

A work session of the Beaufort City Council was held on April 12, 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, Mayor Keyserling and City Manager Scott Dadson. Councilman Gary Fordham was absent.

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.

**Carlotta Ungaro** introduced Blakely Williams, the Chamber of Commerce's interim president.

#### **DISCUSSION OF RESOLUTION CREATING A JOINT COMMITTEE WITH THE TOWN OF PORT ROYAL IN REFERENCE TO THE NEW FIRE STATION**

Mr. Dadson said city council had a draft resolution before it that would create the group with members from the Town of Port Royal and the city of Beaufort. The two municipalities will share a fire station. They have been working together since 1994. The center is around Mossy Oaks Drive. The money came from bond proceeds. Mr. Dadson said "there is a new understanding of how we move forward." The main station, it was agreed, should be that station, though it may not be in its current location. Mayor Keyserling said the Mossy Oaks location is not salvageable physically, and the trucks come out between two schools. The new roof is a "Band-Aid" on the facility.

Mr. Dadson asked if the matter should be moved to the agenda. Councilman Sutton asked what the composition of the group and the charter are. Mr. Dadson said it's not that specific, but he can write that in. Councilman Sutton said he'd like to know what sort of personnel would serve on the committee, what specific tasks they would do, the time frame under consideration, and their charter.

Mr. Dadson said he would put that information in the "Resolve" section. He feels the committee should begin after both bodies pass the resolution with a 2-3 month timeframe. The renewal of the contract "goes on and on," he said. Mayor Keyserling said there should possibly be a resolution to put the two municipalities on all trucks eventually. Mr. Dadson said the committee could consider that to continue to build the relationship.

#### **DISCUSSION OF ON-STREET PARKING ON THE 400 BLOCK OF CARTERET STREET**

Mayor Keyserling said this was "a carry-over." Mr. Dadson said it was sent around to all staff who have dealt with this issue further out than the downtown core: public works, police, etc. The area under discussion currently is in front of Dr. Freedman's office, across from the Carteret Street Church. Options could be to assign the closest parking space as handicapped; one-hour time spaces; two-hour time spaces; continuing the metering down from the City Loft; or letting parking spaces remain as-is. Mayor Keyserling said the issue is that there are no meters for the spaces in front of the doctor's office, so when his patients come, they cannot

park for appointments, because there are people parked there all day. Councilman Sutton asked if this ties into the Chamber of Commerce Visitors' Center bus parking.

Mayor Keyserling said they are interrelated issues. He had asked the Visitor and Convention Bureau if they would reconsider the use of their parking spaces, which are unused in the winter. Those spaces, in front of Rainey's Antiques, could be "secondary spaces" and bagged for buses to park short-term.

Councilman Sutton said in front of the downtown churches, parking is not allowed during the week, but on Sunday it is allowed. Mayor Keyserling said the Tabernacle parking is for funerals. Councilman McFee said they put yellow cones up if there's a funeral. He disagreed that there's a yellow curb in front of the church. Councilman Sutton said "the bigger picture issue" is that large spaces open for buses could be tweaked to be more available, and he wondered why that was not the case with the blocked yellow spaces in front of churches that people park in, anyway, on Sundays. If there's discussion of parking on Carteret Street, he said, "there are many holes on it."

Mr. Dadson said they have a defined parking area as it's regulated. This is the same issue as residents of the Point had when they came forward with a plan for parking: "Unmanaged parking exists beyond the managed district." If more parking is open in the managed area, that may solve the issue, but they need to know how far they are willing to go beyond that area. Redevelopment of Carteret Street will eventually lead to USCB, and if it takes off, they'll need assistance with parking, and that will have to be dealt with. Mayor Keyserling said Dr. Freedman has elderly patients and will at some point have to think about moving his office if his patients can't park. Mayor Keyserling doesn't want to see a business leave the greater downtown area because of parking.

Mayor Keyserling enumerated the businesses on Carteret in this block and said his inclination is to go a block at a time. If it's in businesses' interests to turn over parking, the city should help with that. Mr. Dadson said "managed parking is paid parking." He reiterated the five options he had offered before. Mr. Dadson thinks "it should be comprehensive." He also feels the underutilized spaces should be managed during the week. There was some general discussion of the parking issues in the area under consideration.

Councilwoman Beer said if meters are put at Dr. Freedman's, they would need to know how long his patients normally take. Councilwoman Beer said "no solution would be perfect," and went on to discuss the left-right "jog" on Carteret Street. Mr. Dadson discussed the ways that Carteret Street has been slowed down. There is agreement that Highway 21 can be moved to Highway 280, he said, and this will change management of parking on Carteret Street. Mr. Dadson feels the parking committee should study "How far do you really want to take this?" as the most comprehensive way to deal with it.

