

A work session of the Beaufort City Council was held on August 9, 2016 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilmen Mike McFee, Stephen Murray, and Phil Cromer, and Bill Prokop, city manager. George O'Kelley 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.

NEW EMPLOYEE RECOGNITION

Chief Matt Clancy introduced new police department employees: **Jennifer Pennington**, administrative assistant, and **David Shytle, Jarvis Lessane, and Cody Degner**, patrolmen.

Mr. Prokop said these new hires are replacements for people who are not in the police department anymore.

BOARDS AND COMMISSION INTERVIEWS

Mayor Keyserling said the purpose of this interview was to hear the thoughts of Historic District Review Board (HDRB) "incumbents" who want to stay on the board "about what needs to be done" and how city council can support the board's work.

Chuck Symes said he thinks the board is doing better at getting projects through the process more quickly. They are still fighting old "poor impressions" of the board, though. He thinks the board's diversity is great, and the architect's position on the board is "extremely critical." He called **Joel Newman**, who fills that role and is the HDRB chairman, "extremely valuable," and said he is good at "resolving sticky problems."

Planning staff is working on policies and procedures for murals, Mr. Symes said. Also, in the Historic District, who has authority over the city's docks still needs to be clarified. Though docks are "approved elsewhere," he said, maybe the city and/or historic authorities could approve them, if that's possible and/or something they would want to do. It would be helpful if the "boundaries of the Historic District as they relate to water" would be clarified, Mr. Symes feels. Councilman McFee asked if he was saying the Historic District should be expanded into the water. Mr. Symes said, yes, he believes it should be "expanded . . . into the center of the channel."

Mayor Keyserling said in the past buildings – specifically, the DeTreville hotel – were proposed on Lady's Island on the south side of the river, but they were "blocked" because they would have "impeded . . . the historic view." Mr. Symes said it's difficult to protect something like the historic view without policy because it's a "fuzzy" issue. **Maxine Lutz** said the HDRB has authority over what is *attached* to the Historic District that goes into the water. Mayor

Keyserling said that even if the city had an ordinance like the county's, OCRM's authority would always trump the city's.

Barbara Laurie said she agreed with Mr. Symes about Mr. Newman's expertise; he reasons with and offers solutions to those applicants who come to the HDRB with their projects. If the project is not amenable to the city's policies, Mr. Newman offers applicants solutions, she said, so they don't have to keep coming back to the HDRB.

Ms. Laurie said her "tone" on the board is "different" because she's a native Beaufortonian, so she has an at-large perspective, specifically concerning the Northwest Quadrant. She said she also is someone who can be a voice for people who may not know about the issues and concerns that are relevant to the city's neighborhoods. Beaufort is changing, Ms. Laurie said, because of people moving into it; it's no longer a "sleepy little" town, so there needs to be good communication to keep it running well. As to the question of how council can assist the HDRB with what it does, she said she doesn't see or hear a lot about council until people are running for reelection, at least in her neighborhood.

Councilman McFee asked if Mr. Symes and Ms. Laurie see "procedural issues that could be improved upon" in the way the board is run. She said the recording of the minutes is good, and it needs to be done well because the minutes are "a living document." She said **Lauren Kelly** is very knowledgeable and "puts forth excellent customer service to those who come in for services."

Mr. Symes said, too, that Ms. Kelly does a great job with the customers and understands the issues. He prefers that, in the new code, the board, rather than staff, would retain the authority to approve new construction projects in the Historic District. The HDRB could delegate that authority to Ms. Kelly, but if she leaves her position, he said, the HDRB would need to "get comfortable" with the person who took her place before being willing to delegate that authority to him or her, but because the board might choose to delegate that authority, Mr. Symes said, if they were able to retain it in the new code, he suggested changing the wording of this aspect of it.

Ms. Laurie said the HDRB doesn't know who the next person in Ms. Kelly's position will be, so the board must make decisions based on the policy that is in place now, not "what will be years from now." This policy that Mr. Symes had referred to is for new construction in the Northwest Quadrant, she said, not elsewhere in the city's Historic District, so all those who will be affected need more information about it.

Councilman Murray said he liked that Ms. Laurie called the applicants to the HDRB "clients" and that Mr. Symes called them "customers." He said council hears few complaints about the job that the HDRB is doing, though there are still "perception issues" based on applicants' experiences with previous boards; he said the current board members are doing a great job at changing that.

