

A work session of the Beaufort City Council was held on February 23, 2016 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilmen Mike McFee, George O’Kelley, Stephen Murray, and Phil Cromer, and Bill Prokop, city manager.

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 5:04 p.m. **Councilman Murray made a motion, second by Councilman McFee, to move the annexation and rezoning item to the top of the agenda.**

### **ANNEXATION AND REZONING REQUEST FOR 226 SEA ISLAND PARKWAY**

Mayor Keyserling said this annexation and rezoning request had first reading, but council hadn’t reached a “comfort level” about it. He feels they shouldn’t move forward with annexation until they have worked through the traffic issues, which SCDOT has said should go to another department, but there was no money there. The city and county planning departments are looking at the entire area, Mayor Keyserling said. He personally would like to postpone annexation – though he supports it – because he doesn’t “want the responsibility of compounding what I think is a dangerous piece of road right now.”

Councilman Murray said he’s “encouraged the city and county are working together.” They have looked at individual projects in this corridor, but not at how the projects would combine and what the impact of traffic would be.

Councilman Murray said he supports the annexation. Both county and city zoning in this area allow a restaurant with a drive-through, and he also supports closing donut holes. When it comes back before council, he said he would support annexation “regardless of where we are in the planning process,” but he agrees that they should look at the traffic issues in the area.

Councilman McFee said the Northern Regional Planning Implementation Committee, the county, and the City of Beaufort are working on a study to address traffic issues there. Representative **Shannon Erickson** has written to SCDOT to ask for their support. Councilman McFee said he supports the annexation but feels they should get “further down the road” before they take action. Councilman O’Kelley said he is recusing himself on this matter.

Councilman Cromer said it is a dangerous intersection, and he supports postponing action until the traffic problems are worked out. Mayor Keyserling said that the various area businesses (Publix, Walmart, etc.) all do studies, “but who looks at all those?” He thinks there might be “an interim solution,” even if there’s not “a comprehensive plan for a 2-mile stretch of road.” They need to deal with the hazard that exists today, Mayor Keyserling feels. Councilman McFee clarified that he, too, was talking about the intersection, not “suggesting that we can resolve Lady’s Island Drive and Sea Island Parkway in one fell swoop,” especially given past experiences

working with the highway department. Councilman Murray said he doesn't think holding up the annexation would "create . . . leverage for us to get the other parties to the table to accelerate that planning process." All of the councilmen and staff need to advocate with all of the parties to "make sure that planning process actually happens." Interested residents should reach out to elected officials, and staff should "keep the pressure on DOT," Councilman Murray said.

Mayor Keyserling said they would keep people notified about what's happening. He asked for public comment and said that the consensus among council is that the intersection should be dealt with before they move forward. Council would not be doing anyone a favor by doing a quick annexation, he feels. That would be "doubling up the problem."

**Paul Butere** said the interested citizens have had "great receptivity," and he appreciates getting a little more time before annexation. They understand that business and progress are coming, he said, but they "want to try to control the degree of impact" that development has on "traffic and otherwise." Mayor Keyserling told Mr. Butere that if council could help with the meetings the citizens are holding, he should let council know. Mr. Butere said progress with SCDOT has been "modest."

#### **BEAUFORT COUNTY ANIMAL CONTROL ORDINANCE**

Mr. Prokop said the county has suggested that the City of Beaufort adopt this ordinance so it would be consistent across all the municipalities in the county. **Allison Coppage**, Beaufort County assistant attorney, said the ordinance has been approved in the unincorporated areas of Beaufort County and Hilton Head, and it will be before Port Royal's town council for second reading March 9. They are communicating with the Town of Bluffton about it.

This ordinance was "prompted by the new direction" the county wants to "go (in) with animal control services," Ms. Coppage said. She described the new animal control facility that is being built in partnership with the Humane Society; it is "wonderful," she said, so the codes and the officers who utilize them should be, too.

