

A regular meeting of the Beaufort City Council was held on February 23, 2010 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.

EXECUTIVE SESSION

Council met in Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws for discussion regarding acquisition of property and contractual agreements.

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

CALL TO ORDER

The Mayor called the meeting to order at 6:09 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Councilwoman Beer. The Pledge of Allegiance was led by the Mayor.

PROCLAMATION COMMENDING WAYNE REYNOLDS FOR SERVING ON THE JOINT PLANNING COMMISSION

Councilwoman Beer made a motion, seconded by Councilman McFee, to make the proclamation. The motion passed unanimously.

PUBLIC COMMENT

Maxine Lutz, 811 North Street, said that the Old Commons Neighborhood Association has discussed two things relating to parking: Many downtown lots are zoned residential but have become parking lots. The association would like to see houses on them, not cars, and asked for the city's help with this. Also, they have several churches with big lots in their neighborhood; they'd like to see the city enforce ordinances about buffering and screening lots. Mayor Keyserling told her that city staff has been working on this issue for the past two weeks.

MINUTES

The minutes of the regular council meeting on February 9, 2010 were presented to council for review. Councilman Fordham requested that the line about his commendation of the brevity of Councilwoman Beer's meeting be deleted. On motion by Councilwoman Beer, second by Councilman McFee, council voted 4-0 to approve the minutes as amended. Mayor Keyserling abstained because he was not present at the February 9 meeting.

ORDINANCE AMENDING TITLE 8 CHAPTER 2, SECTION 8-2002 OF THE CITY CODE OF ORDINANCES PERTAINING TO THE PARKING METERS, RATES AND FINES WITHIN THE CITY

Councilwoman Beer moved and Councilman Fordham seconded approval of the amendment to the ordinance on first reading. Mr. Dadson said the Redevelopment Commission and Main Street Beaufort have put together parking zones. Time limitations are proposed to be eliminated except in front of the Arsenal and at two sets of 2 spaces on Carteret. The hourly rate would be raised to \$1 an hour. The parking hours would be extended from 6 pm to 9 pm. The Redevelopment Commission narrowed the original proposals of Lanier after a meeting with Main Street Beaufort.

Councilman Sutton said there will be a second reading before approval. His concern is about the hours extending to 9 pm. He asked Main Street Beaufort representative **Lanelle Fabian** to address this. Ms. Fabian said that at the initial merchants' meeting, feeling ran about 50% for to 50% against. Restaurant owners agree with the idea because they feel employees are parking in customers' spots. They would like to go forward on a trial basis for the 6-9 pm change. They hope a safety plan for employees will be put into place when this goes into effect, so customers can park on Bay Street. Councilman Sutton said most of the merchants close at 5 pm or 6 pm. He wondered if dialogue had been brought up about meters being ticketed after dark while dining downtown. He'd like to hear about restaurants' opinions before the next vote. He wonders what the effect of three hours of parking enforcement will be against the negative impact for diners. He's willing to give up that one piece rather than put it in now and have a negative effect. Ms. Fabian said they could put out a poll about that issue.

Randall Birch, Main Street Beaufort, said the shift change for restaurants occurs at 4 pm; the street is filled with employees parking. During a trial period, some non-restaurant businesses may stay open longer if there aren't employees filling the parking on Bay Street. They're hearing positive response from restaurants to the idea as well as merchants. Ms. Fabian said this was a decision arrived at after hearing from people, and some of the merchants are not on board with Main Street Beaufort's recommendation.

Mayor Keyserling said he'd gotten 150 e-mails about this issue. Next to garbage collection, parking is the most personal issue for many people. The most common issue of misunderstanding is the change from 6 pm to 9 pm. Councilwoman Beer explained the possibility of using a credit card and cell phone to extend past the original amount of time paid for while dining. Councilman Fordham said he'd vote against the original ordinance regarding the 9 pm end-time. Mr. Dadson said that later in the agenda council will consider approval of the purchase order to buy the meters.

Mayor Keyserling said he knows that more parking passes in the lots can be sold than are ever being used at one time. **Paul Sumner**, Main Street Beaufort, said the \$35 lot is no different than what is there now. He cautioned against "over-booking" and selling too many spaces. In

discussions with merchants, the restaurant owners were some of the most vocal proponents of extending parking until 9 pm.

