City Council Worksessions
Meeting Minutes – Planning Conference Room – 1st Floor

May 28, 2024

I. CALL TO ORDER 5:00 PM

Philip Cromer, Mayor


II. DISCUSSION ITEMS

A. Interviews of applicants for Boards, Commissions and Committees.

Council held a question-and-answer session with Chetan Patel, for the Tourism Development Advisory Committee.

III. PRESENTATION


JJ Sauve, Assistant City Manager, started off by saying there was discussion in the Strategic Planning Session about possibly changing the Council meeting schedule and adopting formal rules of procedure. He stated that this was put together using manuals from the International City/County Management Association (ICMA), and the National League of Cities.

Mayor Cromer stated that the Municipal Association of South Carolina (MASC) recommends having Council Standard Operating Procedures.

Scott Marshall, City Manager, said the recommendations that are coming before Council tonight were made during the Council Retreat. They seemed to have been generally accepted. Having this discussion now allows us to proceed with these procedures. If accepted, they would be enacted with the start of the new Fiscal Year. If adopted, a new meeting schedule will be adopted to accommodate. Nothing is set in stone. These are recommendations based on best practices. Based on the discussions, there may be a need to change one or two ordinances.

Mr. Sauve then went over the different chapters. Council asked their individual questions regarding the manual.

Under Chapter 2, there was discussion about the proposed process of how the casting of ballots for Boards, Commissions and Committees would be handled. How applicants are notified. How long applications should be kept on file, and about the notifications to Council when a Board member resigns.

Under Chapter 5, there was talk about Council communications with the public through email.

Under Chapter 7, they discussed outside agencies being contacted directly by City Advisory Boards. If they wish to do this, Council will need to review and approve any correspondence
ahead of time. This would not apply if the board reaches out to have the staff liaison contact the outside agency.

Chapter 8, Sections 8.01, 8.03, 8.04. There was conversation about the various meeting types, what is considered a special meeting, and processes needed to amend a meeting schedule. How would individual members of Council go about getting a worksession scheduled.

Section 8.07, there was discussion about the statement of keeping electronic video recordings for only 6 years.

Section 8.08C, extensive conversation occurred regarding public comment periods. Should the period be a maximum of 3 minutes, or 5 minutes. The mayor would have the authority to allow the comment period to go a little longer as warranted. How would priority be given to individuals that wish to speak.

Section 8.08H, Consent Agenda. There was debate regarding a few of the topics that were being permitted under this category. Should Final approval of leases and agreements, Final acceptance of grants, deeds, or easements, and Second reading of ordinances, be removed from the items listed. Items placed here can always be pulled off and discussed in another section of the agenda by making a motion to do so.

Under Chapter 9, there was a brief discussion about parliamentary procedures.

Scrivener errors and language changes were annotated throughout these discussions.

The following interacted with Council on the items discussed:

Graham Trask, 1211 Bay Street.
Dan Blackmon, 1010 Duke Street.
Paul Trask, 610 Bladen Street. Written comments are attached.
Rob Cahill, 608 Waters Street.

IV. EXECUTIVE SESSION

Councilman Lipsitz made a motion to postpone Executive Session until after the completion of the Regular Meeting. Councilman Scallate seconded the motion.

Councilman Lipsitz made a motion to go into Executive Session and seconded by Mayor Pro Tem, McFee.

A. Pursuant to Title 30, Chapter 4, Section (70) (a) (1) of the South Carolina Code of Law: Discussion regarding personnel - Boards, Commissions and Committees.

B. 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 Councilman Scallate.

No actions from Executive Session.
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 (Agenda section). Any questions, please contact the City Clerk, Traci Guldner at 843-525-7024 or by email at 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 twenty-four hours prior to the meeting. A copy of the agenda was given to the local news media and requested public on file.
Letter To Beaufort City Council

Date: May 30, 2024

From: Paul Trask
610 Bladen Street
Beaufort, SC 29902

To: tguldner@cityofbeaufort.org
pcromer@cityofbeaufort.org
mmcfee@cityofbeaufort.org
mmitchell@cityofbeaufort.org
pscallate@cityofbeaufort.org
nlipsitz@cityofbeaufort.org
smarshall@cityofbeaufort.org
jsuave@cityofbeaufort.org

Please include the contents of this letter verbatim to the minutes of the next Beaufort City Council Meeting.

