

A regular meeting of the Beaufort City Council was held on November 9, 2004 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, Councilman-elect George H. O'Kelley, Jr., 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.

INVOCATION/PLEDGE OF ALLEGIANCE

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

PROCLAMATION - NATIONAL HOSPICE MONTH

On motion by Councilman Glover, second by Councilman Keyserling, Council unanimously adopted the proclamation designating November, 2004 as National Hospice Month.

PUBLIC COMMENT

Barry Milo, Cottage Farm Property Owners' Association President, gave an update on the status of the agreement regarding the placement of the road from Cottage Farms to Ribaut Island. He said he, the developer, and the engineer are working towards an agreement regarding curbing, landscaping, lighting, etc. A site survey was provided by the developer last Thursday of the proposed easement and the road meets the criteria previously set by Council. Being 86 feet from the railroad track, vehicles exiting Ribaut Island will have sufficient room to turn, stop at the stop sign and prevent problems related to stacking. It also eliminates the blind curve. Once the agreement is signed, the 115 Cottage Farm Property Owners need to ratify the placement of the road and approve the agreement. He asked that the City validate the placement of the road before Thanksgiving so the developers can work towards completing the road.

Bill Jones, developer/Ribaut Island Associates, added there have been meetings at the site with various plans submitted and they are trying to make sure the Cottage Farm Property Owners are pleased with the design.

Richard Williams, 811 Audusta Place, advised Council of a neglected house across the street from him at 820 Audusta Place that caught on fire in March. The owner is living in a recreational vehicle on the lot. The house is causing the surrounding properties to decrease in value and there are no apparent repairs being made. He presented a letter signed by the adjoining property owners who would like the City to address this matter.

The City Manager noted that this problem was brought to his attention by Councilwoman Beer and the information has been given to staff.

Libby Barnes, Chamber of Commerce President, invited Council to the Chamber's December 1st legislative reception from 6:00 p.m. to 7:30 p.m. at the Callawassie Island Club.

MINUTES: REGULAR MEETING - OCTOBER 26, 2004

The minutes of the October 26, 2004 regular meeting were reviewed by Council and on page 2, under Cottage Farm Drive, Attorney Gilley's initials are D.C. On the same page in the 3rd paragraph, replace the word "has" with have.

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to adopt the minutes of the regular City Council meeting of October 26, 2004 as amended.

STORMWATER DRAINAGE PROJECTS UPDATE

Jon Rembold, Project Manager for Ward Edwards, said bids on the **Depot Road** stormwater drainage project were opened September 22nd with only one contractor submitting a bid. Since it wasn't a competitive bid, the bid documents were revised and the project was rebid. **Battery Shores** - the design was 90% complete in September. JoCo Construction submitted their scope of construction work to the City's Public Works Department for review and the scope of construction will be reduced to lower the costs. Once approval is received from Public Works, they will meet with the contractor and review it again to be sure the design is still feasible for that subdivision.

Steve Andrews of Andrews Engineering stated the three stormwater drainage projects on Federal Street, Morrall Circle, and Duncan/Langhorn have moved slowly due to the firm's work load. They now need direction from the City. They have some working drawings completed and the others are near completion. They met with the citizens affected by these projects and after reviewing their comments, alternate designs have been prepared. Addressing the pond on **Federal Street**, the design is to raise road grades and replace the storm sewer. The biggest concern stated by the citizens at the neighborhood meeting was to eliminate flooding to their yards. A recommendation received at that meeting which is being implemented was to repair what is there now as an interim measure with the board at the end of the pipe and rebuild the flash board riser. An alternate plan would be a more detailed study of the storm system and remove the road drainage from the pond and direct it into the marsh. He will be meeting with City staff to ensure they agree with those plans.

Johnny Morrall Circle Project - The original design was to upgrade Ribaut Road which was cost prohibitive. An alternative was to place the pipe behind the buildings to the north of Morrall Circle starting with Dr. Sherman's property at the north and moving to Burger King at the south. Those plans have been reviewed by the City staff. Also, eliminating tree impact along that Circle by routing that line through the Piggly Wiggly parking lot was considered. That plan is in the conceptual stage and it would eliminate a lot of expense since there would be no utilities to contend with and it won't impact any of the large Oak trees along Morrall Circle. **Duncan/Langhorn** - they met with the citizens and walked the area one Saturday to address their concerns. Water from the elementary and middle schools are causing problems. Options on how to divert that were given to the staff this week. He has been working with the contractor, reviewing his schedule and pricing, and plans to get that information to the staff by the end of this week. The projects should be ready to begin by the first of January.

Councilman-elect George H. O'Kelley, Jr. inquired about a drain pipe in the Morrall area and whether it is the same outfall to which Mr. Andrews was referring. He said he met with the highway dept. on behalf of his client and relocating that drain was discussed because it was caving in. Mr. Andrews said it is the ultimate outfall for the project. Lamar Taylor, Public Works Operations Officer, replied DHEC would not allow it to be moved further north as requested unless there was

a new permitting process submitted, so repairs were made. Mr. Andrews added that for a minimal amount of additional material that pipe could be abandoned and moved slightly to the north avoiding the trees and still use the same outfall. Mr. Andrews said he would like to present a brief overview of the projects at another meeting to inform Council of the progress and the benefits that will be received by the community along with the cost. The mayor said he would like the summary to include what each group wanted, what was advised, and why.

