



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL REGULAR MEETING AGENDA
May 8, 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. Phil Cromer, Councilman

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

- A. Resolution Commending Joe DeVito for Service on the Metropolitan Planning Commission
- B. Proclamation Proclaiming May as Preeclampsia Awareness Month
- C. Proclamation Proclaiming May 6-12, 2018 as National Travel and Tourism Week
- D. Resolution Declaring May 19-25, 2018 as National Safe Boating Week

IV. PUBLIC COMMENT

V. PUBLIC HEARING

VI. MINUTES

- A. Worksession and Regular Meeting March 27, 2018
- B. Worksession and Regular Meeting April 10, 2018
- C. Worksession Meeting April 17, 2018
- D. Worksession and Regular Meeting April 24, 2018

VII. OLD BUSINESS

- A. FY 2018 Budget Amendment #2 - 2nd Reading
- B. Ordinance Authorizing the City Manager to enter into contract for Sale of Property in Commerce Park - Clean Burn, LLC - 2nd Reading

VIII. NEW BUSINESS

- A. Street Closure request from the Board of the Beaufort County Community Center for Washington Street Park Playground Event Saturday, June 23, 2018
- B. Street Closures, Waiver of open container/or allow the sale of alcohol and Co-Sponsorship request from the Downtown Beaufort Merchants Association for First Friday Event Friday, June 1, 2018
- C. Ordinance Annexing a Parcel of Property Located at 2 Harborview Circle on Lady's Island - 1st Reading
- D. Ordinance Zoning a Parcel of Property Located at 2 Harborview Circle T4-Neighborhood - 1st Reading
- E. Ordinance approving the sale of surplus City property and authorizing the City Manager to execute documents to transfer - 1st Reading
- F. Boards and Commissions Re-appointment - Zoning Board of Appeals (ZBOA)

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:** 4/30/2018
FROM: Libby Anderson
AGENDA ITEM Resolution Commending Joe DeVito for Service on the Metropolitan Planning
TITLE: Commission
MEETING 5/8/2018
DATE:
DEPARTMENT: Planning

BACKGROUND INFORMATION:

City Council desires to adopt a resolution (attached) thanking Joe DeVito for his service on the Metropolitan Planning Commission.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Resolution Thanking Joe DeVito	Cover Memo	4/30/2018

R E S O L U T I O N

COMMENDING JOE DEVITO FOR SERVICE ON THE METROPOLITAN PLANNING COMMISSION

WHEREAS, Joe DeVito served on the Beaufort-Port Royal Metropolitan Planning Commission from March 2003 until May 2018; and

WHEREAS, Mr. DeVito served in the positions of Vice-Chairman and Chairman on the Commission; and

WHEREAS, Mr. DeVito devoted his efforts and energy in service on this important commission; and

WHEREAS, the significant contributions Joe DeVito made as a member of this commission have helped to protect and promote the appearance, character, and economic value of all types of development located within the City, thereby promoting the quality of life in our community;

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Beaufort, South Carolina, duly assembled, expresses their gratitude and commends Joe DeVito for his outstanding service to the City during the past 15 years.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 8th day of May, 2018.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/3/2018
FROM:
AGENDA ITEM
TITLE: Proclamation Proclaiming May as Preeclampsia Awareness Month
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Proclamation	Backup Material	5/3/2018



PROCLAMATION

WHEREAS Preeclampsia, including HELLP syndrome and eclampsia, is a dangerous condition of pregnancy that can, in its severest form, lead to maternal and/or infant mortality or premature birth with significant health risks for the mother and baby; and

WHEREAS as many as 320,000 cases of preeclampsia are diagnosed in America every year with approximately 25% resulting in severe, life-threatening consequences to a pregnant woman and her baby; and

WHEREAS public education as to the signs and symptoms of preeclampsia, HELLP syndrome and eclampsia can help woman recognize the condition and seek appropriate medical care; and

WHEREAS, prenatal education should include recognition of those signs and symptoms (spikes in maternal blood pressure, sudden swelling of face and hands, severe upper abdominal pain, blurred vision, persistent headaches, breathlessness); and

WHEREAS, many citizens of Beaufort, SC have joined with the Preeclampsia Foundation to raise public awareness in order to minimize maternal and infant illness and death due to preeclampsia.

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaim the Month of May 2018

PREECLAMPSIA AWARENESS MONTH

In the City of Beaufort, SC. By this action, let it be known that we support the Preeclampsia Foundation's efforts to reduce maternal and infant illness and mortality due to preeclampsia and related hypertensive disorders of pregnancy.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 8th day of May 2018.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/2/2018
FROM:
AGENDA ITEM
TITLE: Proclamation Proclaiming May 6-12, 2018 as National Travel and Tourism Week
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Proclamation	Backup Material	5/2/2018



PROCLAMATION

WHEREAS travel has a positive effect on Beaufort, South Carolina and the nation's economic prosperity and image abroad, it also impacts business productivity and to individual travelers' well-being; and

WHEREAS travel to and within the United States provides significant economic benefits for the nation, generating more than \$2.4 trillion in economic output in 2017, with nearly \$1 trillion spent directly by travelers; and

WHEREAS travel is among the largest private-sector employers in the United States, supporting 15.6 million jobs in 2017, including 8.8 million directly in the travel industry and 6.8 million in other industries; and

WHEREAS travelers' spending directly generated tax revenues of \$164.8 billion for federal, state and local governments, funds used to support essential services and programs, and

WHEREAS Beaufort, South Carolina visitor spending exceeds \$58 million creating tax revenues, employment and payroll for over 2,500 employees, while saving each household over \$700 in taxes per year; and

WHEREAS meetings, events and incentive travel are core business functions that help companies strengthen business performance, educate employees and customers and reward business accomplishments—which in turn boosts the U.S. economy. In 2017, domestic and international business travelers spent \$317.2 billion; and

WHEREAS leisure travel, which accounts for more than three-quarters of all trips taken in the United States, spurs countless benefits to travelers' health and wellness, creativity, cultural awareness, education, happiness, productivity and relationships; and

WHEREAS travel is a pillar of economic growth, creating jobs at a faster rate than other sectors, and

WHEREAS welcoming visitors from near and far always has been, and always will be, the enduring ethos of the travel industry and Beaufort, South Carolina.

NOW, THEREFORE, the City Council of the City of Beaufort do hereby proclaim May 6-12 as

NATIONAL TRAVEL AND TOURISM WEEK

in Beaufort, South Carolina, and urge the citizens of Beaufort, South Carolina to join with us in this special observance with appropriate events and commemorations.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 8th day of May

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/4/2018
FROM: Libby Anderson
AGENDA ITEM
TITLE: Resolution Declaring May 19-25, 2018 as National Safe Boating Week
MEETING
DATE: 5/8/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

Council has been asked to pass a resolution (attached) declaring May 19-25 as National Safe Boating Week 2018.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
resolution safe boating	Cover Memo	5/4/2018

R E S O L U T I O N

NATIONAL SAFE BOATING WEEK 2018

WHEREAS, each year during the month of May, the United States Coast Guard joins partners nationwide to raise awareness about boating responsibly; and

WHEREAS, safe boating starts onshore, with individuals preparing a float plan for their passengers, getting a free vessel safety check, and participating in boating safety courses; and

WHEREAS, as they embark, boaters should make sure they check the marine forecast and that all passengers are equipped with a life jacket; and

WHEREAS, the chance of drowning while wearing a life jacket is 1 in 66, and the chance of drowning with no life jacket is 1 in 11; and

WHEREAS, every 2 1/2 hours someone is injured or killed in a boating accident; and

WHEREAS, to put an end to preventable accidents that claim too many lives each year, individuals should never operate a boat under the influence of drugs or alcohol; and

WHEREAS, boating is an important part of our national heritage, it is imperative that all individuals operating or occupying a boat follow common sense safety procedures that keep them safe and also keep our lakes, rivers, and oceans safe for all to enjoy;

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Beaufort, South Carolina, duly assembled, do hereby recognize May 19-25, 2018, as National Safe Boating Week in Beaufort, South Carolina.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 8th day of May, 2018.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/3/2018
FROM:
AGENDA ITEM
TITLE: Worksession and Regular Meeting March 27, 2018
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Minutes	Backup Material	5/3/2018

A work session of the Beaufort City Council was held on March 27, 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 and Phil Cromer, and Bill Prokop, city manager. Councilman Mike McFee was absent.

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 5:03 p.m.

NEW COMMUNITY PLANS AND LIAISON OFFICER FOR MARINE CORPS AIR STATION (MCAS)

Neal Pugliese introduced **Kim Fleming**, the new government and external relations director at the Marine Corps Air Station (MCAS). Ms. Fleming discussed the various effects of seismic testing.

Mayor Keyserling said Beaufort's Commerce Park is "in the AICUZ but not the accident-potential zone." The City of Beaufort tried to have a conversation with the Navy's lawyers in Jacksonville, but "couldn't even get that far," he said. It's his understanding that the Navy purchased "the fee-simple or . . . easements" from the 450 acres that surround Commerce Park, which Mayor Keyserling thought could be purchased as "expansion room" for the park to make it "average-sized." He asked how the city could explore the potential for acquiring some of that. The park is 167-acres, most of which is in the City of Beaufort, he said; Trask Farms wraps the park on two sides. Mayor Keyserling said he had tried to call Jacksonville to see if there could be "cross-easements," and now he understands that "the deal is done." Ms. Fleming said she could look into this.

Ms. Fleming said the Navy does real estate on behalf of MCAS; the easement language is different for different properties, so she could look into that. Councilman Murray said that through talking to the property owners, they've learned that a large percentage of that parcel has been bought, but a portion is still available. He said everyone is supportive of MCAS and the military, but the city needs to grow, and to the north, there is an opportunity for diversifying employment. It's an ideal area for manufacturing and primary industries, without infringing on the MCAS operations. He described to Ms. Fleming the types of businesses he expects would be in the area. Councilman Murray said there has also been interest in the area from solar companies; parcels with a certain acreage could be used for solar power, rather than just letting it lie fallow. Ms. Fleming said MCAS supports that, as long as there are no glare issues; it prefers solar farms to having homes built there.

Mr. Prokop said a transmission station is at the end of the Commerce Park property and

between it and the air station, so the solar power generated could potentially be an energy source for the air station. Mayor Keyserling said someone had calculated in the past that 184 acres of solar could supply the air station and Laurel Bay, though he doesn't know if that's accurate.

Mayor Keyserling said one site of the national Reconstruction Era monument is on the Naval Hospital's property, where security is even more rigorous than it is at MCAS. The site is within the fence of the Naval Hospital. There is a memorandum of understanding with the Department of the Interior that something would be done to move the fence, he said, but nothing has been done in the last year. Mayor Keyserling described where this part of the monument is – at the south end behind a fence that was put in after 9/11 – so the fence would need to be “carved out a couple 100 feet.” The Department of Natural Resources is reopening a boat ramp, he said, which was closed after 9/11. The Town of Port Royal and Beaufort County have found access, Mayor Keyserling said, and they've cut a road in for a county park because Fort Frederick is there as well. He guesses the area is about 200' x 200'.

Ms. Fleming said naval hospitals can be run by doctors who have “been told they're in charge of a base,” so they might not know that there are real estate specialists who could help, or who to contact and “how to get things done,” but she will look into it. Mayor Keyserling said it might take congressional intervention to get the matter “off of an admiral's desk” and moved up in priority. Ms. Fleming said she would have a look at it.

Councilwoman Sutton asked when the Reconstruction Era monument would open. Mayor Keyserling explained that it would be 6 months to a year before there is a superintendent, and there might be a deputy, as well, and park rangers. He told Ms. Fleming that the monuments has four sites.

The Naval Hospital site is where the first Negro regiment was, Mayor Keyserling said. After the Battle of Port Royal – the largest marine operation at the time – took place there, the encampment was in that area, as was an oak where the Emancipation Proclamation was read. He told Ms. Fleming that this site is in the Town of Port Royal, but this is “a nagging issue” with the National Park Service.

Councilman Murray told Ms. Fleming he's interested in discussing shared services, which he described as a “public-public partnership” between local governments and military installations. BJWSA has a good partnership with MCAS as its water and sewer provider, he said. At one point, there had been an effort to organize a roundtable with various entities to try to find efficiencies, Councilman Murray said. Ms. Fleming said they have “new authority to do these types of things,” called “intergovernmental service agreements” under “the Installations Partnership Program.” If there is funding available, a facilitator is hired for “us to meet with you [and] the county, to figure out what shared services we might be able to do this with,” she said, and then an intergovernmental

agreement is created for the services to be provided. This is on her to-do list, Ms. Fleming said, and she believes there are opportunities for shared services.

Mr. Pugliese said Fort Jackson has entered into one of these intergovernmental agreements, and it has similarities to Beaufort having MCAS, Parris Island, and the Naval Hospital. There are some government worker entities on the installation “that have got a pretty strong lobby,” he said, so having Fort Jackson’s information about how it “broke the code on that” will be valuable, and they are supposed to be sending that data. Ms. Fleming said there is also a command guidebook for the Marine Corps with examples of shared services at other installations. The city picks up trash at one base, for example, and has three other partnerships, which give the Marine Corps a substantial savings over contracting. There’s more guidance available now than there was a few years ago, she said, when people knew they had “this authority,” but “no one knew how to use it.” Now there are programs in place that work very well. Ms. Fleming said that “what’s trickiest” for MCAS are “the security requirements of the joint strike fighter,” so they must find out what works best, but she’s sure that they can do that. She will see if money is available for a facilitator, and if not, she will set up a meeting to discuss different options.

Mr. Pugliese said the state’s Military Base Task Force contacted him to give him documents about “what the process is.”

Councilman Murray said COs (commanding officers) have said that running a base is like running a small town, so shared services make it more efficient and save them money. Also, when the local community is tied to the bases, he said, when a BRAC comes up, there is greater community support for the base, and these partnerships make it more difficult to close it.

Ms. Fleming said they could discuss which shared services “make sense,” and if there is a contract in place, when it’s finished, they might be able to start a partnership with the city for that service. Mr. Pugliese said the military and the city are familiar with intergovernmental agreements, but sometimes “an action officer” is needed for other things.

Fire Chief **Reece Bertholf** said the fire department provides fire service for the Naval Hospital, and he told Councilman Murray that it is in the Town of Port Royal and the service is provided free of charge.

Mr. Pugliese said Ms. Fleming is linked to the Lowcountry Council, so “the review process can be expedited.” Ms. Fleming described the various levels of approval that would be gone through, based on the dollar amount of the effort.

Ms. Fleming said she’d like to hear if there were things that her predecessor, **Jason Ruhf**, did well or could have done better. She wants a good working relationship and

transparency. Mr. Prokop said, from his perspective, Ms. Fleming should not “pass the buck.” Councilman Murray said he really likes Mr. Ruhf, but he was not as candid as Ms. Fleming appears to be, or as willing to be a partner. Mr. Pugliese said Ms. Fleming has had experience at higher levels than Mr. Ruhf had the benefit of. If she cannot provide an answer, he said, it would be because it’s a decision made at a 2- or 3-star policy level.

Councilman Murray said council wants to keep the lines of communication open. Mr. Prokop said if MCAS is going to close a runway, for example, it’s better to tell people before it happens, so the city doesn’t get “a million phone calls.” He said he hopes Ms. Fleming will provide “honest, direct information, as early as we can get it.”

Ms. Fleming said she knows communication could be better than it is right now. Mayor Keyserling said when the allied partners are here training, for example, the city could have a reception for them, but in the past, the air station been more isolated than is beneficial. Ms. Fleming agreed and said she feels a connection between the City of Beaufort and MCAS is important.

Robert Kessling said it gets very loud at Pleasant Point because of the air station’s jets. Mayor Keyserling said realtors were supposed to have disclosed when an area is in the AICUZ, but they did not all do that, but now people are required to sign a disclosure statement before moving there. Ms. Fleming said, “Those contours are one tool of communicating information” – they show an average over a 24-hour period, “not what you’re going to hear when one flies right over your head” – and she feels “we don’t do a great job of explaining that difference.” She feels the installation could do a better job of educating people about the difference and could work with real estate agents about how to give people that information.

Ms. Fleming asked to be told places that council thought she should go; she would appreciate education and information from as many sources as possible. Mr. Prokop asked if she’d like to have a tour of the community. Ms. Fleming said yes. Mr. Pugliese said he would like Ms. Fleming to come to the city’s weekly project synchronization meetings and its monthly neighborhood association meetings. Ms. Fleming said she would like to give tours of MCAS to anyone who wants one; she has found that “on the county side,” there are many who have not ever been on the base.

Councilman Murray said the city’s number one strategic goal is economic development. He described some efforts involving transitioning military, including TWEAC (Transitional Workforce Educational Assistance Collaborative) and TCL’s program. **John O’Toole** is the executive director of the county’s EDC (Economic Development Corp), he said, and he is working on coordination of these transitioning efforts. There may be a role for Ms. Fleming to play in this, Councilman Murray said.