Mayor Keyserling said the new code proposes that in the conservation district (the Northwest Quadrant) of the Historic District, new construction would be approved at staff level. **Libby Anderson** said only single-family housing would be subject to staff review, and if staff chooses to, they could have the HDRB review single-family housing. In the other neighborhoods in the Historic District, she said, HDRB review would remain the same in the proposed form-based code.

Mayor Keyserling said it sounds like “the process has changed” since he went through it, which was “quite awhile” ago. In the past, he said, going to the HDRB was a matter of getting “a nod or no nod,” and if an applicant did not receive a nod, (s)he had to figure out what to do next, because the HDRB members didn’t want to make recommendations, but now they do, which makes the process go more quickly, as does having a staff person who can be trusted to make final approval on projects without the applicant having to come back to the board.

Mayor Keyserling said when the Civic Master Plan was passed, Historic Beaufort Foundation “and maybe others wanted us to adopt guidelines for infill in the conservation district.” Council didn’t feel those guidelines “belonged in a vision plan,” but should be written into the form-based code. The HDRB “operate(s) from a number of different documents,” he said, so “is it time to figure out how to tie all those documents together?” Mr. Symes replied that there need to be changes to “preserve some of the good” guidelines, because with others, in the future, only “a multi-millionaire” would be able to use the kinds of materials that are presently required for historic houses.

The Supplement came out in 1996, Mr. Symes said. Ms. Anderson said the new Beaufort Code adds specific infill standards, which “has been a gap” in previous years. The Secretary of the Interior’s standards haven’t changed, and the others work, but the infill standards are where the gap was, she said, and the new code addresses that.

Ms. Laurie said she has some concerns about infill in the conservation district. There has been a lot of effort over the years to help residents do things to keep their homes up to standards, she said, but with new residents moving into infill houses, she’s concerned about the residents who have lived there for generations and who aren’t able to keep their homes in better condition, so they’ll be comparable to the condition of the infill housing. These residents are often elderly and aren’t able to benefit from the infill in their neighborhood, Ms. Laurie said, plus, the infill will mean the property taxes will go up. Several council members told Ms. Laurie that taxes could “potentially” be higher. Ms. Laurie said, “That’s another layer” of burdens “on the people who have been” in the neighborhood for generations.

Councilman McFee said the city wants to create incentives “that help everybody” in the conservation district, not just the new residents/infill properties (e.g., with the Bailey Bill). Ms. Laurie said, “Capital is a problem.” Councilman McFee said they are trying to offer incentives that offer benefits that “go from raw land to existing structures . . . to waive permitting fees” in designated infill areas, for example, “and costs associated with doing minor upgrades and improvements to houses.” He told Ms. Laurie that there would be a “meet and greet” about the

Duke Street project on Thursday at 7 p.m. at the Duke Street substation. They have handed out “about 100 fliers” about this meeting, and advertised it on social media as well. Mr. Prokop said **Deborah Johnson** had visited 40 homes personally to tell the residents about the meeting.

Ms. Johnson is the consultant on infill for the Redevelopment Commission (RDC), Councilman McFee said, and he is the chairman of the Infill and Redevelopment subcommittee for the RDC. He described some of the plans for infill on Duke Street, which he said “will be a model street.”

The HDRB would benefit from seeing the “war room” on the second floor of the 500 Carteret Street building, Councilman McFee said. It will show them what the plans are for infill. Ms. Laurie said she would like to see that. Mayor Keyserling suggested Councilman McFee could make a presentation to the HDRB about the Infill and Redevelopment subcommittee’s efforts. Councilman McFee agreed and said again that seeing the space at 500 Carteret Street would be helpful to the board.

Councilman Murray told Ms. Laurie that at a meeting, a Northwest Quadrant resident had said she wouldn't replace a window in her historic home because the HDRB’s process was “so burdensome” that she preferred to leave it unrepaired. He asked if there was confusion about what is and isn’t required to receive basic permits and what needs only staff approval. Ms. Laurie said she’s on the HDRB and doesn’t know those things. When she needed a new roof, she hired a roofer, but because she’s on the HDRB, she knows that she lives in a district where “things have to be done in a certain way.” But she also knows from living in the community for years that there is a perception among homeowners that they can’t do work on their homes because the HDRB “is going to tell you what colors you have to use, what ‘this’ you have to use, or you can’t do it.” Also, Ms. Laurie said, for older homes, you need to special order materials that will conform (e.g., windows that are “special sizes”), because they are not in stock and won’t be for sale “at Lowe’s.” She said that’s the perception, “so education is always good: When people know more, they can do more.”

