



**CITY OF BEAUFORT**  
1911 BOUNDARY STREET  
BEAUFORT MUNICIPAL COMPLEX  
BEAUFORT, SOUTH CAROLINA 29902  
(843) 525-7070  
**CITY COUNCIL REGULAR MEETING AGENDA**  
**March 12, 2024**

**STATEMENT OF MEDIA NOTIFICATION**

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

**REGULAR MEETING - Council Chambers, 2nd Floor - 7:00 PM**

**Please note, this meeting will be broadcasted via zoom and live streamed on Facebook. You can view the meeting at the City's page; City Beaufort SC**

**I. CALL TO ORDER**

- A. Philip Cromer, Mayor

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

- A. Mayor Pro Tem, Michael McFee

**III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS**

- A. Proclamation proclaiming March 2024 as Developmental Disabilities Awareness Month
- B. Proclamation proclaiming March 2024 as National American Red Cross Month

**IV. PUBLIC COMMENT**

**V. PUBLIC HEARING AND FIRST READING**

- A. An ordinance to annex property on Harding Street, Parcel R100 029 00B 0057 0000 to the City of Beaufort pursuant to S.C. Code Ann. 5-3-150(3) - first reading
- B. An ordinance amending the City of Beaufort Zoning District Map to include Parcel R100 029 00B 0057 0000, to be zoned T4-N, as noted herein - first reading

**VI. MINUTES**

- A. Worksession - February 20, 2024
- B. Worksession and Regular Meeting - February 27, 2024

**VII. NEW BUSINESS**

- A. Freeman wedding reception requests a noise ordinance waiver for a wedding reception on Saturday, November 9, 2024, from 12:00 pm - 6:00 pm in the Whitehall Park
- B. Request from USCB to close Newcastle Street from Boundary to Calhoun Street and request waiver of the Noise Ordinance to host a Welcome Back to Campus Block Party on Tuesday, August 24, 2024, from 5:00 PM to 11:00 PM

- C. Request co-sponsorship and permission for Meadowbrook church of Beaufort to host a Sunrise Service at Whitehall Park on Sunday, March 31, 2024, from 6:00 am to 8:30 am
- D. Request from Historic Beaufort Foundation to host the annual Lafayette Soiree 2024 on Saturday, May 11, 2024, 6:00 PM to 10:00 PM, with allowance to transport participants from remote parking to 1305 Bay Street, signage and waiver of the Loud and Unseemly Noise Ordinance
- E. Ordinance to Amend Fiscal Year 2024 Budget for Revenues and Expenditures of General Fund, ARPA Fund, State Accommodation Tax Fund, Parks and Tourism Fund, TIF II Fund, and Capital Projects Fund- first reading
- F. Consideration of City Manager Contract

## **VIII. REPORTS**

- City Manager's Report
- Mayor's Report
- Reports by Council Members

## **IX. ADJOURN**



## PROCLAMATION

**WHEREAS**, more than 500,000 South Carolina residents and families are impacted by severe lifelong disabilities including autism, head injuries, spinal cord injuries, mental retardation, and related disabilities; and

**WHEREAS**, people with lifelong disabilities are productive citizens, neighbors, and family members, deserving of respect and opportunities for economic self-sufficiency, independence, and personal growth; and

**WHEREAS**, South Carolinians with and without disabilities work together, play together, worship together, learn together, and grow together; and

**WHEREAS**, we owe a special debt of gratitude to the caregivers who selflessly provide physical, emotional, and spiritual support to our residents with disabilities and special needs; and

**WHEREAS**, the 2024 observance of Developmental Disabilities Awareness Month celebrates the successful partnership between people with and without disabilities as well as the increasing involvement of people in education, employment, and community activities.

**NOW, THEREFORE**, the City Council of the City of Beaufort, South Carolina, hereby proclaims, March 2024 as

### **DEVELOPMENTAL DISABILITIES AWARENESS MONTH**

The City of Beaufort encourages all citizens to work together to promote increased opportunities for people with disabilities, to recognize the many contributions made by people with disabilities in our communities, and to honor the dedication of the caregivers who bring support and hope to their fellow citizens.

**IN WITNESS THEREOF**, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 12<sup>th</sup> day of March 2024.

\_\_\_\_\_  
Philip E. Cromer, Mayor

Attest:

\_\_\_\_\_  
Traci Guldner, City Clerk



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 2/21/2024  
**FROM:**  
**AGENDA ITEM**  
**TITLE:** Proclamation proclaiming March 2024 as National American Red Cross Month  
**MEETING**  
**DATE:** 3/12/2024  
**DEPARTMENT:** City Clerk

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*BACKGROUND INFORMATION:*

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*PLACED ON AGENDA FOR:* Action

*REMARKS:*

**ATTACHMENTS:**

| Description  | Type            | Upload Date |
|--------------|-----------------|-------------|
| Proclamation | Backup Material | 2/21/2024   |



## NATIONAL AMERICAN RED CROSS MONTH PROCLAMATION 2024

**WHEREAS**, during National American Red Cross Month in March, we recognize the compassion of people in Beaufort and reaffirm our commitment to care for one another in times of crisis; and

**WHEREAS**, this generous spirit is woven into the fabric of our community and advances the humanitarian legacy of American Red Cross founder Clara Barton — one of the most honored women in our country’s history, who nobly dedicated herself to alleviating suffering; and

**WHEREAS**, today, kindhearted individuals in our community exemplify Barton’s commitment as they step up through the challenges to provide a beacon of hope for our neighbors in need. Through their voluntary and selfless contributions, they make a lifesaving difference in people’s darkest hours — whether it’s delivering shelter, food and comfort during disasters; providing critical blood donations for hospital patients; supporting military families, veterans and caregivers through the unique challenges of service; saving lives with first aid, CPR and other skills; or delivering aid and reconnecting loved ones separated by global crises; and

**WHEREAS**, in 2023, the Lowcountry Chapter of the Red Cross of South Carolina responded to more than 380 local disasters, including home fires--assisting 1,400 people by distributing more than \$270,000 in direct financial assistance following local disasters. Additionally, the Lowcountry Chapter made more than 1,900 homes safer through educational visits and served more than 3,000 active-duty military, veterans, and their families through emergency communications and critical needs; and

**WHEREAS**, we hereby recognize this month of March in honor of all those who lead with their hearts to serve people in need, and we ask everyone to join in this commitment to strengthen our community.

**NOW, THEREFORE**, the City Council of the City of Beaufort, South Carolina, hereby proclaims March 2024 as

### NATIONAL AMERICAN RED CROSS MONTH

and encourages all Americans to reach out and support its humanitarian mission.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 12th day of March 2024.

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Philip E. Cromer, Mayor

Attest:

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Traci Guldner, City Clerk



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 3/5/2024  
**FROM:** Curt Freese, Community Development Director  
**AGENDA ITEM TITLE:** An ordinance to annex property on Harding Street, Parcel R100 029 00B 0057 0000 to the City of Beaufort pursuant to S.C. Code Ann. 5-3-150(3) - first reading  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** Community and Economic Development

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*BACKGROUND INFORMATION:*

The request is for annexation and zoning of T4-N. The parcel in question (the site) is the last parcel to be annexed into the city to allow for a new major subdivision that will have its entrance on Harding St. The other two parcels are to the west (R120 029 00B 0056 0000) and the south (R120 029 000 0112 0000) of the site and are both zoned T4-N. The rezoning was heard and given a recommendation of approval for the T-4 N zoning district by the Planning Commission. If the property is rezoned and annexed, the applicant can then have the Sketch Plan of the Subdivision heard by the Planning Commission at its March meeting. If that is approved by the Planning Commission, the project will move into the Site Plan & Final Plat stages, which will be conducted by City Staff.

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***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

Notice of the Public Hearing was ran in the Beaufort Gazette on February 11, 2024.

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**Staff Recommendation:** Staff and the Planning Commission recommend approval of the annexation with no conditions.

