

A work session of the Beaufort City Council was held on June 24, 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.

### **UPDATE ON MOORING FIELDS**

**Isaiah Smalls** said the original plan was 16 transient mooring buoys, 14 additional long-term mooring buoys, and 16 additional anchors without buoy assemblies. He showed a graphic of the original plan. During the placement of the first 16 anchors, they discovered that the rock under the riverbed was secure until they went deeper into the river, where “it got thinner and was just rock.” The rock itself was breaking up and not secure enough, Mr. Smalls said. **Rick Griffin** said “the ones that are there now had good sediment and held,” but as they got further out, the anchors were breaking up the phosphate as they were screwed in. They are going to now go with an alternate plan that the installer has used elsewhere.

Because they couldn't do the planned-for process, Mr. Smalls said, they went to an alternate system that will cost \$3500 per anchor, as opposed to \$1250 for the original anchor, because the anchors “will require jetting and pile driving.” The remaining 14 buoys, belonging to Griffin Enterprises, will be installed, but the additional anchors will not.

Mr. Griffin said they have had phosphorous issues at the marina as well. He agreed that they could've paid a consultant and might have known about this issue beforehand, but that wouldn't change the conditions in the mooring field, he said. Mayor Keyserling said, “But you would've known.” Mr. Griffin said he takes responsibility for that.

Mayor Keyserling said the anchors at the Yacht Club are more primitive, and Mr. Griffin said they are and were considered, but they require concrete and chains and involve more maintenance, plus they're more expensive. Mr. Griffin said at the end of the day, he pays for all but \$58,780, which the grant paid, so it will cost him another \$70,840 to complete the other 14 mooring buoys. The installer has told him that if they go in more easily than is anticipated, the costs could be lower.

Councilman McFee asked if the additional 14 are for long- or short-term, and Mr. Griffin said they could be used for whatever he wants to use them for, because they aren't

using grant funds to pay for them. Mr. Griffin said the surface area has been reduced to accommodate 40' boats, but at low tide, the boats could possibly get into each other's circles. So they have extended further into the mooring area and are putting in smaller circles to accommodate the same size boats. They lost 5 moorings in the reconfiguration. Mr. Smalls showed the budget.

Mayor Keyserling said of the 14 buoys, a number are already taken. Mr. Griffin said 12 are ready to go, but he hesitated to put those boats on them because they are short-term. The ones that are waiting are tied up in the marina, and he has filled the long-term dockage.

Councilman Sutton said they started at \$58,780, and he asked about the \$10,840 figure; Mr. Smalls said that is for the additional buoys. \$58,780 is for the 16 mooring buoys and comes from the grant. The additional buoys are Griffin Enterprises'. Councilman Sutton said then the long-term mooring field is what was affected. Mayor Keyserling said the grant was satisfied. Councilman Sutton said there are not long-term moorings there. He asked what has to be done to get the package they thought they would get. Mr. Griffin said they are 16 anchors short and won't have the additional anchors waiting for installation. Mr. Smalls said they would cost 16 x \$3500 if the city wants to purchase them.

Councilman Sutton said screw anchors were what they thought they had: "This is pipe with no warranty on it." It could rust away in 10 years, so it might not be smart to drive in pylons ahead of time, he feels. Given that they would have had anchors without buoys waiting for the need, Councilman Sutton is OK with having fewer anchors. He said the goal was long-term mooring plus grant mooring for short-term boaters. Councilman Sutton said there's a perception that this is not a friendly town. This process has been going on too long, and they "need to get those boats in there."

Councilman Sutton said he wants to see the mooring field utilized as they designed and planned and wants to know Mr. Griffin's next steps. He wants to know why the short-term mooring field spaces are limited to 30'. He asked if they could get short-term boats in now; Mr. Griffin said they could. Councilman Sutton said the distance between boats creates 14 moorings in which they shouldn't put in more than a 30' boat, and this plan puts in 4 more that they don't need. He thinks they might want to put in some more long boat moorings on the outside row where the water's deeper. There was a discussion about how this could be accomplished. One way would put them beyond the demarcation line for the field.