Mayor Keyserling thanked Mr. Symes and Ms. Laurie for helping to change the perception of the Historic District Review Board.

BEAUFORT COUNTY HAZARD MITIGATION PLAN 2015

Ms. Anderson said **Lawrence Hollingsworth**, from Lowcountry Council of Governments (LCOG), is the consultant on the hazard mitigation plan and would make a presentation to council about it.

Mr. Hollingsworth said the plan is required every 5 years. This is the second update by the LCOG to the original document. The LCOG planned for a FEMA grant and received a contract from Beaufort County to do the work. Each municipality in the county is responsible for adopting the hazard mitigation plan by resolution, he said. FEMA approved the plan in June, “pending adoption by the county and the municipalities.” So far, Beaufort County and the Town of Port Royal have adopted it.

Mr. Hollingsworth said the mitigation plan is “a chronological record of all of a jurisdiction's mitigation activities,” and it is required for the county and municipalities if they want to apply for two grant opportunities from FEMA. The first is the “hazard mitigation grant program” (HMGP), which makes funds available “after an official disaster declaration,” he said, for use on public or private property. It can be used for “a number of different mitigation activities (e.g., flood-proofing, relocation of structures, or additional planning work). “Funding is set aside at 7.5% of all (federal) funds allocated through individual and public assistance programs,” Mr. Hollingsworth said. 75% of eligible costs are covered by FEMA, and the local match for this grant “can be in-kind.”

Another grant is for pre-disaster mitigation (PDM) funds, Mr. Hollingsworth said, which are nationally competitive and applied for through the state. With these funds, 75% of eligible costs are covered by FEMA, and there's a \$3 million cap. He described the criteria that are considered.

Mr. Prokop said an underwater engineering study was done underneath Waterfront Park, so they know where damage is and what needs to be done to repair it. He asked if this would qualify as a pre-disaster mitigation project. Mr. Hollingsworth said he would consider it one, yes.

Ms. Anderson said the city has an application in and is on a short list for PDM funds to purchase storm shutters for city-owned historic buildings at 302 Carteret Street and the Arsenal. It's a long process, she said, and the city is eligible because of the work the Lowcountry Council of Governments is doing. Councilman Cromer asked if the city's match for this grant could be “in-kind,” and Ms. Anderson said, “It could, but we probably aren't going to be able to use that” in this case, because the city will be “actually purchasing items.” Mr. Hollingsworth said PDM funds are different than those from the HMGP, but up to half of the recipient's contribution could be made with an in-kind match, on certain projects.

Mr. Hollingsworth showed changes that are occurring that affect disaster preparedness, such as population growth and demographic changes. The 2015 hazard mitigation plan paid close attention to technology and how it's used now (i.e., using cell phones and social media to help people be better prepared and informed, data management and storage in the cloud, etc.) Population growth in Beaufort has been moderate (6.22%), but the city's population is aging and is more diverse.

Disaster modeling software has been updated, Mr. Hollingsworth said, and they can map where a hurricane might hit and the amount of damage it might do. They have also reviewed other plans and studies, including looking at comprehensive plans and how they pertain to “resilience (to) natural hazards.”

Mr. Hollingsworth described where information that was analyzed for the 2015 plan was obtained, and the assessments of the various kinds of vulnerabilities and capabilities a community might have, which had all been analyzed. When applying for FEMA funding, the

mitigation goals and objectives are the most important part, he said, and city council had been provided with those for the 2009 and 2015 plans. There are a couple of new goals in the planning process, Mr. Hollingsworth said: to “incorporate the threat of sea-level rise” and to explore the use of social media for public outreach.

Mayor Keyserling said volunteers from the Town of Port Royal and the City of Beaufort had developed a sea-level rise task force that’s been meeting for two years. The group had created a report about what they had found about the points that are most vulnerable to sea-level rise. They want to find funding for pre-engineering, and Mayor Keyserling asked if such a project would qualify for PDM funding. Mr. Hollingsworth said he felt confident it would; that sort of study would work well for funds set aside for planning, he said.

