

A regular meeting of the Beaufort City Council was held on June 14, 2005 at 6:00 p.m. in County Council Chambers, 100 Ribaut Road with a public workshop beginning at 5:00 p.m. In attendance were Mayor Bill Rauch, Mayor Pro Tem Frank Glover, Council members Donnie Ann Beer, Gary B. Fordham, George H. O'Kelley, Jr., 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 5:00 p.m.

### **PUBLIC WORKSHOP**

A workshop to review the Municipal Complex Site Plan was held prior to the regular meeting with the public, representatives of Liolio Architects of Charleston, members of the City staff and City Council members present and Robert Clark of SCDOT and traffic consultant Todd Salvagian providing input via conference phone.

Dinos Liolio shared the reasoning behind the proposed site location as it relates to the intersection of Ribaut Road and Highway 21. There is historical precedence as it relates to these types of structures and meeting with Victor Dover of Dover Kohl Planning Consultants, the significance and importance of this site was discussed. Another thing discussed was the ability to house the 200 parking spaces on site, he said. Therefore, the parking area has been expanded to the corner of Palmetto and Boundary streets.

Todd Salvagian, transportation consultant, said via telephone, in coordination with SCDOT and the County, they examined the traffic flow during the A.M., Noon, and P.M. peak hours along Boundary Street between Marsh Drive and Hamar Street including the intersection of Ribaut Road. Estimates have been completed on the traffic generated by both the future Municipal Center and the Marsh Garden's development and what is needed to accommodate the traffic. Access from Palmetto Street is an issue and one recommendation is to make that a right in/right out access. The intersection at Ribaut and Boundary will change to a three lane or "T" intersection because the Ribaut Rd. extension will be closed which will help traffic flow. By limiting access at Palmetto Street, left turn movements will have to be provided through Marsh Drive or via the Marsh Gardens project. This will provide cross movement between the two developments, improve the coordination up and down Boundary Street and improve operations at Palmetto Street. The installation of a pork chop island at Palmetto Street is being recommended to create a deceleration lane, a right turn in and out for westbound traffic. All movements can be accommodated safely at a traffic signal and eliminate the existing Palmetto Street problem. Robert Clark agreed with all the issues addressed by Mr. Salvagian.

**Alton Aimar** inquired about property currently owned by the City and which properties are being considered for acquisition. The City Manager responded and outlined the area on the map.

Crissy Hensen, who resides on the corner of O'Connell and Alexander Streets, asked for a

clarification of an area which she said was not currently a street. The City Manager pointed out that the recommendation from the transportation consultant would be to create an access through the Ramada Inn property. She also asked why the proposed building is being relocated causing Ribaut Road extension to be closed. Additionally, she inquired as to how the residents are to exit their neighborhood and if this closure is part of the proposed road to be established behind K-Mart connecting National Street. The Mayor responded the Municipal Complex site/street closure is unrelated to the road to which Ms. Hensen was referring. She further stated that it will be difficult to maneuver her landscape trailer onto Boundary Street. According to Mr. Salvagian the Ribaut Road extension closure will be replaced with a traffic signal at the County Complex/Marsh Drive where a new 2-lane roadway will be cut through the Marsh Gardens Development. There will be a right lane deceleration lane at Palmetto Street that will limit movements. The unsafe left turn out of Palmetto will no longer be allowed.

**Dave Mobley**, Palmetto Street resident, expressed his concern with eliminating the left turn onto Palmetto Street.

**Thomas McTeer**, Darby Drive resident, asked if the Ramada Inn or Attorney Dan Denton's property had been resolved. He also asked if the research had identified how many employees and visitors use the access to the County Complex daily. Mr. Salvagian replied that according to the Institute of Transportation Engineers it is anticipated that over a 24 hour time period 1400 two way trips are generated. Marsh Gardens is expected to generate 2 ½ times more trips than the Municipal Complex.

**Dave Radford** seemed to think the parking lot between Palmetto and Sycamore Streets will be used as a road by employees, police, public, and visitors.