George O’Kelly feels the increase to \$10 - \$15 fines for parking is not the answer. He has observed “Lanier is giving tickets like there’s no tomorrow.” There will be more revenue coming in even without a fine increase. He’s uncertain that the Bay Street employee parking issue is changing. He said it’s cheaper to rent a space than to feed the meters. He thinks it’s wrong to extend the time to 9 pm. The three businesses on Bay Street the longest are Fordham’s, his office, and Harvey’s Barber Shop. There was once more variety downtown than now; the dynamic has changed. He warned that Bay Street will not always be “the goose laying the golden eggs.” He believes Bay Street merchants have been good sports about intrusions on their space throughout many things. He feels this will hurt business to raise the fines from \$3 to \$10. Eliminating the time limits seems to him to open the door to having employees parking and staying there all day / night. He doesn't want for people to use their credit cards to pay for parking at night because it invites robberies. Councilman Sutton asked him what he thought was an acceptable amount for fines and said some cities’ fines are \$50. Mr. O’Kelly replied \$5. Councilman Sutton explained the need to create fines that can inspire people not to park too long or not pay to park the next time.

Chris Damgen, 1111 Woodward Ave., said he hasn’t heard discussion on land use and how it relates to parking. He said there needs to be an update to the downtown plan. They need to have an idea what Beaufort will look like in 5-10 years. These decisions will be easier to make if they have a clearer idea about what the buildings will be there, etc. Mayor Keyserling said this had been brought up at the city council’s retreat.

Deborah Johnson, 1710 Duke Street, said over time, she has more often spent time and money downtown rather than working downtown. Though she feels considering tourists is important, she fears decision-making solely based on tourists and not on the people who live here. She feels the residents/customers are missing in this conversation, and the focus is on employees. Raising the fines and fees should be created incrementally, not 3 – 4 times greater in one fell swoop. She feels most Beaufort citizens are in the low- to moderate-income bracket and getting people to come downtown and spend *more* money to park downtown will be difficult for residents like her. People will go elsewhere than Bay Street to have a beer and a bite.

Tony Royal concurred with some of the comments and said he hasn’t heard what will be done for repeat offenders and suggested a \$5 fine, then graduating as they continue to offend. Mr. Dadson said it’s an economic issue; if it costs \$8 to park and the fine is \$3, there needs to be a disincentive to get a fine. Mr. Dadson explained the plan for a graduating system for repeat offenders. Mr. Royal said he advocated a time limit.

Eddie Rogers endorsed Ms. Johnson’s comments. She recalled that in 1989-90, the proposal to raise the hourly rate from 5 cents really upset the merchants who were, with their employees,

the offenders. She doesn't like the kiosk situation because of having to go to the kiosk to pay, which might be elsewhere than the direction she's heading. She feels it won't sit well with senior citizens. She also wouldn't use a credit card outside after dark and wouldn't take a cell phone into a restaurant. She asked if the meters would be ordered after a second reading. Mr. Dadson said the kiosk is the recommendation from both the Redevelopment Commission and Main Street Beaufort. Ms. Rogers said her main concern is "a four-layer system for handling parking" with council, Lanier, Redevelopment Commission, and Main Street Beaufort. Fees and fines have benefitted the taxpayers in the past. She said now Main Street Beaufort is putting money for "designated improvements." Mayor Keyserling said money will go to the Redevelopment Commission, additional marketing for Main Street Beaufort, and improvements to the area. Ms. Rogers said the city will end up with less money than they had before, and "there are too many fingers in the pie."

Nan Sutton, 809 Craven, agreed with Ms. Johnson that what makes downtown vital is the customers. They shouldn't be overlooked because of the employees. She gave an example of a recent issue with a customer whose ticket she paid to avoid him having a negative attitude about parking downtown. She doesn't think that extending to 9 pm is viable. She doesn't want to have to pay to have dinner downtown when she could go elsewhere and not pay to park. Jumping from \$3 fine to \$10 is too big of a jump and she recommends \$5.

Councilman Fordham said after listening to the public, he is opposed to the \$10 fine but would agree to a \$5 fine. Councilman Sutton said he's on the fence about the fine; he feels it should sting a little bit, but he's wavering on \$10. The history of council dealing with parking has gone back for decades. He is fine with \$1 an hour to park but is unsure on the fines. It will take some local pains to maintain the vitality of the small core. He's made a motion to amend the document to strike the change from a 6 pm to a 9 pm timeframe on the hours of enforcement and to reduce fines to \$8. Councilman Fordham seconded.