Mr. Hollingsworth said Ms. Anderson and **Rob Carson** had looked at the recommendations made in the 2009 plan, and a tremendous amount of progress has been made, he said. He showed a long list of recommendations that had been made as a result of that report (e.g., cloud storage for centralized information from the City of Beaufort, new drainage projects in the Historic District, the new City of Beaufort building is “hardened,” etc.)

Actions in the 2015 plan include some that were in the 2009 plan that were “carried forward,” for the types of projects that “other municipalities in the area will constantly be working on” (e.g., vulnerable structures, drainage projects, best practices, etc.), Mr. Hollingsworth said. They also looked at 2009 recommendations that “may have been left behind.” No action was taken on them because they weren’t feasible at that time, were too expensive, etc. New recommendations were made for this 2015 plan that continue those 2009 recommendations, he said.

Mr. Hollingsworth highlighted some of the actions in the 2015 hazard mitigation plan: Study sea-level rise and coordination; identify vulnerable structures in the city and create a CIP list for them; develop a program to study poorly drained areas and remedy them; assist private homeowners and business owners with obtaining funding for retrofitting hazard-prone structures, and more.

Ms. Anderson said on October 20, there would be a hazard mitigation workshop to offer property owners in flood-prone areas “a free consultation” with a “certified flood plain manager,” so they could get expert advice on how to “either correct their elevation certificates” or make “minor to substantial improvements to their structure . . . to reduce the flood hazard and . . . reduce their flood insurance burden.”

Mr. Hollingsworth said the intent in “developing the lists of actions” was to be specific enough to offer guidance, but general enough to offer “a number of different projects under one line item.” They didn’t want to paint themselves in a corner with recommendations that were too specific, he said, so they kept them general to allow for flexibility in developing projects “under that umbrella.” Ms. Anderson said, for example, the underwater engineering in Waterfront Park

that Mr. Prokop had asked about funding for might qualify because the goals have been kept “broader” and less specific.

Ms. Anderson said there would be a resolution about the plan brought to council at its next meeting.

DISCUSSION: SHARROWS AND SIGNS, SPANISH MOSS TRAIL

Joe DeVito, representing the Friends of the Spanish Moss Trail, said the group’s next goal is “figuring out how to connect the trail” to other areas of the city, town, and county. First, they would like to “create a safe path from the trail to other bike lanes, and to the downtown” area of the city. There is a memorandum of understanding with the SCDOT to get sharrows (i.e., “the ‘share the road’ emblem that goes in the pavement,” which has “3 arrows with a bike in the middle,” Mr. DeVito said). Getting sharrows installed requires an encroachment permit from the DOT. The process for this “gets muddy” at the district level, Mr. DeVito said, so government resolutions and “plans showing they want . . . full-access” for pedestrians are very important to obtaining this permit.

People are using Depot Road, Bay Street, and North Street to get to the Spanish Moss Trail, Mr. DeVito said. To get approval for the encroachment permit, they have to show that the sharrows will connect one bike path or pedestrian path to another, he said, which works with the “bike lanes on the bridge” and bike lanes “going out straight out on Highway 21,” Mr. DeVito said, so the encroachment permit will identify sharrows to connect the Spanish Moss Trail to the bike lanes on the Woods Bridge and out to the islands. The long-term goal is “to get across the McTeer Bridge and down Waddell Road, through Southside Park and back to the trail” by one of the connections there; that will create a full 9-mile loop, he said. The first step is a resolution to support the sharrows’ installation. Council has to sign the encroachment permit.

The Friends of the Spanish Moss Trail will pay for this, Mr. DeVito said; it’s in their budget. Mayor Keyserling said if he were riding from North Street to get to the bridge, he would never go on Bay Street because of the amount of activity, as well as the likelihood that someone would be open a car door without seeing a cyclist approaching. He asked if it wouldn’t make “more sense to go over to Carteret” Street. Mr. DeVito said he personally chooses to ride on Bay Street when there’s less activity, but that street seems to be where the bike activity is. They are open to finding another way, he said, but they do need to say that the sharrows identify a path to the bike lanes; that’s an SCDOT rule. They can only be on roads with a speed limit of 35 MPH or less. In some places, the speed limit is 25 MPH.