The "notable changes" to the ordinance are registration requirements, which are "staged," Ms. Coppage said, depending on whether the animal is microchipped, spayed/neutered, both, or neither. This is part of an effort "to promote responsible pet ownership."

In regard to the "restricted breed," Ms. Coppage said, this is not "a prohibition," but "our animal control population problem" at the shelter "is driven by a specific breed." 97% of the euthanasia at the shelter currently is performed on pit bulls and pit bull mixes. Owners will now be required to spay or neuter pit bulls to help with population control.

Ms. Coppage said the town managers of Hilton Head and Port Royal had asked for some things to be included in the ordinance (e.g., a livestock allowance).

Councilman McFee asked how the fee would be collected – through vets or the county. Ms. Coppage said if the city adopts this "by reference," then Beaufort County Animal Control

officers will enforce the laws in the City of Beaufort. There will be a memorandum of understanding (MOU) with the city and county that the county will provide animal control services. Ms. Coppage said she would prosecute any violations in Magistrate's Court.

Councilman O'Kelley said he is "basically for some form of animal restraint and control," but Beaufort has an animal control ordinance, and much of it is similar to what the county is proposing. He has "some heartburn" about some aspects of the proposed ordinance, he said, and read from it about "strict voice control": When an animal destroys property, attacks, or is a nuisance, "there shall be a presumption of law that the animal was not under strict voice control." If that were given to "a judge to charge a jury," Councilman O'Kelley said, most jurors would believe "a presumption of law" means "the judge has said that there's a presumption that this person's guilty." If dogs were restrained in a kennel, and someone other than their owner let them out, Councilman O'Kelley asked if the presumption of law would mean that the owner is not guilty because the dogs would not have been "under strict voice control," and the owner didn't let them out.

Councilman O'Kelley said he also feels the requirements to register hunting dogs – which he said he doesn't think is a requirement yet of the SCDNR – and to obtain a license to breed dogs indicate that "Big Brother is arriving, folks." In his opinion, "some of this is too much." Such requirements, Councilman O'Kelley feels, are "not America, to me, and . . . not Beaufort." He thinks council and staff should look at this proposed county ordinance and the city's current ordinance, "and see if we need to change it all that much." In the past, Councilman O'Kelley said, dogs were chained and penned, and "we let good citizens take care of that." He wondered "if we're getting too much of a Big Brother attitude on this."

**Tallulah Trice**, director of Animal Services, said the registration of hunting dogs has been required for about 5 years through SCDNR, and it costs \$5. Ms. Trice described older, higher priced licensing for breeders, and said that's been changed, and a license to breed costs \$100. "But the problem is the pit bulls," she said, which are the dogs they must euthanize because owning them is being widely banned. They want to help those who breed responsibly, she said, but this part of the county ordinance is an effort to control pit bull breeders.

Councilman O'Kelley said there are other terriers that aren't pit bulls. The proposed ordinance applies to "any dog that exhibits physical characteristics which predominantly conform to the AKC," he said. "Who decides" if a dog will "be put down because he looks" like a pit bull? Councilman O'Kelley asked. Ms. Coppage said that would not happen. If a dog is determined to be a pit bull or a pit bull mix, its owner would receive "a notice of breed determination," and the owner would have to get the dog spayed or neutered. In Beaufort County, pit bulls can't be bred, Councilman O'Kelley confirmed, then asked, "Why not?" Ms. Coppage said that is correct; that is a step the county council has decided to take to "handle the overpopulation" of pit bulls in Beaufort County.

Councilman Cromer asked if it was a requirement that the pit bull owner have \$50,000 in insurance. Ms. Coppage said, "I believe that falls under 'dangerous dog'," which is Section 4-32,

and Section 2D, which is about a liability insurance policy. The dangerous dog law “A1–5 is verbatim from South Carolina law,” Ms. Coppage said, and the requirements associated with it are, too. The difference is that the county has “final determination of ‘dangerous dog’, which sets up an appeal process that’s not currently provided by South Carolina law.” Councilman O’Kelley said, “The one-bite rule has been kicked out by the courts.” Ms. Coppage said, “It’s strict liability in South Carolina. One bite.”