Councilman Sutton said the engineer "doesn't sound logical in downsizing when it doesn't work" for the mooring field. Mr. Smalls said he's from Thomas and Hutton, and he was recommended. Mr. Griffin said no one has asked the engineer why he designed a mooring field that isn't working for its intended purpose in response to Councilman

Sutton's question. Mr. Smalls said the original design from July 2011 had "104' envelopes for everything that was out there," but he doesn't know who did that design. Councilman Sutton asked how much Thomas and Hutton got for designing the mooring field. Mr. Griffin said about \$10,000, and Councilman Sutton said he'd like to meet with the firm "and get money back and put it toward mooring fields."

Councilman O'Kelley asked about the depth for certain spots, and what a 30' sailboat would do if there's 5' of water at low tide. Mayor Keyserling said, "It depends on what kind of keel he has." A 30' boat wouldn't go there if he has a fixed keel. Mr. Griffin explained it to him, and Councilman O'Kelley said there are still concerns about boats of different sizes being at the same depth. Councilman O'Kelley said the spots seem ample, and Councilman Sutton said yes, but the average long-term mooring boat is over 32'. "Anything less isn't going anywhere," and 40' is the target zone that he sees migrating through Beaufort, but they can't moor in the first 14 spots safely; they only could if they were randomly spaced. Mr. Griffin said most dinghies are motorized now. Councilman Sutton said yes, but it's choppy water sometimes, and people will want to be closer to the dock. He thinks this will work, but he wants it finished and to see it work long-term. Mr. Dadson reiterated that there's an agreement with Mr. Griffin to do the 14 remaining buoys.

Mr. Griffin said OCRM told them that because the charges were in the permitted area, it could be done in-house, but the Corps of Engineers had told him differently today, which means it will cost more money. Mayor Keyserling said they aren't spending money to put in the 16 additional anchors, but there may not be market for them. They have the 30 they originally planned for, and asked how the budget is. Mr. Dadson said there is \$2567 remaining. When Mr. Griffin's 14 are in, the mooring field will be established, but they won't get the extra 16. Mayor Keyserling said once Mr. Griffin sees how they work, he will know whether it's worth it to do more.

Councilman McFee said if they end up with the 16 transient moorings in, there would be no issue. Councilman Sutton said Mr. Griffin could write the agreement with the long-term boaters for even temporary positions. Councilman Sutton said he wants them off the dock, and Mr. Griffin said he did, too. Councilman Sutton said they want the view shed to be of an active mooring field, and that would appease those driving by.

Councilman Sutton said he doesn't "understand why they are crammed in when they have more mooring space available." No one caught this, he feels, so he wants the engineer to be asked. Mr. Dadson said the engineer "probably got guidance from the mooring authority." Mr. Griffin said the engineer was asked to design for 40' boats and came back with 19 moorings with a configuration for 46'. The contractor noticed the difference between 104' and 140' "and didn't know if it was a typo." Councilman Sutton said they should ask if it's built that way, and if they are regulated for 30', which will be a problem that needs to be fixed.

**DISCUSSION ABOUT A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY OF BEAUFORT AND THE CHAMBER OF COMMERCE IN REFERENCE TO FY 2015 HOSPITALITY AND DMO FUNDS**

Mr. Dadson said that **Robb Wells** had sent the city a letter “about how to make cash flow better through the year.” He and **Kathy Todd** and **Bill Harvey** have reviewed the memorandum of understanding and think it will work, so the Chamber of Commerce representatives came to council to discuss how it would work.

Ms. Todd said the state accommodations money and Hospitality Tax come quarterly, and “this would make it more specific,” and it would be distributed 50%-40% with a reconciliation in July. This is not grant money, Mayor Keyserling clarified, but he thinks it might enable doing the grant money more reliably. He said this cash flow situation helps the Chamber of Commerce, costs the city nothing, and works for staff. **Jim Wegmann** said, based on what it’s been in the past, the reconciliation will be 10% or less. “They want to leave some money on the back end for this reconciliation,” he added. Mayor Keyserling said, if it’s the same amount of money for the Chamber of Commerce, and it works for the city, why wouldn't they do it? Mr. Dadson said they wanted to make it clear for everyone.

**EXECUTIVE SESSION**

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law, **Councilman Sutton made a motion, second by Councilwoman Beer to enter into Executive Session for the purpose of discussion of personnel. The motion passed unanimously.**

The work session was adjourned at 5:40 p.m.