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**ATTACHMENTS:**

| Description              | Type            | Upload Date |
|--------------------------|-----------------|-------------|
| Staff Report             | Backup Material | 3/5/2024    |
| Petition for Annexation  | Backup Material | 3/5/2024    |
| Ordinance for Annexation | Backup Material | 3/5/2024    |



## STAFF REPORT: Annexation & Rezoning (Marshview Estates)

DATE: 3/12/24

| <b><i>GENERAL INFORMATION</i></b>                               |  |   |
|---|--|---|
| <b>Applicant:</b>   | Josh K Tiller  |   |
| <b>Address/Parcel Number:</b>                                   | No address on parcel, R100 029 00B 0057 0000   |   |
| <b>Applicant's Request:</b>                                     | To annex into the city & rezone the site to T4-N from C3NMU-Neighborhood Mixed Use (County zoning) |   |
| <b>Current Zoning:</b>  | C3NMU-Neighborhood Mixed Use (County zoning)   |   |
| <b><i>ZONING DISTRICT INFORMATION</i></b>                       |  |   |
|   | <u>C3NMU</u>   |   |
| <b>Lot Width at Setback:</b>                                    | 70 feet  |   |
| <b>Max Lot Coverage:</b>  | 2.6 d.u./acre  |   |
| <b>Min. Frontage Build Out</b>                                  | N/A  |   |
| <b>Front Setback</b>  | 30-foot min.   |   |
| <b>Side Setback</b>   | 10-foot min.   |   |
| <b>Rear Setback</b>   | 50-foot min.   |   |
| <b>Building Height:</b>   | 2.5 story max for residential  |   |
| <b><i>SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS</i></b> |  |   |
| <u>Adjacent Zoning</u>  | <u>Adjacent Land Uses</u>  | <u>Setbacks for Adjacent Zoning /Buffer required if rezoned</u> |
| North: C3NMU (County)   | Single Family Dwellings  | N/A   |
| South: T4-N (City)  | Forested parcel  | N/A   |
| East: C3NMU (County)  | Forested parcel  | N/A   |
| West: T4-N (City)   | Forested parcel  | N/A   |

**Background:** The parcel in question (the site) is the last parcel to be annexed into the city to allow for a new major subdivision that will have its entrance on Harding St. The other two parcels are to the west (R120 029 00B 0056 0000) and the south (R120 029 000 0112 0000) of the site and are both zoned T4-N. The rezoning was heard and given a recommendation of approval for the T-4 N zoning district by the Planning Commission. If the property is rezoned and annexed, the applicant can then have the Sketch Plan of the Subdivision heard by the Planning Commission at its March meeting. If that is approved by the Planning Commission, the project will move into the Site Plan & Final Plat stages, which will be conducted by City Staff.

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**Compatibility with Adjacent Zoning:** The site is adjacent to two city properties that are both zoned T4-N that are both planned to be in the same subdivision, so the request is to match the current adjacent city zoning.

**Comprehensive Plan Compliance:** The Future Land Use with Potential Annexation Area Map has the site designated as Neighborhood. The Future Land Use Categories chart lists T4-HN, T3-N, T3-S, and T1 as acceptable in the Neighborhood designation of the Comprehensive plan. The applicant is requesting the T4-N zoning classification. Staff believes this reasonable request because the T4-N zone has similar allowed uses with the T4-HN, T3-N, and T3-S zones. Also, many uses that are allowed in T4-N and not the other zones require a conditional zoning permit that may be denied by the administrator or must be in the T4-NA zone. An example of this is a proposal for Vehicle Service and Repair use in the T4-N zone that is next to a T3-N parcel. The administrator has the power to deny the use since it would be incompatible to the surrounding area. Also, on the Future Land Use Categories chart ranks the zones by order of precedence. In the General Urban destination T-4N is the second to the bottom, meaning this is the second least compatible designation for a General Urban designated property.

**Civic Master Plan Compliance:** The site was not in the Civic Master Plan since the area was not in city's limits, Staff believes this proposal aligns with the plan since it will support increasing housing densities and will add to the small block development style mentioned in Section 6 of the plan.

## **FINDINGS AND RECOMMENDATIONS**

**Staff Recommendation: Staff recommends approval of the annexation with no conditions.**

**Planning Commission Recommendation: The Planning Commission recommended approval of the request to rezone the site to T4-N with no conditions.**

The site parcel is highlighted in orange with the two city parcels in purple.



Here is an image of the potential future subdivision.



TO THE MEMBERS OF )  
 CITY COUNCIL ) PETITION OF ANNEXATION  
 CITY OF BEAUFORT, SOUTH CAROLINA )

We, the undersigned freeholders, pursuant to Section 5-3-150(3), South Carolina Code of Laws, 1976, as amended, do pray that your Honorable Body accept the petition and annex the enclosed described area, and enact an Ordinance declaring the area annexed to the City of Beaufort with full City privileges accorded to, and responsibilities required of, the said residents thereof and the lands and properties and businesses erected therein, subject only to the conditions, provisions, and limitations hereinafter set forth. The said annexation shall be upon terms, limitations, provisions, and conditions as follows:

The City of Beaufort shall furnish and render as promptly as practical to said area, its residents and properties, all of privileges, benefits, rights and services now and hereinafter to be accorded the citizens within the corporate limits of the City of Beaufort in every particular under its charter and general special laws of South Carolina applicable to the City of Beaufort, and subject to the existing ordinances of the City.

The petitioning area to be annexed is described as follows:

A 2.7 Acre wooded and vacant parcel of land (PIN R100 029 00B 0057 0000) located on Harding Street and known as Lot 16 of Palmetto Estates. The property is currently zoned Neighborhood Mixed-use (C3NMU) in Beaufort County, as are the adjacent Beaufort County parcels. The adjacent City of Beaufort properties are all zoned T4-N.

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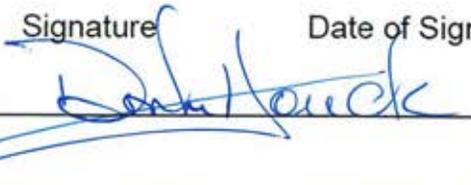


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Plat of area to be annexed and list of freeholders are attached hereto.

| Name (print)                            | Address                                      | Signature  | Date of Signature |
|---|--|--|-------------------|
| Lanier Land Holdings LLC<br>(Don Houck) | 3138 Five Chop Rd<br>Orangeburg, SC<br>29115 |  | 11/24/23          |

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# PALMETTO ESTATES

BEAUFORT COUNTY, SOUTH CAROLINA  
SCALE 1" = 200'  
OCTOBER 18, 1968  
D. S. BRYANT, REGISTERED PROFESSIONAL ENGINEER  
D. S. BRYANT, REGISTERED PROFESSIONAL ENGINEER

LG. PLAT FILE  
PB 17 PG. 53

ORIGINAL DOCUMENT  
FROM COUNTY OF CHARLENA



TREE & TOPOGRAPHIC SURVEY  
 PREPARED FOR  
 DON M. HOUCK & PATTEN SEED CO.

LOTS 15 & 16, PALMETTO ESTATES

BEAUFORT COUNTY, SOUTH CAROLINA

VICINITY MAP NOT TO SCALE



**TREE LEGEND:**  
 LO - LIVE OAK  
 WO - WATER OAK  
 WH - WHITE OAK  
 G - GUM  
 P - PINE  
 H - HICKORY  
 SB - SUGAR BERRY  
 PAL - PALMETTO  
 MAG - MAGNOLIA  
 HO - HOLLY  
 C - COTTON WOOD  
 PE - PECAN  
 LFO - LAUREL OAK  
 TAL - TALLOW  
 CE - CEDAR

**LEGEND:**  
 PP - POWER POLE  
 SP - SERVICE POLE  
 TB - TELEPHONE BOX  
 MB - MAILBOX  
 GLM - GAS LINE MARKER  
 CLF - CS LINE FLAG

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT POINT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER THE TIME BY BELONGING TO THE POINT AUTHORITY OF THE DEPARTMENT. THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSESS PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREIN OR NOT.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 The critical line shown on this plat is valid for five years from the date of this signature, subject to the cautionary language above.

REFERENCE PLAT BY R. D. TROGDON, JR., OF PALMETTO ESTATES, DATED OCTOBER 18, 1968.

THIS PROPERTY IS LOCATED IN ZONE A-8 (ELEV. 13.0) AS DETERMINED BY FEMA, FIRM COMMUNITY-PANEL NUMBER 450025 0065 D, DATED 09/29/86.

PIN: R100-029-00B-000-0057-0000 & PORTION OF R100-029-00B-000-0058-0000

0 15' 30' 60' 90'

SCALE 1" = 30'  
 APRIL 13, 2009  
 P14037/MMA

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCRUMCHMENTS OR PROJECTIONS OTHER THAN SHOWN.



DAVID S. YOUMANS RLS 9765  
 BEAUFORT SURVEYING, INC.  
 1613 PARIS AVENUE  
 PORT ROYAL, S.C. 29935  
 PHONE (843) 524-3261

**ORDINANCE 2024/06**

**AN ORDINANCE TO ANNEX PROPERTY ON HARDING STREET, R100 029 00B 0057 0000 TO THE CITY OF BEAUFORT PURSUANT TO S.C. CODE ANN. § 5-3-150(3).**

**WHEREAS**, a Petition for Annexation (hereinafter “Petition”) dated November 24, 2023 and signed by all of the owners of a parcel of real estate identified as Beaufort County Tax Map Number R100 029 00B 0057 0000 and located on Port Royal Island (hereinafter “Property”) has been presented to the City Council;

**WHEREAS**, the Petition contains a description of the Property to be annexed;

**WHEREAS**, the Property to be annexed is highlighted on the attached maps;

**WHEREAS**, the Property is contiguous to the boundaries of the present city limits of the City of Beaufort, South Carolina;

**WHEREAS**, the City has complied with the notice and public hearing requirements of S.C. Code Section 5-3-150(1); and

**WHEREAS**, Council finds that annexation of the Property would be in the best interest of the City of Beaufort.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, that the Property hereinafter described is hereby annexed to and becomes a part of the City of Beaufort, South Carolina: A 2.7 acre lot identified as Beaufort County Tax Map Number R100 029 00B 0057 0000, located on Harding Street and known as Lot 16 of Palmetto Estates on that certain plat prepared by R.D. Trogdon, Jr., R.L.S., dated the October 18, 1968, and entitled "Palmetto Estates," a copy of which is recorded in the office of the R.M.C. for Beaufort County, South Carolina in Plat Book 17 at page 53.

