

A work session of the Beaufort City Council was held on November 24, 2015 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Mike McFee, George O’Kelley, Stephen Murray, and City Manager Bill Prokop. Phil Cromer was absent.

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.

TOURISM MANAGEMENT ADVISORY COMMITTEE (TMAC)

Mayor Keyserling said TMAC and council have been struggling with TMAC’s purpose since the “carriage wars” have ended. Mr. Prokop said there have been two meetings about revisions to the committee. In July, Charleston had revised its tourism management ordinance, and Savannah will soon. Staff looked at those as models. **Charlie Williams** and **Linda Roper** had determined the mission: a large committee of 24 people, who represent various tourism aspects, will break up into subcommittees to look at all aspects of tourism. Mr. Prokop reviewed the various areas that would undergo a detailed survey and said this task force will gather information for a year. There will be quarterly meetings with council to give updates. Rather than replace the committee, the task force will be established, and council will be given a list of possible representatives on December 8. The task force will begin meeting January 1, 2016. Mr. Williams said this is the approach he had envisioned. When they start the task force, it should have subgroups, and each of them should know its mission and its “deliverable.” Each group will need focus on what its members are to do.

Councilman McFee asked who would generate the direction and keep the subcommittees on track. Mr. Prokop said he assumes that at the task force’s first meeting, the group will recommend a chair. **Ivette Burgess** said she assumed **Hope Able** would continue to be the staff person. Councilman McFee said the task force would need direction and leadership. Mr. Prokop said the group that’s formed now could recommend someone to be chair.

Councilman Murray suggested that a seventh subject could be “accommodations” as a subcommittee’s subject. There is not a lot of new product coming online, he said, and he asked if a subcommittee might determine if that should be “a priority on the city side,” or if it would “naturally fix itself.” Mayor Keyserling said that group could look at capacity. Councilman McFee suggested that could fall under the “visitor experience” component.

Councilman O’Kelley said having 24 members seems potentially unwieldy, though breaking it into subcommittees will help. Working on the form-based code with 20 members was totally unwieldy, he recalled. He also asked if this work would take a year. Mayor Keyserling said the members would take as long as they’re given. Councilman O’Kelley thinks if they have a year, the committee members may lose interest. Mr. Williams said the task force timeline should be part of the initial organizational effort, so each subcommittee sets its timeline and has a stake

in it. Mayor Keyserling said to set an expectation that they will “get something done,” six months would be reasonable. If it needs to be extended for more study, they can do that, Mr. Prokop said.

Mayor Keyserling said he had thought the committee for the designation of a cultural district – about which council had passed a resolution of support – might fit in here. For the purposes of attaining the designation, he explained, there is to be a committee within the city that can be reported to, but now he thinks it could “have more stature” if it were “a project within the Redevelopment Commission.” Mr. Prokop said they could put anything else on TMAC’s agenda that council wants them to consider.

Mr. Williams said that the parking study had “so much inclusion,” and they want to have the same thing for tourism. The approach of breaking the workload into smaller groups makes it more manageable.

Maxine Lutz asked what the study was about in Charleston, and Mayor Keyserling said, “the management of tourism.” Ms. Lutz said Savannah has a study, too; Mr. Prokop said they will have that soon, and they are adapting the concept for Beaufort. Councilman O’Kelley said he had seen that Charleston was thinking of restricting its buggy routes as part of their changes. Mayor Keyserling said he thinks Charleston has not yet adopted the revised ordinance. Mr. Prokop said he thought it was adopted in July 2015.

Ms. Burgess said the test for the tour givers is to be finished by December 15. Mr. Williams said they will need to determine if an interim TMAC will be in operation, and if not, there will need to be a mechanism to deal with problems if they arise. Mayor Keyserling said he feels it should continue. Mr. Prokop said only Mr. Williams and **Robb Wells** had actively shown up to TMAC meetings. Mr. Williams said others had come to the meetings, but they were not “particularly engaged.” Ms. Burgess reiterated that Officer Able will continue to be the staff contact.

Mr. Williams said he needs direction about short-term, immediate expectations. If there’s nothing to discuss, is council OK with TMAC not having a meeting? Mayor Keyserling said, as the chair, Mr. Williams can make that decision. Mayor Keyserling said to the extent that the committee “can be engaged in this,” Mr. Williams could call meetings if necessary, but not have the committee meet just because it is supposed to. Councilman McFee said maybe the ordinance should be changed to say “quarterly meetings as needed,” if they are currently mandatory.

EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law, **Councilman O’Kelley made a motion, seconded by Councilman McFee, to enter into Executive Session for personnel matters in regard to committees and the appointments thereof, and discussion of proposed purchase and sale of property. The motion passed unanimously.**

There being no further business to come before council, the work session was adjourned at 5:28 p.m.

A regular meeting of the Beaufort City Council was held on November 24, 2015 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, council members Mike McFee, George O’Kelley, Stephen Murray, and City Manager Bill Prokop. Phil Cromer was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

Councilman O’Kelley made a motion, second by Councilman McFee, to adjourn the Executive Session. The motion passed unanimously.

CALL TO ORDER

Mayor Keyserling called the regular meeting to order at 7:06 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem McFee led the invocation and the Pledge of Allegiance.

PROCLAMATION OF NOVEMBER 28, 2015 AS SMALL BUSINESS SATURDAY

Councilman McFee read the proclamation. Mayor Keyserling presented it to **LaNelle Fabian**. **Councilman McFee made a motion to accept the proclamation; Councilman Murray seconded it. The motion passed unanimously.**

PUBLIC HEARING: ORDINANCE REZONING A PARCEL OF PROPERTY LOCATED AT 226 SEA ISLAND PARKWAY FROM S1 INDUSTRIAL DISTRICT TO HIGHWAY COMMERCIAL DISTRICT

Mayor Keyserling opened this public hearing. Libby Anderson said the applicant for this rezoning request is the Meletis family. She showed the location of the property at the intersection of Lost Island Road and Sea Island Parkway. It’s across from the Frogmore Airport, and about a large block to the east will be the new Walmart shopping center. The property contains two buildings, both currently vacant. The property is contiguous to the city limits. All municipal services will be available upon annexation. The current county zoning is S-1 Industrial, which is “moderate to high intensity,” Ms. Anderson said. The proposed zoning is Highway Commercial District, which permits all types of uses, including auto-oriented uses like drive-through restaurants, auto repair and sales, etc., as well as light industrial uses like warehouses.

The Comprehensive Plan designates this part of the community “Urban Neighborhood” (G-2), Ms. Anderson said. The Civic Master Plan does not specifically address this area. The property has access onto Lost Island Road. She showed a heating and cooling company, which is across from this lot on that road; the remainder of Lost Island Road is residential.

In regard to public notification, letters were sent to property owners within 400 feet of the property and to a representative of the Lady’s Island Business and Professional Association. Staff does not object to the rezoning, Ms. Anderson said, and the Metropolitan Planning

Commission recommended approval as well. There are many wetlands in the area, and this property has wetlands on two sides, which will contain the commercial activity, she said.

Jim Brown, a resident of Lost Island, said problems with ingress and egress will be intensified by the development. "There is a serious issue about being able to turn left . . . there's no way to turn left as the lanes merge from four to two." The Walmart traffic study did not extend to Airport Circle, so it did not take into account the tomato processing plant; in turn, that plant's study doesn't go to Lost Island Road. This will all be developed more, Mr. Brown said, but it's unclear how a Coca-Cola truck, for example, would be able to get back out once it turns in to a parking lot on this property; he indicated the problem on the overhead map. This is a step-up in activity, and "it will all be intensified at some point," he feels. While there doesn't seem to be an immediate impact on the neighbors, Mr. Brown said, it does affect them, because this is the only way they have to get in and out of their neighborhood. He said the SCDOT seems to "really hold the key." Mr. Brown said the county engineer "has been silent about things" when efforts have been made to discuss this.

Mayor Keyserling said the next level is a development plan that includes a traffic study. The neighbors are "in the conversation" now, and they will be included.

Swinton Anderson lives on Distant Island. He had gone to the November 16 Metropolitan Planning Commission meeting, where it was said that this type of development was "already approved" by the Civic Master Plan, and though he complimented the plan, he said it is "just a guideline."

Mr. Anderson said page 275 of the Civic Master Plan shows that the area under discussion has wetlands, flood plains, and poor soil that cannot hold heavy loads. The wetlands touch on two sides of the property, and the commissioners had asked how they'd be protected. The city planner had said that a buffer would be there, Mr. Anderson said, but she had provided "no details." He described what the wetlands do in the area. The water there is clean now, and the wildlife is well, but it's one small watershed, and the development around it will lead to run-off there that will contaminate the water. The stormwater run-off may come under Highway 21 and discharge there, too, he said.

Mr. Anderson compared what could happen environmentally to the contamination of the May River in Bluffton. The City of Beaufort is spending money to beautify Boundary Street but allowing people to "stink up" this area, he feels. The city won't have to spend \$30 million in this area years from now if it stops development there. This will also mean fishers will lose their jobs. "Conservation should be in front of development," Mr. Anderson said. Council has increased taxes to put in easements and has made other efforts to prevent environmental damage, so it should not allow it in this area.

