release with a preliminary schedule as they move forward. He said “we have more certainty in our process.”

Dick Stewart said he didn’t know if the city knew about “the 10’ agreement” that they are required to have to bury the lines. His company buried theirs under the sidewalk, and that’s affected their setbacks. Also, “from the surface to the duct bank” is another issue that they need to deal with. Mr. Stewart and Mr. Dadson discussed this 10’ requirement and the duct bank. Ms. Anderson said they “need to know if any easements pose challenges as well.” Ms. Anderson and Mayor Keyserling discussed next steps.

Codes Enforcement Duties

The City of Beaufort is exploring its options in regard to the code inspector. “It’s not that enough wasn’t getting done, but the scope of **Dawn Boren’s** duties might not have been known,” Chief Negrón said. The city has a year-to-year contract with SAFEbuilt, and it can be extended on a month-to-month basis. Ms. Boren resigned, which “created an opportunity to explore any options to either renew the contract with Safebuilt or explore opportunities with the City of Beaufort,” Chief Negrón said. He said he had met with staff “and explored different options.”

1. Extend the current Safebuilt contract with hours adjusted hours to 18 per week – Chief Negrón ran down the pros and cons of this option.
2. Hire a full-time City of Beaufort person – Again, Chief Negrón considered the pros and cons. SAFEbuilt will vouch for someone, and they will not have to bring in a new person who is unfamiliar with the codes of the city. “Code officials are sometimes talking the wrong way,” Chief Negrón said, and “can generate bad blood.” There are no cost savings with this option over option #1.
3. Hire one or two part-time Code Enforcement employees
4. Merge this position with the fire marshal position – The fire department has needed a fire marshal for a few years, Chief Negrón said, and he has requested this position in the budget. He thinks “there are good opportunities in this merger.” The fire marshal would be responsible for the Code Enforcement duties with SAFEbuilt. Chief Negrón said this could be within the current budget; currently the person they would like to promote is not a fire marshal, and they have money for that. They will have to hire a fire fighter to replace him, though, and that will cost \$56,000. “There is a cost-savings in the budget to make this happen,” Chief Negrón said.

Mr. Dadson said there are savings, “but you also have the presence here.” Code Enforcement goes in cycles, Mr. Dadson said, with spikes and slow-downs. The savings would allow the City

of Beaufort “to have dollars to cure issues.” They would have a pot to pull from when they needed it.

Chief Negrón compared the duties and the responsibilities of the official and the fire marshal and said that they are “remarkably similar” and “almost identical.” The personnel are experienced enough to bring a case to court, if need be. They are educators, too, and they give opportunities for people to cooperate, though if they don’t, in both positions, they will write a ticket for a violation. The right of entry was a concern council had expressed, Chief Negrón said, and “The citizens are protected.” The fire department can’t gain access to property without a fire warrant if someone isn’t home or refuses to answer the door.

Mayor Keyserling said he’d “heard so much” and was “confused and not ready to make a decision.” Councilman O’Kelley agreed. Councilman O’Kelley said they could go month-to-month with SAFEbuilt if they have to. Mayor Keyserling said he thinks they “need more conversation, and it needs to be simpler.” Mayor Keyserling questioned why they should outsource the work, when all the calls come into Ms. Anderson’s department, anyway, and other options will cost the same amount of money.

Boundary Street Communication Plan

John Williams said it’s important to communicate with everyone about what’s going on on Boundary Street: stakeholders, property owners, people driving through, renters, etc. They are working their way into the pre-construction process. Mr. Williams has been working on the web page – just the projects part, Mayor Keyserling said – though it’s down now because they want to freshen it up and ensure that people can easily figure out where to go for the information they need.

Mr. Williams said residents, people who pass through the city, and the tourists “are all targets,” i.e., if there are traffic delays because of Boundary Street construction as they go out to Fripp. They are working on getting out accurate and timely responses. They have “a goal to minimize glitches and get the information out there,” according to Mr. Williams. There are many ways to share information now, he added.

Mr. Williams said that the web site is the linchpin/home base, so when they “send information out, it can link back.” They will make things as simple as possible to share, so “an on-air radio DJ can relay the message to people” about delays, for example. There are City of Beaufort partners like Eat Sleep Play Beaufort. WHHI-TV is another possibility. They can get spots on 2 shows at a monthly rate, and someone from the City of Beaufort to inform people about Boundary Street, the Civic Master Plan, or whatever the city is involved in. Mr. Williams went on to describe some of their partners.

Mayor Keyserling told Mr. Williams that the county’s program is “exponentially larger.” They “may have thought about some of this beforehand” and may be able to give him advice on his program. Mayor Keyserling said unless here were an encroachment issue, he thinks

conversations haven't been had in many years as far as what they are going to see on Boundary Street, so "people need to be sat down with and talked to." He said the few he has talked to "are in the dark." They need a strong campaign of one-on-one visits. "Those people on Boundary Street need to know that the city is on their side," Mayor Keyserling said, and then they will pass the word along to others.

Mayor Keyserling said a lot of people use the county traffic cameras and maybe they could be temporary and only up while the construction is going on. Mayor Keyserling said the use of the county's tools and experience would be very helpful. He stressed again that he wants to talk to the people on Boundary Street.

