

A regular session of Beaufort City Council was held on October 8, 2019 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Pro Tem Mike McFee, Councilwoman Nan Sutton, Councilmen Stephen Murray and Phil Cromer, and Bill Prokop, city manager. Mayor Billy Keyserling had 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 Pro Tem McFee called the regular council meeting to order at 7:11 p.m.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Councilman Cromer led the invocation and the Pledge of Allegiance.

### **PROCLAMATION OF RED RIBBON WEEK OCTOBER 23-31, 2019**

**Councilman Murray made a motion, second by Councilman Cromer, to approve the proclamation. The motion passed unanimously.** Councilwoman Sutton read the proclamation, and Mayor Pro Tem McFee presented it to representatives of the Young Marines.

### **PROCLAMATION OF BEAUFORT HIGH SCHOOL CLASS OF 1959 AND 1969 ANNIVERSARY WEEK, OCTOBER 1-6, 2019, AND THE CLASS OF 1999 20TH ANNIVERSARY WEEK, OCTOBER 7-12, 2019**

**Councilman Murray made a motion, second by Councilman Cromer, to approve the proclamation. The motion passed unanimously.**

### **MINUTES**

**Councilman Murray made a motion, second by Councilman Cromer, to approve the minutes of the city council work session and regular meeting on September 10, 2019.** Councilman Cromer said on page 8, in the last paragraph, “it” – in the sentence beginning “If what the applicant wants to do” – should be “is.” **The motion to approve the minutes as amended passed unanimously.**

**Councilman Murray made a motion, second by Councilman Cromer, to approve the minutes of the city council work session on September 17, 2019.** Councilman Cromer said on page 3, in the fifth paragraph – “it” should be “is” in the phrase “which is may be.” **The motion to approve the minutes as amended passed unanimously.**

### **ORDINANCE REZONING PARCELS R120 005 000 0257 0000 (2408 OAK HAVEN), R120 005 000 043 0000 (FLAG LOT SOUTH OF 2408 OAK HAVEN), AND PORTIONS OF R120 005 000 0236 0000 (2406 & 2409 OAK HAVEN) FROM T3-S TO T5-UC**

**Councilman Murray made a motion, second by Councilman Cromer, to approve the rezoning ordinance on second reading. David Prichard showed a map of the subject**

parcels. Ms. Rodgers said she's heard many things about what will go on this property. Mr. Prichard said the owner and developer has ideas about this –he's "looking at an apartment building" to support the hospital workers and TCL students, but that's not "definite yet." It's still in the conceptual planning stages, he said. He explained the procedure for the plans when they're formally submitted. **The motion passed unanimously.**

**REQUEST FROM BEAUFORT AREA HOSPITALITY ASSOCIATION (BAHA) FOR USE OF THE WATERFRONT PARK AND CO-SPONSORSHIP TO HOST THE BEAUFORT OYSTER FESTIVAL – QUEEN OF THE CAROLINA SEA ISLANDS**

**Councilman Murray made a motion, second by Councilman Cromer, to approve the request for the January 11-18, 2020 event.** Ms. Carey said the request is for an inaugural event by the Beaufort Area Hospitality Association and Ashley Rhodes Event Designs. The request is for a waiver of fees at Waterfront Park, the use of water and electricity during the festival, donation of waste collection, recycling, port-a-lets, and hand-washing stations, police and EMS support, and load-in/load-out support, and park maintenance, Ms. Carey said.

**Lise Sundrla** introduced **Ashley Rhodes**. This will be an 8-day event, Ms. Sundrla said, to celebrate Lowcountry oyster culture.

On the three elements of the request – other than waiving park fees and the use of water and electricity in Waterfront Park – Ms. Sundrla said BAHA is asking for the city's assistance with these things as a partner, just in the festival's inaugural year. In return for this sponsorship, they are offering 10% of the festival's proceeds to the city's Pride of Place program. The festival will take place during a slow time for tourism, Ms. Sundrla said.

Ms. Rhodes said the first 5 days of the festival would incorporate local restaurants; other events include local schools in an art contest, and the winners would be announced at the festival. On Friday and Saturday, local artisans would sell wares that center around oysters, she said, and there would be entertainment, and food and beverage vendors. An oyster roast, in partnership with Sea Eagle, would be a separate ticketed event. There would also be a tabbying demonstration, Ms. Rhodes said.

Ms. Carey said the city manager had feedback he wanted to share. Mr. Prokop said generally, staff totally supports this as "a heritage event," but they have to look at precedent-setting. The city doesn't have the budget to cover overtime for police, he said. Also, the city has gotten two calls about waiving fees for other events. Mr. Prokop said the city wants to help make this festival successful, but staff feels the city should stick with its traditional co-sponsorship practices.

Ms. Sundrla said the budget is a little less than \$5,000 for those costs they are asking the city to waive.

Mayor Pro Tem McFee said he shares concerns about establishing precedent. Councilwoman Sutton said she agrees and will go with staff's recommendation.

Councilman Cromer asked how many people they anticipate; Ms. Sundrla said they expect 3,000 to 5,000 people to attend the weekend event.

Councilman Murray said he is very supportive of this event on many levels. He likes that it touches on art, education, natural resources, etc., so he doesn't want the organizers to think that he doesn't support it. The Pride of Place component is also great, he said, but as his colleagues have said, this is a precedent issue. Everyone needs to be treated fairly, he said, and many event organizers ask for the city's sponsorship all through the year. Councilman Murray said he doesn't recall ever giving organizations port-a-lets or hand-washing stations, and the police are "a direct cost" to the city.

