



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL REGULAR MEETING AGENDA
April 24, 2018

NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE, PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL INFORMATION

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

I. CALL TO ORDER

A. Billy Keyserling, Mayor

II. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Mike McFee, Mayor Pro Tem

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

IV. PUBLIC COMMENT

V. PUBLIC HEARING

A. Ordinance Rezoning a Parcel of Property Located at 2 Harborview Circle on Lady's Island, from T3 Edge, to T4-Neighborhood

VI. MINUTES

A. Worksession March 20, 2018

VII. OLD BUSINESS

VIII. NEW BUSINESS

- A. Annual request from Beaufort Waterfestival for street closures, sale of alcohol, use of seawall, waiver of noise ordinance, and Co-Sponsorship for Opening Ceremonies for Waterfestival 2018 - July 13-22, 2018
- B. Request from YMCA for use of the Downtown Marina boat ramp, grassy area by the Marina Store, and free parking in Marina lot for Beaufort River Swim event Saturday, May 19, 2018
- C. Approval of Mediation Settlement Agreement
- D. Authorization to allow City Manager to enter into Contractual Agreement
- E. FY 2018 Budget Amendment #2 - 1st Reading

- F. Resolution Transferring the Destination Marketing Organization (DMO) designation for the City from the Chamber of Commerce to the Greater Beaufort Port Royal Convention & Visitor Bureau

IX. REPORTS

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

X. ADJOURN



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 4/18/2018
FROM: Libby Anderson
AGENDA ITEM TITLE: Ordinance Rezoning a Parcel of Property Located at 2 Harborview Circle on Lady's Island, from T3 Edge, to T4-Neighborhood
MEETING DATE: 4/24/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

The City has received an application to zone a 0.5-acre parcel of property located at 2 Harborview Circle on Lady's Island. The property is identified as R200 014 000 0031 0000. The existing zoning is T3 Edge. The proposed zoning is T4-Neighborhood. This is a rezoning request as a result of a petition for annexation. A staff report on the proposed rezoning is attached. This rezoning request was considered by the Beaufort--Port Royal Metropolitan Planning Commission at their April 16 meeting. A public hearing on the proposed rezoning is scheduled for the April 24 City Council meeting. This hearing was advertised in the April 9 edition of *The Beaufort Gazette*.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
staff report rezoning public hearing	Cover Memo	4/19/2018
staff report attachments	Cover Memo	4/19/2018

CITY OF BEAUFORT
REZONING ANALYSIS AX18-01
PUBLIC HEARING DATE: APRIL 24, 2018

Applicant

The applicant is Whitehall Point Holdings, applicant for the property owner. This is a rezoning request as a result of a petition for annexation.

Site

The property is a 0.5-acre lot are located at 2 Harborview Circle on Lady's Island. The property is located on the corner of Meridian Road and Harborview Circle (see attached Site Location Map). The property is identified as District 200, Tax Map 14, Parcel 31. A single-family dwelling is located on the lot. The Whitehall property abuts the lot on two sides.

Annexation Issues

The property is contiguous to the existing city limits. All municipal services will be available to the property upon annexation. Fire service in this area of the City is provided by a contract with the Lady's Island Fire District.

Present Zoning

The property is zoned "T3 Edge" (T3E) under the County's Community Development Code. The T3E zone is intended to reinforce established neighborhoods and to provide a transition between walkable neighborhoods and Natural Preserves and Waterways. The T3E district allows single-family dwellings, group homes, assisted living facilities, and B&Bs. Churches are allowed as conditional uses.

Proposed Zoning

The proposed zoning of the property is "T4-Neighborhood District" (T4-N). The T4-N District is a mixed-use zone of urban residential units and limited commercial development. The T4-N District permits all types of residential uses (single-family, rowhomes, and multifamily dwellings) as well as all type of offices. Government facilities, schools, and churches are permitted. Inns up to 10 rooms are allowed. The lot is proposed to be incorporated into the Whitehall property which is zoned T4-N.

Consistency with Comprehensive Plan

The Framework Plan in the City's Comprehensive Land Use Plan designates the area as "Growth Sector 1 (G-1): Moderate Density Residential Neighborhoods" (see attached map). According to the comprehensive plan, "The G-1 sector . . . is intended for relatively moderate density residential development." Appropriate land uses in the G-1 sector include: low-moderate density residential neighborhoods, civic uses, and limited neighborhood retail and service uses. An excerpt from the Comprehensive Plan describing the G-1 district is attached.

Consistency with Civic Master Plan and Draft Development Code

T4-N zoning is consistent with the recommendations in the Civic Master Plan and the Beaufort Development Code.

Land Use Compatibility

The lot is adjacent to land that is part of the Whitehall development, across Harborview Circle from single-family dwellings, and across Meridian Road from a bank.

Suitability of Property for Uses Permitted in Current Zoning District

The property is proposed for annexation, so a City zoning designation is required.

Suitability of Property for Uses Permitted in Proposed Zoning District

The property is proposed to be incorporated into the Whitehall development which is zoned T4-N.

Compatibility of Uses Permitted in Proposed Zoning District with Natural Features

The property is already developed. Some trees may be impacted by redevelopment of the property.

Marketability of Property for Uses Permitted by Current Zoning District

The property will likely be more valuable as part of the Whitehall development than in its current situation.

Availability of Infrastructure

Water and sewer will be available to the property as part of the Whitehall development.

