

A meeting of the Beaufort City Council was held on September 11, 2001 in County Council Chambers, 100 Ribaut Road beginning at 5:00 p.m. with a presentation by Sasaki Associates and the regular meeting at 6:00 p.m. In attendance were Mayor Bill Rauch, Mayor Pro Tem Donnie Ann Beer, Councilmen Frank Glover, Gary B. Fordham, Billy Keyserling, and City Manager John F. McDonough. 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 5:00 p.m. by the Mayor.

WORKSHOP

David Cloughden, representative from Sasaki Associates, Inc., the engineering and design firm from Watertown, Massachusetts hired at the beginning of the year to develop a master plan for the Waterfront Park, made a presentation on the repair plan and preliminary Master Plan for the Park.

INVOCATION/PLEDGE OF ALLEGIANCE

The meeting was opened with a moment of silence for the people who died so tragically this morning during the terrorists attack on the World Trade Center on Manhattan Island, New York and at the Pentagon in Washington, DC. Mayor Pro Tem Donnie Ann Beer delivered the invocation. The Pledge of Allegiance was led by the Mayor.

RESOLUTION - DAVE RADFORD

On motion by Councilman Glover, second by Councilwoman Beer, Council voted unanimously to adopt the Resolution commending Dave Radford for serving from May 23, 1995 to August 28, 2001 on the Zoning Board of Appeals. (Copy of Resolution at end of these minutes.)

PUBLIC COMMENT

Glen Simuel, 1106 Washington Street, thanked Council, specifically Councilwoman Beer, on behalf of the senior citizens, for the work done during Project Repair.

Jackie Martin, Main Street Director, stated the merchants asked that she express their concerns regarding the rap concert held in the Waterfront Park on Labor Day. Besides the concert being extremely loud, profanity was used and she asked that these things be considered before approving events in the future.

Brenda Hood, Port Republic Street business owner, suggested that when houses are demolished, like the house on Bellamy Curve was recently to create open space, that Council consider salvaging architectural pieces. It would be a revenue source for the City and she and others would be interested in bidding on them.

Charles Kresch, dentist and Bay Street property owner, said he is not happy with the Master Plan for the Waterfront Park that was presented last night for the public and again tonight

because Council has allowed the planners to consider taking people's property. He said that is wrong unless it is for public health or safety. He added that it is also wrong that this plan was prepared without notifying him of the plans to remove his building. He said he heard last night that this is to be a community park with an entrance to give it character. However, that entrance has been designed for horse carriages and buses. He asked if the Park is for tourists or the community. According to Dr. Kresch, a representative from Sasaki Associates told him the only way to obtain a view of the river is to take his property. He said he agrees there needs to be an entrance in that location but there are alternatives. He asked Council to meet with him at 7:30 a.m., Thursday, September 13th at his office for coffee and donuts and he would show them an option that would save the City money.

Ken Hoffman, 2101 Sims Street, referred to the presentation given at the August 14, 2001 Council meeting regarding the widening of Highway 170 and the addition of a landscaped median. He said he heard that the plan is being changed because some land owners do not like it. This is another instance, he said, where the Department of Transportation has run over Beaufort to save money. He said the City needs to have input. In his opinion, property values increase when a road is widened.

PUBLIC HEARINGS

A public hearing was held to receive comment from the public on the proposed use of the Local Law Enforcement Block Grant. A Notice of Publication was duly advertised in The Beaufort Gazette on September 10, 2001.

The City Manager stated the Law Enforcement Block Grant totaling \$37,177.00 would be designated to the purchase of laptops and software in order for patrol officers to complete reports in their vehicles without having to return to the office. This would allow them to remain in service.

There being no other comments, the public hearing was closed at 6:37 p.m.

A public hearing was held to receive comment from the public on the proposed Intergovernmental Agreement between the City and County pertaining to Stormwater Utility. A Notice of Publication was duly advertised in The Beaufort Gazette on September 9, 2001.

The Mayor stated first reading of the Ordinance was held at a special meeting on September 5, 2001. The County adopted the Agreement on third reading last night during their meeting and City Council anticipates adopting the Ordinance tomorrow night at a special meeting to be held at 6:00 p.m. at City Hall.

