

A regular meeting of the Beaufort City Council was held on September 27, 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., 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 6:10 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

The meeting was opened at 6:00 p.m. with an invocation by Capt. Harvey Harwell of the Salvation Army. The Pledge of Allegiance was led by the Mayor.

PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH

On motion by Councilwoman Beer, second by Councilman Glover, Council unanimously adopted the proclamation designating October, 2005 as Domestic Violence Awareness Month in the City.

PUBLIC COMMENT

Mike Rainey, former HRB member and resident of 801 Prince Street, said a problem has developed in the Historic District because of the Historic District Review Board's disregard for the Milner Guidelines. Mr. Rainey said projects have been approved in the last year that do not meet the Guidelines and currently there are several major projects that do not meet the Guidelines for mass, scale, and proportion but are being considered. It frightens him that the Chairman wants to approve them. He is concerned about the National Historic Landmark District which could affect tourism. He would like the chairman replaced and a moratorium on HRB meeting projects for two months in order for the members to attend National Trust or the Department of Interior workshops.

Charlotte Brown representing the Old Commons Neighborhood Association, said about 75 citizens attended the last meeting of the Historic District Review Board; however, because of the size of the room only about a third of the people could participate. She requested a larger meeting area be found in which to hold their meetings. She also asked that Council ensure the members follow the ordinance establishing that board and that a retired architect serve as an advisor.

Kim Poovey, Bay Street business owner, said she attended the same meeting and was shocked at the disregard for public opinion. She commented also on the meeting room being too small for the number of people trying to attend.

Jerry Stocks, 808 King Street, agreed with the former comments and added that it may be necessary to replace members of the HRB.

Bill Kennedy expressed his opinion of the recent HRB meeting stating the meeting was out of order. He said if wrong decisions are made, the Historic District designation could be in jeopardy.

Walter Hill said he has lived in the Historic District for 15 years and served as the advisor to the HRB in the past. He feels the current board is ignoring the guidelines which will change the downtown.

Donna Starkey, Battery Shores, also attended the recent HRB meeting and concurred with the former speakers. She added that she was shocked at the chairman's actions.

Joy Locke, Main Street Director, attended the meeting and reiterated what the current speakers said.

Gen William Cobb, Craven Street resident, referred to the meeting with representatives of the Milner Report and the Department of Interior where the status of the Historic District designation was discussed. He stated his concerns of losing the Landmark designation.

Jack Sheehy, owner of Southern Sweets, said he did not attend the HRB meeting; however, he did attend the meeting with the Milner representatives. In his opinion, the HRB does need guidance.

Maxine Lutz, 811 North Street, commented about the HRB meeting. She pointed out the space provided for the September 14th meeting was not adequate. She added that a larger space had been offered twice before the meeting knowing that there would be a large attendance. She agreed that a bigger meeting room needs to be provided due to the growing number of projects.

Gen. George Crist, Historic District resident, spoke of the HRB's decisions affecting the designation. He asked Council to review what the board is doing and to evaluate the members.

Councilman Fordham suggested that this subject be addressed at the next Council meeting. The Mayor asked the City Manager to present a report on the status of the training of the existing board. Councilman Fordham also suggested the board hold their meetings in a more appropriately sized room. The City Manager concurred and suggested receiving input from the staff and HBF on recent projects and the process to ensure the guidelines are being followed.

Mike Rainey suggested forming a committee and offered to serve with General Cobb and other past chairmen of the Board to interpret the guidelines and whether the correct decisions are being made or not. He reiterated his earlier comment of placing a moratorium on the HRB projects for the next two months while this is going on.

Jack Sheehy suggested a member of Main Street serve on the committee.

Kim Poovey said the venue is important but please preserve the Historic District. The Mayor suggested she provide specific examples of contradictory issues. Ms. Hoovey said she would.

Bill Kennedy added that the discussion in the meeting got personal and led to chaos. He also questioned a Port Royal resident serving on the City's board.

Councilman O'Kelley asked the staff to provide Council with a copy of the minutes of the September 14th Historic Review Board meeting.

