

A work session of the Beaufort City Council was held on September 22, 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 Phil Cromer, and City Manager Bill Prokop.

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.

DISCUSSION: FOLLOW UP WITH PARK AND TREE ADVISORY COMMITTEE (PTAC) ON GOALS AND MEASUREMENTS

Council “has fumbled around with a proposed tree ordinance,” Mayor Keyserling said; he believes no one on council “has come to the conclusion that we understand it, thinks it makes sense,” but they do understand that they should be finding and setting aside money for public tree replacement. Council and the public had a lot of questions at the last meeting where this was discussed “about what the real goals were.” The conclusion is that a fund to replace trees is an important part of the revised ordinance.

Barb Farrior, the PTAC chair, said she thought they should begin by going through “a list of six items to clarify where you are with them.”

First, Ms. Farrior said, PTAC had requested that a council member attend a PTAC meeting once per quarter. Councilman McFee said he would be the one to do that, but “I haven’t gotten it on my schedule yet.”

The third item, Ms. Farrior said, was where funding for the development of Southside Park stood. Councilman O’Kelley said no money had been found for it yet. Councilman Murray disagreed and said, “There was some money.” Mayor Keyserling said the consensus was “Yes, we should have a tree restoration fund, and we should just find the money somewhere,” in the non-profit Beaufort Pride of Place or elsewhere in the general fund. Mr. Prokop told Mayor Keyserling that Ms. Farrior had skipped Item 2 and gone to Item 3. About Southside Park, Mayor Keyserling said the last report he had was that grading is done for the dog park, they were negotiating for the fences for smaller and larger dogs, and the walking path has been pretty much laid out, but the materials have to be reground before they are put out.

Councilman Murray said in last year’s remaining budget – or this year’s – there was a \$25,000 allotment to do the work Mayor Keyserling was talking about. Mayor Keyserling said that’s “in the queue right now.” Mr. Prokop said according to Public Works, the construction of the dog park would start next week. **Kathy Todd** said the open purchase order for fencing has been carried forward since 2014. Mayor Keyserling said they need to determine if they would “continue to set aside small amounts” or go for a grant, since they now have a grant writer on staff. He feels there’s not enough growth in the general fund “to see significant dollars coming

in the near future.”

Councilman Murray said they might be able to find private funding in the way that Pigeon Point had for improvements. Maybe the Mossy Oaks Neighborhood Association, for example, if they could find the right person to spearhead it, could similarly leverage private labor or dollars in conjunction with city labor or dollars for materials. **Alice Howard** said there is interest in starting a Friends of Southside Park group: “I think there’s some momentum there.” She said she thought the dog park was supposed to be done by July. Councilman McFee said the dog park has been underway for at least three years. Mayor Keyserling said they were going to get free labor from BJWSA for the land clearing, so they didn’t have to bring in a contractor, but there was a delay.

Mayor Keyserling said he would send Ms. Hill an email he’d received about a number of groups who want to give 100 volunteers to the city. Their focus was downtown cleanup, but he had told them they might be able to do something at Southside Park.

Mr. Prokop said they have set up “a tax-exempt (as much as it could be) . . . program,” and Southside Park can be specified as a place to which people want their donations to go. Mayor Keyserling said, “Pigeon Point didn’t worry about tax-exempt (status). They just did it.” They provided labor and sold bricks. Ms. Hill and Councilman Murray said they did form a 501c3. Councilman Murray said there are two funds through which they can obtain labor or money for materials. Councilman Cromer said, “They want the tax write-off.”

About Item 4, Mr. Prokop said most of the appraisals for unneeded city property have been attained, and Councilman McFee may have more. Within a month, they should see a listing of some kind, and they will be selling the properties that are vacant or that the city is no longer using, through auction or “whatever process we have to go through.” They have appraisals on some and comparative market analyses (CMA) on others. Mayor Keyserling said that money “will go back into the open land fund.” Councilman Murray said it’s the “land acquisition fund.”

Mayor Keyserling asked said he didn't know about Item 5 on the list: the purchase or lease of property to connect city property to Waddell Road. Ms. Hill said, per the Civic Master Plan, a year ago, BJWSA had cleared a 60’ right-of-way that is still within Southside Park, and they would make an acquisition of property in order to connect to Waddell Road. They “are set up for it within the body of the park,” Ms. Hill said. It was “just the bones of the Civic Master Plan for Southside Park.” Mayor Keyserling asked if any initiative has been made to do it. Ms. Hill said PTAC has not started any process with that. Councilman Murray said they had executed an agreement with the BJWSA to provide access from Talbert. Ms. Hill said there’s a 20’ wide dedicated easement there that is good for pedestrian access, but it would not be good for vehicular access.

Councilman Murray asked the next steps on the Waddell Road connector. Ms. Hill replied that it’s private property, and it’s a vacant lot. Councilman O’Kelley asked if the 20’ easement is for utilities or for vehicular access. Ms. Hill said, “It is simply a dedicated easement . . . with no

one's name on it"; it's not the City of Beaufort's. Councilman O'Kelley said, "It's got to belong to somebody." It connects to the Southside Park property at Talbert. Councilman Murray said he thought there was an exchange with BJWSA. Councilman McFee said, "It has to belong to us." Ms. Hill said it's called "No Balance Due Lane." Mayor Keyserling said **Corey Post** owned that land and "was going to do a little development in there." Ms. Hill said he's developing now. Mayor Keyserling said Mr. Post might have donated an easement "way back when BJWSA was active there." Councilman McFee said it would give pedestrian access to the park from that side.

Mayor Keyserling wondered about more improvements: they have the money to do the walking trail and the dog park, and there's space for the tree farm. "What would be the next major project, and then what would be the trade-off of a vertical project there versus making that connection to Southside? Which would be more important?" Ms. Hill said, "It depends on your priorities." The Civic Master Plan shows a vehicular connection on the north, south, east and west sides of the property, and it shows connections to Battery Creek Road, Waddell Road, and Talbert. "Horizontal" might be worth considering, she said. The walking trail, the dog park, and the tree farm are all moving forward and were all components of the Civic Master Plan. PTAC has been consulted about community involvement in developing a playground in the buffer area, she said, which is also a component of the Southside Park master plan. If council desires roadway connections, Ms. Hill said, it would require funding or acquisition of private property. Mayor Keyserling said the question is, do they want to explore the value through a CMA, and would they need one lot or two? Councilman McFee said they're back-to-back.

Councilman Murray said the access and the amenities are all important, but he doesn't think the city will have the resources in the General Fund to accomplish all of these things in the next 1–2 years. He would like PTAC and the Friends of Southside Park to prioritize and show where they would like the limited resources spent. He thinks it's a neighborhood project, and what PTAC and the neighborhood want is what he would prioritize.

Councilman O'Kelley said he looks at the Civic Master Plan as "nice-to-have-type things." They may not see a fourth access way for years, but he agreed with Councilman Murray that PTAC and the neighborhood need to prioritize what comes first. The Civic Master Plan wasn't envisioned to all be acted on in a year, Councilman O'Kelley said. Mayor Keyserling said that once they know the cost, it might be worthwhile to tie the property up in some way – while the lots are empty and likely to be less expensive – before someone builds a house there. But he agrees that they want a recommendation on which options are most important.

