

A regular meeting of the Beaufort City Council was held on July 9, 2002 at 6:00 p.m. in County Council Chambers, 100 Ribaut Road. Interviews of candidates for the Board of Architectural Review were held prior to the Council meeting, beginning at 5:15 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 5:25 p.m. by Mayor Rauch.

EXECUTIVE SESSION

On motion by Councilman Glover, second by Councilwoman Beer, Council moved into executive session for interviews of several candidates interested in serving on the Board of Architectural Review.

INVOCATION/PLEDGE OF ALLEGIANCE

Upon returning to open session, the meeting was opened at 6:00 p.m. with an invocation by Councilwoman Donnie Beer. The Pledge of Allegiance was led by the Mayor.

MINUTES: REGULAR MEETING - JUNE 25, 2002

The minutes of the regular City Council meeting of June 25, 2002 were reviewed by Council. The following corrections were pointed out; on page 3, 5th line, 2002 should be 2001 and on page 7, add *will be* between *and* and *are required* on the third line.

On motion by Councilman Glover, second by Councilwoman Beer, the minutes of the regular City Council meeting of June 25, 2002 were adopted as amended.

ORDINANCE REQUIRING TOUR GUIDE CERTIFICATION

The Ordinance amending Chapter 11, Part 7 of the City's Code of Ordinances providing for tour guide certification for all tours conducted within the City limits was presented to Council for second reading and adoption.

Councilwoman Beer moved to adopt the Ordinance on second reading. Councilman Glover seconded the motion. The Ordinance was unanimously adopted on second reading. (Copy of Ordinance at end of June 25, 2002 minutes.)

ORDINANCE REVISING BEAUFORT 2003 PROGRAM

The Ordinance amending Part 5, Chapter 2, Article C of the Code of Ordinances for the City regarding the Beaufort 2003 Program which provides financial incentives was presented to Council 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, pointed out the six revisions made to the Ordinance since first reading. They are to eliminate the expiration date; change the name of the program to Beaufort Redevelopment Incentive Program; reduce the length of time a building must be vacant to qualify for incentives from two years to one year; offer incentives to land owners to develop student housing; offer a tax rebate to property owners who develop accessory dwelling units with the rebate being offered only for the portion of the taxes that are attributable to the accessory dwelling units; and offer an incentive to property owners in the redevelopment corridors (Highway 21 and Boundary Street) who substantially rehab a structure, build on a vacant lot, or demolish a dilapidated structure and rebuild.

The Mayor asked about faculty offices, stating during the meeting with the Dean of USC-B, she asked that they be encouraged. Ms. Anderson stated they are not specifically addressed but under Section 5-2024, regarding downtown development, an incentive is offered if a new structure is built on a vacant lot or a dilapidated structure is demolished to rebuild a new one. Whether it is for offices or housing, the developer would be entitled to that rebate. The City Manager added that a meeting is scheduled for Thursday to review the issues discussed with USC-B. The Mayor also inquired if the City Attorney has reviewed the Ordinance and he questioned if second reading should be postponed.

Councilman Keyserling asked why a building should remain vacant for a year to qualify for an incentive as stated in Section 5-2021(g). Ms. Anderson said the reason for limiting the Ordinance to buildings that are currently vacant is that market demand will dictate the reoccupancy of the structure. Further, she pointed out that if the cost of the reinvestment is over 50% of the value of the property, an incentive is available without having to wait a year.

Councilman Fordham pointed out that the date the Ordinance becomes effective should be changed to July 9th and also that the adoption of the Ordinance be contingent upon the City Attorney's approval.

Councilman Keyserling moved to adopt the Ordinance with the effective date of July 9, 2002 contingent upon the City Attorney's approval. Councilman Glover gave second. The motion passed unanimously.

Council voted to adopt the amended Ordinance on second reading. (Copy of Ordinance at end of June 25, 2002 minutes)

ZONING ORDINANCE UPDATE

Ms. Libby Anderson, City Planner, said in February, 2000, the City contracted with Duncan Associates, a planning consulting firm from Austin, Texas to update the City's 25+ year old Zoning Ordinance. A Zoning Ordinance Update Steering Committee was established to guide

the process. The weaknesses and deficiencies in the existing ordinance were identified and how they might be addressed were discussed. Various sections of the Ordinance were drafted over the next several months and the drafts were presented to the Steering Committee for their input and then to the Development Review Team for further input. A final draft was submitted to the Planning Staff in September and revised four times based on staff's comments. Ms. Anderson asked Council's permission to begin the public review process and briefed Council on the various changes in the new Ordinance. She added that the Unified Development Ordinance brings together the Zoning Ordinance and the Subdivision Regulations making it easier to use. Review sessions are planned over the next couple of months to seek public input, answer questions, take comments and hopefully this document can be submitted to the Planning Commission in September. They would like to present it to Council either in September or October for a public hearing which is required.

