

A regular meeting of the Beaufort City Council was held on December 13, 2005 at 6:00 p.m. in County Council Chambers, 100 Ribaut Road. In attendance were Mayor Bill Rauch, Mayor Pro Tem Frank Glover, Council members Donnie Ann Beer, Gary B. Fordham, 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.

CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

The invocation was given by Councilwoman Donnie Ann Beer. The Pledge of Allegiance was led by the Mayor.

PUBLIC COMMENT

Dr. Charles Aimar expressed his concerns about what has been proposed for Fuller Parkway and offered an alternative to anyone who would do anything other than making it a park or letting it be accessed by adjoining land owners. He said he served on the Hospital Board several years ago when a parking deck was being discussed. It is apparent a 4 to 5 level parking deck is needed; and he suggested the parking deck be on Ribaut Road with condominiums facing Battery Creek. The deck would be used by the residents of the condos and the hospital. Additionally, the efficiency units could be rented by hospital staff including contract nurses and the Technical College and maintained by the hospital. He said he is also concerned with the amount of land that is being removed from the tax books which causes everyone's taxes to increase.

Tom de Treville referred to a portion of Lady's Island as the Golden Triangle. He said this ideal location could provide special consideration for developers to build higher density, seven story structures instead of building 2 and 3 story structures on expensive property. Those two additional floors would be profit for the developers.

Albert Lenzy Jackson said his family has owned four parcels of land on Lovejoy and Palmetto Streets for many years and they do not want to sell it. Members of his family met with two Council members and the City Attorney three years ago regarding the City purchasing their land as part of the site for the Municipal Complex but he and his family don't think it is needed to construct the buildings. He said they have had no communication with the City since then and it is wrong for the City to take his family's property.

Walter Gay, Sandlapper Tours, said the day before the Christmas parade, he and his children decorated the trolley with stockings for the City Council. The next morning things had been placed in the five stockings. He felt obligated to present the one to Councilman Glover since it was filled with toys and candy. The others had twigs and sticks which he did not bring.

PUBLIC HEARING

A public hearing was held to receive comment on **revising the Marina Village Planned Unit Development (PUD)** which includes 21 parcels of property located on Sea Island Parkway on Lady's Island. The parcels are identified as District 123, Tax Map 15, Parcels 139, 140, 781, 782, 783, 784, 785, 786, 787, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, and 819. A Notice of Public Hearing was duly published in The Beaufort Gazette on November 28, 2005. The City of Beaufort-Town of Port Royal Joint Municipal Planning Commission recommended approval with several conditions.

Libby Anderson, City Planner, pointed out that the Marina Village PUD was approved in April of 2001. She listed the changes to the PUD as proposed by the applicant and the conditions proposed by the Planning Commission to which the applicant has agreed. The revised PUD proposes 83 residential units instead of the 52 originally approved; a decrease of 7,800 square footage of commercial space; thirty-six fewer parking spaces are to be developed; a change in the way building height is measured to be more consistent with the Unified Development Ordinance; and a change to the sign regulations in order for the applicants to develop one or two freestanding signs. The Planning Commission recommended deleting references to the Lady's Island Overlay; however, this was based on the previous Zoning Ordinance and does not apply any more. Their second recommendation was that only one freestanding sign be permitted in the development and it be a monument sign. Because there was concern about parking, the Commission recommended the total amount of restaurant square footage be limited to 1,500 square feet.

There being no other comments the public hearing was closed at 6:40 p.m.

MINUTES: REGULAR MEETING

On motion by Councilwoman Beer, second by Councilman Glover, Council voted to adopt the minutes of the regular City Council meeting of November 8, 2005 as presented.

MINUTES: SPECIAL MEETING

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to adopt the minutes of the special City Council meeting of November 16, 2005 as presented.