Southside Park, Mayor Keyserling said, and he thinks council agrees, has been "probably the most difficult project we've dealt with." He called the park "a political . . . overpromise." Southside Park's expected development cost was \$2.5 million, and then there were restrictive easements that very few people knew about. The neighborhood had a transitioning committee. AH said council had disbanded the committee. Mayor Keyserling said he's talking about what has taken place "over a period of 11 years." He's never felt the project had "the oomph we wanted to have," and then it got bounced around. "A 35-acre park is a pretty big undertaking,"

he said, and they thought it was a good idea because it was free, but the master plan that done was to cost over \$2 million. There's still a master plan still posted, Ms. Hill said, at the entrance to the park, which the Southside Park advisory committee had made. There's been a full master plan adopted since then, she said, which Mayor Keyserling noted is "much less ambitious." There was a joint project with Beaufort County, the City of Beaufort, and the Town of Port Royal, Ms. Hill said, to use the large body of water in the park as storm drainage. It was a great idea, and the city moved forward, Ms. Hill said, "But it was determined that it wasn't necessary to address the stormwater," Mayor Keyserling added.

Mayor Keyserling said he was on council when the Southside Park advisory committee started. It's estimate for the park "was 2-point-something million dollars, which frightened everybody," he said. The area has the largest concentration of population in the city. It has importance for fire and for votes, and 50% of the city lives there. The project "seems to be bumbling along," he said. Money was set aside from the city to be spent on the park, but then it was lost because it wasn't known "that it was there to be spent." Councilman McFee said they did not lose it; Ms. Todd said the city adds \$25,000 every year to the Southside Park fund, so now there's \$50,000 in it. Ms. Hill said 50% of what is there "is encumbered now" for the construction of the dog park. They have used some of those funds from previous years to drill a well, to plant trees and to start the tree farm. The dog park is a large amount that has been encumbered for quite some time. They were also delayed by BJWSA and by "illegal dumping," which set back work on the grading for quite some time.

Ms. Hill said what Mayor Keyserling had said before was "pretty accurate" about the dog park. The grading stakes are to be set, and grading work should be done, she hopes, by the end of next week. The following week, fence construction will start, "with any luck." Ms. Hill said again that there has been a lot of illegal dumping. They have had to start over, and that has caused delays. She had met with Beaufort County and BJSWA in an effort to "hold onto funds" by trying to get them to help with the grading work, but now the city is going to pay for the grading, so that it can move the project forward.

Mayor Keyserling said nothing has been done about the last item on the list – leasing the Depot, Pigeon Point Park, and Southside Park – but council recognizes that it needs to address the Depot and to uniformly address its events policy. At the last meeting, they had discussed vendors and the heritage festivals, Mayor Keyserling said, and council had decided they "need to look at an overall events policy for all properties."

Councilman Cromer asked, with the rezoning allowing certain uses within the Limited Industrial district, how will leasing out the Depot work if someone wants to have a party there? Will alcohol and music be permitted? There are restrictions on what new businesses can do in that area, Councilman Cromer said. Mayor Keyserling said the rezoning is on council's regular meeting agenda tonight.

Councilman O'Kelley said the Depot isn't owned by the city; Mayor Keyserling said the city has a \$1, 99-year lease. Councilman O'Kelley said the restrooms don't work, and there are issues with

electricity and parking. Mayor Keyserling said, “That’s on Bill’s list.” Civic Green was going to start a fund 2–3 years ago “to pay for some of these things,” but now the city manager has started a fund. Mayor Keyserling thinks the Depot building should be used as an event venue, and it “ought to amortize over time the cost of the bathrooms.” A structural engineer needs to look at it. Mayor Keyserling told Councilman Cromer that regulation of its use “would come under ‘events,’ rather than the zoning there.” Mr. Prokop said they are trying for a recreational grant for the restrooms and for other things that could be used there, too.

Mayor Keyserling said they are still waiting on Washington Street Park restrooms, because they can’t apply for grant money until they “get the ownership” straightened out.

Councilman Murray said that he assumes PTAC is in support of formal lease agreements for the use of the facilities at the Depot, Pigeon Point Park, and Southside Park for events. There was general agreement that they do.

Before discussing the ordinance changes, Ms. Farrior introduced the other members of PTAC: **Jim Arnett, William Waskiewicz, Michael Brock, and Leah Palumbo**. She said PTAC has done a lot of work on this presentation, and she had a slide show. The committee had gone through the ordinances of six cities that they obtained from the Arbor Day Foundation web site. They have different population sizes, but each city has a tree fund. Each of them was also a Tree City USA in 2014, except for Beaufort, because it didn’t meet the guidelines to qualify: spending \$2 per capita on trees. Councilman O’Kelley said, “We were a Tree City before,” and Ms. Hill said the City of Beaufort has been a Tree City since 1986, but one of the requirements is to spend \$2 per capita per year, and the city didn’t qualify in 2014 because that wasn’t done. Councilman Cromer noted that the Tree City USA flag is still flying in front of City Hall. Councilman O’Kelley asked how the \$2 per capita had to be spent; Ms. Hill said the organization’s parameters for that are “quite broad.” It can be cleaning up downed limbs, planting trees, etc. Councilman O’Kelley and Councilman McFee both said they couldn’t believe that the City of Beaufort didn’t qualify, given the amount of money it had to spend on tree removal.

Ms. Farrior said, unlike Beaufort, all the cities they studied have tree funds, and they derive funds from other sources as well, including CIP and private funds. She read the definition of a grand tree in the current ordinance. PTAC believes that the current definition of a “significant tree” doesn’t “reflect the diversity and levels of importance of the area’s indigenous tree species,” Ms. Farrior said. She read PTAC’s recommended proposed revision – which she said is the same as that of the Beaufort County Community Development Code – for the definition of “a specimen tree.” This revision still protects larger grand trees, she said, but it includes more trees in the medium-sized, mid-range category in order to provide more canopy, which in turn offers more protection for the environment.

Ms. Farrior said PTAC had provided three examples of mitigation using the proposed ordinance: Publix – a large commercial project; Ashley Pointe – a multifamily development on five acres, which she called “an expensive project” of more than \$7 million, of which the mitigation percentage was one-quarter of 1%; and Family Dollar – for which the mitigation was only one-

half of 1%.

Ms. Farrior said for Publix, the total amount of caliper inches of significant trees that were removed was 1,795, and the caliper inch of trees retained that can be used for mitigation was 1,480. There was no allowance for grand trees; 492 caliper inches of hardwood trees were planted onsite, and there were no unmitigated caliper inches subject to the reforestation fee. There was no mitigation fee for Publix.