Public Notification

Letters were sent to owners of all property within 400' of the property being rezoned on April 2. The property was posted on April 9. The public hearing notice referencing this application appeared in the April 9 edition of *The Beaufort Gazette*.

Staff Recommendation

Staff recommends approval.

Planning Commission Recommendation

The Beaufort--Port Royal Metropolitan Planning Commission considered this annexation and rezoning request at their meeting on April 16. The Commission recommended approval of the annexation request and approval of the T4-N zoning.

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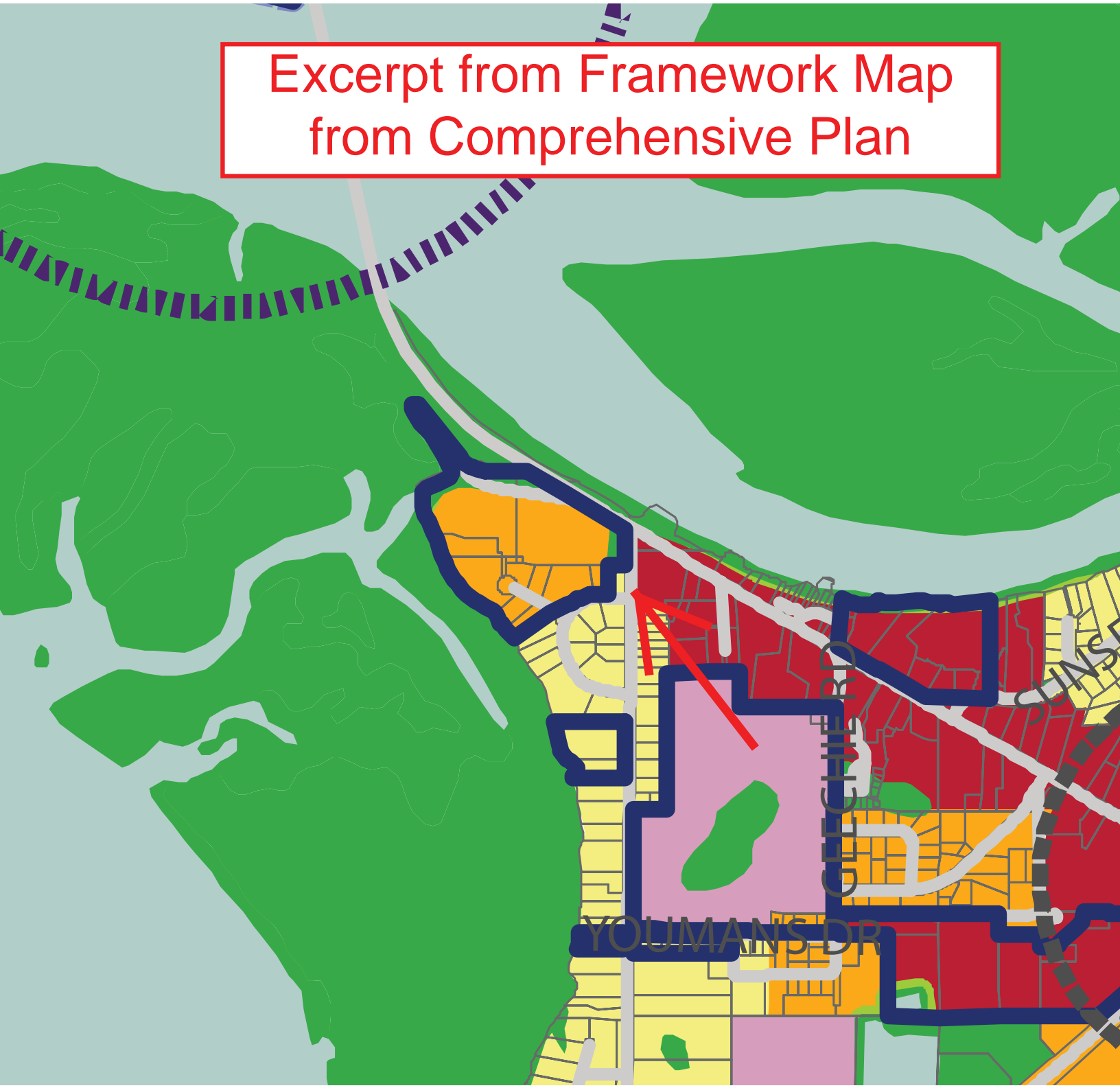
SITE LOCATION MAP