**Councilman Murray made a motion, second by Councilman Cromer, to amend the original motion: only to support the use of Waterfront Park and associated fees and the use of water and electricity there, but not to support the donation of waste collection, recycling, port-a-lets, and hand-washing stations, police and EMS support, and related services that include park maintenance and support for load-in and load-out. The motion passed unanimously.**

Mayor Pro Tem McFee clarified with Ms. Sundrla that 10% of *net profits*, not *proceeds*, would be donated to the Pride of Place program. **The amended original motion passed unanimously.**

#### **TDAC/ATAX RECOMMENDATIONS**

**Councilman Murray made a motion, second by Councilwoman Sutton, to approve TDAC's recommendations.**

Councilman Cromer asked if there is anything council could do for the Beaufort History Museum. Mayor Pro Tem McFee explained to the public that some infrastructure projects "that we included with the ATAX funding" limited the amount that TDAC was able to recommend that council grant to organizations, including the Beaufort History Museum. City council and staff have discussed either "internally fund[ing] the museum" in part, either through ATAX or from elsewhere in the city budget.

Councilman Murray said council had directed staff to see if there might be some "professional development funds" or other "pots to draw from" that would allow the city to help the museum build its exhibits. **The motion passed unanimously.**

#### **APPROVAL OF THE CITY MANAGER EXECUTING AN AGREEMENT FOR A BEAUFORT COUNTY MULTI-AGENCY DRUG TASK FORCE** {L} {SEP}

**Councilman Murray made a motion, second by Councilman Cromer, to approve the**

**city manager executing the agreement.** Police Chief **Matt Clancy** said the Beaufort Police Department will put an investigator on a team with countywide jurisdiction. It is more efficient to investigate drug crimes this way, rather than having “three agencies working single cases,” he said.

Mayor Pro Tem McFee asked how the funding resources are maintained. Chief Clancy said, “We would maintain the costs for our jurisdictions.” If there is an asset seizure, it would be divided among the agencies, with more going to “the agency that made the case.”

Mayor Pro Tem McFee said there had been budget discussions about radios, and he asked if the status of that would be affected by “this cooperation.” Chief Clancy said Beaufort isn’t on the same channels as the other entities, but Beaufort police could switch to the others’ channels or to “major incident channels.” The three agencies in this task force are all on the same computer system, so they all see updated data from each other, he said. **The motion passed unanimously.**

#### **RESOLUTION IN SUPPORT OF THE "HATE CRIME BILL"**

**Councilman Murray made a motion, second by Councilman Cromer, to approve the resolution.** Mayor Pro Tem McFee said this is about support for State Bill 3063, the specifics of which he shared. South Carolina doesn’t have hate crime laws on the books now, Councilman Murray said. The Towns of Hilton Head, Port Royal, and Bluffton have passed it, he said, and it would support the delegation passing this hate crime legislation. Mayor Pro Tem McFee said 26 states have some kind of hate crime bills.

Councilman Cromer said he wishes council would first discuss any item related to government policy so they could “edit.” No other state’s hate crime has a section on the homeless as a protected class, he said, but people with disabilities are not a protected class in this bill. He would like to have been able to discuss this because “the way it is written right now could be cleaned up.” Mayor Pro Tem McFee said they could go back to the legislators and suggest the changes Councilman Cromer has noted. Councilman Murray said they could talk to the delegation when council is in Columbia for Hometown Legislative Action Day.

Chief Clancy said he hasn’t read the finished resolution. He knows that mayor and council have expressed interest in a local hate crime ordinance, but Chief Clancy thinks having a state law is “the best way to do that.” **The motion passed unanimously.**

#### **CITY MANAGER’S REPORT**

Mr. Prokop said First Friday and Shrimp Festival were very successful events, and he thanked those who put them on.

Debris cleanup from Hurricane Dorian should be finished by the end of this week, Mr. Prokop said. Public Works has picked up just under 112 tons, of which 86 tons went to

Oliver's Clean Burn. That pick-up doesn't include the debris that Waste Pro picked up, he said.

The permitting for the Mossy Oaks stormwater project is taking up the bulk of the time, Mr. Prokop said, as they had said it would from the beginning of the project. There was a meeting with DOT, DHEC (Department of Health & Environmental Control), OCRM (Ocean and Coastal Resource Management), and the Army Corps of Engineers last week to set the parameters of what they wanted with permitting. They have submitted all of the required information and are waiting for the agencies' comments to come back, he said. When the comments are addressed, the construction phase should take only a few months. They expect the project to be completed by the end of 2020, hopefully before next year's hurricane season starts, Mr. Prokop said.

Mr. Prokop said at next Tuesday's council work session, there will be an update on the 2030 plan, and **Rebecca Ryan** will join the discussion by phone.

Applications are in the back for the Affordable Housing Task Force and the Higher Education Task Force, Mr. Prokop said.

Mr. Prokop said the city's Halloween celebration is on Saturday, October 19 at Waterfront Park, and he named some of the activities that would take place.

### **COUNCIL REPORTS**

Councilman Cromer said there are three affordable housing meetings coming up this month, about which he offered details.

Councilman Murray said the last session of CODEcamp – on how to build a website – starts this coming Saturday at Beaufort Digital Corridor and runs for about a month and a half.

Councilman Murray said the Lady's Island Implementation Committee has its first meeting scheduled for tomorrow, and he will be attending as the city council representative to that committee. The plan is easily accessed online, he said, or he has paper copies he could share.

Councilwoman Sutton said October is very busy downtown. On the weekend of the October 25, Maison Beaufort will be at Tabby Place, which coincides with the HBF Home Tours, she said. Mayor Pro Tem McFee said the Ghost Tours are also happening downtown.

Bay Street is being repaved this week, Mayor Pro Tem McFee said, so he warned people not to park along Bay Street at 8:00 p.m. or later. Several other paving projects are going on concurrently in the city, too, 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 8:06 p.m.**