The comments contained in this letter are made solely in my capacity as a private citizen. They are not made in my capacity as a member of the City of Beaufort Planning Commission. They are not made in any capacity as a member of the Trask family. They are not made in any capacity as owner and/or manager of any business entity, nor on behalf of any organization.

Contents:

A. Re: City of Beaufort Work Session Agenda Packet May 28, 2024

I appreciate the time and effort made in the preparation of the DRAFT City Council Standard Operating Procedures Manual. Since time ran out at the work session, I was unable to give my comments. I am listing my recommendations for edits below:

1. There should be a paragraph 5 added to Section 5.04 Electronic Communications:

   Proposed paragraph 5. “City Council Members are provided with a cityofbeaufort.org email address which should be used for the conduct of all city business. Council members should never use a private email address for the conduct of city business.”

   Question: Should the City provide members of the various boards and commissions with an email address? I don’t know the answer to this question. I believe that an email sent by a citizen to a board member in regard to a project or matter before that City board may constitute a public record under the law and would need to be available for public inspection. This issue should be discussed.

2. 8.07 Electronic Video Recording of Meetings:

   As I have mentioned more than once and most recently at the May 28 2024 Council Meeting, I do not believe the City’s policy of relying on a video recording to serve as part of the minutes of a public meeting is compliant with South Carolina law. SC 30-4-90 requires written minutes to include the substance of what is said. The City has discontinued the time-honored policy of capturing the substance of citizen comments at public meetings. I believe the law is intended to capture in writing the substance of what a citizen says at a public meeting just as much as the substance of what a councilman or member of staff says.
Furthermore, the City proposed language in 8.07 states that the video recordings are to be kept for six
years. To the extent that the City purports that these recordings are “minutes” then the recordings are in
direct violation of the SC Dept of Archives regulation below:

**General Records Retention Schedules for Municipal Records 12-604.2. Council
Minutes A. Description: Record of proceedings at meetings of the municipal council
which includes written descriptions of the financial and administrative business
conducted. Information includes dates of meetings, names of council members
present, claim approvals, petitions, bids, proposals, other matters discussed by or
brought to the attention of the council, and attachments. B. Retention: Permanent.
Microfilm for security.**

It seems clear that the City’s intention is for the recordings to serve as official minutes, hence the City’s
disclaimer which always appears on the **written** minutes.

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Clerk, Traci Guldner at 843-525-7024 or by email at tguilnãr@cityofbeaufort.org.**

Finally, the videos recordings of all these meetings appear to be linked to Facebook. How can the City be
assured that the recordings will even be preserved for 6 years? Does the City have control of the storage of
this data? Is there an agreement to that effect? Is reliance on a 3rd party to store video data on behalf of the
City complaint with SC law and records retention requirements?

This is an issue that requires thoughtful discussion. The City should return to the policy of accurately and
substantially recording the minutes of these public meetings in **writing.** The video recordings are fine as an
adjunct to the written minutes.

3. **8.08 C. Public Comment on Agenda Items Only:**

In the first paragraph, the word “Council” should be replaced with “Mayor”. The Mayor runs the meeting
and should have the discretion to permit more time for a citizen to speak.

8.08 H. Consent Agenda:

The idea of the consent agenda is a good one for making meetings run smoothly and efficiently. However, items **vi. Final approval of leases and agreements and viii. Second reading of ordinances** should never be
matters included on a consent agenda.

In the last paragraph of this section, it needs to be clarified that “any” or “a” Council Member may request
to pull a consent agenda item. The language in the draft reads in the plural and suggests that more than one
council member is required to exercise such discretion.

8.08 P. Addressing the Council – Manner – Limits:

In the paragraph, the 2nd and 4th word “Council” need to be replaced with the work “Mayor”.