PUBLIC ART – WATERFRONT PARK

Lesley Hendricks, Public Arts Commission Chairman, showed a sketch of the Waterfront Park and pointed out for discussion six locations for art placement in the Waterfront Park. The first area is adjacent to the horse carriage drop off in the triangle at the main entrance where the sculpture of the Dolphin by Thomas Glover W. is proposed to be placed. The second location would be for placement of the Viet Nam monument, the Thomas Heyward bust, etc. which would be returned to approximately the same area where they were originally. Beaufort artist John Longo is donating a 4 ft. tall stature of the Longo family cast in bronze which will sit on a 2 ft. base. This sculpture is planned for the end of Scott Street and would be placed in the plantings. The fourth area is considered the entrance of the playground. This is where the Commission is recommending the water feature be placed which is the Whales Tail by William D. Bosworth and donated by Joe Mix. On the east end of the Park on the restroom/storage area wall, murals by artist James Denmark will be used with the assistance of Curtis Ellis of AAA Graphics. He will mount the paintings on marine plywood panels coated with polymers that will resist sun fading, weathering, and graffiti. The 3 plaques depicting the history of Beaufort would be attached to the wall of the Saltus restaurant on

Scott Street which is considered to be the sixth area “Women of the South” made of marble is 4 ft. tall and would be placed on a 3 ft. base and a sculpture of a rowboat could be placed in another park in the City so as to not overcrowd the Waterfront Park, she said

Councilman O’Kelley asked that pictures of the sculptures be distributed to Council. Also, he asked the cost of the items. Ms. Hendricks replied “The Family” by Suzanne Longo is being donated by the Longos and “The Whales Tail” and the installation are being donated by Joe Mix. Mr. Ellis and Mr. Denmark have reduced their price for the mural to \$30,000. Mr. Thomas Glover W’s sculptures of the rowboat, dolphin, and The Women of the South would cost a total of \$45,000.

Councilman Fordham referred to the 2003 resolution Council adopted to allocate 1% of the project funding for the incorporation of art to be placed in these spaces. In his opinion, there is nothing at the Waterfront Park more beautiful than the water and the stars and so far nothing presented has impressed him. Council has not obligated themselves to establish public art, he said.

Councilman Glover stated too many changes are being made to the Park. He liked where the sculptures were and doesn’t understand why they have to be relocated. The City Manager explained that area is now where the Charles Street drop off point is to be located.

Ms. Hendricks described the four paintings presented by James Denmark representing Gullah art that he has offered to be transferred into murals. Councilman Glover said he would like to see scenes depicting Beaufort.

Mr. Denmark stated his preference was to prepare the art in mosaic tiles but the cost was prohibitive. He said when he lived in New York City, he observed bus loads of people leaving to attend the Gullah Festival. Therefore, some of his works reflects that idea and fits into the plan. It would be cost effective to use a finished piece and have it transferred by a professional in collaboration with himself.

Mr. Glover W. asked what Council needs because he has three marquettes that have not been viewed by Council. The Mayor replied Council would like him to provide an image of the dolphin, the Southern Ladies, and the rowboat sculptures. Mr. Glover W. said he could provide photos of his work. The Mayor pointed out also that weight could be important particularly in this instance where the Park is built on a shelf. Mr. Glover W. said he previously addressed that issue of the sculpture not resting on pilings or a shelf.

RESOLUTION – MEDICAL TECHNOLOGY TASK FORCE

The Medical Technology Task Force was created by City Council on July 13, 2004 with the purpose of formulating recommendations to Council regarding medical technology related industries in the City. On July 26, 2005, the Task Force’s recommendations presented to Council included the addition of representatives from the Technical College, the County and the Town of Port Royal. A resolution was prepared and presented to Council for approval of the three additional members.

Councilman Glover made a motion, seconded by Councilwoman Beer to adopt the resolution. The vote was unanimous. (Copy of resolution at end of these minutes)

PRESENTATION OF FY05 AUDIT

The City's FY05 audit was presented to City Council by Mr. Wayne Promislowe, Cherry Bekaert, & Holland, LLP, Certified Public Accountants. He stated the City has received the highest opinion which is that of an unqualified opinion. Mr. Promislowe also briefly explained the financial statements found in the audit.

Councilman Fordham questioned the City Attorney's invoice regarding review of the audit.

REQUEST TO CONDUCT TOY RUN

A request from Southern Scooters to parade through downtown Beaufort for their annual Toy Run on the way to the Salvation Army on North Street on Sunday, December 18, 2005 at 2:00 p.m. was presented to Council for consideration.

