



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

**CITY COUNCIL AGENDA**  
**WORKSESSION AND REGULAR MEETING**  
MAY 24, 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, 1<sup>ST</sup> FLOOR**

**I. CALL TO ORDER** **5:00 P.M.**  
Mayor Billy Keyserling

**II. DISCUSSION WITH RDC AND METRO PLANNING COMMISSION CHAIRS**

**III. DISCUSSION ITEMS**

A. Boards and Commissions Interview – Tree Board

**IV. AGENDA ITEMS REVIEW**

A. Discussion regarding May 24, 2011 Agenda Items

B. Review of June 14, 2011 Regular Agenda Items

**REGULAR MEETING – COUNCIL CHAMBERS, 2<sup>ND</sup> 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**

**IV. PUBLIC COMMENT**

Time Designated for Council to Receive Comment from the Public

**V. PUBLIC HEARING**

**VI. MINUTES**

Review of Worksession and Regular Meeting April 26, 2011, and Worksession and Regular Meeting May 10, 2011

**VII. OLD BUSINESS**

- A. Ordinance Rezoning Parcel of Property Located at 804 Wilmington Street, from General Commercial District to General Residential District – 2<sup>nd</sup> Reading
- B. Ordinance Rezoning a Parcel of Property Located at the Corner of Bladen, Prince, and North Streets, from Office Commercial District, to Bladen Street Redevelopment District – 2<sup>nd</sup> Reading

**VIII. NEW BUSINESS**

- A. Ordinance Adopting FY 2012 Budget – 1<sup>st</sup> Reading
- B. Adoption of Levy of Taxes for FY 2012 – 1<sup>st</sup> Reading
- C. Resolution supporting Beaufort County's efforts to establish a pilot Transfer of Development Rights (TDR) program
- D. Public Assembly/Parade request from The Memorial Day Parade Committee to host parade Memorial Day Parade Monday, May 30, 2011
- E. Request from Pete Palmer to utilize the Downtown Marina for the annual River Swim event slated for Saturday, June 18, 2011 from 8:30 AM to 10 AM

**IX. REPORTS**

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

**XI. ADJOURN**



City of Beaufort  
Application  
Boards / Commissions /  
Committees

Name: William Klaskiewicz Date: 4-26-11

Address: P.O. Box 1584 St. Helena Is SC 29920

Phone: (H) 843 838 7931 (W) 843 812 6333

If you do not reside in the City, do you:

- a. Own property in the City:  Yes  No
- b. Have a current City business license:  Yes  No

Business Address: P.O. Box 1049 / 10 Logan Lane St. Helena Is SC 29920

Business Hours: 7.00 4.00 Business Phone: 843 838 5003

I am interested in the following Boards and Commissions:

Tree Board

Statement of Qualifications:

Horticulture, Technical College of the LowCountry  
ISA Certified Tree Worker, ISA Certified Arborist  
Member: Society of Commercial Arborists  
Member: American Society of Consulting Arborists

Please return this form to the City Clerk's Office at 1911 Boundary Street. Applications may be mailed to City of Beaufort, 1911 Boundary St., Beaufort, SC 29902; by fax to (843) 525-7013; or by email to [iburgess@cityofbeaufort.org](mailto:iburgess@cityofbeaufort.org)

A work session of the Beaufort City Council was held on April 26, 2011 at 5:00 p.m. in Council Chambers, City Hall, 1911 Boundary Street. In attendance were Council members Donnie Ann Beer, Mike Sutton, Mike McFee, 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.

Mayor Keyserling welcomed the public assembled. He reviewed the controversy from the workshop the week before about the city resolution in support of Riverview Charter School moving into the Beaufort Elementary School. Mayor Keyserling said he hadn't looked at the big picture in supporting the resolution that supported Riverview. He said he had never intended for anyone to think that the city would move Beaufort Elementary out of the Beaufort Elementary School building.

#### **DISCUSSION: RIVERVIEW CHARTER SCHOOL RESOLUTION**

Councilwoman Beer said she is in support of public schools. The resolution to her "was not doing away with anything," she said. It was about making a change that would benefit people or about finding another site. She said there is "a preferred, a next preferred, and a third preferred." That's how she saw it, and if her intention was misconstrued, she apologized. She agreed with Mayor Keyserling that communication is key to everything. There were overreactions because they hadn't heard both sides of the story, she said.

Councilman Sutton said if there was this much public attendance about all matters related to government and education, they "would get a lot done." Councilman Sutton said there was no excuse for the lack of communication. He has never served in the school system while he's worked in the city realm. Having grown up in Beaufort County and being in the military, he's frustrated with the process or disconnect between local government and its schools and "how that affects the vibrancy or lifeblood of the city." His initial thoughts about the resolution were that Riverview Charter School appeared to be a great school and because they're new, they had reached out into the community. There's no excuse for ignoring that the fact that there's a school there, he added.

Mayor Keyserling said he had visited Beaufort Elementary School that day. Councilman Sutton said, when the county school system makes a decision about attendance zones, there's been no discussion with city officials about neighborhoods. There are now fragmented neighborhoods around schools, and they're not vibrant. There will be change in the next 15 years in those neighborhoods. There are fewer full-time residents than one might think, Councilman Sutton said. Where the children attend school affects the vibrancy of the neighborhoods. He would like the schools to be full, maybe 8-year programs that drive families to live in walking or short-commute distances to schools. The council is "steadfast in its desire to understand the city," Councilman Sutton said. Something needs to be done – density in empty blocks needs to be increased; those empty lots affect the tax burden of citizens.

Councilman Sutton agreed that everyone should look at the resolution and discuss what it means to have two schools in the city limits. Council is not saying as a city that they are giving the building they don't own to Riverview Charter School. They are at the point that they can say that Riverview Charter School should stay in the city and so should Beaufort Elementary. Mayor Keyserling said Mossy Oaks is "truly a community school" that is in the city limits as well.

Mayor Keyserling discussed his history with Beaufort Elementary and said that what he knows he learned "from the newspaper." He knew about the special needs program and knew people had moved into the city to go to Beaufort Elementary from Beaufort Academy. He knew about Beaufort Elementary losing students, and that other students had been brought there. He saw that day on his visit that "it is not three schools operating in one school; it's one school." He said they "don't hear from Beaufort Elementary," and he has discussed that with the principal. Mayor Keyserling said maybe neighborhood associations should meet with city staff once a month. There is "a disconnect on a number of levels." He said he had had a positive meeting with the school's principal. He concluded that the Riverview group had come up with a number of alternative sites and "vibrant education needs to be brought back into the city."

**Fred Washington** acknowledged the absence of Councilman Fordham and his contributions. He said he's representing most of the city of Beaufort and Port Royal. He said he "didn't know if (he) could be civil." He has served on the school board for 12-13 years. Education has always been a part of Beaufort and the county. He said he "didn't run for the school board for (his) health." He believes in education and in his community. He said he was "disappointed but not surprised" by recent events because he thought there *was* communication about Riverview Charter School. He felt he'd committed himself to having the first successful charter school in the county. He felt he'd had dialogue with the city through the mayor. When he read that he "was never invited to discuss a matter of significant importance," he was disappointed. He and Mayor Keyserling had discussed what can be done. He knew Mayor Keyserling was committed to Riverview Charter School being in the area if possible. He said he would hope that when elected officials are looking at issues important to other elected bodies, they would have a discussion before it went to a public forum.

Mr. Washington said changes to attendance zones are publicized particularly to the schools and the schools' partners. Another goal of the school board is that all schools should be quality schools which means they need to do things in different environments but not value one school over another. Broad River students weren't bussed into Beaufort Elementary to fill space. It "wasn't a move to fill seats," he said, and he wanted to dispel that notion. Mr. Washington said he has supported all the council members, but he feels "personal disappointment." They will move forward and ultimately the decision is the school board's. He would like council and the school board to have communication on the level they should have, and elected officials should start the dialogue first. He thought they had done that, but he "has to re-examine his assumptions," he said. Mayor Keyserling said he apologizes for not doing that, and he's never questioned Mr. Washington's or the school board's commitment to the charter school. They

began looking for sites to recommend last summer, and he regrets having slighted Mr. Washington in any way.