SITE LOCATION MAP



Excerpt from Framework Map
from Comprehensive Plan



FRAMEWORK MAP LEGEND

O1.Preserved Open Space



Preserved Open Space

O2.Rural Lands/Conservation



Rural Lands/Conservation

G1.Residential Neighborhoods/TND's



Restricted Growth Sector

G2.Urban Neighborhoods/TND's



Controlled Growth Sector

G3A.Neighborhood Mixed Use



Intended Growth Sector

G3B.Corridor Mixed-Use



Intended Growth Sector

G4.Downtown



Infill Growth Sector

SD Industrial/Employment Center



Civic/Hospital



Neighborhood Centers



Regional Centers



AICUZ

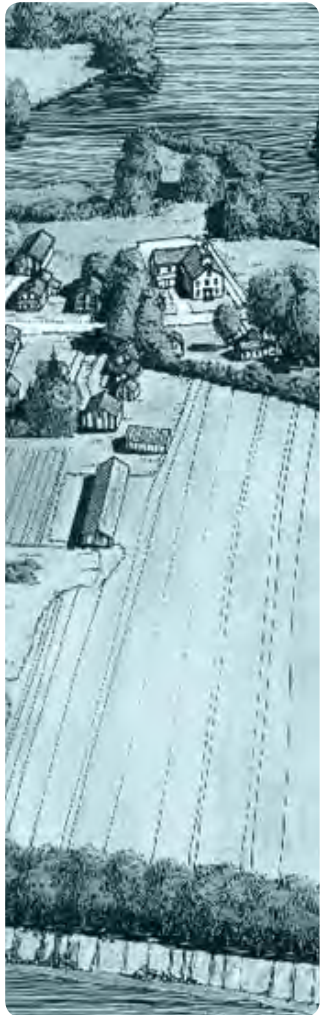


Military



Port Royal Service Delivery Agreement





Source: Randall Arendt

Conceptual view of hamlet-type development: buildings clustered around a cross-roads

FG 1.4 GROWTH SECTOR 1 (G-1): MODERATE DENSITY RESIDENTIAL NEIGHBORHOODS

The G-1 sector, indicated by the light yellow on the Framework Map, is intended for relatively moderate density residential development. This sector includes existing moderate-density residential neighborhoods (generally less than 4 units acre) that are not likely locations for redevelopment. It also includes lands that are not proximate to thoroughfares and are not projected to be high growth areas due to limited access to transportation networks, existing services, and utilities. In addition, poor/wet soils that not typically appropriate for development are included in this sector, which is intended for relatively low-density development. Soils information should be overlaid and investigated a detailed level when developing in these areas so as to avoid the most sensitive soil types.

Appropriate development in this sector typically consists of cluster developments such as conservation subdivisions, or low-density residential development on relatively large lots. For Beaufort, this sector is generally located away from planned neighborhood or regional centers and close to heavily encumbered O-1 or O-2 land.

APPROPRIATE LAND USES/DEVELOPMENT TYPES:

The community types and land uses appropriate for this sector are:

- existing low-moderate density suburban residential neighborhoods
- moderate-density residential development (up 4 units/ gross acre) if developed as a traditional neighborhood and if significant open space is conserved in the neighborhood or as part of a transfer of development rights from O-1 or O-2
- limited neighborhood retail and service uses
- civic uses (parks, schools, religious and government uses)

A work session of the Beaufort City Council was held on March 20, 2018 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilwoman Nan Sutton, Councilmen Stephen Murray, Mike McFee, and Phil Cromer, and Bill Prokop, city manager.

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

CALL TO ORDER

Mayor Keyserling called the work session to order at 5:00 p.m.

EMPLOYEE NEW HIRE RECOGNITION

Fire Chief **Reece Bertholf** introduced firefighters **Stephan Best, Brad Halblielb, Aaron Rumsey, Zach Painter, and Michael Jordan.**

DISCUSSION: SP+ PARKING ACCOUNTS RECEIVABLES AND COLLECTION METHODS

Linda Roper introduced **Bob Camper, Jason Sutton, and Alice Wallace** of SP+. Ms. Roper said this meeting is to discuss letters sent out about tickets for violations dating back to 2011.

Mr. Camper said that after SP+ took over parking from Lanier, they began collecting on a past due citation balance of \$168,632 that was transferred to SP+ for citations that Lanier issued before March 1, 2015. Payments on those past due citations total \$25,662, with open balances of \$142,970, he said.

Mr. Camper compared the number of citations issued and the number of citations paid to determine the collection percentage from 2015 through March 19, 2018. The collection percentages were 72% in 2015, 70% in 2016, and 66% in 2017. Of the outstanding debt for citations issued from 2013 – 2018, the total amount due for those vehicles that have registered owners' information (RO) available is \$97,150; \$320,642 is the total amount due for vehicles for which registered owners' information is not available.

Mr. Camper said, "Past noticing efforts have collected 15% of outstanding balances on citations written prior to March 1, 2015." SP+ recommends limiting collections to citations issued after March 1, 2015, formalizing a 36- or 48-month cutoff for querying registered owner information, and formalizing an annual 36- or 48-month debt write-off, he said.

Mr. Prokop clarified that Mr. Camper is suggesting writing off the debt owed for citations issued before 2015. Mr. Camper said that's correct; the registered owner information has to be paid for, so if they are going to go that far back, they could pay for information to be used for fines that could "actually be collected."

Councilman McFee asked if 70% is “the usual ratio” of citations that are paid among those that are issued. Mr. Camper said 72 – 80% is the industry standard. They expect those numbers will go up, he said; it’s unusual to get above 80%, because there are always people who will not pay their tickets. The numbers are what they are now for Beaufort because when SP+ took over, they focused on collecting old debt and getting the information to do that, he said.

There was a discussion about the time it took to get the registered owner data and “to get collections up and running.” Ms. Roper said it took about a year and a half after SP+ took over to obtain the data needed for collections. Most of the collection effort was put toward old debt, Mr. Camper said.

Councilman Murray said, in the RFP process to select a parking company, a benefit of SP+ was that they said they could get a higher collection rate than Lanier could. He feels it’s disappointing that there are such a large number of outstanding citations. Councilman Murray said the letter people have received is “somewhat threatening,” and SP+ has not “cleared up what you said you would.”

Mr. Camper said, “A process with the state side” of obtaining the registered owner data is what slowed down collections. **Kathy Todd** agreed that, “as the agent for SP+,” there were delays in the process of obtaining the necessary information from the state DMV. She equated it to “battling” the agency for the information. Mr. Camper said once they got to that point, the state was inflexible and took a long time to say what kind of file format was needed, for example.

