

A regular meeting of the Beaufort City Council was held on August 14, 2001 at 6:00 p.m. in County Council Chambers, 100 Ribaut Road. In attendance were Mayor Bill Rauch, Mayor Pro Tem Donnie Ann Beer, Councilman Frank Glover, and City Manager John F. McDonough. Councilman Billy Keyserling was out of town on business and Councilman Gary B. Fordham was absent due to illness. In accordance with 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

The meeting was called to order at 6:00 p.m. by Mayor Rauch.

INVOCATION/PLEDGE OF ALLEGIANCE

Rev. Louie F. Lanford, Pastor of St. John's Lutheran Church delivered the invocation. The Pledge of Allegiance was led by the Mayor.

PUBLIC COMMENT

Glen Simuel, 1106 Washington Street, stated the traffic on Duke and Washington Streets has been exceeding the speed limit and asked if something could be done to slow them down. Also, he asked what was the deadline, set by the Board of Architectural Review, to complete a project because someone has been working on a house on Duke and New Castle streets for months. He said the plans were presented to the BOAR several months ago. The City Planner and staff liaison to the BOAR replied that the approval is good for a year and as long as the work proceeds the permit does not expire. Mr. Simuel complimented the City's Zoning Compliance Officer, Lee Levesque, and Fire Chief Wendell Wilburn for their excellent work ethics.

PUBLIC HEARINGS

A public hearing was held to receive comment on a petition for annexation of three parcels of land on US 21 Business, Sea Island Parkway, on Lady's Island identified as District 200, Tax Map 15, Parcels 143A, 143D, and 143E. A Notice of Public Hearing was duly published in The Beaufort Gazette on July 13, 2001.

Ross Jones, Finance Director, stated Parcel 143A is the Beaufort County Boat Ramp and Parcels 143A and 143D are across the street where a nursery and restaurant are presently located. He listed the services to be provided by the City once the property is annexed which include police and fire. He pointed out garbage collection by the City is available, if they choose. He added that there are fees and taxes to be levied also except for the Boat Ramp. Additionally, the City Manager pointed out that all general government administrative services are available to these property owners.

David Taub, 414 New Street, said he has spoken to a couple of the business owners whom he knows about their intention to petition for annexation. The proprietor of one business told him their business has suffered because of the County's unwillingness to work with them. He

encouraged Council to vote in favor of the annexation.

There being no other comments, the public hearing was closed at 6:20 p.m.

A public hearing was held to receive comment on the proposed zoning of three parcels of land located on Sea Island Parkway on Lady's Island and identified as District 200, Tax Map 15, Parcels 143A, 143D, and 143E. The existing zoning is "Village Center District." Parcels 143D and 143E are proposed to be zoned "General Commercial." Parcel 143A, the Beaufort County Boat Ramp, is proposed to be zoned "Conservation Preservation District." A Notice of Public Hearing was published in The Beaufort Gazette on July 13, 2001. The City of Beaufort-Town of Port Royal Joint Municipal Planning Commission recommended approval.

Ms. Libby Anderson, City Planner, stated the two commercial properties are proposed to be zoned General Commercial. The City's policy is to zone protected open space areas, parks, and cemeteries Conservation Preservation; therefore, in keeping with that policy, the Boat Ramp will be zoned CP, she explained.

There being no other comments, the public hearing was closed at 6:23 p.m.

MINUTES: REGULAR MEETING
JULY 24, 2001

The minutes of the regular City Council meeting of July 24, 2001 were reviewed by City Council.

On motion by Councilman Glover, second by Councilwoman Beer, Council unanimously adopted the minutes of the July 24, 2001 Council meeting as presented.

SERVICE DELIVERY TASK FORCE

The Service Delivery Task Force, organized last October, analyzed the services provided by the County as well as recommending methods to equalize and eliminate duplication of services. David M. Taub, the City's representative on the Task Force, presented a comprehensive overview of the recommendations to City Council. The purpose of the recommendations are to suggest a shift of the tax burden so that people pay for the services they receive, he said. Addressing law enforcement, he stated the Sheriff's Office is supported by a county-wide tax levy, but primary patrol or investigative services are not provided in the municipalities. The Task Force recommended dividing the County into six service districts, one for each municipality and the unincorporated area, and dividing the Sheriff's Department budget into two parts for tax purposes. Then county-wide services would be funded by county-wide millage and non-county wide services should be funded by taxes levied on property in the incorporated area. EMS and radio communications/dispatch services are supported by a county-wide tax levy also; however, the services are not provided on Hilton Head. Fire service is provided through a district system which balances service needs and funding capacity throughout the County, he said.