Councilman Sutton said there's not a city map present in the conference room to aid in the work session discussion. He said staff should present documents showing what Carteret Street

parking is presently and matters that would influence future parking decisions. Mr. Dadson said something like that could be put together, and they could decide how far they want to define the area and stages of change. Mayor Keyserling said they might create another ad hoc committee involving stakeholders, not use the Bay Street parking committee.

Councilman Sutton said changes are happening daily in some lots in the downtown area. The Baptist church is regulating its parking, which affects weekly parkers. The Hendricks Furniture property has also been gated for church parking use. Councilman Sutton said all of that is illegal according to the ordinance; they are not to be altered without city approval. Regulated parking on Carteret Street will push the problem in a different direction. He would like to know the churches' long-range intentions, and he wants to know how they can work together with the city.

Mr. Dadson said city council seems to be saying that they would like staff to put the material together and city council can decide on how to "chunk" the tasks to make it as big or small as they like. Mayor Keyserling said he'd like the doctor to get some kind of answer as soon as possible, but it should be done in the context of the bigger picture.

Mayor Keyserling said the Office of Civic Investment has done work around USCB, and he asked if they have thought about this. Mr. Dadson said yes, and he would find out their information and "use it as the base." Mr. Dadson said he heard that city council wants new stakeholder players on the committee and said he thinks "we can get something together."

Councilman McFee said he feels they still need to look at The Point, too. Councilman Sutton said this will segue into that. Councilman Sutton iterated questions that need to be answered about the parking in that area. **Josh Martin** joined the table, and Mr. Dadson said he would get information from the Office of Civic Investment.

#### **DISCUSSION REGARDING CITY REPRESENTATIVE APPOINTMENT TO STORMWATER UTILITY BOARD**

Councilman Sutton said there is a citizen interested in serving on the board, but he can't make the next two meetings of the Board. The candidate has a civil engineering background, and Councilman Sutton thinks he's an ideal candidate, but he has other commitments. Councilman Sutton asked if he could be appointed, even though he'd have to wait to serve, since the position is a non-voting position. Mayor Keyserling said he thinks he's the right candidate for sure. Mr. Dadson said whoever's appointed can have information transferred to them, and they can continue to do that until this candidate is put in place.

Councilman McFee asked if the city hadn't asked for a stronger voting position in an e-mail or letter. Mr. Dadson was unsure. The technical intergovernmental agreement is what is before them now; he detailed what the main agreement is and what the intergovernmental agreement is. Hilton Head has put the new framework on the table for the intergovernmental agreement. The Town of Port Royal, City of Beaufort, the county, and Jasper County would like to see a more regional framework and approach and another regional player should be brought

in, but Hilton Head and Bluffton want to go on their own. Mr. Dadson said having this new person on the board by May would be good. Mayor Keyserling said this appointment will be on the next regular session agenda. Councilman Sutton said he'd make contact with the candidate before then.

### **DISCUSSION REGARDING LOCATION FEASIBILITY ASSESSMENT FOR RIVERVIEW CHARTER SCHOOL**

**Allison Thomas** said Riverview Charter School is seeking a permanent home; they have a leased space until June 2012. They are actively pursuing additional facility opportunities because they will have outgrown their current space. The organization is evaluating different sites, and they want to discuss with city council the possibility of Beaufort Elementary.

Mr. Dadson reviewed the city's involvement in the matter and a listing of potential sites, not ranked; a feasibility assessment; and a draft resolution of support for city council's consideration. He summarized the resolution. Beaufort Elementary is the preferred location. "A lot of good has come out of that facility," Mr. Dadson said. A letter to the school board letter discussing and approving the school's position from the Office for Civil Rights was included in council's materials, Mr. Dadson said.

**Eric Brown** distributed a "memo of intentions and opportunities." Mr. Brown discussed the charter, the vision, and its translation into a permanent facility. Riverview Charter places a lot of value on citizenship, he said. His job is "to endeavor to allow the modeling of good behavior to occur": Beaufort Elementary is close to a neighborhood, natural landscape, etc. that offer these opportunities.

He discussed 6 points of benefit to the public realm. There is a need for some shared public spaces such as galleries or a shop front where the students could run a store, etc. "The Bay Street façade would activate the space," he said. The Farm-To-Table Program is required to be at least in close proximity to the students. This could become a community downtown garden that the students engage in, as well as the rest of the community. The surrounding streets could be redefined, maybe with the building of out-buildings which would benefit both the school and the public realm.