Mayor Keyserling asked if it would increase the number of collections if SP+ dropped tickets from 2011 and focused on more current tickets. Mr. Camper said yes.

Councilman Murray asked how many letters had been sent about tickets from 2011 – 2013; Ms. Wallace said maybe 500. Councilman Murray said he hadn’t received any complaints about the old citations until recently. He added that the letter doesn’t say there’s an opportunity for appeal. Ms. Wallace said there is a number on the letter that people can call, or they can email her, and she will handle the appeal. Most of the people who appeal are those who have a single ticket, and it’s easy to handle, she said. She could also pull those letters that were sent to people who only have a single outstanding ticket.

Ms. Wallace told Councilman Cromer that when the ticket was given, the fine was \$10, and the letters say that the fine is now \$20.

Councilman Cromer asked, if SP+’s recommendations are adopted, if the people who have gotten letters for citations received prior to 2015 will be notified. Ms. Wallace said SP+ could do that. Councilman McFee said he doesn’t feel they should spend the

postage to do so. Ms. Roper said people have been complaining to SP+ as the letters have gone out, especially about those letters for tickets received from 2011 to 2013, but the complaints received in February were what prompted this meeting with council to discuss SP+'s recommendations. As SP+ received calls about letters for tickets from 2011 through 2014, she said, there has been a standing rule to write it off if people told them that the ticket had been paid. One person said she has paid all of the parking fines she's ever gotten, and then she received a letter about one from 2011, so that ticket was voided. Ms. Roper said Ms. Wallace will reduce the amount of the citation from \$20 to \$10 for people who realize when they receive a letter that they had gotten a ticket that they hadn't paid, as long as they contact SP+ about it.

Councilwoman Sutton said she agrees that they should write off the \$142,970 for old tickets. Mayor Keyserling said he feels the collection rate will be better for tickets that were issued in more recent years, and he hopes that this will be an impetus for SP+ to collect on tickets sooner.

Mayor Keyserling asked if "the system was up and running" in 2017, and Mr. Camper said yes. Councilman Murray said the 2011 and 2012 numbers are not on the handout, but on average, between those vehicles with known and unknown registered owner information, there's close to \$500,000 in outstanding debt, which "seems like a lot of money." For citations from 2015 through 2018, he asked what tools are available "for us to collect these." Mr. Camper said the process SP+ is suggesting is to have the system pull 1,000 citations from 2017, and beginning with the most recent, "work the opposite way" from how "we were working before." He said every citation with registered owner information available has received a notice.

Councilman Murray asked what happens if he receives a letter about a past-due fine and ignores it. Mr. Camper said he'd get letters at 30 days past due and 45 days past due, saying the amount of the fine has escalated. "There's no third notice," he said.

Councilman McFee asked why SP+ wouldn't write off 2016 debts as well. Mr. Camper said because there is "plenty of registered owner" information available for 2016.

Councilman McFee said anyone who ignores their initial ticket and a letter about it isn't going to pay it after 45 days. Ms. Roper said if that person gets another ticket, though, "the letter will match that ticket with the outstanding ticket." Mr. Camper said this isn't specific to SP+ but to how collections operate in a given city. There are different criteria in North Carolina, for example, and the process is different, so the amount of unpaid fines will come out of the vehicle owner's tax return.

Mr. Prokop asked if there should be "a 90-day plateau with a higher rate" of fine. Mr. Camper said some cities do that. Mr. Sutton said more payments are received when "the gap is smaller" between the dates that the fines rise. Mr. Camper said one place has its first fine escalation 14 days after the ticket is issued; in some places, there are

just 72 hours before the rate escalates. Ms. Roper said, at one point, state law dictated 10 days before escalation of the fine, but now it's state law that "you have to wait 30 days" before the fine escalates. Mr. Prokop asked if 30-, 45-, and 60-day notices would "drive collections." Mr. Camper said if the fine has not been collected after 2 notices, he doesn't think another notice would increase the number of tickets paid.

Ms. Wallace said they get about 5 to 7 payments a day with a batch of 500 collection letters. Mayor Keyserling said, in reality, the collections process costs more than "what you're bringing in." Councilman McFee suggested "cutting our losses" and writing off 2016 citations and possibly those from 2017. Ms. Roper said they feel that if they focus on current tickets, collections will be better.

Ms. Roper asked if cutting collections for tickets issued from 2011 through 2014 is council's recommendation. Mayor Keyserling said yes. Ms. Roper asked if they should also formalize a 3-year cutoff, so the oldest year's citations roll off at the new year. Mayor Keyserling said if they don't get the money from citations in 3 years, they're not going to get it, so they should focus on the 30- to 45-day citations. Councilman Murray said they could also "focus on another threshold" (e.g., an additional collection at 60 days or 6 months).

Councilman McFee said they should follow best practices that are based on SP+'s experience, rather than guessing what might work. Ms. Roper said the industry standard is that it takes 36- to 48-months to catch "repeat offenders." Councilman Murray suggested writing off all citations issued prior to 2015, having "a 36-month cutoff for RO, and 36 months for debt write-off." Ms. Todd said 36 months is both the industry standard and the standard for business licenses, so a 3-year period would keep them consistent.