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

DOWNTOWN PARKING SIGNAGE

In 2004, Council approved 14 of 16 of the recommendations presented by Main Street Beaufort, USA and the Parking Task Force to improve parking downtown. One of the recommendations approved, a signage plan for the Core Commercial District, was presented to Council for approval.

Matt Horn, City Manager's Assistant, briefed Council on that recommendation. He stated this signage plan would direct residents and visitors to each of the four public surface parking lots located at the Downtown Marina, West and Craven Streets, Port Republic and Scott Streets, and the Scott Street entrance to Waterfront Park. The 24 signs would cost about \$28.15 each for a total of \$675. An encroachment permit will be required from SCDOT for installation, he said. Council approved.

CHRISTMAS BONUS

Consideration of awarding an employee Christmas bonus was presented to Council by the City Manager. He listed many accomplishments completed by city staff this year to warrant a Christmas bonus. His recommendation to Council was to grant a Christmas bonus of \$200.00 to each full time City employee.

Councilwoman Beer moved to award \$200.00 to each City employee. Councilman O'Kelley gave second. The vote to award the employees a \$200.00 Christmas bonus was unanimous.

ORDINANCE REVISING MARINA VILLAGE PUD

An ordinance revising the Marina Village Planned Unit Development, adopted April 10, 2001, and comprised of 21 parcels reducing the amount of commercial square footage, increasing the number of permitted residential dwellings, and making adjustments to parking and signage was presented to Council for first reading..

Councilman Glover made a motion to approve the ordinance on first reading. Councilman O'Kelley gave second.

Councilman Glover inquired as to the reason for the reduction in commercial square footage and the increase in the residential dwellings. Libby Anderson, City Planner, replied the applicants feel the market for residential development is better at this time. Mr. Glover also questioned whether there would be additional curb cuts and how the PUD revision will affect traffic. Ms. Anderson stated there will be one less curb cut and a trip generation analysis has not been conducted but a parking demand analysis was performed indicating that the parking demand would decrease by three spaces.

Additionally, he asked how the parking would be handled. Ms. Anderson answered that the single family lots will have their own parking. The commercial lots along the street will have shared parking. The residential loft units above the commercial units permitted to be developed will share the commercial parking. Ms. Anderson also answered several questions posed by the Mayor regarding elevation, removal of trees, and how the development will look from the Historic District.

The Mayor said when the PUD was originally approved he asked the developers to provide an elevation plat of the view from the Woods Memorial Bridge. He would like that plat updated to see how the buildings will be screened from the water. Ms. Anderson reminded Council of the recommended changes to the proposed PUD made by the Planning Commission that the applicants have endorsed.

Councilwoman Beer moved to amend the ordinance to include the three recommendations made by the Planning Commission. Councilman Glover gave second. The motion to amend passed unanimously.

Council voted unanimously to approve the ordinance as amended revising the Marina Village PUD as amended on first reading. (Copy of ordinance at end of these minutes)

ORDINANCE AUTHORIZING SALE OF PORTION OF WILSON DRIVE R-O-W

An ordinance authorizing the sale of an abandoned right-of-way from the SCDOT's Highway System on Wilson Drive (a/k/a Road S-191) and back to the City was presented to Council for first reading. This 0.112 acre of land (4,895 sq. ft.) abuts and adjoins the property and residence of Teresa A. Bruce who wishes to purchase the right-of-way for \$516.00.

Councilman Glover moved to approve the ordinance on first reading. Councilwoman Beer gave second. Council voted to approve the ordinance on first reading selling the 0.112 acre of land to Ms. Teresa Bruce for the sum of \$516. (Copy of ordinance at end of these minutes)

CITY MANAGER'S REPORT

The City Manager reported the following to Council.

1. **The Design Review Board** has been very busy to which he contributed the successful completion of the BRAC. Investors have been waiting and now projects are moving forward. Best Buy will be locating in the Cross Creek Plaza with the possibility of other businesses moving there. This is very encouraging since the Winn Dixie closed a few months ago.
2. **Vehicular traffic to Battery Saxon Park** is being worked on by the staff. A parking pad will either be contracted out or completed in-house by the Public Works Department. This decision will be determined by what is found after a cost is determined.
3. A draft copy of the **Boundary Street Master Plan** has been received for the work conducted during September. It is currently being reviewed by staff and it is anticipated that a presentation and

recommendation will be prepared for Council in January. After being presented to the Planning Commission in February, it will be forwarded to Council for consideration and final approval in March.

