



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070

CITY COUNCIL SPECIAL REGULAR MEETING AGENDA
July 21, 2020

**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."

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

I. CALL TO ORDER

A. Billy Keyserling, Mayor

II. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Mike McFee, Mayor Pro Tem

III. NEW BUSINESS

- A. Request for variance of Mask Ordinance from Bridges Preparatory School
- B. Ordinance amending Part 7 Chapter 11 Article C Section 7-11026 of the City of Beaufort Code of Ordinances to add multi-passenger golf carts to the definition of mid-sized touring vehicles - 1st Reading
- C. Approval to allow City Manager to enter into Sale of Property agreement for R120 024 0000 0445, 3.00 acres in Commerce Park
- D. Extension of emergency ordinance requiring individuals to wear face coverings in certain circumstances and locations in the Municipal limits of the City of Beaufort, South Carolina, and providing for severability and an effective date



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 7/17/2020
FROM: Bill Prokop
AGENDA ITEM TITLE: Request for variance of Mask Ordinance from Bridges Preparatory School
MEETING DATE: 7/21/2020
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Request Letter	Backup Material	7/17/2020



BRIDGES PREPARATORY SCHOOL BOARD OF DIRECTORS

Tom Angelo (Chair)
Rebecca Polk (Vice Chair)
Brian Merrick (Secretary)

Shawna Doran (Treasurer)
David Gault
Joe Cooper

Jonathon Brown
Gordon Sproul
Mark Rennix

7/13/2020

To Whom It May Concern;

The Bridges Preparatory School, located within your jurisdiction at 1100 Boundary Street, respectfully requests a variance from the Ordinance that went into effect on June 30, 2020 requiring masks to be worn by anyone entering a public building. Our assumption is that this Ordinance will still be in effect when we begin the 2020-2021 school year, therefore we are submitting this request prior to returning to school.

The Boundary Street campus will house our K-2nd grade classes. We are requesting that while in school, the students and faculty are exempt from wearing masks if they choose not to do so. The expectations on teachers to monitor these young students to properly adhere to wearing masks at all times would be an added strain on everyone. In addition, there is concern about our student's inability to remove a mask without assistance.

Although we recognize that wearing a mask may be appropriate in many settings, the use of universal face coverings is not always possible in a school setting for many reasons. Some students and staff members may be unable to safely wear a face covering because of medical reasons. In some cases, wearing a mask may not be done safely or consistently as children will likely touch their faces more while wearing a mask or even remove them, therefore making it difficult to mandate. Another area of great concern is that for certain populations (students with special needs, students that are identified as English to speakers of other languages or ESOL, students that require speech or language interventions, as well as deaf or hearing impaired students, only to name a few), the use of a face coverings by teachers could impede learning.

Please know in light of this request that the health and wellbeing of our staff and students is a top priority as we return to school. We are establishing many new safety guidelines and implementing new practices. Some of these are as follows:

- *If a student exhibits multiple symptoms they will be sent home and will be required to see a doctor.
- *A student will not be able to return to school without a doctor's note clearing them.
- *Our classrooms will use the following measures for a suspected Covid-19 case:
 - a letter will be sent to all of our families
 - masks will be required for 1 week
 - daily temperature checks
 - deep clean of classroom identified

Although it is difficult to identify a specific area of transmission, we will be using preventative measures such as Microshield 360, and GPS Cold Plasma units to add a preventative layer for transmission.

Please let us know if you need additional information or have any questions.

Thank you for your consideration in this matter and we look forward to hearing from you.