MINUTES: REGULAR MEETING

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to adopt the minutes of the regular City Council meeting of September 13, 2005 as presented.

BOUNDARY STREET MASTER PLAN

An update on the progress of the Boundary Street Master Plan was presented by Victor Dover of Dover, Kohl & Partners, the consulting firm preparing a master plan for the Boundary Street area between Ribaut Road and SC 170. Mr. Dover explained the events of the week long public design workshop and some of the preliminary ideas that are being discussed. On Thursday at 6:30 p.m. a Work-in-Progress Presentation will be held in Council Chambers, he invited the public to attend. He reviewed the Community Kick-off Presentation that took place on Friday, September 23, recapped the sessions since then and discussed a few of the sensitive issues that relate to traffic. He mentioned that they were asked to design the entrance to the National Landmark Historic District. Many people feel that Boundary Street presently does not provide an adequate gateway to Beaufort. Since most of what is there is temporary, because roads are improved and buildings are replaced over time, there are opportunities to remake Boundary Street during the coming generations. Mr. Dover said their first job is to identify where the priority opportunities for redevelopment are. Their next job is to make the road more effective for vehicles and traffic while at the same time providing areas for walking and riding bikes. They have also been asked to find ways to improve the flow of traffic and to improve safety. Pictures of each area and the street network were shown. He said to access each portion of the corridor, it is necessary for local and regional traffic to intermix. The firm has been asked to find opportunities for one or more parallel routes that can be developed to allow the local neighborhood traffic to recirculate without having to use the regional road, he said.

According to Mr. Dover as a planner for local government, design not just zoning is necessary to avoid filling in green spaces. Sprawl can be controlled with smart growth; street details like trees are important, parking behind stores, phasing in well designed buildings and connecting the areas so there is a safe flow between neighborhoods. He showed an image of a roundabout at the intersection of Ribaut Road and Boundary with the proposed City Hall positioned at the foot of Ribaut Road which would eliminate the traffic signal, improve the traffic flow and create a memorable entrance to the City.

Rick Hall, former transportation engineer now working with Dover, Kohl & Partners, noted the importance of improving the capacity of motor vehicles on Boundary Street and adding the other modes of transportation including walking. Even though transportation is important, he said, land use should be considered first. Vehicle speed needs to be managed to provide safety for walkers. He stated the traffic count on Boundary Street was provided to them indicating 700 vehicles per hour per lane occur daily. An option for a well designed intersection would be a roundabout. They are slower than traffic circles and statistics show injury producing accidents are 67% less. Traffic in a roundabout is usually traveling at a speed of 20 miles per hour making a safer and more comfortable situation, he said. Additionally, studies show that roundabouts are safer than a signalized intersection. A two lane circulating roundabout would be necessary for Boundary Street which would improve traffic flow and safety.

Councilman O'Kelley asked the required diameter of a roundabout necessary to handle the traffic for

Ribuat Road and Boundary Street. According to Mr. Hall 210 feet wide from outside to outside would accommodate two lanes. Responding to Councilman Fordham's inquiry about a nearby roundabout that Council could visit, the Mayor responded that there is one in Mt. Pleasant on Mathis Ferry Road and the citizens are considering installing more.

Dick Andryzke inquired about the parallel road on the north side of Highway 21 that has been discussed previously but not mentioned tonight. Mr. Hall explained it is being detailed by the planning team.

Bill Kennedy asked the width of the sidewalks proposed for the area. Mr. Dover answered more than 3 or 4 feet widths are needed for retail businesses. The minimum width should be no less than 5 ft. but as wide as 20 feet. Boundary Street will have a different character and people will want to entertain the idea of outdoor dining. However, the ability to plant trees should not be sacrificed to have wide sidewalks. While trees are optional on the main street, on the larger corridors they could be the most important urban design because they will tie the scene together.

Libby Barnes complimented the speakers for their input and the engineering capabilities that help in making decisions.

