



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

CITY COUNCIL AGENDA
WORKSESSION AND REGULAR MEETING
MARCH 8, 2011

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."

WORKSESSION - PLANNING CONFERENCE ROOM, 1ST FLOOR

I. CALL TO ORDER

5:00 P.M.

Mayor Billy Keyserling

II. DISCUSSIONS REGARDING REGIONAL ISSUES AND PARTNERS

- A. Lowcountry Economic Network
- B. Rail to Trail Grant

III. AGENDA ITEMS REVIEW

- A. Discussion regarding March 22, 2011 Agenda Items
- B. Review of March 8, 2011 Regular Agenda Items

IV. EXECUTIVE SESSION

Pursuant to Title 30, Chapter 4, and Section 70 (a) (2) of the South Carolina Code of Law: Discussion regarding Land Acquisition

REGULAR MEETING – COUNCIL CHAMBERS, 2ND FLOOR

I. CALL TO ORDER

7:00 P.M.

Mayor Billy Keyserling

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Donnie Beer, Councilwoman

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

- A. Proclamation recognizing March as American Red Cross Month
- B. Proclamation recognizing March 20-26, 2011 as Boys & Girls Club Week
- C. Proclamation recognizing March as Disabilities Awareness Month

IV. PUBLIC COMMENT

Time Designated for Council to Receive Comment from the Public

V. PUBLIC HEARING

VI. MINUTES

Review of Worksession Meeting February 15, 2011 and Regular Meeting February 22, 2011

VII. OLD BUSINESS

VIII. NEW BUSINESS

- A. Ordinance Rezoning Two Parcels of Property Located at 88 Robert Smalls Parkway, from Limited Industrial District and General Commercial District, to Highway Commercial District – 1st Reading
- B. Ordinance Annexing Fours Parcels of Property at 88 Robert Smalls Parkway – 1st Reading
- C. Ordinance Zoning Four Parcels of Property Located at 88 Robert Smalls Parkway to Highway Commercial District – 1st Reading
- D. Request from Main Street Beaufort, USA to serve alcohol and close streets for the annual “A Taste of Beaufort” event slated for May 6 and 7, 2011

IX. REPORTS

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

XI. ADJOURN

PROCLAMATION

WHEREAS, the American Red Cross fulfills a unique and vital role in our state, providing help and hope, in the face of emergencies and disaster, and is a true reflection of the humanitarian and volunteer spirit of the American people; and

WHEREAS, for nearly 100 years, Presidents have called on the American people to support the Red Cross and its humanitarian mission. President Franklin D. Roosevelt was the first to proclaim March as Red Cross Month in 1943. Since that time, every president has issued proclamations designating March as Red Cross Month; and

WHEREAS, the Red Cross has been helping people for 130 years, responding to disasters, assisting members of the military, teaching lifesaving skills, and serving as one of the largest blood suppliers in the United States; and

WHEREAS, nationally, the Red Cross responds to an average of nearly 200 disasters every day. The organization provides a round-the-clock link between those in the military and their families, and supplies blood and blood products to approximately 3,000 hospitals and transfusion centers across the country; and

WHEREAS, the Charleston, SC Region, including the Palmetto Service Center, provided assistance to 1,097 individuals affected by disasters last year. The Region processed 2,899 Military Case Services, provided 5,683 "Get to Know Us" outreach to Service Members and their families, and conducted 2,659 first aid and water safety classes; and

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaims March 2011 as

AMERICAN RED CROSS MONTH

Our state depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times for the Red Cross and all Americans.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 8th day of March 2011.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK

PROCLAMATION

WHEREAS, the Boys & Girls Clubs of the Lowcountry, Beaufort Unit, serves more than 320 local children and their families; and

WHEREAS, the Boys & Girls Club local movement was born 25 years ago through the compassion and generosity of Beaufort residents; and

WHEREAS, since 1986 Boys & Girls Club of Beaufort provides after school and summer programs for children, ages 6-18, to learn, play and study in a safe and stimulating environment; and

WHEREAS, the Boys & Girls Club of Beaufort provide life-enhancing programs in academics, athletics, art, and civic involvement, life & leadership skills which help form the future of each club member; and

WHEREAS, the mission of the Boys & Girls Club “to enable all young people, especially those who need us the, to reach their full potential as productive, caring, responsible citizens,” comes to life everyday through many volunteers, staff, donors and Board of Directors; and

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaims March 20th -26th, 2011 as

NATIONAL BOYS & GIRLS CLUB WEEK

During this week the Boys & Girls Club of Beaufort will join more than 4 million other club members throughout the United States celebrating the more than 4,000 clubs where “GREAT FUTURES START HERE

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 8th day of March 2011.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK

PROCLAMATION

WHEREAS, more than 5000,000 South Carolina residents and families are impacted by severe lifelong disabilities including autism, head injuries, spinal cord injuries, mental retardation, and related disabilities; and

WHEREAS, people with lifelong disabilities are productive citizens, neighbors, and family members, deserving of respect and opportunities for economic self-sufficiency, independence, and personal growth; and

WHEREAS, South Carolinians with and without disabilities work together, play together, worship together, learn together, and grow together; and

WHEREAS, we owe a special debt of gratitude to the caregivers who selflessly provide physical, emotional and spiritual support to our residents with disabilities and special needs; and

WHEREAS, the 2011 observance of Disabilities Awareness Month celebrates the successful partnership between people with and without disabilities as well as the increasing involvement of people with disabilities in education, employment and community activities.

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaims March 2011 as

DISABILITIES AWARENESS MONTH

The City of Beaufort encourages all citizens to work together to promote increased opportunities for people with disabilities, to recognize the many contributions made by people with disabilities in our communities, and to honor the dedication of the caregivers who bring support and hope to their fellow citizens.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 8th day of March 2011.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK

A work session of the Beaufort City Council was held on February 15, 2011 at 5:00 p.m. in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Council members Donnie Ann Beer, Mike Sutton, Mike McFee, Gary Fordham, Mayor Keyserling and City Manager Scott Dadson.

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.

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

DISCUSSION OF BEAUFORT HISTORY MUSEUM COMMITTEE

Katherine Lang, co-chair of the Beaufort History Museum committee, said the group is interested in bringing back the museum. The artifacts “need to be cleaned and culled.” They don’t want to own the museum; they want to manage it and it would be city property. They don’t have a building yet, but they have ideas for using buildings for special exhibits. They have discussed a Beaufort History Festival for the city that would bring in tourists. and they think Beaufort could be a history destination akin to St. Augustine.