Mr. Pugliese said MCCA has a transitioning program, and the MCAS CO heads it up; MCCA supports Parris Island and the air station, he said, and it could be the point for the

transition.

Ms. Fleming said many transitioning Marines have skills that don't translate into the civilian workforce, so some installations are working with them and/or their spouses. Mr. Pugliese said the city had hired someone for Public Works who had an avionics background, which didn't translate directly, but they were "able to break the code" and now have a great employee in electronics. Councilman Murray described TCL's "successful conversion program," and he said it would be good to come up with more of those.

Mayor Keyserling said that a former CO had said that probably 50% of Marines who have served 4 years or more leave the military, go home, spend their \$1,200 a month, and lose "the momentum of the growth they had" in the military within a year or two. The skilled jobs that can't be filled now but that transitioning military could fill are "phenomenal," he said.

There being no further business to come before council, the work session was adjourned at 6:00 p.m.

EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law, **Councilman Murray made a motion, seconded by Councilman Cromer, to enter into Executive Session for discussion of property acquisition and contractual arrangements. The motion passed unanimously.**

A regular session of the Beaufort City Council was held on March 27, 2018 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilwoman Nan Sutton, Councilmen Stephen Murray and Phil Cromer, and Bill Prokop, city manager. Councilman Mike McFee was absent.

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.

Councilman Murray made a motion, second by Councilman Cromer, to adjourn the Executive Session. The motion passed unanimously.

CALL TO ORDER

Mayor Keyserling called the regular council meeting to order at 7:07 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Murray led the invocation and the Pledge of Allegiance.

CHARACTER EDUCATION PROCLAMATION

Councilman Murray made a motion, second by Councilman Cromer, to approve the proclamation of Jamyah Moore as Whale Branch Early College High School student of the month. The motion passed unanimously. Councilman Murray read the proclamation, and Mayor Keyserling presented it to Ms. Moore, who thanked council and those in attendance.

PUBLIC COMMENT

Mayor Keyserling introduced **Bridget Gallagher**, a 17-year-old who organized the Beaufort March For Our Lives on March 24. More than 400 people attended, she said, including Mayor Keyserling, whom she thanked for his support. She described the purpose of the movement, which is for greater gun safety and an end to gun violence. Ms. Gallagher said she'd spoken to Representative **Mark Sanford**, and she would like to communicate with as many politicians as possible to get them to bring about stricter gun laws. She will also work to register voters and to get people to vote for candidates who support the principles of the movement.

MINUTES

Councilman Murray made a motion, second by Councilman Cromer, to table approval of the minutes of council's work session and regular meeting February 27, 2018 because the minutes were not in council's packets. The motion passed unanimously.

ORDINANCE AMENDMENT TO SECTION 1-3001, MEETINGS OF COUNCIL; DATE AND TIME

Councilman Murray made a motion, second by Councilman Cromer, to approve the ordinance amendment on second reading. The motion passed unanimously.

**ORDINANCE AMENDMENT TO SECTION 1-4051, OTHER OFFICES AND DEPARTMENTS:
CREATION OF OTHER DEPARTMENTS**

Councilman Murray made a motion, second by Councilman Cromer, to approve the ordinance amendment on second reading. The motion passed unanimously.

**CONSIDERATION OF A LETTER OF REQUEST FROM GULLAH FESTIVAL AND CO-
SPONSORSHIP FOR THE USE OF WATERFRONT PARK**

Councilman Murray made a motion, second by Councilman Cromer, to consider the letter of request and the request for co-sponsorship of the May 25–27, 2018 event.

Linda Roper said the Gullah Festival has applied with the city and has submitted a list of 21 fees that it would like to have waived. City fees billed to the Gullah Festival last year were \$3,200 for police services, \$2,128 for fire department services, and \$2,640 for fencing, she said. SP+ charged the festival for parking at the marina lot last year, and the festival is requesting all 169 spaces this year, Ms. Roper said; however, the city reserves some spaces, so they are not all available. She said the Gullah Festival is requesting to set up on May 24 and to wrap up on May 28.

Ms. Roper told Councilman Cromer that there would not be any alcohol served or sold at the Gullah Festival. Councilwoman Sutton said the only fee that could be waived is rental of Waterfront Park. Councilman Murray said, technically, the other fees *could* be waived, but traditionally the city does not waive those because of the “outright costs” that are involved.

Councilman Murray said there is a request for a noise ordinance waiver; Ms. Roper said yes and told council the hours the Gullah Festival is requesting be waived. Mayor Keyserling said the noise ordinance waiver should be included in the motion.

Ms. Roper said the Gullah Festival is also asking for a waiver of business license fees, which they did last year, too, but those fees were not waived last year. She added that the police department is requesting that buses not unload onto Bay Street but unload in the marina parking lot.

Anita Prather thanked the city for its help with a successful Gullah Festival last year. Festival admission on Friday and Sunday will be free, she said. They are trying to make the festival more diverse than in previous years, and they “are bringing in schoolchildren” for it. The festival wants to work with the city to bring visitors to Beaufort, including international tourists, Ms. Prather said.

Councilwoman Sutton asked if council could say the city’s approvals would be the same as they were last year, with the exception of the location of the bus loading, which should be specifically prohibited on Bay Street. The only other item is that the city loans

equipment for the use of city-sponsored events, but that would be a liability, Ms. Roper said, so staff requests that is not included.

Councilman Murray made a motion to amend the original motion: to approve co-sponsorship for the use of Waterfront Park for Gullah Festival, with a noise ordinance waiver from 9 – 11 p.m., and a request that buses unload in the marina parking lot, not on Bay Street. Councilman Cromer seconded the motion. The amended motion was approved unanimously.

REQUEST FROM THE MEMORIAL DAY COMMITTEE TO HOST ANNUAL MEMORIAL DAY PARADE

Councilman Murray made a motion, second by Councilman Cromer, to approve the request for the May 28, 2018 event. The motion passed unanimously.

CITY MANAGER'S REPORT

Mr. Prokop said First Friday will be held downtown on April 6, beginning at 5:00 p.m., and it will be held in conjunction with ArtWalk.

If weather and “utilities” cooperate, Boundary Street will be complete in 3 weeks, Mr. Prokop said. No work will be done this Friday – Monday because of the holiday weekend.

Construction on the day dock will be getting louder over the next few weeks, Mr. Prokop said. The Southside Park trail is under construction and should be completed by the end of May.

Mr. Prokop said community involvement is at “a peak of the last few years,” including the UNITED Community Task Force, and the fire department installing 138 smoke detectors in local homes. He would like to have a trash pick-up day with city staff, members of the Sea Island Coalition, and neighborhood groups. More details will follow, he said.

The police department is going to hold a safety and security workshop for the city's houses of worship, Mr. Prokop said.

Mayor Keyserling asked if city council could be included in the trash pick-up effort. Mr. Prokop said yes; the city wants to involve as many people in it as possible.

MAYOR'S REPORT

Mayor Keyserling said the Reconstruction Era monument is moving forward, and it is ahead of the Park Service's schedule.

Mayor Keyserling said the United Community Task Force is working on a memorandum of understanding “to go back into the Charles Lind Brown Center.” 65 young people are

involved in its athletic program, he said. They could have probably worked it out to use the city's ball fields, but the group prefers to be in the Greene Street Gym so it can "keep [the children] in the neighborhood." The group went to see "Black Panther" last Sunday, Mayor Keyserling said. It has been "a great experience."

COUNCIL REPORTS

Councilman Murray said the Beaufort County Economic Development Corporation had its strategic planning retreat and a regular meeting last Wednesday, and it unanimously supported the city making a "request to county council to release the remaining proviso money from the Department of Commerce" for Commerce Park improvements, so they are now working to get on the Governmental Affairs committee agenda in April.

Councilman Murray said Spartina 449 was going to move its operations from Bluffton to Georgia, but a partnership was established that would keep 79 jobs in Bluffton, and the company will be adding 15 jobs over the next 3 years.

Councilman Cromer said there was a Reconstruction lecture at the Beaufort History Museum, followed by a Union encampment that more than 350 people attended. On April 3, there will be another lecture on a different subject, and on April 4, there will be a panel review of the museum's new exhibits.

There being no further business to come before council, Councilman Cromer made a motion, second by Councilman Murray, to adjourn the regular council meeting. The motion passed unanimously, and the meeting was adjourned at 7:45 p.m.



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/4/2018
FROM:
AGENDA ITEM
TITLE: Worksession and Regular Meeting April 10, 2018
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Minutes	Backup Material	5/4/2018

A work session of the Beaufort City Council was held on April 10, 2018 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilwoman Nan Sutton, Councilmen Mike McFee and Phil Cromer, and Bill Prokop, city manager. Councilman Stephen Murray was an excused absence.

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

Police Chief **Matt Clancy** introduced Patrolman **Jacob Ferguson**, a new employee in the Beaufort Police Department.

UPDATE ON MOSSY OAKS STORMWATER DRAINAGE COMMITTEE

Neal Pugliese reviewed the most up-to-date timeline for the stormwater drainage project. DOT (Department of Transportation) is in the process of sending a contract for funds (approximately \$25,000) for this project, he said.

The Mossy Oaks Stormwater Task Force met April 6, Mr. Pugliese said, and data collection in Basin 2, then in Basin 1, is taking place in April. The report from ICE (Infrastructure Consulting and Engineering) on both basins is due in May, he said. Data was collected to support the CDBG (Community Development Block Grant) request after a flier was given out to residents.

The current analysis for Basin 2, **Neil Desai** said, is taking place. They are looking at “cleaning up and re-grading the ditches, particularly in the Board Street subdivision,” and possibly adding a new detention pond at Southside Park. They are also looking at resurfacing Battery Creek Road “to provide some positive drainage systems,” he said, where there is currently “an open roadside system” that would be “piped and closed in.”

Mr. Pugliese pointed out the low- and moderate-income area in Basin 2 that qualifies for the CDBG; the city is requesting a grant for \$1 million. Initial estimates are that this is a \$1.7 million project just in Basin 2, he said; adding Basin 1 is likely to bring the total to \$2.4 million.

They are looking at doing a 2-acre pond in Southside Park that would be an amenity, Mr. Pugliese said. They envision the work on both basins being done concurrently. The initial analysis says they need to dredge the duck pond and install twin 16’ box apparatuses at the outfall, rather than just pipes, he said.

Everything north of Mossy Oaks Road is Basin 1, Mr. Desai said, and he indicated where the twin box culverts might be used to enhance the flow of stormwater to Battery Creek.

Mayor Keyserling asked if they were considering flood gates because of “king tides.” Mr. Desai said they might use them for the outfall at Dowling Park or the duck pond. Mr. Pugliese said they have asked the engineers to “do the math on this one” and come up with a solution to the problem. If everything in Basin 1 and Basin 2 is taken care of, he said, “this will take care of the majority of the problem” with drainage and flooding, though “all bets are off” for “tidal issues.”

Mayor Keyserling recommended trying to find money from other sources, such as nonprofits, to take care of issues arising from rising sea levels and “do [the projects] concurrently.” Mr. Pugliese said FEMA wants a fully developed engineering report for its grants, so in May, “we’ll have the source documentation.” Mr. Desai said what’s created will be in “a dynamic model” that can be updated at any time with new data.

Mr. Desai said with a pond at Southside Park, surface water and drainage on Battery Creek Road will go out as quickly as possible, and then the pond water will be released at intervals. **Lamar Taylor** said the county has an 8-acre pond that will also capture water and release it.

Mr. Pugliese said Basin 1 “is not taking a back seat to Basin 2”; Basin 2 is being leveraged as a low- and moderate-income area for the purposes of the CDBG. He said, “The promise of money yet to come” shouldn’t “dictate the work that needs to be done now.”

Mr. Pugliese indicated how council’s allocation of \$344,000 was distributed and reviewed cost estimates. He said Beaufort County is “committing \$5,000 right now” and will give \$15,000 in FY 2019 for a total of \$20,000. Mr. Pugliese said this will “cover the Beaufort County School District,” which met and “declined to participate in the funding effort.”

The Town of Port Royal has pledged \$15,000, Mr. Pugliese said. SCDOT has pledged \$25,000, but the money hasn’t been received yet; when that money is received, the City of Beaufort’s contribution will be \$191,000, he said, and if the \$20,000 in county money is received in July, the city’s contribution would be reduced to \$171,000. Councilman Cromer said the county is “kicking in for the school district.” Mr. Pugliese said the county is “not owning the school district,” but it is contributing what the school district would have contributed. Councilman Cromer asked why the school district rejected participation in this funding. Mr. Pugliese said the district didn’t have the money in its capital budget, and this is “an unprogrammed expenditure.”

Barbara Johnson of Lowcountry Council of Governments is going to be at city council’s

regular meeting, Mr. Pugliese said, and council will hold a vote on a resolution to support the CDBG submission.

DOT has consistently been at the table, Mr. Pugliese said. The team is continuing to do all of the basic maintenance possible and provides briefs to anyone who wants one. They are pursuing the block grant but are also seeking other funding, he said.

Councilman Cromer asked, when the engineering is completed, what the timeframe is for completing the project in Basin 1 and 2. Mr. Pugliese said when the engineering analysis is done, they will have prioritized the construction. The workforce is not available right now, he said; there were no bidders on the Washington Street construction project, which he thinks is “an indicator that folks are tapped out.” Mr. Prokop said they can’t do any work without permits, but it takes 6 to 12 months for the Army Corps of Engineers to move paperwork through. They can bring political pressure to bear at the state and federal levels, he said.

Councilman Cromer said constituents are asking him questions about stormwater, so they should maybe come up with a general idea of the timeline. Mr. Pugliese said when the engineering is done in Mossy Oaks, they will move to The Point. Mr. Prokop said the maintenance part will start as soon as the engineering is positioned; hopefully, before the hurricane season, the work is being done (e.g., dredging) that doesn’t require permits that are more difficult to obtain.

Mayor Keyserling recommended a community meeting at Mossy Oaks Elementary School when the engineering is completed, especially if they need to discuss the stormwater fee, so the neighborhood is aware that there is action being taken.

Mr. Pugliese said, “If we know that . . . dredging the pond” is an “immediate action we can take,” and it will “deliver some relief quickly to the Basin 1 area,” they could go ahead and do it. They would need a maintenance and repair permit for this, he said; a land disturbance permit is needed for the Southside Park pond.

Councilman McFee asked if any of the engineering from a pond planned at Southside Park in the past is being used; Mr. Desai said they had made that available to the engineers so they wouldn't need to “reinvent the wheel” on that.

Mr. Pugliese said he was struck by finding that Basin 2 affects 662 homes/2,000 people. Mayor Keyserling said half the city’s residents live in what is broadly called Mossy Oaks, which is why it has to be a priority.

BOUNDARY STREET UPDATE

Mr. Pugliese said the communication lines on Boundary Street have come down for the most part; there’s still a little stretch to go. Hargray is taking its lines down tonight. Next week, for a few days, the traffic on Boundary Street will be challenging, he said, but the

wires and poles need to be removed during the daytime for safety reasons. Then landscaping, lighting, and concrete will be done, Mr. Pugliese said.

Mr. Prokop said last week, there was a meeting with SCE&G, and he learned there are 5,000 “double-woods” in the city. They have tried unsuccessfully to get companies to remove those communications lines, he said; they will come to council with an ordinance stating that the lines have to come down within a period of time, or their owners will be fined weekly. SCE&G has said the communications companies will respond to that, Mr. Prokop said.

Councilman McFee said originally the Boundary Street Master Plan was to be completed before work was done on “Boundary Junior,” but now they are doing sewer work on Newcastle Street. Mr. Pugliese said they pursued a permit for that area; the city conveyed it would not support the DOT permit unless the contractor finished the sewer work within a certain window, and it was completed. While it was raining, they concentrated on milling, but it’s to be dry for a few days, he said, and they will concentrate on paving.

Councilman McFee recommended doing as much PR as possible about the work on April 17 – 19. Mr. Prokop said there would be traffic with the poles coming down, and there will be pile drivers at the day dock, but they will get all of the noisy, difficult work done as soon as they can.

There being no further business to come before council, the work session was adjourned at 5:46 p.m.

EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (1) and (2) of the South Carolina Code of Law, **Councilman McFee made a motion, seconded by Councilman Cromer, to enter into Executive Session for discussion of appointees to boards and commissions, receipt of legal advice, and a legal briefing regarding federal court cases. The motion passed unanimously.**

A regular session of the Beaufort City Council was held on April 10, 2018 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilwoman Nan Sutton, Councilmen Mike McFee and Phil Cromer, and Bill Prokop, city manager. Councilman Stephen Murray was an excused absence.

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.

