

A regular meeting of the Beaufort City Council was held on May 24, 2005 at 6:00 p.m. in County Council Chambers, 100 Ribaut Road with a public hearing at 5:30 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 and the Town of Port Royal Council. 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 5:30 p.m.

PUBLIC HEARING

A public hearing was held by the Beaufort City Council and The Town of Port Royal Council, with all members present, to receive comment on the redesignation of US Highway 21.

Isiah Smalls, Public Works Director, stated the SC Department of Transportation received a request from Marvin Dukes to consider rerouting the truck traffic from Ribaut Road to SC Highway 280. The proposal was researched and they have no objections. SC Highways 280 and 281 would be redesignated under this proposal, he said and the City and the Town of Port Royal have been asked for comments prior to any redesignation.

Marvin Dukes, 791 Ribaut Road, remarked that the plan to redesignate US Highway 21, referred to as the Southern Loop, has always been part of the Comprehensive Plan. He couldn't understand why it had not been implemented, so he wrote the Department of Transportation. Pointing out that a vehicle traveling along Highway 21, heading for Hunting Island, is directed downtown with fourteen stop lights when they should be using the Southern By-pass with only two traffic signals and better road widths. He asked both Councils to implement this plan as soon as possible along with updating the signage.

Donna Starkey, Battery Shores, is neither opposed or in favor of the plan; however, she pointed out that the two signal lights on Highway 280 may not be sufficient to slow the traffic. She asked that traffic lights be added for that purpose.

Libby Barnes, Chamber of Commerce President, said she sent out an e-mail yesterday morning to receive input from the members of the business community on this issue. Only ten replies were received; six for and four against. Each reply stated if the plan is implemented, it should be with the commitment of and the funding for adequately and appropriately placed signage for the downtown areas of both the City and the Town. At the same time, she received input from members who are concerned about the traffic on the current Highway 802 in Port Royal in the Mid-Town area.

Joy Hardee, Main Street Beaufort, USA, reported they, too, are in support of rerouting the Highway 21 heavy truck traffic. Not only do they encourage appropriate and well placed signage, they would also like it to indicate "truck route", not "by-pass", and include shopping, restaurants, and lodging.

Eric Ericson has had an office on Ribaut Road since 1998, he said. With his background in law and architecture, he believes the character of the neighborhood should be considered and it is best to reroute the trucks away from the neighborhoods.

Billy Keyserling, Ribaut Road, said one of the ways to manage traffic is signage and it is time to get the trucks onto Highway 280.

Tommy Logan, Ribaut Road, mentioned that when construction began on Highway 280, many of the residents agreed that the Ribaut Road neighborhood needed to be addressed. The main objective is to relieve the traffic, primarily the 18 wheelers, traveling along that road during the middle of the night and not to harm the businesses on Boundary Street. He suggested installing signs indicating the roadway is a truck route instead of an alternate route.

The public hearing was closed at 5:50 p.m.

Port Royal Town Councilman Vernon DeLoach made the comment that the road from Burton to Parris Island does not need more traffic. Transferring traffic from Beaufort to Port Royal does not solve the problem. Funding is needed so more roads can be built. The additional traffic will require more traffic lights on Highway 280 also, he said. Ribaut Road is needed for emergency evacuation and should be left as it is.

Port Royal Town Councilwoman Mary Beth Heyward voiced her opinion on behalf of the Lowcountry Medical Group located in Mid-Town. There are approximately 100 employees trying to enter Highway 280 everyday not including the thousands of patients. With people trying to get to the Bi-Lo grocery store, the Credit Union, another apartment complex, and another doctor's office, that highway is a disaster, she said. She said she understands the residents of Ribaut Road not wanting the trucks but neither do the residents of Highway 280. She agreed that there are not many traffic lights but they have requested SCDOT to install more. She also said the Town of Port Royal wants to work with the City but shifting traffic from one municipality to another is wrong. If a traffic light can be installed along with other traffic calming devices to slow the traffic, then they will discuss this further.

INVOCATION/PLEDGE OF ALLEGIANCE

The regular meeting was opened at 6:05 p.m. with an invocation by Rev. Donald Goodwine, Pastor of St. Paul Baptist Church. The Pledge of Allegiance was led by the Mayor.

PROCLAMATION – HOME OWNERSHIP MONTH

On motion by Councilwoman Beer, second by Councilman Glover, Council unanimously adopted the proclamation designating June, 2005 as Home Ownership Month in the City.