This Ordinance shall become effective immediately upon adoption.

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Philip E. Cromer, Mayor

Attest:

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Traci Guldner, City Clerk

1st Reading \_\_\_\_\_

2nd Reading & Adoption \_\_\_\_\_

Reviewed by: \_\_\_\_\_  
CITY ATTORNEY



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 3/5/2024  
**FROM:** Curt Freese, Community and Economic Development Director  
**AGENDA ITEM TITLE:** An ordinance amending the City of Beaufort Zoning District Map to include Parcel R100 029 00B 0057 0000, to be zoned T4-N, as noted herein - first reading  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** Community and Economic Development

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*BACKGROUND INFORMATION:*

All the background information on this item can be found attached in Item A.

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*PLACED ON AGENDA FOR:* Action

**REMARKS:**

**Planning Commission Recommendation:** The Planning Commission recommended approval of the request to rezone the site to T4-N with no conditions.

Staff recommends approval of this request.

**ATTACHMENTS:**

| Description          | Type            | Upload Date |
|----------------------|-----------------|-------------|
| Ordinance for zoning | Backup Material | 3/5/2024    |

**ORDINANCE 2024/07**

**AMENDING THE CITY OF BEAUFORT ZONING DISTRICT MAP TO INCLUDE  
PARCEL R100 029 00B 0057 0000, TO BE ZONED T4-N, AS NOTED HEREIN**

**WHEREAS**, a parcel of real property identified as Beaufort County Tax Map Number R100 029 00B 0057 0000 (hereinafter “Property”) is being annexed to the City of Beaufort;

**WHEREAS**, it is necessary that the City of Beaufort Zoning District Map (hereinafter “Zoning Map”) be amended to reflect the annexation of the Property and that the Property be appropriately zoned; and

**WHEREAS**, a zoning of T4-N for the Property is consistent and compatible with zoning of adjacent real property;

**WHEREAS**, any future development of the Property will be able to take advantage of existing infrastructure;

**WHEREAS**, it is reasonable to expect that the T4-N zoning will improve the marketability of the Property;

**WHEREAS**, a public hearing before the Planning Commission was held regarding the proposed change to the Zoning Map on February 26, 2024, with notice of the hearing published in The Beaufort Gazette on January 24, 2024, and the Planning Commission recommended approval of amendment of the Zoning Map and the zoning designation of the Property as T4-N.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that the City of Beaufort Zoning District Map be amended by establishing the zoning designation of the annexed Property, as follows:

|                         |      |
|-------------------------|------|
| R 100 029 00B 0057 0000 | T4-N |
|-------------------------|------|

This Ordinance shall become effective immediately upon adoption.

\_\_\_\_\_  
Philip E. Cromer, Mayor

Attest:

\_\_\_\_\_  
Traci Guldner, City Clerk

1st Reading \_\_\_\_\_

2nd Reading & Adoption \_\_\_\_\_

Reviewed by: \_\_\_\_\_  
CITY ATTORNEY



City Council Worksession  
Meeting Minutes – Planning Conference Room – 1<sup>st</sup> Floor

February 20, 2024

**I. CALL TO ORDER**

**4:00 PM**

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

**II. DISCUSSION ITEMS**

A. Beaufort Development Code text amendment process update.

**Curt Freese, Community and Economic Development Director** gave a presentation that went over the analysis and recommendations from previous discussions on Chapter 4 that speaks to design. The sections that were covered are as follows:

2.4.1 Transect Standards.

**Councilman Scallate** would like to see the percentage of lot coverage increase to 45 percent in T3-S so that it matches T3-N.

4.3.2 Specific Guidelines.

Some scrivener errors were noted that will be changed.

There was discussion on whether or not the word “twice” as it relates to height and mass of new construction near existing buildings should be removed.

More discussion is warranted in this section.

4.5.7 Apartment Houses.

4.5.9 Liner Buildings.

4.5.12 Gas/Fuel Stations and Car Washes.

**Councilman Lipsitz** wants to see that at least 2 EV charging stations be a requirement on any new construction or be included if any modifications are done to an existing station.

4.6.1 Building Design Standards.

Some scrivener errors were noted that will be changed.

There was discussion about buildings being constructed to look as if they are two stories tall.

More discussion is warranted in this section.

#### 4.6.3 Specifics to Transect Districts (Windows).

There was discussion about metal or composite shutters in the Historic District and if they should be allowed.

#### 4.6.4 Specifics to Conventional Districts.

#### 4.7.2 Principles for Compatible Infill.

More discussion is warranted in this section.

The following interacted with Council on the issues discussed:

Paul Trask, 610 Bladen Street.  
Lise Sundrla, Historic Beaufort Foundation.  
Graham Trask, 1211 Bay Street.  
Jeremiah Smith, 1107 West Street.

A copy of the presentation is attached to these minutes.

### **III. ADJOURN**

**5:25 PM**

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Disclaimer: This document is a summary. All City Council Worksessions and Regular Meetings are recorded. Live stream can be found on the City's website at [www.cityofbeaufort.org](http://www.cityofbeaufort.org) (Agenda section). Any questions, please contact the City Clerk, Traci Guldner at 843-525-7024 or by email at [tguldner@cityofbeaufort.org](mailto:tguldner@cityofbeaufort.org).

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80 (a)(d)(e), as amended, notification of regular meetings was given at the beginning of the calendar year. A copy of the agenda was posted on the City's bulletin board and website [www.cityofbeaufort.org](http://www.cityofbeaufort.org) twenty-four hours prior to the meeting. A copy of the agenda was given to the local news media and requested public on file.



City Council Worksession  
Meeting Minutes – Planning Conference Room – 1<sup>st</sup> Floor

February 27, 2024

**I. CALL TO ORDER**

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**5:00 PM**

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

**II. PRESENTATION**

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A. Beaufort Commerce Park Update.

**John O’Toole, Beaufort County Economic Development Corporation**, started off by saying that the City has paid \$165,000.00 into the Economic Development Corporation since its inception. He then gave a listing of the companies that are established or are developing in the Commerce Park. He stated that in the beginning the land was being sold for \$11,000.00 an acre and today that figure is \$40,000.00. He then went over the economic impact study that was done by the Regional Economic Analysis Laboratory through Clemson.

**Mayor Cromer** inquired about the type of companies they are marketing for in the Commerce Park. Mr. O’Toole stated businesses like advanced manufacturing, clean industry such as aerospace, fisheries or food processing.

Paul Trask, 610 Bladen Street, addressed Council.

A copy of the presentation is attached to these minutes.

**III. DISCUSSION**

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A. Fiscal Year 2024 Emerging Capital Projects Budget Ordinance Amendment.

**Scott Marshall, City Manager**, stated that in the strategic planning session there was discussion about emerging projects. One of those was the Pigeon Point Boat Landing. He stated that this is not included at this time. This is due to the fact that Council wanted to get community input as it pertains to the scope of the project. Staff is currently preparing a survey that will be sent out within the next few weeks.

**Alan Eisenman, Finance Director**, went over the proposed Budget Ordinance Amendments. They are listed below.

1. Duke Street Streetscape and Drainage Project- \$400,000.00 for engineering services from ARPA fund.
2. Battery Shores Drainage Project- \$30,000.00 for engineering services from ARPA fund.

3. Pigeon Point Playground Equipment- \$300,000.00 from Parks and Tourism fund and \$100,000.00 from ARPA fund and \$100,000.00 will be reallocated from approved FY24 capital budget related to Marina Fuel Tanks project.
4. 1st South Carolina Volunteer Park- \$100,000.00 for park improvements from TIF II fund.
5. Arsenal Walls Rehabilitation- \$30,000.00 for consulting services from State Accommodations Tax fund.
6. Spanish Moss Trail Sidewalk North Street Extension- \$30,000.00 for sidewalk extension project from State Accommodations Tax fund.
7. 500 Carteret Street window replacement and stucco repairs- \$100,000.00 from General Fund Assigned Fund Balance for Capital Projects.

Mr. Eisenman indicated that all the ARPA Funds have to be obligated by December 2024 and must be spent by December 2026.