Diane White, 315 Distant Island Drive, said she has lived in places that had become "very dense urban areas," so she shares previous speakers' concerns and is concerned about people who might want to live in the area in 40 years. There "are plenty of places in Beaufort County"

where such development “can be easily accessed without coming on to one of our unique areas of the county,” she feels.

Mayor Keyserling said this reminds him of 20 years ago, when Distant Island was being annexed with a development plan, and people came to council to oppose it.

Paul Butere, Distant Island, asked if there would be an environmental impact study. Mayor Keyserling said the developer would have to do a stormwater plan that has to be approved. That will be made public when it comes to council. Mr. Butere said there’s a difference between environmental impact and stormwater.

Mr. Butere asked if Distant Island and Lost Island residents would be notified about future meetings about this. Mayor Keyserling said that they could only put out so many notifications. Councilman O’Kelley said each council meeting’s agenda is on the city’s website. Councilman Murray asked Ms. Anderson if the Distant Island neighborhood association is contacted via the email list, and Ms. Anderson said they are not. Mayor Keyserling recommended that Distant Island and Lost Island representatives and anyone else who wants to be contacted should give Ms. Anderson their email addresses.

David Woodward, Lost Island resident, said a stormwater run-off study is not an environmental impact study: “It’s basically a pre- and post-development calculation . . . so nobody will be doing an environmental assessment for that piece of property.”

Mr. Woodward said “what falls off the bottom of the map on Lost Island Road” are the 30 houses there that are already developed. “Thirty to forty people will drive through that every day.” He asked Ms. Anderson about the impact of the current zoning and this proposed rezoning. Ms. Anderson said the impact with both zonings would depend on what was built there because both allow a variety of activity. Mr. Woodward said an S-1 industrial site generates traffic in “onesies and twosies,” and Highway Commercial zoning could mean as many as an additional 10–30 cars per hour on “one of the most dangerous pieces of highway.” Allowing the change from one land use to another will increase the danger to everyone who lives there and drives through there every day, at least three or four times a day. Mr. Woodward said when he comes home and makes the turn from Highway 21 to his property, 90% of the time, he is illegally passed on the left, across the double yellow line, at 55 mph. He fears a tragic accident at that intersection “just because it’s the way that it is,” and adding 15–20 more cars per hour to those of the residents will make that exponentially worse. The zoning on all of that property should allow only low traffic-generators, he feels.

Mayor Keyserling asked if the representatives have talked to Senator Davis and Representative Erickson about this “traffic issue that needs to be addressed.” Mr. Woodward said he has spoken to SCDOT and had asked them to come and watch the traffic with him, but he’s gotten no response. The problem of traffic in that area needs to be solved, “and adding traffic to it” could be tragic, he said.

Mr. Anderson asked if they could bring in experts to speak on this matter. Mayor Keyserling said that is usually done at a public hearing, but that's what this is. However, city council tries to allow people to be heard before it votes, though, at all stages of the process. **Mayor Keyserling closed this public hearing.**

CHARACTER EDUCATION PROCLAMATION

Councilman Murray made a motion, second by Councilman O'Kelley, to award the proclamation to Lauren Myers, Mossy Oaks Elementary School. The motion passed unanimously. Councilman McFee read the proclamation, and Mayor Keyserling presented it to her. **Donald Gruel**, the principal at Mossy Oaks Elementary, made a statement and said Ms. Myers was "a great pleasure to have . . . at the school."

MINUTES

Councilman Murray made a motion, second by Councilman McFee, to approve the minutes of the work session October 20, 2015. The motion to approve the minutes as submitted passed unanimously.

REQUEST FOR CO-SPONSORSHIP FOR USE OF THE WATERFRONT PARK FROM BEAUFORT REGIONAL CHAMBER FOR FOUNDERS NIGHT EVENT DECEMBER 31, 2015

Councilman Murray made a motion, second by Councilman McFee, to approve the request. **Valerie Althoff**, Beaufort Regional Chamber of Commerce, described the request. There will be fireworks; it's a family-friendly, no-alcohol event on New Year's Eve. Councilman Murray said, "It's great you guys are doing" this. **The motion passed unanimously.**