Mayor Keyserling asked if they didn’t already have an encroachment permit for sharrows. Mr. DeVito said Mayor Keyserling was referring to an encroachment permit for directional signs to the Spanish Moss Trail and its trailheads; they got a grant and an encroachment permit for that. Mr. DeVito said there was a grant received many years ago for sharrows to be installed on Boundary Street, but he couldn’t find out what had happened with that. That was 5 or 6 years ago, maybe more. There are no sharrows anywhere in Beaufort County at this point, he said. The trail group has been unable to get them approved. There are bike lanes, but not sharrows,

Mr. DeVito said, which are *in* the lane of traffic, where bikes are expected to ride. They're used all over the United States, including in Charleston. The Friends of the Spanish Moss Trail will get resolutions from Beaufort County and the Town of Port Royal, too.

Councilman Murray asked, "How closely are they painted together?" Mr. DeVito said that will be determined by funding, but the sharrows "will be at turns and intersections," and on "longer straight runs," as well as at each side of Ribaut Road at North Street and Bay Street. Also, "as you're leaving downtown," and going back to the Spanish Moss Trail, the sharrows will indicate the split of Bay Street into North and Bay Streets, so riders can choose which road to take back to the trail. Councilman Murray asked if there are directional signs to the trail at the split. Mr. DeVito said there is a Spanish Moss Trail directional sign on Ribaut Road but not at Beaufort Elementary School, where Bay and North Streets split. If they do a directional sign, they would direct people to Depot Road, because there's no parking at the North Street entrance to the trail, which is pedestrian only, Mr. DeVito said. Someone is willing to donate a sidewalk at the end of North Street, he added.

Councilman Cromer said the resolution needs to be changed because it says the City of Beaufort is paying for this, not the Friends of the Spanish Moss Trail. Mr. DeVito said he would change that, and it also needs to say that the bike lane would be connected at the foot of the bridge, which they "just found out."

Joe McDermott said people could ride their bikes through Waterfront Park instead of on Bay Street; Mayor Keyserling said people aren't allowed to ride bikes in Waterfront Park. Councilman Murray said it's illegal to ride a bike there or on the sidewalks in the core commercial district.

EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law, **Councilman McFee made a motion, seconded by Councilman Murray, to enter into Executive Session for a legal briefing concerning pending litigation. The motion passed unanimously.**

There being no further business to come before council, the work session was adjourned at 6:07 p.m.

A regular meeting of the Beaufort City Council was held on August 9, 2016 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilmen Mike McFee, Phil Cromer, and Stephen Murray, and Bill Prokop, city manager. George O'Kelley 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 McFee made a motion, second by Councilman Cromer, to adjourn the Executive Session. The motion passed unanimously. Councilman McFee said no action was taken during the session.

CALL TO ORDER

Mayor Keyserling called the regular meeting to order at 7:07 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman McFee led the invocation and the Pledge of Allegiance.

MINUTES

Councilman McFee made a motion, second by Councilman Murray, to approve the minutes of the work session and regular meeting July 26, 2016. Councilman McFee said on page 3, the construction company's name is *Low Coast*, not *Low Cost*.

[On page 8, Councilman Murray's statement, which had a highlighted dash as a placeholder, was uncorrected after checking. It should read, ". . . process is easier, than . . ." – steno.]

On page 11, Councilman Cromer said "Chowan" Creek, to which Councilman O'Kelley referred when addressing Chuck Newton's statement about a corridor on Lady's Island, should be "Cowen" Creek. *[Mr. Newton's statement – attached to the July 26 minutes – referred to the creek as "Chowan" on the first page – steno.]*

On page 15, in the middle of the page, where the minutes say that Councilman Cromer asked "if the city has liability insurance for this," Councilman Cromer asked that for clarification, the minutes should be changed to show that he had asked **Ivette Burgess** if the city had a "certificate of insurance" from the applicant.

In the final paragraph on page 16, Councilman Cromer said, in the phrase "Councilman Cromer would like council . . . to be more transparent in the future when the city sole-sources," there should be an apostrophe between the "e" and the "s" in the word "sole-sources" to indicate that it's "not more than one." *[Councilman Cromer used "sole-sources" as a verb in this sentence, and it agrees in number with its singular subject ("the city"). Apostrophes are only used with nouns to indicate possession or to form a contraction. – steno.]* **The motion to approve the minutes as amended passed unanimously.**

ORDINANCE CREATING THE CULTURAL DISTRICT ADVISORY BOARD

Councilman McFee made a motion, second by Councilman Murray, to approve the ordinance on second reading. Councilman McFee said, at the previous council meeting, council had made an adjustment to the ordinance concerning the requirement that the group report to two

meetings of council per year. The ordinance was to be amended to require a board representative to report to council only once a year, he said. **Councilman McFee withdrew his motion and Councilman Murray his second. Councilman McFee made a motion, seconded by Councilman Murray, to amend Section 1-9033 of the ordinance to read that the board “shall report to city council at least once per year.”** The amended motion passed unanimously.