**Bill Evans**, a school board member representing District 7, said he “appreciates the re-do” and was encouraged by Councilman Sutton’s comments. There are other influences to consider as well, he said. Their budget situation may mean they’ll have to close neighborhood schools in the future “to maintain the budget without having an impact on the other students.” The Office of Civil Rights is another thing they have to deal with. Moving students means they have to wait 4-5 months to find out if it’s okay. He respectfully requested tabling the resolution until they could sit down and come up with some solutions.

**Valerie Truesdale** corrected the mayor and Councilman Sutton by saying that there are three schools in the city limits, as are Lady’s Island Middle School and Beaufort High School. She said she was “also disappointed that it took this to get a council member to tour a school.” She finds it “very concerning” that the suggestion was made that students be moved from Beaufort Elementary to bring in other students from the charter school. The city may be committed to revitalizing downtown, but she asked council where the resolution came from that would displace the families of Beaufort Elementary from their neighborhood school. They have worked very hard to get it to 75-80% full now when it was half-way full. There’s the only gifted and talented magnet school elementary program. The future Montessori program is another part of making the schools as vibrant as possible. She thanked council for taking another look and being willing to partner.

Mayor Keyserling said he’s been in every school except for Beaufort Elementary this year. He made it clear that he is prepared to work with the principal there. He told Mr. Washington that in the last three years, he’s discussed communication. They have made great strides through the Northern Beaufort County regional plan and partner with Port Royal in a number of areas of service delivery. There are monthly dinners with Port Royal officials, and they should invite county council and school board members as well, he thinks, to give an idea of where Beaufort fits in a broader regional context. Mayor Keyserling said council “never intended to move anyone out of anyplace.”

**Angela Mitchell Stevens** said she is a lifelong Beaufort resident, and her parents are retired educators here. She was “perplexed at the thought that council thought Beaufort Elementary was not a neighborhood school.” The school is within walking distance of her residence. Every time she goes to Beaufort Elementary, she finds it to be “a loving, caring environment.” She’s heard good things about Riverview Charter School, but she knows good things about Beaufort Elementary and has experienced them for five years. She implored council “to reconsider even thinking about displacing these kids.” She sees some dilapidated and abandoned homes, but she knows that many people can’t afford to live within the city of Beaufort. Because some people can’t afford to live in the city, she said, discussing neighborhood schools needs to include the idea that they aren’t living around that school because they can’t afford to live there.

**Donald Gruel** said everyone should “do what’s in the best interest of all of our children.” The resolution has been read, and they should discuss how to help Beaufort Elementary move forward on their own as well.

**Gabrielle Klausman** said council “should shift the focus to the community (she) serves at Beaufort Elementary.” Her students have told her that they sometimes come to school having “had to walk away from a sibling dealing with a cop.” Beaufort Elementary can be an escape for them, she said. The children need them “beyond just the building.” Council “has gotten so wrapped up in the idea of a building that they have lost sight of the children,” she feels, and they need the support. Until someone in an elected position stands up for the children, she asked, who will do it? The majority of her students live in Parkview. The council “has gotten so far away from the realities of the city.” They should “go back to the drawing board and look at who they’re serving,” she feels. Many of the parents of Beaufort Elementary students can’t come to council meetings because many must work two jobs or have a family member in prison.

Mayor Keyserling said the council is “trying to grow the city.” The population is 12,000 and has been shrinking because people have moved to the islands because of the school. 47% of the people in the city are renters, and the census characterizes the population as moderate- to low-income, so unless the city grows, “it will be more even worse for those kids,” he said.

Councilman Sutton thanked General Commercial for her comments and her passion. The city hasn’t strayed from the focus of its citizens, he said. He spent 18 months without salary in the neighborhood around Beaufort Elementary School putting roofs on, etc. on the block-by-block program. Several million dollars have been spent trying to build that neighborhood back up; they “don’t want to tolerate that in the community.” It’s clear to him that education decisions must be mixed with local government decisions on a neighborhood level. “If school is a safe haven in a neighborhood, there’s something wrong,” he said. That can’t be tolerated in a community this size. Citizens need to be engaged. A local official will be elected soon in Councilman Fordham’s place. He said “we need this kind of energy at all levels of local government.”

**Mallory Baches** read a statement on behalf of Riverview Charter School to the council. The city staff has participated for a year in helping the school scout locations. Her statement reiterated the history of the matter from Riverview’s perspective; she said that the school “is founded on a mission of involvement.” Whichever community they relocate to, they “will contribute positively.” They hope the city understands that they are fast approaching the deadline for their need for a permanent facility. They are limited in their ability to grow and expand. They want a rapid discussion with all parties. She detailed some of the questions that will need to be answered. Only the school board can provide the answers. Riverview Charter School will need to move on to another location if Beaufort Elementary doesn’t work out.

Mr. Washington read the motion pertaining to Riverview and said “there is no mandate (for it) to be downtown.” It says “the area of the city of Beaufort.” He said Riverview “can’t just wait

for that to happen, and if there is another viable location, they will do that.” They “have a responsibility and can’t wait forever.” Mr. Washington is a Beaufort resident, but he has to be accountable to 10 other people on the board.

Mayor Keyserling shared the city staff’s research on the 4 options for the Riverview Charter School location. Mayor Keyserling asked the school board and Riverview Charter School what the role of the city should be now. He asked if there were something they could do “to move the process along.” The chairs of the Joint Municipal Planning Commission and Redevelopment Commission were present, he said, and the Office of Civic Investment is looking at downtown. He asked if there were “a way to facilitate and make this timely.” Councilman Sutton said it’s clear that they haven’t gone far enough to get to that point, and the city should offer to facilitate the discussion as the starting point. He said the next step should be to help foster the communication and to have the next discussion about the sites – why they were selected, the pros and cons, etc.

Mr. Washington said recent events have caused him to rethink the role he plays. He thinks the first order of business is for elected officials to have a conversation. He and the council – if they want to do something involving a school – should have that dialogue. The city manager and planning staff responds to council, and the superintendent and staff respond to the school board.

Councilman Sutton said the work session is an opportunity to discuss the next step. There are many options, he said. Councilman Sutton said there are a lot of meeting of committees and sub-committees, and he advocated a public meeting. Mayor Keyserling said he and Mr. Washington will get together and look for a way to move forward. He feels from council that they will not move forward with the resolution in the foreseeable future, and that if they do, they “will bring it back in the normal format.”

Councilwoman Beer said when children are grown, one loses sight of school issues. She admitted she “hasn’t been on as many visits to schools recently.” She said this issue “may have been a good thing to get people talking.” Mayor Keyserling thanked those in the public who had attended the meeting.

#### **DISCUSSION WITH REDEVELOPMENT COMMISSION AND METRO PLANNING COMMISSION CHAIRS**

**Jon Verity** said the Redevelopment Commission had had a good experience with the Office of Civic Investment and the charettes. The Office of Civic Investment is “working on some ideas,” and the old City Hall has some parties interested in it now. There will be an executive session in the coming week to look at a plan.

The commercial development committee has been looking at potential partnering with USCB to develop an arts and sciences program and might see some students in fall 2012. Housing is an issue. Mr. Verity suggested that the university and other involved parties need to keep each other informed. He said he’s pleased with the progress being made.

On the residential side, Mr. Verity said the committee is looking at the old Masonic Lodge on Duke Street. The costs of restoring it may be too high to fit it into the neighborhood's current picture. The Housing Authority is recommending building a house on Wilmington off of Duke Street and they are applying for funding; they'll find out in June if they are awarded it. There are "two additional houses in that mix," Mr. Verity said. The Housing Authority is in discussion to manage rental properties that the city builds.

Mr. Verity said the Redevelopment Commission is continuing discussions with the Lowcountry Housing Trust, which is "looking for \$130,000 for several years." The ratio for the \$100,000 investment is 4 to 1, Mr. Verity. They have discussed sharing in this with the Town of Port Royal and are considering the county and Housing Authority as possible partners, too. They want to find out who wants to participate before making a formal request to council.

Mayor Keyserling asked about the Lowcountry Housing Trust and the 4 to 1 leverage; Mr. Verity said the number "should translate into investments in the community to the tune of \$400,000." Mayor Keyserling asked if they put that much in every year. Mr. Verity said yes, every year requires \$100,000, and the administrative cost coverage is \$30,000 annually. Mr. Verity said the leverage is through grants, traditional financing, and revolving funds.