REYNOLDS STREET

At the last Council meeting, the decision on whether or not to pave Reynolds Street was postponed in order to contact additional property owners for their comments. Matt Horn, Assistant to the City Manager, addressing the request to remove Reynolds Street from the list of streets to be paved, said property owners along Hermitage Road were contacted and there are now four residents who want it paved and six who don't. There are still others who have not responded. Regarding the question asked about sewer, he checked with B-JWSA and there is a force main sewer in the middle of the Reynolds Street right-of-way; however, as long as they have access they do not have a problem with the street being paved.

Since there are still some residents who have not commented, Councilman Fordham offered to contact those people and report back at the next meeting. Mr. Horn was asked to send another letter to those residents and include a post card for reply.

The question was asked if the money designated to pave this street can be used to pave another street in the City. Mr. Taylor said the County has agreed to that in the past and he will inquire further.

ORDINANCE AMENDING BUSINESS LICENSE ORDINANCE PROVISIONS

The ordinance amending a portion of the Business License Ordinance provisions for insurance companies and for brokers for non-admitted fire and casualty insurers was presented for second reading and adoption.

Councilman Glover made a motion to adopt the ordinance on second reading. Councilman Keyserling gave second.

Ross Jones, Finance Director, reminded Council this ordinance is presented at the request of the Municipal Association. It will allow the continued collection of business license fees from insurance companies operating in the City and does not increase fees.

Council voted unanimously to adopt the ordinance on second reading. (Copy of ordinance at end of the October 26, 2004 minutes)

ORDINANCE AMENDING UDO REVISING SEVERAL SECTIONS

The ordinance amending Sections 5.1, 5.4B, 5.4C, 5.4G, 7.5I and 11.2D of the City's Unified Development Ordinance, pertaining to permitted uses in existing structures, accessory structures, accessory uses, parking of trailers at home occupations, and definitions was presented to Council for second reading.

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

gave second. The motion to approve the ordinance on first reading passed unanimously. (Copy of ordinance at end of the October 26, 2004 minutes)

REQUEST TO CLOSE PORTION OF PORT REPUBLIC STREET FOR EVENT

A request from the manager of New South Mortgage Corp. to close Port Republic Street between West Street and Charles Street from 5:30 p.m. to 7:00 p.m. on December 9, 2004 for the Beaufort Chamber of Commerce Business After Hours was presented to Council.

Councilwoman Beer moved to approve the request. Councilman Glover gave second.

Councilman Glover remarked that requests to close streets for events are occurring more frequently and questioned whether there was not an alternate location for holding these functions.

Libby Barnes, Chamber of Commerce President, said many of the smaller businesses don't have the facilities to host the large number of attendees nor the financial capabilities to rent a location for the event. She said these requests are important so more members can participate and understand the services provided by the businesses.

Police Chief Jeff Dowling said he spoke to the manager of that business whose concern is that the event will overflow onto the street. Other reasons for the request are a small combo band will be performing and he would like permission to allow alcohol consumption in the right-of-way. Chief Dowling added that he did not anticipate a problem with closing that block of Port Republic Street.

Council members Beer, Fordham, Keyserling, and Rauch voted to approve the request. Councilman Glover voted nay. The motion passed 4 to 1.

ORDINANCE REVISING SECTION 5-1003, CITY CODE, PERTAINING TO WORK EXEMPT FROM PERMITTING

An ordinance revising Section 5-1003 of the City Code pertaining to work exempt from permitting was presented in reply to inquiries made in the past by Council members.

Councilwoman Beer made a motion to approve the ordinance on first reading. Councilman Glover gave second.

Libby Anderson, City Planner, said complaints have been received regarding the need for permits for work that does not require inspection by the Codes Department like interior painting, carpeting, tiling, etc. The proposal is to implement the permit section of the International Building Code that addresses *Work Exempt From Permit* with a few minor modifications. She pointed out #7 under *Building* as the biggest concern to be addressed. This ongoing problem can be fixed easily by stating what work needs a permit and what work does not, she said

Stating interior doors have also been a concern, the mayor suggested adding that to the items included in residential remodeling.

Councilwoman Beer moved to amend the ordinance by inserting interior doors to the list.

Councilman Glover gave second.

Councilman-elect O'Kelley stated that from an attorney's standpoint, residential remodeling could be interpreted as additions to the house could be made without a permit. He suggested rewording item #7 for clarity.

Councilwoman Beer revised her motion to include that change to read: 7. *Interior* residential remodeling including painting, papering, tiling, carpeting, cabinets, counter tops, *interior doors* and similar finish work. Councilman Glover seconded the motion. The amendment passed unanimously.

Councilman Keyserling moved to amend item #12 by adding *screens and screen doors* after window awnings. Councilwoman Beer gave second. The motion passed unanimously.

Council voted to approve the amended ordinance on first reading. (Copy of ordinance at end of these minutes)

CITY MANAGER'S REPORT

The City Manager reminded Council of the Bladen Street Project public input meeting to be held Tuesday, November 16th at 5:30 p.m. in the Friends Room at the Arsenal on Craven Street.

REPORTS BY COUNCIL

FORDHAM: Councilman Fordham asked for an update on the funding sources for the Waterfront Park and Police/Court facility at the next meeting since the one percent sales tax referendum was defeated.

BEER: Councilwoman Beer reminded Council they are to participate in the Veterans Day parade on Thursday, November 11th. Council is to arrive at 9:15 a.m. at the National Cemetery.

GLOVER: Councilman Glover will be out of town during the week of Thanksgiving and unable to attend the Council meeting on November 23.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:07 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