REQUEST FOR CO-SPONSORSHIP FOR THE ANNUAL FRIENDS OF THE LIBRARY FALL BOOK SALE AND 12 FREE PARKING SPACES IN THE MARINA LOT

Councilman Murray made a motion, second by Councilman McFee, to approve the request for the September 22-25, 2016 event in Waterfront Park. Councilman McFee questioned the number of free parking spaces requested, which have increased since last year’s event. He was concerned about doubling the number of spaces, and thought the group could use six spaces, as they have in the past. **Neil Lanes**, Friends of the Library, said the group had six spaces the previous year, but he hadn’t realized that when applying. He said six spaces would be fine. **Councilman McFee made a motion to amend the request to six spaces. Councilman Murray seconded the motion to amend, which passed unanimously. The amended motion passed unanimously.**

AMENDMENT TO UNIFIED DEVELOPMENT ORDINANCE (UDO) PERTAINING TO SIGNS, SECTION 7.2.G.4 AND SECTION 11.2

Councilman McFee made a motion, second by Councilman Murray, to approve the amendment on first reading. Ms. Anderson said **Greg Parker** has applied to the City of Beaufort to revise the UDO as it applies to gas station signs. Parker’s is constructing a gas station at Trask Parkway and Roseida Road. They would like to revise the ordinance to use digital numbers for gas prices on their signs. The Metropolitan Planning Commission will consider this project later this month, she said.

Ms. Anderson showed what would be amended in the ordinance pertaining to “changeable copy signs.” Councilman McFee said this is very specific, and he asked if this would be the only area that would be “rural enough” to qualify for this type of sign, Ms. Anderson said yes. Other new gas stations on Ribaut Road had asked about these kinds of signs when their projects were being developed, and “it was discussed, but the ordinance didn’t permit it,” so they used standard signs.

Councilman Cromer asked if the Town of Port Royal permits these signs. Ms. Anderson said yes. She showed an example of one. Councilman Cromer asked what the opposition is to these digital signs. Ms. Anderson said the signs are too bright and “too highway-oriented.” A previous Design Review Board was opposed to them, but she thinks “context” is important, and in this case, the signs are “quite workable.”

Mayor Keyserling said this is new technology that would be “easier to operate” for changing prices. He didn’t feel the signs at the Parker’s stations in Port Royal were too bright, but “on Boundary” Street or “in town,” signs as bright as those “might be questionable.” Councilman McFee noted that the Parker’s in Shell Point has two of these signs.

Councilman Murray said he had looked at different gas stations' signs around Beaufort, and the Parker's signs "look appropriate" because they are "a nice, brick sign." Some stations that have plastic signs have the numbers peeling off, and the signs themselves aren't nice. He wouldn't want to see an LED output without "regulating foot candles," but he thinks the digital signs look better than "old, cheap plastic things." He is not opposed to allowing their use throughout the city.

Mayor Keyserling said the new Parker's store in Port Royal sets a new standard and uses new technology, so the store workers can change gas prices from inside the store. Ms. Anderson said staff is suggesting that council allow this amendment for the new Parker's station, and they'll see how it works there; the use of this type of sign could be expanded to other areas, if that feels "appropriate."

Councilman Murray asked about precedent for passing something on first reading before it goes to the Metropolitan Planning Commission; Ms. Anderson said it's been done in the past, and this application "came in at the last minute." **The motion passed unanimously.**

Hunter Hughes, a Boy Scout who was observing city council, introduced himself.

CITY MANAGER'S REPORT

Mr. Prokop said the Boundary Street "improvements are taking shape"; a new intersection was opened Sunday night, two weeks early, which will improve traffic flow and public safety "after we get through the first 48 hours." It will cause some disruption to businesses that have been unaffected until now, so the city is working with those businesses to minimize that. Also, Mr. Prokop said, the city has been advised that in the next 2 or 3 weeks, there will be another major Boundary Street change: traffic will "shift to the left side" of the street "from the right side," as work takes place on the duct bank. The public will be notified about this, he said.