Mayor Keyserling said they had heard that “what is there is useless.” **Donna Alley** said the report that was done was accurate, but it didn’t contain all of the documents, including very old ones that are not yet fully inventoried but are very important and are stored in archival boxes. The assessor didn’t inventory art or furniture that were in storage, and some of the pieces have value to the community. Ms. Alley said that wasn’t addressed in the report. There is monetary value but also value to the community at large.

Councilman Sutton asked for an update of what items there are, where they are, and if they’re protected. He also asked the next step in the process. Ms. Alley said the items are stored in the second floor of the new courthouse. They’ve been inventoried, and the current inventory is in digital format. There are photos of every item, and each is boxed or wrapped if possible. They aren’t climate controlled, but the temperature doesn’t deviate much, and light is controlled. The pieces are secure and accounted for. There are some items that haven’t been found yet, but most of the inventory is recorded. Ms. Alley said the items in storage have been moved, and Mayor Keyserling added that some are out on loan. Ms. Alley said they’re “aware of who has what.”

Councilman Sutton asked Mr. Dadson about using the current space as “a stop gap” when the Arsenal was closed, and he wanted to know how long it was expected to be there. Mr. Dadson said there are no long-range thoughts on it. The museum committee members want to try to find a home for it. Councilman Sutton said there is no museum space dedicated and designed for that in the new civic buildings.

Ms. Lang asked that it be allowed to remain where it is for now. They will proceed quickly to place it elsewhere. Mayor Keyserling said in the short-term, they want access to the times, and Ms. Lang said that they want the city to continue to maintain insurance so the group can handle the pieces; they also want the city to maintain the items in that space. Mr. Dadson said the council should recognize the

group's existence for insurance purposes. Ms. Lang said they are working on setting themselves up as a 501(c)3. Mr. Dadson said they should be recognized by council as a committee in the interim.

Councilman Sutton asked about the valuation as \$2 million, and Ms. Lang said she thought that assessment came from Steve Wise. Councilman Sutton asked Ms. Alley who's making decisions about the inventory recently loaned to Parris Island and Columbia. Ms. Alley said the loan documents are official. She and Dave Smoot and Mr. Dadson signed the one-year loan agreement forms. They're in the process of doing this with Historic Beaufort Foundation. Councilman Sutton said he'd "like to see things cleaned up in that arena." He'd like clear-cut repossession of inventory and a clear decision on who executes future loans in the absence of a committee. Ms. Lang said the collection will remain the property of the city, so the committee will endeavor to be completely transparent and available to the city. Councilman Sutton agreed that was necessary to avoid the problems of the past. Ms. Lang said there might have been a conflict of missions then, but that's not the case with this committee. Mr. Dadson said now there's a paper trail, but how things are permanently stored is another issue, and that's what the committee wants to work through in their process. Ms. Alley said the items that went to the Confederate Relic Room went "by the choice of the people in Columbia" because "some items needed immediate stabilization." Ms. Alley said all of the steps that have been taken are documented; the collection's in better shape than in the past and accounted for.

Councilman Sutton said he'd like to see a photo show that can be presented to the public. Ms. Lang said they want to look at every item and stabilize it if necessary, then put it into a coherent catalog of what they have. Then they will come back to council with what they have. Mayor Keyserling and Councilman Sutton asked for "even 10% of what they have"; Councilman Sutton said 25-30 slides would enable council to see what they are talking about. Ms. Lang agreed to do so.

Mary Lou Brewton, co-chair of the Beaufort History Museum committee, and Ms. Lang described some of the ways their abilities are superior to those who have endeavored to deal with the artifacts in the past because of digital technology, among other things. Ms. Lang said there are some documents from the 18th century that are important. Councilwoman Beer said she's excited about the project. **Edie Rodgers** said an old committee had tried to make the Arsenal a suitable environment for the artifacts.

Mr. Dadson said they'll explore the insurance question and put a resolution on the agenda for next week's council meeting. Councilman Sutton said he wants an interim, ad hoc committee, not a permanent one to start.

DISCUSSION OF SIGNS AT BAY STREET AND RIBAUT ROAD

Wayne Reynolds said the Open Land Trust owns the area in dispute at the corner of Ribaut Road and Bay Street. They neighbors and the Trust opposed the renovated and improved signs because they don't fit the area. They didn't object to people being able to display "somewhere in town." He referred to the Open Land Trust letter in council's packets. He said there were numerous violations of sign regulations in the city's ordinances on that corner, which specifically prohibited such signs. It had been agreed that signs would be moved to Lovejoy Park.

Mr. Reynolds pointed out that in the council's minutes, Councilman Sutton had said the signs shouldn't be phased out until the new city hall was completed, and now it is. Councilwoman Beer had said that the corner location was temporary, and a newspaper article had confirmed the idea that the Bay Street banners would be moving to Boundary Street. The property owners want the neighborhood to be more residential rather than less, Mr. Reynolds said, and they hope the city honors its agreement to relocate the signs.

Mayor Keyserling said there will be a sign in the city hall park. The Open Land Trust said they weren't necessarily opposed to signs on that corner. They said they would take to their board "something more dignified" than the current banners for their consideration. Staff has looked at options as well. Different iterations have been before council. Mr. Dadson said Lovejoy Park is okay to go whenever council says so. Mr. Reynolds said the neighbors are indifferent to who owns the property under discussion; their position is that they oppose it, and he thinks that's justifiable.

Councilman Sutton said the city *maintains* the property that was deeded to the Trust "with signs on it." **Maggie O'Sullivan** agreed with Mr. Reynolds that there's plenty of support for their side of this argument – he's "not a lone voice" – and their neighborhood association of about 25 owners is in agreement in their opposition to the signs in the park. Councilman Sutton said the former mayor didn't want a political fight and neither did the city; they wanted to compromise. He thinks that corner is an appropriate site for banners, thought so in the period from which Mr. Reynolds had cited the minutes, and has for many years. Though the sign ordinances say that those things aren't permitted, the signs going there pre-date the sign ordinance. They have to either change the ordinance or comply completely and take them down.

To be fair to the not-for-profits who use the space, Councilman Sutton continued, council had agreed to find another space for the signs. Councilman Sutton said he'd like to see them continue with signs on that corner, "maybe in a cleaned up format." He understands the neighborhood's concerns. If the signs aren't in compliance with codes, they need to work through that. He asked if that is the spot for a monument sign, and if not, if there is another answer. He's not prepared to say that the signs will go away. He likes the banners and that not-for-profits can use that corner.

Mr. Reynolds said the Open Land Trust got that corner in 1987. He agrees that the not-for-profits need the signs somewhere in the city. Things that are done improperly according to ordinance are enforced. He cited a liquor store on Boundary Street that was forced by ordinance to remove its sign of many years. The neighborhood thinks the banners are not proper and in violation of the ordinance. The neighborhood association thinks that they deserve the protection of the city's zoning. There are many more traffic counts at Boundary Street and Ribaut Road than at Ribaut and Bay. He thinks Lovejoy Park is the ideal spot for not-for-profits signs.