Ms. Farrior said at Ashley Pointe, using the same formula under the proposed ordinance, 1,820 caliper inches were removed, and 1,286 caliper inches were retained, to be used for mitigation. The allowance for grand trees at high risk was 185 caliper inches; unmitigated caliper inches subject to the reforestation fee was 254. Ms. Farrior explained the formula to obtain the reforestation fee amount due, which would be \$17,780 (254 x \$70 per caliper inch).

At Family Dollar, 500 caliper inches of significant trees were removed, Ms. Farrior said; 225 caliper inches of trees were retained. The allowance for grand trees was 208 caliper inches; 24 caliper inches of hardwood over-story trees were planted; there were 43 unmitigated caliper inches subject to the reforestation fee, which amounted to \$3,010.

Ms. Farrior then presented a summary of the proposed changes to the tree ordinance that PTAC recommends:

1. Change the definition of grand trees – the term “grand tree” would be changed to “significant tree.”
2. Require mitigation for the removal of healthy grand trees. If the developer cannot mitigate onsite, then a reforestation fee of \$70 per caliper inch is paid into the tree fund. PTAC has revised its recommendation to cap the mitigation fee at \$2500 per acre. With this revision, instead of having to mitigate \$17,780 at Ashley Pointe, it would be reduced to \$12,500.
3. Require a certified arborist’s report for significant trees that are proposed to be removed. Its purpose is to determine, before initial site design, which significant trees should be saved and which are compromised and should be removed. PTAC recommends that 4-caliper inch trees do not require evaluation by a certified arborist. Councilman Murray asked if that was “all 4-caliper inch trees or just the four that are listed.” Ms. Farrior replied, “Just the four that are listed.”

Councilman O’Kelley said he’s not an arborist, “but a 4” magnolia is small.” A 4-caliper inch magnolia would be 15–20’ tall, Ms. Hill said. Councilman O’Kelley said a 4” dogwood is a lot more fully grown than a 4” magnolia, so he thought that instead of “4 inches across the board,” they might want to make it less uniform. Ms. Hill said magnolia, dogwood, redbud, and American holly at 4 caliper inches “become significant trees,” as is anything larger than that. But a live oak, Southern red cedar, and other species are not significant trees until they are 12-, 16-caliper inches, etc. Councilman O’Kelley said he’d “rather see somebody cut down a 4” magnolia than a 4” dogwood.”

Mr. Arnett said many “dogwoods that are left around now are pretty compromised because of development,” and when they were under-story trees, people “cleared them out,” so they’re prone to disease. Councilman O’Kelley said he knew that dogwoods “need a buddy beside them.” Mr. Brock said the city had lost 80% percent of its dogwoods because of a drought in the late 80s–early 90s, anyway. Councilman O’Kelley said he wondered if a magnolia might need to be bigger than 4” before it becomes significant. Mr. Arnett said a 10” magnolia is probably 15 years old already and “still has a lot more years to go.”

Councilman Murray asked about the Publix site. On a 6.5-acre site, with \$7 million in construction fees, there was no mitigation fee, and he presumes that was because they planted 492-caliper inches of hardwood over-story trees for their landscaping. He asked the retail value of a caliper inch. Mr. Arnett said, “Usually it’s \$100 an inch on average.” Councilman Murray said, if it were \$70 per caliper inch, which is lower than the wholesale or retail value of a tree, and Publix put in 492 caliper inches per their landscape plan, they spent a little over \$34,000 on their landscaping and planted additional trees.

Ms. Farrior said many municipalities that PTAC had researched “use current market pricing,” not the price that PTAC came up with, to determine the cost of trees to be used for mitigation. Using three quotes from growers and landscape contractors, for a 2.5 caliper inch tree, the average current price is \$300 per tree, or \$120 per caliper inch. In this “trial,” Ms. Farrior said, PTAC is recommending \$70 per tree, which is considerably lower than in any other municipality. In Greenville, for example, for every 4-caliper inches of “heritage tree” (20-caliper inches) or “historic tree” (30-caliper inches) removed, a 4-caliper inch tree must be planted back onsite, or payment for mitigation must go into a tree fund.

Councilman Cromer asked if they are replanting water oaks or pines. He was told ‘No’ by several members of PTAC. Ms. Farrior said Mt. Pleasant requires a fee of \$550 per 4-inch caliper tree for mitigation in lieu of planting.

Councilman Murray said the purpose of the reforestation fee is to create a fund to plant trees, and he asked what the goal is for tree planting annually. Mr. Arnett said, “Any, some.” Ms. Farrior said they haven’t come up with an amount they’d like to plant yet. They need to first acquire some money. Mr. Brock said they also need to pay for maintenance, not just planting.

Mr. Arnett said when the mayor had charged PTAC with looking into power line burying, he had chosen Pigeon Point, and he realized that there weren’t many good trees on the water. There were “a lot of dangerous laurel oaks on the water side.” There were hazard trees, and that’s when he “noticed all the hazard trees around this town.” Mr. Arnett had asked Ms. Hill what they could do about that, and learned that there “really wasn’t a lot, money-wise, to take care of these hazard trees.” They started talking about removing hazard trees, especially in public places, and “replanting trees that will live longer and withstand a storm,” Mr. Arnett said. PTAC is “trying to get something to take care of this stuff,” so they will be able to start a tree farm to have trees to plant, or they could purchase them outright.

Councilman Cromer asked how tree maintenance is paid for. Mr. Prokop said there's \$30,000 in a hazardous tree fund. Councilman McFee asked if the hazardous trees in Pigeon Point that Mr. Arnett had referred to were on public property. Mr. Arnett said, "There's a triangle down there that belongs to the city," but "most of it's on private property." Councilman McFee said the reforestation fee would not apply to trees on private property. Councilman Murray said, this year, trees have fallen from private property into the public rights-of-way. Mr. Arnett said some tree companies have helped in some hardship cases by doing work pro bono, "but sometimes you can't wait a month for the tree company to get out there." Mr. Arnett said the winds that Beaufort has had in the last few months have led to "all of them dropping everywhere."

Ms. Farrior said, "Trees are . . . infrastructure; they are as important to a development project as sewer and water lines, stormwater drainage, and roads." Maintaining the urban forest reduces pollution, lowers energy use/costs, and increases property value. She listed many reasons that trees are important to the environment, including helping to reduce surface water runoff to decrease soil erosion. "Our urban forest is aging," Ms. Farrior said. "Large trees do not withstand the effects of development" as well as smaller trees. They are removing smaller, stronger trees, and not planting trees back in public areas and open spaces. Stewardship is the responsible planning and management of resources. There has to be accountability and protection of these resources. The form-based code is close to being complete, she said. PTAC is requesting approval of the recommendations and for this to be looked at as a pilot project, during which they can consider changes and modifications that might be needed.

Mayor Keyserling said he knows that PTAC has done a lot of work, and council has to respond. He asked council's feelings. Councilman McFee asked about the research PTAC had done on other municipalities: "How do they fund their tree funds?" Do they charge reforestation fees? "Are they all associated with development?" Ms. Farrior said her understanding is that these municipalities fund their tree funds directly. Ms. Hill said she had to make a correction. The tree funds for Mt. Pleasant, Charleston, Savannah, and Greenville get the majority of their funding from developer mitigation fees, but they also have line items allocated by their councils; they have capital improvement projects, and they also have private donations, such as to the Trees Charleston program.

