

A regular meeting of the Beaufort City Council was held on May 13, 2003 at 6:00 p.m. in County Council Chambers, 100 Ribaut Road. In attendance were Mayor Bill Rauch, Mayor Pro Tem Donnie Ann Beer, Councilmen Frank Glover, Gary B. Fordham, Billy Keyserling, and Acting City Manager Miles Hadley. 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.

#### **INVOCATION/PLEDGE OF ALLEGIANCE**

The meeting was opened at 6:00 p.m. with an invocation by Rev. Kenneth Hodges, Pastor of Tabernacle Baptist Church. The Pledge of Allegiance was led by the Mayor.

#### **RESOLUTION - SAMMY BRELAND**

On motion by Councilman Glover, second by Councilwoman Beer, Council unanimously adopted the Resolution commending Captain Samuel L. Breland for 30 years of service to the City's Fire/Rescue Department. (Resolution at end of these minutes.)

#### **PUBLIC COMMENT**

**Libby Barnes**, Greater Beaufort Chamber of Commerce President, shared the news that she received today from the Governor's liaison to the South Carolina Military Base Task Force to keep the bases open. The State's Budget and Control Board has approved advancing \$200,000 to split equally among the four communities in the state that have military bases to be used to keep the bases open.

#### **MINUTES: REGULAR MEETING - APRIL 22, 2003**

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to adopt the minutes of the regular City Council meeting of April 22, 2003 as presented.

#### **MINUTES: SPECIAL MEETING - APRIL 29, 2003**

On motion by Councilwoman Beer, second by Councilman Glover, Council voted to adopt the minutes of the special City Council meeting of April 29, 2003 as presented.

#### **CONSENT AGENDA**

On motion by Councilwoman Beer, second by Councilman Glover, Council adopted the following two (2) items presented on the Consent Items portion of the agenda.

##### **ORDINANCE REVISING UNIFIED DEVELOPMENT ORDINANCE**

Second reading and adoption of the ordinance amending Sections 5.1, 5.2, 5.3, 6.3, 7.2, and 11.2 of the City's Unified Development Ordinance. (Copy of ordinance at end of April 22, 2003 minutes.)

##### **ORDINANCE ADOPTING BURTON HILL AREA STREET PLAN**

Second reading and adoption of the ordinance adopting the Burton Hill Area Street Plan as an official map of the City. (Copy of ordinance at end of April 22, 2003 minutes.)

## **WATERFRONT PARK DESIGN PRESENTATION**

Brian Jenest, of ColeJenest & Stone the landscape and architectural firm located in Charlotte, North Carolina, said Jimmy Thomas, local architect, will be presenting sketches for the Farmers Market structures in the Waterfront Park.

The mayor explained the purpose of reviewing the Farmers Market structures first is to determine whether or not the Sasaki site plan is feasible so the plan can be approved and the engineering can begin.

Mr. Thomas stated he emphatically supports the original placement of the Farmers Market along the edge of the seawall between the new Memorial Garden and the marina and depending on the design, it can serve many functions. Having it along the waterfront, in his opinion, will create a gateway from the water to the city and the existing trees near the edge of the water will help conceal the structure. Displaying his sketches of the Farmers Market, he explained it should be a shade/garden structure not a piece of architecture. He proposed a foil like structure which suggests the waves of the water. The shape of the roof would allow the prevailing breezes in the summer to create a cooling effect and will allow the sun in the winter to warm the area making it comfortable in all seasons. Additionally, with it open to the sunlight it will maximize the winter sun, illuminating the interior of the building. He proposed the columns and beams of the structure be constructed so that they appear to be garden structures, light, airy, and transparent. The columns would be tied together with trellis work with perennial vines such as jasmine which would give the effect that the roof is floating. Mr. Jenest stated this design is more open and airy and will work with what his firm is doing.

The mayor said Council needs to determine if a structure similar to the drawings presented would be satisfactory so they can be submitted to the Historic Review Board. Council expressed their approval of the sketches.

Councilwoman Beer made a motion to approve the site plan prepared by Sasaki & Associates. Councilman Glover gave second.

Mr. Jenest explained for the public the changes that have been made to the site plan. Council unanimously approved the site plan as amended.

The mayor asked Mr. Thomas how much time would be needed for him to produce drawings showing the design of a series of buildings that can be reviewed by Council and presented to the Historic Review Board. Mr. Thomas' reply was five weeks. Therefore, Council agreed to hold a special meeting on June 17<sup>th</sup> to review the conceptual drawings before presenting them to the Board in July.