Councilman Sutton asked about the relationship with Habitat for Humanity and discussion to date for providing their services for the city. Councilman Sutton asked **Josh Martin** to step to the podium. Councilman Sutton asked why Habitat for Humanity wasn't at the table; Mr. Martin said "they are trying to decide what type of project they are going after." He added that "the issues they are dealing with are complex." One project under consideration would not be interesting to Habitat for Humanity because it's a \$400,000 project. Office of Civic Investment will take a project to Habitat "when they have the numbers." Councilman Sutton said he wants to ensure that the invitation is made because Habitat for Humanity "can take dirt and make it into a house like no one else can." Rather than investing speculatively, he would like to see Habitat for Humanity involved.

Mayor Keyserling said the Northwest Quadrant study committee was an arrangement with Habitat for Humanity in terms of getting some families back in the city, with slight encumbrances on it, and owning the land. Councilman Sutton reiterated that he wants to make sure Habitat for Humanity is involved. Even in the block-by-block program, they "met families who had the dirt but couldn't get financing." If the Lowcountry Housing Trust did that type of financing, with some work, there are "several families that could come to the table," Councilman Sutton said.

Mr. Verity said they "need as many resources as they can get." Mr. Martin said he's worked with Habitat for Humanity when Councilman Sutton explained the Habitat for Humanity model. Mr. Verity said on Duke Street, "there's a grant to fix the street up." They've been working with contractors, and there's disagreement about whether the foundation needs to be removed. Councilman Sutton said they all do. Mr. Verity said that's part of the issue.

Mayor Keyserling said he had a thought on the project and “heard the fear that the focus is on one house.” Mayor Keyserling said “there may be a buyer out there, so it can be pre-sold.” It could be brokered to someone who will do what the city wants done. The Office of Civic Investment can market it. Councilman Sutton asked “how many structures made the radar.” Mr. Martin said the Office of Civic Investment is “trying to address various types of users for housing.” Doing the survey was part of the work. He thinks they’re very close to coming up with a variety of pilot projects and deciding what would be the best first project. Mr. Martin went on to discuss various particulars of projects under consideration, concluding that “there are just a lot of different combinations under consideration.”

Mr. Verity said there continues to be an interest in bikeways, and they are at a point where they can mark them off in Sector One. Mr. Dadson said they’re working with SCDOT on these bike lines. Mr. Martin described the steps. Mr. Verity said “the can of paint is part of a plan to slow Boundary Street down and give it a more neighborhood feel.” People might feel more comfortable crossing the street, then. Mr. Martin said crosswalk signs, restriping diagonal and parallel parking, and parking at USCB will all address this as well. Mayor Keyserling said he “thinks the paint can theory is critical.”

Mr. Verity said Seth Neary had come up with ideas about Main Street, and they had a project under way concerning “branding” downtown. Mr. Martin said they were trying to avoid duplication with what the Office of Civic Investment and Seth Nary are doing. **Lanelle Fabian** said they went with a smaller package; the logo “needed a better image.” There’s more to the marketing program than just a logo, she added. “This is subtracting what’s been done, but they’re looking for an end-process for what they need.”

**DISCUSSION: APPOINTMENTS FOR CITY REPRESENTATION – STORMWATER UTILITY BOARD AND LOWCOUNTRY COUNCIL OF GOVERNMENTS**

Mr. Dadson suggested moving this to the regular agenda and adding it to the resolution on the special election.

There being no further business, the meeting was adjourned at 6:47 p.m.

A regular meeting of the Beaufort City Council was held on April 26, 2011 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, 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 7:03 p.m.

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

The invocation was led by Councilwoman Beer, and the Pledge of Allegiance was led by the mayor.

Mayor Keyserling made comments about Councilman Fordham and his strength in spite of his physical challenges.

Councilman Sutton made a motion, second by Councilwoman Beer, to amend the agenda to include a resolution regarding the special election and to appoint someone to the stormwater utility board. **The motion passed unanimously.**

### **PUBLIC COMMENT**

**Dwayne Smalley**, 802 Charles Street, spoke on behalf of the Northwest Quadrant Neighborhood Association. An event they had held in Washington Park the previous weekend had been “a major success,” and he thanked the council for their support, particularly council members and staff who attended.

### **PUBLIC HEARING: ORDINANCE REZONING PARCEL OF PROPERTY LOCATED AT 804 WILMINGTON STREET, FROM GENERAL COMMERCIAL DISTRICT TO GENERAL RESIDENTIAL DISTRICT**

The mayor opened this public hearing. **Libby Anderson** said the applicant is the city’s Planning Department. She showed a map of the property. The lot is 4900 square feet in area and undeveloped. It’s owned by an arm of the Beaufort Housing Authority, and they want to build a single family dwelling on the lot. Ms. Anderson said current zoning doesn’t permit single-family dwellings, only multi-family dwellings. She indicated the zoning designations of the areas around the lot, which she described as “an eclectic mix of zoning.” General Residential District permits all kinds of zoning including single-family dwellings. Though it’s zoned General Commercial, the dominant use in the area is single-family dwellings. She described some of the commercial uses in the area. The property is limited in size but can accommodate a single-family dwelling and parking. It might be too small with onsite parking for a commercial or office use. Water and sewer would need to be expanded, and the Housing Authority is aware of that. Public notice has been made. To date there have been no public comments on the recommendation.

Staff recommends approval. They feel the area is “overzoned.” The recommendations of the Office of Civic Investment will not come for a year to 18 months, and staff would like to help the Housing Authority with this rezoning as a placeholder until the Office of Civic Investment comes forward with their recommendations. The Planning Commission recommended approval as well. There being no comment from the public, the mayor closed this hearing.

### **MINUTES**

The minutes of the work session and regular meeting on March 22, 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.**

The minutes of the work session and regular meeting on April 12, 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.**

The minutes of the work session on April 19, 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.** Mayor Keyserling abstained because he was not present at the meeting.

### **ORDINANCE REZONING A PARCEL OF PROPERTY LOCATED AT 1004 DUKE STREET, FROM GENERAL RESIDENTIAL DISTRICT TO NEIGHBORHOOD COMMERCIAL DISTRICT**

Councilwoman Beer, second by Councilman Sutton, made a motion to approve the ordinance on second reading. Mr. Smalley said the parcel is across from the back door of where he lives. Though he said the matter “seems to be a fait accompli,” he wanted to comment. He asked what commercial zoning does to residential neighborhoods and offered as examples Prince and Charles Streets. The weekend’s event was publicized in the entire Northwest Quadrant, including the businesses. None of the business owners on Prince and Charles Streets attended the event, as far as he knows. Making residential areas commercial creates “a dead zone.” Those businesses on Prince Street don’t interact with the community or participate with the citizens in the community. He fears this happening at Charles Street businesses as well in the long-term. He feels that commercial zoning is counter to what the city wants to accomplish in the city as a whole and in the Northwest Quadrant.

Mayor Keyserling said he hears what Mr. Smalley is saying, but studying the lot, it was clearly subdivided at some point, so he is going to support the rezoning for that reason. He also encouraged all neighborhood associations to encourage businesses to be part of their associations. Councilman McFee said he understands what Mr. Smalley is saying, and he “knows what the motivation is.” The concerns Mr. Smalley has pertain to “a disconnect between businesses and residences.” Businesses don’t participate as much in the community, but the right direction seems to be the mixed use development. Councilman McFee said he also knows that Mr. Smalley’s property is zoned commercial. The original zoning is more in keeping with what it was intended to be.

**Denise Jones** also lives across the street from the property, and said her family has lived in the area more than 60 years. She wanted to know how residents were to know that rezoning this lot commercial “wouldn’t go down the whole block in the future.” Her family’s home is at 1010 Duke, and she lives across the street from that. She’s concerned for her young daughter’s safety, and said her grandmother was very worried about a similar change 20 years before. Mayor Keyserling said the city is in the process of looking at every single block and neighborhood in the city. He pointed out Mr. Martin and told her that Mr. Martin is working on the block-by-block plan. He doesn’t anticipate what she’s concerned about happening, but if adding in businesses will revitalize a neighborhood or area, that might happen. To protect their interests, he recommended that she talk with the Office of Civic Investment.