**Nancy Johnson**, Morris Street, said there are elderly, disabled citizens living in four buildings on the corner of Lovejoy and Morris Streets. She asked if those buildings will be purchased by the City. The Mayor answered they will remain where they are.

**Jim Gay** inquired about the section of National Street that is to be utilized by the National Cemetery. Mrs. Beer noted that portion of the street has already been closed.

**Edie Rodgers** said she was glad to hear that the parking spaces are going to extend to the corner of Palmetto and Boundary Streets and she encouraged Council not to turn that corner into an out parcel for commercial development. Additionally, she asked if the Ramada Inn had been contacted regarding their parking area becoming a street. She added that corner would be a good location for a parking garage.

Mr. Liolio stated 150 parking spaces are required for the 41,000 sq. ft. building; however, in anticipation of growth, 197 spaces are being provided.

**Alton Aimar**, 1723 Riverside Drive, inquired as to whether it would be more prudent to build vertically instead of horizontally and eliminate the need to purchase more property. The City Manager replied the funding is not available at this time. Mr. Liolio and Mr. Salvagian agreed the cost of building a vertical parking structure is approximately \$8,000 to \$12,000 per space as

compared to surface parking of \$2,000 to \$4,000 per space.

**Jason Ryan**, Beaufort Gazette reporter, asked if the proposed site plan is accurately proportioned. Also, he said the Ramada Inn is under contract for sale and asked the City Manager what are the plans for that site.

**Henry C. Chambers** asked the right-of-way width of Sycamore Street and suggested parking along that right-of-way because the proposed traffic plan will eliminate that street. He also asked the distance between Ribaut Road and the County Complex entrance. Mr. Salvagian replied 1430 ft.

Councilman Glover wanted to know how many trees would be impacted by the Municipal Complex. Liolio representative Shane Knight's response was the survey has not been completed. He added that the larger trees will be taken into account during the final design of the parking lot.

In reply to Alton Aimar's inquiry as to when construction is to begin, the City Manager replied the schedule is actually five to six weeks behind schedule; therefore, the groundbreaking will probably be February, 2006.

**Dan Denton** expressed his surprise that traffic impact studies had not been completed before the site plan was presented. He asked when they are expected to be finished. Mr. Salvagian's answer was by next week. Mr. Denton asked if Council had committed to keeping the corner of Palmetto and Boundary Street for public use. The Mayor stated that since the first plan was presented showing that area as an out parcel, the designers realized more parking was needed for the 41,000 sq. ft. building and there are also groundwater issues in that area. Mr. Denton said he spoke to the Ramada Inn manager who said there has been no contact by the City as far as negotiating an access through that property.

**Henry C. Chambers** asked the total number of square feet planned for the site and the amount budgeted. Mayor Rauch said 51,000 sq. ft. all together including the 10,000 sq. ft. of unfinished space on the second floor of the police department. The City Manager replied ten million dollars has been budgeted. Mr. Chambers suggested the City purchase the Beaufort County Library, allowing City Hall to remain downtown and build a new library building on the proposed City Complex site which would eliminate the traffic problem.

**Dan Denton** commented that the 2004 update to the City's Comprehensive Plan indicated the City should expect about 2 ½ % growth per year. So the idea of rapid growth and the need for a lot of land to provide for this is a misconception.

Councilman Fordham mentioned placing the City Hall structure diagonally on the site. In his opinion, this position would have a greater presence when traveling east down Boundary Street and north on Ribaut Road. If the building is constructed as presently shown, he feels it will cause the residents undue hardship. Mr. Liolio said when he attended the meeting with Mr. Dover and the global aspect of planning was discussed, the meaning of this building to the community was brought up. The logical conclusion was that a building of this significance be placed at the point of the intersection of Ribaut Road and Boundary Street. In Mr. Fordham's opinion, placing the building diagonally so that it faces two major roads would be more symbolic.