Mayor Keyserling said there is more work to be done on this. The response he's gotten seems to focus on "how it affects me" rather than its larger impact. He doesn't believe that Wal-Mart and K-Mart are competition with downtown merchants. There will be a workshop next week and discussion will be continued then. He offered the options at this time, including tabling it.

Councilman Sutton's motion to amend did not pass; Mayor Keyserling, Councilman Sutton, and Councilman Fordham voted in favor of it. Councilwoman Beer and Councilman McFee voted against.

The motion to move forward to second reading passed 4-1, with Councilman Fordham voting against the motion.

Councilman Sutton said they MUST take action. Councilwoman Beer recalled that they gave the merchants the opportunity not to have meters and a large enough percentage of merchants wanted them.

ACCEPTANCE OF MEMORANDUM OF AGREEMENT REGARDING SOUTHSIDE PARKS

Councilwoman Beer moved and Councilman Fordham seconded acceptance of the memorandum. Mr. Dadson said this transfers the property from Beaufort-Jasper Water Sewer Authority to the city and allows the city to record the deed so the 37-acres are in the possession of the city. Ms. Rogers asked if there were stipulations; Mayor Keyserling and Mr. Dadson both responded “to make it a public park.” Mr. Dadson said that’s stated in a separate document, not the deed. The motion passed unanimously.

MOTION TO CONSIDER ADOPTION OF MUNICIPAL STORMWATER POLICY

Councilwoman Beer moved and Councilman Fordham seconded consideration of the policy adoption. Mayor Keyserling said Beaufort County passed a stormwater policy, but it ran counter to urban development and redevelopment because it requires that stormwater be kept on site. The city decided they’d need their own set with “more urban flavor” such as the plan for Southside Park. Beaufort and Port Royal have been meeting and talking about this. The motion passed unanimously.

MOTION TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF PORT ROYAL AND CITY OF BEAUFORT

Councilwoman Beer moved and Councilman Sutton seconded acceptance of the memorandum. Mayor Keyserling said the City/Town Managers have been working on this document to allow them to work together when they are looking to purchase something, to hire a consultant, etc.; one will invite the other to the table to talk about it. It’s not binding except for discussion, i.e., having Port Royal be part of the city’s recycling program. This is to help with the efficient delivery of services. The motion passed unanimously.

APPROVAL FOR REDEVELOPMENT COMMISSION TO PURCHASE METERS, EQUIPMENT, ETC. RELATED TO PARKING DOWNTOWN

Councilwoman Beer moved and Councilman Sutton seconded approval of the purchases. Councilman Fordham said the council has agreed to give Redevelopment Commission 85% of parking revenues and Main Street Beaufort the other 15%. He asked about the amount paid to buy these kiosks and why the kiosk money wasn’t used to pay off the bond. Mr. Dadson said the city was going to have to buy the meters anyway, and they secured “a synching fund” for them to buy the next round. Councilman Fordham asked if there was other equipment being purchased. Mr. Dadson said the current technology such as hand-helds would need to be purchased anyway, and this is more money-saving than other types of technology that were estimated for. Councilman Fordham asked what the difference was with what they have now as opposed to what will be bought. Mr. Dadson went on to explain what a kiosk is and where the first set will be located. He said Main Street Beaufort and others have discussed what features

and options they want on the kiosks. They are used in Savannah and accept cards, coins and bills. The city will do the initial outlay for \$150,000. Ms. Rogers asked if the 5% the city will get will pay for the bond to buy this equipment. Councilman Fordham said he had hoped for the first year that 100% of collections would go toward the bonds. Mr. Dadson replied that they're not borrowing to do this; it's a cash outlay. Mayor Keyserling explained the terms of the the 15-85% split with Main Street Beaufort. The motion passed unanimously.

REQUEST FOR STREET CLOSURE FROM HISTORIC BEAUFORT FOUNDATION FOR THE ANNUAL LAFAYETTE SOIREE

Councilwoman Beer moved and Councilman McFee seconded acceptance of the request for the April 24, 2010 event. Councilman Sutton said this is the second time the event will be held at the Commons, and some parking will be on the lots that Ms. Lutz had described in the Public Comment. Historic Beaufort Foundation's Evan Thompson said that was Ms. Lutz's personal position, not the foundation's. He said that the locations are chosen to allow people to experience different historical aspects of the town. Many people walk and car-pool. The street needs to be closed so they can have a place to have port-a-potties and dumpsters. The motion passed unanimously.