Ms. Jones said she doesn’t mind the type of business, but she is concerned that it might change. Mayor Keyserling said she had a valid point and again recommended that she speak with Mr. Martin. Councilman Sutton said the type of business allowed “is fairly restricted.” He said the neighbors showed him that there were businesses in common uses in their community that were erased through zoning. They are probably illegal and under the radar, so it’s important to know what Neighborhood Commercial might and might not do. Not-for-profit religious institutions have done more harm than good in some neighborhoods by grabbing property and turning residential properties into churches and “taking eyes off the street,” he said.

**Charlotte Brown** said she agreed with the previous speakers and requested that when the changes take place, council doesn’t inundate the area with too many small businesses, so that the ideas of the neighborhood and the family don’t get lost. Mayor Keyserling suggested she also meet with Mr. Martin. Mayor Keyserling said the group is looking block-by-block and “regrettably there is not an institutional memory on some things.” Councilwoman Beer said on some of the streets “it doesn’t sink in how many properties are General Commercial.”

**Eddie Rodgers** said that the residents need to be shown “which area has been zoned how.” It would be good information to give the residents to make them more inclined to work with the Office of Civic Investment and Mr. Martin. Mr. Smalley said the neighborhood could unite and get the parcels that are zoned commercial to be zoned residential. Mayor Keyserling said the process started with a night of meetings in each neighborhood. They collected information, had a big meeting, and will go back to the neighborhoods with new maps and show interested parties the vision of what that neighborhood could be. **The motion passed unanimously.**

#### **AMENDMENT REVISING SECTIONS 5.1 AND 5.3D OF THE UDO TO ALLOW ENTERTAINMENT USES SUCH AS COMMUNITY CLUBHOUSES IN RESIDENTIAL ZONING DISTRICTS**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the amendment on second reading. **The motion passed unanimously.**

#### **AMENDMENT TO FY 2011 BUDGET TO FUND THE PURCHASE OF POLICE VEHICLES**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the rezoning on first reading. **Shirley Hughes** said most of the information was given at the last work session. The police department needs new vehicles. The proposal takes them to 49 from 54. They’re

doing what council has been pushing them to do and made a plan that she said “makes a lot of sense.” The proposal lays out how they can pay for the vehicles. They have a couple of revenue sources, she said. Ms. Hughes said at City Hall, they have a Ford Crown Vic and 2 full size pickups: one used by the business license inspector and the other that’s “used occasionally” for various reasons. She said it’s still available for use by other departments. Ms. Hughes said next year’s budget will look at getting rid of the large trucks and moving to hybrid vehicles. Mayor Keyserling said the money is budgeted and they have to amend the budget to allow the purchase. **The motion passed unanimously.**

**RESOLUTION AUTHORIZING THE FINANCE DIRECTOR, MACK COOK, TO CO-SIGN ON ALL ACCOUNTS OF THE CITY OF BEAUFORT**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the resolution. Mr. Dadson said if council had a treasurer, it the treasurer would be allowed to sign as well. The city is audited every year, including auditing all the checks. This is a requirement of the banks, chiefly, Mr. Dadson said, that they have two signatures. **The motion passed unanimously.**

**PUBLIC ASSEMBLY/PARADE REQUEST FROM TABERNACLE BAPTIST CHURCH TO HOST ANNUAL RUN/WALK FOR CHRIST**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the request for the May 28, 2011 event. **The motion passed unanimously.**

**RESOLUTION FORMING CITY OF BEAUFORT AND TOWN OF PORT ROYAL JOINT COMMITTEE REGARDING FUTURE JOINT FIRE DEPARTMENT**

Councilwoman Beer, second by Councilman Sutton, made a motion to approve the resolution. Mr. Dadson said “this is beefed up to include a time frame in which to do it and someone needs to be appointed.” Council requested added language, which has been done, and it won’t be effective until Port Royal signs it as well. **The motion passed unanimously.**

**REQUEST LETTER FROM THE GULLAH FESTIVAL REGARDING THEIR ANNUAL EVENT**

Councilman Sutton said there was confusion about the documents pertaining to this in council’s information packet. Staff made recommendations, then there’s a 2-page letter. He wants to know what’s being discussed. Mayor Keyserling said the discussion would apply to “the most current document.” There was some discussion about which document was the resolution and being supported, and it was concluded that the document to review was the letter to the council from the city manager’s office.

Councilman Sutton asked how they had gotten to the place where they are. Councilman Sutton said they should do what they do every year. **Larry Hohman** said they have spoken to everyone, but the council needs to rule on the noise ordinance. Mr. Holman said that’s the only issue they can deal with tonight, and the others “are the city’s issues.” Mr. Dadson said “the answers in (council’s) packets are the answers to the questions.” There are several things council deals with: waiver of noise and fees and how much of the park and parking they are willing to let the festival use. Those are council’s decisions to make. All the rest gets worked out at the staff

level. He reviewed what had been handled so far. He said he thinks what the festival asks for is what they always ask for, and council always says yes to some things and no to others.

Ms. Brown said they need parking spaces in the marina lot on May 26 for trucks to unload so that they can set up the park and “not have a lot of confusion on Friday morning.” Mr. Dadson said council has to deal with that, not staff. The number of spaces they give up and when they start it is the big question in front of council.

Ms. Brown said it would be impossible to begin the festival on Friday if they have to set up on Friday. They need to have at least half of it closed off so they can set up. If people park in those spaces, they won't be prepared to start the festival, so they need parking for trucks on Thursday. Councilman Sutton asked how many spaces they need and asked if they'd had that discussion. Ms. Brown said they met with staff and explained that they do things differently than Water Festival does because of the number of vendors and the need to set them up.

Councilwoman Beer asked how many spaces they were talking about. Ms. Brown indicated what they would need on a map. She said they'd need the spaces “from the carriages in front of the marina on back.” Councilman Sutton asked if the marina's spaces were being moved to accommodate the festival. Ms. Brown said that's already been done in the fenced area. A discussion ensued about which sections would need to be closed off and when. Councilman Sutton said the festival is renting 168 spaces on Friday – Sunday. They need some space on Thursday, he said, but he doesn't know how to answer them. He asked **Ivette Burgess** about whose decision it was. He said he “wants to punt it back to Park Beaufort.” Councilman Sutton said he agrees that the festival needs something, but he doesn't know what.

Ms. Burgess said the recommendation comes based on last year's concerns by merchants and citizens that the whole marina lot was closed. The festival needs to set up, which staff recognizes. Staff feels that they should be able to set up, but they don't need to close the whole lot on Thursday. Councilman Sutton said the festival needs to figure out how many spaces they need. Mayor Keyserling said those who pay the monthly fees are being displaced, but they don't want to prevent the festival organizers from setting up. He said council can suggest that the festival organizers go back to staff. Ms. Burgess said they will have a staff meeting on May 11, Park Beaufort will be there, and they can work it out.

As to the waiver of all park rental fees, Mayor Keyserling said staff recommends against it, and Gullah Festival asks for it every year. Mr. Dadson said the noise ordinance will be a different discussion.

Councilwoman Beer made a motion that council accept the recommendations for the Gullah Festival from the city manager's office in its memorandum, with the exception of Item #1, which is set aside. Councilman Sutton seconded the motion.

Councilman Sutton said Waterfront Park is an entertainment zone and therefore not part of the noise ordinance. Mr. Dadson said it still has an 11 PM time limit on it. Waiving that allows the

festival to go a little bit past it. He added that the city has not had problems with this festival in the past.

Ms. Brown said that the early morning trash emptying, etc., may need to be part of the noise ordinance because they come at 4 or 5 AM to do it, which is not entertainment. Mr. Dadson said with this festival and Water Festival, this has never been a problem and is truly not an issue. Councilman Sutton said he would support a variance on the noise ordinance for the festival. Mayor Keyserling said they should just say they support it because of their track record.

Councilman Sutton asked about who would put up the fence. Ms. Brown said Public Works puts it up, and they have been met with. Councilman Sutton asked when it's coming down. Ms. Brown said they will take it down on Sunday afternoon, when the festival ends, and it "will be put in a corner somewhere and picked up on Tuesday." Ms. Brown said this will be their 25<sup>th</sup> year and she invited council to come. **The motion passed unanimously.** Mayor Keyserling thanked staff and the festival planners for the work they did and wished them "the greatest success."