Councilman O'Kelley expressed his concerns about no left turn access in and out of the Piggly Wiggly on Boundary Street, removing magnolia trees from Lovejoy Park, the extra traffic created with the development of Marsh Gardens, and closing Ribaut Road extension. He prefers moving the building site to the east and not closing Ribaut Road extension.

Councilman Glover stated he is disheartened that the tree survey and the traffic analysis have not been completed. He also agrees on relocating the site of the building. Access through the motel parking lot being discussed has not been approved and the residents on the streets behind the Complex need to be considered. He would like to see a tree survey, a traffic plan, and a revised site plan.

The workshop was adjourned at 6:20 p.m.

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

The meeting was opened at 6:20 p.m. with an invocation by Rev. Leon Meadows of Riverview Baptist Church. The Pledge of Allegiance was led by the Mayor.

#### **PROCLAMATION – CLEAN BEACHES WEEK**

On motion by Councilwoman Beer, second by Councilman Glover, Council unanimously adopted the proclamation designating the week of June 27, 2005 as Clean Beaches Week in the City.

#### **PROCLAMATION – INTERNATIONAL ORDER OF THE RAINBOW FOR GIRLS DAY**

On motion by Councilwoman Beer, second by Councilman Glover, Council unanimously adopted the proclamation designating June 25, 2005 as International Order of the Rainbow for Girls Day in the City.

#### **PROCLAMATION – GARDEN-A-DAY WEEK**

On motion by Councilwoman Beer, second by Councilman Glover, Council unanimously adopted the proclamation designating June 6-10, 2005 as "Garden-a-Day" Week in the City.

#### **PUBLIC COMMENT**

**Alton Aimar** asked for an update on the improvements to the Waterfront Park. The City Manager said that would be given as part of his report.

#### **PUBLIC HEARINGS**

A public hearing was held to receive comment on the proposed *rezoning of two parcels located at 1101 Union Street and 1913 Baggett Street, identified as District 120, Tax Map 3, Parcels 33 and 30* from General Residential District to General Commercial District. The City of Beaufort-Town of Port Royal Joint Municipal Planning Commission recommended approval.

Libby Anderson, Planning Administrator, said the two parcels total 19,444 square feet in area or .45 acres. There were two residential structures that were recently demolished after being abandoned for many years. The site is currently undeveloped. Seven criteria are listed in the Unified Development Ordinance for consideration when a property is being rezoned which she applied to the application.

**David Tedder**, Attorney for the applicants, explained his clients would like to build a law office on the site and believe the rezoning is an appropriate request. He asked Council to support the request.

There being no other comments, the hearing was closed at 6:30 p.m.

A public hearing was held to receive comment on the proposed *rezoning of a parcel of property located at 1103 Craven Street, identified as District 120, Tax Map 4, Parcel 777*, from General Residential District to Office Commercial District. The City of Beaufort-Town of Port Royal Joint Municipal Planning Commission recommended approval with the suggestion that 412 Newcastle Street remain zoned GR.

Libby Anderson, Planning Administrator, stated this parcel is at the corner of Craven and New Castle streets in the Historic District. Three buildings are located on the site. The primary structure was a former Inn and is considered a contributing structure as is the single family dwelling at 412 New Castle Street. The seven criteria listed in the Unified Development Ordinance as a guide when considering rezoning requests were addressed. She mentioned sections of the City's Comprehensive Land Use Plan which point out that established neighborhoods including those of historical significance to the City should be preserved and protected; land use changes which damage community character such as encroachment of inappropriate commercial land uses into residential neighborhoods should be prevented; existing single family housing in the Historic District should be preserved and the amount of residential structures and properties that may be converted to commercial uses should be limited. Ms. Anderson pointed out also that to convert the existing structure to an office would require a code change in order for it to be made handicapped accessible.