There was substantial discussion on the Duke Street Streetscape and Drainage Project.

Mr. Marshall would like to see these amendments move forward. He will also ask Davis and Floyd to come back and speak about the Duke Street Project in an upcoming worksession.

The following addressed Council:

- Paul Trask, 610 Bladen Street.
- Dan Blackmon, 1010 Duke Street.
- Christopher Augusta, 1601 Duke Street.
- Darolyn Augusta ,1601 Duke Street.

#### IV. EXECUTIVE SESSION

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Councilman Lipsitz made a motion to go into Executive Session and seconded by Councilman Mitchell.

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (1) of the South Carolina Code of Law: Discussion regarding personnel appointed by Council.

Councilman Lipsitz made a motion to come out of Executive Session and seconded by Mayor Pro Tem, McFee.

No actions from Executive Session.

#### V. ADJOURN

**7:06 PM**

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City Council Regular Meeting  
Meeting Minutes – City Hall Council Chambers, 2<sup>nd</sup> Floor

February 27, 2024

**I. CALL TO ORDER**

---

**7:06 PM**

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

---

Mayor Pro Tem, McFee.

**III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS**

---

A. Character Education Proclamation - Maurice Lamb, Broad River Elementary School.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

All were in favor, motion carried.

**IV. PUBLIC COMMENT**

---

No public comment.

**V. MINUTES**

---

A. Worksession and Regular Meeting - February 13, 2024.

Motion to approve was made by Councilman Mitchell and seconded by Mayor Pro Tem, McFee.

Minutes approved as presented.

**VI. OLD BUSINESS**

---

A. An Ordinance authorizing acceptance of Limited Warranty Deed, authorizing approval of Easement Agreement; and other matters related thereto - second reading.

Motion to approve was made by Councilman Mitchell and seconded by Councilman Scallate.

First reading was held on February 13, 2024. No changes made since first reading.

Graham Trask addressed Council.

All were in favor, motion carried.

## VII. NEW BUSINESS

---

- A. Request for co-sponsorship for use of the Whitehall Park by Cub Scouts Pack 001 from 10:00 am - 2:00 pm, on Saturday, May 18, 2024, for a graduation ceremony.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

All were in favor, motion carried.

- B. Request to host Madison's Miracles 5K on Saturday, June 22, 2024, from 7:45 am - 11:00 am.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

All were in favor, motion carried.

- C. Request for co-sponsorship, a waiver of the noise ordinance, and permission to host the annual Community Easter Sunrise service by the First African Baptist Church, and the First Scots Presbyterian Church, on Sunday, March 31, 2024, from 7:00 am - 8:30 am in the Henry C. Chambers Waterfront Park.

Motion to approve was made by Councilman Lipsitz and seconded by Mayor Pro Tem, McFee.

All were in favor, motion carried.

- D. Request permission to host the Beaufort River Swim and 5K by the Beaufort-Jasper YMCA of the Lowcountry on Saturday, June 8, 2024, from 5:00 am - 11:00 am.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

All were in favor, motion carried.

- E. Resolution authorizing the Beaufort History Museum to handle the auction of historical items in the possession of the City of Beaufort and for the proceeds of such auction to be paid to the Beaufort History Museum for its services in disposing of the surplus historical items and furthering historic preservation and education.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

Mayor Cromer recused himself from the discussion and the vote. He passed the gavel to Mayor Pro Tem, McFee.

JJ Sauve, Assistant City Manager, stated that the resolution is to authorize the Beaufort History Museum to auction the requested items at a fundraising event and for the City to convey the funds raised to the Beaufort History Museum.

All were in favor, motion carried.

## VIII. REPORTS

---

### City Manager's Report

Southside Park Phase I is now underway. A groundbreaking ceremony was held on Monday, February 26, 2024. He thanked everyone who took part in making this a reality.

Stated that Interim Police Chief Price, Lt. Dobbins, and Lindsey Edwards, were in Columbia presenting the City's entry in the Municipal Association of South Carolina (MASC) Public Safety Awards category. This is based on the Safe Living Beaufort Initiative.

Reported that Dominion Energy will be performing work on Port Republic Street that will cause several businesses and homes to lose power. Customers in the area were previously notified.

Announced that the Fire Department received a grant from the Gary Sinise Foundation in the amount of \$12,100.00. The funds are being used for a new forcible entry door training aid.

First Friday will be held downtown on March 1, 2024.

### **Mayor's Report**

Attended a meeting on how to capture Federal Electric Vehicle (EV) Charging funds. The City Manager attended as well.

Attended the Southern Lowcountry Regional Board (SOLOCO) meeting with Councilman Scallate and the City Manager.

Will be participating in an Economic Development Panel for the 2024 Clemson Leadership Program.

Will be participating in a Ribbon Cutting Ceremony for The HUB Student Services Center at the Technical College of the Lowcountry.

He and Councilman Lipsitz will be attending the Southern Carolina Alliance Regional Celebration in Allendale.

### **Councilman Mitchell**

Attended the Ground Breaking Ceremony for the Laurel Bay Pathway. This is a connector between Laurel Bay Housing and the Marine Corps Air Station.

He and Master Gunnery Sergeant, USMC Retired, Tyrone Jackson, will be speaking at the Black History Month Veterans Program, Preserving the Legacy and Keeping the Promise, at the Technical College of the Lowcountry.

Reported that the Open House for the Charles Lind Brown Center has been postponed and will be rescheduled.

### **Mayor Pro Tem, McFee**

Will be attending the upcoming Lowcountry Area Transportation (LATS) meeting.

Stated that the 8th Annual Pat Conroy Literary Center's March Forth event will be taking place on March 2 - 3, 2024, at the Penn Center and the Literary Center. There will also be an afternoon with award-winning novelist Jeffrey Dale Lofton at the Pat Conroy Literary Center on March 2, 2024, at 2:00 pm.

### **Councilman Scallate**

Attended a Poverty Simulation event on February 24, 2024 in Hilton Head.

Thanked the City Manager, Scott Marshall, for all his assistance when needed.

### **Councilman Lipsitz**

Attended the USCB Sand Sharks basketball games.

Attended the USCB Oyster Roast.

Attended the Old Commons Neighborhood Association Meeting.

Attended the Beaufort Chamber Economic Summit.

Attended Nancy Mace's Town Hall meeting.

Mentioned the Beaufort Charities events that will be taking place on March 1 - 2, 2024.

All of Council attended the ground breaking for Southside Park.

Members of Council attended events during the Beaufort International Film Festival.

Members of Council attended the Lt. Dan Band Concert at the Marine Corps Air Station.

## **IX. ADJOURN**

**7:41 PM**

---

**Motion to adjourn was made by Councilman Lipsitz and seconded by Councilman Scallate.**

**All were in favor, motion carried.**

---

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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

---

**TO:** CITY COUNCIL **DATE:** 3/4/2024  
**FROM:** Ashley Brandon  
**AGENDA ITEM TITLE:** Freeman wedding reception requests a noise ordinance waiver for a wedding reception on Saturday, November 9, 2024, from 12:00 pm - 6:00 pm in the Whitehall Park  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** Downtown Operations

---

*BACKGROUND INFORMATION:*

Freeman wedding reception requests a noise ordinance waiver for a wedding reception on Saturday, November 9, 2024, from 12:00 pm - 6:00 pm in the Whitehall Park

---

*PLACED ON AGENDA FOR: Action*

**REMARKS:**

Staff recommends approval



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

---

**TO:** CITY COUNCIL **DATE:** 3/4/2024  
**FROM:** Ashley Brandon  
**AGENDA ITEM TITLE:** Request from USCB to close Newcastle Street from Boundary to Calhoun Street and request waiver of the Noise Ordinance to host a Welcome Back to Campus Block Party on Tuesday, August 24, 2024, from 5:00 PM to 11:00 PM  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** Downtown Operations

---

*BACKGROUND INFORMATION:*

Request from USCB to close Newcastle Street from Boundary to Calhoun Street and request waiver of the Noise Ordinance to host a Welcome Back to Campus Block Party on Tuesday, August 24, 2024, from 5:00 PM to 11:00 PM.

This would be the second year in a row, and it is the exact same plan as last year's event

---

***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

Staff recommends approval

**ATTACHMENTS:**

| Description                 | Type       | Upload Date |
|-----------------------------|------------|-------------|
| USCB 24 Block party request | Cover Memo | 3/4/2024    |



February 26, 2024

Linda Roper  
Downtown Operations & Community Services Director  
500 Carteret St., Suite B2  
Beaufort, SC 29902

Dear Ms. Roper,

Thank you for answering my recent email request to close Newcastle Street from Boundary to Calhoun for a Welcome Back to Campus block party for our new and returning USCB students. This location is between our dormitories and beside campus dining.