Councilman Murray said he also thinks a third notice should be sent at 6 months or at some other "time period after 45 days." There was general agreement that 6 months was a good time for another notice, but without escalation of the fine.

Ms. Roper said council had asked for an update on booting as "another mechanism" for fine collection. The ordinance states that cars can be booted that have 3 or more unpaid parking tickets, with the most recent ticket being unpaid for at least 15 days. Mr. Camper said if the city desires to boot cars, SP+ would set the target start date at 6 months from now, which allows time to design and print the boot notice, notify the police department, "make sure all the notifications have gone out on T2 Flex," and publish a public notice, at least 30 days before, that a booting program is going to begin, so people can pay their outstanding unpaid tickets when they get their boot notice or can call if they think that they might be on the boot list.

Currently, 54 vehicles are eligible for booting because they have 3 or more tickets, based on their 2015 – 2018 citations, Mr. Camper said. Ms. Wallace said, of those, right

now the highest amount owed for tickets is \$3,000. That person works downtown, and she reminds “them often to pay their tickets.” Councilman Murray suggested that her reminders are not working, and asked if there was any other recourse to collect that besides booting. He agreed with Mr. Prokop that the names of those people who are eligible for boots should be published, and if they still don’t pay their fines, they should be booted.

Ms. Todd asked if these vehicles could be towed. Mr. Camper said once their vehicles are booted, the owners have to pay their tickets and an immobilization fee. Ms. Roper said a police officer is present when a vehicle is booted, and the owner is given a number to call on the notice. If the owner doesn’t call, or calls but doesn’t make arrangements to pay by 6:00 p.m. on the day the vehicle is booted, it would be towed and impounded.

Mike Sutton said he feels the booting program should go forward. If a car is booted while parked in front of a business downtown, word would spread quickly about the booting program, he said.

Mayor Keyserling said the items on the agenda for the executive session could be postponed until the following week’s council meeting.

There being no further business to come before council, the work session adjourned at 5:58 p.m.



2018

COMMODORE

Stacey Canaday
843-263-3517

PROGRAM COORDINATOR

Brian Patrick
843-263-2027

COMMODORES

Year	
2017	Jason Berry
2016	Chris Canaday
2015	Bill Damude
2014	Brandy Gray
2013	Dan Thompson
2012	John Gentry*
2011	Bob Bible
2010	Sheri Little
2009	Wilmot Schott
2008	Les Brediger
2007	Erin Dean
2006	Keith Cummins*
2005	Richard Norris
2004	Marvin Morrison
2003	G.J. "Geordie" Madlinger, III
2002	Scott Seelhoff
2001	Ed Saxon
2000	Craig McTeer
1999	David Tempel
1998	Michael Yoakum
1997	Charles H. Steinmeyer
1996	Kevin D. Cuppia
1995	Frank O. Plair
1994	Mark A. Buskirk
1993	Lowell Keene
1992	Danny Charpentier
1991	Edward M. Wise
1990	W.K. "Pete" Pillow
1989	H. Ronald Tanner
1988	D.R. "Rusty" Simpson
1987	Hutson "Buster" Davis, Jr.
1986	J. Lee Bollman
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1984	A. Duncan Fordham
1983	"Skeet" Von Harten
1982	William C. Robinson
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1979	Owen Hand
1978	Ed Duryea
1977	Fred Kuhn
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1974	John M. Finn*
1973	James G. Thomas*
1972	Thomas R. Garrett*
1971	Don Perry
1970	Robert Welden*
1969	Elrid Moody*
1968	Arthur Horne*
1967	W. Henry Jackson
1966	Colden R. Battey, Jr.
1965	C.R. Powell*
1964	R. Ray Kearns*
1963	Henry V. Boyce, Jr.*
1962	Marvin H. Dukes*
1961	Robert G. McDowell*
1960	Roy Smith
1959	Mrs. Mazie Terhune*
1958	Sammy Gray*
1957	Ed Pike*
1956	John M. Bigbee*

*Deceased

63rd Beaufort Water Festival

"Salt Marshes & Bay Breezes"

July 13-22, 2018

P.O. Box 52, Beaufort, South Carolina 29901

March 28, 2018

City of Beaufort
Attn: Bill Prokop, City Manager
1911 Boundary Street
Beaufort, SC 29902

Dear Mr. Prokop,

The Beaufort Water Festival would like to thank the Mayor and City Council for their continued support of our Annual Festival. We appreciate your support along with your staff to help us with all of the logistics needed to utilize the park and the police services. Our relationship is strong and we continue to be a good partner and engage actively in promoting Beaufort.

We request the utilization of the Henry C. Chambers Waterfront Park for the 63rd Annual Beaufort Water Festival, from set-up on Tuesday, July 10th through close-down on Monday, July 23rd, 2018. The application for the use of the park on those dates has been submitted.

The following are requests for use, permissions, and waivers necessary to the logistical and safety purposes of the Festival:

1. Request permission to place a mobile home headquarters at the Downtown Marina restroom area and a mobile home on Freedom Park as law enforcement headquarters. Placement will be from 7:00 AM July 10, 2018 and removal by 7:00 AM July 24, 2018. In the event of severe weather (hurricane) these will be removed from the Downtown Marina in Beaufort.
2. Request closure of Waterfront Park seawall with exception of safety water event vessels, from July 11-24, 2018.
3. Request permission to erect temporary signage at the intersection of Ribaut and Bay and on Highway 170 pending utility inspection and approval from the Open Land Trust.