#### **REQUEST FOR WAIVER OF NOISE ORDINANCE FROM MAIN STREET BEAUFORT FOR TASTE OF BEAUFORT**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the waiver request for the May 6 and 7, 2011 event for discussion. Ms. Fabian said, "Our (noise) is in the morning." She said they haven't asked for a waiver before, but last year, city staff said MSB wasn't "doing a good enough job," and they "were told that it was a huge deal," so MSB contracted The Greenery to help them get ready. Councilman McFee asked if they need a variance on this and Mr. Dadson said yes.

Mr. Dadson said most work downtown for the festival starts after 8 AM. The leaf blowers are the noisy things. Ms. Fabian said starting earlier didn't work last year. Councilman Sutton said that was Ms. Fabian "and (her) people, not the professional contractors." The leaf blower is the loud part of their clean up. Councilman Sutton asked if they could be told to do the other clean up and wait on that machinery until the right time, 8 AM. Ms. Fabian said they had always worked with Public Works and paid the city for park clean-up. Last year, they "were told in an ugly way that the park wasn't acceptable when they had two-and-a-half hours to go."

Councilman Sutton said he won't support The Greenery going back on something they already do. Mayor Keyserling asked, if they have a routine, why they can't fit this into their routine. Councilman McFee asked if The Greenery requested this noise ordinance. Ms. Fabian said she's not sure. Councilman McFee asked if they could table it. Mr. Dadson said they don't have time. Mr. Dadson said if direction from council is to not make noise before 8 AM, The Greenery will make it work. Mr. Dadson said they need to vote against the motion.

Ms. Brown said the final inspection runs at 9 AM. Even if one cleans it up the night before, the bar patrons "have left trash everywhere, and you have to go back and clean the park again," which can make noise early in the morning. **The motion failed unanimously.**

Ms. Fabian asked about the four heritage festivals not being charged park fees if the city isn't doing the work; she recollected such a discussion in a work session. MSB was charged \$750 as long as the city wasn't paying for The Greenery. Mayor Keyserling said the principle change didn't have to do with that.

### **THE SPECIAL ELECTION**

Councilwoman Beer made a motion, second by Councilman McFee, to hold a special election to replace deceased councilman Gary Fordham. Councilwoman Beer read the resolution. State law dictates that the election must occur on the 13<sup>th</sup> Tuesday (July 19) after the vacancy occurs. The deadline to file a statement of candidacy is noon on Saturday, June 4. Mr. Dadson said this is the city's election commission in conjunction with the county board of elections. **The motion passed unanimously.**

### **APPOINTMENT TO THE STORMWATER MANAGEMENT ADVISORY BOARD**

Councilman Sutton made a motion to nominate Andy Kinghorn to serve as a new member on the stormwater advisory board to represent the city of Beaufort. Councilwoman Beer seconded. **The motion passed unanimously.**

Councilman Sutton asked what Mr. Kinghorn's "next correspondence would be"; Mr. Dadson said the city will send him a letter, and "set up a time to bring him up to speed."

### **MAYOR'S REPORT**

Mayor Keyserling nominated Councilman Sutton for "the fire study thing." Councilman Sutton accepted the nomination.

### **REPORTS BY COUNCIL MEMBERS**

Councilman Sutton said the sailboat issue at the day dock "continues to be interesting." There are now 2 boats that refuse to leave the day dock. Mr. Dadson said it's going to be a matter of changing the rules, and they will discuss this at the next work session.

### **ADJOURNMENT**

There being no further business to come before city council, Councilwoman Beer made a motion to adjourn, seconded by Councilman McFee. **The motion was approved unanimously,** and the meeting was adjourned at 8:31 p.m.

ATTEST: \_\_\_\_\_  
IVETTE BURGESS, CITY CLERK

A work session of the Beaufort City Council was held on May 10, 2011 at 5:00 p.m. in Council Chambers, City Hall, 1911 Boundary Street. In attendance were Mayor Keyserling and council members Donnie Ann Beer, 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.

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

**DISCUSSION OF SUPPORTING BEAUFORT COUNTY'S IMPLEMENTATION OF A PILOT TRANSFER OF DEVELOPMENT RIGHTS PROGRAM FOR THE AREA SURROUNDING MCAS BEAUFORT**

**Tony Criscitiello** said county council had given first reading approval to the Transfer of Development Rights (TDR) program. The effort has been intergovernmental. Council had been provided a copy of the ordinance, and he gave a presentation about the program. The purpose of the TDR program is to reduce development near the Marine Corps Air Station (MCAS). It is voluntary. TDR sending areas will include all properties within unincorporated Beaufort County that are located within the Airport Overlay District for MCAS and are zoned Rural, Rural Residential, Rural-Transitional Overlay, Rural Residential-Transitional Overlay, and Suburban. Receiving areas will include all properties within unincorporated Beaufort County that are located outside of the Airport Overlay District and the AICUZ buffer and are within the boundaries of Port Royal Island. Beaufort and the Town of Port Royal can participate in the TDR program by designating TDR Receiving areas and submitting a complementary ordinance and inter-jurisdictional agreement.

A TDR bank will be created, as has been done in other successful TDR programs, Mr. Criscitiello said. A certified land trust should be utilized to do this. Staff recommends the creation of this bank. It will prioritize purchases from small to large. It will compensate small landowners. Bank procedures will be developed by county council.

Mr. Criscitiello said the TDR Overlay District will occur concurrently with rezoning; there will be no upzonings on Port Royal Island unless there is a TDR associated with it. To change a zone from Rural to Commercial Suburban will trigger a TDR. The Planning Department will certify a TDR's feasibility. They must have a clear title and be free of liens to qualify for a TDR.

Regarding heirs' property, Mr. Criscitiello's research showed that a purpose of TDRs is to help small property owners. In Burton, there is a likelihood that heirs' property will be found in significant numbers, but to get a certificate from the Planning Department, one has to have clear title, free of liens.

The Planning Department will determine the number of TDRs per property, Mr. Criscitiello said. By right, one is allowed two units to the acre. It is based on density and acres involved. The TDRs "are effective at time of record in the register of deeds office," Mr. Criscitiello said. The Planning Department and county attorney will review easement language for each one.

The property owners in the TDR Overlay District who don't participate do so at base density. The calculation is one TDR for every 3 dwelling units and one TDR for every 5000' of commercial space. The purchase price for TDRs can be negotiated through buyers and sellers after it's certified.

The Development Review Team will grant final approval of development, Mr. Criscitiello said. Developers can have TDRs in lieu of cash payments. The fee amount will be determined by county council based on annual market analysis. Revenues from the TDR program can only be spent on the TDR program.

The Department of Defense has offered \$500,000 to seed the bank and \$50,000 for program operations and maintenance. There are 1,403 potential properties, they estimate. Beaufort County Open Land Trust will be working with the county staff and council on the program.

Councilman Sutton asked if a base value was established yet. Mr. Criscitiello said that will be done in the near future. Given the economy, they want to ensure that values are established at the present rate. Mayor Keyserling said "it will float." The original value was \$34,000 per unit, but as a realtor, Mayor Keyserling said that number is not real. Councilman Sutton said the program's worth five years ago, "is not there now."

Mr. Criscitiello said it will be built into the form-based code particularly as it pertains to Port Royal Island. Mr. Criscitiello said MCAS is excited about this. Mayor Keyserling said it's the first Department of Defense TDR program. Councilman Sutton asked if entities that don't plan to develop could buy TDRs and never use them, such as preservationists. Mr. Criscitiello said it's unlikely, and Mayor Keyserling said one wouldn't need to do that because they could purchase it and get an easement.

Mayor Keyserling asked if there had been a market/attitude survey done. Mr. Criscitiello said Herbert Glaze has asked him to appear at Burton Wells to speak to the district that this will have the most impact on. When the new AICUZ was established, "there was a great hue and cry," Mr. Criscitiello said, because of the potential for development. This program allows the most benefit to properties zoned suburban.

Mr. Dadson said there would be no action on this at tonight's regular council meeting. Protocol is for county council to pass 2 readings, city council to pass one reading, and then the second city council vote and third county council would go together. Mr. Criscitiello said that's fine with him, so he is more likely to get a second reading on it at county council if city council passes it.