Mr. Dadson said they had started working with **Rob McFee**. Everyone had made good points, Mr. Dadson said, about property owners, the county channel and traffic, and getting to people first. Councilman Sutton asked if the county had "the big signs" for the 4 major intersections that drive people into that corridor. Mayor Keyserling agreed that they need to be careful, but emphasized that they also don't want to kill business. Two years is a long time for people to think that the city is routing people away from them. Mayor Keyserling said they couldn't "overestimate how important the conversations are." The contractors have to know access management, Mayor Keyserling said; Mr. Dadson said, "That is a big thing with this project." Mr. Dadson said that city staff had reached out to **Erin Moody** and her editors to make sure that information gets out in a positive manner. Councilwoman Beer said "we could get hit with an evacuation," and Mr. Dadson said "It's complicated," and the county has been a good partner on the Boundary Street project.

Mr. Dadson asked if they had any other suggestions. Mayor Keyserling said he'd "like to hear more when they get there." **Joe McDermott** shared that a local radio station gives an area traffic report, and they probably get their information for that from a variety of sources.

The work session was adjourned at 6:58 p.m.

A regular meeting of the Beaufort City Council was held on July 22, 2014 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling and council members Donnie Ann Beer, Mike McFee, Mike Sutton, and George O'Kelley.

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 meeting to order at 7:04 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilwoman Beer led the invocation. Mayor Keyserling led the Pledge of Allegiance.

PROCLAMATION OF GULLAH/GEECHEE NATION APPRECIATION WEEK

Councilwoman Beer made a motion, second by Councilman McFee, to approve the proclamation. The motion passed unanimously. Councilwoman Beer read the proclamation, and Mayor Keyserling presented it.

MINUTES

Councilman Sutton made a motion, second by Councilwoman Beer, to approve the minutes of the council's work and regular sessions July 8, 2014. The motion to accept the minutes as submitted was approved unanimously.

ORDINANCE REZONING PROPERTY LOCATED AT 701, 705, 706, AND 708 CARTERET STREET, FROM OFFICE COMMERCIAL DISTRICT TO NEIGHBORHOOD COMMERCIAL DISTRICT

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

ORDINANCE REVISION TO PART 5, CHAPTER 1, ARTICLE A OF THE CODE OF ORDINANCES OF THE CITY OF BEAUFORT PERTAINING TO THE BUILDING BOARD OF APPEALS

Councilwoman Beer made a motion, second by Councilman McFee, to approve the ordinance on second reading. Ms. Anderson said there was a change in that there are no term limits. **The motion passed unanimously.**

ORDINANCE AMENDING PART 7 CHAPTER 11 ARTICLE D OF THE CITY CODE OF ORDINANCES, SECTION 7- 11067, PERTAINING TO TREATMENT AND CONDITION OF HORSES

Councilwoman Beer made a motion, second by Councilman McFee to approve the ordinance on first reading. Bill Harvey said they will track the TMAC recommendations, and he had drafted the ordinance. One of the points in the amendment is a vet check by an independent veterinarian at least once a year; the Tour Vehicle Coordinator (TVC) would select the independent vet, and she can also order spot checks. Another point in the ordinance is that the horses need to be shod, Mr. Harvey said. The additional 5:20 p.m. time slot is already allowed

by the ordinance.

Councilman O’Kelley said a licensed vet should certify that the horses are in good health. Mr. Harvey said that’s what’s in the ordinance now. Councilman O’Kelley said he hadn’t seen in the ordinance that the operators have to have 2 checks; there will be one once a year by the independent vet, and if the TVC has any substantial concerns, she can order another. Councilman O’Kelley asked if they could amend the ordinance for second reading to include the order of a spot check. He said he doesn't “know the exact language for it yet.” Mr. Harvey said he thought that was in the ordinance already, but he would ensure that it was for second reading. **The motion passed unanimously.**

REQUEST FOR STREET CLOSURE FROM UNITED CHURCH OF JESUS CHRIST TO HOST PARADE

Councilwoman Beer made a motion, second by Councilman McFee, to approve the request for the August 31, 2014 event. Councilman O’Kelley said this is just 4 blocks, but they have to cross Bladen.

REPORTS BY COUNCIL

Councilwoman Beer said that in her opinion, “local contractors aren’t being treated on an equal level to bid on city projects.” She said, “The process would speed up if local contractors are fully qualified.” Councilwoman Beer thinks they should be chosen over someone from out of town and could be pre-qualified. Mayor Keyserling said that he thinks a discussion is in order, and a rolling list of who is prequalified might be a good idea. He said it would be a good work session conversation.

The docks are set, Councilman Sutton said, and they’re awaiting the Dragon Boat Races on Saturday.

Councilman O’Kelley made a motion to adjourn the regular session of council and go back into work session, so council could fulfill its agenda. Councilwoman Beer seconded. The motion passed unanimously.

Councilman O’Kelley made a motion to go into Executive Session for a discussion of pending litigation. Councilwoman Beer seconded. The motion passed unanimously.

Councilman O’Kelley made a motion to come out of Executive Session and adjourn the meeting. Councilwoman Beer seconded. The motion passed unanimously, and the meeting was adjourned at 7:55 PM.