2018

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Marvin H. Dukes*	1962
Robert G. McDowell*	1961
Roy Smith	1960
Mrs. Mazie Terhune*	1959
Sammy Gray*	1958
Ed Pike*	1957
John M. Bigbee*	1956

*Deceased

63rd Beaufort Water Festival

"Salt Marshes & Bay Breezes"

July 13-22, 2018

P.O. Box 52, Beaufort, South Carolina 29901

- Request permission to install temporary power service in several locations subject to building code inspection.
- Request permission to install security cameras on the upper roof surface of the pavilion in the same manner as installed during the 62nd Annual Water Festival, and would further provide the security feed provided by the cameras currently installed. The camera feeds are secure and, as last year, would be accessible only by the necessary police personnel.
- Request permission to erect surface mounted sign near pavilion to showcase sponsors.
- Request waiver of noise limitation ordinance from July 13-22, 2018.
- Request sole permitting authority for concessionaires in the park from July 13-22, 2018. Water Festival will act as the sole agent for concessionaires during this time frame to determine fee amounts, types, and method of sale for all types of concessions to be marketed.
- Request a waiver of the City Code prohibiting placement of banners, ribbons and similar devices for July 11-23, 2018.
- Request closure of Charles Street Extension to public traffic for loading, unloading and emergency egress of safety personnel for July 11-24, 2018.
- Request permission to sell alcoholic beverages during the Beaufort Water Festival. We have applied to the State of SC for a permit and a license for that time frame. Water Festival will not sell alcoholic beverages on either Sunday of the Festival.
- Request closure of Bay Street from Bladen to Newcastle during the



63rd Beaufort Water Festival

"Salt Marshes & Bay Breezes"

July 13-22, 2018

P.O. Box 52, Beaufort, South Carolina 29901

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1961	Robert G. McDowell*
1960	Roy Smith
1959	Mrs. Mazie Terhune*
1958	Sammy Gray*
1957	Ed Pike*
1956	John M. Bigbee*

*Deceased

hours of 4:30PM to 6:30PM on Friday, July 20, 2018, to conduct the annual bed races.

13. Request parade permit for Saturday, July 21, 2018. Parade times will be from 10:00AM to 12:00PM. The parade route will follow Boundary to Carteret to Bay and conclude at the corner of Bladen and the old Federal Courthouse.
14. The Water Festival is in negotiations with our safety partners, Police, Fire/Rescue, EMS and SP+ to ensure all of our guests are safe at all times while visiting the Waterfront Park during our events.
15. We are also requesting the City's continued sponsorship of our fireworks display, in the amount of five thousand dollars (\$5,000.00) credited towards our invoice from the City.

As in the past, we will participate with all of your departments in a cooperative discussion of the requests listed. Any changes and/or modification will be subject to your approval.

Thank you in advance for your support and assistance in putting on another safe and memorable Water Festival.

Sincerely,

Stacey P. Canaday
Commodore

63rd Annual Beaufort Water Festival



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 4/22/2018

FROM:

AGENDA ITEM TITLE: Request from YMCA for use of the Downtown Marina boat ramp, grassy area by the Marina Store, and free parking in Marina lot for Beaufort River Swim event Saturday, May 19, 2018

MEETING DATE: 4/24/2018

DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

- Permission for exclusive use of the Beaufort Water Front loading ramp and surrounding grassy area the morning of 19 May.
 - This will be the 12th Beaufort River Swim that funds free learn-to-swim lessons.
 - We will be arriving about 6 am - and will be out of there before noon.
- We again ask for free parking in the adjacent lot until noon.
- We also ask that the bathroom be opened up at 6:30.
- And we ask for sand to be dumped into the ramp area about 8:30.

PLACED ON AGENDA FOR: Action

REMARKS:

Request from Pete Palmer



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 4/19/2018
FROM:
AGENDA ITEM
TITLE: Approval of Mediation Settlement Agreement
MEETING
DATE: 4/24/2018
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Agreement	Backup Material	4/20/2018

THE STATE OF SOUTH CAROLINA

In the Court of Common Pleas

APPEAL FROM CITY OF BEAUFORT ZONING BOARD OF APPEALS

Case Nos.: 2018-CP-07-

BURRIRAIN, LLC

.....Appellant,

v.

CITY OF BEAUFORT, SOUTH CAROLINA

.....Respondent.

MEDIATED SETTLEMENT AGREEMENT

The parties in the above matter voluntarily entered into mediation in the above matter on Thursday April 12, 2018 at 3:00 P.M. at the Municipal Center, Beaufort South Carolina pursuant to South Carolina Code Sections 6-29-900 and 6-29-915. Present at the mediation were David A. Burre, Managing Member of the Appellant, Burrirain, LLC, R. Nicholas Felix, Esquire, of the McNair Law Firm P.A. as counsel for the Appellant, William A. Prokop, City Manager for the Respondent City of Beaufort, and William B. Harvey, III, of Harvey & Battey, P.A.; and,

The parties reached an accord, accommodation, and agreement as to the matters pending review in the above captioned case and do hereby wish to end the case pursuant to the following terms and conditions which shall be presented for final approval to the City of Beaufort promptly upon agreement of the undersigned.