PUBLIC COMMENT

Attorney Dan Denton, 1917 Lovejoy Street, said he was surprised to receive a survey notification from the City dated April 20, 2005 citing a condemnation statute for the property he and his wife own and in which he has his law practice. He spoke with the City Manager after the Municipal Complex Master Plan was presented to Council. He assumed the City had acquired enough property to build the Complex and it appears the building can be sited in many ways without using his

property. He provided a sketch with the building relocated that would allow his office to remain where it is. Another issue he brought up was the traffic problem created for the five residential blocks to the north by closing Ribaut Road extension. Also, he gave a brief history of the 1930's structure where he practices law and stated major repairs have been made to the house and he doesn't want to sell it especially since the City has alternatives.

J. T. Miller appeared regarding a letter he received about the rezoning of property on Meridian Road and Highway 21. The City Planner explained that project is on hold and there is no public hearing tonight. Mr. Miller was asked to express his concerns anyway. Apparently, a law is being considered in Columbia and if it is signed by the Governor, Ladies Island could become a municipality and they would prefer the fifteen parcels not be incorporated into the City of Beaufort or the Town of Port Royal, he said.

PUBLIC HEARING

A public hearing was held to receive comment on potential use of the County-owned property on Prince and Hamar Streets.

The Mayor and Council members stated this property was acquired years ago by the County to house some of their departments until it burned and the structure was razed. When County Councilman Stewart asked about surplus property owned by the County this was one of the parcels identified and discussions began on how it could be used. When the Mayor was asked the City's opinion, he suggested placing it back on the tax roles. He also sought the opinion of the Medical Technology Task Force who said if there were a subsidy available, that could make the difference when trying to attract a qualified workforce for the healthcare sector. There was also a proposal to give the land to Habitat for Humanity which the Design Center endorsed. The Medical Technology Task Force suggested giving half to Habitat and sell the other half to an entity who would build work force housing to help the hospital. The staff planners have considered these options and will present their recommendations. After the public has an opportunity to comment, the Mayor said Council will decide what would be best for the City and that decision will be forwarded to County Council.

Libby Anderson, City Planner, presented several facts concerning the property stating the area is zoned General Residential and permits all types of residential development. Based on the size of the lot, four to five single family units, 10 or 11 townhouses, or between 13 and 16 multi-family units could be built. Most of the existing development in that area is single family detached dwellings, she said. She displayed sketches of how the property could be divided into 4 lots with a service alley to the rear and a design with 5 lots; three facing Hamar Street and two facing Prince Street.

Libby Barnes, Chamber of Commerce President, said the Chamber is in support of the efforts to provide affordable housing. She encourages this opportunity for the City, the County, and Habitat to work together.

Tommy Logan said he has been concerned that the Historic District and the Northwest Quadrant is a catchall for affordable housing when there is property available in other areas. His family has owned a number of lots adjacent to and across from the parcel in question for over sixty years. Because of the location, they have not been able to develop the property. Now that the Bladen Street

Redevelopment Project is being planned, he believes the whole area could be upgraded. As a member of the Design Review Board, he attended a meeting several weeks ago along with the Planning Department and the Historic District Review Board where a map outlining a number of available vacant lots were discussed. It was suggested the public be invited to give their input of what should be done in the Northwest Quadrant as it relates to saving the Historic District. He said the houses built on the parcel on Hamar and Prince streets could be in the price range of \$175,000 to \$200,000 and suggested a theme be established beginning at Bladen Street down Prince Street to Hamar Street. He brought up concerns as to whether Habitat for Humanity is actually addressing affordable housing. Additionally, he suggested there be covenants established so these homes add to the neighborhood. He also stated he doesn't like giving things to a private organization using tax dollars.

The public hearing was closed at 7:00 p.m.

Councilman Glover, hearing the different types of homes that could be built, asked which would be more suitable for the medical personnel. According to the City Manager that question was addressed by the hospital representatives who stated their personnel prefer to own single family homes.

Mr. Logan expressed his desire to replace his rental properties with more appealing structures. Discussing the possibility of a possible PUD with the City Planner to establish a theme and keep the values affordable, he said he would be willing to extend the alley across his property.

The Mayor suggested approving the four lot design, designating two lots for the Habitat for Humanity, two lots for the Medical Technology Task Force and forming a partnership with the two organizations to work together.

