

A regular meeting of the Beaufort City Council was held on July 14, 2009 at 6:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, Gary B. Fordham, Mike Sutton, Mike McFee, and City Manager Scott Dadson. In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The invocation was given by Levon Byrd of Central Baptist Church. The Pledge of Allegiance was led by the Mayor.

PROCLAMATION RECOGNIZING 10TH ANNIVERSARY OF MCAS STARBASE BEAUFORT

Councilwoman Beer read the proclamation which recognized the accomplishments of the organization.

PRESENTATION ON THE BEAUFORT THREE-CENTURY PROJECT

Mayor Keyserling introduced Debra Johnson, Project Coordinator for the Beaufort Three Century Project and said council should be thinking about the upcoming tricentennial since its premise is to celebrate the city. Ms. Johnson shared narratives for the Beaufort Three Century Project. The city's 300th "birthday" will be January 17, 2011. She described the organization and its structure, many projects, and the composition of its steering committee. Events will be free or as inexpensive as possible. Mayor Keyserling asked for a workshop to discuss the tricentennial.

PUBLIC HEARING: ORDINANCE REZONING PROPERTY AT 905 BLADEN STREET

Mayor Keyserling opened this public hearing. Libby Anderson said that the property is located between Washington and Green Streets. The applicant is Benjamin Smith. The 2800 square foot lot has a single-family unit on the property. It's in a mixed use district. It will be low-intensity commercial, so big box stores wouldn't be permitted and no drive-throughs. It is consistent with the comprehensive plan. Staff recommends that the entire two-block area, facing Bladen Street, be rezoned from "General Residential District" to "Neighborhood Commercial District." They have discussed the project with the planning commission, and they recommended approval as long as it was part of the larger two-block zoning. Councilman McFee asked if any additional neighbor concerns had been raised, and Ms. Anderson replied no. Mr. Smith stated that the Joneses don't want to go ahead with re-zoning, but other neighbors he's contacted are in favor of it. There being no public comment, the mayor closed this public hearing.

PUBLIC HEARING: ORDINANCE REZONING EIGHT PROPERTIES ON BLADEN STREET

Mayor Keyserling opened this public hearing. Ms. Anderson said that this rezoning is also on Bladen Street; the applicant for this rezoning is the City of Beaufort. The properties to be rezoned are 901, 905, 907, 909, 911, 1001, and 1107 Bladen and a lot with no address. These are

the last two blocks on Bladen restricted from commercial use. It will be a residential mixed use district. The comprehensive plan designates it as an urban neighborhood or traditional neighborhood district. The Streetscape project completed last year has, in the staff's opinion, changed the character of Bladen Street positively. In regard to public notification, this is the first public hearing; letters were sent to owners of properties that are being rezoned, and it was posted in the local newspaper. They have received only one public comment to date.

Evan Thompson commented that the task force will look at the zoning for the entire neighborhood. He feels that making Bladen Street a mixed-use commercial district and changing these two blocks will be appropriate. There being no further public comment, the mayor closed this public hearing.

PUBLIC HEARING: UDO AMENDMENT REVISING SECTION 6.8.G TO REQUIRE BICYCLE RACKS IN CERTAIN DEVELOPMENTS

Mayor Keyserling opened this public hearing. Ms. Anderson said that the proposed revision was meant to encourage bicycling. Projects would have to go through the Design Review Board. The planning commission recommended approval. Councilman Sutton asked what is being done as a city about this, adding that the city owns few, if any, bike racks. The city manager proposed an art group could head up this project with bike racks as public art. Mayor Keyserling said he's gotten a letter from some bicyclists, and he'd suggested they match the monies and get some public dollars behind such a project. There being no public comment, the mayor closed this public hearing.

PUBLIC HEARING: DECLARATION OF DEMOLITION FOR 1911 GREEN STREET, 1703 DUKE STREET, AND 912 WASHINGTON STREET

Mayor Keyserling opened this public hearing. Ms. Anderson said these properties are all unfit for human habitation and should be demolished to improve the safety and appearance of neighborhoods. She showed pictures of each dilapidated structure and described why they were unsound. She asked council to make findings of fact for each structure and declare them unfit for human habitation. In each case, the owner has taken no action to demolish the structure, even when served an order to do so. There being no public comment, the mayor closed this public hearing.