Councilman Fordham said for as long as he can remember, the not-for-profits have had signs there. The speed of traffic "is a feeble argument" in his mind, he said. He said there can be debate, but it "will take a lot of prodding" to convince him that it's not a good spot for signs. Councilwoman Beer said she doesn't have a problem with the banners, but the neighborhood does. If the city could find a design that works for the majority in the neighborhood, they may be able to work something out. The banners

are not attractive but offer information. It's easier to dictate what should occur when it's someone else's neighborhood and not one's own, Councilwoman Beer said. She feels council should listen to the people who live there.

Councilman McFee said they should review the action of the former council; council supporting past council decisions is important. They need to listen to the neighborhood improvement committees, too. Mayor Keyserling said he likes "the hometown-iness" of the banners, but he understands the concern. He said 60% of the people who live in Beaufort live south of that corner, which is not the case for the other park. He thinks maybe there is an alternative for the group of locals to get the information. There are possible other options. That's an important corner historically. **Bill Culp said** he wants "to find the middle ground." Councilman Sutton said they did it before with a previous mayor to find an alternative site.

Mayor Keyserling said he's not looking to postpone a decision; Councilman Sutton said banners shouldn't be pushed down to TCL or the hospital. Councilman Sutton and Councilman Fordham said they probably won't want to have the banners there. Councilman Sutton said the light poles are being changed, and he asked how broad that effort was. Mr. Dadson said it's just in the TIF1 district now. Councilman Sutton said he's alarmed by the power poles. Mr. Dadson said the "traditional downtown area" is what TIF1 refers to.

Ms. Rodgers said it's unfortunate that when the property was given to Open Land Trust, they didn't negotiate something in reference to the signs. She said the banners were there when the people in the neighborhood bought their property. She doesn't find them offensive, and she feels "the not-for-profits desperately need to get the word out about what they do." Councilman Fordham offered an amen. Mr. Culp said "it's clearly clutter." There's a new city hall and a park for signs. So they should be moved from Bay and Ribaut to clean it up and help make the neighborhood more attractive. He's not convinced by the argument that the signs have been here a long time; that doesn't mean it's right.

Nan Sutton agreed with Ms. Rodgers and said she looks forward to going around the corner and seeing what's happening in Beaufort. She said it's part of the city's charm, and the signs "have been there forever." Mr. Reynolds said the number of signs has gotten way out of hand. The city's goal is to beautify the city. Changes may undo the status quo, and a lot of times, that's in order to beautify the city.

Mr. Reynolds said what people are looking for on that corner are more sales, and those signs don't serve that end. He didn't grow up in Beaufort, but he's renovated houses in that area. They're in this debate because the residents love this town and want to beautify it. There is a place for signs for the not-for-profits. Many other signs have been forced to be taken down that weren't in accordance with the ordinances. He understands people aren't offended by the banners; those who have property in the area have to protect it and need to beautify the area.

Councilman Fordham asked him if he had reservations when he bought the property about the banners. Mr. Reynolds said he did, but he doesn't think that's the point. There's a lot of property for sale on Ribaut Road, and the banners don't help sales.

Ms. O'Sullivan said her house is on Simms Street and the back is to Ribaut Road. She hears that the signs have been there for a long time, but as a property owner who has invested a lot, she wants that corner beautified. Ms. Rodgers said all of the owners in the area "have done a beautiful job renovating that corner."

Robin Leverton asked when the banners would be hung at Lovejoy Park. Mr. Dadson said it's a simple design. Robin asked if it will be in time for Water Festival, but did not receive a response.

Josh Martin said the Office of Civic Investment has heard the pros and cons about this issue as they have interviewed people. They will do "a small area plan around this area." Pedestrian-friendliness is also needed. It's a fast area if the turn's not made onto Bay. He asked if they can do signs "and still maintain its eclectic nature." Signs like this "make unique places unique." **Lanelle Fabian** said that corner is the entrance to downtown. She goes down Ribaut and turns on Bay to start her day. She looks for the banners. She likes the hometown feel.

Councilman Sutton said everyone knows the issues. Council had been working toward a monument, a landscaped corner piece. He asked Mr. Reynolds if the problem was banners, or all signs. He asked if they should look at a monument corner. Councilman Sutton feels it's inappropriate for Open Land Trust to have the space in the first place. Ms. O'Sullivan said other signs blend with the contour of the land as opposed to blowing banners. Mayor Keyserling said if something were more organized, landscaped, and better fit the corner, that might work. Councilman Sutton said there are 4-5 phone poles on that corner, transmission lines, and antiquated electronic components for lights there. If the corner is to be fixed, he thinks it should *all* be fixed.

The kiosks downtown backfired on the city, Councilman Sutton said, and people love the meters, so he wonders if this is the same case. Mr. Culp said they don't want to change the sign ordinance to allow the banners everywhere, and Councilman Sutton agreed. He said something needs to be done. He just wants to ensure that "not everything that is old-school Beaufort is erased."

Mr. Reynolds said the signs aren't classic and charming, unlike other things in Beaufort. He feels that regardless of history, this isn't the right place for signs. What's needed is a beautiful gateway to the city on Ribaut Road. The neighborhood "would like to see a more planted area." TCL occasionally has signs; they have 2000' of frontage and he doesn't feel they need the Bay and Ribaut corner to advertise. He thinks the corner should look like Logan Park and that's a better representation of Old Beaufort.

Ms. Rodgers asked if council knew why those parcels were solicited for donation to Open Land Trust. She said it was because there were Ribaut Road residents who were concerned about an application to put an office on that corner, and they didn't want it. Mayor Keyserling said they would like the neighborhood association and the Open Land Trust to be involved in a further discussion.

DISCUSSION OF WATERFRONT PARK RENTAL RULES, REGULATIONS, AND FEES

Mr. Dadson said the agreement shows clearly who is responsible for the park's use and the city's risk. Last time it was discussed, the matter up in the air was a "reasonable expectation of rate." It's currently well below the private market for use, and the city is in competition, therefore, with the private market.

There's been an effort to break the park down into sections for rates. Mr. Dadson said no one pays to just show up and use the park. They might be subject to other ordinances, but this is just for *exclusive* use of the park. There's an effort to align with private venues in the local market.