Councilman McFee said the new ordinance only addresses animals that attack humans. If a dog were unsafe to other animals, he would consider it “dangerous.” Ms. Coppage read from the ordinance: if an owner knows or reasonably should know that an animal has a tendency to attack unprovoked, it is considered dangerous “to humans or domestic animals.” Ms. Coppage said this is verbatim from South Carolina law, so it was adopted. Councilman Murray asked if there is precedent outside of Beaufort County for this ordinance. Ms. Coppage said this is “definitely a progressive ordinance,” and it is “very comprehensive.” Large portions of it were taken from other jurisdictions and adapted to meet the needs of the county. She is “very comfortable with the county’s position,” she said, which is “very defensible” if these ordinances were challenged. A notice of determination was issued by the county on a pit bull case in an unincorporated area near Bluffton, Ms. Coppage said; the county had argued in Magistrate’s Court, an appeal was upheld, and the matter is now at the circuit court.

Councilman Cromer asked if the county is prosecuting those cases that go to Magistrate’s Court and then to Appeals Court. Ms. Coppage said yes. The county is the enforcement officer, and the city would be the entity that passed the law, so they would “probably all be named” in a case, she said.

Councilman O’Kelley asked about the management of feral cat colonies. Ms. Coppage said Ms. Trice could speak to that. Councilman O’Kelley said there used to be a lot of feral cats on Bay Street. They were taken to be spayed/neutered, so now they have “kind of disappeared downtown.” Ms. Coppage said sterilization is needed to manage cat colonies, which Ms. Trice said there are “a lot of” in the City of Beaufort, though they are seeing a decrease in population by 100 cats per month because the free spay/neuter program is working. The colonies are monitored in case there is a disaster. She enumerated the many free services being offered to help animals, including feral cat colonies.

Euthanizing doesn’t work to decrease populations, Ms. Trice said, so they are spaying/neutering feral cats and pit bulls. Only one dog in the Beaufort shelter is not a pit bull, she said, and “our staff is tired of euthanizing them. We’re tired of housing them.” Pit bulls are being banned everywhere – the military bases, apartments, POAs, etc. – so no one can find homes that will adopt them, she said. Hilton Head has had pit bulls living in its shelter for as many as 8 years, and the Beaufort shelter is “a pit bull sanctuary now,” Ms. Trice said. The pit bull breeders are fighting Animal Control’s efforts to spay and neuter their dogs.

Councilman Murray said a year ago, the county had changed from having deputies doing collections to non-deputies, who don’t have jurisdiction within the city limits. Ms. Coppage said

it was the sheriff's office before; it's more cost-effective to use Animal Control officers, but currently, they can only enforce the ordinance in Hilton Head and in unincorporated areas. They will only be able to come into the City of Beaufort through the MOU.

Councilman McFee asked Ms. Trice how people would register their pets. Ms. Trice said it's easily done online or by phone, and free microchipping will be offered in Beaufort and all over the county. Ms. Trice said they are "trying to prevent more tags," and vets are working with them. Councilman O'Kelley asked what people can do if they don't want to go online. Ms. Trice said there would be a form for people to mail in, too.

Mayor Keyserling said he knows having two different codes has been complicated, as has the matter of who enforces them. Police Chief **Matt Clancy** said, "Lately, if we (have) an incident, we'll call Animal Control, and they'll respond. If there's a charge . . . to be made, an officer will make the charge." But police are not equipped or trained "to actually handle the dogs." They may occasionally catch a stray and drop it off at the shelter, he said. Ms. Coppage said Beaufort County Animal Control will have the authority under this ordinance. Right now, they only provide transport; "we are not the enforcement mechanism, and we are not the citation mechanism within the city." Animal Control officers are able to issue citations where this ordinance has passed, but the county prosecutes them.