The Application of the Appellant for approval of a Zoning Variance for its property located at 2338 Boundary Street in Beaufort (the "Property"), dated January 18, 2018 shall be and is hereby approved as originally submitted by the Appellant save and except that the Application and approval shall be amended to include the following conditions: 1) Appellant shall, at its expense, secure and maintain the services of fully license, certified, and insured third party arborist, Bartlett Tree Experts, to inspect the live oak tree at issue in this appeal, and to make recommendations for the care and maintenance of said tree during the course of


construction on the Property; and, 2) Appellant shall, at its expense, comply with the requirements of The Beaufort Code (including Section 5.3.3), and the recommendations of said arborist, for protection of the tree during the construction and or for a period of twelve months thereafter. If there is damage to said tree during construction, or for a year thereafter as a result of construction, Appellant shall, at its expense, take such action as is recommended by the arborist for the restoration/repair of such damage, including replacement of the tree if necessary.

The parties, for themselves and their predecessors, successors, heirs, legal representatives and assigns expressly releases the other, and the predecessors, successors, heirs, legal representatives and assigns of the other, from all liability for any and all claims and demands arising from the disputes and differences which were or could have been raised in this action, direct and authorize their attorneys to file a stipulation of dismissal and to each be responsible for their respective costs, fees, and expenses.

Dated: April 12, 2018

BURRIRAIN, LLC

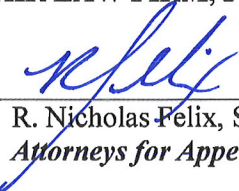
By


David A. Burre, Member/Manager
For Appellant

Dated: April 18, 2018

MCNAIR LAW FIRM, P.A.

By


R. Nicholas Felix, SC065078
Attorneys for Appellant

Dated: April , 2018

CITY OF BEAUFORT

By

William A. Prokop, City Manager
For Respondent

Dated: April __, 2018

HARVEY & BATTEY, P.A.

By

William B. Harvey, III
Attorneys for Respondent



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 4/19/2018
FROM: Kathy Todd
AGENDA ITEM
TITLE: Authorization to allow City Manager to enter into Contractual Agreement
MEETING
DATE: 4/24/2018
DEPARTMENT: Finance

BACKGROUND INFORMATION:

See the attached Memo

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Recommendation Memo on Gas Tank Removal	Cover Memo	4/19/2018

**CITY OF BEAUFORT
INTEROFFICE MEMORANDUM**

TO: KATHY TODD
FROM: PAUL MCGEE
SUBJECT: GAS STATION UST REMOVAL/REMEDIATION
DATE: 4/19/2018
CC: WILLIAM PROKOP

The City issued a Request for Proposal (RFP) for UST removal/remediation work on March 14, 2018. The RFP was posted on the City's website and VendorRegistry.com. The RFP was also advertised in the Beaufort Gazette and the State of South Carolina procurement newsletter.

The City received four (4) sealed proposals by the submittal date of April 6, 2018 in response to RFP 2018-109. The four (4) Companies were: D.E. Tank, HRP Associates, A&D Environmental, and HERR. The proposals were publicly opened on April 6, 2018 at 2:01pm and results were publicly read in accordance with the RFP notice. D.E. Tanks bid was \$42,337.70 (Option 1, Fill In Place), and \$55,622.70 (Option 2, Removal). HRP Associates bid was \$35,800.00, , A&D Environmental bid was \$39,196.42, and HERR bid was \$27,534.00.

On April 18, 2018, the selection committee; Neal Pugliese, Director of Public Facilities, and Lamar Taylor, Director of Public Works Department met and discussed each of the four submitted proposals. Following the discussion and evaluation of proposals received, the committee recommends HERR as the company to perform the UST removal/remediation for the City of Beaufort at a contract price of \$27,534.00. HERR was determined to be the lowest responsible bidder based on the following criteria:

- They provided comprehensive understanding of the requirements with strong enthusiasm.
- They presented excellent experience with required equipment relating to the repairs needed by the city.
- They provided the more comprehensive understanding of the approach needed with stakeholders and community involvement.

The selection committee was unanimous in their recommendation that HERR was the lowest responsible bidder and would service the City's UST removal/remediation needs in the best possible way.

Factors that contributed to D.E. Tank, HRP Associates, A&D Environmental not being selected was that their high bids were not within the required city budget for this project. Although D.E Tank had two different options they were still outside of the ceiling for the city's budget for this project.



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 4/19/2018
FROM: Kathy Todd
AGENDA ITEM
TITLE: FY 2018 Budget Amendment #2 - 1st Reading
MEETING
DATE: 4/24/2018
DEPARTMENT: Finance

BACKGROUND INFORMATION:

FY 2018 Budget Amendment #2 - Please see attached

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
FY 2018 Budget Amendment #2	Cover Memo	4/19/2018

CITY OF BEAUFORT
DEPARTMENT REQUEST FOR
CITY COUNCIL AGENDA ITEM

*** (Deadline for Submission - Wednesday Noon
Prior to Tuesday's Meeting) ***

TO: *City Council*

DATE: **April 19, 2018**

FROM: *City Manager*

AGENDA ITEM TITLE: *Amendment #2 to the FY2018 Budget – First Reading*

MEETING DATE: *April 24, 2018*

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

The City has received several grants and reimbursements from insurance after July 1, 2017 that were not budgeted for during the FY 2018 budget process. The attached describes the various components to this budget amendment.

APPROVAL BY CITY MANAGER: ☐ **APPROVED** ☐ **NOT APPROVED**

CITY ATTORNEY APPROVAL REQUIRED ☐ **YES** ☐ **NO**

PLACED ON AGENDA FOR:

REMARKS:

Council action:

Staff recommends approval of the first reading of this budget amendment.

City of Beaufort
FY 2018 Budget Amendment #2 Details

Account Number	Account Type	Increase (I) or Decrease (D)		Notes
15503-5274	Expenditure	I	\$ 73,695.53	Pumpout Boat Federal Grant
155032-4879	Revenue	I	(73,695.53)	Pumpout Boat Federal Grant
To record the grant reimbursement and associated expenditure.				
15503-5273	Expenditure	I	\$ 100,000.00	Southside Park Federal Grant
To record the reimbursable grant related expenditures.				
15401-5292	Expenditure	I	\$ 968.00	Hurricane Irma
15501-5248	Expenditure	I	2,865.80	Hurricane Irma
15502-5102	Expenditure	I	800.00	Hurricane Irma
15503-5248	Expenditure	I	36,518.45	Hurricane Irma
15503-5274	Expenditure	I	10,874.50	Hurricane Irma
15504-5282	Expenditure	I	112.47	Hurricane Irma
15506-5102	Expenditure	I	5,631.00	Hurricane Irma
15301-5102	Expenditure	I	8,366.04	Hurricane Irma
151512-4714	Revenue	I	(57,770.22)	Hurricane Irma Insurance Reimbursement
155032-4879	Revenue	I	(8,366.04)	Hurricane Irma Grant Reimbursement
To record Hurricane Irma related expenses that were reimbursed by insurance or grant				
15451-5000	Expenditure	I	\$ 157,794.00	SAFER Fire Federal Grant
15451-5002	Expenditure	I	19,539.00	SAFER Fire Federal Grant
15451-5014	Expenditure	I	28,089.52	SAFER Fire Federal Grant
15451-5016	Expenditure	I	354.76	SAFER Fire Federal Grant
15451-5018	Expenditure	I	354.76	SAFER Fire Federal Grant
15451-5020	Expenditure	I	10,668.62	SAFER Fire Federal Grant
15451-5022	Expenditure	I	2,495.06	SAFER Fire Federal Grant
15451-5024	Expenditure	I	13,075.78	SAFER Fire Federal Grant
15451-5026	Expenditure	I	134.72	SAFER Fire Federal Grant
15451-5028	Expenditure	I	1,061.20	SAFER Fire Federal Grant
15451-5030	Expenditure	I	449.58	SAFER Fire Federal Grant
155032-4879	Revenue	I	(234,017.00)	SAFER Fire Federal Grant
To record the SAFER grant expenditures and associated reimbursement for FY 2018				
155032-4879	Revenue	I	\$ (69,038.97)	Hurricane Matthew FEMA Reimbursement
155012-4882	Revenue	I	(41,784.51)	Hurricane Matthew FEMA Reimbursement
To record the receipt of reimbursement associated with Hurricane Matthew				
154512-4882-F1002	Revenue	I	\$ (1,428.35)	SCMIT
15451-5036	Expenditure	I	1,428.35	SCMIT
To record the receipt of SCMIT grant and associated costs				
151512-4804	Revenue	D	\$ 336.75	Bulletproof Vest - reduction to actual
151512-4810	Revenue	D	\$ 10,000.00	JAG- Remove FY18 Original Budget
151512-4810-L1003	Revenue	I	(1,041.10)	JAG- Record Remaining FY 2017 Grant
15401-5282-L1003	Expenditure	I	1,041.10	JAG- Record Remaining FY 2017 Grant
To adjust for JAG not awarded in FY 2018 and balance of FY 2017 grant reimbursed in current year.				

City of Beaufort
FY 2018 Budget Amendment #2 Details

Account Number	Account Type	Increase (I) or Decrease		Notes
		(D)		
151512-4706	Revenue	I	\$ (2,005.23)	Port Royal Fire Reimbursement
15451-5256	Expenditure	I	2,005.23	Port Royal Fire Reimbursement
	To record reimbursement from Port Royal for expenditure			

RESOLUTION

Transferring the Destination Marketing Organization designation for the City from the Chamber of Commerce to the Greater Beaufort Port Royal Convention & Visitor Bureau

WHEREAS the Beaufort Regional Chamber of Commerce (Chamber) has been the Destination Marketing Organization (DMO) for the City of Beaufort; and,

WHEREAS, the Chamber has decided not to receive tourism tax dollars to allow the Chamber to better advocate for the business community; and,

WHEREAS, the Chamber has created a new entity, the Greater Beaufort Port Royal Convention & Visitor Bureau (CVB); and,

WHEREAS, the intent is for the CVB to be the Destination Marketing Organization, to conduct the tourism and marketing activities previously conducted by the Chamber; and,

WHEREAS, City Council fully supports the decision of the Chamber to separate the DMO from its normal operations, and believes that this is in the best interest of the City and its citizens; and,

WHEREAS, City Council believes that it is in the best interest of the City to transfer the designation of DMO for the City from the Chamber to the Greater Beaufort Port Royal Convention & Visitor Bureau;

THEREFORE, BE IT RESOLVED, by the City Council of Beaufort, South Carolina, in Council duly assembled, and by the authority of the same, that the designation of Destination Marketing Organization (DMO) for the City shall be transferred to the Greater Beaufort Port Royal Convention & Visitor Bureau, which shall hereunto receive all tourism funding and other benefits designated by the City for its DMO, previously given to the Chamber.

AND IT IS SO RESOLVED this _____ day of April, 2018

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK

Reviewed by _____
William B. Harvey, III, City Attorney