

A work session of the Beaufort City Council was held on March 22, 2016 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilmen Mike McFee, Phil Cromer, George O'Kelley, and Stephen Murray, 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.

EMPLOYEE NEW HIRE RECOGNITION

Chief **Matt Clancy** introduced **Aaron Jambriska** and **Dennis Smalls**, new employees of the Beaufort Police Department.

Captain **Reece Bertholf** introduced **Benjamin McHone**, **Ricky Reinhardt**, and **Steven Tinsley**, new employees of the Beaufort Fire Department. Mr. Prokop said that all three "came for our reserve force."

GENERAL OBLIGATION BONDS PUBLIC BID RESULTS

Kathy Todd said, "The official statement went out after bid openings were secured, and we got a great rate." She introduced **Lyman Wray**, the city's financial advisor, who is with Stephens, Inc. Ms. Todd said he would talk about the bid result "and the effect on the official statement."

Mr. Wray said the 2008 bonds were issued to build City Hall, and given the current market, it made sense to refund them. \$9,785,000 is the "par amount" issued "to refund the callable 2008 bonds" after the 2018 call date, he said. The "difference between the \$9,785,000 and the \$9,250,000 principal amount that we refunded," Mr. Wray explained, is due to interest charges, costs, etc. The refunding savings and the amortization of interest enabled the city to fill in a principal amount of about \$825,000, which can be used to fund capital projects.

The sale was the previous Wednesday, Mr. Wray said, and "we received seven bids" because of the city's "great credit ratings." Robert W. Baird was the firm with the lowest total interest costs among the bids. They bought it at a 2.11% interest cost. "We did not extend the maturity of the refunded bonds," Mr. Wray said. He reviewed figures relating to debt service in the handout that council had received. "The gross savings were a little over \$778,000 achieved by the city," he said. The net present value is approximately \$660,000. The present value savings over the refunded bonds was 7.14%.

Mr. Wray reviewed the ratings. The City of Beaufort is "in the high grade," he said, "and you only have two more notches to a AAA" rating. There are few AAA-rated governments in South Carolina. Mr. Wray went on to read comments from Moody's. That the City of Beaufort has reserve policies, for example, "had a big impact (on) the rating agencies," he said. The city also has a low debt burden and "a long history of prudent fiscal practices," Mr. Wray said, which

“plays well with the rating agencies.”

Standard and Poor’s was much the same, he said: “They liked the strong economy,” the overview of the Boundary Street project that Mr. Prokop had given them, “strong budgetary flexibility” and liquidity, etc.

Mayor Keyserling asked Mr. Wray to describe “what we did” in layman’s terms. Mr. Wray said, “You refunded your 2008 bonds savings of \$778,000, and . . . maintained the excellent debt ratings that the city has already.” Mr. Wray commended the city on the rating it has obtained, despite its small size, and credited that to its “conservative fiscal practices.”

EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law, **Councilman O’Kelley made a motion, seconded by Councilman McFee, to enter into Executive Session to discuss contractual agreements. The motion passed unanimously.**

There being no further business to come before council, the work session was adjourned at 5:24 p.m.

A regular meeting of the Beaufort City Council was held on March 22, 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, Phil Cromer, and Stephen Murray, 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.

Councilman Murray made a motion, seconded by Councilman Cromer, to adjourn the Executive Session and enter council’s regular meeting. No action was taken. The motion passed unanimously.

CALL TO ORDER

Mayor Keyserling called the regular meeting to order at 7:04 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

BEAUFORT CITY POLICE OFFICER RECOGNITION

Councilman Murray made a motion, seconded by Councilman McFee, to approve the recognition and the awarding of the ribbon. The motion passed unanimously. Chief Clancy said this is the first Life Saving Ribbon that the department has given. **Brandon Zuraw** pulled over a car and found that a person inside it needed CPR, which he gave until EMS transported her to the hospital. Taking immediate action saved her life, Chief Clancy said. Cpl. **Hope Able** presented the ribbon.

PROCLAMATION OF MARCH 29, 2016 AS WELCOME HOME VIETNAM VETERANS’ DAY

Councilman McFee made a motion, seconded by Councilman Murray, to approve the proclamation. The motion passed unanimously. Councilman McFee read the proclamation, and Mayor Keyserling presented it to the representatives.