MINUTES

The minutes of the regular city council meeting of June 23, 2009 were presented to council for review. Mayor Keyserling requested that it be added to the record that John Gentry and Charles Enmark were appointees to the local board of trustees of the 1% Fireman's Insurance and Inspection Fund. On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes as amended.

AMENDMENT REVISING SECTION 2.8.C OF THE UDO REGARDING EXPIRATION OF TERMS FOR MEMBERS OF THE DESIGN REVIEW BOARD

Councilwoman Beer moved and Councilman Fordham seconded approval of the amendment on second reading. The motion was approved unanimously.

RESOLUTION REGARDING CONTRACTUAL AGREEMENT WITH GRIFFIN ENTERPRISES, INC. RELATED TO MARINA CONTRACT

Councilman McFee moved and Councilwoman Beer seconded approval of the resolution. The city manager said a pictorial history of the condition of the Marina will be part of this contractual record. Councilman McFee commented that the roofs look good. The motion was approved unanimously.

APPROVAL OF AUTHORIZATION TO APPROVE A BUSINESS LICENSE

Councilman Sutton moved and Councilwoman Beer seconded approval of the resolution. Shirley Hughes said that staff has been working on a revision of the license ordinance. They are currently required to bring to council a fishing charter business for approval. Councilman McFee asked where the business is located. The city manager replied that it is “the one closest to the police boat.” Councilman McFee asked if they are leasing space from the city, and if there is a limit to the number of such businesses. Ms. Hughes said that there’s no real reason for staff to come before council for this; “it’s another thing we need to clean up.” She added that it’s possible that staff has been approving such license requests without bringing them to council in the past. Mayor Keyserling asked how signage will be regulated. The city manager said that, per usual, the boat can have a sign but “everything else falls under the district.” Councilman Sutton asked if “fishing charter” was a different name for “fishing touring company.” Ms. Hughes replied that it’s designated as “boat tours/fishing.” Councilman Sutton said he’s concerned that the business may store the boat on a trailer in the parking lot. If council licenses a fishing charter, “and we end up doing 10 of them, there will be no parking at the marina.” Mayor Keyserling added that it’s also a form of advertising. The city manager asked council to “deal with this one and we’ll look into it if you direct staff to do so.” He assured council that the boat won’t be trailered. The motion was approved unanimously.

APPROVAL OF DEMOLITION OF IDENTIFIED PROPERTIES

Councilwoman Beer moved and Councilman Sutton seconded approval of the demolitions. Councilman McFee asked, in the reference to Evan Thompson’s analysis of the property on Washington Street, if anyone knew what Mr. Thompson had meant when he’d written that Historic Beaufort Foundation wanted the property “catalogued, demolished, and relocated.” Councilman Sutton said that he didn’t think that stipulation could be made for demolition. The city manager said that such a stipulation is not part of the approval. The motion was approved unanimously.

NAME APPOINTEE AND REAPPOINTMENTS TO BOARDS AND COMMISSIONS

Councilwoman Beer moved and Councilman McFee seconded approval of the appointments and reappointments. Councilwoman Beer then amended her motion to remove Jay Weidner from it, to be considered on a separate vote. Councilman McFee seconded the motion. The motion was approved unanimously.

Councilwoman Beer moved and Councilman Fordham seconded approval of the reappointment of Mr. Weidner to Historic Review Board. Councilman Fordham said that Mr. Weidner is Historic Beaufort Foundation’s representative on Historic Review Board. The vote was two in

favor of Mr. Weidner's reappointment and three against. The motion was not approved. Mayor Keyserling said that he would notify Historic Review Board of the decision.

APPROVAL OF CHANGES TO ATAX GRANT FORMS

Councilwoman Beer moved and Councilman McFee seconded approval of the changes to the form. Councilman McFee said that the ATAX committee had met to adjust the forms. There are now specific guidelines for bringing in tourism outside the general area. Statute states clearly the need for results-orientation; recipients need to show exactly what they're doing with ATAX funds and how they're bringing in results. Organizations will be required to provide a Form 990. ATAX will also now required more result-orientation; the project has to indicate exactly what was being done and the number of people it brought in. A cover sheet will accompany the application. The time frame is extended until at least August 14, 2009. Councilman Fordham asked if this grant application will be at the city's website, and Councilman McFee replied yes, and it's available elsewhere as well. The motion was approved unanimously.