## **RECYCLING RESEARCH**

At a previous council meeting, Councilman Fordham asked that a plan be presented making recycling mandatory. In response to the request, Isiah Smalls, Public Works Director, reported he contacted fifteen municipalities around the state who had recycling programs. Only the Town of Port Royal requires mandatory participation. A door knocker is used to inform residents that

recyclables were found in their household refuse and warned that continued violations would result in prosecution. Mr. Smalls stated if the City wishes to go to mandatory recycling, an education and public information program could be implemented to encourage recycling or the garbage could be checked for recyclables, the citizens notified that recyclable items had been found in their solid waste containers and indicate the repercussions of not recycling. Council suggested having the company keep track of who uses their recycling bin. If some are never used, then that is when a door knocker would be placed on their door. Also, the ordinance would need to be amended to include that verbiage to make recycling mandatory. He added that there is an advantage to having the process in house as opposed to having a contractor. Mr. Smalls replied in-house recycling was considered approximately four years ago. However, the initial cost for one truck and staff was high and the question was raised "what if the contractor terminated access to the facility where the recycling items are taken or if the truck were to break down." Councilman Keyserling suggested working jointly with the Town of Port Royal for the recycling process. He added, the risks would be reduced with two municipalities working together and the volume would be increased. He suggested exploring this idea further. Council decided to discuss this matter with the Port Royal Town Council during the joint meeting next month. The Public Works Director will research the feasibility of combining collections with the Town of Port Royal for recycling and report back to Council at the second meeting in June. The mayor said the goal is to spend less money and get greater compliance.

#### **WATER FESTIVAL REQUESTS**

A letter from the Beaufort County Water Festival Committee for use of the Waterfront Park, use of other facilities and to close certain streets for dances, a bed race, and a parade for the 2003 Water Festival from July 11 - 20, 2003 was presented to Council.

Councilwoman Beer made a motion, seconded by Councilman Glover, to approve the use of the Waterfront Park from July 11, 2003 to July 20, 2003 for the Beaufort County Water Festival.

Marvin Morrison, Program Coordinator for the 2003 Water Festival, said their requests are the same as last year with the exception of the ski show which will take place on the first weekend of the event. He mentioned the fees for several events have been lowered. Additionally, they are asking Council to consider waiving the 15% administration fee for security.

Councilman Fordham volunteered to hold a meeting in his home next week with the staff and Water Festival representatives to review the requests.

Council unanimously approved the use of the Park for the Water Festival from July 11-20, 2003.

#### **MOTION TO SUSPEND THE REGULAR ORDER OF BUSINESS**

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

#### **DISCUSSION OF SECURITY FEES**

The Water Festival and Gullah Festival requested an opportunity to appear before Council to discuss security fee expenses.

Charlotte Brown, representing the Gullah Festival, provided the Council members with an information packet of the positive things the Festival contributes and asked Council to consider these when reviewing their request for assistance with the police security fees for the festival. She pointed out the increase in police costs from 1995 until now, especially the last two years. She offered suggestions for Council to consider in assisting the Festival financially. Also, she mentioned that the Festival Committee is aware the City's budget is set for this year; however, she asked that Council take this information into consideration for the future.

The mayor asked that the Gullah Festival representatives meet with Councilman Fordham and staff next week along with the Water Festival Committee to discuss this further.

### **COMMUNITY DEVELOPMENT CORPORATION TASK FORCE/DESIGN CENTER**

Ms. Libby Anderson, City Planning Director, responded to a letter from the chairman of the Historic District Review Board that addressed a number of challenges facing the City with regard to preserving and rehabilitating the historic structures. The Board recommended the City consider establishing a local community development corporation or a design center. This agency could coordinate housing preservation/rehabilitation efforts and would provide many benefits to the community. The specific mission would need to be identified along with the funding source, she said. She recommended forming an ad hoc study committee consisting of seven people representing specific organizations to research these issues and provide Council with the details.

Councilman Keyserling moved to establish a study committee. Councilwoman Beer gave second. The motion passed unanimously.

The mayor requested letters be sent to Bill Allison, chairman of the Historic District Review Board, as the architect; Kenneth Sumpter, as the developer; Jan Malenowski, the banking representative; with Councilwoman Beer as the Council liaison. Additionally, staff is to write letters to the following organizations asking for their participation: United Way, Project Shelter, Habitat for Humanity, Beaufort Housing Authority, Historic Beaufort Foundation, and the Homebuilders.