Councilwoman Sutton made a motion, second by Councilman McFee, to adjourn the Executive Session. The motion passed unanimously.

CALL TO ORDER

Mayor Keyserling called the regular council meeting to order at 7:04 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman McFee led the invocation and the Pledge of Allegiance.

RESOLUTION DECLARING APRIL TO BE "FAIR HOUSING MONTH"

Councilman McFee made a motion, second by Councilman Cromer, to approve the resolution declaring April to be "Fair Housing Month." The motion passed unanimously.

CHARACTER EDUCATION PROCLAMATION

Councilman McFee made a motion, second by Councilman Cromer, to approve the proclamation of Gordon Ivey as Coosa Elementary School student of the month. The motion passed unanimously. Councilman McFee read the proclamation, and Mayor Keyserling presented it to Mr. Ivey, who thanked council for the award.

PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - MOSSY OAKS DRAINAGE PROJECT

Mayor Keyserling opened this public hearing. Ms. Johnson said the City of Beaufort and the Town of Port Royal would submit a joint application to the South Carolina Department of Commerce for CDBG funds to improve stormwater drainage in the Mossy Oaks Basin 2 area. The project will benefit approximately 1,250 people, 60.8% of whom are low- and moderate-income, she said, according to census data.

\$1,734,255 is the total project cost, Ms. Johnson said, and the CDBG request is for \$1 million, "with a waiver." By resolution, the City of Beaufort is committing to a 10% local match of \$100,000, "and an additional \$734,250 in local funds," she said. Because a portion of the project is in the Town of Port Royal, Commerce required that this be a joint application, Ms. Johnson said; the City of Beaufort is the lead applicant.

The proposed area of benefit is bordered by Mossy Oaks, Battery Creek, and Waddell

Roads, Ms. Johnson said, and she enumerated the streets within the proposed “benefit area” for the project, which is known as Basin 2. Proposed work includes a 2-acre holding pond at Southside Park, ditch and pipe improvements, and converting “roads to valley gutter sections with storm drain systems.” If anyone has pictures or information that they could share that would help the city document the need for the project and help it to obtain the grant, Ms. Johnson said, they should submit this to the city.

Rikki Parker, Coastal Conservation League, is a Mossy Oaks resident, and she spoke in support of the application for the CDBG funds. The changes need to be comprehensive, she said, so they will be costly. **Mayor Keyserling closed this public hearing.**

MINUTES

Councilman McFee made a motion, second by Councilman Cromer, to approve the minutes of council’s work session and regular meeting on February 27, 2018. The motion to approve the minutes as submitted passed unanimously.

Councilman McFee made a motion, second by Councilman Cromer, to approve the minutes of council’s work session and regular meeting on March 13, 2018. The motion to approve the minutes as submitted passed unanimously.

CONSIDERATION OF APPROVING THE RECOMMENDATION OF THE REDEVELOPMENT COMMISSION (RDC) REGARDING THE STREET-BY-STREET INFILL INCENTIVES OFFERED TO GREENE STREET, INCLUDING THE CROSS STREETS BETWEEN WASHINGTON AND GREENE STREETS, FROM CARTERET STREET TO RIBAUT ROAD FOR THE LIMITED TIME PERIOD OF JULY 1, 2018 - DECEMBER 31, 2019

Councilwoman Sutton made a motion, second by Councilman Cromer, to consider approving the RDC’s recommendation. Councilman McFee said his RDC committee on infill development has been working in the Northwest Quadrant; this is the next step after Duke and Washington Streets. The costs are for incentives, he said. **The motion passed unanimously.**

RESOLUTION COMMITTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND ADDITIONAL FUNDS FOR THE MOSSY OAKS DRAINAGE PROJECT

Councilman McFee made a motion, second by Councilman Cromer, to approve the resolution, subject to the addendum submitted by Kathy Todd before the vote. The motion passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Councilman Cromer made a motion, second by Councilwoman Sutton, to appoint Ronald Ianoale to the Beaufort Housing Authority. The motion passed unanimously.

CITY MANAGER’S REPORT

Mr. Prokop congratulated everyone involved in the First Friday/ArtWalk last week. He said he’s heard many positive things about these events.

Boundary Street will be completed by the end of the month if the weather and utilities cooperate, Mr. Prokop said. Between April 17 and April 20, trucks will be taking down poles, and “traffic will be a nightmare,” he said.

Mr. Prokop said work is taking place on the day dock and on the pillars supporting Waterfront Park. An application for a grant has been submitted for \$500,000 to finish the pillar repair.

The Southside Park trail is under construction, Mr. Prokop said, and the Mossy Oaks stormwater project engineering report is underway, as well. The Allison Road project is being folded into the stormwater study, he said.

Next Tuesday at the council work session, Ms. Todd and Mr. Prokop will offer council projected revenues, including an increase in stormwater rates to cover the work that needs to be done. The budget work sessions will take place over the next 6 to 8 weeks, he said.

MAYOR’S REPORT

The United Community Task Force is for the young people, mostly in the downtown area, who lost the Boys & Girls Club and didn’t have access to other forms of recreation, Mayor Keyserling said. They had no place to go and little adult supervision after school. A pastor and a police officer got together with the mayor’s support, and the program grew in a month from 30 participants to more than 80, he said. Beaufort County Parks & Leisure Services is allowing the children to use the old Greene Street Gym 5 nights a week for “supper and recreation”; the YMCA, Madness gym, volunteers, coaches, and mentors also participate. Mayor Keyserling anticipates the program will continue to grow. Two police officers are there each day, and firefighters also come out and mingle with the kids, he said.

As of today, 16 South Carolina city councils are on record and ready to join the lawsuit if permits for seismic testing are issued, Mayor Keyserling said; they will try to get an injunction to stop drilling. There are 29 dumpsites off the coast and an unexploded nuclear bomb, he said, and politicians know the right thing to do, but it’s unknown if they have the will to buck a powerful industry.

Mayor Keyserling said the mayor of Mount Pleasant had called him and asked his advice on their ban bill, which is to be voted on tonight and includes straws, styrofoam cups and their plastic tops, as well as single-use plastic bags. Mayor Keyserling said he told the mayor to “get a skinnier bill passed” and to send it to Beaufort because these other materials are as important to ban as single-use plastic bags.

COUNCIL REPORTS

Councilman Cromer said on May 5, the older exhibits at the Beaufort History Museum

will be cleared out; May 21 there will be a soft opening of the new exhibits.

Councilman McFee said a free shuttle is operating on Thursdays through Sundays in a loop that includes three museums.

Councilman McFee said there will be a meet and greet at Washington Street Park on Thursday evening.

Councilwoman Sutton said First Fridays have been happening for 3 years, but the most recent one was “just amazing,” and “Bay Street was full of people.”

Mayor Keyserling said he participated in a National Park Service program to start developing a foundation document for the Reconstruction Era monument. The national monument is moving along very quickly, he said; there has been an interim superintendent here, and there is money for a permanent superintendent in the budget.

There being no further business to come before council, Councilman Cromer made a motion, second by Councilman McFee, to adjourn the regular council meeting. The motion passed unanimously, and the meeting was adjourned at 7:46 p.m.



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/4/2018
FROM:
AGENDA ITEM
TITLE: Worksession Meeting April 17, 2018
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Minutes	Backup Material	5/4/2018

A work session of the Beaufort City Council was held on April 17, 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.

DISCUSSION: FY (FISCAL YEAR) 2019 GOALS AND REVENUE PROJECTIONS FOR MAJOR REVENUE SOURCES: PROPERTY TAX, LOCAL ACCOMMODATIONS & LOCAL HOSPITALITY TAXES, BUSINESS LICENSE TAX, AND PUBLIC SAFETY FEE

Mr. Prokop said **Kathy Todd** would present a conservative revenue forecast. No municipalities have the assessed value from the county yet. Some information for personal property and vehicle taxes doesn't jibe with what has been seen in the past, he said, "so we have some questions there. Mr. Prokop said staff is recommending consideration of a 3-mil fee for a reserve fund for future infrastructure repairs. He said the need for a local option sales tax (LOST) is increasingly important to have "revenue sources that we can control," so the city needs to talk to the county and the other municipalities about that.

There was a general discussion about the municipal (as opposed to county) local option sales tax. Ms. Todd said she has not seen an update about it.

Ms. Todd said the city manager's focus this year will be on strategic goals #1 and #2: economic development and stormwater.

There have been fund structure changes for FY 2019, Ms. Todd said:

- Local hospitality tax (HTAX), local accommodations tax (ATAX), and "certain charges for services" (e.g., parking revenues, marina and carriage tour charges) that were reported in the General Fund will be reported in the new "Parks and Tourism Fund."
- Stormwater fees that were in the General Fund will move to the Stormwater Fund.

Ms. Todd reviewed the city's primary revenue sources:

- Property taxes are 30.2% of total General Fund revenues.
- Business license taxes are 18.6%.
- Local HTAX and ATAX are 14.1%.
- Franchise fees are 11%.

- Intergovernmental agreements for services are 8.6%.
- Refuse collection fees are 4.2%.
- Stormwater utility fees are 4.3%.

Ms. Todd said property tax revenues are estimated with the following assumptions:

- Tax Year 2018 mil values will be affected by reassessment, but the city has not yet received taxable assessed values from the assessor based on that reassessment.
- The county told Ms. Todd to plan for a typical 5% growth to estimate property tax revenues, but she didn't trust that figure, so she used 2% growth on the taxable assessed values.
- The taxable assessed values as of February 28, 2108, plus a 2% growth rate, are estimated to be \$88,535,227, which includes a real property taxable assessed value of \$73,476,271, personal property taxable assessed value of \$9,101,695, and vehicle taxable assessed value of \$5,957,261.
- An inflationary factor has not been received from the state treasurer, but a 3% cap is expected; the actual inflationary factor in FY 2018 was 2.2%. For FY 2019, the operating mil was raised from 54.66 mils to 55.86 mils.
- The debt mil is estimated to remain the same as in FY 2018 at 18.91 mils.

Ms. Todd reviewed Section 6-1-320 of the South Carolina Code of Laws and Subsection D of the article, concerning millage rates and restrictions. Bond counsel recommends that the city adopt a reserve mil for the FY 2019 budget to address the city's infrastructure needs, she said. The city's property tax revenue projections contain 3 mils earmarked as a reserve for capital infrastructure. Ms. Todd said major renovations or repairs are needed in the next year or two on Waterfront Park, the marina, fire station headquarters, and more.

Ms. Todd said with an operating mil of 55.86 (with an estimated 2.2% inflationary increase), a debt mil of 18.91, and a reserve mil of 3 mils for capital infrastructure, the total millage rate recommended for FY 2019 is 77.77 mils, which is a total increase of 4.20 mils.

Ms. Todd reviewed other revenue:

- Business license revenues are estimated to remain the same as in FY 2018 – \$3.6 million.
- Local HTAX and ATAX – The city is at the maximum percentage allowed by state law – 2% for hospitality tax and 3% for accommodations tax. Local HTAX has been demonstrating a 4% growth rate; the projection for FY 2019 is estimated to be \$2 million. Local ATAX has had a 5% growth rate, so the projection for FY 2019 is estimated to be \$815,000, which is \$70,000 more than in FY 2018. Ms. Todd reviewed trends in local HTAX and ATAX.
- Franchise fees from BJWSA, SCE&G, and the telephone utilities are projected to

remain at FY 2018 levels.

- Intergovernmental agreement revenues from bond court fees for the Towns of Hilton Head, Bluffton, Yemassee, and Port Royal, and fire services for the Town of Port Royal are estimated to be \$1.3 million for FY 2019.
- No change is anticipated for refuse collection fees (\$810,000).
- The current stormwater fee is \$105. The county bills \$1.3 million each year for the city, but there is only a 66% collection rate (\$855,000) because the air station (MCAS) doesn't pay stormwater fees. The projection includes an increase in the stormwater rate to \$135 "to generate sufficient fees to cover the operational costs of the Public Works division and anticipated debt repayment on the revenue bond" in FY 2019, totaling \$5 million (with a term of 15 years and a 3% interest rate); therefore the projected stormwater revenues for FY 2019 total \$1,065,306.

Mayor Keyserling said if they are "thinking of bonding stormwater," and the reason for the 66% collection rate isn't explained, it would "look bad." Ms. Todd said it's common throughout the country, and bond counsel didn't think it would be a problem. That collection rate is "not . . . predicated on . . . people not paying" the fee; "all parcels pay stormwater" fees except for MCAS, she said.

Councilman Murray said it is "anticipated the revenue bond [would] total \$5 million," with an annual debt payment of \$527,000; the \$30 increase in the stormwater fee would generate \$1.65 million. Currently, the City of Beaufort collects \$855,000 in stormwater fees, he said, "so the increase only nets us an additional \$210,000." Ms. Todd said, "The reason for that is" that "in every budget year in stormwater," typically between \$200,000 – \$300,000 of the \$855,000 "is dedicated [to] stormwater projects." Councilman Murray asked if Public Works' staff "feels comfortable that we could do without that \$855,000 because the capital needs will be taken care of." Ms. Todd said yes.

Mr. Prokop said a \$5 million bond is a "best guess," based on the data that is available right now; the city may get CDBG (Community Development Block Grant) funds for \$1 million for the stormwater project, for example, and the bond could be for \$4 million or it could be for \$6 million.

It's important to note that the \$30 increase in stormwater fees "doesn't completely cover the bond," so "some of our existing stormwater collections" would have to be used "to cover the debt," Councilman Murray said.

Ms. Todd said, "The stormwater analysis is going to be comprehensive," and the current estimate of \$5 million would include The Point, she told Councilman Cromer, but it could be \$6 million. The amount is unknown until the engineering reports are complete, she said.

Councilman Murray said the proposed mil increase “represents a 5.7% increase in millage total,” if the 3 mil infrastructure reserve is included. He said, if council “didn't pass the 1.2 mil increase on property taxes, it's about a \$100,000 difference.” Ms. Todd said yes, because the operating mil increase is 1.2, which equals about \$100,000.

Councilman Murray asked Ms. Todd how the calendar for the budget would work out once the assessed values are known. Ms. Todd said it should be fine, and council should be able to approve the budget on schedule.

Mayor Keyserling said if the values increase, the mills have to roll back to stay revenue neutral. Ms. Todd said yes, “but the dollars should stay the same.” Mayor Keyserling said the mil numbers might go down if property values “surprise us.” Ms. Todd said this is what staff is discussing: the projections and the basis of those projections. Mr. Prokop said the reserve for infrastructure could be fewer than 3 mills, but they think it's important to consider some kind of reserve.

Mayor Keyserling said a public safety fee had been proposed some time ago; he asked if it is included. Ms. Todd said, “No other fees are proposed, other than the increase in [the] stormwater fee and the reserve mil.”

Councilman Murray said, “The good news” is that property tax revenues are projected to increase \$440,000, including the 1.2 mil increase, which is “a \$330,000 increase to property taxes through growth.” Ms. Todd said that's not the case because the reserve mil is included in property taxes.

Councilman Murray said he feels an increase of approximately \$80 in taxes on a \$250,000 house “is a lot to ask in a city where the average income is \$23,000 a year,” and “it's not just our fee in isolation.” The county will raise its rates, he said, and the school district – even if voters don't pass the upcoming referendum – will build new facilities, so it will raise the money to do that somehow, and property owners will pay for it. Also, utility costs are going up, so Councilman Murray feels the city should be “sensitive to what we ask our residents to do, because it's not an isolated fee. It's the cumulative increase in fees.”

Mayor Keyserling said that's been the city's “philosophy . . . all along,” but he thinks the 3 mil increase and the increase in the stormwater fee are important because the city doesn't want to get to this point again in the future. He feels no one really knows the difference in fees from the city, the county, and the school district when they look at their property tax bills. While the city is sensitive to the concern Councilman Murray raises, its portion of the tax bill is only 25%, Mayor Keyserling said. The county and school district continue to raise their fees, but the city will be blamed for higher taxes, he said. While there's only so much a homeowner can sustain, he feels, protecting the taxpayer “has bitten us in the rear end” by causing the city “to fall behind on stormwater,” for example. The full settlement from the hurricanes is unknown, Mayor

Keyserling said, and the city has put itself “in a position where we’ve got to do something.”

Councilman Cromer said he’s also concerned that “this area is going to be unaffordable for a lot of people,” but he understands the need for 3 mils for an infrastructure reserve fund. He feels, “We’ve got to do a great job selling this.” Councilman Murray said he agrees that stormwater has to be addressed, and the plan that is coming together will address the most critical stormwater needs citywide. Citizens should be appraised of that plan, and the \$30 increase will probably be agreeable, but he’s nervous to also add 3 mil for an infrastructure fund, *and* a 1.2 mil increase on the same bill as the stormwater fee increase. The 3 mil infrastructure fund should be done when there is “more of a plan,” Councilman Murray feels.

