

A regular meeting of the Beaufort City Council was held on September 11, 2007 at 6:00 p.m. in the County Administration Building, Ribaut Road. In attendance were Mayor Bill Rauch, Mayor Pro Tem George H. O'Kelley, Council members Donnie Ann Beer, Gary B. Fordham, Mike Sutton, and City Manager Scott Dadson. 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.

PLEDGE OF ALLEGIANCE

The Fire Department Honor Guard posted the colors in honor of the 6th anniversary of 9/11. The invocation was given by Fire Department Chaplain Anthony Kollar. The Pledge of Allegiance was led by the Mayor.

PROCLAMATION

On motion by Councilwoman Beer, second by Councilman Sutton, Council voted to adopt the proclamation designating September 17-23, 2007 as Constitution Week.

RESOLUTION

On motion by Councilwoman Beer, second by Councilman O'Kelley, Council adopted the resolution thanking Jeff Ackerman for serving four years on the Design Review Board May, 2003 to August, 2007. (Copy of resolution at end of these minutes)

PUBLIC HEARINGS

A public hearing was held to receive comment on the **rezoning of a parcel of property located between SC 170 and Burton Hill Road, identified as District 122, Tax Map 29, Parcel 283 from Limited Industrial to Planned Unit Development.** This is the site of the former Pickpocket Plantation farm. A Notice of Publication was duly published in the Beaufort Gazette on August 27, 2007.

Russell Byrd, City Planner, stated the applicant John Keith is represented by his attorney David L. Tedder. The 13.8 acre parcel is located north of Robert Smalls Parkway between Neil Road and Burton Hill Road and south of the railroad right-of-way. There are buildings from the plantation farm still on the property and the plantation house is listed on the Beaufort County Above Ground Historic Resources Survey for Beaufort County. The current zoning Limited Industrial does not permit agriculture. The applicant is proposing a rezoning to Planned Unit Development. The uses that will be permitted in the PUD are those allowed in the Transitional Residential District. Five dwelling units, historic structures, will be permitted on the site. Agritourism activities as defined in recent state law are allowed. Staff recommends that all building renovations and relocations and new construction be subject to the approval of the Historic District Review Board.

Councilman O'Kelley questioned the reason for the Historic District Review Board's approval for

new construction since the site is not located in the District. Mr. Byrd replied that he spoke to the Historic Design Review Planner and the Board wanted oversight on the historic structures.

Mr. Tedder stated this issue was addressed at the Joint Planning Commission and he pointed out that the property is not in the traditional historic district and the guidelines are not applicable in that area. The Commission seemed to understand and did not include that in their recommendation. They felt the Design Review Board could do an adequate job. Mr. Keith is trying to rebuild what is there and create an historic use.

There being no other comments, the public hearing was closed at 6:17 p.m.

MINUTES

The minutes of the special City Council meeting of July 26, 2007 were presented to Council for review.

On motion by Councilwoman Beer, second by Councilman O'Kelley, Council approved the minutes as presented.

MINUTES

The minutes of the regular City Council meeting of August 28, 2007 were presented to Council for review. The following changes were made on page 6, third paragraph under Resolution Adopting the Northern Regional Plan, second line, remove "voting for " and add "implementing"; and same paragraph, last sentence, remove the last five words and add "would not vote against the adoption of the Plan because of that."

On motion by Councilwoman Beer, second by Councilman O'Kelley, Council approved the minutes as amended.

ORDINANCE AUTHORIZING CITY MANAGER TO ENTER INTO A QUIT CLAIM DEED FOR SALE OF A PORTION OF A R-O-W ON WILSON DRIVE

The ordinance authorizing the City Manager to enter into a quit claim deed for the sale of a portion of Wilson Drive to Scott W. Lee for \$500.00 plus cost was presented for second reading and adoption.

Councilman O'Kelley moved to adopt the ordinance on second reading. Councilwoman Beer gave second. The vote was unanimous. (Copy of Ordinance at end of August 28, 2007 minutes)

ORDINANCE AMENDING FY08 BUDGET

The ordinance amending the FY08 budget in the amount of \$19,043.00 to be used for the purchase of a Comstar Crime Mapping Program and associated hardware/software and in-car magnetic swipe readers and printers to be used in the Police patrol vehicles was presented for second reading and adoption.

On motion by Councilwoman Beer, second by Councilman Fordham, Council adopted the ordinance on second reading. (Copy of ordinance at end of the August 28, 2007 minutes)

MOTION TO ADD ITEM

On motion by Councilwoman Beer, second by Councilman Fordham, Council added an item to the agenda.

REQUEST TO SERVE ALCOHOLIC BEVERAGES IN WATERFRONT PARK

The 53rd Annual Beaufort Water Festival Committee submitted a request to serve samples of wine and micro brew beers between 12:00 noon and 4:00 p.m. at the Waterfront Park on October 27, 2007 during their Vintage Celebration.

Councilwoman Beer made a motion, seconded by Councilman Sutton, to approve the request. The request was approved unanimously.