PARKING ORDINANCE AMENDMENT TO REFLECT PARKING ENFORCEMENT AUTHORIZATION, FINES AND PROCEDURES

Councilman McFee made a motion, second by Councilman Murray, to approve the amendment on first reading. Mr. Prokop said he would speak in lieu of Ms. Roper, who was unavailable. The amendments to the ordinance takes everything from the parking study, and the recommendations of the parking task force, and aligns the ordinance to current parking policies with the adjustments made by council in work sessions. The city attorney has reviewed the ordinance. The amendments are:

- Only two rates for meters: \$1/ hour and \$.50/hour – There is a change on Port Republic Street from 75 cents an hour to \$1 an hour, as the parking task force recommended, and on side streets north of Port Republic Street from 75 cents an hour to 50 cents an hour.
- The parking time limit, from Bay to Port Republic Streets, is to be two hours, which is different than the parking task force recommended, and will allow more turnover of the spaces.
- Parking enforcement times are changed from 11 a.m. – 7 p.m.
- Changes to wording to clarify the appeals process for tickets issued by Park Beaufort
- Changes the escalation of fines at 16 and 46 days to 31 and 46 days, and increases the handicapped parking space violation fine from \$400 to \$500, both to conform with state statutes

- Changes the boot fee from \$60 to \$50 to align the ordinance to the section on booting in the current policy

Mayor Keyserling said the only divergence from the parking task force's recommendations was going from three hour limits to two, a matter the task force had been split on. Councilman Murray said there was data to indicate that two hours will work. The bigger shift is making the change from 11 a.m. to 7 p.m. He described the employees' gaming of the system, which this should have an impact on. **The motion passed unanimously.**

MOTION TO ALLOW CITY MANAGER TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH THE BEAUFORT REGIONAL CHAMBER OF COMMERCE AS THE CITY'S DESIGNATED MARKETING ORGANIZATION

Councilman McFee made a motion, second by Councilman Murray, to allow the city manager to enter into the memorandum of understanding. Mr. Prokop said the Chamber of Commerce and attorneys on both sides have gone over this memorandum of understanding to ensure that the DMO's strategic marketing plan ties in with the city's budget and to audit to ensure "complete confidence" as to what money was appropriated and where it went. Mayor Keyserling said the FOIA question has been asked and addressed. This provides an insurance policy that the city is able to obtain documents in regard to public dollars whenever it likes. Councilman Murray said when he was chairman of the Chamber of Commerce board, he thought this was essential. Mr. Prokop said the Chamber of Commerce is a partner, and both are comfortable with the memorandum of understanding. **The motion passed unanimously.**

RESOLUTION AUTHORIZING THE SALE OF CITY UNNEEDED REAL PROPERTY

Councilman O'Kelley made a motion, second by Councilman McFee, to approve the resolution. Mr. Prokop said this is a policy for how to put the land out for sale. They will not broker it. They will run an ad for a month, set a minimum price, and will look at the economic impact of each bid; most of the properties have been appraised and a minimum price determined. Some of the properties will not be available for bidding, Mr. Prokop said, because of their location and size, so they will ask the property owners adjacent to them if they want to do a deed transfer. If someone offers a lower price on a property, but there is a possibility of it creating jobs, that may supersede price. Four or five properties have not been appraised. The goal, Mr. Prokop said, is to have this placed in an ad in December, and they would like to close it by mid-January.

Mayor Keyserling suggested that brokers might bring a buyer to the city, so using brokers shouldn't be discouraged. Councilman O'Kelley said that council could negotiate commissions. Councilman McFee said a statement that there is a potential for negotiation of a commission could be added. Councilman Murray asked if that needs to be added to the resolution. He read the fourth "Whereas." Councilman McFee said if there's discussion about brokers' fees, council has the latitude to negotiate that. Mr. Prokop said this will be on the city's website next week. **The motion passed unanimously.**

MOTION TO ALLOW CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT

WITH BEAUFORT COUNTY REGARDING BOUNDARY STREET REDEVELOPMENT

Councilman Murray made a motion, second by Councilman McFee, to allow the city manager to enter into the intergovernmental agreement. Mr. Prokop said, as of 4:30 p.m. today, there had been an amendment that could be summed up by “(taking) out #9,” because the county and city attorneys, the deputy county administrator, **Kathy Todd**, and he had agreed that it’s already covered in the grant agreement. The exhibits have been updated, he said, “which is the current cost of the project” – \$33 million – and there is a change order form developed to offer a tight control on the project for expenditures. **Councilman Murray made a motion to strike section 9 from the agreement as presented; Councilman McFee seconded. The motion passed unanimously. The original motion passed unanimously.**

CANCELLATION OF DECEMBER 22, 2015 WORK SESSION AND REGULAR MEETING

Councilman O’Kelley made a motion, second by Councilman McFee, to add a regular meeting to the December 15 council work session, and to cancel the December 22 meeting. The motion passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Councilman Murray made a motion to appoint John Dickerson to the Historic District Review Board. Councilman McFee seconded. The motion passed unanimously.