The City Manager pointed out the components of the Agreement based on the document developed by the Town of Hilton Head.

Charles Kresch, Bay Street property owner, recommended obtaining a written document from the County.

There being no other comments, the public hearing was closed at 6:45 p.m.

MINUTES: REGULAR MEETING

SEPTEMBER 28, 2001

The minutes of the regular City Council meeting of September 28, 2001 were reviewed by City Council and on page 6, the wording was duplicated during printing and that is to be corrected.

On motion by Councilwoman Beer, second by Councilman Glover, Council voted to adopt the minutes of the September 28, 2001 Council meeting as amended.

ZONING ORDINANCE AMENDING SECTION 5-6048 "OFFICE COMMERCIAL"

The Ordinance amending Section 5-6048 of the City's Zoning Ordinance, "Office Commercial District" by prohibiting offices where there is outside storage of equipment or where vehicles over 1 ½ tons are stored was presented for second reading and adoption.

Councilman Glover made a motion to adopt the Ordinance on second reading. Councilwoman Beer gave second.

Ms. Libby Anderson, City Planner, said the mandatory compliance period has been increased from 60 days to 180 days. Also, the Ordinance has been revised since first reading to prohibit contractor's offices where there is any outside storage of materials or equipment.

Councilman Glover asked if comments had been received from the City Attorney on the compliance period. The City Manager noted that the City Attorney would be joining the meeting shortly and could answer then. Also, answering Councilman Keyserling's inquiry as to whether the affected businesses had commented on the Ordinance, Ms. Anderson replied that she did speak with one business owner who called.

Councilman Glover withdrew his motion. Councilwoman Beer withdrew her second.

MOTION TO SUSPEND REGULAR ORDER OF BUSINESS

Councilman Glover moved to suspend the regular order of business in order to discuss the compliance period later in the meeting when the City Attorney would be present. Councilwoman Beer gave second. The motion passed unanimously.

REQUEST BY WATER FESTIVAL COMMITTEE

City Council received a letter from Ed Saxon, the 2001 Water Festival Commodore, regarding the invoice for police services for the 2001 Water Festival. Mr. Saxon appeared before Council asking for relief from that invoice. He said in the past, the City has allowed them a discount; however, in June, he asked, on behalf of the Water Festival, for a subsidy which was denied based on Council's decision to not assist in co-sponsorships this fiscal year. Then he read in the newspaper of two events that recently received a waiver of fees when their request was presented. He pointed out that the Water Festival Committee has made many needed improvements to the Park, at their expense, and they are asking for credit for the work done since the Park is used by everyone. He added that he feels it is the City's duty to support the

Festivals.

“Skeet” Von Harten, 1983 Commodore, echoed Mr. Saxon’s comments stating they are asking for help with the invoice and consideration of the repairs they have made. Mr. Saxon stated further that their budget was set prior to meeting with Council when their request was denied.

Also, they learned that the security cost increased from \$30.00 to \$32.00. He added that the Festival paid in full for the other services including garbage pickup, etc.

Mr. Saxon reminded Council that an application was to be made by the City, on their behalf, to the Tourism Development Advisory Committee to offset the advertising costs. Councilman Fordham pointed out that Council agreed to support the application, not make application. Additionally, he said it is not correct for tax payers to pay for services for a festival. Councilwoman Beer said faced with the repair bill of approximately \$6 million for the Waterfront Park and not having raised taxes in thirteen years, she can’t support lowering the invoice for the Water Festival. Councilman Glover added Council made a decision during the budget preparation to curtail expenditures. Councilman Keyserling said he believes festivals and community activities are something in which the Government should invest. A check for \$23,000 was sent to the City by the Festival and Mr. Von Harten asked if the balance of the bill could be deferred until they have an opportunity to apply for the Accommodations Tax monies in the Spring. He said cash is generated from the events; therefore, cash is needed to begin plans for the next festival.

The Mayor asked Councilman Fordham to meet with the Water Festival to discuss those issues and then report to Council.

The Finance Director, Ross Jones, in reply to Councilman Keyserling’s question of the process of applying to the TDAC, said all organizations are encouraged to apply for a grant. The Committee reviews the applications and submits their recommendation to Council for approval. He added that, in his opinion, it is inappropriate for Council to submit an application for an organization since Council decides who gets the money.