PUBLIC HEARING: REZONING TWO PARCELS OF PROPERTY LOCATED ON LADY’S ISLAND FROM T4-NEIGHBORHOOD CENTER, TO GENERAL COMMERCIAL DISTRICT

The properties are located at 19 Sam’s Point Way and 169 Sea Island Parkway, and are identified as District 200, Tax Map 15, Parcels 592 and 606, respectively.

Mayor Keyserling opened this public hearing. Libby Anderson said there is a small building on the 169 Sea Island Parkway property, but the other, at 19 Sams Point Way, is vacant. The properties are contiguous to the city. All public services will be available to these properties. It is zoned T4-Neighborhood Commercial with the county, Ms. Anderson said, and the proposed city zoning is General Commercial, which is what the former Publix was zoned, as are other surrounding uses. This application had been heard by the Metropolitan Planning Commission (MPC) the previous night, and it had recommended annexation and rezoning to General Commercial by a vote of 5–0.

Councilman O’Kelley asked if there had been any response to the notice sent out March 1. Ms. Anderson replied that there had not been. **There being no public comment, Mayor Keyserling closed this public hearing.**

PUBLIC HEARING: REZONING A PARCEL OF PROPERTY LOCATED AT 1402 WASHINGTON STREET, IDENTIFIED AS DISTRICT 120, TAX MAP 4, PARCEL 342

The existing zoning is General Commercial District. The proposed zoning is General Residential District.

Mayor Keyserling opened this public hearing. This parcel is already in the city limits, Ms. Anderson said, so this hearing is only about rezoning. The property in the Northwest Quadrant is currently undeveloped, and is approximately 4800 square feet in area. The property is zoned General Commercial, which is a fairly intense commercial zone. Single-family residences are not permitted in this zoning. A new owner is in the process of buying the property, and would like to build a single-family dwelling on it, Ms. Anderson said. The Historic District Review Board has approved its design. The proposed zoning is General Residential District; three corners of this intersection are already zoned General Residential, she said, “So we’re not doing a spot zoning.”

Required public notice was made, Ms. Anderson said, and the neighborhood association and the Historic Beaufort Foundation (HBF) were also notified. No public comments on the rezoning were received. Staff and the MPC recommend approval.

Councilman Cromer asked, “With the lot size, are there going to be any setbacks?” Ms. Anderson said 4800 square feet is “fine for single-family residential . . . but it would be a little bit tight for commercial,” because they would need to have on-site parking. **There being no public comment, Mayor Keyserling closed this public hearing.**

PUBLIC HEARING: REZONING THREE PARCELS OF PROPERTY LOCATED AT 1009 CONGRESS STREET, IDENTIFIED AS R120 TAX MAP 4, PARCELS 77, 78, AND 79

The existing zoning is General Residential District. The proposed zoning is General Commercial District.

Mayor Keyserling opened this public hearing. This property is across from Bridges Preparatory School, which would like to develop the parcels into a parking lot, Ms. Anderson said. The current zoning does not permit this. The proposed zoning is General Commercial, which is a medium-intensity commercial zoning. All types of residential except single-family are permitted. They decided on this zoning because there is General Commercial zoning around it, she said.

Charles Street, however, has Neighborhood Commercial zoning, which is “a softer version of General Commercial,” Ms. Anderson said, and Neighborhood Commercial would be a better fit for this property because of the nearby residential uses. This is an urban infill lot, she added.

All required public notice was made, and the Northwest Quadrant neighborhood association and HBF were informed of this request; no public comments were received. Staff and the MPC

agree that the Neighborhood Commercial designation is appropriate, Ms. Anderson said.

Bobby Jenkins said he concurs with the desires of staff. **There being no further public comment, Mayor Keyserling closed this public hearing.**

PUBLIC HEARING: REZONING THREE PARCELS OF PROPERTY LOCATED ON PORT ROYAL ISLAND, FROM C5 REGIONAL CENTER MIXED- USE, TO HIGHWAY COMMERCIAL DISTRICT

The properties are located at 2811 Boundary Street, and are identified as District 100, Tax Map 26, Parcel 146A, and District 100, Tax Map 26A, Parcels 257 and 292.