We currently plan to hold this event on Saturday, August 24, 2024, beginning at 7:00 p.m. and ending at 9:00 p.m. We would need two hours prior to the event to set up and two hours afterwards to clean up. So, in total we are requesting that the street be closed from 5:00 p.m. until 11:00 p.m. We can be flexible with these times if necessary.

We hope to make this a community event by inviting the Beaufort Area Hospitality Association and the Beaufort Chamber of Commerce to participate with food and give-away items and if desired, recruit our students for employment. We will welcome the neighboring retail establishments to participate as well. In addition, the University plans to rent some interactive games. We will also have a craft or two for the students to enjoy.

I understand that we should request a noise ordinance waiver since we are so close to neighboring homes and since we plan to have a DJ playing music. We are open to inviting the neighbors to join the fun. Our goal for this event, and others that may be planned in the future, is to connect our students with the Beaufort community as we very much want to be a vibrant addition to our town. We also know that engaged students are happy students and happy students persist to graduation. Students who graduate with a connection to our town may be more likely to stay in the area after graduation. We hope these types of activities can be a win-win for all.

Please let me know if there is more information that you need and do not hesitate to call me if you have questions. My mobile phone number is 561-523-8886. I look forward to working with you now and in the future.

Sincerely,

Alison Reynolds  
USCB Student Life & Well-being



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

---

**TO:** CITY COUNCIL **DATE:** 3/4/2024  
**FROM:** Ashley Brandon  
**AGENDA ITEM TITLE:** Request co-sponsorship and permission for Meadowbrook church of Beaufort to host a Sunrise Service at Whitehall Park on Sunday, March 31, 2024, from 6:00 am to 8:30 am  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** Downtown Operations

---

**BACKGROUND INFORMATION:**

Request co-sponsorship for use of the park permission for Meadowbrook church of Beaufort to host a Sunrise Service at Whitehall Park on March 31, 2024, from 6:00 am to 8:30 am. They are expecting 100 guests and the event will be open to the public.

---

**PLACED ON AGENDA FOR:** *Action*

**REMARKS:**

Staff recommends approval

**ATTACHMENTS:**

| Description                    | Type       | Upload Date |
|--------------------------------|------------|-------------|
| Meadowbrook Easter Service app | Cover Memo | 3/4/2024    |
| Co sponsor form                | Cover Memo | 3/5/2024    |



**CITY OF BEAUFORT**  
**Whitehall Park Application**  
**Downtown Operations & Community Services Department 500**  
**Carteret St Ste. B2 Beaufort, SC 29902**  
**Phone: 843-525-7084**

|  |   |
|--|---|
| <b>Name of Event:</b><br>Meadowbrook church of<br>Beaufort Sunrise Service | <b>Date(s) of Event:</b> 3-31-24<br><b>Setup start/end time:</b> 6:00 AM / 6:30 AM<br><b>Actual event start/end time:</b> 6:45 / 8:00<br><b>Take down start/end time:</b> 8:00 / 8:10 |
| <b>Organization/Individual Name:</b><br>Meadowbrook church of<br>Beaufort  | <b>Address:</b> 12 Lupe Dr Beaufort SC 29907<br><b>Telephone:</b> 843-321-0356<br><b>Email:</b> MSCOXWELL@gmail.com   |

- Completed application must be received and approved by the Events Coordinator.
- All reservations require the applicable refundable security deposit be remitted upon approval of application in order to secure the requested date(s).
- **Deposits are refundable provided the venue is returned in the same condition it was received.**

Please mail completed application to:

City of Beaufort, Attn: Linda Roper, 500 Carteret St. Suite B2 Beaufort, SC 29902,

or scan and email: [events@cityofbeaufort.org](mailto:events@cityofbeaufort.org)

All events must abide and are governed by the City's Special Events Policy. To discuss specifics of the policy, contact the Events Coordinator at 843-525-7084 or visit our website at [www.cityofbeaufort.org](http://www.cityofbeaufort.org)

Is event open to the public? yes

Will admission be charged, or donation required? NO

Will alcoholic beverages be sold? NO Served? NO

Will food be sold? NO Served? NO

Will there be any retail sales? NO

Number of people expected to attend: 100

**Liability Insurance**

•The City of Beaufort requires that any organization/group sponsoring any event at a City owned facility/property or right of way provide the City of Beaufort with evidence of insurance as outlined below.

General Liability as follows:

- \$500,000.00 minimum requirement per occurrence for General Liability and Auto Liability (depending on the size or type of event, this amount may increase)
- Must provide proof one week before event

**Alcohol**

- To serve alcohol or liquor at your event, you must obtain City Council approval.
- If alcohol is served at your event, specific approval must be obtained by the City Manager and liquor liability insurance coverage is required with a minimum of \$1,000,000 per occurrence in coverage. The City of Beaufort must be listed as insured on the policy. If you have questions about the required liquor liability insurance coverage and listing the City as an additional insured, please contact the City Manager’s office at (843)-525-7070. City of Beaufort does not provide nor obtain insurance coverage for any special events. It is the responsibility of the event organizer to obtain and pay for proper insurance coverage.

Pastor [Signature] 2-23-24  
 Lessee/Applicant Signature Date

-----This section for City use-----

\_\_\_\_\_  
 Events Coordinator – City of Beaufort Date Application Received

Deposit Paid: \_\_\_\_\_ Fees Paid: \_\_\_\_\_ Deposit to be Refunded: \_\_\_\_\_

## REQUEST FOR CO-SPONSORSHIP Henry C. Chambers Waterfront Park

Name of Event Community Sunrise Service

Date of Event: 3-31-24

Contact person: Pastor Michael Coxwell  
Telephone: 843-321-0356

Please check all that apply.

|  | Yes | No  |
|--|-----|-----|
| <i>Are you a "For Profit" entity?</i>  |     | *** |
| <i>Is this a fund-raising event?</i>   |     | X   |
| <i>Is this event open to the public?</i>   | ✓   |     |
| <i>Is there a required fee / donation to attend this event?</i>  |     | X   |
| <i>Are you requesting more than two (2) park areas for this event?</i>   |     | X   |
| <i>Will there be any type of "sales" for this event?</i>   |     | X   |
| <i>Will this event require more than four (4) hours (includes setup &amp; take down)? This is a multiple day display</i> |     | X   |
| <i>Will alcohol be sold / served?</i>  |     | X   |

\*\*If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))? \_\_\_\_\_

**Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.**

Events Coordinator Recommendation:      Approved: \_\_\_\_\_      Denied: \_\_\_\_\_

Explanation: \_\_\_\_\_

Forward for Council Deliberation: \_\_\_\_\_  
Date of Council Meeting

Council:      Approved: \_\_\_\_\_      Denied: \_\_\_\_\_

Explanation: \_\_\_\_\_



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**CITY OF BEAUFORT**  
**DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM**

---

**TO:** CITY COUNCIL **DATE:** 3/5/2024  
**FROM:** Linda D. Roper  
**AGENDA ITEM TITLE:** Request from Historic Beaufort Foundation to host the annual Lafayette Soiree 2024 on Saturday, May 11, 2024, 6:00 PM to 10:00 PM, with allowance to transport participants from remote parking to 1305 Bay Street, signage and waiver of the Loud and Unseemly Noise Ordinance  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** Downtown Operations

---

*BACKGROUND INFORMATION:*

HBF would like to host the Annual Lafayette Soiree on May 11, 2024 at the private residence at 1305 Bay Street from 6:00 PM to 10:00 PM.

---

*PLACED ON AGENDA FOR: Action*

**REMARKS:**

Requesting waiver of the Loud and Unseemly Noise Ordinance, temporary signage during the event, and use of golf carts to transport participants from remote parking lots during daylight hours.

**ATTACHMENTS:**

| Description                                  | Type       | Upload Date |
|--|------------|-------------|
| HBF Request for 2024 Annual Lafayette Soiree | Cover Memo | 3/5/2024    |



February 28, 2024

Mrs. Linda Roper, Director  
Downtown Operations & Community Services  
City of Beaufort  
500 Carteret Street  
Beaufort, SC 29902

Dear Linda,

Historic Beaufort Foundation is delighted to continue our primary fundraiser the annual Lafayette Soirée in 2024. Scheduled for **Saturday, May 11**, this year's Soirée will be held at 1305 Bay Street, the home of Mr. and Mrs. Drew Scallan. Proceeds from this year's event will support interior renovations and improvements to the John Mark Verdier House. With this letter we are requesting approval for the following:

- **Signage.** As in the past HBF would like to place corrugated signs with sign stands identifying the event location and off-street parking. The signs will be placed on private property in the yards and/or at the curb. All signage will be placed and removed the day of the event. We will apply for the sign permit.
- **Parking/Transportation.** Parking will be in the First Presbyterian Church lot at North and Church. Additionally, we have also requested the use of the Country/Sheriff's lots at North and Bladen; and the dirt lot along Church across from St. Helena Church. We plan to use golf carts to transport patrons from parking to the event between 5:30 p.m. and 8:30 p.m. (Daylight) The Point shuttles will be used to transport after dark. We will secure volunteers to manage the parking and transportation.
- **Notification.** HBF will work with the Downtown Operations & Community Services Department to notify impacted homeowners of the event.
- **Music.** The event is scheduled from 6:00 p.m. to 10:00 p.m. We request approval for the entertainment/band to perform during this time period.

