

A regular meeting of the Beaufort City Council was held on February 24, 2009 at 6:00 p.m. in the County Administration Building, Ribaut Road. 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 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 Dr. John Sheppard, Pastor of Sea Island Presbyterian Church. The Pledge of Allegiance was led by the Mayor.

PUBLIC COMMENT

Joe DeVito addressed the article in the newspaper about the Redevelopment Commission's decision regarding the Boundary Street Project and bike lanes. He said over 2 ½ years ago during the planning of this project, making a pedestrian friendly roadway was the focus but now the original idea seems to be narrowing. There is one opportunity to design this road and the project should be "shovel-ready" for when the funds become available. Put it out to bid and find out what the cost will be. He said SCDOT now requires all roads being repaved to have a 2-foot extended shoulder which protects the asphalt and protects lateral movement. The 2-feet are adequate for a bike lane.

The Mayor commented that is basically what the Redevelopment Commission did. The County was asked to complete the engineering for the entire project. Regarding the bike lane, the ten feet inter-modal lane could serve that purpose, he thought. Mr. DeVito said he thinks it is a mistake not to build the traffic circle at the west end of Boundary Street now it appears the one at the end of Ribaut Road may not be built because of the cost. He suggested leaving the existing "T" intersection for a couple of years then if the money becomes available build the round about, it won't appear that new construction is being torn up. Mr. DeVito stated he understood from the newspaper that the lanes were being narrowed, extended shoulders would be removed, and the traffic circle was being replaced with a "T" intersection. He stated his concern with the multi-modal road is that the development will occur on the opposite side; therefore, it would be necessary to cross the street on your bike.

PUBLIC HEARINGS

A public hearing was held to receive comment on the *amendment to the Unified Development Ordinance revising Sections 8.2.A and 8.4.A pertaining to Subdivision Improvements and performance guarantees*. A Notice of Publication was duly published in the Beaufort Gazette on February 9, 2009. The Joint Planning Commission recommended approval.

Libby Anderson City Planner, said staff is proposing to make two specific revisions to the subdivision regulations. The first pertains to traffic control and street name signs. Development of a major subdivision often includes the development of new streets. Requirements for traffic control

signs and street name signs are not currently addressed in the UDO. Staff is proposing to amend the ordinance by adding a new paragraph that would require the developer to install traffic control and street name signs at all street intersections. The type and specific locations would be approved by the Technical Review Committee. The second change pertains to performance guarantees. Before a subdivision plat can be approved for recording and for the sale of lots, required subdivision improvements must be installed or a performance guaranty can be placed with the City in the form of either a bond, a letter of credit, or cash. There is currently no time limit specified in the ordinance for which these improvements must be installed or for which a performance guaranty expires. This could lead to situations where certain types of infrastructure may not be installed in a timely fashion.

There being no other comments, the public hearing was closed at 6:12 p.m.

A public hearing was held to receive comment on an amendment to the *Unified Development Ordinance revising Section 6.7.F (AICUZ) to clarify the definition of residential units*. A Notice of Publication was duly published in the Beaufort Gazette on February 9, 2009. The Joint Planning Commission recommended approval.

Libby Anderson, City Planner, stated this change addresses the City's Air Installation Compatible Use Zone ordinance. In 2006 a new AICUZ ordinance was adopted by the City. An identical ordinance was also adopted by the Town of Port Royal and Beaufort County. These ordinances were the result of more than a year's effort between these three jurisdictions, LCOG, and the Air Station to prepare a coordinated AICUZ as recommended in the Joint Land Use Plan for MCAS Beaufort. That ordinance contains a certain section related to permitted uses and sets out what uses are allowed in the Noise Impact Zones and the Accident Potential Zone. During a discussion with the County a question arose as to whether "live-work units" would be counted as residential units and count towards the density limitation. That led to a change in their ordinance.

The Mayor asked if a garage apartment or a mother-in-law suite is included as a separate residence. Ms. Anderson said in her opinion a dwelling unit is a dwelling unit; however, the wording can be more specific. She offered to contact the County and the Town of Port Royal to get their interpretation.

There being no other comments, the public hearing was closed at 6:15 p.m.