### **CITY MANAGER'S REPORT**

#### **Request to Waive Fees for Use of the Waterfront Park**

The City Manager referring to a letter from the Arts Council of Beaufort County asking for fees to be waived, said the request was received too late for the agenda. He stated they are asking the City to waive the fees for the use of the Park and for security with the Police Department by co-sponsoring the Arts on the River on May 17, 2003 at the Waterfront Park. Also, they are requesting permission to sell beer and wine at the event. Councilwoman Beer pointed out Council does not waive the security fees. The mayor requested a copy of the list of functions Council agreed to co-sponsor during a previous budget process. He suggested reviewing and updating that list during this year's budget deliberations. Councilman Glover agreed that subsidizing too many events will cause the same dilemma as occurred in 2001 with police overtime. He asked that Council be provided a copy of the list of events that was approved by Council for co-sponsorship during the 2001 budget meeting when a request is presented for fees be waived. Council also discussed co-sponsoring events where beer and wine are sold and the liability involved. They mentioned the application form states the lessee is required to provide liability insurance in the amount of \$500,000 naming the City as co-insured.

Councilman Glover moved to co-sponsor the Arts on the River on May 17<sup>th</sup>. Councilwoman Beer gave second.

After a brief discussion, Council members Beer, Glover, Keyserling, and Rauch voted to cosponsor the event in the Park. Councilman Fordham voted nay. The motion passed 4 to 1.

### **Budget Workshop Schedule**

The Interim City Manager reported the first budget workshop is scheduled for Tuesday, May 20<sup>th</sup> at 5:00 p.m. in the Friends Room at the Museum.

A special meeting is also scheduled to discuss the Waterfront Park building designs on June 17<sup>th</sup>. A joint dinner meeting with the Town of Port Royal Council is tentatively scheduled for June 16<sup>th</sup>.

### **MAYOR'S REPORT**

The mayor provided an update on a better utilization of the Performing Arts Center. A series of meetings have been held with a committee comprised of many of the local arts organizations, he said. A Business Plan Subcommittee visited the Opera House in Newberry, SC for ideas and they will deliver the business plan this week. As a part of that, the University is going to apply for an ATAX grant and because of the cost, they are asking Council to designate a portion of the Accommodations Tax funds over the next five years towards improving the lights and sound at that facility. One of the shortcomings of this building is the sound and the lighting system which limits the kinds of shows that can perform there. Also, they plan to set up a 501(c)(3) that will run this facility for the University.

### **REPORTS BY COUNCIL**

#### **BEER:**

**Welcome Home Parade:** Councilwoman Beer reported Main Street Beaufort, USA, the Greater Beaufort Chamber of Commerce and other organizations are planning a parade for the military on Friday, August 1<sup>st</sup> beginning at 6:00 p.m. The bases have asked that it not be held until August so the majority of the troops will be home. The tentative plan is for the Welcome Home Parade to begin at the Beaufort High School, march across the bridge and down Bay Street ending on the Waterfront with music and food. They will be asking the City to co-sponsor the event. On motion by Councilwoman Beer, second by Councilman Glover, Council members Keyserling, Glover, Rauch, and Beer voted in favor of co-sponsoring the parade and use of the Waterfront Park. Councilman Fordham voted nay. The motion passed 4 to 1.

Additionally, Ms. Beer mentioned a letter regarding an article in the San Antonio Express sent to her by the Air Station that the House Arms Service Committee is expected to consider an amendment that would stop the upcoming round of military installation closures scheduled for 2005. She said she was able to be at the MCAS and observe Squadron 533 land. She also attended Military Appreciation Day on Saturday, May 10 at the Marine Corps Air Station.

### **EXECUTIVE SESSION**

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to move into executive session to discuss appointments/reappointments to the Park Utilization Advisory Commission, Design Review Board, and Waterfront Park Fund-Raising Task Force.

**OPEN SESSION**

**Design Review Board**

Upon returning to Open Session, Councilwoman Beer moved to appoint Brad Hill/landscape architect and Jeff Ackerman/engineer to each serve a 2-year term on the Design Review Board. These terms will expire in April, 2005.

**Parks Utilization Advisory Commission**

On motion by Councilwoman Beer, second by Councilman Glover, Council appointed William Westberg to serve on the PUAC as the Tree Board's representative.

**ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 8:23 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