The current site of Beaufort Elementary, Councilman Sutton said, has a logistical challenge with current school operations. It was underutilized at one point, but things have changed, and they don't know what is happening now. The neighborhood is half-empty, Councilman Sutton said, and there is bussing in of students now; Riverview Charter School would be the same thing, he feels. He wondered what the next step was. He asked how city council can help to keep Riverview Charter School in the city limits and how to work with the school board under financial constraints. How does the school board give them the keys and let them make it a vibrant facility, he wondered. Mayor Keyserling asked how much of the school they would need.

Ms. Thomas said when the move to a new facility occurred would depend on the number of students at the time. She understands Beaufort Elementary is large enough to have a permanent facility there. They are “forever growing.” They either need time and the ability to grow where they are, or they need to come up with an ideal site quickly because they are at maximum capacity now. Their lease and the opportunity for further expansion run out next year. There is a cost issue; they’re “treading water” by paying rent, and that diminishes the pool available for them to invest in something greater later. Mayor Keyserling said they are 1.5 years away from their drop-dead date with certainty.

Ms. Thomas said a percentage of students at Beaufort Elementary now are in the AMES Academy magnet school, some are zoned there, and a portion of the school is for special needs students. She has heard there are currently 600 students in the facility, divided between those 3 groups, and she believes that’s fairly evenly distributed among the groups. Mayor Keyserling asked if they could share the space as they grow. Ms. Thomas said they would be amenable to a variety of circumstances. They are potentially a buyer, a renter, or a long-term lease-holder, and they pay that back to the school district.

Councilman Sutton asked about the end user – the parents putting their children into the program – and the difference in their tax bill. Mayor Keyserling said there is no difference. Councilman Sutton said it would cost \$25 million to build a new building, which is money out of someone’s pocket while they have debt service currently. A majority of the tax base is for school infrastructure

Ms. Thomas said the city is very supportive; the district has been clear that they would like to see the school remain within city limits. If they can come up with the circumstance, they need only work through the details. There are many funding opportunities for which the city would be a strong community partner. Creative financing and structuring and “a passion for finding a successful solution will go a long way.” She thinks this site has the most going for it on many levels. They just need to make sure that the money works in the short- and long-term.

Mayor Keyserling said he still doesn't understand why one public school pays rent and another doesn't. He feels it should be a “revenue wash.” He added that “a public school is a public school.” The downtown area is a huge priority for the city, as is maintaining economic and racial diversity, which would be enhanced in that neighborhood. The neighborhood association can't meet in the Greene Street Gym because “the community center is no longer for the community,” Councilwoman Beer said.

Mayor Keyserling suggested mobilizing grass roots support which he believes is there. On top of the resolution, that would be extraordinarily important. The neighborhood has grown exponentially, and the city is committed to its continued growth while maintaining diversity, as Riverview Charter School is. Ms. Thomas said they drew from all around Northern Beaufort County. They are unique in that they have their students with them for Kindergarten – 8<sup>th</sup> grade. She feels parents might seek to move to a neighborhood where their children can walk or bike to school for many years. There is “a positive ripple effect making it worth it for parents

to change their world for the extended period of time that their kids are in school” there. Councilwoman Beer said Mossy Oaks grew because of those two schools.

Mayor Keyserling said people moved closer to Mossy Oaks schools within the last ten years, hopeful of that. In Northern Beaufort County, 6 school seats of 10 are filled, Mr. Dadson said. Ms. Thomas said they “are always a school of choice.” Mr. Dadson went on to discuss ways the resolution “can be a powerful tool for the city council to support the school.” He said the Office for Civil Rights has said this neighborhood and the whole city of Beaufort “are local redevelopment opportunity sites.” He felt the language in the resolution “could be strengthened.”

Councilman Sutton said the school hasn’t been discussed in terms of Northwest Quadrant infill opportunities or Bladen Street development. City council wants Riverview there as much as Riverview Charter School wants to be in that space for many reasons, he said. The neighborhood is underutilized because many families left. Mayor Keyserling said he would like this to be “part and parcel of what we’re doing – it’s a neighborhood issue – and part of the city council’s commitment to rebuilding from within.” Mayor Keyserling feels the statement should be polished to reflect that this school is to the city like the university is to the city; both “enhance the quality of the inner city...It’s a necessary component of that.”