**Tom Mikell** attorney, appeared on behalf of the Historic Beaufort Foundation, and stated the primary structure was built in 1835 as a residence. HBF has a 16 page restrictive covenant on that residence which prohibits a change from residential use. He cited portions of the document stating the structure shall be used for its historic purpose. The entire block is zoned General Residential and rezoning one structure would be spot zoning, he said. Additionally, the structure is not suited as an office and would require conversion to handicapped accessibility which cannot be done to the exterior of the building according to the Dept of Interior's standards. Additional parking will be required also. To allow this change will be inconsistent with the Comprehensive Land Use Plan; therefore, HBF opposes this rezoning.

**Dick Stewart**, rezoning applicant, said the points made by Mr. Mikell have to do with use not zoning. The issue is not the use of the historic house or the contributing structure, the issue is the zoning category that allows residential uses as well as perhaps a business use provided it meets all the criteria which has not yet been established. He said he is willing to subdivide the property so that the other contributing building can remain residential. An architectural firm has out grown their space and would like a place within walking distance of downtown. They are familiar with codes and are willing to resolve this matter if the zoning can be changed. Before approaching Council, he and his wife considered several options for the property which is too small to operate as an individual Inn. Currently, the Inn is being operated during peak seasons and on special requests. They tried selling the house as a residence but the commercial properties seen from the property are not appealing from the front porch and people think the noise from the hotels on weekends will be disturbing. Another option considered is office space and that is why they are requesting a zoning

change. Offices are usually open from 8:30 until 5:30 and not on weekends which would actually reduce the noise in the area as compared to operating an Inn. He agreed that the document gives HBF the right to protect the property which will succeed ownership. It is in place to protect the Historic District. If handicapped access is required and the City's codes and ordinances can't be met, then the use won't be allowed.

**Dave Radford**, member of the Planning Commission, said he made the motion to make the zoning change based on the opinion that historic structures should be maintained. It was the majority opinion that by changing the zoning and allowing broader latitude to whomever owns the property to efficiently and profitably use this property was in keeping with historic preservation.

**Alton Aimar** said the character of the neighborhood should not be changed. Perhaps the architectural firm could be granted an exception but do not change the zoning.

There being no further comments, the hearing was closed at 7:00 p.m.

A public hearing was held to receive comment *on revising Section 5.1 "Use Tables" of the Unified Development Ordinance to permit retail sales and service uses* in the Limited Industrial District. The City of Beaufort-Town of Port Royal Joint Municipal Planning Commission recommended approval on the condition that the use is conducted in a building built prior to 1970. Staff also recommended that exterior changes be subject to design review.

Libby Anderson, Planning Administrator, stated an application has been received from a private individual to amend the Unified Development Ordinance, specifically the limited industrial standards, to permit retail uses which are not allowed in the LI district. The applicant owns two structures in the LI district located off Depot Road adjacent to the railroad track. The Comprehensive Plan designates where retail activity centers should be located and those are not in the industrial zones. The Comprehensive Plan suggests that those areas should be reserved for industrial type activities. At the same time the Comprehensive Plan and staff supports the redevelopment of this particular Limited Industrial area into a more mixed use neighborhood. Also, in this LI area there are four structures that are listed on the historic site survey. Staff suggested in an effort to begin moving this area away from industrial activity and into more compatible types of uses with the surrounding neighborhood, that retail activities be permitted only in the buildings listed on the historic site survey. Only one of the applicant's structures is considered contributing in the survey and that is not the one he is interested in putting the retail uses in.

**Tommy Logan**, Ribaut Road, said he owns approximately ¼ of the Depot Road area and he doesn't have a problem with retail sales in the LI district. The set back and buffer requirements against residential have changed to sixty feet in the UDO cutting back the use of the property in that district. To make the area more compatible with the neighborhood, he asked Council to consider relaxing some of the restrictions to allow more opportunities.