Mr. Dadson asked **Libby Anderson** if Joint Municipal Planning Commission had given an opinion on it, and Ms. Anderson replied yes. Mr. Dadson asked when city council would want to put out a statement of support. Councilwoman Beer said in two weeks at the next regular meeting. Mr. Criscitiello said it's going forward though he has to look into the heirs' property matter which is "long, laborious and difficult. Lightning speed" for clearance is 9 months, he said, and can cost a couple thousand dollars. Some heirs may die before title is cleared, and the process would need

to start over again. Resolving that complicated issue is not a good idea, he said, before approving TDRs. There was general assent to the idea of approving a resolution on the matter at the May 24<sup>th</sup> meeting. Mr. Criscitiello reiterated that “the small parcels are the driving force behind this.”

#### **DISCUSSION ITEMS: DAY DOCK RULES**

Mr. Dadson said this matter came out of a review of the marina. Councilman McFee said there were also some violations that precipitated this. **Chief Matt Clancy** said the main issues have been at night; coming into the dock after 10 p.m. is the new violation time. There has been discussion of limiting the time for using the day dock to 4 hours during the day as well. Boaters would have to check in at the marina store when they come in and get a ticket with a time on it. After that time, they would be in violation.

Chief Clancy said he had surveyed some boaters, and they asked questions he hadn't thought of. For example, some people who come to Beaufort might plan a trip that would last longer than 4 hours. Also, a boater might come in at 6 a.m. when the store wasn't open. Other points were raised as well. Rick Griffin, the harbormaster, and Chief Clancy agreed that since they haven't had problems during the day, they could table that idea. The latest problem has been one individual who has slipped in and out of the dock. Chief Clancy said the boat had a lot of issues and the owner didn't have a place to put it, so they were using the marina as a convenience.

Mayor Keyserling said the purpose of the day dock was short-term dockage for small boats, not for cruisers to take day trips from here. Ideally, a mooring would allow them to tie up as long as they want to pay to be here, but the day dock was for dropping people off and for locals to come to town to be downtown for a couple hours. Mayor Keyserling said the Office of Civic Investment is looking at the marina complex; he asked the friendliest way to treat and meet the needs of transients who want to stay a longer time. The safest and most preferable way for boaters, Mayor Keyserling said, is to have a mooring, not a day dock. Mr. Dadson said city council had asked Mr. Griffin to move these issues forward as part of his contract. Councilman McFee called the marina plans from Office of Civic Investment “illustrative,” and Mr. Dadson said they are mostly on the land side of the marina, not the water.

Councilman Sutton said he's in favor of this, and most boaters with a significant investment will find the day dock too small for what they need. He thinks four hours is plenty of time to limit it to and said there needs to be oversight. It was obvious that a boat was taking advantage of the situation before. The dock is too small to have someone docked there instead of in the marina. The marina needs to be free for boats to come in. In the absence of a mooring field, they “have 28 boats moored in the harbor that are not actively engaged sailors.” He feels it should apply to both the dinghies and the boats themselves. He uses the day dock to launch his boat, takes the trailer back home, and then comes back for his boat, doing the same on the return trip, which is the typical use of a day dock. There is a viable marina with space for these. Mayor Keyserling said some of those at the dock are out-of-towners who leave the boat moored if they're leasing it. He said a dinghy storage place might be a good idea. Councilman Sutton said they are

pushing for a mooring field, and it will happen incrementally. "If they're paying to be on a hook," Councilman Sutton said, "the dinghy is there with a relationship to a boat in the mooring field."

Councilman Sutton said the city's system is clearly not regulated. A styrofoam boat "sat there two years because there is no regulation that says that those dinghies can't be there." The mooring field is the long-term answer, and in the interim, a four-hour window on the day dock is appropriate and changing the hours from 10 p.m. to 6 a.m. is appropriate.

Mayor Keyserling said there's an issue with the fact that there's no place to dock a boat without a day dock. Councilman Sutton said they're "pushing themselves out of a downtown ramp." That's an important part of downtown, and regulating it as the city's density grows is even more important. Mr. Dadson asked if they discussed a length of boat, and Chief Clancy said no. Councilman Sutton said in its design it was intended to be day sailors, not a yacht. Mayor Keyserling said he thought it was 24'. Councilman Sutton said it happens so seldom, the issue is to give the right rules to the people who are responsible for responding.

Mr. Dadson asked Chief Clancy if they discussed dinghies. Chief Clancy said the only thing that's changed is the time to 10 p.m.; dinghies were not discussed. Councilman McFee said when they have a mooring field, they can clean that up. Councilman Sutton said he's willing to wait until they get to that, but they have derelict boats moored because they allow them to be. Boats have been clustered together that no one has looked at in months. Mr. Dadson asked Chief Clancy to discuss this with Mr. Griffin. Mayor Keyserling added that they should discuss length, too. Councilman McFee said most people are considerate of that.

Councilman McFee said he feels 10 p.m. is too early to close the dock. Chief Clancy said it's currently 1 a.m. Chief Clancy said they figured people would be out of dinner by 10 p.m. Councilman Sutton said they could regulate that no boat should be there more than four hours. Councilman McFee said it's easy enforcement to have a time limit after which they should be gone, but not for a patrolling car to see that someone's been there four hours. Mayor Keyserling asked Chief Clancy if it were a big deal to go to 11 p.m.

Councilman Sutton said they want the full-service marina to be used more than the day dock. Mr. Dadson asked, if Mr. Griffin is low on rentals, why he didn't open parts up for day usage and small fees, etc. Councilman Sutton said if the day dock were used for short-term use, there could be a sign at the marina to check in for extended stays. Councilman Sutton said the docks "were built backwards."

Councilman Sutton said he's concerned hourly blocks are too cumbersome. The time issue should be on for first reading, Mr. Dadson said, and Chief Clancy can talk to Mr. Griffin about other concerns. Then they can bring that up at first reading. The day dock and the main dock can be tied together to "both of our advantages." Mayor Keyserling asked what the incentive is to get the harbormaster interested in the day dock. It's part of the contract, but it gets ignored, and the police department shouldn't be managing the day dock. Mr. Dadson asked if it can be

enforced by a private contractor instead of the police department. He said Chief Clancy should consider that possibility, too.

Councilman Sutton asked if there was opportunity or desire to give the authority to enforce to the harbormaster, which he currently doesn't have the power to do. Councilman Sutton said if a patrol officer or a complaint doesn't trigger an officer to go there, nothing happens. Chief Clancy said it's easy at night because a boat is either there or not, and if it's there, it's in violation.

Mayor Keyserling said there's an absence of aggressive marketing that was promised with the contract. Councilman McFee said Mr. Griffin is supposed to be bringing city council more information on the marketing. For the next meeting for first reading, they'll go with 11 p.m., Mayor Keyserling said, as an ending time. Mr. Dadson said Mr. Griffin and Chief Clancy can be there, and they can speak at the work session before the regular session.

### **DISCUSSION REGARDING MAY 17, 2011 AGENDA ITEMS**

Mr. Dadson said there will be an informal presentation on the budget by the city manager. The more in-depth presentations will follow at a work session and first reading.

Councilman Sutton said there's not been closure on the Carteret Street parking issue. Mr. Dadson said they asked planning staff to look at the whole area. It is outside of the current management area, he said. Staff "was asked to run scenarios of managing in that area." There is a section of one-hour parking by the Chocolate Tree and other than that it's unmanaged. The report needs to come back to city council so they can see what they want to do. The question is if they want to manage beyond where they already do, Mr. Dadson said. Councilman Sutton said he'd like to find out more about what's been done and what should be done.

"A lot of small business opened up over the weekend," Mayor Keyserling joked in reference to lots charging for parking during Taste of Beaufort. Mr. Dadson said they need to look at zoning regulations for private parking. Mayor Keyserling said TMAC was to work with Visitor and Convention Bureau to create a vision. Councilman McFee said he was curious to see where they were going with that. Mr. Dadson said TMAC has been participating in the process and city council told them to relate to the city's vision. Mayor Keyserling said in regard to A-Tax, if Visitor and Convention Bureau is to be a part of that process, city council should have a sense of where they are. Councilman Sutton said he'd like to know where Chamber of Commerce and Visitor and Convention Bureau are and how their marketing relates to the future. Councilman McFee said they need to address who the marketing arm is for the city. Councilman Sutton said the question about the CVB and their marketing and how it relates to A-Tax should be answered at a future workshop. Councilman Sutton said city council has asked them to come and discuss that before, and they should be asked again.

### **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 property sales and property disposition. The motion was approved unanimously.

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

There being no further business, the meeting was adjourned at 7:06 p.m.

A regular meeting of the Beaufort City Council was held on May 10, 2011 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, 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 7:07 p.m.

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

The invocation was led by Councilwoman Beer, and the Pledge of Allegiance was led by the mayor.

#### **PROCLAMATION RECOGNIZING CHILD ABUSE PREVENTION**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the proclamation. **The motion was approved unanimously.** Councilwoman Beer read the proclamation.

#### **PROCLAMATION PROCLAIMING FOSTER CARE MONTH**

Councilman McFee, second by Councilman Sutton, made a motion to approve the proclamation. **The motion was approved unanimously.** Councilwoman Beer read the proclamation. Mayor Keyserling presented the proclamation and the previous proclamation to a representative of the Beaufort County Department of Social Services.

#### **PROCLAMATION COMMENDING PIGEON POINT NEIGHBORHOOD ASSOCIATION MEMBERS**

Councilman McFee, second by Councilman Sutton, made a motion to approve the commendation. **The motion was approved unanimously.** Councilman McFee read the proclamation, and Mayor Keyserling presented plaques to four members.

#### **PUBLIC COMMENT**

**Carl Joye**, 15 Meridian Road, wanted to address the “rude” comments made to him by Councilman Sutton about a poem Mr. Joye had written about his son’s school. He read aloud e-mails and some press coverage relating to his concern. He then read poems he had written in response to the issue.

Councilman Sutton made a statement in response. He said that there had been an e-mail dialogue between himself and Mr. Joye about the school issue, at which time he made the statement that upset Mr. Joye. Mr. Joye then took the issue to the press “to be in the blogs,” Councilman Sutton said, and “to keep the conflict alive.” Councilman Sutton apologized that Mr. Joye had been upset and that they had gotten into the dialogue; Councilman Sutton said that the problem that had sparked the dialogue was not solved.

**Bob Moquin** updated city council that the matching grant for the conference center feasibility and impact study was moving forward. He reported that the firm that would be engaged will come the week of May 22 to meet with stakeholders in the community to arrange those meetings.

The Visitor and Convention Bureau is “going through an exercise” in collaboration with TMAC in meetings the following two evenings. He also acknowledged Officer Carter for his service in the community.

### **MINUTES**

The minutes of the work session and regular meeting on April 26, 2011 were presented to council for review. Councilman McFee said on page 11 of the minutes Larry Holman’s name was misspelled, and Councilman Sutton said on page 4, a reference to a member of the public was supposed to be Gabriel Clausman but was incorrectly transcribed as “General Commercial.” **On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes as amended.**

### **AMENDMENT TO FY 2011 BUDGET TO FUND THE PURCHASE OF POLICE VEHICLES**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the amendment on second reading. **The motion passed unanimously.**

### **ORDINANCE REZONING PARCEL OF PROPERTY LOCATED AT 804 WILMINGTON STREET, FROM GENERAL COMMERCIAL DISTRICT TO GENERAL RESIDENTIAL DISTRICT**

Councilman Sutton, second by Councilwoman Beer, made a motion to approve the rezoning on first reading. Ms. Anderson said the property is zoned General Commercial but General Residential surrounds it, which is the proposed zoning. Councilman McFee asked if the uses around the property were also residential. Ms. Anderson indicated on a map where the commercial zoning was and said that the majority of the properties in the area are zoned residential. Some of the commercially zoned properties have been closed for some time. Ms. Anderson said single family is currently not permitted in this area, and the Housing Authority wants to build a single-family dwelling which the city feels is appropriate. **The motion passed unanimously.**

### **REPORTS BY COUNCIL MEMBERS**

Councilwoman Beer said she’d taken a trip to Washington, DC and had met with representatives for the area. Joe Wilson told her that the F-35s are on schedule, which pleased her.

Mayor Keyserling said he had visited with the new commanding officer and he seemed “extremely interested in partnering with the city in variety of creative ways.”

### **EXECUTIVE SESSION**

On motion of Councilwoman Beer, seconded by Councilman McFee, council voted to go back into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina

Code of Laws for discussion of property sales and property disposition. The motion was approved unanimously.

Councilwoman Beer, seconded by Councilman McFee, made a motion to come out of Executive Session and resume the regular session. 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 Councilman Sutton. **The motion was approved unanimously**, and the meeting was adjourned at 8:31 p.m.

ATTEST: \_\_\_\_\_  
IVETTE BURGESS, CITY CLERK

**CITY OF BEAUFORT**  
**DEPARTMENT REQUEST FOR**  
**CITY COUNCIL AGENDA ITEM**

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

**TO:**            *City Council*

**DATE:** **May 20, 2011**

**FROM:**        City Manager

**AGENDA ITEM TITLE:** Ordinance Rezoning a Parcel of Property Located at 804  
Wilmington Street from General Commercial District to General Residential District - 2<sup>nd</sup>  
Reading

**MEETING DATE:** May 24, 2011

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

Passed on 1<sup>st</sup> Reading May 10, 2011

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

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

**PLACED ON AGENDA FOR:**

**REMARKS:**

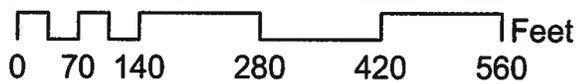
**Council action:**

2<sup>nd</sup> Reading and Approval



# Site Location Map R120 004 000 0346

Created March 23, 2011









**BEAUFORT COUNTY GIS WEB SITE/DATA USE POLICY**

The information contained on this web site is made available to the public as a service of the Beaufort County GIS Department. This data is intended for general reference purposes only. Although the Beaufort County GIS Department strives to maintain/obtain the most accurate data possible, some errors and inconsistencies may still exist within the maps and data contained on this site.

Therefore, Beaufort County makes this service, as well as all the data and information pertaining to this service, available to the public AS IS WITHOUT WARRANTY OF ANY KIND. It is the responsibility of the users of this data to contact the necessary public entity for verification of the information obtained from this site.

Legend	
	County Outline
	Address Points
	Streets
	Counties
	Parcels
	Radio Cameras
	Self Layer
	State Hwy
	US Hwy
	Interstate
	Water



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR  
CITY COUNCIL AGENDA ITEM

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

**TO:** City Council  
**FROM:** City Manager

**DATE:** May 20, 2011

**AGENDA ITEM TITLE:** Ordinance to Adopt FY2012 Operating Budget – 1<sup>st</sup> Reading

**MEETING DATE:** May 24, 2011

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*BACKGROUND INFORMATION: (Attach additional pages if necessary)*  
The Council is required by State Law to adopt an annual balanced budget.

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

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

**PLACED ON AGENDA FOR:**

**REMARKS:**

**Council action:**

Approve an ordinance adopting the FY 2012 Operating and Capital Budget.

**ORDINANCE**

**ADOPTING A BUDGET CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES BY THE CITY OF BEAUFORT FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012, AND DECLARING THAT SAME SHALL CONSTITUTE THE BUDGET OF THE CITY OF BEAUFORT FOR SUCH FISCAL YEAR.**

**WHEREAS**, pursuant to the provisions of the laws of the State of South Carolina, the City Manager is required to submit to the Council a budget for the year beginning July 1, 2011 and ending June 30, 2012, and

**WHEREAS**, the City Manager has prepared and presented such proposed budget to the Council, such budget available for inspection at the office of the Finance Director; and

**WHEREAS**, this budget contains the budgets for the General Fund, which includes a consolidation of General Fund, Accommodations Fund, TIF 1 and TIF 2 Funds.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Beaufort, South Carolina, in Council duly assembled and by the authority of the same as follows:

1. That this Council hereby adopts the hereto annexed and approved revenues and expenditures for the various purposes therein named, and set forth, for the conduct of the business of the government of the City of Beaufort for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012, and that the same shall constitute the official annual budget of the City of Beaufort for said Fiscal Year.
2. That transfer of any sums from one fund or account to another or one department to another may be made by the City manager for purposes of achieving the goals of the budget.
3. That funds obtained from any source may be used for any of the appropriations named in said Budget, except specifically restricted by City Ordinance or by the State or Federal Law.
4. The City Manager is hereby authorized to enter into City contracts if the total contract amount is less than or equal to the budget line item or project budget as approved by City Council in the City Budget.

\_\_\_\_\_  
BILLY KEYSERLING, MAYOR

ATTEST:

\_\_\_\_\_  
Ivette Burgess, CITY CLERK

1st Reading  
2nd Reading  
& Adoption

Reviewed by \_\_\_\_\_  
William B. Harvey, III City Attorney

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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR  
CITY COUNCIL AGENDA ITEM

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

**TO:** City Council

**DATE:** May 20, 2011

**FROM:** City Manager

**AGENDA ITEM TITLE:** Ordinance to set the tax levy for the FY2012 Operating Budget

**MEETING DATE:** May 24, 2011

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

The Council is required by State Law to set the tax levy for the annual budget.

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

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

**PLACED ON AGENDA FOR:**

**REMARKS:**

**Council action:**

Approve an ordinance setting the tax levy for the FY 2012 Operating and Capital Budget.

ORDINANCE

ORDINANCE

**TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY PURPOSES IN THE CITY OF BEAUFORT FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, AND TO PROVIDE FOR EXPENDITURES THEREOF.**

**WHEREAS**, pursuant to Section 1-5003 of the Code of Ordinance of the City of Beaufort, the City Council shall annually, on or before the first day of July, pass a Tax Ordinance declaring the tax levy for the current fiscal year and purposes for which the tax is levied.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Beaufort, South Carolina, in Council duly assembled and by the authority of the same that:

- 1 There shall be, and is hereby, levied upon all of the taxable property of the City of Beaufort for ordinary City purposes, for the fiscal year beginning July 1, 2011, tax of forty-five (45.0) mils upon each One Dollar (\$1.00) of taxable property in the City of Beaufort a for operations of the City.
- 2 There shall be, and is hereby, levied upon all of the taxable property of the City of Beaufort for ordinary City purposes, for the fiscal year beginning July 1, 2011, a tax of fifteen and sixty-two one hundredths (15.62) mils upon each One Dollar (\$1.00) of taxable property in the City of Beaufort for payment of general obligation debt of the City.
- 3 The City Budget for the fiscal year beginning July 1, 2011, shall be annexed and made a part and parcel of this Ordinance.
- 4 Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.
- 5 All Ordinances and parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed, insofar as the same affect this Ordinance.
- 6 This Ordinance shall take effect and be in force from and after July 1, 2011

\_\_\_\_\_  
BILLY KEYSERLING, MAYOR

ATTEST:

\_\_\_\_\_  
Ivette Burgess, CITY CLERK

1<sup>ST</sup> Reading \_\_\_\_\_  
2<sup>nd</sup> Reading & Adoption \_\_\_\_\_  
Reviewed by \_\_\_\_\_  
William B. Harvey, III, City Attorney

**RESOLUTION SUPPORTING BEAUFORT COUNTY'S IMPLEMENTATION OF A  
PILOT TRANSFER OF DEVELOPMENT RIGHTS PROGRAM FOR THE AREA  
SURROUNDING MCAS BEAUFORT**

**WHEREAS**, Marine Corps Air Station Beaufort ("MCAS Beaufort") is a major contributor to the well-being and economic prosperity of the citizens in and surrounding Beaufort County; and

**WHEREAS**, the mission of MCAS Beaufort requires certain actions which, by their nature, generate sounds that can be heard outside the perimeter of MCAS Beaufort; and

**WHEREAS**, certain patterns of development, construction, and subsequent uses, if located near MCAS Beaufort operational zones, have the potential to increase the number of persons who may find such sounds undesirable and, therefore, lead to complaints about such sounds; and

**WHEREAS**, such patterns of development, construction, and uses are often referred to as encroachment; and

**WHEREAS**, encroachment has the potential to significantly impact the effective performance of its mission by MCAS Beaufort; and

**WHEREAS**, it is in the best interest of the citizens of Beaufort County and the citizens of the United States of America that MCAS Beaufort perform its mission in an efficient and effective manner; and

**WHEREAS**, in December 2006, the Beaufort County Council adopted land use regulations as part of the Beaufort County Zoning & Development Standards Ordinance (ZDSO) that discourage encroachment by limiting the type and density of development that can occur within MCAS Beaufort operational zones; and

**WHEREAS**, Beaufort County, the City of Beaufort, the Town of Port Royal, MCAS Beaufort, the United States Department of Defense, and the Lowcountry Council of Governments have cooperated in a study to establish the framework for a Transfer of Development Rights (TDR) program to voluntarily further reduce development potential near MCAS Beaufort and to redirect development potential to locations outside MCAS Beaufort operational zones; and

**WHEREAS**, this preferred development pattern is intended to reduce hazards associated with aircraft operations near MCAS Beaufort in a way that respects the rights of property owners and utilizes a free market system to achieve these planning objectives; and

**WHEREAS**, on January 28, 2011, the Northern Regional Plan Implementation Committee voted to forward the TDR Study to the jurisdictions' respective Planning Commissions and County Council for consideration; and

**WHEREAS**, on March 21, 2011, the Beaufort--Port Royal Metropolitan Planning Commission voted to recommend that the Beaufort County Council approve an amendment to the ZDSO to establish a TDR pilot program for the area surrounding MCAS Beaufort and that the municipalities consider passing a resolution of support for the establishment of the TDR pilot program.

**NOW, THEREFORE, BE IT RESOLVED**, that the Beaufort City Council does hereby state its support for the development and implementation of a pilot Transfer of Development Rights (TDR) Program by Beaufort County for the area surrounding MCAS Beaufort.

**IN WITNESS THEREOF**, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 24<sup>th</sup> day of May, 2011.

(SEAL)

Attest:

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BILLY KEYSERLING, MAYOR

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IVETTE BURGESS, CITY CLERK

CITY OF BEAUFORT, SOUTH CAROLINA  
APPLICATION FOR PARADE OR PUBLIC ASSEMBLY PERMIT

To be filed NOT LESS than ten days before event  
1911 Boundary Street Beaufort, SC 29902  
Phone (843) 525-7070

Name of Applicant: Elijah Washington, MD

Address: P.O. Box 1961 Beaufort, SC 29901 Phone # 843-525-6689

Name of Sponsoring Organization: Memorial Day Committee

Address: P.O. Box 1961 Beaufort, SC 29901

Date of Parade/Public Assembly: May 30, 2011

Route Proposed (Giving Starting & Termination Points): Rogers & Boundary → Carteret → Base → Bladen → Rogers & Boundary

Approximate Number of Persons, Animals & Vehicles Constituting Parade: 1000

Time Parade Will Begin: 10:00 AM Parade will Terminate: 11:00 AM

Parade Will Occupy All of the Width of the Streets to be Traversed yes

Parade Will Occupy Only a Portion of the Width of the Streets to be Traversed \_\_\_\_\_

Location of Assembly Area: Corner of Rogers & Boundary Streets

Time Units Will Begin to Assemble: 9:00 AM

Interval of Space between Units in Parade: 5-7 feet

Type of Public Assembly (including description of activities) Parade celebrating memorial day with cars, trucks, floats and walking groups

Description of Recording Equipment, sound amplification equipment, banners, signs, or other devices to be used: Banners on cars, trucks, floats, possible amplifiers on floats & trucks

NOTE: IF THE PARADE IS DESIGNED TO BE HELD BY AND ON BEHALF OF OR FOR ANY PERSON OTHER THAN THE APPLICANT, THE APPLICANT FOR SUCH PERMIT SHALL FILE A LETTER FROM THAT PERSON WITH THE CITY MANAGER AUTHORIZING THE APPLICANT TO APPLY FOR THE PERMIT ON HIS BEHALF.

\$25.00 non-refundable application fee is payable when the application is submitted

[Signature]  
Signature of Applicant

Application Received By: Ivette Burgess Receipt # 50396

Date Application Received: 5/10/11

Approved By: \_\_\_\_\_

We (the YMCA) are going to have out fifth River Swim (some regard it as a race) on Saturday 18 June -- from the Port Royal Landing to the Beaufort Marina. It will start at 8:30 and be completed by 10 -- we have kayakers and the Rescue Squadron

I believe that I/we need to get Council's blessing both for exclusive use of the ramp and to use the grassy area right above it to 'carry on' till about noon.

Proceeds go to the Y's learn-to-swim program.

Pete