Ms. Todd said the fund balance is dwindling because of the hurricanes and because of the city’s need to pay its portion of matching funds for grants that the city is trying to get in order to lessen the amount it has to pay for capital repairs.

Councilwoman Sutton said, “You can only be sensitive [for] so long . . . When it comes to infrastructure, I think we have to be smart” and put some money aside for it.

Councilman Murray said from FY 2016 to FY 2017, revenues increased 7.3%; from FY 2017 to FY 2018 (amended), there was an increase of more than 2%, and he imagines the final numbers will show the revenue “a bit higher than what was projected,” which would mean there was “a 10% increase in revenues over two fiscal years.” What’s being proposed for FY 2018 to FY 2019 is an increase of more than 8% in revenues, he said, so “over the course of 3 years, we’ll see an 18% increase in our budget from \$18 million to \$21 million.” Ms. Todd said the “other revenue” line includes one-time grants, so they should be careful about using those figures in determining revenue increases.

Mr. Prokop said in 2 years, they will see increases in business license fees (e.g., from Walmart, Grainger, etc.), and there will be greater growth because of new commercial businesses.

Councilman Murray said for constituents who earn, on average, \$23,000 – \$25,000 a year, \$100 a year is a lot. He doesn’t think there shouldn’t be any increases – he agrees with the increase in the stormwater fee – but his initial thought on the 3 mils for infrastructure is that it might be better to do that later or to have it be less. Mr. Prokop said it might be less when staff comes back to council. Ms. Todd said fund balance was hit by \$300,000 because of Hurricane Matthew. Mr. Prokop said FEMA has paid for damages from Hurricane Irma; Bluffton and Hilton Head Island have been repaid by FEMA for overtime costs during Hurricane Matthew, and the City of Beaufort filled out FEMA’s forms the same way those towns did, but Beaufort hasn’t been reimbursed.

There being no further business to come before council, the work session adjourned at 6:06 p.m.

EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law, **Councilman Murray made a motion, seconded by Councilwoman Sutton, to enter into Executive Session for discussion of contractual agreements related to nonprofits. The motion passed unanimously.**

Councilman Cromer made a motion, second by Councilman Murray, to adjourn the Executive Session. The motion passed unanimously.

DRAFT



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/4/2018
FROM:
AGENDA ITEM
TITLE: Worksession and Regular Meeting April 24, 2018
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Minutes	Backup Material	5/4/2018

A work session of Beaufort City Council was held on April 24, 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

Linda Roper introduced **Rhonda Carey**, the new Community Services administrative assistant.

PRESENTATION: PROPOSAL FOR CONTINUATION OF THE FREE SHUTTLE PROGRAM

Dr. **Andy Beall**, chairman of the Santa Elena Foundation, shared the initial vision for the shuttle, which came “out of a co-branding exercise” with the Beaufort History Museum, the Verdier House/Historic Beaufort Foundation (HBF), and The Spirit of Old Beaufort to help visitors “Experience Beaufort History.”

Dr. Beall said a 14-passenger mini-bus that was sitting “unused” in Santa Elena’s parking lot was used for the free shuttle. He showed the shuttle’s route; sandwich boards were put at the 6 stops on the route. There have been approximately 650 passengers, of which 87% were visitors. Dr. Beall said he considers the shuttle “a mobile visitors center” and showed the benefits of it as well as the “possible risks.” He said hotels and inns are encouraging guests to ride the shuttle as a way to get to know downtown Beaufort.

Dr. Beall showed the many businesses supporting the shuttle, such as inns, hotels and retailers (e.g., putting up signs and offering shuttle maps), restaurants that include maps and rack cards with check folios, and BeaufortSC.org and the Visitors Center, which promote the shuttle.

Dr. Beall said expanded service opportunities include expanding the route, offering additional days and more hours of operation, giving downtown employees parking options, and increasing mobility with expanded activity during downtown festivals. The group is asking for further assistance from the city, he said.

Councilman Murray asked if the 648 passengers were “unique riders,” or if people were counted twice if they “hopped on and off” the shuttle; Dr. Beall said he believes the number is for unique riders. Councilman Murray said the cost for the current scope of operations is \$140 per day. Dr. Beall said, “That’s the cash portion,” and they have

received in-kind donations. The target is \$200 per day for three 8-hour days each week, he said; if the program were extended through October, the total cost would be \$12,000.

Councilman McFee said for 650 riders, the cost was “basically \$3,200.” Dr. Beall said yes, and there were start-up and marketing costs, too. The “variable cost” to continue the shuttle program for the next 5 months would be \$200 per day.

Councilman Murray asked if there have been conversations about getting contributions from hotels or from USCB in exchange for making those locations stops along the shuttle’s route; Dr. Beall said he would love the city to help him get those venues to have that conversation. He has met with Dr. **Eric Skipper** at USCB and with the Downtown Merchants Association, among others, about making contributions. The Experience Beaufort History organizations raised about \$16,000 for the first phase of the free shuttle and for their program, he said.

The funding for the shuttle’s initial 3-month period ends in 30 days, Dr. Beall said. Councilman McFee asked how the schedule would be complicated if hotels, etc. were included in the route. Dr. Beall said they’d have to discuss that. There is only one vehicle at this time, he said.

Councilman Murray asked about “public opposition,” which was cited in Dr. Beall’s presentation as a risk. Dr. Beall said there has been none, and many people have asked how to be a part of the Experience Beaufort History group and have suggested that they should consider accepting advertisement on their maps or in the vehicle.

Dr. Beall said Hilton Head Island just announced it is putting 3 shuttles in play in July. There was general discussion about this.

Councilman Murray read the request for help from the city: to endorse “the extension of initial shuttle operations”; approve “additional loading zones as practical” – which he thinks would best be done with shuttles operators and “other partners who would like to participate”; organize stakeholders and “facilitate communication, buy-in, and funding,” and “provide financial support approved by council members.” Councilman Murray asked how Dr. Beall sees council assisting with “organizing stakeholders and facilitating communication, buy-in, and funding.” Dr. Beall said Ms. Roper and **Robb Wells** have been wonderful at helping with the shuttle program; council could help Experience Beaufort History representatives talk to businesses and organizations and could encourage them to call him to offer support. Also, Dr. Beall would like to get data together so Experience Beaufort History could apply for Accommodations Tax (ATAX) funds for the shuttle, and he would like help doing that.

Mayor Keyserling said the cost would be about \$5 a rider, if all of the riders counted were “unique.” He feels the “question . . . is how to add value to that,” and he thinks

money generated from remote parking could be the answer. He has discussed the idea of creating a visitors' lot with a reduced fee. The Carteret Street lot is there, he said, but he feels the "overpriced, underutilized parking that is up there by" the Santa Elena History Center, "would be a pretty good discounted tourist lot," with or without a shuttle there. Mayor Keyserling supports the shuttle, but he feels they need a way to "stretch out the financial side and integrate it with other needs in the city," which would "help justify it from the city's" point of view. He'd like to see the shuttle tied "to solving a parking problem."

Ms. Roper said 3 possible locations have been identified that could be expanded to include some parking in private lots. "Employee parking is difficult," she said, so the lot should be multi-use. They are looking at places the shuttle could go "without expanding the route too far." There needs to be an expansion of awareness about the shuttle and about using it to get around downtown, Ms. Roper said.

To stop the momentum the shuttle has now and then start it back up would mean people would think that the shuttle has gone away, Ms. Roper said. The parking task force recommended having a parking shuttle downtown, so she feels this "checks all the boxes."

Dr. Beall said the number of Santa Elena visitors is up, and Councilman Cromer said the same is true at Beaufort History Museum, but it's not known if the shuttle is responsible for that. Councilman McFee said a tangible way to see that would be to show a tie-in with the use of the shuttle and the purchase of passes for the organizations in Experience Beaufort. Dr. Beall said it's "very hard to show cause and effect."

Councilwoman Sutton said her concern with expanding the shuttle's route would be that the shuttles would arrive at the stops at a much slower rate than they are now. Councilman McFee suggested "approaching the hotels in that cusp," and having a shuttle that comes there once in the morning and once in the afternoon.

Dr. Beall said it makes sense to him to go to "merchants and other stakeholders" and ask them to "sponsor a day" for \$200. Councilman Murray said he believes the organizations in Experience Beaufort History could set up a fundraising plan based on "an efficient service at a much lower cost" than, for example, running a typical hotel shuttle. A dedicated stop for a Boundary Street hotel might cost \$5,000, he suggested, while a smaller merchant might pay \$200. Mayor Keyserling suggested having the "hotels buy parking passes and send [guests] to a designated parking lot," where they could pick-up the shuttle, which would be "less expensive than having a shuttle on-demand."

Councilman Murray said, as far as financial support from the City of Beaufort goes, he isn't "opposed to us finding some ability to contribute," but he'd prefer that "this continue to be a private sector-driven exercise." He thinks if hospitality or

accommodations tax dollars are used, the city has “a responsibility to offer the same level of service, or the same consideration to all the folks who generate hospitality and accommodations taxes,” so it benefits all of the businesses that contribute to those funds. Otherwise, “it creates a strange conflict for us,” Councilman Murray said. He feels it would make more sense to “use some parking revenues to help expand parking capacity and transportation among folks in the corridor.”

Kevin Cuppia said they have been showing customers the shuttle map at his business, and people are excited about it; their customers are just learning about it. He feels that if the service stops in a month, and then starts again later, that “will not work.” Mr. Cuppia said locals and visitors alike feel the shuttle service is “Southern hospitality.”

Mayor Keyserling asked if there would be buy-in from merchants to “consider yourself stakeholders.” Mr. Cuppia said he’d “sponsor a day for \$200.” **Eric Thibault** said the merchants could “help to generate income” for the shuttle, and they are in favor of having it. Many of his customers are elderly and can’t walk to all the places on the route, he said, especially in the summer.

Mr. Cuppia said it’s hard to say how the shuttle has affected his business specifically, but he feels it has had “a positive effect on the whole area.” Mr. Thibault agreed that it’s hard to tell if the shuttle has increased business downtown, but “it’s definitely not *hurt* business.” He thinks “it’s definitely a benefit to have it,” and he and Mr. Cuppia and other businesses “will do what we can to support it.”

Councilman Murray said **Maxine Lutz** was following the Facebook live feed and had commented that the Verdier House has not seen an increase in “traffic from the shuttle,” according to the docents, who ask visitors about it.

Lise Sundrla said the shuttle “enhances the downtown experience.” Changes that affect the community can take 22 to 30 months for people to learn about it. The service is “just getting started,” she said, and it needs all the advertising and word-of-mouth it can get.

Dr. Beall said the shuttle is another way to communicate to visitors what their options are, and it helps those whose mobility is challenged.

Mayor Keyserling said Mr. Prokop would ask Ms. Roper to continue working on this and to “see how we can weave it into the parking.” The cost of supporting tourism is expensive, and this is part of that infrastructure, he said, so he would like to see Experience Beaufort History cut costs for the shuttle.

Mr. Thibault said there are 28 businesses in the Downtown Merchants Association. Councilman McFee said some businesses outside of the downtown core, such as realtors, would be interested in advertising on the shuttle or its materials so that riders

would know about their businesses.

Councilman Murray said his business would participate with advertising. He's impressed with the numbers, especially given the marketing budget and how the project started. If there's a way to take some pressure off of the downtown core parking assets, he said, that will be the city's interest in the shuttle. Councilman Murray just doesn't want the city to do "the heavy lift on this," so he'd like to see fundraising done in the private sector and with other nonprofits.

Mr. Prokop said Ms. Roper and Ms. Carey will continue to support the shuttle administratively and will work on "the parking side" to see about putting a package together. Councilman Murray said the city could also help to put Experience Beaufort History in touch with other entities that could help raise revenues for the shuttle service.

FY 2019 BUDGET DEPARTMENT PRESENTATIONS – COURTS AND PLANNING

Mr. Prokop said this is these departments' "first ask." On May 22, the budget that is presented to city council will be the final numbers for all of the departments. Mr. Prokop told Councilman Cromer that the previous day, the county had given the city its final numbers that were needed for the city to estimate FY 2019 revenues, so council would be given revised revenue numbers by the next council meeting.

Courts

Mr. Prokop said council would be seeing a significant increase in expenses for courts because the City of Beaufort, as well as many other communities, was legally obligated to provide an attorney for indigent clients.

Sarah Farrow described what the municipal court does and its mission statement. Recent performance accomplishments include contracting with an attorney to represent indigent defendants in municipal court; hosting quarterly meetings with other summary courts; developing procedures with other agencies for the electronic ticketing system, and entering into an agreement with the Town of Yemassee for bond court services.

Among the performance measures to track recent accomplishments, Ms. Farrow said, the municipal court collected less than 1% of the \$322,669.80 of allowable outstanding fines entered into the Municipal Association of South Carolina (MASC) set-off debt system. Mayor Keyserling asked if, in "the set-off system," fines are collected via "their tax bill"; Ms. Farrow said yes, but "only if they file a South Carolina tax return," so they are unable to collect fines that way from Georgia residents who get traffic tickets here, for example.

Councilman Murray clarified that the \$322,000 figure was for "outstanding fines . . . that we have not collected, and Ms. Farrow said that's correct, "and they're 3 years old." Councilman Murray asked if they are written off after 3 years. Ms. Farrow said they

don't write them off; "they just sit on the books."

A recent goal that the court was unable to achieve due to budget or staffing constraints was the auditing of scanned documents, Ms. Farrow said, which is challenging because of time constraints and complexity.

Ms. Farrow said current performance initiatives include implementing and perfecting the new court procedures set forth by the Chief Justice for all Summary Courts in South Carolina, and exploring ways to improve the customer service experience of those who come to municipal court.

Ms. Farrow said key goals and new initiatives include exploring additional funding sources through partnerships and grants, and enhancing the customer service experience with more accessible digital and electronic options.

The budget request includes new audio recording software and replacement of a 10-year old printer at bond court, Ms. Farrow said. Councilman Cromer asked if printers are leased or purchased. Mr. Prokop said the city purchases printers. Councilman Cromer asked the price of the audio software, and Ms. Farrow said it's \$10,000.

Councilman Murray said council had authorized the indigent defense attorney for this year, but "we haven't gone in to revise the budget for that." Mr. Prokop said the city is over-budget because of the need to hire the attorney, but money will be moved from another department to cover the expense because the city was compelled to hire him, and it was not budgeted for in the current fiscal year.

The major increase in the municipal court budget is because of the contractual services for indigent defense representation, Ms. Farrow said.

Councilman Murray asked about the scanning, which he didn't see in the budget request. Ms. Farrow said it's the "lowest priority, but it's still a priority." Mr. Prokop said it is what municipal court employees do internally.

Ms. Farrow reviewed customer service initiatives for the coming fiscal year. Current initiatives, she told Councilman Cromer, are going "pretty well" so far.

Councilman Murray asked what portion of the \$530,000 in the FY 2019 requested budget is generated from tickets and fines. Ms. Farrow gave out a handout that is at the municipal court window, which shows "how your fine is calculated and where it goes." \$25.00 of a \$76.88 fine for a traffic offense goes into the city's General Fund, for example; \$3.00 goes to victim services, \$25.00 is a "law enforcement surcharge," and the "state assessment" is \$23.88. Councilman Murray said the budget period is a good time to try to educate the public about where fee and fine money goes.

Ms. Farrow said she is exploring “outside the box” ways to fund the indigent defense attorney. Mr. Prokop said the “revenues and costs of what we are required to do in regard to indigent defense” might change in the next year.

Councilman McFee said the total budget request for courts includes “the expense [of] operating bond courts for the other municipalities,” and revenues will reflect “the funds that they pay us to administer this for them.” Mr. Prokop said that’s correct.

There was a discussion about revenues not being in this presentation and the need for them to be in other departments’ presentations.

Ms. Roper said municipal court “revenues are way down” due to mandates from the South Carolina Supreme Court; “we had to stop collecting bench warrants,” which were a major source of revenues, but the costs of what municipal court does remain the same.

Mayor Keyserling said having the “net General Fund cost” in front of council would help them. Councilman Murray said if there are significantly fewer collections and fines, while expenses are “remaining the same . . . that puts further pressure on our General Fund to provide the difference,” so he asked staff to provide “some further detail on that in the next few weeks.” Councilman McFee said he’d also like to know “what percentage of that is the unfunded mandates.”

Planning

Libby Anderson shared the planning department’s mission statement and discussed what it does.

Recent accomplishments include the following, Ms. Anderson said:

- The Beaufort Code was adopted and implemented.
- Implementation of Munis software for permits and code enforcement was initiated.
- The Lady’s Island corridor study was completed and adopted.
- Southside Park trail construction is underway.
- The Allison Road project encroachment permit was issued.
- 60% or more of the Greenlawn Drive streetscape plans have been prepared.
- The department is working with the county on a plan for Lady’s Island
- The Whitehall subdivision has been given conceptual approval and now “final preliminary approval.”
- **Lauren Kelly** received her architect licensure.