A regular meeting of the Beaufort City Council was held on June 24, 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.

**Councilwoman Beer made a motion, second by Councilman McFee, to close the Executive Session and enter the regular council session. The motion passed unanimously.**

#### **CALL TO ORDER**

Mayor Keyserling called the meeting to order at 7:01 p.m.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

#### **PUBLIC HEARING: REZONING THREE PARCELS OF PROPERTY LOCATED IN THE 700 BLOCK OF CARTERET STREET, FROM OFFICE COMMERCIAL DISTRICT TO NEIGHBORHOOD COMMERCIAL DISTRICT**

The properties are located at 701, 705, 706 and 708 Carteret Street and are identified as District 121, Tax Map 4, Parcels 543, 548, and 549.

**Mayor Keyserling opened this public hearing. Libby Anderson** said the City of Beaufort is the applicant, as endorsed by the Metropolitan Planning Commission. She showed the parcels on an overhead projection. She said there are 3 tax parcels with 4 buildings on them. There's an office at 701, a 2-story building at 705 (there have been a number of uses there, but it's now vacant), at 706 Carteret and Duke Streets was the Cook's building, which is also now vacant, and there's a small office building at 708 Carteret Street.

A building owner who would like to make some of the building spaces retail, which is not permitted in the current zoning, began the application. They city doesn't usually support mid-block zoning, but in this case, it seem appropriate, Ms. Anderson said. She described the types of uses permissible in Office Commercial and the zoning in the general area around these parcels. The proposed rezoning is to Neighborhood Commercial district, which permits retail, all types of offices, and residential. As to why they are not seeking to rezone the entire 700 block, Ms. Anderson said the east side is the parking lot owned by USCB, and the west side is St. Peter's Church. Neighborhood Commercial does not permit colleges, and she hasn't heard of any plans to develop that

parking lot, so they decide to leave it out of current zoning. St. Peter's said they preferred to stay out of the rezoning.

Per the Future Land Use map, this proposed zoning is consistent with the Comprehensive Plan. An early new code map, too, suggests "it is also compatible with where we are moving," Ms. Anderson said. The Carteret Street corridor has many intense commercial uses at the south end and in the 500 and 600 blocks, there are some offices and retail and to the north there is residential neighborhood on east and west sides and USCB and some offices.

There have been no public comments received; all notices have been made. The Metropolitan Planning Commission recommended approval at their meeting earlier this month, Ms. Anderson said. There being no public comment, **Mayor Keyserling closed this public hearing.**

#### **MINUTES**

**Councilwoman Beer made a motion, second by Councilman McFee, to approve the minutes of the council's special meeting June 3, 2014. The motion to accept the minutes as submitted was approved unanimously.**

**Councilwoman Beer made a motion, second by Councilman McFee, to approve the minutes of the council's work session and regular meeting June 10, 2014. The motion to accept the minutes as submitted was approved unanimously.**

#### **ORDINANCE SETTING ELECTION DATES AND FILING FEE FOR ELECTION 2014**

**Councilwoman Beer made a motion, second by Councilman McFee, to approve the ordinance on first reading.** Mr. Dadson said that council needed to take an action to set the dates for the election of two members of city council. The filing fee is \$150 and the filing deadline is August 15 at noon for the statement of candidacy and statement of economic interest; November 4 is election, and the elected council members take office December 9. **The motion passed unanimously.**

#### **FY 2015 BUDGET AMENDMENT, TIF II AND CAPITAL PROJECTS**

**Councilman Sutton made a motion, second by Councilwoman Beer, to approve the amendment on first reading.** Ms. Todd said this is for a transfer of funds for \$100,000 to launch the Greenlawn Drive streetscape project. **The motion passed unanimously.**