The Beaufort Code review is proceeding on schedule, Mr. Prokop said. Ms. Anderson and Ms. Kelly are continuing to hold meetings about it, including with "a team of developers and their legal counsel . . . We're all learning something," he said; Councilman Cromer is among those attending these meetings. Staff will meet next with a group of contactors and neighborhood groups to review the code, then it will go to the Metropolitan Planning Commission, Mr. Prokop said; the code will probably not be done before the end of the year.

Mr. Prokop said he had attended the county's Finance committee meeting with a request for \$87,640 of the county's \$288,800 impact fee from the Walmart development for a traffic study "that would be beneficial to the entire Lady's Island community." The city's share of the impact fee is \$2,800, he said. The committee tabled their decision until their next session. Part of the problem, Mr. Prokop said, was that the Finance committee chairman told him he had read a quote from Mr. Prokop in the *Beaufort Gazette* that the committee "had already agreed to giving this \$87,000, and that it was a done deal." Mr. Prokop told the chairman that he had not told the reporter that the committee had agreed to it, only that he would be going to the

Finance committee meeting.

The Finance committee felt that the traffic that the study would cover is “more of a city problem than a countywide problem,” Mr. Prokop said, so he had explained to them that the study would benefit residential development in the county and would use money from the Walmart impact fee. He said he’d told them, “This was part of the request of the Northern Regional Planning group,” and is being worked on with the involvement of the state, including Representative **Shannon Erickson**, as well as Ms. Anderson and county planning staff. Rep. Erickson was at the Finance committee meeting to explain that this study “is important and affects us all,” Mr. Prokop said.

The Finance committee tabled the matter, Mr. Prokop said, and expressed their feeling that “the impact fees should stay with the county and . . . should be used for road repair and construction,” etc. The committee had “serious questions about whether our request” to use impact fees for a traffic study “is fair,” Mr. Prokop said. Staff would put together more data to present the request again, and would explain in greater detail to the committee what they are asking for and why, he said.

Mayor Keyserling asked if “we’re under (any) obligation to do this study.” The contract with Ward Edwards had been signed, Mr. Prokop said, for the sake of “the timing, to make sure the work was” begun before schools started again. Councilman McFee said when approval of the contract was before council, Councilman Murray had suggested an amendment to make approval contingent on the county agreeing to use impact fees to pay for the study, but council decided against that. Councilman McFee said that he was quoted in the minutes as asking if they would not do the study if there was no funding for it, but the consensus was that it would be done whether funding was obtained from the county or not.

Mayor Keyserling said, “This is a moral breach of trust with us and the county.” There are traffic problems and “inconveniences” on Lady’s Island today that were not “caused by the city.” Walmart, Harris Teeter, and Publix’s move to its new location were not done “because the city asked them to,” but because of the growth on Lady’s Island, and the people on Lady’s Island wanted those things. This is about the safety of people who live in Beaufort County, Mayor Keyserling said, many of whom don’t live in the City of Beaufort. Not funding this study is “a breach of the spirit of the Northern Regional Planning group,” he said. “We collected \$280,000 that we gave to the county . . . (through) an impact fee,” of which “\$2,800 goes to the city; the county gets the difference,” Mayor Keyserling said, “and they say that this is Beaufort’s problem.”

Mr. Prokop said each of the developers in the area (Walmart, Harris Teeter, and Publix) has done its “independent traffic study for (its) own development.” The purpose of this traffic study, he said, was that city and county planning groups felt it was necessary to “step back and try (to) put all of (those studies) together and look at the impact.” Mr. Prokop said, “There’s a problem now,” and the Walmart and Harris Teeter developments “aren’t there yet,” so “it’s all going to get worse.” Also, there are to be 200 more homes built on Lady’s Island, and with 1.5

cars on average per household, there will be “additional traffic, just from the area within 2 miles of (this) major intersection.”

Councilman Murray said there’s “a lot of misinformation out there,” including among members of county council: people don't understand how annexations occur, for example, or “how impact fees should be directed and spent.” He feels a “simple educational process needs to occur” with city council’s colleagues on county council and with “the general citizenry.” It’s believed that “if those parcels weren’t annexed into the city, somehow they wouldn't be developed,” Councilman Murray said, and if they “remain in the county, somehow the county’s development processes would stop or protect development from happening.” On the other hand, there is much conversation about the Oyster Bluff development and how the county’s tree ordinance failed citizens by not preventing the clear-cutting of the site. He agreed with Mayor Keyserling that this should not be “a blame game,” and it is not the city’s, the county’s or DOT’s “fault,” but they should all be working together better on a better plan; however, the majority of their colleagues in the county don’t understand that, Councilman Murray said.