Councilman McFee said his point was that, other than developer mitigation, the funding sources are from the city or private donors. Ms. Hill said, "They use all three." When you read the ordinances, Ms. Hill said, "they use (funds) for the planting of trees in the public areas, almost verbatim, each city, each town." Councilman Cromer asked if there is a separate line item in the budget for the maintenance of existing trees, for removal of hazardous trees, and for trimming. Ms. Hill said she couldn't say because "it didn't get into that much detail. It was mainly "the care of the urban forest and the planting of trees for beautification purposes." Mr. Waskiewicz said, "That should be addressed, though, because we've got to take care of what we've got that's not good, and (what) is good, as well as replacing" trees.

Councilman McFee said his point is that Beaufort "spends a great deal more money on maintenance of trees than it appears," having spent \$30,000 "this year alone." He wants "to

make sure it's apples to apples if we are looking at adding a fee to any development process." Ms. Hill said she wasn't sure she understood what he meant. Mr. Waskiewicz said they had spent a lot more money this year due to storm damage. Councilman McFee said some is because of the aging of the tree population, and some areas of the city have "severe age-outs." Mr. Waskiewicz said that's not being addressed. Mr. Arnett said it's not proactive; it's reactive.

Councilman Cromer asked when the city last did a survey. Ms. Hill said she believed one was done in 2001, and then there was one in 2003–2004 to assess all trees in public areas. There was nothing surveyed on private property. Mr. Prokop asked if Ms. Hill had surveyed the trees in Waterfront Park. Ms. Hill said she had requested that Bartlett Tree do that, but it wasn't done.

Councilman O'Kelley said, compared to these other municipalities, Beaufort is the smallest; Conway is the closest in size, and it has 7000 more people than Beaufort has, so he'd be interested in seeing what "cities more our size do or don't do." He doesn't think they should compare Beaufort to Charleston. Ms. Farior said they had pulled from a list of municipalities that are also Tree Cities. Councilman O'Kelley said moneywise, comparing Beaufort to Savannah or Charleston might not be an equal comparison. Ms. Farior said they didn't look at the budgets, which weren't in the ordinances. They looked at the ordinances to see "what they do and how they do it." The committee knows there's no comparison in terms of the cities' sizes; they were looking at how other cities handle the loss of their trees and new plantings. Do they have a tree fund? How much do they charge developers?

Councilman O'Kelley said, at the same time, Conway, which is the closest in size to Beaufort, had planted 300 trees. Mr. Arnett said hazardous trees on public property, if they have targets, are liabilities, and the small amount of money it takes to remove them – and if they can replant, "that's great" – is worth it to take out "a dangerous tree on public property that just stands there forever." Councilman Cromer said that was his concern and why he had asked about when a survey had been done.

Mayor Keyserling asked for clarification that tree fund money would be for new trees. Mr. Arnett said it's also for "maintenance," and "that can go quick." Mr. Brock said it's for everything, including tree fertilization – "taking care of the trees we have, so they can continue to thrive . . . There are 100–150 year old trees . . . that we are not putting any money toward." So, it's not just taking out trees that are dead or have fallen, Mr. Brock said, but taking care of existing grand trees. Mr. Arnett said there are a lot of those in public spaces.

Mayor Keyserling said, "The question for council is, do we want new development to pay for it, or do we want General Fund taxes to pay for it?" Councilman Murray said his "biggest issue is the reforestation fee." He said he loves trees, but in Pigeon Point, ten large water oaks have been removed on his small block in the last few years, "and there's an absolute difference in the canopy" now. In 2014, only four trees were planted, and the city lost its Tree City USA designation, which is "embarrassing," but he thinks it's "an issue of fairness." Councilman Murray believes "trees are the responsibility of everyone in the city." He feels the city is

“putting responsibility for reforestation and tree maintenance on the backs of new developers.” As a council and a city, he said, they work hard on infill and redevelopment, and they encourage it, so while for Publix, \$30,000 is easily paid, on smaller sites with a large quantity of grand trees, the fees “pose a cost burden to development,” which makes him “nervous that we would put something in place that directly works against one of our other goals.”

Mr. Waskiewicz said that’s why PTAC had addressed a cap on the fee. Councilman Murray said his third point is that with such a fee, they “are taxing developers who buy sites with trees.” If he buys a bare property, he’s “not responsible for any of this,” but he feels it should be “everyone’s responsibility to contribute.” He also worries that a developer or property owner “could run out now” and take out all the trees that might need mitigation if this becomes an ordinance.

Mayor Keyserling said this is similar to when they had to come up with additional money for undergrounding utilities on Boundary Street. They were already spending a large amount for development, and in addition, everyone on Boundary Street would have gotten a large increase in their utility bills. Council “decided it would be faster to pay the money back,” Mayor Keyserling said, and “everyone in the city benefitted from the undergrounding,” so they instituted a citywide fee, to be charged “over hopefully a shorter period of time,” rather than creating a “disincentive where we were . . . spending all this money to try to incent new development.”

“I think we need a fee,” Mayor Keyserling continued. He feels embarrassed that the city has not been more responsible about taking care of something that is important. He feels that council has “to commit a level of expense to better maintaining what we have and a source for replenishment. It’s just a question of whether we put that on the back of new development, which we are trying aggressively to seek, or do we . . . find a way to fund it with something that is spread throughout the city.”

Mayor Keyserling asked Ms. Palumbo, who works with developers, if council is being overly sensitive to them. Ms. Palumbo said she had heard some of the local developers express their “strong opinions” at an earlier council meeting. PTAC had discussed what the developers had said at a work session, and she thinks that what the developers would be responsible for – mitigation – would be “a small portion to protect . . . the specimen trees we have now.” It would “go to the tree fund, which does have a cap, and which shouldn't stop any development.” She sees the other “portion coming from council: some type of fee going toward that tree farm.”

Mr. Arnett said he agrees that developers “shouldn't be punished for” any trees within the footprint of planned buildings, “but all the other trees fall under the guidelines.”

Mr. Brock said he’s been in development for 15+ years as a planner and a landscape architect. Because of this focus on the fees in the revised ordinance, he feels they are overlooking the importance of the certified arborist’s report, which “helps maintain Beaufort as one of those

unique communities.” The planner should always do a site analysis first, but it’s last when “a client says, ‘Let’s just clear it and start all over.’ That’s not what Beaufort is.” This ordinance revision “puts the arborist out there” to say, for example, “This water oak here makes no sense, but . . . here’s a 10” live oak, and it’s young and has many chances of thriving.” The certified arborist, Mr. Brock said, works with the developer to say, “Let’s look at this site and do the responsible thing when developing it,” whether that’s infill or new development. He feels like this element of the ordinance is being missed because of “the money portion.” While money is important, Mr. Brock said, the certified arborist’s report – doing “this sort of pre-analysis” of the trees on the site – is also very important.

