

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