ORDINANCE DESIGNATING ZONING - DISTRICT 120, TAX MAP 28, PARCEL 138 & SUB-PARCEL 6a OF PARCEL 137

The Ordinance designating the zoning for District 120, Tax Map 28, Parcel 137 to General

Commercial and sub-parcel 6A of Parcel 138 to Office Commercial was presented to Council for second reading and adoption.

Councilman Glover made a motion, seconded by Councilwoman Beer, to adopt the Ordinance on second reading.

Ms. Libby Anderson, City Planner, reminded everyone present that most of the 236-acres, Parcel 138, was rezoned to General Commercial, Suburban, and Office Commercial at the July 24, 2001 meeting. A number of residents attended the Planning Commission meeting and also the Council meeting to express their concerns about the current and proposed zoning of sub-parcel 6A, part of Parcel 138. Therefore, Council did not designate a zoning district for that area during that meeting. The 37.8 acre parcel, described as District 100, Tax Map 28, Parcel 137, along Broad River Boulevard was also not zoned at the July 24th meeting. The current zoning under the County's Ordinance is Commercial Regional and to compliment that zoning, staff proposed General Commercial, she said. Ms. Anderson stated she met twice with the residents of the area who questioned the County's current zoning and also the proposed zoning. They seemed to be concerned about the Broad River Boulevard area in general and would like to keep it rural, she said.

Council voted to adopt the Ordinance with the zoning proposed and approved at the July 10th meeting with sub-parcel 6A of Parcel 138, Office Commercial and Parcel 137, General Commercial (Copy of Ordinance at end of July 10, 2001 minutes.)

MOTION TO SUSPEND REGULAR ORDER OF BUSINESS

On motion by Councilwoman Beer, second by Councilman Glover, Council suspended the regular order of business.

RESOLUTION - AUTOMATIC AID AGREEMENT WITH LADY'S ISLAND/ST. HELENA FIRE DISTRICT

A Resolution adopting the Automatic Aid Agreement with the Lady's Island/St. Helena Fire District was presented to Council for consideration and adoption.

The City Manager explained a Letter of Intent by and between the City of Beaufort and the Lady's Island St. Helena Fire Commission was prepared and signed by both parties. Based on that Letter, an Agreement for Fire Protection in Annexed Areas of Lady's Island was prepared by the County Attorney. The City Manager outlined the specific terms of the Agreement which is attached to the Resolution.

Councilman Glover made a motion, seconded by Councilwoman Beer, to adopt the Resolution. The motion passed unanimously. (Copy of Resolution at end of these minutes.)

STATEMENT BY COUNCILWOMAN BEER

Councilwoman Beer announced the lost of three prominent people in the community over the past few weeks. They were Roger Pinckney, X, former coroner for Beaufort County; E. Carew Rice, III, attorney; and G. G. Dowling, attorney, all of whom will be greatly missed.

ZONING ORDINANCE AMENDMENT-ARTICLE F, SIGN REGULATIONS AND TEMPORARY SIGNS

The Ordinance amending Section 5-6076(1) of the City's Zoning Ordinance to permit temporary sandwich board signs for new businesses was presented to Council for second reading and adoption.

On motion by Councilman Glover, second by Councilwoman Beer, Council adopted the Ordinance on second reading. (Copy of Ordinance at end of the July 24, 2001 minutes.)

ORDINANCE AMENDMENT - HISTORIC DISTRICT REVISIONS

The Ordinance amending several sections of the City's Zoning Ordinance by requiring the Board of Architectural Review to consider application for demolition of historic structures located outside the Historic District and revising the Historic District sign regulations was presented to Council for second reading and adoption.

Councilwoman Beer moved to adopt the Ordinance on second reading. Councilman Glover gave second. The motion passed unanimously. (Copy of Ordinance at end of the July 24, 2001 minutes.)