Saying that new developers are being taxed detracts from the fact that the fee “also forces them to design in the right format and the right process,” Mr. Brock said. If trees are dead, or on their way out, “it makes sense to take some out.” Or, he proposed, “the whole site might be a wash” in terms of the need to save any grand trees. In his work, Mr. Brock said he has seen “so many times” situations like one where all the planning had been done, “and all this money was spent, and it was about a tree that’s dead – the top two-thirds of it was dead – and there was no need to do all that planning.” Someone should have spent the money – sometimes less than \$1000 for an arborist’s report – and taken the time to look at that, he feels.

Councilman Murray said he thought that a certified arborist’s report was already required. Ms. Hill said Publix was a large site with a lot of trees, and the city didn’t want them to save bad trees “with so many targets – people, cars, buildings,” so the city suggested they hire a certified arborist, but there is no *requirement* to have a certified arborist’s report.

Councilman Murray asked how they know the schedule of trees to be removed and saved if they don’t have an arborist’s report. Ms. Hill said they ask “the engineers that are doing the site plans for that schedule of trees to be removed and . . . saved,” and city staff strongly recommends getting a certified arborist’s report. On the Publix site, the certified arborist only looked at 7 trees, “which is why that fee is so small.” On the Family Dollar site, **Michael Murphy** “assessed every single tree”, but that site is only 1.25 acres, and on Ashley Pointe, Mr. Murphy “looked at all grand trees on that site.” Staff recommended an arborist’s report at all of these sites, Ms. Hill said, to ensure that the developers weren’t preserving bad trees. Not all developers do it, “nor are they looking at all of the grand trees,” so that’s why staff is asking for arborists’ reports.

Ms. Hill said she is also a landscape architect. Tree and topography surveys are done first. Instead of those being given to an arborist to assess the grand trees, they typically go to a civil engineer, who will lay out the building, the parking lot, and the infrastructure. They base this on our current ordinance, Ms. Hill said, which says to preserve 24” caliper trees. While saving those is important, without a certified arborist’s report, the problem is that *older* trees are saved that don’t withstand development as well as the 10” caliper live oak that “they paid no attention to, and it’s coming down.”

For live oaks, PTAC wants to reduce the grand tree definition for preservation to 12 caliper

inches, Ms. Hill said. 24-caliper inch and greater water oaks, laurel oaks, pines, and sweetgums are being put “way up in that category, because the larger those four species of trees become...the more degraded their health is.” A certified arborist’s report will pinpoint them and take them out of the equation, she said. As a consequence, they will have “smaller trees preserved onsite that are extremely healthy,” along with “your exceptional 12”+ grand trees” – live oaks, southern red cedars, magnolias, etc. – that withstand development well, because, Ms. Hill said, trees are comparable to people: with both, “the older we become, the less we tolerate change.”

Councilman Murray clarified that arborists don’t do the tree study as part of the topo. He was told no by several people; Mr. Waskiewicz said the surveyor “a lot of times gets the tree species wrong.”

Councilman Murray asked what would happen “if a developer said ‘No’ to a certified arborist’s report.” Ms. Hill said, “Currently they can.” Councilman O’Kelley said maybe they should determine that a site needs a certified arborist’s report by its size. Mr. Arnett said he doesn’t think that would work “because look at Starbucks,” which is small but had important trees on it that needed to be preserved. Ms. Palumbo said the cost of the report already depends on the number and size of the trees.

Mayor Keyserling asked what they would be looking at “to get up to par.” What should be spent every year? Mr. Prokop said fertilization is important, and it’s part of the city’s contract with The Greenery, but “we’re not capturing that,” so they can say that it’s money being spent on trees for watering, fertilization, trimming, etc. Mr. Brock said a tree is a specialized scope of work. Mr. Prokop said it’s in the contracts of the landscaping companies that work for the city. He feels more may have been spent on trees than is known because this aspect “wasn’t captured.”

Councilman Murray asked who files for the Tree City USA designation. Ms. Hill said it goes through Public Works. Mayor Keyserling asked if \$100,000 is enough to do what they need to do; Mr. Arnett called that figure “a good start.” Councilman O’Kelley said just the palms that were planted on the West Street Extension were already more trees than the city had planted all of last year. Mayor Keyserling asked about the trees planted on Duke Street. Ms. Hill said 28 were planted there, through CDBG funding for the streetscape, but they “need to look at the year (the planting) was done.”

Ms. Hill offered to put together for council the language of the other municipalities’ ordinances pertaining to their tree funds. She noted that she had contacted cities that are Beaufort’s size, but she wasn’t able to get data from them. This isn’t about “putting this on the backs of developers,” as she’d heard people say, Ms. Hill said. “It’s about trying to preserve the best trees on the site, and/or planting back on that developer’s site.” It’s their development, their funding and their beautification, she said. If due diligence isn’t done, or plant-back isn’t done on developers’ sites, then funds are required.

The payments into other cities' tree funds are much higher than Beaufort requires, Ms. Hill said. The objective is to protect the best trees and to plant back on that developer's site, but all the municipalities with tree funds have created them for developers to pay into if they are not able to meet that objective. Ms. Hill reiterated that the certified arborist's report allows the developer to receive credits back for caliper inches of trees that are in decline; if that occurs, it keeps their fees as small as possible.

Councilman McFee asked if Ms. Hill knew if any of those municipalities required a certified arborist's report. She said those that were listed did, but Hilton Head does not. Those details aren't necessarily in the PTAC report. Some cities, like Charleston, for example, require a certified arborist's report on heritage and historic trees.

Mayor Keyserling said, "As someone who has done development, the arborist's report makes all the sense in the world" because it will save developers money and headaches, because they won't be penalized for "junk" trees. Mayor Keyserling said he's still curious about "what percentage of what we should be spending comes out of this (tree fund), and is it worth the fight with developers . . . Is enough money going to come out of the whole percentage that we wouldn't just come up with a figure that we've got to find money for – to manage what we have and to replenish?"

"The five professionals" here from PTAC know much more than he does, Mayor Keyserling said. "But if we're looking at 10% of what we ought to be spending, should we give that excuse for developers?" At the last meeting at which the ordinance revisions were discussed, 3 or 4 local developers "picked (the ordinance) apart." Mayor Keyserling said, "Anyone who's making them do something more than what they want to do or different from what they want to do is the worst place in the world to do business." But if it's 5% of what they should be spending, that's a bigger issue than what they charge the developers. He had thought that "this (fee) was going to generate adequate money," but the city "is so far behind" where it should be, Mayor Keyserling said, so they need to find a way "to be pretty aggressive about this." He said he agrees with Ms. Farrior that "trees are infrastructure" and "are part of what makes Beaufort unique." He acknowledged that PTAC is telling council, "This is the best thing to do for Beaufort and for the trees."

Ms. Farrior said the other tree ordinances they had looked at in other cities haven't "severely affected the developers at all." Mayor Keyserling said Mt. Pleasant is thinking of reinstating a moratorium "on everything that's happening there." Ms. Farrior said they are much stricter than we have been. Mayor Keyserling said when businesses want to be in a location, \$3000–\$5000 will not stop them. It's not a huge amount in the scheme of things.