HBF will apply for an Alcohol and Beverage License for the event. And, if required, we will contract with the Beaufort Police Department.

We look forward to working with the City of Beaufort, our many partners and the community to continue this special tradition.

Thank you for your consideration,

Sincerely,

A handwritten signature in blue ink, which appears to read "Lise Sundrla", is written over a light blue circular stamp.

Lise Sundrla  
Assistant Director

cc: Cynthia Jenkins, HBF Executive Director  
Scott Marshall, City Manager  
Katie Phifer  
Katie Huebel

Preserving Beaufort's Past for its Future  
208 Scott Street, Beaufort, South Carolina 29902 843.379.3331



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## CITY OF BEAUFORT

### DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 2/29/2024  
**FROM:** Alan Eisenman, Finance Director  
**AGENDA ITEM TITLE:** Ordinance to Amend Fiscal Year 2024 Budget for Revenues and Expenditures of General Fund, ARPA Fund, State Accommodation Tax Fund, Parks and Tourism Fund, TIF II Fund, and Capital Projects Fund- first reading  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** Finance

---

*BACKGROUND INFORMATION:*

During the City's Strategic Planning Retreat that took place on January 30 and 31, 2024, City staff identified a list of emerging capital project needs of which City Council subsequently prioritized in order of importance.

City staff has identified funding for the following emerging capital project needs that it expects to spend between now and the end of the current fiscal year. Here is the list of projects included in the budget amendment with anticipated cost and funding source.

1. Duke Street Streetscape and Drainage Project- \$400,000 for engineering services from ARPA fund.
  2. Battery Shores Drainage Project- \$30,000 for engineering services from ARPA fund.
  3. Pigeon Point Playground Equipment- \$300,000 from Parks and Tourism fund and \$100,000 from ARPA fund and \$100,000 will be reallocated from approved FY24 capital budget related to Marina Fuel Tanks project.
  4. 1st South Carolina Volunteer Park- \$100,000 for park improvements from TIF II fund.
  5. Arsenal Walls Rehabilitation- \$30,000 for consulting services from State Accommodations Tax fund.
  6. Spanish Moss Trail Sidewalk North Street Extension- \$30,000 for sidewalk extension project from State Accommodations Tax fund.
  7. 500 Carteret Street window replacement and stucco repairs- \$100,000 from General Fund Assigned Fund Balance for Capital Projects.
- 

***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

Staff recommends Council's consideration to approve first reading of budget ordinance. The second reading will occur on March 26, 2024.

**ATTACHMENTS:**

| Description      | Type       | Upload Date |
|------------------|------------|-------------|
| Budget Amendment | Cover Memo | 2/29/2024   |

## **ORDINANCE**

**AN ORDINANCE TO AMEND CITY OF BEAUFORT ORDINANCE 6-23 REGARDING THE FISCAL YEAR 2023-2024 CITY OF BEAUFORT BUDGET TO PROVIDE FOR THE REVENUES AND EXPENDITURES OF GENERAL FUND, ARPA FUND, STATE ACCOMMODATION TAX FUND, PARKS AND TOURISM FUND, TIF II FUND, AND CAPITAL PROJECT FUND.**

**WHEREAS**, Section 5-7-260 of the South Carolina Code of Laws requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

**WHEREAS**, on June 13, 2023, City of Beaufort adopted Ordinance No. 6-23 which set the City's FY 2023-2024 budget and associated expenditures; and

**WHEREAS**, during the City's Strategic Planning Retreat that took place on January 30 and 31, 2024, the City identified a list of emerging capital needs of which City Council subsequently prioritized in order of importance; and

**WHEREAS**, the City is committed to identifying funding for these emerging capital needs and properly budgeting for expenditures that will occur within the current fiscal year; and

**WHEREAS**, the City will allocate \$400,000 from ARPA funds for engineering services related to Duke Street Streetscape and Drainage Project; and

**WHEREAS**, the City will budget \$30,000 from ARPA funds for engineering services related to Battery Shores Drainage Project; and

**WHEREAS**, the City will appropriate \$100,000 from ARPA funds, \$300,000 from Parks and Tourism Fund and \$100,000 from Marina Fuel Tank Project for playground equipment upgrades at Pigeon Point Park; and

**WHEREAS**, the City will allocate \$100,000 from TIF II funds for park improvements at 1<sup>st</sup> South Carolina Volunteer Park; and

**WHEREAS**, the City will budget \$30,000 from State Accommodations Tax funds for consulting services related to Arsenal walls rehabilitation; and

**WHEREAS**, the City will appropriate \$30,000 from State Accommodations Tax funds for Spanish Moss Trail sidewalk extension project; and

**WHEREAS**, the City will allocate \$100,000 from the General Fund for windows replacement and exterior stucco repairs at 500 Carteret Street; and

**WHEREAS**, it is necessary and proper to appropriate funds for the above-referenced items; and

**WHEREAS**, in compliance with South Carolina law and in the interest of maintaining good accounting practices and transparency in the budget process, it is beneficial and necessary to

amend the budget to reflect this additional appropriation of funds;

**NOW, THEREFORE, BE IT ORDAINED** by City of Beaufort Council that the FY 2023-2024 City of Beaufort Ordinance 6-23 is hereby amended by the addition of the following, such that the General Fund FY24 Budget and the Consolidated FY24 Revised Budget are as shown on Exhibits A and B, hereto:

**SECTION 1. AMENDMENT**

**General Fund**

**Expenditures**

Transfers Out- Release of Assigned General Fund Balance for Capital Projects-  
500 Carteret Street Stucco and Windows Repairs Project 100,000

**Total Expenditures** 100,000

**ARPA Fund**

**Expenditures**

Transfers Out- Duke Street Streetscape Project- Engineering 400,000  
Transfers Out- Battery Shores Drainage Project- Engineering 30,000  
Transfers Out- Pigeon Point Playground Equipment 100,000

**Total Expenditures** \$ 530,000

**State Accommodations Tax Fund**

**Expenditures**

Transfers Out- Arsenal Walls Rehabilitation- Consulting/Construction Bid Estima 30,000  
Transfers Out- Spanish Moss Trail Extension 30,000

**Total Expenditures** \$ 60,000

**Parks and Tourism Fund**

**Expenditures**

Transfers Out- Pigeon Point Playground Equipment 300,000

**Total Expenditures** \$ 300,000

**TIF II Fund**

**Expenditures**

Transfers Out- 1st South Carolina Volunteers Park Improvements 100,000

**Total Expenditures** \$ 100,000

**Capital Projects Fund**

**Revenues**

Transfers In- 500 Carteret Street Stucco and Windows Repairs Project 100,000  
Transfers In- Duke Street Streetscape Project- Engineering 400,000  
Transfers In- Battery Shores Drainage Project- Engineering 30,000  
Transfers In- Pigeon Point Playground Equipment 400,000  
Transfers In- 1st South Carolina Volunteers Park Improvements 100,000  
Transfers In- Arsenal Walls Rehabilitation- Consulting/Construction Bid Estimate 30,000  
Transfers In- Spanish Moss Trail Extension 30,000

**Total Revenues** \$ 1,090,000

**Expenditures**

Capital- 500 Carteret Street Stucco and Windows Repairs Project 100,000  
Capital- Duke Street Streetscape Project- Engineering 400,000  
Capital- Battery Shores Drainage Project- Engineering 30,000  
Capital- Pigeon Point Playground Equipment 500,000  
Capital- Marina Fuel Tank for Pigeon Point Playground Equipment (100,000)  
Capital- 1st South Carolina Volunteers Park Improvements 100,000  
Capital- Arsenal Walls Rehabilitation- Consulting/Construction Bid Estimates 30,000  
Capital- Spanish Moss Trail Extension 30,000

**Total Expenditures** \$ 1,090,000

SECTION 2. EFFECTIVE DATE

This Ordinance shall be effective upon its enactment by the City Council for the City of Beaufort.

