

A regular meeting of the Beaufort City Council was held on November 25,2003 at 6:00 p.m. in County Council Chambers, 100 Ribaut Road. In attendance were Mayor Bill Rauch, Mayor Pro Tern Donnie Ann Beer, Councilman Billy Keyserling, City Manager John F. McDonough. Councilmen Gary B. Fordham and Frank Glover were out of town. 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 Cantor Sheldon Feinberg, religious leader-Beth Israel Synagogue. The Pledge of Allegiance was led by the Mayor.

**PROCLAMATION -HAVA NAGILA DAY**

On motion by Councilwoman Beer, second by Councilman Keyserling, Council adopted the proclamation designating December II, 2003 as Hava Nagila Day in the City.

**MINUTES: SPECIAL MEETING -OCTOBER 23, 2003**

On motion by Councilwoman Beer, second by Councilman Keyserling, Council voted to adopt the minutes of the special City Council meeting of October 23,2003 as presented.

**MINUTES: REGULAR MEETING -OCTOBER 28, 2003**

The minutes of the regular City Council meeting of October 28, 2003 were deferred to the next meeting when all the Council members are present.

**MINUTES: SPECIAL MEETING -NOVEMBER 18.2003**

The minutes of the special City Council meeting of November 18,2003 were deferred to the next meeting when all the Council members are present..

**BEAUFORT COUNTY AFFORDABLE HOUSING CONSORTIUM**

A memo was sent to the City Manager from John Payne of Beaufort County inviting the City to join the Beaufort County Affordable Housing Consortium approved by County Council on October 27, 2003.

The City Manager stated the Consortium would consist of different groups to address the issue of affordable housing in Beaufort County. Affordable housing is defined as housing that a person or family earning 80% or less of the County's medium family income can afford by spending not more than 35% of their gross income. The Consortium would be four levels: members, a governing council, executive committee, and a lead agency. The City is being asked to participate in the membership category. Signing the Memorandum of Agreement, the City would be committing to send a representative to attend the regular meetings and report current and future affordable housing needs. There is no financial requirement, he said.

On motion by Councilman Keyserling, second by Councilwoman Beer, Council voted to join the

Beaufort County Affordable Housing Consortium with Councilwoman Beer being the liaison

### **REOUEST TO CONDUCT TOY RUN ON DECEMBER 21, 2003**

A request from Southern Scooters and ABATE of SC requesting to parade through downtown on the way to the Salvation Army on North Street on Sunday, December 21 at 1:00 p.m. was presented to Council for consideration.

On motion by Councilwoman Beer, second by Councilman Keyserling, Council approved the request subject to approval by the SC Department of Transportation with traffic control by the police department.

### **WATERWAY COMMISSION**

Marvin Dukes, Chairman of the Waterway Commission, stating the Commission has met three times, presented an update on the results of their meetings. One of the major topics discussed was mooring fields and the four areas designated are area A) north from marker 240 to the marina - would be reserved for mooring balls; area B) the "cut" south of the sandbar -20 to 30 day anchorage; area C) Marker I in Factory Creek to the boat ramp -anchorage; and area D) everything from Port Royal Landing Marina west -anchorage. The idea of controlling the mooring areas is to make the area more attractive to transients and provide control. Daydocks were discussed and the recommendations are that the current daydock needs stricter regulations. For instance, a four hour limit would allow more boats an opportunity to use it and there should be no repairs to boats or equipment conducted on the daydock. A Harbor Master was also discussed and a recommendation was made that it be an unpaid position but authorize the operator of the Downtown Marina to give out warning tickets and collect fees from the use of the mooring balls and the pump out facility. Festivals were another topic and how to maximize the use of the Waterfront. The Committee agreed more space was needed for small boats to tie up and the solution would be to have New Daydocks. This would be an enhancement to the City and provide more opportunities for day trippers to visit. The design discussed was a 200 foot long dock attached to a 30 x 30 foot pier extending from the existing seawall on the western side of the marina. It would not interfere with the tour boats tying up or the Water Festival, he said. Additionally, the small boats that tie to a daydock will not impede the view. He added there is a 75/25 matching grant available for projects of this type. Another suggestion was to extend the existing daydock in a linear fashion to the west. Another good suggestion was the use of the radio frequencies so boats could tune in as they approach Beaufort on the Intracoastal Waterway and receive information concerning dockage, etc.