Ms. Thomas reiterated the school’s mission of experiential learning. If they’re to create meaningful experiences for students, they have to have community engagement. This is the best way to enhance the students’ opportunities. They have structured their long-term growth plan to build the community engagement component first and the classroom last. “The experience is first” to their mission, Ms. Thomas said.

Mr. Brown said the timeframe is a challenge because they are outstripping their facility, and the design and engineering are looming. Mr. Dadson said he would “beef up” the draft resolution, and city council can add what they like, and Riverview Charter School can, too. He asked if it was worth sending a letter to the school board chair. Councilman Sutton said Mr. Washington should be informed that there will be future discussion on this. Mayor Keyserling said the Northwest Quadrant neighborhood should be involved right away, too.

National Charter School Week is May 1-7, Ms. Thomas said, and there will be school tours all week and other events. Mr. Dadson suggested inviting appropriate neighborhood associations to see the school. There was general agreement that this would be a good idea.

## **DISCUSSION ABOUT ESTABLISHING JUST COMPENSATION FOR BLADEN STREET STREETScape PHASE II**

The Redevelopment Commission has passed this resolution. This money will give them access to easements and right-of-ways to finish the Bladen Street project. They have agreed with these compensations, and they can reimburse the project with CBGB funds. He recommended adding this to the city council agenda for that evening’s meeting. Councilman McFee said the just compensation was derived from two appraisals. Based on the representations of cost and

valuation, the Redevelopment Commission feels this is the appropriate value. The requirement is that the Redevelopment Commission must adopt it, and the city council must adopt it, in order to access the CBGB money if they decide to go forward with this.

#### **REVIEW OF APRIL 12, 2011 REGULAR AGENDA ITEMS**

Mr. Dadson said city council would add to its agenda a commendation of Carlotta Ungaro, the reappointments of judges and the city attorney, and a change to the date of a street closure for an event.

#### **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 Contractual Matters and Personnel. The motion was approved unanimously.

Councilwoman Beer, seconded by Councilman Sutton, 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 7:05 p.m.

A regular meeting of the Beaufort City Council was held on April 12, 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. Councilman Gary Fordham was absent.

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 7:13 p.m.

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

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

Councilman McFee amended the agenda to include a change in the date of the Point Association's event to May 7; commendation of Carlotta Ungaro; and reappointment of the city attorney and judges.

#### **PROCLAMATION PROCLAIMING APRIL AS SEXUAL ASSAULT AWARENESS MONTH**

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

#### **PROCLAMATION PROCLAIMING APRIL AS FAIR HOUSING MONTH**

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

#### **COMMENDATION OF CARLOTTA UNGARO**

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

#### **PUBLIC COMMENT**

**Maxine Lutz**, 811 North Street, spoke as a representative of the Old Commons neighborhood. The recent shooting on Washington Street caused residents to raise the issue of empty residential lots being used as parking lots: "These are areas for crime to happen," she said. Abandoned lots are converted into parking lots by Carteret Street businesses; using them this way "creates decay." It also creates lower property values. Unenforced ordinances create inequities for the residents there.

There also appears to be an unenforced ordinance relating to landscape screening for the lots at the Baptist Church of Beaufort and St. Helena Church. St. Helena parishioners required payment for parking in their "lot" during Water Festival, she said, but they prohibit its use by

others by putting up chains and posts; the ordinance prohibits these anywhere, but especially in the historic district. Ms. Lutz requested that council rectify these instances of unenforced ordinances.

**Peter White**, Suthern Rose Buggy Tours, said he is frustrated by the ongoing bus permit/bus problem. He said his concerns had “nothing to do with the TMAC meeting” to be held the following day. He offered council an “update” since the permit revoked from Sandlapper Tours was reinstated on March 22. On March 20, the bus did a 2-person tour and then was taken home. It has not been used since and is sitting parked. On the past Saturday, Mr. White was in the buggy kiosk and saw a family of 5 request a bus. The family was told they had to call Spirit of Old Beaufort, but that bus was not available, so the family was turned away. Today, they were “bombarded” with requests for bus tours because of rain. Twenty people were sent to buy tickets for Spirit of Old Beaufort tours, he said. Walter Gay was seen but did not give any tours on his bus. Mr. White repeated that he is very frustrated as “the violation of the new ordinance continues,” he said.