Councilman O'Kelley asked if the applicant indicated what type of retail he intends to put in the building. Ms. Anderson said Habitat for Humanity would like to use it for their Restore business; however, any retail activity could be there. Mr. Glover said if it is appropriate for the neighborhood, it should be appropriate for any building and no one should be excluded. He said there is poor

drainage in that area and part of the stormwater runoff runs west into the residential area. The area needs to be revitalized but he prefers the property owners meet and develop a PUD instead of changing it in increments. Ms. Anderson said during discussions, staff thought this may be a transition district but all these things would take more time than the applicant wanted and that is why he proceeded with the request.

There being no further comments, the hearing was closed at 7:15 p.m.

#### **MINUTES: REGULAR MEETING- MAY 26, 2005**

On motion by Councilman Glover, second by Councilman O'Kelley, Council voted to adopt the minutes of the regular City Council meeting of May 25, 2005 as presented.

#### **STORMWATER PROJECT UPDATE**

Bob Gross, the City's representative on the Stormwater Utility Advisory Board, reported that one of the major concerns expressed by people was that there was only one rate regardless of the size of the property or impervious surface. A new rate structure is one of several things the Board has been working on during the past few years. It has been developed, is being finalized and refined. It is based on \$40.00 annually for a single family unit. The Board's recommendation to the consultants was to break the rate into three categories; up to one half of a single family unit covering 15% of the properties with a fee of \$20.00, one single family unit with a fee of \$40.00, and one and a half single family units which cover approximately 70% of the impervious surfaces in the County would be \$60.00 a year. The consultants also revised the commercial property rates. They are based on how many single family units are on the property. The Board also contributed input into the County Engineer's Best Management Practices Plan. Their plan addresses the subdivisions particularly in the unincorporated areas of the county and how big stormwater containment systems should be. There is a provision for credits for commercial properties and Property Owner Associations. If a POA provides a service that the County would otherwise provide, it would be eligible for a credit and could receive more money than what they pay. The next element of the Stormwater Program will be to determine exactly what is being discharged, what is the quality, is there a problem and what should be done if there is. He said it is important that the City know what is being discharged into the outfalls, where they are and the quality of the water being discharged because of the responsibility. The Mayor asked if the County will use the stormwater utility money to perform sampling at the outfalls for illicit discharges. Mr. Gross said that depends on the Intergovernmental Agreement. Mr. Gross referred to the water quality term Total Maximum Daily Load (TMDL). In streams that don't meet standards, EPA and/or DHEC will set this for what can be discharged in a stream. Beaufort River is on a list of Impaired Streams, along with several other cities, which means it does not meet the standards set by DHEC. It never will because of its nature, he said. The problem is that these bodies of water are developed areas and now there are discharges into these streams. A TMDL is now being developed for Beaufort River addressing oxygen demanding materials.

#### **TDAC FUNDING RECOMMENDATIONS-FY2005 GRANT MONIES**

Fourteen agencies submitted applications to the Tourism Development Advisory Commission for the funding period July 1, 2004 – June 30, 2005 resulting in a recommendation by the Committee for: (1)Arts Council of Beaufort County, promotional materials and film festival -\$9,678; (2) Beaufort Art Association, gallery marketing-\$1,000; (3)Black Chamber, advertising -\$2,000; (4)Beaufort

Orchestra, music on Bay Street-\$1,000; (5)Regional Chamber, advertising & Visitor Center operations-\$30,000; (6)Exchange Club, CAPA tours-\$1500; (7)Guild of Beaufort Galleries, Spring & Fall Art Walk-\$500; (8)Gullah Festival, festival-\$6,000; (9)Historic Beaufort Foundation, Verdier House exhibit panels-\$10,000; (10)Lowcountry Shakespeare, Taming of the Shrew-\$1,000; (11)Lowcountry Tourism Commission, tourism, museum & visitors center-\$10,000; (12)Main Street Beaufort, special events-\$25,000; (13)Penn Center, advertising & promotion-\$2,500; (14)Performing Arts, Inc., marketing & promotion-\$7,000. These recommendations were presented to Council for approval and funding.

Councilwoman Beer moved to approve the TDAC's recommendations totaling \$107,178. Councilman Glover seconded the motion.