Ms. Anderson said the performance measures to track recent accomplishments include tracking the number and type of permits that have been issued, ZBOA applications, and all subdivision applications, but particularly minor subdivision applications. If the capital

projects sales tax is adopted, and if the Lady's Island area plan is adopted, staff feels those would be major accomplishments, she said.

Recent goals the department was unable to achieve include continuous work on streamlining the development review process with a goal of a completely electronic plan review system, Ms. Anderson said. Also, preparation of the Comprehensive Plan update will require additional resources.

Ms. Anderson said current performance initiatives include the following:

- Complete the 6-month update of the Beaufort Code
- Complete staff-level design review within 5 working days
- Move all planning board agendas to "Novus Agenda" or something similar
- Complete the CRS (Community Ratings Service) 5-year cycle verification for flood insurance – Beaufort is currently a Class 7, but the goal is "to go to a Class 6."
- Break ground on the Greenlawn Drive streetscape project
- Have the staff landscape architect become a certified arborist

Ms. Anderson reviewed key performance indicators with FY 2017 actual figures, FY 2018 estimated figures, and the FY 2019 estimated figures for new single-family units, new multi-family units, new commercial buildings, and new lots created.

Key goals and new initiatives for FY 2019 include beginning (but not finishing) a 10-year update of the Comprehensive Plan, which was adopted in December 2009; utilizing the Munis "Permits and Code Enforcement" program and its "citizen self-service" and tracking the results, and updating "our Historic Resources Survey," Ms. Anderson said.

Ms. Anderson said budget requests to achieve FY 2019 goals and initiatives include

- funding for the Comprehensive Plan update, including an additional planning position and contractual services;
- purchase of electronic plan review software;
- funds for travel and training to maintain staff's professional certifications, and
- a summer intern to assist with special projects.

Ms. Anderson said the largest increases in the department's expenditures for FY 2019 are for personnel. Major increases in the budget include the following:

- The building official moved from being a contractor to being a city employee.
- There is a mandate to update the Comprehensive Plan and to update the Historic Resources Survey, which is 20 years old.
- "A test-run on the Boundary Junior streetscape"
- Continuing education for staff

Ms. Anderson reviewed customer service initiatives for FY 2019, including implementing citizen self-service, so permits can be submitted online; purchasing and implementing

electronic plan review; turning around the review of single-family permit applications in five days and commercial permit applications in ten days, and having the landscape architect on staff become a certified arborist.

Mayor Keyserling said he “would hate to see us waste the resources on” a state-mandated update to the Comprehensive Plan. He thinks “we should find a way within the law, because it is a state mandate,” to do “the minimum,” because this mandate is for a variety of different kinds of cities and municipalities, and the City of Beaufort is “out of the planning mode” and is “in the doing mode right now.”

Councilman Cromer agreed and said, “All it is is an update,” and with the city’s Civic Master Plan, he thinks the update could be done incrementally. He doesn’t feel it would be “as difficult and as expensive as people think.” Mayor Keyserling said the Beaufort Code and the Civic Master Plan are “just now being tested,” and he thinks a Comprehensive Plan update would be a “huge distraction.”

Ms. Anderson said the Comprehensive Plan could also be used as a marketing tool, so she thinks it’s important that it “be good.” A consultant would charge “\$250,000 [for] the full thing,” she said. Mayor Keyserling said, “We’ve been doing that for nine years,” and he feels that the Civic Master Plan “is an ideal marketing piece.” Ms. Anderson said the city used the Civic Master Plan for the 5-year review of the Comprehensive Plan. She told Mayor Keyserling that the state doesn’t give the city any money for doing the update.

Mayor Keyserling said he would send the state the Comprehensive Plan, the Beaufort Code, and proposed changes to the code, rather than incurring “this huge expense in terms of time and distraction.” He thinks “it might make sense to review” the Comprehensive Plan in 10 more years.

Mayor Keyserling discussed the intent of the Comprehensive Plan and its review. He said he knows of no city that has as comprehensive a plan as Beaufort does.

Kate Schaefer, Coastal Conservation League, explained why she feels “it makes sense to update the Comprehensive Plan.” Mayor Keyserling said he feels Beaufort’s planning exceeds that of all communities in South Carolina that are its same size. To spend \$250,000 “to satisfy the state that we know what we’re doing” is something he said he would “go to Columbia and fight against.”

Councilman Murray said he feels this is an opportunity to “dig in a little deeper.” Given the revenue projections, “some tough decisions” about funding will need to be made, he said. Mayor Keyserling said he’d rather spend the \$250,000 to figure out how to help Lady’s Island develop a “center core.” If he’s “going to spend money on an outside planner,” he’d rather that person worked on planning that’s needed on Lady’s Island.

Mr. Prokop said the city is looking at all of its contracts. With **Bruce Skipper**, the city will have a combined savings with the Town of Port Royal, and it will have experienced staff at less cost than it is paying its contractors now.

Councilman Murray asked Ms. Anderson about revenues that the planning department generates. Ms. Anderson said their revenues come from fees (e.g., for permits), but they go to the General Fund, not back into the planning department. Mr. Prokop said those revenues are about \$400,00 to \$500,000.

BEAUFORT COUNTY SALES TAX REFERENDUM

Mr. Prokop said the county had expressed concern because the Open Land Trust had come to a county council committee “and asked that a referendum be added to raise \$50 million” over a period of time by adding 1.823 mils to the tax rate. Open Land Trust would use the money “to continue to preserve land,” he said. Councilman Murray said he’d heard county council had passed this on first reading last night; Mr. Prokop said that’s correct.

Mayor Keyserling said he thinks the vast majority of Beaufort County residents “support what Rural and Critical Lands has done,” and “it’s clearly an asset to a community that’s dealing with pressure on [its] natural resources” and infrastructure. He said the county might be looking for the municipalities’ position on “the risk of putting two asks on the same ballot”: this one and the transportation referendum. Mr. Prokop said the county feels the Open Land Trust referendum is “important but maybe shouldn’t be now.” Mayor Keyserling feels “nobody is opposed to it,” but “it’s a question of the timing.”

The measure passed 5 to 4 on first reading, Ms. Schaefer said; County Councilmen **Stewart Rodman, Michael Covert, Gerald Dawson, and Jerry Stewart** were opposed.

Kristin Williams, Open Land Trust, said the Rural and Critical Lands “board has really done their due diligence and research” to get to the point of putting this measure on the November ballot. She discussed “the TPL study,” which “determined the economic benefit of the existing protected open spaces,” and a telephone survey to gauge the support of Beaufort County voters for a November ballot measure, which she said was “overwhelmingly positive.” Ms. Williams and Ms. Schaefer discussed some of the questions in the survey.

Ms. Schaefer feels the research feasibility analysis that TPL did “really highlighted the conversation around growth management in the county,” which she feels ties the two referendums together “more than it separates them.” Several years ago, TPL did a poll for Rural and Critical Lands, she said, and asked Beaufort County residents what they felt “the #1 issue in Beaufort County was.” Economic development was first, Ms. Schaefer said, and “growth management [was] second,” which is the same ranking in the more recent polling, so she feels “a public education campaign” could “unite the goals of the two referendums, and encourage an affirmative vote for both.” She thinks some are

concerned that having “two referendums complicate(s) the success of either one” of them, but she feels they can be “complementary,” if due diligence is done now, and data from the Open Land Trust and TPL is used.

Mr. Prokop asked about the remaining “balance” in Rural and Critical Lands, and Ms. Williams said roughly \$6 million is set aside “just for land protection.” The poll tested both \$30 million and \$50 million for the referendum figure, she said; they went with \$50 million “to add stability to the program for long-range planning.” Ms. Schaefer said there is a need to be “strategically opportunistic,” and Coastal Conservation League feels \$50 million would allow the program to be “more nimble and also more productive.”

Mayor Keyserling asked if the county could hire someone to deliver “an education component.” Ms. Schaefer said she understands that county council voted to do that.

Jason Ruhf said the Chamber of Commerce supports “the transportation sales tax”; he has prepared an information sheet about it based on his conversation with the county about its merits, which he briefly discussed.

Mayor Keyserling feels this matter is “literally a political question.” What he’s “hearing from the county” is, “With the mood of the public today, can you pass two asks,” in the context of every municipality in the county and the school board “raising taxes this year?”

Ms. Williams said she was struck by a response in the survey: among Beaufort voters who didn’t know much or who knew nothing about the Rural and Critical Lands program, “the majority . . . said they would vote in favor of the program.”

Councilman McFee said Beaufort County has “inordinately strong support” for land conservation and growth management, but his constituents already have concerns about stormwater issues, increases in fees for stormwater, increases in taxes for Beaufort County schools, etc. With a shared referendum on top of these increases, he said, citizens feel like government is making “a constant ask [of] the public.” Councilman McFee suggested the message that “this is a complementary program” to the transportation program, with long-range benefits.

Ms. Schaefer said, “Land conservation preempts the need for stormwater management,” because stormwater runs off of “developed surfaces like roads and rooftops”; the TPL study showed a cost savings of \$24 million, “which is higher than our stormwater budget,” so there is value in “doing this type of planning” (e.g., fixing roads, addressing growth management). Also, on the dual referendum question, responses about doing “both were favorable,” Ms. Schaefer said. Ms. Williams said she would get copies of the TPL survey to city council.

Councilman Murray said he agrees that the two referendums' projects relate to one another. He feels the voting public is mostly informed about what they are voting for. "Folks are aware of our transportation needs" now more than ever, he feels, as they are about the issues around development. The economy is good now, Councilman Murray said, and the state isn't going to "rain down money on us." He has no problem with both issues going on the referendum, and he said he would support both of the penny sales taxes.

There being no further business to come before council, the work session was adjourned at 7:05 p.m.

DRAFT

A regular session of Beaufort City Council was held on April 24, 2018 at 7:00 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 regular council meeting to order at 7:12 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman McFee led the invocation and the Pledge of Allegiance.

PUBLIC HEARING: ORDINANCE REZONING A PARCEL OF PROPERTY LOCATED AT 2 HARBORVIEW CIRCLE ON LADY'S ISLAND FROM T3-EDGE TO T4-NEIGHBORHOOD (N)

Mayor Keyserling opened this public hearing. Ms. Anderson described the parcel and its current and proposed zoning. The T4-N zoning is consistent with the Civic Master Plan and the Beaufort Development Code, she said. She described surrounding land uses and said this property is "in a transition zone." Water and sewer will be available, Ms. Anderson said.

Standard public notice was made, and one written comment was received from the bank that owns the Whitehall property, Ms. Anderson said. The MPC recommended approval of the annexation and T4-N zoning, she said.

There being no public comment, **Mayor Keyserling closed this public hearing.**

MINUTES

Councilman Cromer made a motion, second by Councilman Murray, to approve the minutes of council's work session on March 20, 2018. The motion to approve the minutes as submitted passed unanimously.

ANNUAL REQUEST FROM BEAUFORT WATER FESTIVAL FOR STREET CLOSURES, SALE OF ALCOHOL, USE OF SEAWALL, WAIVER OF NOISE ORDINANCE, AND CO-SPONSORSHIP FOR OPENING CEREMONIES

Councilman Murray made a motion, second by Councilman McFee, to approve the requests for the July 13 – 22, 2018 event. Stacey Canaday, this year's Water Festival Commodore, said there is nothing different in this year's request, except that organizers are requesting that now that there is a day dock, that there could be "limited or partial closure of the day dock for certain events only and . . . for a finite period of time" for the safety of participants. The events would be the raft race, on the first Saturday from 8 a.m. to noon; the ski show, which takes place "shortly thereafter," around 2 p.m. to 4

p.m., and during the Blessing of the Fleet, which takes place “the following Sunday,” she said.

Mayor Keyserling asked if Water Festival would be “using the day dock for any staging.” Ms. Canaday said she hadn’t considered that and would raise the idea with the Water Festival committee.

Councilman Murray asked staff to offer opinions “on closure on Saturday and Sunday, and how we would handle that,” or if the city should “just let Water Festival handle that.” **Ivette Burgess** said it’s not been an issue in the past. Mayor Keyserling said the only difference between this application and those for past Water Festivals is that now that the day dock is there, the committee is requesting that it not be open during three specific events. Ms. Roper said she feels that for safety, her recommendation would be that the day dock should be closed at those times.

Ms. Roper said another difference between this year’s application and previous years’ is that the Water Festival organizers “requested permission to install security cameras on the upper roof surface of the pavilion.” Last year, organizers accommodated the stage blocking the cameras in the park, Councilman McFee said. Ms. Roper said that’s right; they did so by adding another camera system to cover those mounted cameras that were being blocked. The police department allowed that last year, she said, but asked Water Festival to redesign the stage this year to accommodate the cameras. However, in the last few days, the city has been looking at possibly permanently relocating the cameras in a different place on the pavilion, but there’s a cost for doing that, so the city would like Water Festival to partner with it on that cost, Ms. Roper said. There was a concern about the warranty on the cameras if they were moved, but as of today, it appears the cameras can be moved, she said.

The contractor hasn’t given the city a cost yet, Ms. Roper told Councilman McFee, but she will call the technician tomorrow to get an estimate. Mayor Keyserling said Water Festival organizers and staff should work this out. Councilman McFee said he’s sure Water Festival will help with this.

Councilman Murray made a motion to amend to allow Water Festival to close the day dock on the first Saturday for the raft race between 8:00 a.m. and 12:00 p.m. and for the ski show from 2:00 p.m. to 4:00 p.m., and during the Blessing of the Fleet the following Sunday, and to grant permission for item #5, if city staff and the Water Festival committee cannot come to a resolution about the cost of movement of existing cameras. Councilman McFee seconded the motion to amend. The motion passed unanimously, and the amended motion passed unanimously.

REQUEST FROM YMCA FOR USE OF THE DOWNTOWN MARINA BOAT RAMP AND THE GRASSY AREA BY THE MARINA STORE, AND FOR FREE PARKING IN THE MARINA LOT FOR THE BEAUFORT RIVER SWIM

Councilman McFee made a motion, second by Councilman Murray, to approve the requests for the May 19, 2018 event. Pete Palmer described the event, which raised \$10,000 last year for “learn to swim lessons.” The request is the same as it has been in past years, he said. Ms. Burgess said staff supports the request. **The motion passed unanimously.**

APPROVAL OF MEDIATION SETTLEMENT AGREEMENT

Councilman Murray made a motion, second by Councilman McFee, to approve the mediation settlement agreement. Mr. Prokop said the new Beaufort Code includes a provision for the appeal of a ZBOA ruling; an applicant “could request mediation” before the matter goes to court. That is what happened in this case, he said; the applicant was **David Burre** of Burrirain, LLC, which owns the property that formerly had Applebee’s on it. Mr. Burre felt the ZBOA’s requirements “were not fair,” Mr. Prokop said, so he appealed the board’s decision.

Mr. Prokop said he and **Bill Harvey**, the city attorney, went to mediation with Mr. Burre and his counsel, and it was determined that what Mr. Burre “wanted to do . . . was fair.” The settlement agreement states that Mr. Burre can have “the cut-in that they want,” and sets requirements for maintaining the large live oak that is there. “This is really an overruling of the ZBOA’s recommendation,” Mr. Prokop said. **The motion passed unanimously.**

AUTHORIZATION TO ALLOW CITY MANAGER TO ENTER INTO CONTRACTUAL AGREEMENT

Councilman Murray made a motion, second by Councilman Cromer, to authorize the city manager to enter into the agreement. Mr. Prokop said this is to remove the gas tanks that were in the Sunoco station on Boundary Street. The RFP was posted, four bids were received, and the lowest responsible bidder was HERR; the selection committee unanimously recommends awarding the contract to this company. It is less expensive to remove the tanks than it is to fill them with concrete, he said. The tank removal is within the Boundary Street budget, Mr. Prokop told Councilman Murray. **The motion passed unanimously.**

FY 2018 BUDGET AMENDMENT #2

Councilwoman Sutton made a motion, second by Councilman Murray, to approve the budget amendment on first reading. Mr. Prokop said this amendment is for various grant monies and reimbursement funds received (e.g., a grant for the pumpout boat, reimbursement from FEMA for expenses related to Hurricane Irma), which balances out the expenditures to which they were applied. **The motion passed unanimously.**

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 (CVB)

Councilman Cromer made a motion, second by Councilman McFee, to approve the

resolution.

Councilman Murray made a motion to amend, adding a requirement for the split to be effective by July 1, 2018. Councilman McFee seconded the motion to amend. The motion passed unanimously.