RESOLUTION ADOPTING THE INTERGOVERNMENTAL AGREEMENT FOR IMPLEMENTATION OF THE NORTHERN BEAUFORT COUNTY PLAN

Councilwoman Beer moved and Councilman McFee seconded approval of the resolution. The city manager recommended the adoption of the resolution with the following adjustments:

1. **Governance** should be metro-driven within the growth boundaries.
2. There should be a representative on the Joint Planning Commission from within the growth boundaries.
3. The plan through the Intergovernmental Agreement should include representation of the board to continue to hammer out the issues of 'contiguous' and 'non-contiguous'.
4. The Intergovernmental Agreement and the committee working on it will define service levels, costs, and **_____**.
5. The Intergovernmental Agreement should be coordinated with the city's Comprehensive Plan, using the Comprehensive Plan as a baseline.

The motion with adjustments was approved unanimously.

ORDINANCE AMENDING SECTION 7-13003 OF THE CITY OF BEAUFORT CODES OF ORDINANCES TO MODIFY THE ALLOCATIONS OF HOSPITALITY FEES RECEIVED BY THE CITY

Councilwoman Beer moved and Councilman Sutton seconded approval of the ordinance. The motion was approved unanimously.

MAYOR'S REPORT

Mayor Keyserling reported that he is continuing to work on the committee for the Northwest Quadrant project. The group is proceeding on schedule.

He asked the city manager whether there had been follow-up on the complaint raised in the previous council meeting about neighbors' overly bright security lights. The city manager replied that he has instructed staff "to begin to move through the process."

Mayor Keyserling said that the group assembled to talk about collaboration to seek grants on focused activities that affect the whole community will have a third meeting soon.

COUNCIL REPORTS

Councilman Fordham said that he'd noticed that the city manager's report on public works noted sink holes. The city manager responded that they're being repaired at the marina end, "but they're not in the same places." A purchase order has been issued "to fix the new one." The material used appears to be working in the other spots.

Councilwoman Beer said that she had received a call from a business owner on Highway 21 about allowing small businesses to use sandwich boards on Highway 21 as is allowed on Boundary and Carteret Streets. The ordinance defines the area and how they can be used, and she'd like to have a change the sign ordinance considered to show support for small businesses, especially in these difficult economic times. Councilman McFee asked for a brief overview of in the next workshop. He added that the parade notice "said we don't do balloons in Beaufort, and I'd like to know how we got there." Mayor Keyserling said the sign ordinance would be put on the workshop agenda.

Councilwoman Beer said that she realized that there would not be a vote on the issue she raised for awhile, but she'd like to "get it moving" because summer council meetings are less frequent. Councilman Sutton asked her if she could prepare a text amendment for the workshop. Councilwoman Beer replied that the ordinance defines where sandwich boards can be set, and they can't impede right-of-way, but she felt that the area where they can be placed could be extended. Mayor Keyserling said that he doesn't want people to inadvertently think that they can have bigger signs. Councilwoman Beer said that she doesn't want to change the sign ordinance altogether because it's expensive. Mayor Keyserling said a sandwich board adds 16 square feet of signage where a building may not be entitled to that. He's looking for unintended consequences. Councilwoman Beer reiterated that she would like to move the matter along without voting on it and look at proposed changes.

Councilman McFee said that staff is looking at the fence issue raised at the last council meeting. The city manager said that council had asked staff "to move text amendments through" for fence and light issues on Ribaut.

EXECUTIVE SESSION

On motion of Councilwoman Beer, seconded by Councilman Fordham, council voted to move into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws to discuss receipt of legal advice from the city attorney. The motion was approved unanimously.

Councilwoman Beer made a motion to come out of executive session, and Councilman McFee seconded. The motion was approved unanimously.

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 8:04 p.m.

BILLY KEYSERLING, MAYOR

COUNCILWOMAN DONNIE ANN BEER

COUNCILMAN GARY B. FORDHAM

COUNCILMAN MIKE SUTTON

COUNCILMAN MIKE McFEE

ATTEST:

SHIRLEY HUGHES, ACTING CITY CLERK