John Gettys Smith, TDAC Chairman, pointed out the amount listed for the Performing Arts, Inc. should be \$8,000 and the amount granted to the Exchange Club should be \$500. Making those corrections still total \$107,178. The Exchange Club wanted to place an article about the Ghost Tours in the Sandlapper magazine for a cost of \$1,500. However, with a \$500 commitment from Main Street Beaufort and the \$500.00 TDAC grant, Mr. Smith spoke to his friend and editor of the Sandlapper magazine who agreed to accept that amount.

Councilman Fordham stated he didn't know the function the Black Chamber of Commerce and since both Chambers of Commerce asked for funding for tourism advertising, he recommended the two Chambers combine their efforts. Mr. Smith explained the \$2,000 granted to the Black Chamber was approved for their advertising campaign which is an attractive brochure and distributed through the State Welcome Centers. Mr. Fordham suggested that amount be distributed between the Gullah Festival and the Exchange Club instead. Mr. Smith said originally the Committee allocated \$5,000 to the Black Chamber of Commerce but because the budget is limited the amount had to be cut back.

DeeDee Sandt, Performing Arts, asked Council to also consider them as an outside agency and fund them an additional \$10,000 through the budget process so they can accomplish their mission. She thanked Council for funding the capital improvements to the USC-B facility which has allowed them to have better shows. However, to make this a cultural center, she has applied for grants but there is still a shortfall.

Bill Robinson, Treasurer, echoed Ms. Sant's statement about making Beaufort a cultural center and encouraged Council to attend events.

Councilman Fordham moved to amend the motion by transferring the \$2,000 from the Black Chamber of Commerce and \$8,000 from the Lowcountry Tourism Commission and apply the \$10,000 to the Performing Arts giving them a total grant of \$18,000. The motion died for lack of a second. The Mayor said this should be addressed as part of the budget

Councilman O'Kelley agreed there are some organizations that are similar and suggested they be combined. Mr. Smith and Ms. Sant explained the differences trying to justify their requests.

Council members Glover, Beer, O'Kelley, and Rauch voted to accept the funding recommendations presented by TMAC with the two changes noted by Mr. Smith. Councilman Fordham voted nay.

The motion passed 4 to 1.

**REQUEST FOR CITY TO PARTICIPATE IN LOWCOUNTRY REGIONAL HOME CONSORTIUM**

A request from the Lowcountry Council of Governments for the City's participation in a regional affordable housing program was presented to Council for consideration.

Chris Bickley, LCOG Executive Director, requested the City's participation in the Lowcountry Regional HOME Consortium. HOME is the Federal Affordable Housing Program and this Consortium would be a regional four county effort aimed at assisting low to moderate income people in affordable housing, both from an ownership and a rental standpoint, he said. The four county councils have agreed to participate and provide all required matching funds. According to HUD regulations, they cannot commit the areas within the municipalities. Therefore, he plans to visit the twenty-one municipalities in the lowcountry region and if they all participate, approximately \$874,000 will be forthcoming from HUD for affordable housing activities in the region. No jurisdiction in the region meets the HUD requirements for direct allocation but by joining together, the requirements are met and for funding purposes, HUD allows those groupings to act as a single jurisdiction. Beaufort County being the largest jurisdiction in the region will act as the lead entity. He asked that Council agree to participate via resolution and designate the appropriate City official to sign the agreement.

Councilman Glover moved to adopt the resolution agreeing to join the Consortium and to designate the City Manager to sign the necessary documents. Councilman Fordham gave second. The motion passed unanimously. (Copy of resolution at end of these minutes)

**ORDINANCE AMENDING FEE SCHEDULE – PUBLIC NOTIFICATION ADS**

An ordinance amending the City's fee schedule by increasing fees for applications for variances, special exceptions, appeals, rezonings, and amendments to the UDO and establishing fees for street name changes was presented to Council for first reading.