Councilman Cromer said he thinks the certified arborist's report needs to be put in the ordinance. He believes "We have to raise money somehow" for a tree fund, and suggested that Beaufort Pride of Place is one way. He agreed with the mayor that the "small amount of money for a commercial development will not stifle development." However, he doesn't want to "hinder . . . infill development and all that, but at the same time, I want to keep . . . our canopy

ratio.” He added that he thinks a developer “should be given credit for taking out” some kinds of trees.

Ms. Farrior would like to know how council feels about changing the definition of grand trees. Councilman O’Kelley said he’s good with it: PTAC members “are the experts.” Mayor Keyserling said if it’s consistent with Beaufort County’s definition, it “theoretically makes it (clearer) to people.” Councilman McFee said, “Half of the other municipalities don’t have as steep a reduction as we’re requesting at 12 inches.” Mayor Keyserling said, “We’re in Beaufort County,” so if the city can be consistent with the county, “without being overbearing . . . it’s easier for the development to happen.” That’s why there’s a countywide form-based code, even though each municipality is doing its own version: “If it’s making it less confusing, it’s good.”

Councilman Murray said he would like to compare what the requirements are in the other municipalities in Beaufort County vs. Beaufort’s proposed requirements. Mr. Brock said the change “makes it consistent in our community.” Ms. Farrior said it also promotes the growth of smaller trees in order to protect and preserve them for future generations Councilman Murray asked about the Town of Port Royal’s tree ordinance. Ms. Hill said, “They’re working on it,” but she hasn’t gotten any definite answers to her inquiries yet. Councilman McFee asked if Bluffton’s ordinance follows the county’s. Ms. Hill said she didn't know.

John Dickerson said SCE&G “has just devastated” trees on Duke Street and throughout the city that are in or near the power lines, and they “have far exceeded the directives (for) properly cutting trees around power lines . . . They are so far outside of the realm of reasonable.” Five years ago, it was bad, he said, “and this time it’s horrible.” He thinks that when SCE&G exceeds the guidelines, they should have to pay into the tree fund. Also, last year, a developer in Bluffton had clear-cut a section of land, so Mr. Dickerson thinks that the ordinance should also address people who do this, because such actions “are not consistent with how we view this community,” and he thinks there should be “a substantial fine . . . for residential or commercial” developers who do that.

Mayor Keyserling said he couldn’t answer Mr. Dickerson about the SCE&G issue. While he’s “nauseated,” SCE&G has rights, they have bought easements, and they have the right to protect their lines. The only answer is to bury the power lines, but as PTAC learned from efforts at a pilot program, “it’s more than we can do.” Most of the complaints about cutting this time have been from people who didn’t live here 5 years ago, Mayor Keyserling said. Mr. Dickerson said they are “virtually chopping the trees in half” on Duke Street, and “there’s no push back.” Mr. Prokop said there’s an arborist onsite with them, Ms. Hill has checked them all, and they are cutting 10’, which is their right, *not* 15’.

Ms. Hill said there might be some areas on Duke Street where mistakes have been made. When there are three-phase lines, she explained, if they’re horizontal, OSHA requires SCE&G to clear 10’ from the “outermost primary” on both sides of it. If a tree in under the power lines, they take out the center of the tree, and this is “not butchering.” She is there directing them “to cut *more* than what they’re cutting.” The worst thing that can be done in trimming is to leave stubs,

Ms. Hill said; “it has to be properly pruned.” There’s an agreement with SCE&G that if they encounter six or more caliper inches – “a significant limb” – that impedes within that 20’, that limb is to be left, and “they have been doing that,” Ms. Hill said, all over the city. However, “they *have* made some bad cuts,” and they correct them, but that means they have to cut more. They have to clear their lines, and no one likes it, but the job is being done.

Mayor Keyserling said much of the public had come for the second item on the agenda, so council needs to move on. He said all of PTAC being here has helped him to understand more, and council appreciates the whole committee coming and sharing their expertise.

DISCUSSION: FOLLOW UP WITH TOURISM DEVELOPMENT ADVISORY COMMITTEE (TDAC) ON GOALS AND MEASUREMENT AND DISCUSSION REGARDING FY 2016 ATAX FUNDING

Chip Dinkins said most of the TDAC meeting had been spent going through the grant applications, and he had put them together for a presentation. Because time was short, he said he could give them to **Michael** to give to council. He handed out copies to council. **LaNelle Fabian** requested that when this discussion is rescheduled, that TDAC be first on the agenda.

Mr. Dinkins said 6 out of 7 members had been present at the meeting. There are 2 new members: **Susan Sauer** and **Vimal Desai**. **Jane Sidwell**, **Gail Westerfield**, **Mary Ann Thomas**, and Mr. Dinkins were also there. They would like to request that council place an August end date for all terms. Members would serve for a set term of three years, beginning in September and ending in August. This allows the chair to run the meeting, Mr. Dinkins said, and then do the reimbursements through the year. Councilman McFee asked if they need an ordinance for that. Mayor Keyserling said yes, and it should be changed. **Ivette Burgess** agreed that council has to do that. Mayor Keyserling asked her to make sure it gets done.

Mr. Dinkins said TDAC had “discussed briefly” council’s idea of expanding TDAC’s role and maybe absorbing TMAC; the committee didn’t take a formal stance, but “no one was looking forward to doing that.”

Mayor Keyserling said he had heard there was concern about money for upgrades at the performing arts center at USCB. Mr. Dinkins said the only concern was that “it was out of place, the way it happened.” That is, TDAC’s recommendations should have come first, before council’s vote, so that council hears the committee’s recommendations and understands them, though “the ultimate decision comes down to you.” TDAC did recommend awarding the performing arts center \$75,000, Mr. Dinkins said, and there’s money left over if council wants to award them \$50,000 more. The committee understood that the performing arts center needs renovations, he explained, but “we weren’t as sold on (its) being a tourist hub”; it’s “more of a community center.” These renovations may allow bigger shows to come to it, which could draw more tourists, so they recommended \$75,000.

Councilman Murray said the \$125,000 that council had voted to give USCB’s Center for the Arts comes out of Accommodations Tax fund balance. Mr. Dinkins said there’s still \$180,000 in the Accommodations Tax fund balance after all that the committee recommended for awards; the

finance director had asked that “we keep 20% in there,” and then there are still remaining funds that council could disperse.

Mr. Dinkins said USCB had also applied for three other grants: for “Pat Conroy at 70,” in October, they were awarded \$3000, and the SC Arts Education conference to be held in the spring was given \$1000. A humanities festival in June and the designer show house were not recommended for awards because it was felt that there wasn’t “a lot of planning or organization behind them at this point in time.” Councilman Murray asked what the \$1000 for the SC conference would be used for. Mr. Dinkins said it would help to offset expenses to host the arts educators. Some may be used to market Beaufort, he said; some may be for postage and mailing.