REQUEST FOR PUBLIC ASSEMBLY PERMIT FROM LEON D. MEADOWS FOR NATIONAL DAY OF PRAYER

Councilwoman Beer moved and Councilman Fordham seconded acceptance of the request for the May 6, 2010 event. The motion passed unanimously.

CITY MANAGER'S REPORT

Mr. Dadson said he'd met with the county engineering department and the contract engineer for the Boundary Street Project. He cautioned council that county needs to approve through the Public Facilities committee as part of their committee system. He added that they had discussed the further study of the Northern Crossing. In March, the engineer will meet with council because that issue is not off the table.

MAYOR'S REPORT

Mayor Keyserling said that Inner Voices will perform in a competition at Lincoln Center.

He met with Col. Snyder who said that by June they hope to be having "the presentation of the IS on the strike fighter."

On February 26, Mayor Keyserling and Councilman Sutton will go to the Northern Beaufort County Regional Implementation Committee. The TIGER grant wasn't approved for the railroad right-of-way improvements. The Implementation Committee wants to put on or take off the table the proposed railroad, and he would like guidance; he said he doesn't see a need for a vote in the committee. The proposed operator of the train made a presentation that was "sketchy" and didn't seem to indicate knowledge of the community. Mayor Keyserling sees no

reason to rush it. Councilman Sutton said the chair would like to know the direction the communities want to go re: the co-existence of walking trail *and* train. The rail system is in place and BJWSA will own it to give access easement for water and sewer. The TIGER grant would have given a start on a trail system, but that didn't happen, and he doesn't know of other opportunities. He gave an example of an unused trail elsewhere that is maintained at the expense of the community it's in. The private business proposing to operate the train is not asking for money, and he feels if it works, the city wins, and if it doesn't, they haven't lost anything. If the rails get ripped up, he doesn't believe someone will come in and replace the rail system. He prefers the idea of letting this company experiment as a business. He thinks if it should be looked at as a business and not as just "a train." City doesn't own the rail system; BJWSA does. He feels any business that comes to the community and create jobs should be supported.

Mayor Keyserling said the Implementation Committee is charged with coming up with a plan. Councilman McFee said BJSWA established a timeline for the sale of the metals. They wanted an answer so they could proceed with the recycling which will off-set their costs. He feels any business model proposed deserves analysis for feasibility. He heard from others that this plan didn't seem feasible for this area, but he's not opposed to hearing it. He agrees with Councilman Sutton that once the rails come up, they'll never come back. Mayor Keyserling said the business plan presented needs a huge infusion of federal money. Councilman Fordham agreed there's no reason to say no. Mayor Keyserling said he needs to know there's a sense of urgency; he doesn't want to close the door.

Carlotta Ungaro clarified that the MCAS has pulled up their rails, so it will be of no use to them. Ms. Rogers said she shared skepticism but she would be interested in hearing about the other projects of this sort the company has done. Councilman Sutton said the team there represented a cross-section of rail operators. Seaport activity travels through our area and could be put on federally funded rail systems and gotten off the roads. Cost to deliver freight over rails is a fraction of that on highways.

REPORTS BY COUNCIL MEMBERS

Councilwoman Beer said she received a letter from a Spanish Point resident commending the clean-up in their neighborhood. Ms. Rogers, a Spanish Point resident, said she was incredulous that the street sweeper was broken and dirt was being moved by hand. Councilman Sutton said that the manual level cleans the grates and is a step toward preserving infrastructure. The community needs to be educated. Mr. Dadson said the street sweeper is made for curb and gutter systems. It runs every day. They're running an experiment to see what a street sweeper costs.

Councilman Sutton complimented the police chief for the uptick in traffic enforcement of speeding. He feels it's having an impact. He wants to see a radar display budgeted for.

Councilman Sutton said on the roads where speeding should be enforced, the speed limit signs are sparse.

ADJOURNMENT

There being no further business to come before City Council, Councilwoman Beer made a motion to adjourn, seconded by Councilman Fordham. The motion was approved unanimously, and the meeting was adjourned at 7:52 p.m.

ATTEST: _____
SHIRLEY HUGHES, ACTING CITY CLERK