STORMWATER UTILITY FINANCIAL RELIEF PROGRAM

John Kachmar, County Administrator, briefed Council on the County's proposed Stormwater Utility Financial Relief Program. The Ordinance regarding relief from the Stormwater Utility has received second reading by County Council, he added. Originally, the consultants recommended charging a flat fee of \$40.03 for all improved parcels. This was significantly rejected in certain areas of the County early in the process. He said the program has two parts which addresses relief through assessed property value, as well as income levels. The income portion of the program is based on a property owner meeting federal poverty guidelines and would require an affidavit certifying the property owner meets the criteria. He stated schools, government and non-profit entities will be exempt from the fees.

HIGHWAY 170 PROJECT UPDATE

Ms. Libby Anderson, City Planner, stated she is part of the group planning landscaping improvements for the Highway 170 widening project. The group includes representatives of all the jurisdictions involved along with the contractor and the County's Transportation Consultant. The focus has been on installing landscaping medians in the center of the highway, instead of the planned turn lane, and redesigning access to the fishing pier and the County boat ramp at the Beaufort side of the Broad River Bridge, she said. She addressed the median since that is the City's primary concern. Originally, Highway 170 was designed as a 4-lane road with a center paved turn lane. There would also be 8 foot paved breakdown lanes on either side of the roadway that would serve as a bike lane. The group has recommended that the center lane be replaced with a 15 foot landscaped median, wherever feasible. The SCDOT requirements will not permit overstory trees but will allow shrubs and smaller trees like Palmettos and Crape Myrtles, she pointed out. Additionally, no curb and gutter are proposed for drainage. An open swale with an 8 foot multi-purpose trail has been proposed on the back side. She explained 3,000 feet of median extends to Goethe Hill Road, which is in the City

limits, with no breaks. The other 5,000 feet, not in the City, is interrupted by numerous cuts because of intersections and property accesses. Ms. Anderson said because the road design is being changed, approximately 12 property owners will have limited access, SCDOT is requiring all property owners that are impacted by this be informed of the change and maybe agree to the change in writing. She added that the County staff will be sending letters, this week to those property owners with a diagram of the proposal and a map showing the proposed medians with relationship to their property. The County, the Town of Port Royal, and the City are working on a master plan trying to direct the private improvements that will occur along the roadway in the future, she added.

Councilwoman Beer said she spoke with County Councilman Cuttino this afternoon and he suggested the City, the Town of Port Royal and the County assist in purchasing the trees; however, she was unsure if money had been budgeted for trees.

County Administrator John Kachmar said the current contractual agreement is for four lanes and a paved center turn lane. The County is the subcontractor for the landscaping and design of the 13.5 mile project and they currently have a \$1.6 million contract with the State to provide landscaping, landscaping design, and the lighting for that widening project. An intelligent traffic system is to be installed during this construction and operational in December to make the road safer. The changes to the 13.5 miles include the 170 widening project and the access to the boat ramp and pier at the northern end of the Broad River Bridge. The design developed with OCRM and the Corps of Engineers has a large unattractive ramp and could be a traffic hazard. County Council voted last night to change that design. The cost for that will be approximately \$1.263 million, he said. September 15 is the deadline for changes but money is a problem. According to Mr. Kachmar, the County will be asking the City and the Town of Port Royal to help with the cost implications.

ORDINANCE AMENDMENT - HIGHWAY CORRIDOR OVERLAY ORDINANCE

An Ordinance amending Article K of the City's Zoning Ordinance, "Highway Corridor Overlay Zoning," by revising setback, lighting, and signage requirements and adding S.C. 280 and Broad River Boulevard to the list of designated highway corridors was presented to Council for first reading.

Councilman Glover moved to approve the Ordinance on first reading. Councilwoman Beer gave second.

Ms. Libby Anderson, City Planner, reviewed the five changes covered in the Ordinance.

Council unanimously approved the Ordinance on first reading. (Copy of Ordinance at end of these minutes.)

ORDINANCE ANNEXING PROPERTY ON LADY'S ISLAND

An Ordinance annexing three parcels of property on Sea Island Parkway (US 21 Business) on Lady's Island identified as District 200, Tax Map 15, Parcels 143A, 143D, and 143E was presented to Council for first reading.

On motion by Councilman Glover, second by Councilwoman Beer, Council unanimously approved the Ordinance on first reading. (Copy of Ordinance at end of these minutes.)