William B. Harvey, III, City Attorney, stated Commander Tim Close, Captain of the Port for the Coast Guard, said upon approval of City Council, the Coast Guard would draft regulations for the mooring area in the "cut". Mr. Harvey would like to work with him to get an amendment through State legislature dealing with Coastal Communities to help enable municipalities to regulate the Waterway in their jurisdiction. To make sure State legislation is not in conflict with the Federal regulations, Representative Ceips, with the assistance of Jim Quinn, counsel for DNR, is willing to prepare legislation to prefile in time for the first part of the legislative session.

On motion by Councilwoman Beer, second by Councilman Keyserling, Council approved designating Areas A through D as potential mooring/anchorage fields with the details to be worked out by the Commission.

### **DESIGN CENTER WORKING GROUP**

A Design Center Working Group was established by a resolution on October 28, 2003 by City Council consisting of seven members. One of those members is to be a representative of City Council.

On motion by Councilwoman Beer, second by Councilman Keyserling, the mayor and Councilman Keyserling were designated to be the Council representatives on the Design Center Working Group.

### **SELECTION OF CONSTRUCTION MANAGEMENT FIRM – WATERFRONT PARK**

The selection of a construction management firm for the Waterfront Park was postponed to the next meeting.

### **RESOLUTION CREATING BEAUFORT PUBLIC ARTS COMMISSION**

A resolution creating the City of Beaufort's Public Arts Commission was presented to Council for adoption. The mayor said because of the renovation of the Waterfront Park, many offers of art have been received to be placed in the Park. It would be a loss to not design public art into the Waterfront Park, the Municipal Complex, Pigeon Point Park, and the Southside Boulevard Park. This is an opportunity to enhance the quality of life and make the parks more beautiful but there is no way to evaluate the offers. Following guidelines from other cities, this resolution establishes a five member commission to make recommendations to Council using one percent of the project funding for art in public spaces.

Councilwoman Beer made a motion to adopt the resolution. Councilman Keyserling gave second

Councilman Keyserling suggested exploring models in other places.

Council adopted the Resolution creating the City of Beaufort Public Arts Commission. (Resolution at end of these minutes.)

### **MOTION TO SUSPEND**

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

### **APPOINTMENT -DESIGN CENTER WORKING GROUP**

The resolution establishing the Design Center Working Group states one of the seven members is to be an attorney. Staff recommended a local attorney, Eric Erickson, who also has a masters degree in Architecture.

Councilwoman Beer moved to appoint Mr. Erickson to serve as a member of the working group. Councilman Keyserling gave second. The motion passed unanimously.

### **ASSOCIATE JUDGE'S POSITION**

The mayor said he received a recommendation from the Municipal Court Judge this afternoon that the Judge for the Town of Port Royal, Jim Grimsley, can continue to cover for City Judges Tupper and Sharp. Therefore, it is not necessary to find a replacement for Judge George O'Kelley.

Councilwoman Beer made a motion to not fill the Associate Judge's position left vacant by George O'Kelley's resignation at this time. Councilman Keyserling gave second. The motion passed unanimously.

**CITY MANAGER'S REPORT**

The City Manager reminded Council of the special meeting on December 2, 2003 beginning at 5:00 p.m. in The Friends Room at the Arsenal to receive an update on the Waterfront Park project and a recommendation on a construction management firm for that same project. Additionally, he noted the City's administrative offices will be closed Thursday and Friday for Thanksgiving.

**COUNCIL REPORTS**

**BEER:** Councilwoman Beer reported she attended the Veteran's Day parade and ceremony on November 11 th.

**ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 6:50 p.m.

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BILL RAUCH, MAYOR

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COUNCILWOMAN DONNIE ANN BEER

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COUNCILMAN FRANK GLOVER

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COUNCILMAN GARY B. FORDHAM

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COUNCILMAN BILLY KEYSERLING

ATTEST:

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BEVERLY W. GAY, CITY CLERK