\_\_\_\_\_  
PHILIP E. CROMER, MAYOR

ATTEST:

\_\_\_\_\_  
TRACI GULDNER, CITY CLERK

1<sup>ST</sup> Reading March 12, 2024

2<sup>nd</sup> Reading & Adoption \_\_\_\_\_

Attachments:

- A. General Fund FY24 Budget
- B. Consolidated FY24 Revised Budget

**EXHIBIT A**

**General Fund FY24 Budget**

|  | <b>Adopted FY24<br/>Budget</b> | <b>Budget<br/>Amendment #1</b> | <b>Budget<br/>Amendment #2</b> | <b>Budget<br/>Amendment #3</b> | <b>Revised FY24<br/>Budget</b> |
|--|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Revenues</b>                            |                                |                                |                                |                                |                                |
| Property Taxes                             | \$ 9,266,244                   | \$ -                           | \$ -                           | \$ -                           | \$ 9,266,244                   |
| Licenses & Permits                         | 6,120,000                      | -                              | -                              | -                              | 6,120,000                      |
| Intergovernmental Revenue                  | 3,504,694                      | 87,370                         | 2,000,000                      | -                              | 5,592,064                      |
| Franchise Fees                             | 2,082,880                      | -                              | -                              | -                              | 2,082,880                      |
| Charges for Services                       | 1,922,734                      | -                              | -                              | -                              | 1,922,734                      |
| Fines & Forfeitures                        | 71,000                         | -                              | -                              | -                              | 71,000                         |
| Miscellaneous                              | 10,000                         | 389,126                        | -                              | -                              | 399,126                        |
| Interest                                   | 230,000                        | -                              | -                              | -                              | 230,000                        |
| Release of Committed/Assigned Fund Balance | -                              | -                              | -                              | 100,000                        | 100,000                        |
| <b>Total General Fund Revenues</b>         | <b>\$ 23,207,552</b>           | <b>\$ 476,496</b>              | <b>\$ 2,000,000</b>            | <b>\$ 100,000</b>              | <b>\$ 25,784,048</b>           |
| <b>Appropriations</b>                      |                                |                                |                                |                                |                                |
| Non-Departmental                           | \$ 817,024                     | \$ -                           | \$ 2,000,000                   | \$ -                           | \$ 2,817,024                   |
| City Council                               | 258,494                        | -                              | -                              | -                              | 258,494                        |
| City Manager                               | 901,785                        | -                              | -                              | -                              | 901,785                        |
| Finance                                    | 970,819                        | -                              | -                              | -                              | 970,819                        |
| Human Resources                            | 436,714                        | -                              | -                              | -                              | 436,714                        |
| Information Technology                     | 873,426                        | -                              | -                              | -                              | 873,426                        |
| Municipal Court                            | 542,487                        | -                              | -                              | -                              | 542,487                        |
| Community & Economic Development           | 1,411,171                      | -                              | -                              | -                              | 1,411,171                      |
| Police Operations                          | 5,394,584                      | 87,370                         | -                              | -                              | 5,481,954                      |
| School Resource Officer                    | 542,311                        | -                              | -                              | -                              | 542,311                        |
| School Crossing Guard                      | 19,865                         | -                              | -                              | -                              | 19,865                         |
| Victims Rights                             | 98,135                         | -                              | -                              | -                              | 98,135                         |
| Beaufort Fire                              | 6,069,619                      | 389,126                        | -                              | -                              | 6,458,745                      |
| Public Works                               | 485,367                        | -                              | -                              | -                              | 485,367                        |
| Streets & Traffic                          | 1,108,770                      | -                              | -                              | -                              | 1,108,770                      |
| Facilities Maintenance                     | 759,832                        | -                              | -                              | -                              | 759,832                        |
| Solid Waste                                | 1,125,115                      | -                              | -                              | -                              | 1,125,115                      |
| Debt Service                               | 1,843,232                      | -                              | -                              | -                              | 1,843,232                      |
| Transfers Out                              | -                              | -                              | -                              | 100,000                        | 100,000                        |
| <b>Total General Fund Appropriations</b>   | <b>\$ 23,658,750</b>           | <b>\$ 476,496</b>              | <b>\$ 2,000,000</b>            | <b>\$ 100,000</b>              | <b>\$ 26,235,246</b>           |

**EXHIBIT B**

**Consolidated FY24 Revised Budget**

|                       | <b>General Fund</b>  | <b>ARPA Fund</b>  | <b>Parks &amp; Tourism Fund</b> | <b>Stormwater Fund</b> | <b>State Accommodations Fund</b> | <b>Fire Impact Fund</b> | <b>TIF II Fund</b> | <b>Capital Project Fund</b> | <b>Total</b>         |
|-----------------------|----------------------|-------------------|---------------------------------|------------------------|----------------------------------|-------------------------|--------------------|-----------------------------|----------------------|
| Revenues              | \$ 25,684,048        | \$ 100,000        | \$ 4,393,852                    | \$ 1,332,779           | \$ 800,000                       | \$ 405,000              | \$ 100,000         | \$ 8,794,785                | \$ 41,610,464        |
| Transfers In          | 63,750               | -                 | -                               | -                      | -                                | -                       | -                  | 18,246,976                  | 18,310,726           |
|                       | -                    | -                 | 6,945,000                       | -                      | -                                | -                       | -                  | -                           | 6,945,000            |
|                       | <u>63,750</u>        | <u>-</u>          | <u>6,945,000</u>                | <u>-</u>               | <u>-</u>                         | <u>-</u>                | <u>-</u>           | <u>18,246,976</u>           | <u>25,255,726</u>    |
|                       | 1,565,476            | -                 | -                               | -                      | -                                | -                       | -                  | -                           | 1,565,476            |
|                       | -                    | 4,707,485         | 590,585                         | 1,655,915              | 60,000                           | -                       | 3,725,054          | 1,245,866                   | 11,984,905           |
| Salaries              | \$ 9,847,643         | \$ -              | \$ 1,851,930                    | \$ 413,857             | \$ 17,226                        | \$ -                    | \$ -               | \$ -                        | \$ 12,130,656        |
| Benefits              | 3,766,377            | -                 | 716,025                         | 174,512                | 6,675                            | -                       | -                  | -                           | 4,663,589            |
| Operating             | 10,046,213           | 215,091           | 1,396,199                       | 232,610                | 712,349                          | -                       | -                  | -                           | 12,602,462           |
| Capital               | 552,570              | 500,000           | 120,600                         | -                      | -                                | -                       | 100,000            | 28,287,627                  | 29,560,797           |
| Debt                  | 1,922,443            | -                 | 309,098                         | 511,800                | -                                | 129,239                 | -                  | -                           | 2,872,580            |
| Total Expenditures    | <u>\$ 26,135,246</u> | <u>\$ 715,091</u> | <u>\$ 4,393,852</u>             | <u>\$ 1,332,779</u>    | <u>\$ 736,250</u>                | <u>\$ 129,239</u>       | <u>\$ 100,000</u>  | <u>\$ 28,287,627</u>        | <u>\$ 61,830,084</u> |
| Transfers Out         | 1,178,028            | 4,092,394         | 7,535,585                       | 1,655,915              | 123,750                          | -                       | 3,725,054          | -                           | 18,310,726           |
|                       | <u>1,178,028</u>     | <u>4,092,394</u>  | <u>7,535,585</u>                | <u>1,655,915</u>       | <u>123,750</u>                   | <u>-</u>                | <u>3,725,054</u>   | <u>-</u>                    | <u>18,310,726</u>    |
|                       | -                    | -                 | -                               | -                      | -                                | 275,761                 | -                  | -                           | 275,761              |
| Net (Deficit) Surplus | <u>\$ -</u>          | <u>\$ -</u>       | <u>\$ -</u>                     | <u>\$ -</u>            | <u>\$ -</u>                      | <u>\$ -</u>             | <u>\$ -</u>        | <u>\$ -</u>                 | <u>\$ -</u>          |



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 2/28/2024  
**FROM:** Philip E. Cromer, Mayor (on behalf of City Council)  
**AGENDA ITEM TITLE:** Consideration of City Manager Contract  
**MEETING DATE:** 3/12/2024  
**DEPARTMENT:** City Managers Office

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***BACKGROUND INFORMATION:***

Scott Marshall has completed his first year as Beaufort's City Manager and has subsequently received a positive evaluation from City Council.

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***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

The attached contract provides a salary increase from \$150,000 annually to \$175,000 annually and increases Mr. Marshall's monthly vehicle allowance by \$200 per month. All other terms of Mr. Marshall's original contract remain the same.

The increase in salary is reflective of a fair market rate for an experienced municipal administrator in our region.

***ATTACHMENTS:***

| Description | Type    | Upload Date |
|-------------|---------|-------------|
| Contract    | Exhibit | 3/5/2024    |

# Employment Agreement

## Introduction

This Agreement made and entered into this \_\_\_\_ day of March 2024 by and between the City Council of Beaufort, South Carolina a municipal corporation, (hereinafter called, “**Employer,**”) and Scott M. Marshall, (hereinafter called “**Employee,**”) an individual and who has the education, training, and experience in local government management, both of whom agree as follows:

## Section 1: Term

This agreement shall remain in full force in effect upon ratification, until terminated by either party pursuant to the terms stated herein.