ORDINANCE ZONING PROPERTY ON LADY'S ISLAND

An Ordinance zoning three parcels of property on Sea Island Parkway (US 21 Business) on Lady's Island identified as District 200, Tax Map 15, Parcels 143A, 143D, and 143E from Village Center District to Conservation Preservation District and General Commercial was presented to Council for first reading.

Councilman Glover made a motion, seconded by Councilwoman Beer, to approve the Ordinance on first reading. The motion passed unanimously. (Copy of Ordinance at end of these minutes.)

CITY MANAGER'S REPORT

The City Manager's Report was presented to Council. (A copy is attached to the end of the minutes.)

Sasaki Associates, Inc.

The City Manager reported he spoke with representatives of Sasaki Associates, the Waterfront Park Consultants, today and they will present the first draft of the Waterfront Master Plan to the public on September 10, 2001 at 5:30 p.m. in the Beaufort Elementary School Cafeteria. Sasaki will present a special briefing for Council prior to the meeting the next evening at 5:00 p.m. prior to the Council meeting.

Liolio Architects

A meeting was held earlier today with Liolio Architects who have been working on the space utilization study and preliminary site review for City offices. They plan to have their work completed and make a presentation to Council on September 11th.

Woods Bridge Walkway

Preliminary approval has been received from SCDOT for Phase II of the Greenway Project which is the Woods Memorial Bridge Walkway. The Board of Architectural Review and the Corridor Development Board have approved the design of the project. A final cost from the contractor is expected by the end of next week and will be presented to Council on September 11th.

Commercial Garbage Collection

The City Manager said he met with the Main Street merchants last week and received input from them regarding commercial garbage collection. As a result of that meeting, staff will revisit the rollcart program in the downtown area and City wide. The Chamber of Commerce and Main Street Beaufort, USA have been asked to provide input also. He stated staff has been working with the restauranters downtown to solve the garbage problem and the enclosures in the Park.

Isiah Smalls, Public Works Director, reported some progress has been made. Two eight yard containers have been installed in the enclosure on the west end of the Park and the enclosure

on the east end has been locked in anticipation of demolition. He stated the overflow and smell can be controlled with a six day a week pickup by separating the boxes from the actual garbage. Replying to the Mayor's inquiry as to when the enclosure near the bridge would be removed, the Public Works Director said it can be demolished by the end of the week if Council so desires. The City Manager pointed out one enclosure, on the west end, can be enlarged to accommodate all the rollcarts. Then during the master plan of the Waterfront Park, a more appropriate placement of the enclosure can be considered, he said.

Residential Garbage Pickup

The City Manager reminded Council, the backyard customers have given their input on garbage collection. Council decided to wait a couple of months until the \$20.00 fee was implemented, he said. The first billing has just been mailed; therefore, the full effect of the increase has not been felt. He recommended monitoring that over the next sixty days to see how many customers remain with the program. An updated list of the remaining customers will then be available and if it is still self sustaining, the service will continue to be provided. The residential garbage collection will be brought back to Council in a couple of months, he said.

REPORTS BY COUNCIL

BEER: Councilwoman Beer reported she will support County Councilman Cuttino's recommendation on the reapportionment which is to keep the Town of Port Royal whole. She said she believes it would be a disservice to the community to divide it. The Mayor recommended meeting with the Town Council of Port Royal to develop concurrent Resolutions.

Kenneth Hoffman said he attended the County Council meeting last night wherein they proposed two redistricting plans with a public hearing to be held in September.

EXECUTIVE SESSION

On motion by Councilwoman Beer, second by Councilman Glover, Council moved into Executive Session for a discussion of appointments/reappointments to the Zoning Board of Appeals and a land acquisition.

OPEN SESSION

Zoning Board of Adjustments

Upon returning to Open Session, Councilman Glover made a motion to appoint Kenneth Hoffman to the Zoning Board of Appeals for a 3 year term expiring July, 2004. Councilwoman Beer gave second. The motion passed unanimously.

ADJOURNMENT

Upon returning to Open Session and there being no further business to come before Council, the meeting was adjourned at 8:35 p.m.

BILL RAUCH, MAYOR

COUNCILWOMAN DONNIE ANN BEER COUNCILMAN FRANK GLOVER

COUNCILMAN GARY B. FORDHAM COUNCILMAN BILLY KEYSERLING

ATTEST:

BEVERLY W. GAY, CITY CLERK