Again, I think this document will certainly help streamline City meetings and I appreciate the effort to
develop this DRAFT.
B. Re: Ordinance to Amend Ordinance 6-23 and the RFP 2024-108 Hwy SC 170 Sidewalk Extension:

Council has tabled the 2nd reading of this amending ordinance in order to study the matter more fully. This matter is a case study of why the City should exercise great caution when entering into a contract for public work and the expenditure of public funds.

It is a given that this project was identified as a priority capital project during the 2024 strategic planning sessions. However, the project generated only 2 bids. The spread between the bids was $88,355.73 or 31% of the low bid. RED FLAG The low bid was $97,621.80 or 52% above the budget. RED FLAG The low bid included a price of $123,292.30 for the components to install (4) light poles. RED FLAG

The City should not proceed with a cost overrun of this magnitude just because the project was prioritized. Under the circumstances, this project should be de-prioritized. The City should adopt a policy to require tabling and further analysis of any project which comes in above 15% of its budget.

This particular project, while worthy, is not in the best interest of the citizenry at this price. This project should be shelved indefinitely and taken up when the business circumstances are more favorable to secure a reasonable price.

The TIF2 funds should therefore be kept for this future purpose and for other appropriate uses and kept working to earn interest in the meantime. I would appreciate confirmation that the corpus of the TIF2 money is working to earn interest income.

C. Re: County 2024 Transportation Tax Initiative:

My concern is that another decade will go by and the traffic situation flowing from the Woods bridge down Carteret and Boundary and through downtown itself will worsen. The Woods bridge will break down from time to time as it has historically done (perhaps catastrophically).

Why isn’t the City at least advocating for the 3rd bridge crossing at Brickyard Point? Forward thinking and consideration of this issue is vital.

Summary of Northern Bypass Issues

2003 Wilbur Smith Study
1. Complete bypass loop; Westerly, Northerly, and Easterly
2. Decided to focus on the Northerly across the river from US21 to Brickyard Rd.
   a. “relieve traffic congestion inn the downtown Beaufort area by providing an alternative to the Woods Memorial Bridge”
3. 2020 projections would reduce Woods bridge traffic by 5,000-7,000 vehicles per day and McTeer bridge traffic by 2,000-3,000 vehicles per day.
2007 Northern Regional Plan
1. Northern Beaufort County expected to grow from +80,500 to +123,500 by 2027. 53%
2. Listed transportation improvement projects to be completed by 2025
3. Some completed, some not.
4. Listed need to study 3rd River Crossing – Northern Bypass

2012 Beaufort County 1% Sales Tax Progress Report
1. Thomas & Hutton “Preferred Alignment” environmental assessment for northern bypass completed.
2. “Parallel Road portion of the Boundary Street improvements has been put on hold, with the intention of construction in the future as development occurs.” P23

2018 Lady's Island Area Plan – Single Page
1. Questions whether 3rd crossing will create more growth on Lady's Island – St. Helena
2. Concedes that if growth continues, a 3rd bridge would be necessary

2019 Lady's Island Plan
1. Manage growth:
   a. Limitations on Sewer/Septic
   b. Limit Fill Dirt
   c. Purchase Land & Conservation Easements
2. Continues To Push Bicycle/Pedestrian way but nothing gets done
3. Continues To Push Village/Connector Streets but nothing gets done
4. Projects that additional 8,795 dwelling units are possible which exceeds projected 2035 demand.
5. Admits that continued growth is likely but advocates to avoid need for 3rd bridge by making numerous local street and pathway improvements.

2023 Northern Regional Plan Implementation Committee Agenda
1. Floats concept that 3rd bridge is actually a replacement bridge for Woods as it continues to age.
2. Lists as a future agenda item the concept for the so called “replacement bridge”

Discussion of a 3rd bridge has been ongoing for over 20 years.
Growth continues and will not stop. Traffic will continue to increase. Woods Bridge will continue to age.
Frustration is evident. Traffic on Lady's Island is terrible. Result: the rise of local groups calling for limitations on growth. Traffic snarls and congestion on Carteret, Bay, Ribaut and Boundary will worsen.
Traffic woes cannot be cured by localized connector streets and multi-use paths alone. These are subordinate parts of the full solution which requires the Northern Connector.