Councilman Glover moved to adopt the plan proposed by staff and notify the County Council of the four-lot plan with the alleyway behind; two lots for Habitat for Humanity and two for the Medical Technology Task Force. Councilman O'Kelley seconded the motion.

A memo from the City Manager was referred to by the Mayor wherein an agency could borrow \$10,000 for each lot from the bank, through the City, to purchase the two lots from the County and construct the houses for the medical workforce housing and the new owner would reimburse the City.

Councilman Fordham made an amendment to the motion that the entire property, consisting of 4 lots, be used exclusively for the medical workforce housing. The City Manager reminded Council of the direction received from the Committee to form a partnership between Habitat for Humanity and the City's Medical Technology Task Force. Councilman Fordham withdrew his motion.

The motion to adopt the 4-lot plan to be divided between the two organizations passed unanimously.

MINUTES: REGULAR MEETING – MAY 10, 2005

Council reviewed the minutes of their regular meeting of May 10, 2005 and the last line on page 3,

should be reworded to read “The motion was passed unanimously.”

On motion by Councilman Glover, second by Councilman O’Kelley, Council voted to adopt the minutes of the regular City Council meeting of May 10, 2005 as amended.

ORDINANCE AMENDING UDO SETTING CONDITIONS FOR CARGO CONTAINERS

An ordinance amending Sections 5.4 and 5.5 of the Unified Development Ordinance setting conditions for use of cargo containers was presented to Council for second reading and adoption.

Councilwoman Beer made a motion to adopt the ordinance on second reading. Councilman Glover gave second. Council voted unanimously to adopt the ordinance on second reading. (Copy of ordinance at end of the May 10, 2005 minutes)

DRAINAGE PROJECTS - UPDATE

An update on the Stormwater Drainage Projects was presented to Council by Isiah Smalls including the cost estimates and the proposed time line.

Mr. Smalls stated the first priority set by Council was **Depot Road**. Construction started May 16, 2005 and should be completed October of 2005 with a cost of \$603,689.49 using \$458,000 from the CDBG grant and \$145,689.49 funded by the City. The **Dr. Sherman/Ribaut Road Project** will begin October 2005 and is scheduled to be completed in April of 2006 with a total cost of \$270,000. Twenty-seven percent of the project cost (\$72,900) is to be paid by the S.C. Department of Transportation, with \$98,550 funded by the Town of Port Royal and \$98,550 by the City of Beaufort. The third project is **Duncan/Langhorn** with a cost of \$500,000. This is scheduled to begin April of 2006 and be completed in August of 2006. Edna Horne, Langhorn Drive resident, explained her ongoing drainage problem and showed pictures taken of water standing and overflowing the ditches during the last heavy rain. The water collected to a depth of 18 inches and got into both her air conditioner and her neighbor’s. She said the water from Mossy Oaks Road drains into her yard covering her patio in the backyard and because the inside of her house is continually damp everything is moldy. She asked if the work could begin on this project sooner because with the standing water, snakes, mosquitoes and frogs are every where. Councilman Fordham mentioned changing the list of priorities to move the Duncan/Langhorn project up one. The **Point** is the fourth project on the list of priorities and the beginning and ending dates are yet to be determined. Mr. Smalls pointed out this project could be constructed at the same time with other projects by using a private contractor. The County has not been considered for this project because the majority of the work will be fabrication of the gate system and redesign and redevelopment of the flood gate at the Federal Street bridge is beyond the County’s capabilities. The cost estimated for a private contractor is \$200,000. The last project is **Battery Shores**. The construction cost is \$225,000 and is scheduled to begin in July, 2006 and be completed by January, 2007. The cost for a private company to complete these five projects would total \$2,579,151 and through the Intergovernmental Agreement/partnership with the County the cost will be \$1,573,689.

Council discussed the urgency of changing the priority list regarding the Duncan/Langhorn Project; therefore, reversing the Ribaut Road Project and the Duncan/Langhorn project was considered. The City Manager reminded Council of the process used to determine the priority list and suggested those factors be brought to Council at their next meeting. Additionally, the pricing from the County

for the Duncan/Langhorn project should be available by then for consideration, he said.

Councilman Glover moved to renumber Duncan/Langhorn as number 2 and move the Ribaut Road project to number 3. Councilman Fordham seconded the motion. The motion was adopted unanimously.

ADDITIONAL ITEM

Councilman Glover asked the status of an issue on Duncan Drive regarding a new house at Southside Boulevard where possibly undersized pipe was installed in the ditch. Mr. Smalls replied the plat was submitted to the County and they are to research the easement and take whatever measures are necessary. Mr. Glover asked for a report at the next meeting.

WATERFRONT PARK WIRELESS SERVICE

During the last meeting, Council gave conceptual approval to a no-cost proposal by Digitalsmiths to provide wireless internet services in the Waterfront Park. A Memorandum of Understanding outlining service expectations, term of agreement, etc. was presented to Council prior to the meeting.

On motion by Councilwoman Beer, second by Councilman Glover, Council adopted the Memorandum of Understanding.

NEW CASTLE SQUARE PROJECT

At the last meeting, the New Castle Square project was brought up by a concerned citizen and Council asked for an update on the development. Libby Anderson, City Planner, reviewed the existing businesses on that block and the proposed structure on New Castle and Calhoun Streets. It is to be a one story mixed use office/retail extending to a two story building. It has been approved by the Design Review Board but not yet reached the Building Permit stage, she said. Across the back portion zoned General Residential, the New Castle Cottages were proposed as four buildings with a total of ten dwelling units. It was approved by the Design Review Board in December of 2003. After one year, approvals expire as is the case of this development. The Mayor asked that Mr. Granquist be notified of the status of this project.

NOTIFICATION REQUIREMENTS FOR DEVELOPMENT ACTIVITY

Per Council's direction, a briefing on the existing citizen notification procedures for development projects in the City was presented by Libby Anderson, City Planner. The procedures are set out in the City's Unified Development Ordinance and a spreadsheet was given to Council showing development notification protocol.

Libby Anderson, City Planner, explained the procedure followed by the staff and stated staff is responsible for all posting of notifications unlike other organizations that place that responsibility on the developer.

Councilman Glover suggested the major subdivisions be posted the same as the other types of developments but have the developers be responsible for that task. Councilman Fordham inquired as to who pays for the cost of the public hearing ad to be placed in the newspaper. Ms. Anderson replied the applicant pays \$75.00 for a variance or rezoning ad; however the advertisement costs have increased and the City pays the difference. She pointed out that amount is set by Council in the

fee ordinance. The City Manager said staff will review that and bring a recommendation back to Council. Mr. Glover asked that the notification be more aggressive so adjoining property owners are aware of developments. The Mayor agreed the developers should post the signs and save staff time.

DESIGN CENTER

Kenneth Sumpter, member of the Board of Directors of the Center for Civic and Community Design, requested an opportunity to update Council on their activities and to present a proposed 3-year budget.

Mr. Sumpter reported that during the last nine months they have become incorporated and have applied for a nonprofit status. Realizing funding will be necessary, the study group and the working group visited Charleston and Savannah and discussed various aspects on how these organizations are funded. During the December 14, 2004 meeting, Council approved the conceptual plan to build three moderately priced single family homes on the City owned property on Duke and Harrington Streets. A community meeting is planned for June to receive input from the neighborhood. The Center will prepare their final concept based on the response received from that meeting and present it to the city staff for final review. While reviewing the budget, he interjected that their plan is to become self-sufficient but they would like the City to provide a matching grant of \$20,000 and they intend to provide their portion of that match through contributions and grants. With the \$60,000 from the sale of the Duke Street property and the contributions and grants their projected total operating cash inflow is \$100,000 for the first year. A list of organizations they intend to solicit for funds was provided to Council, some of which have been contacted, according to Mr. Sumpter. Those organizations indicated they are willing to participate based on the Center's potential for funding, he said. The Design Center cannot exist without participation and commitment from the City until they can become an independent organization. They are currently negotiating space in one of the local architect's office to utilize their equipment; however, they are anticipating hiring a Director of Design, telephone service, office supplies, insurance, etc. for a total of \$99,600 for the first year.

Councilman O'Kelley questioned the amount anticipated through the sale of the property. Mr. Sumpter explained they are estimating \$20,000 for each of the three lots. Additionally, they are anticipating working with other property owners for the second and third years to produce revenues from similar projects and the Design Center would be hired to prepare the plans for property owners.

Councilwoman Beer pointed out this process is to save the developer time and make it more user friendly. Councilman Fordham said when Council voted for this he did not recall any financial contribution from the City being discussed. Mr. Sumpter gave two examples where architect's designs were denied several times before being approved even though they were familiar with the Historic District standards. He said the task of the Center is to help shorten and/or eliminate this expensive review process for the developers. The City of Charleston's Center is an extension of their planning department. Developers first go to the Design Center for direction on what can be approved and to better understand the review process, he said. The Mayor suggested discussing this further during the budget workshop. Council agreed.

Eric Erickson, Design Center member, pointed out the members are losing enthusiasm. Because the members all have jobs, a Design Director is needed to guide them and in his opinion a Director

would save the City money because that person could be the consultant for all the City's projects. He also asked if the property on the corner of Prince and Hamar can be subdivided into five lots instead of four, possibly that extra lot could be deeded to them as another avenue of funding.

REQUEST TO CLOSE STREET

A request by Habitat for Humanity to close a portion of Congress and Wilmington Streets from 8:00 a.m. on Thursday, June 2nd until noon on Saturday, June 4th for their "blitz build" in which they plan to construct a house in 48 hours at 1004 Wilmington Street was presented to Council for consideration and approval. They have also asked for the noise ordinance to be waived during that time.

Councilwoman Beer made a motion, seconded by Councilman Glover to approve the request.

After discussion, Council voted in favor of the street closure.

COMMUNICATIONS COMMITTEE FOR WATERFRONT PARK RENOVATIONS PROJECT

The City Manager said with the Waterfront Park renovations quickly approaching, communication throughout the process is important. Therefore, to keep the public actively involved throughout the construction process, he proposed a partnership with the Chamber of Commerce and Main Street Beaufort to provide the communications Council expects and the citizens, businesses, and visitors deserve. A handout was circulated providing the framework of the committee. The purpose would be to serve as the liaison between the City and the community to keep everyone informed. He recommended Main Street Beaufort, the Chamber of Commerce, City staff, the construction manager, the general contractor, and the local media be represented on this committee. Their mission would be to keep the public informed from the beginning of the project through completion. He recommended five objectives and a marketing plan with which the Committee should be tasked.

Councilman Glover moved to approve the recommendations as stated. Councilwoman Beer seconded the motion.

Joy Harden, Main Street Beaufort, USA Director, stated they support establishing this Committee to address, develop, and guide communications to the public to alleviate fear and negativity surrounding the project.

Libby Barnes, Chamber of Commerce President, agreed with the importance of establishing this partnership.

Council unanimously approved establishing the Waterfront Park Communications Committee.

CITY MANAGER'S REPORT

The City Manager reported on the following items:

Dover Kohl is now under contract for the Boundary Street Master Planning project. They will be in town tomorrow and Thursday. Meetings are scheduled with staff and interested property owners along that corridor.

Bids for the Waterfront Park Project have been received and under review by the staff and

construction manager. A recommendation is anticipated within the next week. He asked Council to consider a special meeting in order to move forward with the process. Additionally, revised recommendations will have to be made to make up the difference between the low bid and what was budgeted.

The HomeTown Connection meeting with the MASC is scheduled for Tuesday, May 31st. He asked that Council contact the Clerk if they are interested in attending.

REPORTS BY COUNCIL

FORDHAM: Mr. Fordham reported that the Museum/Arsenal badly needs to be painted and he suggested the City Manager present a recommendation.

EXECUTIVE SESSION

On motion by Councilwoman Beer, second by Councilman O’Kelley, Council voted to move into executive session to discuss a land acquisition matter, an interview with an applicant for the Historic Review Board, and pending litigation.

MOTION TO EXTEND MEETING

Councilwoman Beer made a motion to extend the Council meeting past 10:00 p.m. Councilman Glover gave second. The vote was unanimous.

OPEN SESSION

Design Review Board

Upon returning to Open Session, Councilman Glover made a motion to appoint Brandy Long to serve a 2-year term as the architect on the Design Review Board. This term will expire May 26, 2007. Councilwoman Beer gave second. The motion was unanimous.

Land Acquisition

Councilwoman Beer moved to authorize the City Manager to contact the owners of 1901, 1903, 1905, and 1917 Lovejoy and the Ramada Inn about the acquisition of their property including condemnation. Councilman O’Kelley seconded the motion. Council members Beer, Rauch, Fordham, and O’Kelley voted aye. Councilman Glover voted nay as he wants to see the traffic study. The motion passed 4 to 1.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 10:45 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