Councilman Murray said he asked for this resolution to be included on the agenda; there's been "ongoing dialogue" with the Chamber on city council's behalf via the city manager. Steps have been made to formally separate the Chamber and the CVB, with "formal approval from the 3 political jurisdictions," he said, and this is formal notice that council supports "your direction moving forward." Mayor Keyserling said this resolution "is codifying our support." Councilman Murray said it's "important to point out that we identify our DMO by ordinance," so there will have to be some ordinance changes (e.g., concerning hospitality taxes) by July 1. **The amended motion passed unanimously.**

CITY MANAGER'S REPORT

Mr. Prokop congratulated Councilman McFee on his performance in "Forbidden Broadway."

Mr. Prokop said firefighters saved the lives of 3 people who were trapped in a house fire in the Port Royal last week.

Two Beaufort police officers were honored by SLED (South Carolina Law Enforcement Division) for their DUI enforcement, Mr. Prokop said, and the police department received an award for it as well.

Mr. Prokop said Bridges Preparatory School will be expanding its campus in its current location on Highway 170 in Port Royal, "and will officially be leaving their current location by the end of June 2019." The school will not be using the Greene Street Gym in the coming year, he said, so this is an opportunity for the city to work with Beaufort County Parks and Leisure Services to expand "the very successful" United Community Task Force programming at the gym. There are currently 86 kids involved in the program, Mr. Prokop said, some of whom "have never played sports in their lives."

Mr. Prokop said the Boundary Street ribbon-cutting would be June 1 at 10:00 a.m. in Beaufort Plaza. He described upcoming work and said the project will be done in the next couple weeks. Also, "the day dock is moving right along," Mr. Prokop said. **Neal Pugliese** said the pile-driving would resume tomorrow in Waterfront Park. Mr. Prokop offered an update on the Southside Park trail construction.

Budget reviews have started, Mr. Prokop said, and staff is open to any questions or suggestions. At council's work session on May 22, staff will present the final budget, he said.

Mr. Prokop offered condolences to Police Chief **Matt Clancy** on the passing of his stepfather.

Councilman Murray said he would like to have a discussion in the future on priorities for remaining funds from the Boundary Street project. Mr. Prokop said that is in the works.

MAYOR'S REPORT

Mayor Keyserling said at the Charles Lind Brown Center last night, there must have been 40 basketballs in the air at any given time, and 80 kids running around the gym, "having the time of their lives." The kids in the program are "getting so much positive attention," he said, which is "fabulous to see."

COUNCIL REPORTS

Councilman McFee said the soft shell crab festival was extremely successful, and Councilman Murray agreed and said he's excited about the upcoming "Taste of Beaufort."

Councilman Cromer said the Reconstruction exhibit at the Beaufort History Museum will be moved, and a photographic exhibit will be put in its place. The museum will be closed the second and third weeks of May, he said, and then it will have a soft opening to showcase the renovations on May 21.

Councilman Cromer said the Beaufort History Museum is hosting a "tea" called "The Language of Libations" at Dataw on May 8 from 1:00 p.m. to 4:00 p.m. The event's proceeds will benefit the museum, he said.

There being no further business to come before council, Councilman Cromer made a motion, second by Councilman Murray, to adjourn the regular council meeting. The motion passed unanimously, and the meeting was adjourned at 7:58 p.m.



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/3/2018
FROM: Kathy Todd, Finance Director
AGENDA ITEM
TITLE: FY 2018 Budget Amendment #2 - 2nd Reading
MEETING
DATE: 5/8/2018
DEPARTMENT: Finance

BACKGROUND INFORMATION:

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.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Documentation	Backup Material	5/3/2018

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			



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/4/2018
FROM:
AGENDA ITEM Ordinance Authorizing the City Manager to enter into contract for Sale of Property in
TITLE: Commerce Park - Clean Burn, LLC - 2nd Reading
MEETING
DATE: 5/8/2018
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

1st Reading was held on December 12, 2017

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	5/4/2018
Lease/Purchase Agreement	Backup Material	5/4/2018
Development Plans	Backup Material	5/4/2018

ORDINANCE

Authorizing the City Manager to Enter Into Contract for Sale for City Property in Commerce Park

WHEREAS the City owns property in the Commerce Park located in the City limits; and,

WHEREAS, the City has been approached by Clean Burn, LLC, proposing to enter into a Lease/Purchase agreement for 16 acres located at 48 Schein Loop shown as tax map number R 120 024 000 0408 0000 on the plat of Andrews Engineering attached hereto; and,

WHEREAS, the purchase option price shall be \$20,000 per, or \$320,000, less job creation and other economic development incentives of \$20,000, for a total purchase option price of \$3000,000; and,

WHEREAS, the lease shall be for 15 years, at a monthly lease price that is the amortized amount of the purchase price, plus annual interest of 4%; and,

WHEREAS, on November 1, 2017, Beaufort City Council adopted the “Economic Development Incentives for Commerce Park” attached hereto; and,

WHEREAS, the City and Clean Burn, LLC have agreed to enter into the Lease/Purchase agreement attached hereto, upon approval by Council; and,

WHEREAS, this transaction has been reviewed with the County Economic Development Office, which has approved this economic development project; and,

WHEREAS, this is the type of industry, job creation, and economic development for which Commerce Park was purchased and developed by the City; and,

WHEREAS, City Council finds that it is in the best interest of the City, and its citizens, to enter into contractual arrangement for the lease/purchase of this property; and,

WHEREAS, Section 1-3021 of the City Ordinances requires an Ordinance for the sale or lease of lands of the City;

NOW THEREFORE, be it ordained by the City Council of the City of Beaufort, in chambers duly assembled, and by the authority of the same, that the City Manager shall be authorized to enter into a Lease/Purchase contractual arrangement with Clean Burn, LLC, as follows:

To Lease/Purchase the 16 acre parcel of land in Commerce Park at the corner of Schein Loop and Schwartz Road, 46 Schein Loop, shown on the plat attached hereto, to Clean Burn, LLC for a 15 year lease, at a purchase option price of \$20,000 per acre, less job creation and other economic development incentives as set forth above of \$20,000, for a final purchase option price of \$300,000, amortized for 15 years at 4% APR.

This Ordinance shall be effective upon adoption.

BILLY KEYSERLING, MAYOR
ATTEST:

IVETTE BURGESS, CITY CLERK

1ST Reading _____

2nd Reading & Adoption _____

Reviewed by

A handwritten signature in blue ink, appearing to read "William B. Harvey, III".

William B. Harvey, III, City Attorney

LEASE PURCHASE
AGREEMENT

BY AND BETWEEN

CITY OF BEAUFORT
LESSOR,

AND

OLIVER'S CLEAN
BURN, LLC
LESSEE

DATED
APRIL 20, 2018

LEASE PURCHASE AGREEMENT

This LEASE PURCHASE AGREEMENT (this "*Agreement*"), dated as of May 10, 2018 (the "*Effective Date*"), is entered into by and between the CITY OF BEAUFORT ("City"), as lessor ("C&S"), and Oliver's Clean Burn, LLC, Lessee ("Oliver's").

WHEREAS, the City is the owner of that certain parcel of property, together with all improvements located thereon, located in the City of Beaufort, County of Beaufort, State of South Carolina, and more particularly described on Exhibit A attached hereto and made a part hereof (the "*Leased Property*'");

WHEREAS, Oliver's and the City wish to enter into an Agreement for Lease Purchase pursuant to which Oliver's agrees to lease the Leased Property from the City, with an option to purchase;

NOW THEREFORE, for and in consideration of the mutual promises herein contained, Oliver's and the City hereby agree as follows:

ARTICLE I

DEFINITIONS; RULE OF CONSTRUCTION

Section 1.01 *Definitions*. The following terms will have the meanings specified below, unless the context clearly requires otherwise:

"Agreement" means this Agreement, including the Exhibits attached to this Agreement, as amended, modified or supplemental from time to time in accordance with the terms of this Agreement.

"Effective Date" means May 10, 2018

"Event of Default" means one or more events of default as specified in Section 11.01 of this Agreement.

"Lease Term" means the term of this Agreement as determined pursuant to Article V of this Agreement.

"Lease Year" means, initially, from the Effective Date through September 30, 2018, and thereafter, means each twelve-month period commencing on October 1 of each year and ending on the immediately succeeding September 30th of the following year until the termination of this Agreement.

Section 1.02 *References*. All references to articles or sections are references to articles or sections of this Agreement, unless the context clearly indicates otherwise.

ARTICLE II

REPRESENTATIONS, COVENANTS AND WARRANTIES

Section 2.01 the City representations, covenants and warrants for the benefit of Oliver's as follows:

(a) The City is a duly organized municipality created under the laws of the State of South Carolina, has the requisite power to carry on its present and proposed activities, and has full power, right and authority to enter into this Agreement, and to perform each and all of the obligations of the City provided herein.

(b) This Agreement is a legal, valid and binding obligation and agreement of the City of Beaufort, enforceable against Oliver's in accordance with its terms.

(c) Neither the execution and delivery of this Agreement, nor the fulfillment of or compliance with the terms and conditions of this Agreement, nor the consummation of the transactions contemplated by this Agreement, results in a breach of the terms, conditions and provisions of any agreement or instrument to which the City is now a party or by which Oliver's is bound or constitutes a default under any of the foregoing.

(d) To the knowledge of the City of Beaufort, there is no litigation or proceeding pending or threatened against Oliver's (or against any other person) affecting the rights of the City of Beaufort to execute or deliver this Agreement or to comply with its obligations under this Agreement. Neither the execution and delivery of this Agreement by the City of Beaufort, nor compliance by the City of Beaufort with its obligations under this Agreement, requires the approval of any regulatory body or any other entity the approval of which has not been obtained.

ARTICLE III

DEMISE; LEASE PAYMENTS

Section 3.01 *Lease Agreement*. The City hereby leases the Leased Property to Oliver's, and Oliver's hereby leases the Leased Property from the City, in accordance with the provisions of this Agreement, to have and to hold for the Lease Term.

Section 3.02 *Lease Payments and Term*. In consideration for Oliver's acquisition of the rights to use the Leased Property during the Lease Term and the Oliver's option to purchase the Leased Property pursuant to the Purchase Option set forth in Section 3.03 of this Agreement, Oliver's agrees to pay to the City two thousand, one hundred eighty two dollars and eight cents (\$2,182.08) on the first day of each

month for a period of 15 years beginning on October 1, 2018 and continuing each month until September 30, 2033. This takes into account a five thousand dollar (\$5000) "good faith" payment made to the City on August 25th, 2017. Factored into these lease payments is a four percent (4.00%) interest rate for the term of this lease purchase agreement.

Section 3.03 *Prepayment*. Notwithstanding any provision herein to the contrary, Oliver's may prepay any of the foregoing Lease Payments, in full or in part, at any time. Upon prepayment in full of all Lease Payments, the Purchase Option shall be deemed exercised in accordance with Section 4.01 below. Any partial prepayment of Lease Payments shall be applied to the last Lease Payment then due, and shall not apply to reduce the next monthly Lease Payment due.

ARTICLE IV PURCHASE OPTION

Section 4.01 *Purchase Option*. The City hereby grants to Oliver's the option to purchase the Leased Property (the "*Purchase Option*"), with the purchase price for the Leased Property being payment in full of all Lease Payments for the term of this Agreement (all such Lease Payments also referred to herein, collectively, as the "*Purchase Price*"). Upon payment in full of the Purchase Price, whether in accordance with the schedule set forth in Section 3.02 or prepaid in accordance with Section 3.03, Oliver's shall be deemed to have exercised the Purchase Option without any further notice of exercise of the Purchase Option.

Section 4.02 *Conveyance of all Documents*. Within ten (10) business days of receipt of the full Purchase Price, but subject to provision of all required documents by Oliver's, the City shall execute and deliver all documents reasonably required to convey fee simple title to the Leased Property to Oliver's, free of liens, but otherwise subject to all matters of record in the Beaufort County real estate records.

Section 4.03 *As Is, Where Is*. OLIVER'S ACKNOWLEDGES AND AGREES THAT, IF THE PURCHASE OPTION IS EXERCISED, (A) THE LEASED PROPERTY SHALL BE SOLD, AND OLIVER'S SHALL ACCEPT TITLE TO THE LEASED PROPERTY "AS IS, WHERE IS, WITH ALL FAULTS"; (B) EXCEPT FOR THE WARRANTY OF TITLE IN THE DEED, THE CITY WILL NOT AND SHALL NOT BE DEEMED TO HAVE MADE ANY VERBAL OR WRITTEN REPRESENTATIONS OR WARRANTIES (WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE) TO OLIVER'S WITH RESPECT TO THE LEASED PROPERTY; AND (C) BY CLOSING ON THE LEASED PROPERTY, OLIVER'S SHALL BE DEEMED TO HAVE CONFIRMED INDEPENDENTLY ALL INFORMATION THAT IT CONSIDERS MATERIAL TO ITS PURCHASE OF THE LEASED PROPERTY.

ARTICLE V LEASE TERM

Section 5.01 *Lease Term*. The Lease Term shall commence on the Effective Date and end on September 30, 2033.

Section 5.02 *Termination*. The Lease Term shall terminate upon the earliest to occur of the following:

- (a) The occurrence of an Event of Default and subsequent termination by the City pursuant to Article XI of this Agreement; or
- (b) September 30, 2033; or
- (c) Conveyance of fee simple title of the Leased Property to Oliver's following exercise of the Purchase Option as provided in Article IV of this Agreement.

Section 5.03 *Termination of Obligations, Right of Possession, and Purchase Option.* Upon termination of the Lease Term following either Event of Default as contemplated in Section 5.02(a), Oliver's shall cease all rights of possession of the Leased Property. Upon termination of the lease term, Oliver's shall no longer have the Purchase Option as provided herein. Oliver's shall remove all equipment and fixtures from the Leased Property and shall return the Leased Property to the City in the condition that existed at the inception of this Agreement, normal wear and tear excepted. Under no circumstance following an Event of Default shall the City be required to return any Lease Payment previously paid.

ARTICLE VI

QUIET ENJOYMENT; LANDLORD OBLIGATIONS; TENANT OBLIGATION

Section 6.01 *Quiet Enjoyment.* The City hereby covenants that Oliver's shall, during the Lease Term, peaceably and quietly have and hold and enjoy the Leased Property without suit, trouble or hindrance from the City, except as expressly required or permitted by this Agreement or by laws, regulations or policies that govern the City in the performance of their duties. The City shall not interfere with Oliver's quiet use and enjoyment of the Leased Property during the Lease Term.

Section 6.02 *The City's Obligations.* During the term of this Agreement, the City shall be responsible for the following (collectively, *City Obligations*):

- (a) Property Taxes. Oliver's shall be responsible for all property taxes applicable to the Leased Property from the date of this Agreement for the Lease Term prior to conveyance of the Leased Property to Oliver's pursuant to the Purchase Option.

Section 6.04 *Tenant Obligations; Limitations.* During the term of this Agreement, the Oliver's shall be responsible for, and its occupancy subject to, the following:

- (a) Management. Oliver's shall be responsible for performing all tasks and functions associated with ownership and management of the Leased Property.
- (b) Utilities. Oliver's is responsible for all utilities serving the leased property.
- (c) Use. The Leased Property will be used by Oliver's for uses associated with the clean burn facility. Any other uses must be approved in writing by the City.
- (d) Environmental Issues: Oliver's shall not allow any contaminants or toxic material to be stored on the property without being enclosed in a secure facility. Oliver's shall not deposit onto the Leased Property, or any surrounding property, any liquid or other

material that contains contaminants or toxic material, or that is not environment friendly. The release by Oliver's of any contaminants, toxic or other similar material or liquid onto the property shall be an event of default of this agreement. Upon termination of this Lease Agreement, and before relinquishing of possession of the property, Oliver's shall provide to the City a certificate from a certified environmental inspector that the property is free of contaminants or other toxins. Oliver's has the duty to remove and remediate, at its sole expense, any contamination or other toxins introduced to the property during the term of this agreement, and to indemnify and hold the City harmless from all damages, claims, actions or enforcement as a result thereof, including reasonable attorney's fees and costs.

ARTICLE VII

INSURANCE AND CONDEMNATION PROCEEDS

Section 7.01 *Insurance*: During the period of Lease Payments, and until the exercise of the Purchase Option by Oliver's and the transfer of the Leased Property by recorded deed, Oliver's will maintain a comprehensive general liability insurance policy with an A+ rated company with coverage in the amount of \$1,000,000, with the City listed as an additional named insured. Oliver's will provide to the City a copy of each year's renewal of this insurance policy. Failure to maintain continuous insurance coverage as stated above shall be an event of Default.

Section 7.02 *Proceeds*. If, during the term of this Agreement, (i) the Leased Property or any portion thereof shall be destroyed (in whole or in part), or be damaged in any way by any casualty, Oliver's and the City will jointly pursue reimbursement from their respective insurance companies. Any payments for the destruction of the unimproved property will be made to the City. Any payments made for damaged or destroyed improvements or items on the property will be made to Oliver's.