4. The **Tour Coordinator** has resigned to stay home with her new baby. The position will be advertised.
5. **The Police Department** received confirmation that they will receive 100% funding through the State of South Carolina for in-vehicle video systems. \$80,000 will be received to install these units in 14 cars.
6. He commended the Finance Department and the Department Heads for their hard work in preparing and following their **budgets**. He added that the City is on a solid financial footing as it moves forward to construct several significant public improvement projects.
7. David McSweeney, **Waterfront Park** Construction Manager, gave an update on the **renovation**. The western portion of the Park in the Marina area has undergone the most work, he said. Significant pipe and structural work to both sides of the marina seawall is nearly completed. Storm drainage is proceeding with pipe setting of many junction boxes which is approximately 30% completed. The plumbing and electrical work for the restroom/maintenance building is in place and has been inspected. The slab floor has been poured and the block walls are being laid. The relieving platform and filter fabric work is now completed.
8. One bid of \$60,000 was received on the **Duke Street** property.

MAYOR'S REPORT

1. The Mayor stated he went to Washington on October 18th at Council's request to meet with John Roberts of the National Park Service regarding comments about the de-designation of the **Historic District**. Mr. Roberts stated in his letter that the City has done an outstanding job of maintaining the character and appearance of the Historic District which is among the largest in the Southeast and conveys Beaufort's history. Further, he said new buildings are acceptable as long as they are within the guidelines. Mr. Roberts added that withdrawal of the NHL designation has never been considered and it is rare for an NHL designation to be withdrawn. Additionally, the process of de-designation takes several years because of the step by step process with no sudden decisions.
2. He went to New York to meet with Dr. Thomas Friden, the Commissioner of Health and Hygiene, to learn about the City's **influenza pandemic plan**. The City staff while working on a plan with the hospital, DHEC, and the military and making preparations realized outside expertise was needed.
3. He marched in the **Christmas parade** and Councilwoman Beer rode on the float. He stated that in the future, Council should sign up if they intend to ride because of the time expended by the Public Works Department to prepare the float.
4. He spoke to County Councilman Weston Newton today who reported that County Council will begin work on the **Capital Improvement Sales Tax Referendum** similar to the one prepared for the 2004 election at their first meeting in January. He suggested City staff be authorized to prepare a list of projects from which Council can choose a slate to present to the Committee. Also, a brief on transportation needs was recommended since the County will focus on them. Additionally, he asked Council to consider a representative for the six member panel.
5. The **Night on the Town** event was successful and the businessmen have relayed to him that business has been good since Thanksgiving.
6. He wished everyone a happy and safe Christmas and New Years and he looks forward to a productive 2006.

REPORTS BY COUNCIL

O’KELLEY: Councilman O’Kelley said he was not aware that Council was to be in the Christmas parade.

BEER: Councilwoman Beer wished everyone a Merry Christmas and a Happy New Year.

2. She mentioned that the business people have said business is good. The fear was that during **renovation of the Park**, the businesses would close. This states that even though the Park is a vital part of the City it is not the only thing and Main Street has sponsored events to bring people downtown.

3. She thanked staff for their hard work and because of them the City is where it is today.

GLOVER: Councilman Glover asked for a status of the stormdrain projects. Mr. Glover wished everyone a very Merry Christmas and a Happy New Year.

FORDHAM: Mr. Fordham also wished everyone a Merry Christmas.

EXECUTIVE SESSION

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to move into executive session for a briefing on 3 contractual matters.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 9:33 p.m.

BILL RAUCH, MAYOR

COUNCILWOMAN DONNIE ANN BEER

COUNCILMAN FRANK GLOVER

COUNCILMAN GARY B. FORDHAM

COUNCILMAN GEORGE H. O’KELLEY, JR.

ATTEST:

BEVERLY W. GAY, CITY CLERK