Mayor Keyserling said the gathering in the pavilion of bluegrass groups doesn't require a permit. Mr. Dadson said "if you show up and advertise that you're doing a pickin' by the river, that's not a problem," but if that creates a "sizeable enough group that it kicks in other ordinances, that's a problem." If anyone else is excluded from its use, that's when the rates are applicable. Mayor Keyserling said that distinction is now clear to him.

Mayor Keyserling asked about the business licenses. **Mack Cook** said there was a situation where the practice wasn't in line with the ordinance. This policy says the event organizer gets up to 25 licenses to distribute for \$125. They have an umbrella business license now. Mr. Dadson said everyone who comes in for a festival, including a band, sponsors, etc. is a vendor for these purposes. Mr. Cook said individual one-time licenses are \$77.

Mayor Keyserling asked the difference between the vendor and the individual license. Councilman Sutton said a wedding has multiple vendors being managed by one event organizer. They tell the city their costs are \$10,000, even if they're more, and the city wouldn't check those licenses. Mayor Keyserling said this is for festivals. Councilman Sutton said there's a distinction between public and private. He asked why they can't do that for a big wedding, too. Mr. Dadson said when someone comes to secure the space, it's a private space, and the event organizer is asked to present a list of vendors. That's their responsibility and they'll know that ahead of time. Mayor Keyserling asked if an application for a wedding would require them to put down who the vendors are. **Ivette Burgess** said they haven't in the past, but they would be now. Councilman Sutton said they aren't doing that for public shows, though; they can just say they have 25 vendors, not be checked, and "get a discount." Mr. Cook said he's correct.

Mr. Dadson said the city has always made a distinction between public and private events. They can elect to do it either way, but the feedback the city gets from public events is that other businesses don't have to pay the fees local businesses do. When it's private, the public groups feel like there should be equity. Either way is fine as long as there is a checked system.

Councilman Sutton said he wants it to be the same for both types of events. Councilman McFee said for a private event in the park, an event organizer hiring individuals would give an even playing field to those coming in from out of town. Mr. Dadson said business licenses are enforced across the board. The issue is of equity for those who pay. Most pay their licenses, and the balance are audited, too, which means *everyone* is checked, including those who *do* have licenses. Mr. Dadson said they want to be fair and consistent in enforcement of the ordinance. Councilman Sutton said he's asking for one system, not two. Councilman McFee said, if a private entity is charged for 5 vendors who are already licensed as city businesses, they're being charged twice. It's different because they are different people; festival vendors typically aren't city vendors, and with weddings, they're more typically already city license holders.

Councilwoman Beer said park damage is done by private parties, too, and she doesn't have a problem with weddings, including those with out of town vendors. Mr. Cook said weddings also have a problem in that the event organizer doesn't pay vendors; the parents often do. He said this problem isn't much different than the problem with contractors and sub-contractors, who also have to be individually chased. Part of this is an issue of cost-effectiveness, he said.

Mr. Dadson said council could think, and staff could work out detail before next meeting. Council could suggest language and that can be drafted and debated. Ms. Burgess said this is just a policy; each MOU will be tailored to each event.

Councilman McFee said he likes the simplicity Councilman Sutton is advocating. It might work for both types of events and licensed City of Beaufort vendors could be exempt to avoid double-taxing. Councilman Sutton said their numbers won't factor into the event organizer's count. Mr. Dadson said the local business issue can be easily dealt with. The idea is to be fair and simple. He said he likes the idea of umbrella-ing to encourage events. They may need to be occasionally audited. The person signing the MOU has to be responsible and the city has a record of it.

Mayor Keyserling said the planner signing the MOU isn't really in control of the whole event. Mr. Dadson said it's better to be umbrella-ed. Councilwoman Beer said the event organizer does all the planning and contact. Mr. Dadson said they will say the event organizer is responsible for all business transactions for their event, so the event organizer needs to be clear about who's who.

PARK RENTAL FEES

Mayor Keyserling said the proposed fees look good to him. Ms. Burgess said she doesn't get inquiries for the entire park, but she included that option anyway. She said the fees proposed are for private events. Councilman Sutton said he's thought he wouldn't support fenced-in private uses. He asked if council would have a say on use. He'd like to know if someone wants to use the whole park for a private/gated event. Councilman Sutton thinks the four heritage festivals should be included as well. They're not included at this point. Councilman McFee clarified that those events are still in the council's purview. Mr. Dadson said yes. A 12-hour gated event, Councilman McFee said, along the lines of a private festival, should be approved by the council. There was general agreement that these fees are fair. Mr. Dadson said staff feels this is a move in the right direction. Councilman Sutton said past concerns have been with the process and how it was managed.

Mayor Keyserling asked **Bob Moquin** and Ms. Fabian if they thought the fees were fair. Councilman McFee asked what was being charged for the Arsenal. Mr. Moquin said it's under review.

Mr. Moquin noted that the blocks on the garden are \$200 for 4 hours and \$400 for 6 hours. Mr. Dadson said it should be either / or.

Ms. Burgess asked if council wants to continue to do co-sponsorships in the future. Mayor Keyserling said it's usually a not-for-profit that wants its fees waived when the city co-sponsors. Councilman Sutton said he likes the format, and the checklist "drives you to certain things to get a co-

sponsorship."He feels it asks the right questions. Mr. Dadson said they will make it part of the same park use document, and the application will have the same checklist that's always been used.

COUNCIL MEETING FORMATTING

Mayor Keyserling said no decisions were made on the formats of the meetings; the subject was brought up at council's retreat. The question was whether 3 work sessions would create a stronger, longer agenda. They would add a work session with the Redevelopment Commission and the Planning Commission to share resources council has with them and to learn more about what they're doing. Mayor Keyserling said work sessions keep things moving. The new work session would replace a regular meeting but would be different than other work sessions. Mr. Dadson said there need to be 2 readings of ordinances, and that's why 2 monthly regular meetings are scheduled currently. There has to be at least one. Staff has called other council to see how they do their meeting schedules.

Mr. Dadson said one work session and one formal meeting is most common. Councilman McFee said it would take 2 months to pass an ordinance which they do in one month now. Bladen Street redevelopment might have been unnecessarily prolonged. Mayor Keyserling said they could have a 15 minute work session to process something, rather than a 15 minute formal meeting. Mr. Dadson said they could have work sessions at 4 pm, and regular sessions at 6 pm; they could be work amongst themselves for briefing and asking questions, then the regular meeting would take public comment, or if they were going to take action, they could have a formal public hearing, listen, and take action.

Mr. Dadson said one working session could invite the chairs of various groups to participate. It would allow council to be formal when they needed to be "to keep down unruliness." Mayor Keyserling said starting at 4 pm could be problematic for the public. Councilman McFee said he likes the idea of supporting the transparency and informality for the sake of the public as opposed to asking them to speak in public in chambers. Mayor Keyserling said he likes the conversation in the work sessions. Councilman McFee agreed that the formal meetings are more set by agenda, and there's a different sense of decorum in chambers.