ARTICLE VIII

DISCLAIMER OF WARRANTIES; OTHER COVENANTS

Section 8.01 *Disclaimer of Warranties*. The City makes no warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for a particular purpose or fitness for a particular use of the Leased Property or any part thereof or any other representation or warranty with respect to the Leased Property or any part thereof. In no event shall the City be liable for any direct or indirect, incidental, special or consequential damage in connection with or arising out of this Agreement or the existence, furnishing, functioning or use of the Leased Property as provided in this Agreement.

ARTICLE IX

TITLE TO LEASED PROPERTY

Section 9.01 *Title to Leased Property*. Except for personal property purchased by the Oliver's at its own expense, title to the Leased Property and any and all additions and modifications to or replacements of any portion of the Leased Property shall be held in the City's name, until conveyed pursuant to the Purchase Option, notwithstanding (1) the occurrence of any event of damage, destruction, condemnation or construction or title defect, or (2) the violation by the City of any provision of this Agreement. Oliver's shall have no right, title or interest in the Leased Property or any additions and modifications to or replacements of any portion of

the Leased Property, except as expressly set forth in this Agreement.

ARTICLE X

SUBLEASING, ASSIGNMENT, AND INDEMNIFICATION

Section 10.01 *Oliver's Subleasing and Assignment.* Oliver's may not sublease the Leased Property, in whole or in part, or assign any of its rights or obligations under this Agreement, without the prior written consent of the City and upon such terms and conditions acceptable to the City.

Section 10.02 *Liability of the City.* The parties agree and intend that the City shall not be liable for any actual costs, liabilities and expenses incurred as a result of claims, by or on behalf of any person, firm, corporation or other legal entity, arising from the operation or management of the Leased Property during the Lease Term, including any claim or liability arising from any act of negligence of Oliver's or any of its agents, contractors or employees or any violation of law by Oliver's or breach of any covenant or warranty by Oliver's under this Agreement. If any claim against the City is not covered by the insurance required by Section 7.01, Oliver's agrees to defend, indemnify and hold the City harmless from such claim or liability, including reasonable attorney's fees.

ARTICLE XI

EVENTS OF DEFAULT

Section 11.01 *Events of Default.* The following shall be "*Events of Default*" under this Agreement and the term "*Default*" shall mean, whenever such term is used in this Agreement, any one or more of the following events:

(a) Failure by Oliver's to make any Lease Payment under this Agreement within ten (10) days after receipt of written notice specifying such failure;

(b) Failure by Oliver's to observe and perform any covenant, condition or agreement on its part to be observed or performed (other than as described in (a) above) for a period of 30 days after written notice specifying such failure and requesting that such failure be remedied shall have been given to Oliver's by the City, unless the City shall agree in writing to an extension of such time prior to its expiration; *provided, however,* if the failure stated in the notice cannot be corrected within the applicable period, the City shall not unreasonably withhold its consent to an extension of such time if corrective action is instituted by Oliver's within the applicable period and diligently pursued until such failure is corrected; or

(c) The dissolution or liquidation of Oliver's or the voluntary initiation by Oliver's of any proceeding under any federal or State law relating to bankruptcy, insolvency, arrangement, reorganization, readjustment of debt or any other form of debtor relief, or the initiation against Oliver's of any such proceeding which shall remain undismissed for sixty (60) days, or the entry by Oliver's into an agreement of composition with creditors or Oliver's failure generally to pay its debts as they become due.

Section 11.02 *Remedies on Default.* Whenever any Event of Default shall have happened and be continuing, the City may take one or any combination of the following remedial steps:

(a) Terminate this Agreement and all obligations of the City hereunder, including without limitation the Purchase Option, evict (if necessary) Oliver's from the Leased Property or any portion thereof and re-lease the Leased Property or any portion thereof; or

(b) Take whatever action at law or in equity may appear necessary or desirable to collect the amounts then due and thereafter to become due, or to enforce performance and observance of any obligation, agreement or covenant of Oliver's under this Agreement.

Section 11.03 *No Remedy Exclusive*. No remedy herein conferred upon or reserved to the City is intended to be exclusive, and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement and every remedy now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power, and any such right and power may be exercised from time to time and as often as may be deemed expedient. In order to entitle the City to exercise any remedy reserved in this Article XI, it shall not be necessary to give any notice, other than such notice as may be required in this Article XI.

Section 11.04 *Waivers*. If any provision contained in this Agreement should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach under this Agreement.

Section 11.05 *Agreement to Pay Attorneys' Fees and Expenses*. If either party to this Agreement shall default under any provision under this Agreement and the non-defaulting party shall employ attorneys or incur other expenses for the collection of any payments due under this Agreement, or the enforcement or performance or observance of any obligation or agreement on the part of the defaulting party contained in this Agreement, the defaulting party agrees that it shall pay on demand therefor to the non-defaulting party the fees of such attorneys and such other expenses so incurred by the non-defaulting party.

ARTICLE XII MISCELLANEOUS

Section 12.01 *Notices*. All notices, certificates or other communications under this Agreement shall be sufficiently given and shall be deemed given when delivered in person or by nationally recognized courier or mailed by certified mail, postage prepaid, addressed as follows:

To City:

The City of Beaufort
Attn.: William A. Prokop
1911 Boundary Street
Beaufort, SC 29901

with a copy to (City's Attorney):

Harvey & Battey, P.A.
Attn.: William B. Harvey, III
P.O. Box 1107

Beaufort, SC 29901

To Oliver's :

Oliver's Clean Burn,
LLC
(Attention: Colleen
Oliver)
843.846.0505
39 Schwartz Road
Beaufort, SC 29906

Section 12.02 *Binding Effect*. This Agreement shall inure to the benefit of and shall be binding upon the City and Oliver's, and their respective successors and assigns.

Section 12.03 *Amendments, Changes and Modifications*. This Agreement may not be amended, modified or supplemented except by written agreement executed by Oliver's and the City.

Section 12.04 *Payments Due on Holidays*. If the date for making any payment or the last day for performance of any act or the exercising of any right, as provided in this Agreement, shall not be a Business Day, such payment shall be made or act performed or right exercised on the next preceding day that is a Business Day.

Section 12.05 *Severability*. If any provision of this Agreement, other than the requirement of the City to provide Oliver's City quiet enjoyment of the Leased Property, shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.

Section 12.06 *Execution in Counterparts*. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 12.07 *Governing law*. The parties intend that this Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina.

Section 12.08 *Captions*. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

Section 12.09 *Memorandum of Lease*. At the request of either party, Oliver's and the City shall execute a memorandum of this Agreement to be recorded in the real estate records

of Beaufort County, South Carolina.

In witness whereof we have hereunto set our hands and seal on the date set forth above.

WITNESSES

OLIVER'S CLEAN BURN, LLC

By: _____

It's _____

CITY OF BEAUFORT

By: _____

It's _____

The map shows a project site located in a suburban area. The site is a large, irregularly shaped lot, shaded in light gray, and is labeled "SITE" in large, bold, black capital letters. A large black arrow points from the text "SITE" to the site boundary. The site is bounded by Laurel Bay Rd to the south and Spanish Moss Trail to the east. To the west of the site is a residential development with many small lots. To the east of the site is a large, open area labeled "MCAS". A major road, Trask Pky (Hwy 21), runs diagonally from the top right to the bottom right of the map. A north arrow and a scale bar (0 to 1/4 mile) are located in the top left corner. The map is titled "A" in the top left corner.

BJWSA NUMBER: -----

N.P.D.E.S. DISTURBED AREA = 6.0 ACRES

3 DAYS BEFORE DIGGING IN SOUTH CAROLINA
CALL 1-888-721-7877
PALMETTO UTILITY PROTECTION SERVICE

APPROXIMATE LOCATION OF SITE:	
LONGITUDE:	80°-46'-15"
LATITUDE:	32°-27'-45"

DEVELOPER NAME:
WALTER OLIVER, JR.
OLIVER'S BUSHHOGGING
101 SCHEIN LOOP
BEAUFORT, SC 29906
PHONE #: (843) 846-0505

PROJECT DATA INFORMATION:

OLIVER'S BUSHHOGGING AIR CURTAIN INCINERATOR
DISTRICT #: 120
MAP #: 24
PARCEL #: 0408
PROJECT ZONING: LI (COB)
ZONING BOUNDARIES: S1 (BC) & LI (COB)
FEMA FLOOD ZONE: C1

<u>PHONE #:</u>	<u>PERMIT#:</u>
B.J.W.S.A. 843.987.9250	-----
D.H.E.C. 843.522.3345	-----
O.C.R.M. 843.744.5898	-----
S.C.D.O.T. 843.524.7255	-----
S.C.E.&G. 843.525.7712	-----
PAL. ELEC. 843.208.5512	-----

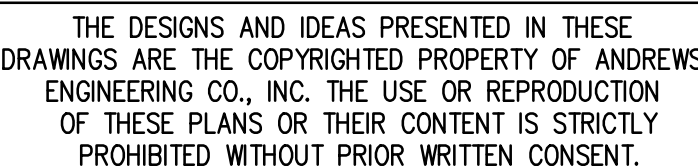
APPROVED FOR CONSTRUCTION

BY: _____ / /
DATE

Andrews
E**ngineering**
& Surveying

2712 Bull Street Suite A
Beaufort, SC 29902
843.379.2222
Fax 843.379.2223

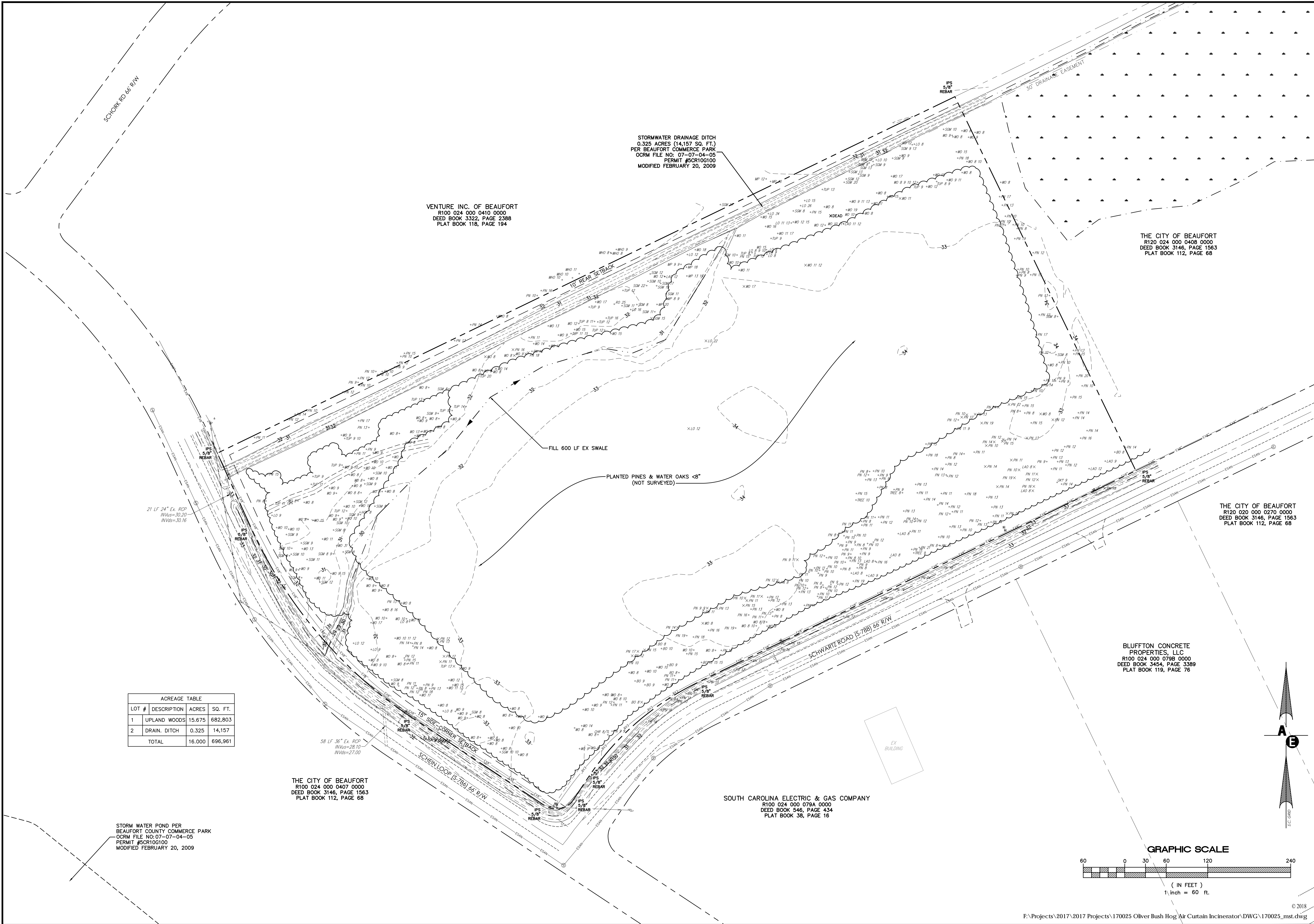
THE DESIGNS AND IDEAS PRESENTED IN THESE DRAWINGS ARE THE COPYRIGHTED PROPERTY OF ANDREWS ENGINEERING CO., INC. THE USE OR REPRODUCTION OF THESE PLANS OR THEIR CONTENT IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN CONSENT.



INDEX OF DRAWINGS	
SHEET #	DESCRIPTION
	TITLE
A	LEGEND & NOTES SHEET
1	DEMOLITION & EXISTING SITE PLAN
2	OVERALL SITE PLAN
3	SEDIMENT & EROSION CONTROL PLAN A
4	SEDIMENT & EROSION CONTROL PLAN B
5	TREE PROTECTION & REMOVAL PLAN
6	HORIZONTAL CONTROL PLAN
7	SANITARY SEWER & WATERLINE PLAN
8	DRAINAGE & GRADING PLAN
9	SEDIMENT & EROSION CONTROL DETAILS
10	PAVING DETAILS
11	SANITARY SEWER & WATERLINE DETAILS
12	DRAINAGE DETAILS
13	SETBACKS & AICUZ SITE PLAN
1 OF 2	SCDOT SIGHT DISTANCE PLAN
2 OF 2	SCDOT TRAFFIC CONTROL PLAN

<u>DRAWING RELEASED FOR:</u>		
<input checked="" type="checkbox"/> PLAN REVIEW		<u>04</u> / <u>20</u> / <u>2018</u>
<input type="checkbox"/> PERMIT DRAWINGS		<u> </u> / <u> </u> / <u> </u>
<input type="checkbox"/> CONSTRUCTION DRAWINGS		<u> </u> / <u> </u> / <u> </u>
<input type="checkbox"/> BID SET		<u> </u> / <u> </u> / <u> </u>
<input type="checkbox"/> RECORD DRAWINGS		<u> </u> / <u> </u> / <u> </u>
<input type="checkbox"/> OTHER: _____		<u> </u> / <u> </u> / <u> </u>

PLAN REVISIONS			
NO.	DESCRIPTION:	DATE:	BY:
①	-	-	-
②	-	-	-
③	-	-	-
④	-	-	-
⑤	-	-	-
⑥	-	-	-
⑦	-	-	-
⑧	-	-	-



ACREAGE TABLE			
LOT #	DESCRIPTION	ACRES	SQ. FT.
1	UPLAND WOODS	15.675	682,803
2	DRAIN, DITCH	0.325	14,157
TOTAL		16.000	696,961

PLAN REVISIONS		NO.	DESCRIPTION	DATE	BY:
1		1			
2		2			
3		3			
4		4			
5		5			
6		6			
7		7			
8		8			

THE DESIGNS AND IDEAS PRESENTED IN THESE DRAWINGS ARE THE COPYRIGHTED PROPERTY OF ANDREWS ENGINEERING CO., INC. THE USE OR REPRODUCTION OF THESE PLANS OR THEIR CONTENT IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN CONSENT.