### **MINUTES**

The minutes of the work session and regular meeting on March 8, 2011 were presented to council for review. **On motion by Councilwoman Beer, second by Councilman Sutton, council voted unanimously to approve the minutes as written.**

The minutes of the work session on March 15, 2011 were presented to council for review. **On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes as written.**

### **ORDINANCE REZONING A PARCEL OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BLADEN AND PRINCE STREETS FROM OFFICE COMMERCIAL DISTRICT TO BLADEN STREET REDEVELOPMENT DISTRICT**

**Councilwoman Beer, second by Councilman Sutton, made a motion to approve the ordinance on second reading. Libby Anderson** showed a graphic of the location. The properties are being zoned in phases as the property owners are met with. The owner of this property is very interested in being brought into this new zoning designation. The parcel is undeveloped. **The motion passed unanimously.**

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

**Councilwoman Beer, second by Councilman McFee, made a motion to approve the rezoning on first reading.** Ms. Anderson said this is a lot off the intersection of Duke and Charles and is adjacent to a Neighborhood Commercial District zoning. The Planning Commission recommended approval, and council has had a public hearing on the matter on March 2, 2011. **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**

**Councilman McFee, second by Councilwoman Beer, made a motion to approve the amendment on first reading.** The Planning Commission recommended approval in February, and the public hearing was in January, Ms. Anderson said. Planned neighborhoods have such uses in their zoning regulations as a PUD. This amendment provides the opportunity for pools, clubhouses, etc. to happen in other neighborhoods as conditional uses in residential zoning districts; the certain uses must be owned, operated, and managed by the POA or neighborhood association. Mayor Keyserling said this is essentially for new neighborhoods. Ms. Anderson said, yes, it most likely to happen in newer neighborhoods. **The motion passed unanimously.**

#### **RESOLUTION AFFIRMING THE MISSION OF THE REDEVELOPMENT COMMISSION**

**Councilwoman Beer, second by Councilman McFee, made a motion to approve the resolution.** Mr. Dadson said the resolution would reaffirm actions council has taken to date. They gave charters and directives to the Planning Commission and the Redevelopment Commission in two retreats and in the comp plan. He said this resolution will reaffirm the Redevelopment Commission's mission to carry out the comp plan; the commission's Work Plan is its directive, though the commission's role and action can be expanded as necessary; the entire political and geographic area of the city is considered to be a redevelopment area; and the commission is free to coordinate with other jurisdictions when working in the interests of the city of Beaufort.

Councilman McFee said as the seated member of the Redevelopment Commission, these are the action plans the Redevelopment Commission has always operated under. This is a reaffirmation of the Redevelopment Commission as the directing force for the council in moving forward with the comp plan. **The motion passed unanimously.**

#### **RESOLUTION ESTABLISHING JUST COMPENSATION FOR BLADEN STREET STREETScape PHASE II**

**Councilwoman Beer, second by Councilman McFee, made a motion to approve the resolution.** Mayor Keyserling said the Boundary Street Plan requires easements, and to qualify for federal funds, this is a step that must be taken. **The motion passed unanimously.**

#### **REQUEST FOR STREET CLOSURE FROM THE POINT NEIGHBORHOOD ASSOCIATION**

**Councilman McFee, second by Councilwoman Beer, made a motion to approve the street closure for the May 7, 2011 event from 12 pm – 2 pm. The motion passed unanimously.**

#### **PUBLIC ASSEMBLY REQUEST FROM RIVERVIEW BAPTIST CHURCH TO HOST ANNUAL NATIONAL DAY OF PRAYER**

**Councilwoman Beer, second by Councilman Sutton, made a motion to approve the request for the May 5, 2011 event. The motion passed unanimously.**

#### **APPOINTMENTS**

**Councilwoman Beer made a motion, second by Councilman Sutton, to reappoint Judge Ned Tupper, and Associate Judge Mary Sharp. The motion passed unanimously.**

**Councilwoman Beer made a motion, second by Councilman McFee, to reappoint city attorney Bill Harvey. The motion passed unanimously.**

**MAYOR’S REPORT**

Mayor Keyserling said he will be out of town in the coming week to attend a workshop.

**REPORTS BY COUNCIL MEMBERS**

Councilman McFee said the Redevelopment Commission had “reaffirmed the strategies of the Office of Civic Investment and the review of the Boundary Street Plan and subcommittee meetings.” He added that “there is very positive activity and a lot of stuff going on.”

Mayor Keyserling added that as issues come up and council gets calls about areas of concern, he suggests that they “be run past the city manager to make sure they have the assent of people who are working on it full-time to increase communication.”

**ADJOURNMENT**

**There being no further business to come before city council, Councilwoman Beer made a motion to adjourn, seconded by Councilman Sutton. The motion was approved unanimously, and the meeting was adjourned at 7:43 p.m.**

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