Mr. Prokop said he had explained to the committee that the majority of the property in the strip to be studied is not city property, though the committee members were under the impression that it was, and that the county loses its tax base when the city annexes property, when in fact, the county gets the same amount of taxes before and after an annexation. And they “don’t have to provide the services,” Councilman Cromer added.

MAYOR’S REPORT

Mayor Keyserling said the realtors’ association is having its Frogmore stew cook-off in September, and he wondered if city council wanted to participate.

Mayor Keyserling said he’d received an email from a woman who is building a new house in the Northwest Quadrant and was told that hooking up to water and sewer would cost her more than \$15,000. Mr. DeVito and Mr. Prokop are “going to look at the bigger issue,” Mayor Keyserling said, which is that it costs so much because of the need to cut the street; the sewer runs right down the middle of it. If the city is going to make infill and redevelopment affordable for people, there might be grant money available to move the sewer, so it will be more accessible, he said.

Ms. Anderson said if water and sewer are in front of the site of a new house, the capacity/tap fees are about \$5,000, and the additional \$10,000 this woman has to pay, it sounds like, is because “the sewer wasn’t right there . . . Everyone, citywide, pays this \$5,000 per house,” she said, which is a lot, especially in the Northwest Quadrant, “where we’re really trying to stimulate infill development” on lots that have never been built on before. Each lot “may have a different situation” of where the water and sewer are in relation to it, Ms. Anderson said. This may be a reason that this particular lot under discussion hadn’t been built on before. “We do need to advise folks when they come in for these vacant lots,” she said, to check on the water and sewer so they don’t get these “surprises at the last minute.”

Mayor Keyserling said, “We ought to know, and realtors ought to be disclosing” this cost to their clients. Mr. DeVito had told Mayor Keyserling that for this woman’s lot in the Northwest Quadrant, they “would plot it out . . . decide where everything is, and look at the arrangement (on) Duke Street,” which might be able to be modified. They at least should be able to show people where the sewer is, Mayor Keyserling feels.

Ms. Anderson said when there are lot splits, before the new lot is platted, staff is working to ensure that the developers or the original property owners provide the water and sewer laterals, so the lot will be “ready to go,” and there will be no surprises for the new owners. “With these existing lots of record,” though, she said, “you just don’t know what the utility situation is.”

Mayor Keyserling said the event planned to honor Vietnam veterans would be on Friday; **Donnie Beer** is also organizing the annual ceremony to commemorate 9/11.

REPORTS BY COUNCIL

Councilman McFee said the Infill and Redevelopment subcommittee of the Redevelopment Commission would host a meet and greet event at 7:00 p.m. on Thursday at the Duke Street substation to provide information about the Duke Street infill project

Councilman Murray said the Beaufort County Economic Development Corporation (EDC, aka “the corp”) had voted to release an RFP to hire a facilitator “to help recommend a structure for the corp moving forward.” County staff told the group it should “go to committee to get that done,” while a county councilman told them, “That (has) already been approved” at a February county council meeting, and they could just go to the county administrator for authorization. Councilman Murray “tried reaching out to the county administrator” four times, but did not receive a return call. Later, Councilman Murray heard through a colleague that the county administrator had not called him back because he “didn’t want to talk about economic development; he didn’t agree with that course of action.”

The EDC then planned to go to the Governmental Affairs committee, but the meeting was cancelled, and they were referred to the Finance committee, which is headed by Councilman **Jerry Stewart**. County staff advised calling Councilman Stewart, who, when Councilman Murray spoke with him, said “he would not be voting for that expenditure request without a completed RFP process,” so the EDC board members will meet to finalize the RFP process. There will be a 30-day window to select a facilitator, then they will go back to the county, and he hopes there will be “a responsible bidder . . . within the next 45 days,” so the EDC can move forward with the process of hiring someone.

Mayor Keyserling said he met with a “youth leadership group,” and was looking for some help from an adult volunteer who would like to coordinate 40 students from 10 schools to meet 8 times during the year.

There being no further business to come before council, **Councilman Cromer made a motion to adjourn the meeting. Councilman McFee seconded. The motion passed unanimously,** and the meeting adjourned at 7:50 p.m.