BLADEN STREET MASTER PLAN

Ms. Libby Anderson, City Planner, stated the Master Plan for the Bladen Street area is an implementation activity of the City’s Comprehensive Plan. The principles and policies of the Comp Plan are being applied in a similar concept and purpose as the plan prepared for the Boundary Street area in January 2000, she said. This Plan was presented to the public at a workshop on June 25. A sub-committee of people attending that workshop was formed and they helped develop recommendations to increase the sense of place that makes Bladen Street unique, while enhancing the character of the street as a whole, she said.

Jennifer Moreau, summer intern in the Planning Department, who prepared the draft Plan, explained currently Bladen Street has five zoning designations and listed the land uses. She pointed out the transition from residential on the north end to commercial on the south end and that the width of the street changes. Other features of the street and areas of focus were addressed also. From the initial assessment of the area, the overall design concept of what

they would like to achieve was developed. The prevailing design concept is to create a mixed-use zone that will encourage the linkage of residential and commercial development in this area, while emphasizing the transition that occurs as one moves from the north end to the south, she said. The Committee felt from Boundary Street to Duke Street, the residential feeling should be promoted, encourage the planting of over story trees on public property, implement a 3 foot grassy area between the sidewalk and the street, and widen the sidewalk on the west side from 5 feet to 6 ½ feet. From Duke Street south to Bay Street, remove parking, widen sidewalks to nine feet and plant Crape Myrtles along the outside edge of the sidewalk. Ms. Moreau addressed other recommendations made by the Committee which included extending the boundaries of the Historic District to include the cemeteries, install brick cross walks at the three main intersections, change and add additional lighting and bury the utilities underground.

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William B. Harvey, III, City Attorney, arrived and stated 60 or 180 days would be an acceptable length of time for the amortization period.

On motion by Councilman Glover, second by Councilwoman Beer, Council adopted the Ordinance on second reading. (Copy of Ordinance at end of August 28, 2001 minutes.)

REQUEST FOR BOY SCOUT TROOP TO CAMP AT WATERFRONT PARK

Council received a request from the Friends of the Beaufort County Library for the local Boy Scout Troop and leader to camp Friday and Saturday nights, September 28 and 29, 2001 at the Waterfront Park to watch over the books displayed for their Annual Book Sale.

Councilman Glover moved to approve the request. Councilwoman Beer gave second. The motion passed unanimously.

ORDINANCE RENAMING THE LANDSCAPING & TREE ADVISORY COMMISSION TO THE TREE BOARD

The Ordinance amending Sections 3-3001 through 3-3010 of the City’s Code of Ordinance changing the Landscaping and Tree Advisory Commission to the Tree Board was presented for first reading.

On motion by Councilwoman Beer, second by Councilman Fordham, Council approved the Ordinance on first reading. (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.)

REPORTS BY COUNCIL

KEYSERLING: Councilman Keyserling, responding to Ken Hoffman’s concern during the Public Comment segment of the meeting regarding the Highway 170 widening project, suggested informing the media that the City is not pleased that the 30 foot median was deleted without notifying staff. Council will continue to pursue alternatives to massive asphalt for what will become the primary entrance into the City, he added. The Mayor said to make a more attractive entrance, the City will have to stop the Project which will cost money. Unless something is done, the median will only be 15 feet wide, he pointed out. SCDOT stated they would consider the change if the land owners along the corridor consented to a planted median. Some of the property owners have argued that a left hand turn cannot be made through a 15 foot wide planted median and this could also devalue their property. They balked over a deceleration lane, also, stating it is a safety hazard. Councilman Glover suggested holding a workshop with those property owners to explain the importance of this. He also asked to meet with the Mayor to discuss the matter further.

FORDHAM: Councilman Fordham asked that an update on Dr. Sherman’s drainage problem be presented at the next Council meeting.

EXECUTIVE SESSION

On motion by Councilwoman Beer, second by Councilman Glover, Council voted to move into Executive Session for a personnel matter, land acquisition matters, and a legal update on the Oxford Ridge litigation.

ADJOURNMENT

Upon returning to Open Session and there being no further business to come before Council, the meeting was adjourned at 9:24 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