Councilman Keyserling questioned the importance of a 5 acre PUD requirement. He said there could be exceptions where the size doesn't matter. Ms. Anderson said the changes do offer more flexibility and there is a cluster option which means as long as the number of units are not increased, lot sizes can be reduced; therefore, important and sensitive areas can be preserved. Mr. Keyserling suggested that after comments are received from the public in the review sessions, groups be invited to attend a public meeting to ensure everyone involved is aware of the changes. Ms. Anderson said she has already considered holding a public review meeting with brief presentations at designated times that would apply to certain interest groups. Each group would have different questions and comments, then the questions and answers from that meeting would be provided to Council. Ms. Anderson explained the Ordinance cannot be adopted in sections, it has to be adopted as presented or as revised. The Mayor recommended Ms. Anderson proceed as planned and then report back to Council on the results.

The consensus of Council was to begin the public review. (Copy of Ordinance at end of these minutes.)

REQUEST TO SELL BEER IN THE WATERFRONT PARK

A request from The Greater Beaufort Chamber of Commerce, Arts in the Park and SC Shrimper's Association to sell beer and hard lemonade in the Waterfront Park during the Shrimp Festival on October 4 and 5, 2002 was presented to Council.

On motion by Councilman Glover, second by Councilwoman Beer, Council voted unanimously to approve the request.

WATERFRONT PARK RENOVATIONS - SELECTION OF ENGINEERING FIRM

Ms. Libby Anderson, City Planner, stated a Request for Proposals for professional services was sent out in May of this year for consulting services to implement Phase I of the Waterfront Park Repair and Improvement Plan prepared by Sasaki Associates. Proposals were received from eight firms. A consultant selection committee was established to review and rank the proposals in light of the criteria set out in the RFP. After reviewing the proposals, the

committee agreed to invite three firms for interviews. These interviews were held July 1 and 9. Based on the results of the interviews and proposals, staff recommends the City enter into negotiations with ColeJenest & Stone of Charlotte, NC to prepare the construction and engineering drawings and final designs for the Waterfront Park. The committee requests the City Manager be given the authority to negotiate a contract of up to \$304,750.00 so that a civil engineering firm can be added to the consultant team and a 15% contingency to the project. They have proposed several subconsultants; two groups from Pittsburgh, PA are planners and architects and have extensive experience with urban parks; Andrews Engineering and BES Engineering Services for mechanical, electrical, and plumbing. Additionally, it is recommended Thomas & Hutton Engineers of Savannah, Georgia partner with the team because of their experience in marine engineering which is an important component of the project. The cost of the project will increase, possibly up to \$30,000.00, with the addition of this firm.

Councilwoman Beer made a motion to authorize the City Manager to enter into contract negotiations with ColeJenest & Stone up to \$304,750. Councilman Glover gave second.

Councilman Fordham expressed his concerns with hiring Thomas & Hutton for an additional \$30,000. Councilman Glover asked what that engineering firm will contribute to make the project better. Ms. Anderson said the seawall is a major component of the plan and the structural deterioration beneath the walkway needs to be addressed. She pointed out that Andrews Engineering's speciality is not marine construction even though they have done a lot of stormwater work and road design.

Lamar Taylor, Public Works Chief Operations Officer, stated Thomas & Hutton are part of the design team of Wood & Partner and they have a strong background in marine construction. He stressed his concerns with the problems under the seawall and a good engineering evaluation is needed. The City Manager explained the staff has had more hands on experience with the Park as a result of the emergency repairs that were made recently when they found that some of the structural members had deteriorated more than even Sasaki Associates had anticipated. He added that with a \$4 million project, the City doesn't need to skimp when the seawall is what holds the Park together. The Public Works Director, Isiah Smalls, stated that even though they believe the engineering firm of ColeJenest & Stone will do a good job, they want to be sure the best engineers are hired because of the problems discovered recently in the Park.

The motion to authorize the City Manager to enter into contract negotiations with ColeJenest & Stone of Charlotte, North Carolina passed unanimously.

CITY MANAGER'S REPORT

The City Manager reported he and Ross Jones, Assistant City Manager, met with Ms. Gundler and Mr. Gorzynski of Beaufort Kayak Tours on July 1st. They are currently on vacation and plan to start the tours in October. They are satisfied with the compromises and an Agreement is being drafted by the City Attorney. Mr. McDonough also announced that the Director of

Main Street, USA, Jacki Martin, has resigned and will be working with the Coastal Conservation League.

MAYOR'S REPORT

The Mayor mentioned that over the past several months, he has been writing the Coast Guard and working through Senator Hollings' office to change the 7:30 a.m. opening of the Woods Memorial Bridge to 7:00 a.m. because of the traffic back up that has occurred in the mornings.

Effective tomorrow morning the draw will not open from 7:00 a.m. to 9:00 a.m., during week days, except for Federal holidays.

REPORTS BY COUNCIL

BEER: Councilwoman Beer congratulated the City Manager on his recent promotion to Lt. Colonel in the Marine Corps Reserves.

EXECUTIVE SESSION

On motion by Councilwoman Beer, second by Councilman Glover, Council voted to move into executive session to discuss appointments to the Board of Architectural Review.

OPEN SESSION

Board of Architectural Review

Upon returning to Open Session, Councilman Fordham moved to appoint Christian Trask as the Historic Beaufort Foundation's representative and Deborah Johnson to represent the Preservation District on the Board of Architectural Review and to reappoint William Allison to represent the residents east of Carteret Street. Councilwoman Beer gave second. These terms are for two years and will expire July, 2004. The motion passed unanimously.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:25 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