Ms. Coppage told Councilman McFee that the county has "not contemplated the city making a financial contribution." Fines would go through the Magistrate's Court and come to the county because the county is the service provider.

**Mare Baracco** said the mayor and city manager had met with her a couple of months ago to "review a number of documents relative to the county's revised animal ordinance and (its) effort to impose it upon the municipalities." Beaufort County revised its animal control ordinance in 2010, she said. "Unbeknownst to county council," the ordinance contained "errors in enforcement" and in "a dangerous animal notice." This notice was issued to at least 23 people "in and out of the county" and resulted "in illegal seizures and destruction of their property, all without a hearing," she said. Affected citizens were not notified that they "could contest . . . or appeal it." Ms. Baracco and her family challenged the legitimacy of the notice they received after an incident on their property, and they contend that they "became the target of officials and employees of Port Royal and Beaufort County," through the court system, in spite of a jury trial in November 2012, where they were acquitted, she said. The matter is before the Court of Appeals and is also on Judge Dukes' docket in Magistrate's Court "for a record fifth time," Ms. Baracco said. It has cost Beaufort County taxpayers more than \$200,000. Judge Dukes is hearing the case again because Ms. Baracco received a suspended jail sentence in April 2015 "for alleged noncompliance with a nonexistent statute," she said.

"When the matter of this revised ordinance came up," Ms. Baracco said, "members of county council" had gone to the South Carolina Bar Animal Law Committee for "completely unbiased advice" on how to construct the ordinance. She read some of the comments the committee had made about the ordinance, including that it is "unconstitutional" and "a violation of due

process” and the 14<sup>th</sup> Amendment. “These experts reserved their commentary on the dangerous animal provision (for) a separate email,” from which Ms. Baracco read a statement, in which the commenter said she and another person had told Ms. Coppage “to just scrap that provision” because “it would not pass a constitutional challenge.”

In its comments on the ordinance, the committee called strict voice control “an impossible standard,” Ms. Baracco said, because, among other reasons, animals are impulsive, “no matter how much training they receive.” The committee said the declaration of restricted dog and the appeal of breed determination violate the equal protection clause of the 14<sup>th</sup> amendment and are “completely subjective and impossible to enforce,” she said. Also, a government employee would have “discretion to apply a vague, subjective ordinance with no judicial oversight,” which the commenters felt “is asking for litigation.”

Ms. Baracco said the committee had also addressed “establishing an appeals process for the notices,” which are “not criminal or civil,” so they can’t be appealed in Magistrate’s Court, where one is an appellant, not a plaintiff or a defendant.

Ms. Baracco said none of the comments from the Animal Law Committee about the ordinance were shown to county council before they voted on it; they saw the comments after the vote. Ms. Coppage said she serves on the Animal Law Committee. Ms. Baracco gave handouts to council. She said she had been issued a written notice for having a dangerous animal, and also given a ticket by the Town of Port Royal “for having an animal at large.” The case that is moving forward is for the notice of the dangerous animal. She was found not guilty of having an animal at large.

Councilman O’Kelley asked if she was convicted in the dangerous animal charge. Ms. Baracco said she has a problem with “the word ‘convicted’.” Councilman O’Kelley asked if she was “found guilty.” Ms. Baracco said they were not told to pay a fine. Councilman O’Kelley asked why she would appear before Judge Dukes for an appeal if she weren’t “appealing a guilty verdict.” Ms. Baracco said, “The case was then extended into the county . . . after we were acquitted in Port Royal.” She said she could explain it later. Councilman O’Kelley said he’d like to hear about the appeal now. It’s the fifth appeal, Ms. Baracco reiterated. Councilman O’Kelley said she wouldn’t be appealing a verdict if she had been acquitted. Ms. Baracco said there are two separate cases. Councilman O’Kelley said he wouldn’t ask more questions.

Ms. Coppage said Ms. Baracco’s case is currently in litigation, so it wouldn’t be appropriate to comment on what had been said in the public comment, though some “not quite factual statements” had been made. Ms. Coppage said one can become a member of the Animal Law Committee when receives one’s bar license. Membership costs \$50 and requires no “specific expertise or experience.” Lawyers join various committees based on their interests and the type of law they practice, and this is one of them. She explained how the animal control ordinance was provided to those on the Animal Law Committee who “were initially contacted by Ms. Baracco,” who then put “two of our council members” in contact with committee members. Ms. Coppage said, “We received (the committee’s) commentary on the day of the final reading”

of the ordinance by county council, and their comments “were reviewed.” She didn’t see anything in those comments, however, that raised concern about whether the county has a defensible position. Ms. Coppage said there will always be concerns with a new ordinance.

Mayor Keyserling asked council what they would like from staff. He feels uniform enforcement would “answer problems from the past.” Police are spread thinly and don’t have the same level of expertise with animals as Animal Control officers. He also thinks it’s good for the city to get this county service without paying an extra fee. Councilman O’Kelley said he feels council, staff, and the county attorney should compare the current and proposed ordinances.

To Councilman O’Kelley’s earlier point, Ms. Coppage said, “‘Running at large’ has no reference to ‘strict voice control’.” Strict voice control was added because Hilton Head had asked for dogs to be allowed to run on the beach at certain hours. Ms. Coppage said she has read the Beaufort ordinance before and would be happy to do it again, and council can call her with questions.

Councilman O’Kelley said Beaufort had a city dogcatcher at one time. When that stopped, people were supposed to call the county, but they would “blow you off.” He thinks council should remember this history as they consider “this attempt at unification.” Councilman McFee said he recalls the time that Councilman O’Kelley cited, but the city didn’t have a leash law then. Mayor Keyserling said council should compare the ordinances.

Councilman McFee asked Mr. Prokop what happens to the city’s current ordinance if they adopt the county’s. Mr. Prokop said, “Our ordinance goes away”; the new ordinance replaces it. Ms. Coppage said in Port Royal, “they had a couple issues that they wanted to address that our ordinance did not address,” so the town found other areas within its ordinance in which to address those issues (e.g., mandatory pet waste removal is now under “Health and Sanitation” in the town’s ordinance). Such specifics won’t be in the county ordinance, she said.

There being no further business to come before council, the work session was adjourned at 6:04 p.m.

A regular meeting of the Beaufort City Council was held on February 23, 2016 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilmen Mike McFee, George O'Kelley, Stephen Murray, and Phil Cromer, and Bill Prokop, city manager.

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 7:02 p.m.

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

Mayor Pro Tem 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 on February 9, 2016. The motion to approve the minutes as submitted passed unanimously.**

### **AMENDING PART 8 CHAPTER 2 OF THE CODE OF ORDINANCES TO ADDRESS NEW AREA OF PAID PARKING AND TO AMEND ENFORCEMENT TIMES FOR LOADING ZONE PARKING**

**Councilman Murray made a motion, second by Councilman McFee, to approve the amendment on second reading. Linda Roper said this ordinance puts the 500 Carteret Street parking lot into operation with paid parking at 50 cents per hour. It also amends the end of enforcement time for the loading zones from 6:00 p.m. to 7:00 p.m. The motion passed unanimously.**

Ms. Roper said Public Works has said the pay stations should be operational by March 7, and they are working to establish employee parking.

Mayor Keyserling asked if 7:00 p.m. is on the meters as the time when parking enforcement ends. Ms. Roper said it's on the screen. Before 10:00 a.m., the meters say "free parking." Enforcement begins at 11:00, and between then and 7:00 p.m., the meters show the enforcement times, she said.

### **AMENDING BUDGET FY 2016**

**Councilman McFee made a motion, second by Councilman Cromer, to approve the amendment on second reading. Mayor Keyserling explained to the public why this is done. The motion passed unanimously.**

### **PROCLAMATION OF JAMEL MIDDLETON, JR. AS MOSSY OAKS STUDENT OF THE MONTH**

Councilman McFee read the proclamation. Mayor Keyserling presented the proclamation to **Jamel Middleton, Jr.** Dr. **Tara Mack**, assistant principal at Mossy Oaks Elementary, commended Mr. Middleton, who she said has demonstrated "perseverance," and recognized his teacher,

**Lawrence Anderson**, as well. Mr. Anderson read the statement he had written about Mr. Middleton, recommending that he receive this award because of his “determination to succeed” and his positive attitude.

**REQUEST FOR CO-SPONSORSHIP FOR THE USE OF WATERFRONT PARK BY HOPE HAVEN OF THE LOWCOUNTRY FOR “TAKE BACK THE NIGHT”**

**Councilman Murray made a motion, second by Councilman McFee, to approve the request for the annual event**, to be held April 8, 2016. **Christine Smith**, representing Hope Haven of the Lowcountry, said the children’s advocacy and rape crisis center puts on the “Take Back the Night” event annually to “try to give a voice to survivors,” who speak, and there are also performers who “express themselves in support of survivors,” Smith said. The event is an effort to raise awareness, which she said is “the key to prevention.” She cited numbers of clients served and said that Hope Haven has moved into a new facility at 1212 Charles Street. **The motion passed unanimously.**

**ORDINANCE AUTHORIZING THE SALE OF FOUR PARCELS OF CITY-OWNED PROPERTY AT 103 SOUTH HERMITAGE ROAD, 613 ARNOLD DRIVE, 1932 DUKE ST, AND 1209 PRINCE STREET**

**Councilman McFee made a motion, second by Councilman Cromer, to approve the ordinance on first reading.** Councilman O’Kelley said not all of the properties are included in the copy of the ordinance he has. **Kathy Todd** said he needed a copy of the amended ordinance. Councilman O’Kelley asked if they should have included the amounts of the bids in the ordinance. Mayor Keyserling suggested that they pass this on first reading and then add that before second reading.

Mr. Prokop said 13 properties were listed for sale; the city had received bids on about half of them. These four bids are being accepted, and the others they’d received are being reviewed. Mayor Keyserling said current appraisals and market value were used to set the minimum prices. **The motion passed unanimously.**

**RESOLUTION TO SUPPORT THE SC-PRT RECREATIONAL TRAILS PROGRAM GRANT APPLICATION FOR THE SOUTHSIDE PARK TRAIL**

**Councilman McFee made a motion, second by Councilman Murray, to approve the resolution.** **Deborah Johnson** said she had briefed the Redevelopment Commission about these grants last week. The Recreational Trails Program (RTP) comes through the SC-PRT and uses Highway Department funds “strictly for recreational trails.” Both RTP grant proposals had been submitted in its last grant cycle, but they were not funded. “We’ve tweaked them a lot,” Ms. Johnson said, “worked on the budgets quite a bit,” and are resubmitting them.

The plan for the Southside Park trail has been around for 11–12 years, she said, and volunteers are working on one loop of it. The grant is for the rest of the trail, which she indicated on a drawing of the plan. There is a connection to the Spanish Moss Trail. Ms. Johnson said the full trail will be 1.5 miles long. The grant requires a 20% match and a commitment that it will remain a recreational facility for at least 25 years.

Councilman Murray said **Robb Wells** had told him that he has good relationships with people at PRT, and Mr. Wells would like to help support the grant applications. Ms. Johnson said she'd call him for a letter of support. **The motion passed unanimously.**

**RESOLUTION TO SUPPORT SC-PRT RECREATIONAL TRAILS PROGRAM GRANT APPLICATION FOR SPANISH MOSS TRAIL TRAILHEAD AMENITIES**

**Councilman McFee made a motion, second by Councilman Murray, to approve the resolution.**

Ms. Johnson said this grant application is for restrooms at the Depot building. She indicated where the two stalls would be. A question had been raised about sewer connections, but BJWSA has confirmed that there *is* sewer access. Ms. Johnson said the components of this grant that kept it from being funded when it was submitted before have been taken out. Now it's "just a simple restroom facility."

RTP funds are usually available in October, Ms. Johnson said, but one may come out in July. Councilman McFee said they had confirmed that if the city receives the grant, they could have private functions or an event in the Depot building, but people on the trail have to be able to use the restrooms. Ms. Johnson said only 5% of the grant funds could be used for architectural engineering, so they will do a structural survey on the part of the building where the restrooms will be.

Ms. Johnson said, "These are reimbursable projects," so money must be in the budget and available once the project begins; funds can be reimbursed four times a year. Ms. Todd said the matching funds would be in the FY2017 budget. **The motion passed unanimously.**

**CITY MANAGER'S REPORT**

Mr. Prokop said the city is "scheduled to make our capital needs presentation" to the county's sales tax committee on March 22 at 9:00 p.m. They will review previous submissions for a downtown parking structure and improvements to Southside Park and Waterfront Park and are likely to resubmit them.

Mr. Prokop said the fencing at the dog park at Southside Park is coming along. Trees salvaged from the Kentucky Fried Chicken on Boundary Street have been planted there. The city also donated oak wood from buildings that were taken down to a wood bank, where it will be used to help the homeless.

The marina improvement program "has again been delayed" because of costs that are 2 or 3 times what was anticipated and are considerably over the amount of the grants that are to be used, Mr. Prokop said. They are meeting tomorrow with the low bidder to discuss "some adjustments" to save on costs but still "build in the safety and improvements we need."

Another problem is that they can't work on the marina during the tourist season, Mr. Prokop said, so they will have to postpone work until November. The dinghy dock needs improvement for the Dragon Boat races in September. They will have a plan in the next 30 days. They hope

they will have all of the day dock permits, he said, so they can combine the projects. They are looking into federal and state requirements and grant-use deadlines.

Mr. Prokop said he, Ms. Todd, and the finance department have been working with Ms. Johnson, and they are very grateful for her successful work obtaining grants. The police and fire departments recently received grants, and the fire chief has engaged Ms. Johnson to look at a grant for several hundred thousand dollars that they may apply for.

Mr. Prokop said the parking kiosks should be in place next week in the new public parking lot at 500 Carteret Street. It will open March 7, "and Phase 2 of the employee parking lot is scheduled to open no later than April 1." There will be 76 parking spaces, including the employee parking, and without "touching the drive-in bank portion yet."

The parking garage review committee will interview three bidders on March 1 and will select one "to work with us on parking garage proposals," Mr. Prokop said.

The city had its first official meeting about Boundary Street with the county and ICE, Mr. Prokop said. The contract, at this point, will be extended 5 days because of asbestos in a house they had to take down. Construction will begin in about a week on the duct bank and sidewalk removal. There has been good coordination among all involved, he said. The approval of paperwork is slow: They had put in a change order December 2, 2015, which the city approved, then it goes to the county, the state DOT, and then to the federal level. The city is still awaiting word on it. A groundbreaking ceremony for Boundary Street is anticipated for March 24, he said.

Mr. Prokop said city council's retreat is March 24 and 25; the staff retreat is March 26.

The city has still not heard from SCDOT about Allison Road, Mr. Prokop said. The three bids that were received for Southside Boulevard's sidewalks were very high, and they hope to get the numbers down. The low bid was \$40,000 over what was budgeted, but staff is talking to that bidder about possible adjustments.

### **REPORTS BY COUNCIL**

Councilman Cromer said Beaufort's history museum is starting a membership drive and has a new website.

Councilman McFee said he had attended a meeting of the Northern Regional Plan Implementation Committee, and had also attended several ribbon cuttings in Mayor Keyserling's absence. "Lots of new business is coming into the city," he said.

There being no further business to come before council, **Councilman O'Kelley made a motion to adjourn the meeting. Councilman Cromer seconded. The motion passed unanimously,** and the meeting adjourned at 7:52 p.m.