## Section 2: Duties and Authority

Employer agrees to employ Employee as Beaufort City Manager to perform the functions and duties specified in Section 1-4004 of the City of Beaufort Code of Ordinances and in Section 5-13-90 of the South Carolina Code of Laws, and to perform other legally permissible and proper duties and functions as Beaufort City Manager.

## Section 3: Compensation

- A. Base Salary: Employer agrees to pay Employee an annual base salary of One Hundred Seventy-Five Thousand (\$175,000) Dollars, payable in installments in the same manner that the other management employees of the Employer are paid.
- B. This agreement shall be automatically amended to reflect any salary adjustments approved by the Employer.
- C. On an annual basis, the Employee shall be eligible for and entitled to a performance review during the first quarter of the calendar year.

## Section 4: Health, Disability and Life Insurance Benefits

The Employee will be eligible for the same benefits as received by all other management employees of the Employer.

## Section 5: Vacation, Sick, and Military Leave

The Employee will earn the above referenced leave in the same manner and at the same rate as other employees in accordance with current City of Beaufort employee leave accrual policies. The accruals that are earned, subject to the caps in the employee leave accrual policy, shall be paid out in full at the time the Employee leaves the employ of the Employer, except for termination for cause which will pay out only what is legally required and follows the standard Employer policy.

## **Section 6: Monthly Vehicle Allowance**

The Employer agrees to pay to the Employee, during the term of this Agreement and in addition to other salary and benefits herein provided, the sum of Eight Hundred (\$800.00) Dollars per month, as a vehicle allowance to be used to purchase, lease, or own, operate and maintain a vehicle. The Employee shall be responsible for paying for liability, property damage, and comprehensive insurance coverage upon such vehicle and shall further be responsible for all expenses attendant to the purchase, operation, maintenance, repair, and regular replacement of said vehicle.

## **Section 7: Retirement**

- A. The Employer agrees to enroll the Employee into the applicable state and local retirement system and to make all the appropriate contributions on the Employee's behalf, which will include the required Employer contribution.
- B. The Employer agrees to match the Employee's contribution to the City's 401 or 457 retirement plan up to a maximum of three (3%) percent.

## **Section 8: General Business Expenses**

- A. Employer agrees to budget for and to pay for professional dues and subscriptions of the Employee necessary for continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for the Employee's continued professional participation, growth, and advancement, and for the good of the Employer.
- B. Employer agrees to budget for and to pay for outside of City travel and subsistence expenses of Employee for professional and official outside of City travel, meetings, and occasions to adequately continue the professional development of Employee and to adequately pursue necessary official functions for Employer, including but not limited to the Municipal Association of South Carolina, and such other national, regional, state, and local governmental groups and committees in which Employee serves as a member.
- C. Employer also agrees to budget for and to pay for outside of City travel and subsistence expenses of Employee for short courses, institutes, and seminars that are necessary for the Employee's professional development and for the good of the Employer.
- D. Employer recognizes that certain expenses of a non-personal, but job related, and general job-affiliated nature are incurred by Employee and agrees to reimburse or to pay said general expenses. The Finance Director is authorized to disburse such moneys upon receipt of duly executed expense or petty cash vouchers, receipts, statements, or personal affidavits.
- E. The Employer acknowledges the value of having Employee participate and be directly involved in local civic clubs or organizations. Accordingly, Employer shall pay for the reasonable membership fees and/or dues and other related costs to enable the Employee to become an active member in local civic clubs or organizations.

## **Section 9: Termination**

For purposes of this agreement, termination shall occur when:

- A. If the majority of Council votes to terminate the Employee at a duly authorized public meeting.
- B. If the Employer, citizens or legislature acts to amend any provision of the City Charter pertaining to the role, powers, duties, authority, responsibilities of the Employee's position that substantially change the form of government, the Employee shall have the right to declare that such amendments constitute termination.
- C. If the Employer reduces the base salary, compensation or any other financial benefit of the Employee, unless it is applied in no greater percentage than the average reduction of all department heads, such action shall constitute a breach of this agreement and will be regarded as a termination.

## **Section 10: Severance**

Upon involuntary termination, and in accordance with the provisions of Section 10, Employee shall be entitled to severance payment and benefits as follows:

- A. Employer shall provide one (1) month severance payment equal to Employee's current salary rate for each year of service as City Manager up to six (6) months from the date of termination: provided, however, should Employee obtain gainful employment during this period, Employer may terminate continuation of the salary benefits as of the date of Employee's new employment.
- B. Employee shall be compensated for accrued personal days as stated in Section 5.
- C. During the period in which Employer is required to continue payment of Employee's severance payment, Employer shall provide payment for continuation of health insurance coverage for Employee in accordance with Section 4.
- D. Should Employee's services be terminated due to a conviction for a felony crime, or a crime of moral turpitude, or for other cause as defined herein, the Employer shall not be obligated to pay severance under this Section.
- E. For purposes of this Agreement, "for cause" shall include:
  - 1. Embezzlement, theft, larceny, or material fraud against Employer.
  - 2. Conviction of or entrance of a plea of guilty or nolo contendere to a crime of moral turpitude; or
  - 3. Other conduct, which constitutes misconduct, gross insubordination, or repeated insubordination after written warning by City Council.

### **Section 11: Resignation**

In the event the Employee voluntarily resigns his position with the Employer, the Employee shall provide a minimum of 60 days' notice unless the parties agree otherwise. In the event that Employee voluntarily resigns or vacates his position with the Employer without providing this requisite notice, Employer will not be obligated to pay severance under Section 10 above.

### **Section 12: Performance Evaluation**

Employer shall initially review the performance of Employee in the first quarter of 2024 and annually thereafter. The performance of the Employee is subject to the evaluation process, form, criteria, and format mutually agreed upon by the Employer and Employee. The process at a minimum shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, and (3) present a written summary of the evaluation results. City Council may meet in executive session for the purpose of discussing the results of the evaluation and any related matters, such as the terms of the Employee's contract. The final written evaluation should be completed and delivered to the Employee before the end of March of each year.

### **Section 13: Hours of Work**

It is recognized that the Employee must devote a great deal of time outside the normal office hours of business for the Employer, and to that end Employee shall be allowed to establish an appropriate work schedule.

### **Section 14: Outside Activities**

The employment provided for by this Agreement shall be the Employee's sole employment unless otherwise agreed in writing signed by the parties.

### **Section 15: Indemnification**

The Employer agrees that it shall defend, hold harmless, and indemnify the Employee from any and all demands, claims, suits, actions, and legal proceedings brought against the Employee in his individual capacity or in his official capacity as an agent/employee of the Employer, provided the instance or occurrence giving rise to the claim or action took place while the Employee was acting within the scope of his employment and further provided the Employee and the Employer do not have adverse interests in the matter. In no case shall an individual City Council member be considered personally liable for indemnifying the Employee against such demands, claims, suits, actions, and legal proceedings.

### **Section 16: Residency within the City Limits will be required**

Employee will be allowed to remain at his current home, located at 56 Governors Trace, Beaufort, SC 29902 due to the proximity to the city limits. However, should the employee decide to move his residency, while employed as City Manager, he will be required to move within the city limits.

### **Section 17: Bonding**

Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

### **Section 18: Other Terms and Conditions of Employment**

The Employer, only upon agreement with Employee, shall fix any such other terms and conditions of employments, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City of Beaufort Code of Ordinances, or any other law.

Except as otherwise provided in this Agreement, the Employee shall be entitled to the same level of benefits that are enjoyed by other department heads of the Employer as provided in the Code of Ordinances, Personnel Rules and Regulations, or by practice.

### **Section 19: Notices**

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

EMPLOYER: City of Beaufort, 1911 Boundary Street, Beaufort, SC 29902

EMPLOYEE: Scott M. Marshall, 56 Governors Trace, Beaufort, SC 29902

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of depositing such written notice during transmission in the United States Postal Service.

### **Section 20: General Provisions**

- A. Integration: This Agreement sets forth and establishes the entire understanding between the Employer and the Employee relative to the employment of the Employee by the Employer. Any prior discussion or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this agreement during the life of the agreement. Such amendment shall be incorporated and made a part of this agreement.
- B. Binding Effect. This Agreement shall be binding on the Employer and the Employee as well as their heirs, assigns, executors, personal representatives and successors in interest.
- C. Effective Date. This Agreement shall be effective retroactive to January 18, 2024 and shall supersede any previous Agreement between Employer and Employee.
- D. Severability. The invalidity or partial invalidity of any portion of this Agreement will

not affect the validity of any other provision. If any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

E. Jurisdiction and Venue. The Parties agree that any dispute occurring from and/or arising out of this Agreement shall be heard in the Circuit Court of Beaufort County, South Carolina.

IN WITNESS WHEREOF, we have set our hands and seals upon this instrument this \_\_\_\_\_ day of March 2024.

WITNESSES:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City of Beaufort:

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
Scott M. Marshall