Councilwoman Beer made a motion to approve the ordinance on first reading. Councilman Glover gave second. Council voted unanimously to approve the ordinance on first reading. (Copy of ordinance at end of these minutes)

**ORDINANCE SETTING MILLAGE RATE FOR FY06**

An ordinance establishing the millage rate for the City of Beaufort for fiscal Year 2006 was presented for first reading.

Councilwoman Beer made a motion, seconded by Councilman Glover, to approve the ordinance on first reading. The ordinance was approved on first reading setting the millage at 55.8 mills. (Copy of ordinance at end of these minutes)

**ORDINANCE ADOPTING FY2006 BUDGET**

An ordinance adopting a budget for the City of Beaufort for the fiscal year beginning July 1, 2005 and ending June 30, 2006 was presented to Council for first reading.

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

Councilman Glover asked several related questions which were answered by the City Manager. Councilman O'Kelley mentioned the request for funding from the Drug Court and said he hopes the City can assist in funding them again so they can continue. Councilwoman Beer said she too supports funding the Drug Court and would like to assist them. She quoted statistics of recovery and the economic impact for incarcerating someone. Even though Council was told they would only need assistance with funding for three years, she would like to extend the funding period. Councilman O'Kelley agreed.

Councilman Fordham asked for staff to prepare a financial statement showing Council where the City's assets and liabilities are less real estate holdings and personal property to help him understand the budget better. The City Manager and the Finance Director agreed to provide the document to the entire Council.

The Mayor proposed reviewing the budget to find funding for the Drug Court and the Performing Arts. Council agreed to support these two items if the funding can be found.

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

### **CANCELLATION OF TWO COUNCIL MEETINGS**

With people on vacation during the summer months, the cancellation of the July 12 and August 23 Council meetings were presented to Council for consideration.

On motion by Councilwoman Beer, second by Councilman O'Kelley, the first Council meeting in July and the second meeting in August were cancelled.

### **INTERGOVERNMENTAL SERVICES AGREEMENT**

An agreement between the Town of Bluffton, SC and the City of Beaufort to provide ministerial services at the Beaufort County Detention Center for the Town was presented to Council for approval.

Councilwoman Beer made a motion, seconded by Councilman Glover, to approve the agreement. The City Manager spoke on behalf of Judge Tupper and stated the request came from the Town of Bluffton's attorney who would like the City to provide Bond Hearings for the Town. The Judge is in agreement since he would already be at the Beaufort County Detention Center. The Town will pay \$100 for each bond session that the City covers beginning April 1, 2005.

Council unanimously approved the agreement.

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

The City Manager reported on the following items:

1. At the last Council meeting, Councilman Fordham inquired about the condition of the Arsenal wall. HBF has submitted a grant under The Save America's Treasures program to restore some of

the building and the wall. The stucco was not applied correctly; therefore, has been flaking off.

2. Regarding the Waterfront Park, staff met today with Brantley Construction to review the contract. There are still several issues to be addressed. A recommendation from the Construction Manager and the architect to enter into a contract is ready for Council's review; however, staff believes there are several issues that should be resolved first. The bids came in higher than anticipated in the budget and the funding recommendation on the renovations needs to be amended. Based on information he received from the contractor, he believes the actual work can begin around July 25<sup>th</sup> with a ground breaking ceremony prior to that.

**GLOVER:** Mr. Glover asked for a report on the undersized pipe installed in the ditch on Duncan Drive/Southside Boulevard. Isiah Smalls, Public Works Director, said he spoke to Charles Gatch with the County about this issue.

### **MAYOR'S REPORT**

The Mayor said the Design Center has not been discussed as part of the budget because he believes to hire an executive director the funding would come from the sale of the Duke and Harrington streets property but no effort has been made to move the sale forward. Council has to decide whether to sell the property or tell the members Council is not interested in funding the committee. They presented their plan and he would like to prepare the property for sale if Council concurs. Councilman Fordham said he is in favor of selling the property but not giving the money to the Design Center. Councilman O'Kelley also said he is not in favor of providing any money to the Design Center Committee. He said the Committee did not provide a plan on how to fund the next year's budget and will come back to the City for funding. The money should be raised privately since they are a private group, he said. Councilwoman Beer said the City asked them to invest their time and effort to organize this project and she supports them. Councilman Glover agreed Council established the group but he didn't understand the City would provide funding. He would prefer they not become an extension of the City nor does he want to continue funding them like the Drug Court. If funding can be provided from various foundations, he would support matching those monies. The Mayor said this is a volunteer group and it is actually the staff who would ask for commitments from organizations. To be fair, the City should provide a staff person for a year.

The City Manager said developers have urged the City to provide more clearly defined guidance on what type of infill projects are appropriate for downtown to eliminate some of the problems. He added that an architect is needed to help develop a vision. Councilwoman Beer said another function of the Design Committee is to help move the process along more efficiently. Councilman O'Kelley said he was not pleased with the Committee's presentation. Councilman Glover said he would have to see commitments from foundations indicating they aren't becoming an extended City agency requiring annual funding. Mr. Glover suggested tabling this discussion.

The Mayor reported the County Council voted at their meeting last night to disregard the City's recommendation for the parcel on the corner of Prince and Hamar streets and give the entire property to Habitat for Humanity. Over the next few weeks they will decide how much time to give Habitat to construct the structures before the property reverts back to the County.

### **REPORTS BY COUNCIL**

**O'KELLEY:** Councilman O'Kelley said he received a request from the minister of the Church of

Christ on King Street for the drainage to be checked and he would forward it to the City Manager

**BEER:** Councilwoman Beer reported the renovations to Pigeon Point Park are underway. They will be soliciting fence construction bids soon. The Pigeon Point Neighborhood Watch group has committed to assist with some of the work.

**GLOVER:** Councilman Glover expressed his as well as some citizens concerns about the number of emergency vehicles that appear on the scene of an accident tying up traffic during peak hours on Ribaut Road and Boundary Street. Several years ago, push bumpers were installed on Police cars to assist in moving vehicles out of the road when a minor accident has occurred, he said. It may be time to reestablish the committee to investigate this again. The Mayor concurred and appointed Mr. Glover to head it up. Chief Dowling said the previous Police Chief met with the Law Enforcement officers in this regard. He asked Robert Clark with the Highway Department for signs similar to those erected by the Sheriff's Depart on Highway 278 that quotes the law and states if it is a minor accident you are allowed to move the vehicle from the Highway. Mr. Glover asked Chief Dowling to contact the various entities to establish a meeting time. Councilman O'Kelley volunteered to serve on the Committee.

**FORDHAM:** Councilman Fordham asked to be advised as to how the stormwater drains work in front of the Wachovia Bank and at the corner of Charles and North Street. Grass and leaves are clogging the drain. Secondly, there is a large hole in front of the Two Suns Inn on Bay Street and areas on Ribuat Road where telephone poles have been removed and the holes have never been filled in. He anticipates someone falling and suing the City.

In response to Council's various requests, Isiah Smalls reminded Council the sidewalks belong to SCDOT. As the City makes repairs and takes on these responsibilities, they are also taking on the liability. Councilman Glover said he does not want to take on additional responsibility but it appears someone else is making repairs. Mr. Smalls advised Council that is being done by SCDOT.

**EXECUTIVE SESSION**

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to move into executive session to discuss a land acquisition matter.

**ADJOURNMENT**

Upon returning to open session and there being no further business to come before Council, the meeting was adjourned at 10:02 p.m.

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BILL RAUCH, MAYOR

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COUNCILWOMAN DONNIE ANN BEER

\_\_\_\_\_  
COUNCILMAN FRANK GLOVER

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COUNCILMAN GARY B. FORDHAM

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COUNCILMAN GEORGE H. O'KELLEY, JR.

ATTEST:

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BEVERLY W. GAY, CITY CLERK