The Santa Elena Foundation had requested \$31,358 for marketing, Mr. Dinkins said. The committee liked that “they were willing to go get private dollars to match their TDAC” money, and awarded the foundation \$20,000 this year. Mayor Keyserling asked if they can “demonstrate that they’ve done the public side of it,” and Mr. Dinkins said yes, “Everyone has to do that.” Dr. **Andy Beall** said the foundation had reached out to 60 business owners in the city, and the response they had received “was positive in every case.” In August, they collected almost \$10,000. Dr. Beall said they have matching funds, but they will also use the leverage of the DMO (designated marketing organization) on their buys, “so it’s probably closer to a 3 to 1 match.”

Historic Beaufort Foundation has an “architect’s spring tour, Mr. Dinkins said. TDAC recommended they receive \$1,200 to fund the rest of a \$2,200 project. They were also looking to improve their website, and the committee gave them \$1,000 toward that, with the idea that tourists can get to Historic Beaufort Foundation’s and the DMO’s sites more easily. They also wanted reimbursement for some marketing that had already taken place, but that was not funded.

The Beaufort Historic Museum has a number of projects it’s doing, Mr. Dinkins said; TDAC recommended an award of \$7500 to help with their marketing efforts. They requested no funds last year, Mr. Dinkins said. Mayor Keyserling said they are “pretty tightly tied to the DMO.”

The Black Chamber of Commerce was looking for funding for “cultural marketing” and for Gullah events, Mr. Dinkins said. They market to a niche that the Chamber of Commerce doesn't go after, the committee felt, and they are doing “a good job partnering with the folks at the Gullah Festival and that group.” They were awarded \$30,000. They “go after group tours, bus tours, reunions . . . trying to bring folks to Beaufort and trying to grow our brand as a cultural destination,” Mr. Dinkins said.

The Beaufort Art Association was looking for funding for a billboard near Jacksonboro – about 50–60 miles away from Beaufort – to advertise its annual art show. They asked for \$550 and had a match of \$550.

The Beaufort County Historical Society came to TDAC for the first time, Mr. Dinkins said, for funding for a spring conference – a statewide event – that would “bring in a couple hundred people.” TDAC felt it was worthwhile, Mr. Dinkins said, and to offset costs, it recommended an award of \$5000. The group had requested \$7500–\$8000, he believed, but he didn’t have the exact figure.

The Chamber of Commerce had “once again” requested \$100,000 for “general destination marketing,” Mr. Dinkins said; TDAC recommended awarding \$95,000. There have been increases each year in the amount of money TDAC is able to grant, he said, so the committee felt the chamber is doing a good job. In addition, \$35,000 was granted for non-payroll operations for the Visitors’ Center. That does not include a plan for maintenance of the Arsenal, Mr. Dinkins noted. Mr. Prokop said the city is putting in \$18,000 for the roof on the Arsenal. Mr. Dinkins said that former councilman **Mike Sutton** had wanted to see a capital reserve fund established for the Arsenal’s maintenance that they could use “each and every year”; **Robb Wells** had brought up that the funds that they are awarded by TDAC are not “for any kind of reserve fund for maintenance issues that might come up.” Councilman Murray said per the state legislation, “there is an inclusion” for the use of TDAC funds “for tourism infrastructure improvements, which allows us to do the renovations to the performing arts center.” Councilman Murray said Mr. Sutton’s point was that there are “a lot of capital improvement needs,” and TDAC money can’t be used to fix things like the Lowcountry Produce roof, but the Arsenal qualifies because of the high concentration of tourists at the museum and the Visitors’ Center. If there’s a pot of money, Mr. Sutton had suggested, it could be used for that building’s maintenance needs. Mayor Keyserling said TDAC money was used for that building’s elevator and air conditioning. The HVAC came out of TIF funding, Councilman Murray said, not ATAX.

There was a discussion of when a special meeting could take place to finish the Accommodations Tax grant recommendations. Mayor Keyserling said people are anxious because of budgeting, but TDAC “is on schedule.” Mr. Prokop said the Redevelopment Commission needs “at least 2 hours, if not more,” given its agenda, so September 29 would not be a good date for a special meeting. The Chamber of Commerce is having a forum on the local option sales tax (LOST), which council is being asked to attend, on October 6. Ms. Fabian said that groups had been asked to come to the October 13 council meeting – the DMO, Main Street Beaufort, etc. – to discuss TDAC funding. 2:01:11

There was general discussion about when the funding votes could take place. Mayor Keyserling said they could finish at the October 20 work session, and then have it on the agenda for a reading the next week. Mr. Dinkins said he would like it to be finished in October. Mayor Keyserling said they would make it work.

There being no further business to come before council, the work session was adjourned at 7:05 p.m.

A regular meeting of the Beaufort City Council was held on September 22, 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 Phil Cromer, and City Manager Bill Prokop.

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 regular meeting to order at 7:11 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Mr. Dickerson said over the weekend, he had seen the waterfront in Georgetown, and “they have wayfinding everywhere.” He wanted to see Beaufort’s wayfinding signs brought up again for discussion. Mayor Keyserling said the signs are being manufactured at this point, to the best of his knowledge.

Blakely Williams described three Chamber of Commerce events: a health and wellness fair to take place the following day from 10 a.m. – 3 p.m. at the Holiday Inn for people who are retired or nearing retirement; a local Business First expo, also at the Holiday Inn; and October 6, “a community conversation” about the differences between the LOST and the county’s penny sales tax. This will be held at the Hilton Garden Inn at 5:30 p.m.

Councilman McFee made a motion to include the Executive Session, to follow this regular meeting of council. Councilman Murray seconded. The motion passed unanimously.

MINUTES

Councilman Murray made a motion, second by Councilman McFee, to approve the minutes of the work session and regular meeting August 11, 2015. Councilman Cromer said in the attendance listing for that council meeting, the city manager was listed as the interim city manager. On page 14, in the third paragraph, Councilman Cromer said the Shrimp Festival was entered with a lowercase “s.” **The motion to approve the minutes as corrected passed unanimously.**

ORDINANCE REVISING SECTIONS 5.1, 5.3.D, AND 11.2 OF THE UDO TO ALLOW “TRAIL – RELATED USES” AND “ARTISAN STUDIOS/WORKSHOPS” AS CONDITIONAL USES IN THE LIMITED INDUSTRIAL DISTRICT

Councilman Murray made a motion, second by Councilman McFee, to approve the ordinance on second reading. Mayor Keyserling asked the public if everyone understood what the issues are. Councilman Murray thanked Ms. Anderson for her work on this, and he said he feels staff has done a good job of addressing neighbors’ concerns. He feels this area is going to be

improved by the businesses' presence. Councilman O'Kelley said Ms. Anderson had given council another comment from someone who lives in the area who was, and is, opposed to the changes. The majority of the people who commented, though, were in favor of the revisions. Mayor Keyserling said once they finish the trail, and the plan on the northern side of Depot Road is known, he would request that they look at parking.

Ms. Williams commented that the Beaufort Regional Chamber of Commerce thinks this will be a great spur for economic activity.