REQUEST TO CLOSE STREET for 5K RUN, WALK, & SALE OF ALCOHOL

A request was presented by the Beaufort Regional Chamber of Commerce for closure of a portion of Bay Street and Carteret Street, for a 5K Run, Bladen Street to Boundary and Carteret Street through the Old Point Historic District for the Walk Through History, and Bay Street to Carteret Street for the Popcorn Shrimp Run on October 6th from 8:00 a.m. until 9:30 a.m. They also asked to sell alcohol on October 5th from 5:00 p.m. until 10:00 p.m. and on October 6th from 11:00 a.m. until 5:00 p.m. during the Shrimp Festival.

Councilwoman Beer made a motion, seconded by Councilman O'Kelley, to approve the requests.

Councilman O'Kelley asked for more information regarding closing the streets for the 5K Run. Katherine Hipp, Chamber of Commerce Tourism Marketing Manager, explained the 5K Run would begin on Bay Street and proceed east towards the bridge and across to Meridian Road and return using the same route. The Walk Through History would proceed from Bay to Bladen Street to Boundary Street to Carteret Street. The Popcorn Shrimp Run is short and would only use a portion of Bay Street from Charles Street to Scott Street.

Liz Mitchell, Beaufort Regional Chamber of Commerce representative, said this is the 13th year of the festival and reiterated the routes to be used. Mr. O'Kelley said he foresees safety issues in closing that many streets for that length of time. He said he would like to know if the participants complete the Walk by 9:30 a.m. Ms. Mitchell agreed to report back.

The requests were approved unanimously.

REQUEST TO ERECT TENT AND SERVE ALCOHOL IN PARK

A request from Saltus River Grill to use the two parking spaces in the City parking lot adjacent to their restaurant to erect a 30 x 30 foot tent behind Harry's Restaurant for a wedding reception to be held on October 6th at 6:30 p.m. and permission to serve alcohol from a cash bar was presented to Council.

Shirley Hughes, Finance Director and Assistant City Manager, noted that the tent will be placed on site on Friday, October 5th around 11:00 a.m. and the owners of the restaurant have agreed to pay for the use of those two parking spaces.

On motion by Councilwoman Donnie Beer, second by Councilman Fordham, Council approved the request.

CITY MANAGER'S REPORT

The City Manager encouraged Council to attend the **Municipal Association of South Carolina's** Hometown, SC Road Show on October 17th at 11:30 a.m. at the Technical College of the Lowcountry, Building 12, Auditorium on Ribaut Road since Beaufort is the host City.

Councilman Fordham asked about a sink hole in the **Waterfront Park** that was mentioned in the newspaper this week. The City Manager said a third party engineer was brought in many months ago to examine that problem because it was beyond the design scope of what work had been performed.

Councilman O'Kelley said there is also a broken tabby slab at the **Waterfront Park** on the short wall at the foot of West Street in front of the flag poles.

Councilman Sutton asked in that regard, if someone can survey the depth of water along the **Daydock** to determine if there is an impact with the sink holes and the movement of soil near the marina.

Councilman Fordham inquired about the cleats attached to the solar lights at the **Waterfront Park**. Councilman Sutton said he, too, observed that. Mr. Fordham also asked about the placement of cleats at the Daydock near boat ramp. Mr. O'Kelley explained that is to tie your boat while parking your vehicle.

COUNCIL REPORTS

O'KELLEY: Councilman O'Kelley commented on Mr. Knuteson's letter regarding the **storm drains** not working. He suggested that if the Highway Department is not going to clean the drains, perhaps the City could.

SUTTON: Councilman Sutton asked the status of the **signal light reprogramming**. The City Manager stated the timing of the traffic signals was adjusted and then that adjustment was lost due to lightning. The trip loop after hours is the biggest problem. He explained that the information is programmed according to a formula; therefore, if lightning affects it, the information has to be reprogrammed. Also, the trips are set for daytime traffic and then changes in the evenings for an on-demand design.

Mr. Sutton said there was a successful **Block By Block** turnout for Habitat by Humanity this past Saturday. The work on this residence is nearly complete. Volunteers work on the weekend and the rest of the week, in-house labor is used. He would still like to have an area for a refuse disposal unit. On another subject, Mr. Sutton asked if the Tour Coordinator was back to work after the birth of her baby. The Parking Administrator replied she will probably be out about two more weeks.

EXECUTIVE SESSION

On motion by Councilman O'Kelley, second by Councilwoman Beer, Council voted to move into executive session pursuant to Title 30, Chapter 4, Section 70(a)(2) of the South Carolina Code of

Laws to discuss negotiations incident to proposed contractual arrangements.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:12 p.m.

BILL RAUCH, MAYOR

COUNCILWOMAN DONNIE ANN BEER

COUNCILMAN GARY B. FORDHAM

COUNCILMAN GEORGE H. O'KELLEY, JR.

COUNCILMAN MIKE SUTTON

ATTEST:

BEVERLY W. GAY, CITY CLERK