Tom Angelo
Board Chairman
Bridges Preparatory School Board of Directors



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 7/17/2020
FROM: Linda Roper and Rhonda Carey
AGENDA ITEM TITLE: Ordinance amending Part 7 Chapter 11 Article C Section 7-11026 of the City of Beaufort Code of Ordinances to add multi-passenger golf carts to the definition of mid-sized touring vehicles - 1st Reading
MEETING DATE: 7/21/2020
DEPARTMENT: Downtown Operations

BACKGROUND INFORMATION:

Discussion regarding the amendment to this Ordinance was held at the July 14, 2020 Worksession.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	7/17/2020

ORDINANCE

Amending Part 7 Chapter 11 Article C Section 7-11026 of the City of Beaufort Code of Ordinances to add multi-passenger golf carts to the definition of mid-sized touring vehicles

WHEREAS, tours and touring vehicles are an important segment of business in the Beaufort economy; and,

WHEREAS, health restrictions associated with the COVID-19, related to gathering multiple persons in an enclosed space, have adversely impacted tours and touring companies; and,

WHEREAS, Section 7-11026(b) includes “electric vehicles” in the definition of “mid-sized vehicles”; and,

WHEREAS, Section 56-2-105 of the South Carolina Code of Laws provides for the licensing of a multi-passenger golf cart for commercial use on public roadways; and,

WHEREAS, health advisories provide that outdoor air, combined with masks and social distancing, helps to lessen the risks of transmission of the COVID-19 virus; and,

WHEREAS, the specific addition of multi-passenger golf carts in the definition of mid-sized vehicles will not increase the tour traffic in the Historic District; and,

WHEREAS, golf carts without any additional vehicle characteristics other than the identification of the commercial operator are not themed vehicles, and the prohibition against the use of themed vehicles to conduct tours shall be maintained; and,

WHEREAS, City Council finds that it is in the best interest of the City, and the citizens of Beaufort, to amend the ordinance to include multi-passenger golf carts as mid-sized touring vehicles;

NOW THEREFORE, be it ordained by the City Council of Beaufort, South Carolina, in Council duly assembled, and by the authority of the same, that Section 7-11026 (b) of the Beaufort Code of Ordinances shall be amended to read as follows:

(b) *Mid-sized vehicle:* Any vehicle used for touring with an exterior length of twenty-five and one-half (25 ½) feet or less. As used in this chapter, this term includes standard passenger automobiles, or electric vehicles, and slow-moving/low-speed vehicles such as multi-passenger (not to exceed eight (8) passengers) golf carts.

The provisions of the preamble stated above are incorporated herein as if set forth verbatim.

This Ordinance shall become effective upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

1st Reading

2nd Reading & Adoption

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 7/17/2020
FROM: William Prokop, City Manager
AGENDA ITEM TITLE: Extension of emergency ordinance requiring individuals to wear face coverings in certain circumstances and locations in the Municipal limits of the City of Beaufort, South Carolina, and providing for severability and an effective date
MEETING DATE: 7/21/2020
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

City Manager is proposing extending this Ordinance to September 15, 2020.

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	7/17/2020

EMERGENCY ORDINANCE 2020-_____

AN EMERGENCY ORDINANCE TO REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND LOCATIONS IN THE MUNICIPAL LIMITS OF THE CITY OF BEAUFORT, SOUTH CAROLINA, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, it is well recognized the SARS-CoV-2, the virus that causes the disease COVID-19, presents a public health concern that requires extraordinary protective measures and vigilance; and,

WHEREAS, on March 13, 2020, the Governor of the State of South Carolina Henry McMaster declared a State of Emergency for the State of South Carolina; and,

WHEREAS, on March 13, 2020, Beaufort Mayor Billy Keyserling , under his authority , declared that a State of Emergency exists throughout the City as a result of impacts arising from the COVID-19 pandemic; and,

WHEREAS, reported COVID-19 daily cases are on the rise in both Beaufort County and the State of South Carolina; and

WHEREAS, on June 30, 2020 the State of Emergency still exists in State of South Carolina and the City of Beaufort; the Centers for Disease Control and Prevention (“CDC”) and South Carolina Department of Health and Environmental Control (“SCDHEC”) have advised the use of cloth or other types face coverings to slow the spread of COVID-19; and

WHEREAS, the CDC and SCDHEC recommend taking measures to control the spread of COVID-19 such as wearing cloth or other types of face coverings, both of which limit the spread of COVID-19 in our communities and reduce the demand on the local the health care delivery system; and

WHEREAS, there are currently large numbers of people who patronize grocery stores, pharmacies, restaurants, retail establishments and other businesses open to the public within the municipal limits of the City; and