Mayor Keyserling opened this public hearing. Ms. Anderson said that **Milt Rhodes** is representing the owners. This is a rezoning request as a result of a petition for annexation. These properties are at the corner of Boundary Street and Walsh Drive. A Vaden car dealership was located there. Three parcels under the same ownership total an area of 7 acres.

The property is contiguous to the city limits at the air station, Ms. Anderson said. All public services are available for this property. The county zoning is C5 Regional Mixed Use Center, the county's most intense commercial designation. The proposed zoning is Highway Commercial District. It is the city's most intense zoning. Most uses in the area are zoned Highway Commercial (e.g., the Dixie Mobile Home Park). Staff feels it's consistent with the Comprehensive Plan. There are a wide variety of land uses in the area, Ms. Anderson said, which she described to council. All required public notice was made, and no public comments were received. The staff and the MPC recommend this zoning.

Lolita Huckaby Watson asked where the city limits in this area are. Ms. Anderson indicated them to her on a map. **There being no further public comment, Mayor Keyserling closed this public hearing.**

PUBLIC HEARING: REVISING SECTION 5.3.D.7 OF THE UNIFIED DEVELOPMENT ORDINANCE, "SPECIFIC USE STANDARDS; COMMERCIAL USES; CAR WASHES," TO REVISE THE CONDITIONS FOR CARWASHES IN THE GENERAL COMMERCIAL DISTRICT

Mayor Keyserling opened this public hearing. Ms. Anderson said this is an amendment to the UDO. The applicant, **Martie Murphy**, was not able to be at council tonight. Mr. Murphy wants to open a carwash on Sams Point Road on Lady's Island, Ms. Anderson said. It's adjacent to a closed Mexican restaurant. Tidal Wave carwashes are fully automated and closed. This property is zoned General Commercial.

Stand-alone car washes are not permitted in this zone unless it's a one bay carwash at a gas station, Ms. Anderson said. Mr. Murphy is very interested in this location. In looking for a solution, they had decided against rezoning to Highway Commercial District because of possible auto-oriented uses that come into an area where the city is trying to create a more urban environment. The setback would also be different than the 7'-12' build-to line, she said, which is what the city is doing in this General Commercial zone.

Staff asked the applicant to go to the Design Review Board (DRB), Ms. Anderson said, and he

did on March 10. The DRB said they concurred with the idea of a text amendment, with the condition that the carwash have an opening of the bay doors screened from the street with a liner building. Staff and the MPC support this recommendation, Ms. Anderson said. The liner can be part of the same operation, but the buildings should be “two separate pieces” (e.g., the liner building would be for vending or office space).

Councilman O’Kelley said the Zippy carwash near Walgreens is “around the corner” from this location; Ms. Anderson said that is still in the county. **There being no further public comment, Mayor Keyserling closed this public hearing.**

PUBLIC HEARING: REVISING SECTIONS 5.3.D AND 11.2 OF THE UNIFIED DEVELOPMENT ORDINANCE, TO REVISE THE DEFINITION OF SHORT TERM RENTAL, AND TO STIPULATE THAT SHORT TERM RENTAL OF A BEDROOM WITHIN A DWELLING UNIT IS PERMITTED AS A CONDITIONAL USE.

Mayor Keyserling opened this public hearing. Ms. Anderson said this is a revision to the current development code. At this time, a short-term rental is defined as the rental of a complete dwelling unit for less than 30 days. Since the short-term rental ordinance was adopted, staff has learned of a new type of rental situation, in which people may rent just a room in the house that they occupy on a short-term basis. The city would like to revise the definition of a short-term rental to address this activity and to license these types of rentals, she said.

Ms. Anderson showed the proposed language of the revision, which states that a short-term rental is the use of a dwelling unit *or any portion thereof* for rental periods of less than 30 days. This applies only when there’s only one guest unit (e.g., one couple or one family), she said, even if the people in that unit rent two rooms. If there is more than one guest unit – i.e., several different groups staying in the same house – then the owner is considered to be running a B&B. Because the homeowner of these types of rentals is on the premises, Ms. Anderson said, there is oversight, so they do not need to get a special exception. Staff can approve it as a conditional use.

Robert Brown rents a private room in his home through Airbnb. He said he had answered questions the previous night at the MPC meeting and offered to do so for council. Mayor Keyserling said Mr. Brown had come to the city to ask how to rent a room out “correctly,” for which Mayor Keyserling thanked him. Mayor Keyserling added that the city would be forming a short-term rental committee. **There being no further public comment, Mayor Keyserling closed this public hearing.**

MINUTES

Councilman O’Kelley made a motion, second by Councilman Murray, to approve the minutes of the work session and regular meeting on March 8, 2016. Councilman O’Kelley said on p. 2, a reference to “BK” should be “Mayor Keyserling.” Councilman Cromer abstained from voting because he was not present at the meeting. **The motion to approve the minutes as amended passed 4-0.**

STREET CLOSURE REQUEST FROM TABERNACLE BAPTIST CHURCH TO HOST ANNUAL RUN/WALK FOR CHRIST

Councilman Murray made a motion, second by Councilman McFee, to approve the request for the May 28, 2016 event. Ivette Burgess said this is an annual event that usually coincides with the Gullah Festival. The organizers use on-duty police officers, and it is a small event. The motion passed unanimously.

ORDINANCE REVISING SECTIONS 5.3.D AND 11.2 OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO CLARIFY THE DEFINITION OF SHORT TERM RENTAL

Councilman Murray made a motion, second by Councilman Cromer, to approve the ordinance on first reading. The motion passed unanimously.

ORDINANCE REVISING AND ADOPTING THE BOUNDARY STREET REDEVELOPMENT DISTRICT PLAN

Councilman McFee made a motion, second by Councilman Murray, to approve the ordinance on first reading. Ms. Anderson said the Boundary Street Redevelopment Plan was originally adopted in June 2007. It contains a list of “capital projects that could be implemented to improve the area,” she said. The Greenlawn Drive Streetscape project is included in the Boundary Street Master Plan and in the Civic Master Plan, but it is not a specific project in the Boundary Street Redevelopment Plan. “Listing the Greenlawn Streetscape as a specific project in the redevelopment plan may improve the success of a grant application,” Ms. Anderson said. Staff had also updated the plan. The ordinance is to adopt the revised redevelopment plan. At the Redevelopment Commission’s request, on March 14, the property owners on Greenlawn Drive were notified of the first reading of this ordinance. There was no response to those letters, Ms. Anderson said. **The motion passed unanimously.**

FY 2016 BUDGET AMENDMENT

Councilman Cromer made a motion, second by Councilman O’Kelley, to approve the budget amendment on first reading. Ms. Todd said this agenda item and the next are linked: the budget amendment “stems back to the construction of the fire station.” They are requesting that \$155,000 be released from Committed Fund Balance. The budget amendment moves it from the fund balance in the General Fund to the Capital Projects Fund. **The motion passed unanimously.**

RESOLUTION TO RELEASE COMMITTED FUNDS FOR CAPITAL PROJECTS

Councilman Cromer made a motion, second by Councilman O’Kelley, to approve the resolution. The motion passed unanimously.

CITY MANAGER’S REPORT

Mr. Prokop said that the computer screens for council in the chambers had been lowered. Staff had found an inexpensive way to do it.

Mr. Prokop said the police department's body camera policy has been approved by the South Carolina Criminal Justice Academy, as required by the state legislature. They will now wait to see how state funding pans out, he said; the state is supposed to pay for it all, but whether they will pay for the servers, etc. is unknown.

Mr. Prokop said there are 16 bike patrol officers from around the state who are going through intensive tactical training in Beaufort. They have to ride 18 miles each day and 30 miles one day. Thursday night, they will ride the Spanish Moss Trail.

Alan Jacobs of the Greenville Police Department had been shot the previous weekend, Mr. Prokop said.

In the last two weeks, Mr. Prokop said, he has received 4–6 emails praising the professionalism of city staff. He thanked them all, especially the police. He told about one officer who had helped a woman who ran out of gas on her way to work.

As the city nears "budget time," Mr. Prokop said council has given staff excellent guidance, as is evidenced by the city's bond rating.

Mr. Prokop said the city would like to send a letter opposing the business license ordinance before the state legislature with the mayor's and councilmen's signatures, to indicate the importance of the legislature passing the bill that MASC (the Municipal Association), the state Chamber of Commerce, and others have worked on, which addresses many of the issues of "process for business licenses." There are many things in the proposed business license law that are "wrong," Mr. Prokop said, and he asked council to review the letter Councilman Cromer has, and to authorize him to send it the following day.

This past Saturday, **Liza Hill** and Baptist Church of Beaufort volunteers weeded planters on Bladen Street, Mr. Prokop said. **Barbara Chemsak** and 39 Beaufort High School volunteers from ROTC, the National Honor Society, and the Interact Club had worked to clear the trail in the buffer area at Southside Park. Last month, the same groups of Beaufort High volunteers worked on "cleanup detail of the dog park." He thanked all of the volunteers and organizers for their assistance to the city.

Mr. Prokop offered an update on Boundary Street and said complaints are being addressed and work is proceeding as planned. The last Thursday of every month from 4:00 p.m. to 6:00 p.m., engineers are available for people who have questions.

Departments will be producing their budgets, Mr. Prokop said, and they will be updating council members in meetings before the more formal budget work sessions with council.

The 500 Carteret Street parking lot is open for paid public parking, Mr. Prokop said. The employee parking area will be open with proper landscaping – per the city's ordinance – when construction is completed.

The councilmen had received emails from a man who rides his bicycle on the Spanish Moss Trail to and from work at the air station, Mr. Prokop said. Because the ordinance allows use of the trail only in daylight hours, he asked if the man could be given permission for 30 or 60 days to ride on the trail for the purpose of commuting to work, until the ordinance can be addressed. Because it is an ordinance, the police have said permission for him to do this can only come from council.

Councilman Murray asked if there were “a provision for written permission.” Ms. Burgess replied, “Only for events.” Mayor Keyserling told those who hadn’t seen the email that this commuter rides from Mossy Oaks to the air station, and because of Daylight Savings Time, “he’s riding in the dark.” They want to encourage use of the trail, but people had expressed concerns about the use of the trail when it’s dark outside. Mayor Keyserling said he “would have no problem giving this person permission” until a long-term solution is found. A call was made to the PATH Foundation, and in the Atlanta area, there’s “an agreement” with the known commuters on the trails, which “go through several jurisdictions,” and “the police just don’t notice it.” Mayor Keyserling said he had suggested giving commuters like this man a sticker or permit.

Councilman Murray said he personally has no problem with someone commuting on the trail, “but from a council perspective and as a matter of procedure,” there has been no public notice on this matter, and council would be “granting informal permission . . . to violate the ordinance.” Mayor Keyserling said a possible solution would be for council to *not* give permission, and let the police department “work it out” with this commuter. Mr. Prokop said staff would inform this man that they “are working on a solution.”

Councilman O’Kelley said a former police chief who had grown up in Texas had told him of an ordinance in his town that women couldn’t wear high heels on its sidewalks because of potential liability to the town if they were to fall, but this ordinance was not enforced; he suggested they could handle the matter of commuters on the Spanish Moss Trail the same way.

Councilman McFee said he concurs with Councilman Murray: “We have built trust with the residents where the trail has been built,” so “we need to have a very clean process,” so as not to give them the wrong impression.

Mr. Prokop thanked Public Works and the landscaping contractors for “the colors” that they are putting out on the roadsides and in the parks. Councilman McFee asked if organizations had been approached in order to find sponsors for the Beaufort Pride of Place program that would place hanging baskets downtown. Mr. Prokop said one of the homeowners’ associations had donated money for flower baskets on Bay Street. He said at council’s next session, he would present a report on the Pride of Place donations that have been received.

MAYOR’S REPORT

Mayor Keyserling said he's been referring people to Ms. Burgess who are interested in serving on a short-term rental task force.

Mayor Keyserling invited "anyone who wants to go to attend" to "a thank you party" at Shem Creek for all of those who were part of the campaign against offshore drilling. He can't attend, but he'd like someone to represent Beaufort.

The South Carolina Humanities Council will meet in Beaufort June 9-11, Mayor Keyserling said.

Jonathan Haupt, USC Press, has requested dates for a May event to honor **Pat Conroy** in Waterfront Park, Mayor Keyserling said, and USCB's "Pat Conroy at 70" event will be held annually in October.

REPORTS BY COUNCIL

Councilman Cromer said the Beaufort Historic Museum had held an encampment with reenactors, and it went well; they hope to do it annually.

Mayor Keyserling said he had received a letter from the Government Finance Officers' Association, and as the finance director, Ms. Todd will be getting a certificate of achievement for excellence.

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 8:15 p.m.