#### **RESOLUTION REGARDING INTENT TO IMPLEMENT GREENLAWN DRIVE STREETScape AS FUNDS BECOME AVAILABLE**

**Councilman Sutton made a motion, second by Councilwoman Beer, to approve the resolution.** Mr. Dadson said in the Redevelopment District (Boundary Street) the city is engaged in the 1998 TIF ("the gateway TIF"), and there's a TIF over the Redevelopment District; and these are its funding sources. The redevelopment of Boundary Street and a

portion of the parallel road, the undergrounding of utilities, etc. is all part of this. Developers are pursuing Greenlawn to build an apartment complex. The public improvements, if they're not already put in, have to be put in by the developer. The city has "a financial set-aside in the TIFs," Mr. Dadson said, and while they "don't know what money will come in when" for this project, "the TIF has cash flow," and the projects for it to be spent on are ranked. The project ranked after Boundary Street is the Greenlawn Drive streetscape, and the shopping area at the west end is also a priority. When developers come in, Mr. Dadson said, they need to set the lines and get a good part of the engineering done, so this settles where the right-of-way is, etc. It doesn't set when this gets paid for, though: "This allows staff to put in its file system to say, if you develop here, here are the rules, match your surveys with ours, and we'll work together to make it work."

Councilman McFee said this sets a standard by which more emphasis is put on Greenlawn for the potential of more development of Greenlawn Drive but not for funding it. Mr. Dadson said that this doesn't move money for the full implementation, though council had just voted to move money for the implementation. Mr. Dadson said costs in regard to the city's portion of Boundary Street will become clearer "as to the unforeseen things as time and work goes on." This project has been prioritized and priced out in the CIP. There is active development interest in Greenlawn Drive – in this part of the Boundary Street corridor. There are projects in the queue. Mr. Dadson said otherwise staff would have to negotiate how to work things between the private side and the public right-of-way.

Ms. Anderson said the streetscape for Greenlawn Drive has a 50' right-of-way, so they can fit the desired improvements in that right-of-way, but if they need to push something like a sidewalk onto the right-of-way, they will need engineering/design, and this gives them the ability to move that engineering forward. This will set the markers, as it were, for where public improvements are and where private improvements are, Ms. Anderson said. Mayor Keyserling said if he were to build a house there, he's responsible to get to a certain point in regard to the streetscape design. Ms. Anderson said the developer might design the streetscape to a certain extent. The apartments will look and function better if there's a public sidewalk in front of them, but the developer is not required to do so. They won't be charged a permit fee, though, if they do put it in.

Mayor Keyserling asked if a developer could start a project, "with the code saying 'designing the streetscape' now." Ms. Anderson said this is *design only*, not design and construction of the streetscape. Mayor Keyserling said they could start construction of the apartments, though, knowing council has committed to the streetscape with no time frame to build its infrastructure. Mr. Dadson said this document "will allow staff to deal with those issues from a policy perspective." **The motion passed unanimously.**

#### **CO-SPONSORSHIP REQUEST FROM THE BEAUFORT REGIONAL CHAMBER OF**

### **COMMERCE FOR F-35 WELCOMING CELEBRATION**

**Councilwoman Beer made a motion, second by Councilman McFee, to approve the request for the event**, slated for July 11, 2014 in Waterfront Park, and an additional request to allow a fireworks display. **Jimmy Boozer** said this will be a welcome home for the old squadron, as well, and they will receive one or two F-35 planes by time of the ribbon cutting, which will be at 10 a.m. that day. The Chamber of Commerce and the City of Beaufort would co-sponsor “the 501 and all the marines and sailors here in Beaufort,” Mr. Boozer said. There will be an art walk that night, and this will now be in conjunction with that. He explained the logistics of cooking, the tents, and the fireworks. He listed various collaborators and planned events for the evening. There may be an F-35 simulator at the pavilion, too. **The motion passed unanimously.**

### **APPOINTMENT TO BOARDS AND COMMISSIONS**

**Councilman McFee made a motion, second by Councilman O’Kelley, to appointment Joe Noll to the Zoning Board of Appeals. The motion passed unanimously.**

### **REPORTS BY COUNCIL MEMBERS**

Councilman McFee said he would be attending the Municipal Association meeting during the F-35 parties. Mayor Keyserling said he would be there for part of it as well.

Councilwoman Beer said next November will be Parris Island’s 100<sup>th</sup> birthday, and Parris Island will have a week-long event in which they hope the Chamber of Commerce, City of Beaufort, Main Street Beaufort, and the Town of Port Royal will participate. It will be a huge event, she said, and a lieutenant colonel has been appointed to oversee it.

There being no further business to come before council, **Councilwoman Beer made a motion, second by Councilman O’Kelley, to adjourn the meeting. The motion passed unanimously**, and the meeting was adjourned at 7:35 PM.