MINUTES

The minutes of the regular City Council meeting of February 10, 2009 were presented to Council for review. The following change was made on the bottom of page 3, second paragraph under Mayor's Report, add "local architects, Redevelopment Commission, and Main Street" after Foundation.

On motion by Councilwoman Beer, second by Councilman Sutton, Council approved the minutes as amended.

ORDINANCE AMENDING UDO PERTAINING TO ACCESSORY STRUCTURES

The ordinance revising Sections 5.4.B, 5.4.F, 5.4.G, and 5.3.B of the Unified Development Ordinance pertaining to Accessory Structures was presented for second reading and adoption.

Councilwoman Beer moved to adopt the ordinance on second reading. Councilman Fordham gave second. The motion was unanimous. (Copy of Ordinance at end of the February 10, 2009 minutes)

ORDINANCE ADOPTING THE INTERNATIONAL EXISTING BUILDING CODE

The ordinance revising Part 5, Chapter 1, Article A of the Code of Ordinances regarding adoption of the International Existing Building Code was presented for second reading and adoption.

On motion by Councilman Sutton, seconded by Councilwoman Beer, Council adopted the ordinance on second reading. (Copy of ordinance at end of the February 10, 2009 minutes)

ORDINANCE AMENDMENT PERTAINING TO APPOINTMENT OF FINANCE DIRECTOR AND POLICE CHIEF

The ordinance amending Sections 1-4031 and 2-1001 of the City's Code of Ordinances pertaining to appointment of the Finance Director and Police Chief to clarify the conflict between the existing language and the prohibition of the state code was presented for second reading and adoption.

On motion by Councilwoman Beer, second by Councilman Fordham, Council adopted the ordinance on second reading. (Copy of ordinance at end of the February 10, 2009 minutes)

ORDINANCE AMENDING THE FY09 CITY BUDGET

The ordinance amending the FY09 City Budget by decreasing the budget by \$1,127,500, by deferring all capital spending, and freezing vacant positions was presented for second reading and adoption.

On motion by Councilwoman Beer, second by Councilman Fordham, Council unanimously adopted the ordinance on second reading. (Copy of ordinance at end of these minutes)

RESOLUTION SUPPORTING JOINT STRIKE FIGHTERS AT MCAS-BEAUFORT

At the last Council meeting, Brad Samuels, chairman of the Military Affairs Committee, spoke to City Council about supporting the Joint Strike Fighters at MCAS Beaufort. He said the Military Affairs Committee would assist in preparing a resolution.

The resolution stated the Department of Defense has proposed locating up to 11 F-35B squadrons at MCAS Beaufort beginning in 2013 and was presented to Council for approval.

On motion by Councilwoman Beer, second by Councilman Sutton, Council unanimously approved the Resolution

CITY MANAGER'S REPORT

The City Manager reminded Council of the upcoming meetings:

Council worksession Tuesday, March 3, 2009 at 5:00 p.m.,

Joint meeting with Port Royal Town Council on Monday, March 2, 2009 at 6:00 p.m., and

Redevelopment Commission meeting Thursday, March 5, 2009 at 4:00 p.m.

COUNCIL REPORTS

BEER: Councilwoman Beer reported she, Councilman McFee and the City Manager attended the Municipal Association of South Carolina's 2009 Hometown SC Legislative Action Day in Columbia on February 18th.

SUTTON: Councilman Sutton addressing grant opportunities and the role LCOG and the City plays said he attended the County's sub-committee on CDBG. In ranking their factors; they left out the Village Renaissance. He said the City has to rank their priorities in order to be competitive in those grants and he wants to be sure that opportunity is not lost.

McFEE: Councilman McFee noted that he attended the first session of the Municipal Elected Officers Institute at the Municipal Association meeting in Columbia which he found to be extremely educating.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 6:30 p.m.

BILLY KEYSERLING, MAYOR

COUNCILWOMAN DONNIE ANN BEER

COUNCILMAN GARY B. FORDHAM

COUNCILMAN MIKE SUTTON

COUNCILMAN MIKE McFEE

ATTEST:

BEVERLY W. GAY, CITY CLERK