COMMUNITY INDICATORS

The presentation on the Beaufort County Alliance for Human Services Leadership Council was deferred at the last meeting for two weeks.

Clarece Walker, United Way of Beaufort County President and treasurer of the Alliance, wrote in her letter that the Alliance is a cross-system partnership among nonprofit, private, government, faith-based, education, business and health communities dedicated to developing systems of human services to promote and sustain activities that improve the quality of life for all residents of Beaufort County. A six month study funded by many partners is being conducted by The Institute at Biltmore, Asheville, N.C. About two years ago, this project began and will be ongoing with an annual report published and made available to the community. This will provide a broader view of the needs of the people, she said. The City is being asked to be a funding partner and a participant in the study process at the \$5,000 level. Participation is the important issue, she said.

Councilman Glover recalled from the last meeting that the cost of the study is between \$70 and \$80,000 said it appears from the letter that the funding is in place. He asked if she was suggesting a contribution to be a paying partner. Ms. Walker said all the participants have made a funding commitment; however, there are many ways to participate of which the City is already involved. Mr. Glover asked if the City will just be another agency or will the final report alleviate some and duplicate others. Ms. Walker said that in other communities things have been consolidated and changes in how the services are provided and she would expect that to happen here. Also, one question in the study asks if the money is being invested in the right places to make a difference.

Councilman Fordham referring to the funding partners, stated the residents have already donated through the County and it seems that another bureaucracy is being created. Ms. Walker disagreed stating the Alliance is simply a group of people meeting quarterly to discuss issues and understand them. Councilman Glover said hopefully this would eliminate some services and combine others.

Since the Mayor and the City Manager are part of the Alliance and the funding is in place, Mr. Glover suggested the City's financial support be less than that recommended. Ms. Walker explained funds will still be need for printing and the design layout of the booklet.

Councilwoman Beer made a motion to donate \$2,500 to be a part of the process. The motion died for lack of a second.

Councilman Glover moved to provide \$500 in order to be a financial contributor with a caveat that when the printing cost is determined the amount may be changed. Councilman Fordham seconded the motion. Council members Glover, Beer, O'Kelley, and Rauch voted in favor. Councilman Fordham voted nay. The motion passed 4 to 1.

PUBLIC ART PLACEMENT

At the last Council meeting, the Public Art Commission submitted their recommendation for the artist for the Waterfront Park art. Council accepted the recommendation; however, they asked that placement of the art be determined first.

At the request of the Chairman of the Commission, this item was withdrawn. Councilman Glover moved to table the presentation of public art placement at the Waterfront Park. Councilman Fordham gave second. The vote was unanimous.

STORMWATER UTILITY FEE STRUCTURE AMENDMENT

At the August 9, 2005 meeting, City Council approved changes to the Intergovernmental Agreement including a proposed rate change.

Councilwoman Beer made a motion to consent to the amended rate of \$44.43 per single family unit. Councilman Glover gave second.

The City Manager stated since Council's approval of the rate change, County Council adjusted the proposed rate from \$40.00 to \$44.43 to provide municipalities and the County added flexibility to more expeditiously complete much needed stormwater improvements and provide for regular system maintenance. The new proposed rate will still be three tiers for residences. Only the base rate will be changed.

Isiah Smalls, Public Works Director, said the ongoing projects total about \$1.5 million and the unfunded projects equate to approximately the same amount. Approving this rate structure will increase the stormwater utility fee revenues. He identified the ongoing projects mentioning that two of those were not funded in this year's projects. He also mentioned the others that have not been funded.

Council voted to the amended rate of \$44.43 per single family unit for the stormwater utility fees

REQUEST TO CLOSE PORTION OF BAY STREET FOR TRICK OR TREAT

A request from Main Street Beaufort, USA to close a portion of Bay Street on Thursday, October 27 from 4:15 p.m. to 6:00 p.m. for their annual Halloween event, Trick-or-Treat in Downtown Beaufort was presented to Council.

Councilwoman Beer moved to approve the request. Councilman Glover seconded the motion.