Councilman Murray added that this only affects the Limited Industrial district. Mayor Keyserling said the opponents of the ordinance revision live outside of that district. Mr. Dickerson said he owns property near the Spanish Moss Trail. He gave council information about the economic benefits of having businesses on a trail; Georgia's Silver Comet Trail "magnified economic impact from \$461 million to \$735 million," he said. "Investing brings back a good return." Also, trail users spend money – the majority of them on food, and they may spend up to \$50 per visit – which has a strong impact on business.

Mayor Keyserling said he had met a nice couple on the trail from Hilton Head who had come to ride the Spanish Moss Trail, rather than those on Hilton Head. Mr. Dickerson said that he feels they should look at others areas for businesses as the trail expands. **The motion passed unanimously.**

REQUEST FROM BEAUFORT COUNTY VETERANS AFFAIRS TO HOST ANNUAL PARADE

Councilman McFee made a motion, second by Councilman O'Kelley, to approve the request for the November 11 event from 9–11 a.m. Ms. Burgess said this is the standard request, and it will be on the same route as in the past. Councilman O'Kelley said he was invited yesterday, and council needs to decide if they are all going to participate in the parade as the city council. **The motion passed unanimously.**

REQUEST OF NOISE ORDINANCE WAIVER FOR PRIVATE EVENT

Councilman McFee made a motion, second by Councilman Murray, to approve the waiver request for the November 19, 2015 event, to be held on private property from 6-7:40 p.m. Councilman McFee asked why they need a waiver; Councilman O'Kelley said they will have a small amplifier. **Andrew McNeil** said they might want to do this a few times a year, so he wanted to follow the rules, so they can do it again. Councilman McFee told Mr. McNeil that he is "still responsible for the decibels at the property line." All the neighbors will be there, Mr. McNeil said. He told Councilman Murray that there will be a big BBQ, and the band will play two short sets. **The motion passed unanimously.**

REQUEST FROM SOUTH CAROLINA ART EDUCATION PROGRAM FOR CO-SPONSORSHIP FOR USE OF WATERFRONT PARK FOR ARTIST BAZAAR

Councilman McFee made a motion, second by Councilman Murray, to approve the request for the November 13, 2015 event. Mayor Keyserling said this group had come to Beaufort year before last, and he encouraged everyone to go and see the wares these teachers sell.

Councilman Cromer asked if the educators would have a problem because they're doing retail sales. Ms. Burgess said the group is a not-for-profit. Mayor Keyserling said council needs to address this "shady area" when they discuss policy for other types of events. **The motion passed unanimously.**

ORDINANCE REZONING FOUR PARCELS ON SIMMS STREET, FROM R-3 MEDIUM-HIGH DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-4 HIGH DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

Councilman Murray made a motion, second by Councilman Cromer, to approve the ordinance on first reading. Councilman O'Kelley asked Ms. Anderson if there were any negative public comments; she said there have been no comments. Twenty different homeowners within 400' of the property being rezoned were notified per city policy. **The motion passed unanimously.**

AMENDMENT TO FY 2015 BUDGET

Councilman McFee made a motion, second by Councilman Cromer, to approve the budget amendment on first reading. Ms. Todd said this relates to a grant received in 2015; the budget amendment is necessary because neither the expenses nor the revenues were in the FY2015 budget. All expenses (\$69,105) that the city incurred for renovations to six owner-occupied houses in the Northwest Quadrant were reimbursed under the Home Grant Program, which is administered by LCOG, so the net effect is zero. Councilman Murray said he would always vote to approve increases in revenue or "net effects of zero." **The motion passed unanimously.**

CITY MANAGER'S REPORT

Mr. Prokop said it was good to have Mayor Keyserling and the *Beaufort Gazette* reporter, **Stephen Fastenau**, back at council.

Updates on Boundary Street construction will be posted on the city's website, Mr. Prokop said, and there will be weekly information meetings. They will work to get it done as fast as they can. There will be a pre-construction meeting with the county in the next few weeks. Mayor Keyserling suggested that, for "managing the complaints" about the city not enforcing its plan, the city should "do some sort of a waiver." Mr. Prokop said the construction would take place at night because that's when they have to do it. Councilman McFee said council had discussed having weekly meetings to discuss questions and concerns, and Mr. Prokop said that there would be Friday open houses for that purpose.

Mr. Prokop thanked the fire department and the Hilton hotel staff for their "professional behavior" during a recent fire, which caused minimal damage and no injuries.

Mr. Prokop said one budget objective is to review permit-processing procedures. Staff is working closely with TCL, which is facilitating the process. All of the employees involved and Councilman Cromer will attend a workshop at TCL on the September 30; City Hall will be closed. They are getting feedback and will get a complete report at that meeting.

Mr. Prokop said the Southside sidewalk project "should be getting underway very shortly,"

pending approval from SCDOT. CTC is funding \$150,000 of it. On Allison Road, they are still awaiting the state's approval on the exception of "the width of the lanes – to make them the same as all our other streets."

Mr. Prokop said what Mr. Dickerson had said about the importance of the trail "was so true." An 11-mile+ trail will attract tourists and money.

The Pigeon Point dock repairs will be made soon. They are hoping it will be completed in less than three weeks.

Mr. Prokop is attending the ICMA conference in Seattle, and Ms. Todd will take his place.

MAYOR'S REPORT

Mayor Keyserling said he had gone to TCL to deliver a proclamation and saw 16–20 students, all of whom will have good jobs when they graduate. Most are hired immediately after graduation, and most will work in this area.

Mayor Keyserling said he's been getting emails about North Street, Water Street, Oaklawn, and the construction at City Walk. He thinks there may not have been enough communication between the neighborhood and the contractor. He is hearing that the residents have never understood the project, the number of lots has increased, there are culverts being covered, and work is sloppy by SCDOT. He suggested a community meeting to introduce the developers to anyone who will come from the neighborhood. "It's too good a project to let it become controversial," Mayor Keyserling feels. There have been "some wacky complaints," and he doesn't know if they are true or not, so he said he would discuss this with Ms. Anderson.

REPORTS BY COUNCIL

Councilman Cromer went to his second Beaufort Historic Museum meeting, and they have added four new board members, so they have a full board for the first time. They have applied to the city and county for Accommodations Tax funds to upgrade their website. Councilman Cromer said they are working on an upcoming Reconstruction exhibit in March 2016, a hoodoo exhibit October 1–30, and Pat Conroy's 70th birthday party.

Councilman McFee said there would be a Northern Regional Implementation Committee meeting this coming Friday.

Councilman Murray welcomed **Deborah Johnson**, the city's new grant writer.

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 Cromer, to enter into Executive Session for discussion of development planning relating to a proposed business location. The motion passed unanimously.**

Councilman O'Kelley made a motion, second by Councilman McFee, to adjourn the Executive Session and return to the regular session. The motion passed unanimously.

There being no further business to come before council, **Councilman Cromer made a motion to adjourn the meeting. Councilman Murray seconded. The motion passed unanimously,** and the meeting adjourned at 9:20 p.m.