Councilman Sutton said 4 meetings a month are being done now; there should be 2 where they have the chance to vote, but the venue's wrong. They need a hybrid version where they use chambers but have discussions with the commission chairs, etc. Councilman McFee said the use of council chambers is more space-effective. Mayor Keyserling asked if there's room for a table in chambers. Mr. Dadson said there would be a lot of problems doing that. **Shirley Hughes** said there are wires under the podium.

Mr. Dadson said there's a difference between working and business. People have rights in front of council to be heard, and that's why there are two different rooms. A formal room "requires people to get up and sign their name" in order to be heard. Mr. Dadson said it would be difficult on a practical level to rearrange the chambers. He thinks changing the process would be better in the short-run. Councilman Sutton proposed 2 regular meetings, one of which is "a hybrid," and one work session per month. There have rarely been special meetings and it would be easier to do a work session meeting. A regular meeting would be the one where they bring in the chairs. Mr. Dadson said a determiner would

be whether there's a public hearing or not. The second meeting with the chairs could be in the conference room as long as there wasn't a public hearing. Public hearings could just be once a month.

Councilman Sutton would like the conference room to have maps, etc. and "be more of a War Room."

SMART CODE

John Dickerson, 1302 Charles Street, said he'd had a chance to go to a Smart Code conference and found it enlightening. He gave council members a handbook from the conference and encouraged council to look at it. The lighthouse ice house came before the Design Review Board – it's a 64 square foot ice house at Smokey Chef – and because Smart Code showed how they "could deal with various things," he had modules that allowed him to easily ensure that their designers did things like catching water and draining it naturally, etc. The Design Review Board had a tested means to move business forward with the Smart Code. It will be beneficial for council and the boards to know that they meet the criteria. Councilman Sutton said only parts of Boundary Street and Bladen Street have form-based code thus far, so they have to be careful not to push what's in the manuals yet. JD said they didn't.

There being no further business, the meeting was adjourned at 7:14 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK

A regular meeting of the Beaufort City Council was held on February 22, 2011 at 6:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, Gary B. Fordham, Mike Sutton, Mike McFee, and City Manager Scott Dadson.

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

The Mayor called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was led by Pastor Mark Walker of Seaside Vineyard, and the Pledge of Allegiance was led by the mayor.

PUBLIC COMMENT

Edie Rodgers, 127 Spanish Point Drive, presented a copy of a letter she had written to the Beaufort Gazette. She feels the banners at Bay Street and Ribaut Road are important to the community as reminders of things that are going on in Beaufort. She has presented a letter to a number of not for profits. She wants the banners to remain and a banner at Lovejoy Park to reach different audiences. The banners are on the right-of-way, she says, and don't block the view of the Open Land Trust property.

Charlotte Brown said the Councilman Fordham and other not for profits may not use that corner for banners all the time, but it's good to know it's available for use.

PUBLIC HEARING: REZONING A PARCEL OF PROPERTY LOCATED AT 1403 GREENLAWN DRIVE, FROM NEIGHBORHOOD COMMERCIAL DISTRICT TO MARSH GARDENS PLANNED UNIT DEVELOPMENT (PUD)

Mayor Keyserling opened this public hearing. **Libby Anderson** said 303 Associates wants to rezone this parcel. She described the background of the rezoning. Public notice has been made and staff has received no public comments on the proposal to date. The Planning Commission unanimously recommended approval on 2-21-11. There have been additions made since first reading. The most important is that the parcel will be designated Lot Type D. Other changes were clarifications. There being no public comment, Mayor Keyserling closed this public hearing.

Councilman Sutton made a motion, Councilwoman Beer second, to add an Executive Session at the end of the meeting to discuss a personnel matter. The motion passed unanimously.

MINUTES

The minutes of the work session on February 1, 2011 were presented to council for review. On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to

approve the minutes. Mayor Keyserling referred to page 2 of the minutes and said that in the discussion of county transportation, he did not recall making an estimate of \$30-40,000 and recommended that the number be checked. A check of the audio recording of the meeting confirmed that these were the numbers cited. The motion passed unanimously to approve the minutes upon confirmation.

The minutes of the regular council meeting on February 8, 2011 were presented to council for review. On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes as written.

ORDINANCE REZONING A PARCEL OF PROPERTY LOCATED AT 1403 GREENLAWN DRIVE, FROM NEIGHBORHOOD COMMERCIAL DISTRICT TO MARSH GARDENS PLANNED UNIT DEVELOPMENT

Councilwoman Beer, second by Councilman Fordham, made a motion to approve the ordinance on second reading with the amendments Ms. Anderson had noted. **The motion passed unanimously.**

RESOLUTION FORMING THE BEAUFORT MUSEUM COMMITTEE

Councilwoman Beer, second by Councilman Fordham, made a motion to approve the resolution. **Katherine Lang** said the committee is asking the city to give them the management of the collection so they can inventory and repair what needs to be repaired, to stabilize the collection in good condition, then exhibit and grow it. They hope to work with other history organizations in the city. They're strictly volunteers and will be calling on the larger community when they need more volunteers.

Mayor Keyserling said the group has a work plan. The resolution will give them a year to implement it. Councilman Sutton said the city will support their efforts for now and will wait and see what happens. Mayor Keyserling said the original inventory was done 6 months ago; the pieces were appraised and stored. Their value was estimated to be considerably less than what it has now been determined to be. Ms. Lang said some artifacts are at the Confederate Relic Room and Parris Island. Councilwoman Beer described some of the past efforts regarding the museum. Councilman McFee applauded the group's willingness to take on the large project. **The motion passed unanimously.**

RESOLUTION ESTABLISHING NEW WATERFRONT PARK POLICY, RENTAL FEES, AND COUNCIL CO-SPONSORSHIP FORM

Councilwoman Beer, second by Councilman Fordham, made a motion to approve the resolution. Councilman Sutton said there are fee structure and policy documents. He described the differences between the business license requirements for public and private events. The council asked staff to look at private events' licensing and they did so. The event organizer has two options. A wedding planner may not choose all of the vendors so some may be from out-of-town. The event organizer would have to provide a list of all vendors, and the city would review to confirm they have a business license. The city will ask for an estimated gross receipt

for the vendors if they're not licensed. Mr. Dadson said **Mack Cook** wrote this document, so Councilman Sutton asked him to explain the changes.

Mayor Keyserling said heritage events who negotiate their contracts for use are not included under this policy. He also said the fee structure should be explained since the public did not all have access to what was distributed to council. Mr. Dadson displayed an overhead of the proposed fee structure.

Mr. Cook said the city does the same thing with construction as they are proposing here with the park and licenses. They have made an effort to make organizing events as unobtrusive as possible. They want to give the event organizer options: when the event organizer takes out a license, they will tell which vendors will be engaged in the event. The city will do the legwork to contact those vendors to get a license. Prior to the event, they will inform the event organizer of those who don't have a license. Everyone can be under the event organizer's license, a sort of "umbrella license." If they don't want to do that – the vendors may be hired by others, not the event organizer – then they cannot assume the responsibility of that element of the event. If that vendor doesn't have a business license, the event organizer can't use that vendor.

Mayor Keyserling said option 1 is what has been done with the heritage festivals: a blanket license for all of their vendors and they're responsible for gross receipts. Option 2 is that this may be complicated for big private events because of out-of-town vendors the event organizer may not know about. Councilman Sutton said the event organizer may not have any control over who participates if it wasn't disclosed to them. He has no problem with the second option. He would like it more in line with a fee structure for licensing based on the overall cost of the event. Mr. Cook said that's option 1.

Mayor Keyserling said he talked to a wedding organizer who said even if she doesn't know who the band is, she knows there will be a band. The event organizer is closer to the parents than the city is, Mr. Cook said, so the event organizer could inform the parents of the need to know all the vendors. Councilwoman Beer said the professional planners know who is going to be there; a band will not show up and the planner not know about it. Councilman Sutton said he's fine with how it's written. The intent is to encourage and clarify use of the park.

Larry Holman, 3 Pettigrew Drive, is president of the Beaufort Black Chamber of Commerce. He said he believes organizations do not have this information, though Councilman Sutton said the information was in the newspaper. He feels people involved with the festivals would like a copy of this information. He doesn't understand why this policy hasn't been made public. Mayor Keyserling said the four festivals that regularly use the park have certain levels of trust and expertise that allow them to negotiate where a one-time user wouldn't have that. They come to council with a signed agreement for the expenses and have done this for 25-50 years. They are not an event organizer creating an exclusive private event. This policy has been in workshops, on the website as part of a packet, and has been going on since about early August last year.

Mr. Holman said, "All fees are negotiable." Mayor Keyserling replied no, the heritage festivals negotiate contracts with events that may or may not comply with this. Mayor Keyserling said for example some groups clean up well, so they don't need to be charged a clean-up fee. At a Councilman Fordham, some vendors didn't have licenses. A band is like any other business operating in the city. Councilwoman Beer and Mayor Keyserling explained again that this policy doesn't apply to the heritage festivals.

Ms. Brown said she is concerned about how it will affect the festivals when this contract change takes place. She asked when the change will take place because the festival she's involved in is only 3 months away, and she doesn't know that that will be sufficient time to accommodate the changes. Mayor Keyserling confirmed with Mr. Cook that this will not affect the heritage festivals. The Water Festival has alcohol and the Gullah Festival doesn't. Shrimp Festival isn't gated. The festivals have an ongoing relationship with the city, and these policy changes shouldn't affect them. Mr. Dadson confirmed that this is correct.

Mayor Keyserling suggested adding the four heritage festivals by name in the document and saying that they will continue to negotiate on an annual basis with the city. Mr. Dadson said council could add that into the resolution "and that should take care of it." Mayor Keyserling explained to Ms. Brown and the public how this issue originated - from many summer weddings in the park - not because of the heritage festivals. Councilman Sutton went on to explain what the negotiations would be comprised of.

Mr. Cook said they couldn't ask for more cooperation from the heritage festivals than they have received. The Gullah Festival and the Water Festival have the infrastructure and the cooperation to be very good partners. Nothing now changes between the city and the festivals as established over the past years. Councilman McFee said this is for business licenses and doesn't include festivals and indicated where this is said in the document. Councilman Sutton pointed out that this is a resolution.

Ms. Rodgers said she feels that council asking for clarification "indicates confusion" about the document, so she thinks they "should have a long look" at it. She also asked that the Contemplative Gardens be renamed the Grassy Garden because it's less difficult to say. She asked what a council co-sponsorship form is, and Mayor Keyserling explained it's for not for profits such as a church that might want to do a baptism, and the city lowers their rates.

Councilman McFee said this process has been going on for 8 months, and despite the appearance of confusion about the options, the discussion resulted from an intent to clarify that matter for the event organizer. The council is fully clear about this, and staff has worked very hard on it.

Councilman Sutton made a motion to add to the resolution a Whereas: “the city recognizes the four heritage festivals will continue the process of use of the park” after “continues the use of the park by citizens.” Councilman McFee seconded the motion.

Mr. Holman asked again about the options for negotiations and several council people endeavored to explain the process to him. He said he will perhaps understand the process more when he reads the packet. Mayor Keyserling explained that the festivals have been negotiating with council for decades and reiterated that this is about individuals wanting to rent part of the park for a single event. There followed discussion with various members of council and Mr. Holman about the amount of transparency around this matter, including its discussion in workshops. Mayor Keyserling said all the meetings are open to the public. **The motion passed unanimously.**

REQUEST FOR STREET CLOSURE FROM HISTORIC BEAUFORT FOUNDATION TO HOST ANNUAL SOIREE

Councilwoman Beer, second by Councilman Fordham, made a motion to approve the request for the April 30, 2011 event. Councilman Sutton asked where it is, and he was told the corner of Federal and Pinckney Streets. **The motion passed unanimously.**

MAYOR’S REPORT

Mayor Keyserling said the Beaufort International Film Festival has grown over the last 5 years and has become an institution. He applauded the organizers.

REPORTS BY COUNCIL MEMBERS

Councilman McFee said the work sessions with the Office of Civic Investment were well-attended, and he hoped many would attend the development group meeting the following Thursday. Mayor Keyserling added that the process is highly transparent. There was general discussion of who received notice of the events, which are open to any interested parties, though people who own property in the first district received postcard invitations.

EXECUTIVE SESSION

On motion of Councilwoman Beer, seconded by Councilman McFee, council voted to move into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws for discussion of a personnel matter. The motion was approved unanimously.

Councilman McFee, seconded by Councilwoman Beer, made a motion to come out of executive session and resume the regular council meeting. The motion was approved unanimously.

ADJOURNMENT

There being no further business to come before City Council, Councilman McFee made a motion to adjourn, seconded by Councilwoman Beer. The motion was approved unanimously, and the meeting was adjourned at 8:15 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK

ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BEAUFORT BY CHANGING THE ZONING DESIGNATION OF TWO PARCELS OF PROPERTY LOCATED AT 88 ROBERT SMALLS PARKWAY, IDENTIFIED AS DISTRICT 120, TAX MAP 29, PARCELS 201 AND 202, FROM LIMITED INDUSTRIAL DISTRICT AND GENERAL COMMERCIAL DISTRICT RESPECTIVELY, TO HIGHWAY COMMERCIAL DISTRICT

WHEREAS, S & S Properties, LLC has submitted an application to rezone a parcel of property located at 88 Robert Smalls Parkway, identified as District 120, Tax Map 29, Parcel 201, from “LI Limited Industrial District,” to “HC Highway Commercial District;” and

WHEREAS, S & S Properties, LLC has submitted an application to rezone a parcel of property located at 88 Robert Smalls Parkway, identified as District 120, Tax Map 29, Parcel 202, from “GC General Commercial District,” to “HC Highway Commercial District;” and

WHEREAS, the properties are associated with the Stokes Honda auto dealership; and

WHEREAS, the property owner desires to redevelop the site and construct a new building; and

WHEREAS, additional property is necessary to accommodate the new site plan; and

WHEREAS, the current zoning designations do not permit vehicle sales, but Highway Commercial zoning does; and

WHEREAS, Highway Commercial zoning is located across Robert Smalls Parkway from the lots to be rezoned; and

WHEREAS, the lot is located on a Mixed Use Corridor on the Framework map in the City’s comprehensive plan; and

WHEREAS, the proposed rezoning was presented to the Beaufort--Port Royal Metropolitan Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding rezoning of these properties on Tuesday, March 22, 2011, with notice of the hearing published in *The Beaufort Gazette* on March 7, 2011;

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 the “Official Zoning Map, City of Beaufort” be amended as follows:

1. Changing the zoning designation of a parcel of property located at 88 Robert Smalls Parkway, identified as District 120, Tax Map 29, Parcel 201, from “LI Limited Industrial District” to “HC Highway Commercial District;” and

ORDINANCE

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

WHEREAS, an annexation petition dated January 24, 2011 for four parcels of property located at 88 Robert Smalls Parkway has been presented to the City Council; and

WHEREAS, the lots to be annexed are identified as District 100, Tax Map 29, Parcels 142, 143, 179, and 4X; and

WHEREAS, the properties to be annexed are highlighted on the attached map; and

WHEREAS, the properties (owners) requesting annexation are 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 Port Royal Island, in Beaufort County, South Carolina, located at 88 Robert Smalls Parkway, having and containing 5 acres more or less, identified as District 100, Tax Map 29, Parcels 142, 143, 179, and 4X.

This ordinance shall become effective immediately upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

1st Reading _____

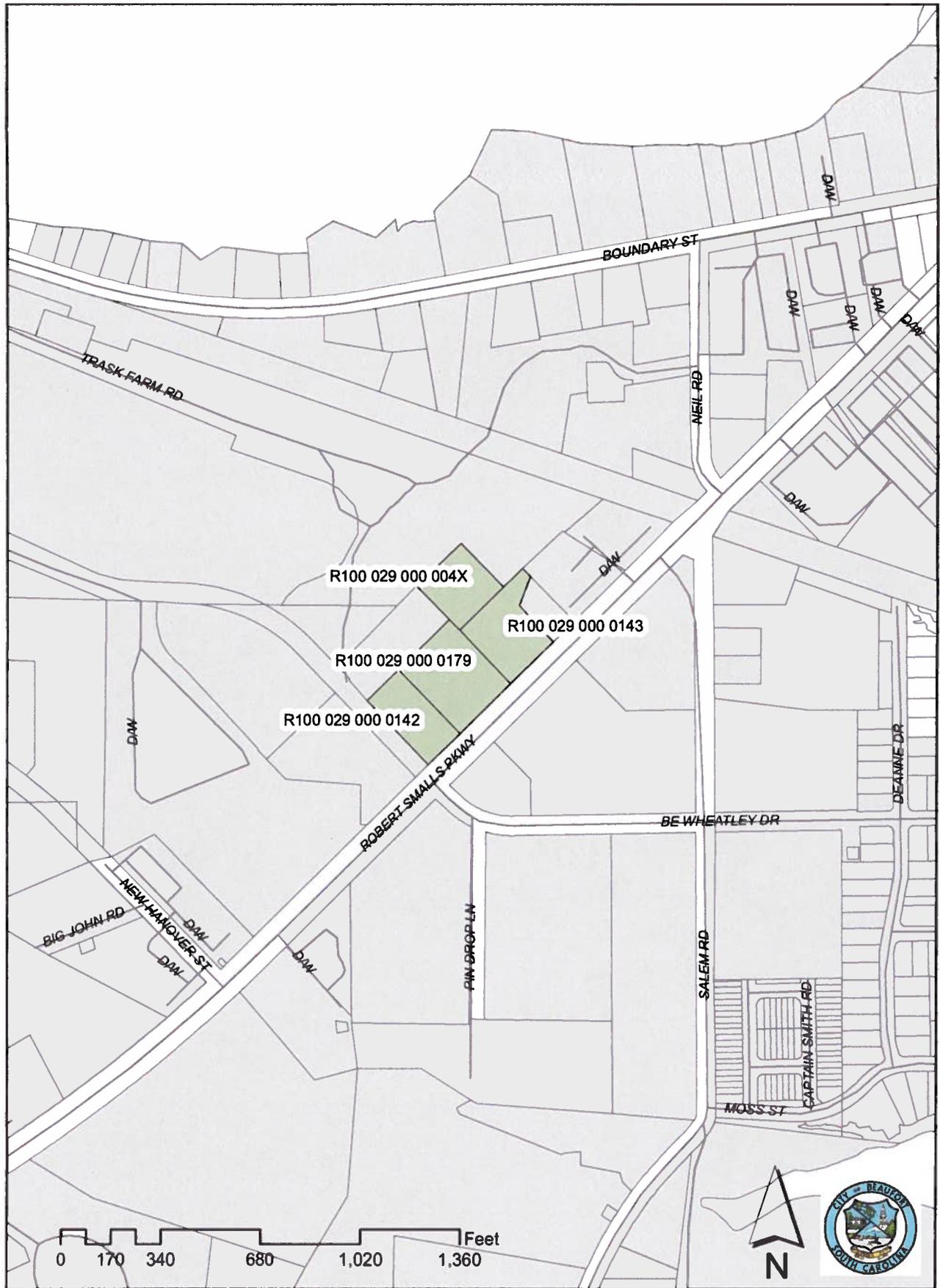
2nd Reading & Adoption _____

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY

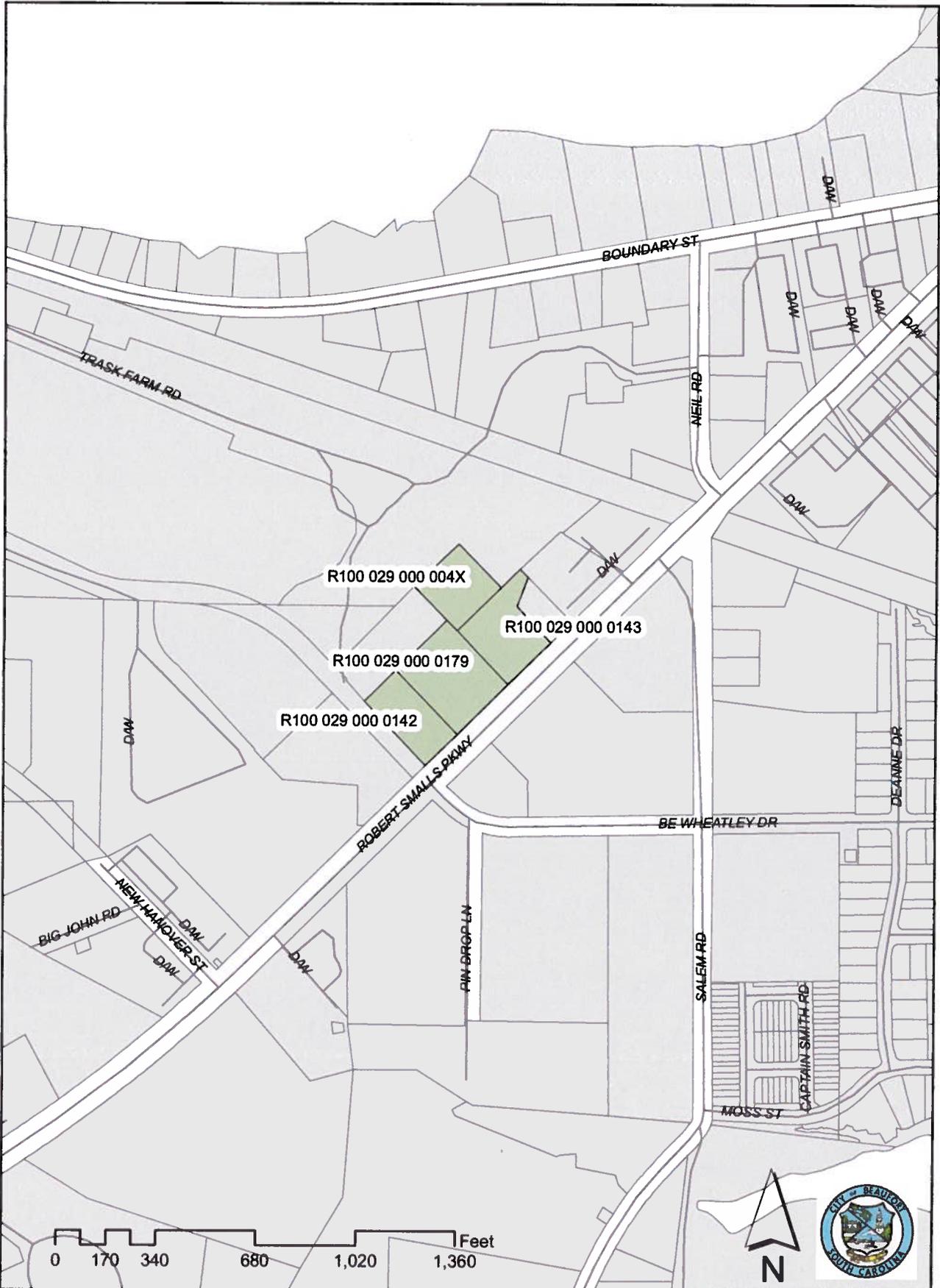
Parcels Proposed for Annexation

Created February 7, 2011



Parcels Proposed for Annexation

Created February 7, 2011



MAIN STREET



Beaufort, USA

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February 10, 2011

Mr. Scott Dadson
City Manager
City of Beaufort
1911 Boundary Street
Beaufort, SC 29902

RE: Requests for **A Taste of Beaufort**, scheduled for Friday, May 6, 2011 and Saturday, May 7, 2011

Dear Mr. Dadson:

Main Street Beaufort, USA respectfully requests permission from the City Council of the City of Beaufort to allow the following items during A Taste of Beaufort on Friday evening, May 6, 2011 and Saturday, May 7, 2011. The event will include a Friday night event (Shaggin' With A Taste) and a day of activities throughout the Henry C. Chambers Waterfront Park on May 7, 2011.

- Permission for alcohol sales (beer and wine) and to allow open alcohol containers in the Henry C. Chambers Waterfront Park during the festival on Friday evening, May 6, 2011, from 5 p.m. until 11 p.m. and during the festival hours on Saturday, May 7, 2011. Alcohol sales will start at 11 a.m. and end at 7:00 p.m. We have applied for approval of our temporary Special Event beer and wine license from the South Carolina Department of Revenue – Alcohol and Beverage Licensing. As with all events, we will contract with the Beaufort Police Department and Fire Department for services in order to provide and ensure a safe event site.
- Permission for street closures and to host 5K Run/Walk Saturday, May 7, 2011, from 8:00am – 9:30am with the route as follows: Start/Finish line at Freedom Park at 8:00am, down Bay Street crossing the Woods Memorial Bridge to Lady's Island, down Meridian Road then double back the same route to Freedom Park. The Walk route will begin at the same starting point then down Newcastle to Carteret to Washington Street, and through the Old Point Historic District and back to Freedom Park. Street closures are only requested for the 5K Run portion. We will coordinate with the City of Beaufort Police Department, SC DOT, and the Bridge Section of the Seventh Coast Guard District.

Rec'd
7/22
2/14/11
Ivette: Pls. put Leigh He
process. Pls. communicate
w/approval. gatt

MAIN STREET



Beaufort, USA

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BEAUFORT,
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- Permission for street closures at the following times, days, and locations: One direction of Charles Street Extension Friday, May 6, 2011, and Saturday May 7, 2011, to allow loading and unloading of equipment for bands and vendors. Vehicles will be required to move their vehicle to an appropriate parking spot after loading/unloading. The other lane of Charles Street Extension will be used for Emergency Vehicles.
- Permission to have children's activities area in the parking lot behind the playground. We will work with Lanier Parking Solutions to reserve the parking spots in that location.

Thank you for your consideration and support as we continue to plan successful events that draw both area residents and tourists to our historic downtown district.

Please inform me of the date and Council meeting at which this item will be included on the agenda.

Sincerely,

Androula Weiland
Events Manager