Joy Locke, Main Street Director, said due to the number of children that attend it is necessary to begin at 4:15 in order to complete the event before the Ghost Tours begin at 6:15 p.m. Councilman Glover inquired about making the street closing time later. Since the Ghost Tours are for several nights and Main Street's event in only one, Mr. Glover asked if the Ghost Tours could delay the start of their tours for that one night. Ms. Lock noted that tickets are sold in advance and the tours are conducted in timed intervals. She added all but two merchants were in favor of closing the street at 4:15 p.m. Ms. Beer said people are aware of the event and usually adjust their plans for that night. Ms. Lock pointed out this is a promotion for the merchants.

Dick Andryzke, downtown business owner, said this is usually a big event and the children run back and forth across the street. He believes the City has an obligation to close the street to show the people we care about them and are concerned with their well being as opposed to the inconvenience of traffic moving about the community.

Mike Sutton, downtown businessman, said this is a time for the merchants to give to the community and it is a great reward for such a small time period. He encouraged people to bring their children and grandchildren and watch their enjoyment.

Council unanimously approved closing the street from 4:30 until 6:00 p.m. for the event.

RESOLUTION – WORKMAN'S COMP COVERAGE/PRISONERS PERFORMING WORK

A resolution authorizing Workers' Compensation coverage for prisoners performing work for the City was presented for adoption.

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

Councilman Glover expressed his amazement that the law would prohibit municipalities from providing workman's compensation coverage for prisoners. He asked if there would be an increase in the premium for this coverage. Ross Jones, Finance Director, replied there will be an increase but Workmen's compensation is based on the salary of the employee and in this situation it will be based on minimum wage. He added the law allowed counties to provide workmen's compensation for their prisoners. Most counties would not agree to other entities working their prisoners while they paid the workmen's compensation costs.

The City Manager stated the City asked the Legislators to consider a change and recently the law was changed. This resolution allows the City to participate in the S.C. Municipal Insurance Trust program in order to provide workers compensation coverage for a number of prisoners that the City relies on to provide service, keep the taxes down, and not hire additional people. Effective January 1, 2006, the SC Municipal Insurance Trust will make coverage available to members and one of the requirements is for Council to pass a resolution authorizing this coverage.

Council unanimously adopted the resolution. (Copy of resolution at end of these minutes)

CITY MANAGER'S REPORT

The City Manager reminded Council of the special meeting on Thursday at 6:30 p.m. in Council Chambers to hear the report and recommendations from Dover, Kohl & Partners on the Boundary Street Master Plan.

The ninth progress meeting on the Waterfront Park was held today with the contractor's representative, the City's construction manager, the staff, and a number of subcontractors. The stormwater drainage is currently being worked on in the area of the marina, repairs to the seawall on the internal side and they are beginning to focus on the east end of the Park. The project is moving along as expected.

MAYOR'S REPORT

Mayor Rauch briefly reported 175 people traveled to Long Beach, Mississippi after Hurricane Katrina devastated the Coast with 85 of them equipped to use chain saws. An area approximately 250 yards was cleaned including about 30 homes. Approximately 25 people worked in the shelters giving out gift certificates donated by Walmart and Lowes. A trailer load of medical supplies were delivered by doctors also.

REPORTS BY COUNCIL

GLOVER: Councilman Glover commented on the range of gas prices and asked the reason for the higher cost of gas in Beaufort.

BEER: Councilwoman Beer reported that she attended the forums with the planning consultants, Dover Kohl & Partners this week.

EXECUTIVE SESSION

On motion by Councilman Glover, second by Councilwoman Beer, Council voted to move into executive session to discuss contractual matters and appointments/reappointments to the Redevelopment Commission.

OPEN SESSION

Redevelopment Commission

Upon returning to Open Session, Councilman Glover moved to reappoint Robert Pinkerton, Nancy Sadler, and Gregory Dyson to serve a two year term on the Redevelopment Commission. Those appointments will expire in 2007. Councilman O'Kelley gave second. The motion was unanimously approved.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 10:10 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