WHEREAS, public reporting and other sources reveal that the advice from the Centers for Disease Control and SCDHEC encouraging the wearing of cloth or other types of face coverings is not being widely followed within the municipal limits of the City; and

WHEREAS, in order to protect, preserve, and promote the general health, safety, welfare, and the peace and order of the community, the City has and will continue to take steps to try and protect the citizens, employers, and employees within the City from an increased risk of exposure to and transmission of COVID-19 ; and,

WHEREAS, the City has received a strong message from the medical community, that unless citizens curb the rising spread of COVID-19 through wearing facemasks and following social distancing protocol, established by the CDC, community medical facilities could be faced with more patients than any one institution can accommodate, and,

WHEREAS, the City Council finds it is necessary and in the best interest of the City and its citizens that an Emergency Ordinance requiring the wearing of cloth or other types of face

coverings in certain circumstances be adopted by the City Council, and that it be put into immediate effect; and

WHEREAS, City Council may, by majority vote of those members present, adopt emergency ordinances as are authorized and limited by S. C. Code Ann. §5-7-250(d)(Supp. 2019), during this State of Emergency.

NOW, THEREFORE, BE IT ORDERED, AND ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BEAUFORT, SOUTH CAROLINA, DULY ASSEMBLED AND BY THE AUTHORITY OF THE SAME, AS FOLLOWS:

1. For the purpose of this Ordinance, a “Face Covering” is a cloth or other type of masking device that covers the wearer’s nose and mouth.
2. All persons entering any building open to the public in the City must wear a face covering while inside the building.
3. All restaurants, retail establishments of every description, salons, grocery stores, and pharmacies in the municipal limits of the City shall require their employees to wear a Face Covering at all times that the employees are in any area where the general public is allowed or when the employees must be in close proximity to one another. This requirement also applies to all persons providing or utilizing public or commercial transportation, including tours; and all businesses or employees while interacting with people in outdoor spaces, including, but not limited to, curbside pickup, delivery, and service calls.
4. The following individuals are exempt from this Ordinance: any person who is unable to safely wear a Face Covering due to age or an underlying health condition, or who is unable to remove the Face Covering without the assistance of others; and any person traveling in a personal vehicle, or when a person is alone or is in the presence of only household members in an enclosed space, and people who are actively drinking or eating. This Ordinance does not relieve business establishments and restaurants from other social distancing requirements imposed by the Governor’s Executive Orders.
5. Education and voluntary compliance are the desired means of enforcement. However, any person who, after being first duly warned, is found to have violated any mandatory provision of this Ordinance shall be deemed guilty of a civil infraction, and shall be subject to a Civil Summons punishable by a fine of fifty dollars (\$50.00). Police officials, or a City representative appointed by the City Manager, shall be authorized to issue such a Summons for violations personally witnessed.
6. Repeated violations of this Ordinance at any business or establishment that is subject to this Ordinance is hereby declared a nuisance, and the City may seek a restraining order, preliminary injunction, permanent injunction or any other means authorized under the Laws of the State of South Carolina to abate the nuisance. The City may also seek suspension or revocation of the business license issued by the City to any business or establishment where repeated violations of the Ordinance occur, under the authority of the City Code of Ordinances.

- 7, With the exception of their own employees, owners or lease holders of buildings open to the public shall not have responsibility for enforcing the above requirements, but shall post conspicuous signage at all entrances informing its patrons of the requirements of this Ordinance.
8. Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.
9. This Ordinance becomes effective 11:59 PM June 30, 2020, upon adoption by City of Beaufort Council, and will be extended through September 15, 2020 or expire upon the thirty first day following adoption or the end of the State of Emergency in the City of Beaufort, whichever occurs first.

**MOVED, APPROVED, AND ADOPTED AS AN EMERGENCY ORDINANCE
THIS _____ DAY OF JUNE 2020.**

Billy Keyserling, Mayor

ATTEST:

By: _____
Ivette Burgess, City Clerk

APPROVED AS TO FORM:

William B Harvey, City Attorney