Councilman McFee made a motion to appoint Nigel Stroud, Jody Caron, and Josh Gibson to the Zoning Board of Appeals. Councilman Murray seconded. The motion passed unanimously.

Councilman McFee made a motion to reappoint Tim Wood to the Zoning Board of Appeals for another three-year term. Councilman Murray seconded. The motion passed unanimously.

Mayor Keyserling said the parking task force had recommended that an ongoing committee be appointed. **Councilman McFee made a motion, second by Councilman Murray, to appoint Lloyd Sidwell, Gene Rugala, Nan Sutton, Tony Royal, Kevin Cuppia, Peggy Simmer, Turner Wortham, Tom Hermann, and Hugh Goldthorpe to the Parking Advisory Committee. The motion passed unanimously.**

CITY MANAGER’S REPORT

The fire station will be having an open house after the Thanksgiving holiday, Mr. Prokop said. The ladder truck can also be seen then. He offered possible dates when the open house might take place.

The Boundary Street project will begin the week after Thanksgiving, but work will be “behind the scenes,” such as buildings coming down; road construction will probably begin January 4, 2016. It will be a 24-7 operation, Mr. Prokop said. There will be an open house every Friday to explain progress, the website will be updated weekly, and the city’s Facebook page will also be active.

Mr. Prokop said the intergovernmental agreement with the county was “purposely done” to avoid newspaper coverage of the type that was seen over “the past weekend about other issues and other highways . . . in the county.” Ms. Todd, **David Coleman**, Mr. Prokop, and county representatives will meet weekly, other meetings will be monthly, and “the goal is to keep this project out in front.” People will be told if there are problems. This way, everyone knows what he or she is supposed to be doing, he said.

Ms. Anderson and **Lauren Kelly** had held the first meeting of the form-based code technical review committee this week, Mr. Prokop said. Then there will be a second review by other groups, then a public hearing, and eventually it will come to council. Councilman O’Kelley and Councilman Cromer will represent council on the committee, he said, and the goal is to have the code in place by June 30, 2016.

New employees will be introduced to council at the work session December 8; the promotion of the new fire chief and his pinning will take place, and a new city/stormwater engineer, who will start work the day before, will be introduced. Councilman McFee suggested that they could have the pinning at the end of the work session in chambers.

Mr. Prokop said on December 8 at 10 a.m., there would be another customer service training session lead by the Charleston County Public Works customer service team. The presentation will be about an hour. The engineer who is being hired is coming from this department in Charleston.

Mr. Prokop said on December 11, there will an employee holiday lunch from 11 a.m. – 1 p.m. At 12:15 p.m., there will be a musical challenge, which he described, and he invited council to participate.

Mr. Prokop said staff hopes there will be community activity support and that the holidays will be safe and happy.

MAYOR’S REPORT

Mayor Keyserling said he’d heard about the change in recycling, and the “proliferation of large cans appears to be a little excessive.” He wondered if those who “recycle a smaller amount” could still use a bin. Mr. Prokop said staff and Waste Pro have discussed offering a smaller can; this may cost a little more for those who want to use them. Some older people also feel they can’t handle the bigger cans.

REPORTS BY COUNCIL

Councilman O’Kelley said in regard to recycling, he has seen the new containers, and “lots of people aren’t moving them” from the curb. A lot of people continue to leave their trash containers out all the time, he’s noticed, and there’s an ordinance that should be enforced in relation to that: first, a warning should be taped to the can, and then a fine or citation given. Mr. Prokop said the postcard that had been sent out was part of a marketing plan to describe how the cans have to be removed from the curb, or the owners will be fined \$25.

Councilman McFee said there is a Blue Star memorial rededication at Lady's Island boat landing on December 4 at 11 a.m. On December 4 and 5, there's "a reboot" of the Shrimp Festival in conjunction with Friday's Night on the Town, and the Shrimp Festival will continue on Saturday, when the boat parade will also take place. At 7 p.m., a local chorale will perform the Messiah, and the Christmas parade is on Sunday.

Councilman Murray congratulated **John Tecklenburg** for his election as mayor of Charleston.

There being no further business to come before council, **Councilman O'Kelley made a motion to adjourn the meeting. Councilman Murray seconded. The motion passed unanimously,** and the meeting adjourned at 8:31 p.m.