ANDREWS ENGINEERING
NO. 000008
REGISTERED PROFESSIONAL ENGINEER
NO. 28230
SOUTH CAROLINA

2712 Bull Street Suite A
Beaufort, SC 29902
843.379.2222
Fax 843.379.2223

Andrews Engineering & Surveying

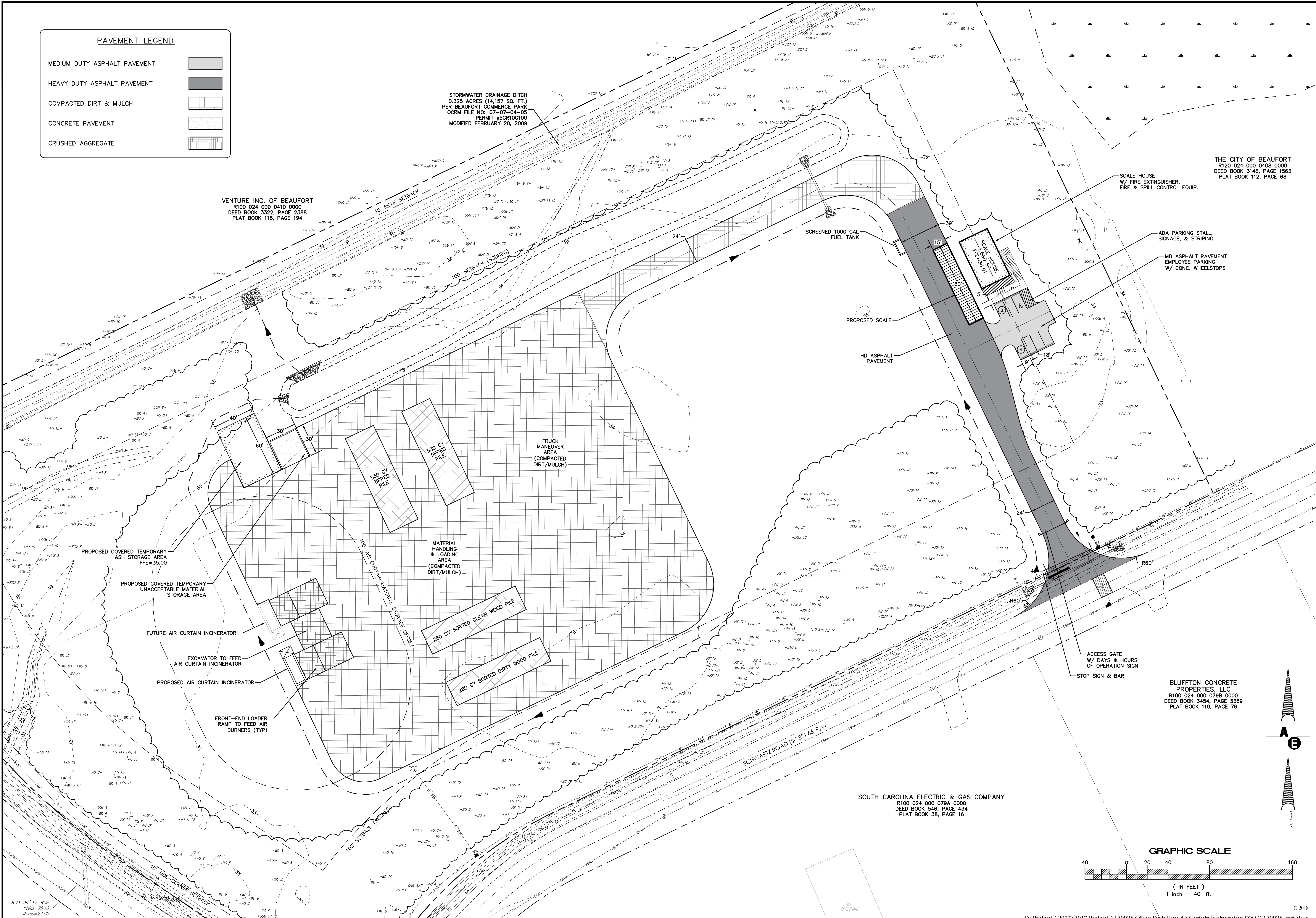
Site Development Plans
For
Oliver Clean Burn, Inc.
Air Curtain Bumer Facility
48 Schein Loop, Beaufort
Beaufort County, SC

Demolition
& Existing
Site Plan

Date Drawn: 07/20/17
Last Revised: 04/20/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
1

JOB: 170025



PLAN REVISIONS		NO.	DESCRIPTION:	DATE:	BY:
		1			
		2			
		3			
		4			
		5			
		6			
		7			
		8			

THE DESIGNS AND IDEAS PRESENTED IN THESE DRAWINGS ARE THE COPYRIGHTED PROPERTY OF ANDREWS ENGINEERING CO., INC. THE USE OR REPRODUCTION OF THESE PLANS OR THEIR CONTENT IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN CONSENT.

STATE OF SOUTH CAROLINA

REGISTERED PROFESSIONAL ENGINEER

NO. 28230

ANDREWS ENGINEERING

NO. 000008

CERTIFIED DATE 12/15/2017

2712 Bull Street Suite A
Beaufort, SC 29902
843.379.2222
Fax 843.379.2223

Andrews Engineering
& Surveying

Site Development Plans
For
Oliver Clean Burn, Inc.
Air Curtain Bumer Facility
48 Schein Loop, Beaufort
Beaufort County, SC

Horizontal
Control Plan

Date Drawn: 07/20/17
Last Revised: 04/20/18
Drawn By: L. Wilen
Engineer: A. Klosterman

SHEET #:
6

JOB: 170025



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/2/2018
FROM: Ivette Burgess, City Clerk
AGENDA ITEM Street Closure request from the Board of the Beaufort County Community Center for
TITLE: Washington Street Park Playground Event Saturday, June 23, 2018
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Request came via email from Mr. Washington.

Please note the date of the event is June 23, 2018.

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Request	Backup Material	5/2/2018

From: FRED JRWASHINGTON
To: [Ivette Burgess](#)
Cc: [kcruze](#); [Katherine Cruz](#); [marybt](#); [revdoc42](#); [eda](#); [jeallen](#); [cassie 32](#); [graham7](#); [Barbara Smith](#)
Subject: Amended Request to Close Street for Annual Washington Street Playground Event
Date: Wednesday, May 2, 2018 11:46:30 AM
Importance: High

Dear Ms. Burgess:

I am writing to **Amend** the March 10, 2018 request I submitted on behalf of the Board of the Beaufort County Community Center (BCCC) to close streets for our **June 23, 2018** Annual Event.

We are reducing our request to the closure of the 900 Block of Newcastle Street from 7:00 AM to 8:00 PM on June 23, 2018. We seek your assistance in gaining approval for our request from the South Carolina Department of Transportation (SCDoT).

Questions may be addressed to me via this email address (fwashingtonjr@embarqmail.com) OR my cell (843-812-9531).

Sincerely,

Fred S. Washington, Member
Beaufort County Community Center Board
POB 882
Beaufort, SC 29901
843-812-9531 (c)
fwashingtonjr@embarqmail.com



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/2/2018
FROM: Linda Roper
AGENDA ITEM TITLE: Street Closures, Waiver of open container/or allow the sale of alcohol and Co-Sponsorship request from the Downtown Beaufort Merchants Association for First Friday Event Friday, June 1, 2018
MEETING DATE: 5/8/2018
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:


Description	Type	Upload Date
Memo	Backup Material	5/4/2018



CITY OF BEAUFORT

MEMORANDUM

TO: William Prokop, City Manager
City Council

FROM: Linda Roper, Dir. Downtown Operations & Community Service 

DATE: May 4, 2018

SUBJECT: Request for Street Closure for First Friday Event on June 1, 2018

On behalf of the Downtown Beaufort Merchants Association, request permission to close a section of Bay Street, Scott and West Streets from 4:00 PM to 8:30 PM on Friday, June 1, 2018 to allow for set-up and removal of entertainment activities for June's *First Friday Event*.

The details of the closing beginning at 4:00 PM includes:

- Bay Street from Carteret Street to Charles (allowing First Citizens Bank customer's drive through and bank access and exiting right only onto Bay Street for West bound traffic towards Charles Street)
- West Street from Bay Street to Port Republic Street
- Scott Street from the entrance of Scott Street Lot to Bay Street

The Father's Day themed event - "Dads and Dudes", will include; a mechanical bull riding attraction stationed on West Street which will provide a special event-themed activity for First Friday participants to enjoy. In addition, the event will include, a special poetry reading activity at the Verdier House, and music by a local youth violin ensemble.

The Association is looking into obtaining a special permit for possible selling of beer and wine during the event and would request the allowance of the sale as well as open containers on the closed streets. If the Association is unable to obtain the special event permit for selling beer and wine, the association would like a waiver of the open container ordinance to allow consumption of wine and beer given away by the participating business.

Additionally, we are requesting the City Co-sponsor this event by providing at no cost, Police, Fire and Public Works services needed to provide a safe and successful event.



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 4/30/2018
FROM: Libby Anderson
AGENDA ITEM Ordinance Annexing a Parcel of Property Located at 2 Harborview Circle on Lady's
TITLE: Island - 1st Reading
MEETING
DATE: 5/8/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

The City has received an annexation petition for a parcel of property located at 2 Harborview Circle on Lady's Island. The property is identified as R200 014 000 0031 0000. An ordinance annexing the property (attached) is ready for first reading by City Council.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Annexation Ordinance	Cover Memo	4/30/2018

ORDINANCE

ANNEXING AN AREA INTO THE CORPORATE LIMITS OF THE CITY OF BEAUFORT, SOUTH CAROLINA

WHEREAS, an annexation petition dated March 12, 2018 for a parcel of property located at 2 Harborview Circle on Lady's Island has been presented to the City Council; and

WHEREAS, the property to be annexed is identified as R200 014 000 0031 0000; and

WHEREAS, the property to be annexed is highlighted on the attached map; and

WHEREAS, the property (owners) requesting annexation is contiguous to the boundaries of the present city limits of the City of Beaufort, South Carolina; and

WHEREAS, the petition sets forth that this proposed annexation is requested pursuant to Section 5-03-150 of the *Code of Laws of South Carolina, 1976*, as amended and contains the signatures of all freeholders of the property to be annexed; and

WHEREAS, the petition contains a description of the parcels of land to be annexed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, in Council duly assembled and by authority of same, that the described area is annexed into the City of Beaufort, South Carolina:

The petitioning area to be annexed includes all that certain piece, parcel, or tract of land, together with improvements thereon, situate, lying, and being on Lady's Island, in Beaufort County, South Carolina, located at 2 Harborview Circle, having and containing 0.5 acres, identified as R200 015 000 0132 0000.

This ordinance shall become effective immediately upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed by: _____
WILLIAM B. HARVEY, III, CITY ATTORNEY

SITE LOCATION MAP





CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 4/30/2018
FROM: Libby Anderson
AGENDA ITEM Ordinance Zoning a Parcel of Property Located at 2 Harborview Circle T4-
TITLE: Neighborhood - 1st Reading
MEETING 5/8/2018
DATE:
DEPARTMENT: Planning

BACKGROUND INFORMATION:

The City has received an annexation petition for a parcel of property located at 2 Harborview Circle on Lady's Island, identified as R200 014 000 0031 0000. The property is zoned T3 Edge under the County's Community Development Code. The property is proposed to be zoned T4-Neighborhood under The Beaufort Development Code. The Beaufort--Port Royal Metropolitan Planning Commission considered this zoning request at their meeting on April 16. A public hearing on the proposed rezoning was held at the April 24 City Council meeting. The ordinance zoning this property (attached) is ready for first reading by City Council.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Zoning Ordinance	Cover Memo	4/30/2018

ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BEAUFORT BY ZONING A PARCEL OF PROPERTY LOCATED AT 2 HARBORVIEW CIRCLE T4-NEIGHBORHOOD

WHEREAS, a petition was submitted to the City Council dated March 12, 2018 for annexation of a parcel of property located at 2 Harborview Circle on Lady's Island, identified as R200 014 000 0031 0000; and

WHEREAS, pursuant to Section 4.4 of *The Unified Development Ordinance of the City of Beaufort, South Carolina*, an amendment to the "Official Zoning Map, City of Beaufort" is required to effect zoning classifications for the property; and

WHEREAS, the Beaufort–Port Royal Metropolitan Planning Commission reviewed the proposed zoning of the property and the Commission recommended approval of the proposed zoning; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding zoning of this property on Tuesday, April 24, with notice of the hearing published in *The Beaufort Gazette* on Monday, April 9, 2018;

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* as amended, that a 0.5 acre parcel of property, together with improvements thereon, and being on Lady's Island, in Beaufort County, South Carolina, located at 2 Harborview Circle on Lady's Island, having and identified as District 123 (formerly 200), Tax Map 14, Parcel 31, shall be zoned "T4-Neighborhood" at the time of second and final reading of the annexation ordinance, and that the "City of Beaufort Zoning District Map" shall be amended to reflect the same.

This ordinance shall become effective immediately upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

1st Reading

2nd Reading & Adoption

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY

SITE LOCATION MAP





CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/4/2018
FROM:
AGENDA ITEM Ordinance approving the sale of surplus City property and authorizing the City Manager
TITLE: to execute documents to transfer - 1st Reading
MEETING
DATE: 5/8/2018
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance and Quit Claim Deed	Cover Memo	5/4/2018
Quit Claim Deed	Backup Material	5/4/2018

ORDINANCE

Approving the sale of surplus city property and authorizing the City Manager to execute documents to transfer the same.

WHEREAS, over the years the City has acquired property which it does not need or use; and,

WHEREAS, with the approval of Council, City staff prepared a list of surplus properties which were offered to interested parties by closed bids; and,

WHEREAS, the high and only bidder for the 0.016 acre sliver of property located near 107 Verdier Road, tax map number R 120 007 000 0685 0000 was Joe DeVitto; and,

WHEREAS, a condition of the sale is that the purchaser shall be responsible for all closing costs; and,

WHEREAS, Council finds that this bid is reasonable and that the sale of this property is in the best interest of the City and its citizens; and,

WHEREAS, Section 1-3021 of the City Code of Ordinances provides that an ordinance is required for sale of City property;

NOW THEREFORE, be it ordained by the City Council of Beaufort, South Carolina, in Council duly assembled, and by the authority of the same, as follows:

Council approves the sale of the sliver of property located near 107 Verdier Road, Beaufort tax map number R 120 007 000 0685 000, to Joe DeVitto for the sum of \$50.00, per the Quit Claim deed attached hereto.

The City Manager is authorized to execute all documents to effectuate this transfer.

This Ordinance shall be effective upon adoption.

Billy Keyserling, Mayor

Attest

Ivette Burgess, City Clerk

1st Reading _____

2nd Reading _____

Reviewed and Approved by William B. Harvey, III, City Attorney

Prepared By:
Harvey & Battey, P.A.
Kevin E. Dukes, Esquire
1001 Craven Street
Beaufort, SC 29902

(Please do not write above this line – Reserved for the Register of Deeds)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that The City of Beaufort (hereinafter called "Grantor"), for and in consideration of the sum of Fifty and 00/100 Dollars (\$50.00) to the Grantor in hand paid at and before the sealing of these presents by Joe DeVitto (hereinafter called "Grantee"), 1805 West Vine Dr., Port Royal 29935, in the State aforesaid, the receipt of which is hereby acknowledged, has remised, released, and forever quit-claimed, and by these Presents does remise, release and forever quit-claim, subject to the easements, restrictions, reservations and conditions set forth below, unto the Grantee, his heirs and assigns, forever, all right title and interest in and to the following described property, to wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the premises before mentioned unto the Grantee, his heirs and assigns forever, so that neither Grantor, nor its successors and assigns, nor any other person or persons, claiming under Grantor, shall at any time hereafter, by any way or means, have claim or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

WITNESS its hand(s) and seal(s) this ____ day of May, 2018.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF:

THE CITY OF BEAUFORT

1st Witness

2nd Witness

By: _____
William Prokop, City Manager

STATE OF _____)
COUNTY OF _____)

ACKNOWLEDGMENT

I, the undersigned notary public, do hereby certify that the Grantor personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN to before me this
____ day of May, 2018.

Notary Public for _____

Print or Type Name of Notary

My Commission Expires: _____

EXHIBIT "A"

ALL that certain piece, parcel or lot of land, situate, lying and being in the City of Beaufort, County of Beaufort and State of South Carolina containing 0.016 acres and being a portion of Lot 1, Verdier Estates. For a more detailed description as to metes and bounds, courses and distances reference is craved to that certain plat prepared by F. Steven Johnson, RLS, dated November 21, 1990, a copy of which is recorded in the Office of the Register of Deeds for Beaufort County in Deed Book 566 at Page 29.

This conveyance is made subject to all easements, restrictions, covenants and conditions of record and otherwise affecting the property.

This being the same property conveyed to the within named Grantor by deed dated December 6, 1993 and recorded in Book 671 at Page 463 in the office of the Register of Deeds for Beaufort County, South Carolina.

This deed was prepared without the benefit of a title exam and therefore no opinion given by Kevin E. Dukes, Esquire, of Harvey & Battey, PA, 1001 Craven Street, Beaufort, South Carolina 29902.

BEAUFORT COUNTY TAX MAP REFERENCE: R120 007 000 0685 0000



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/3/2018
FROM: Ivette Burgess, City Clerk
AGENDA ITEM
TITLE: Boards and Commissions Re-appointment - Zoning Board of Appeals (ZBOA)
MEETING
DATE: 5/8/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Joe Noll would like to be reappointed to ZBOA. He has completed one term on the Board.

PLACED ON AGENDA FOR:

REMARKS: