

A regular meeting of the Beaufort City Council was held on March 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, 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.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

Councilman Gary B. Fordham was absent. Councilwoman Beer made a motion, seconded by Councilman McFee, to excuse the absence. The motion passed unanimously.

Granted permission to add an off-agenda item, Mayor Keyserling read a "proclamation" thanking Main Street Beaufort for its recent Beaufort Beauties fundraiser and recognizing and congratulating Mr. Dadson, aka "Miss Marple," as the winner of Miss Beaufort Beauty.

PROCLAMATION OF MARCH AS AMERICAN RED CROSS MONTH

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

PROCLAMATION OF MARCH AS DISABILITIES AWARENESS MONTH

Councilwoman Beer, second by Councilman Sutton, made a motion to approve the proclamation. The motion was approved unanimously. Ms. Dennis accepted the proclamation and made a statement about the work of the Disabilities and Special Needs Program.

PUBLIC COMMENT

Lanelle Fabian, Main Street Beaufort, thanked Mr. Dadson, Councilwoman Beer, and Mayor Keyserling for participation in the Beaufort Beauties event, which raised more than \$7000.

MINUTES

The minutes of the council work session on March 2 were presented to council for review. On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes. Councilwoman Beer corrected the spelling of Dr. Foxworth's name on page 5 of the minutes. Mayor Keyserling requested clarification of his statement on page 5, to read "how to undo the perception that one can't find a parking place downtown." On page 4, Councilman Sutton pointed out that "41" should be "\$1." The vote was unanimous to approve the minutes as amended.

The minutes of the regular council meeting on March 9 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 council work session on March 16 were presented to council for review. On motion by Councilwoman Beer, second by Councilman Sutton, council voted unanimously to approve the minutes as written. 4-0

ORDINANCE REVISING PART 7, CHAPTER 9 OF THE CITY CODE OF ORDINANCES PERTAINING TO THE SIDEWALK VENDING

Councilwoman Beer moved and Councilman McFee seconded approval of the amendment to the ordinance on first reading. Libby Anderson said the amendment is to city code relating to sidewalk vending locations. Currently there are 3 in Waterfront Park and one on Ribaut outside the county government complex. They will eliminate the Ribaut Road location which is small and may never have been used. Two of the Waterfront Park locations in front of the park by the clock don't have adequate room for vendors' carts, pedestrians, planters, etc. The other, near the Waterfront Park pavilion, will be eliminated as well. All will be replaced with two different locations: at the far east end of the Promenade (south of the restrooms, near the sidewalk planting area) and west of the "Contemplative Garden."

Mayor Keyserling asked what would happen if a third vendor wanted space. Ms. Anderson said of the three current locations, one is reserved for flowers. In this change, there would be no limitations on what could be sold; therefore, there have only been 2 spots in theory all along. Councilwoman Beer asked if there have ever been 3 vendors requesting space, and Ms. Anderson said she didn't recall any. Councilman Sutton said they had added a provision for the duration of the operating license owing to a vendor's issue, and asked if that had been resolved. Ms. Anderson said she believed it was. Councilman Sutton asked if vending could be regulated at the city manager's level. Mr. Dadson said yes. They would need to work on some appropriate language. Mayor Keyserling said they should discuss it at a work session.

Mr. Dadson said exclusive use of the park by *rental* is a different issue worked out in an agreement for license. Non-exclusive use doesn't allow for vendors. Mr. Dadson recommended non-exclusive language and a cap. Councilwoman Beer said she felt the city manager's office should be able to handle this without involving council. The motion passed unanimously.

AMENDMENT REVISING ARTICLE 7 OF THE UDO TO ADD STANDARDS FOR SECURITY LIGHTING ON RESIDENTIAL LOTS

Councilwoman Beer moved and Councilman McFee seconded approval of the amendment to the ordinance on first reading. Mayor Keyserling said he'd suggested that while this is an issue, they didn't hear from the public, so instead of doing an amendment to the ordinance at this time, he could meet with the three parties involved and see if he could resolve it. They might need to deal with lights in the future. Councilman McFee noted that there is already a section dealing with multi-family lighting. Councilwoman Beer made a motion, second by Councilman Sutton to table the issue until further notice. The motion passed unanimously.

APPOINTEE TO TREE BOARD

Councilwoman Beer moved and Councilman McFee seconded approval of Darrell Snyder to the Tree Board. The motion passed unanimously.

REQUESTS FROM MAIN STREET BEAUFORT FOR STREETS CLOSURES AND ALCOHOL SALES

Councilwoman Beer moved and Councilman McFee seconded approval of the request for Taste of Beaufort, April 30 and May 1. Councilman Sutton asked Ms. Fabian if there was anything that would be different than last year's event. Ms. Fabian said Friday night's Shaggin' With The Taste will continue. A 5K has been added. When 701 Bay Street was under construction, they'd used the parking lot behind it for a children's area. Now they are going to ask Mr. Jones to use his 6 spots plus 2 city spots for the children's area. They will close the Scott Street extension to through traffic. Councilman Sutton asked if all the public parking in that area will be closed; she said they still need to talk to Mr. Jones. Ms. Fabian said if he refuses, they could use a spot near the Contemplative Garden but prefer the parking lot area. The motion passed unanimously.

Ms. Fabian introduced Angela Weiland, the events planner for Main Street Beaufort, to council.

REQUEST FOR CO-SPONSORSHIP FROM COMMUNITY BIBLE CHURCH FOR EASTER EGG HUNT

Councilman McFee moved and Councilman Sutton seconded approval of the request for the April 3 event in Waterfront Park. Councilman McFee asked if it was a repeat request. Mr. Dadson said it "meets all qualifiers." Councilman McFee said staff approved it. Councilman Sutton wondered about the frequency of co-sponsorships. Mr. Dadson said they're not keeping people out, making no requests for donations, so there's "no impact," but it is on a Saturday. Ivette Burgess stated that it is the first request by this church and clarified that there are no other applications for use of the park that day. The motion passed unanimously.

MOTION AUTHORIZING CITY MANAGER TO ENTER INTO EASEMENT AGREEMENT BETWEEN CITY OF BEAUFORT AND BEAUFORT JASPER WASTER SEWER AUTHORITY

Councilwoman Beer moved and Councilman Sutton seconded a motion to authorize Mr. Dadson to enter into an easement agreement with City of Beaufort and BJWSA. **Tommy Logan** said he'd read about the issue and requested an overview of what the city plans. Mr. Dadson said it's a grant from BJWSA to the city for a 50-year period dealing with a structure in the Depot Road area and an easement within the city's jurisdiction. The city can't interfere with any of the permitted uses by BJWSA. It allows access easements. Mayor Keyserling said an example of easements for crossing might be if they wanted to realign streets. Mr. Logan asked if they would be leasing the old Kinghorn Building Supply building and Mr. Dadson said yes, and they the ability to lease it out. Mr. Logan discussed a situation with Clarendon leasing the portion of the right-of-way on both sides of the rail on the east and west of their property; since that set a precedent for 300 adjoining property owners, he feels it should not preclude them leasing the railroad right-of-way in front of their property. It can be farmed, etc., but one can't build a permanent structure on it. Mr. Dadson said the matter under discussion is a right of access, and Mr. Logan would have to raise his issue with BJWSA. Mayor Keyserling said if both sides are leased, they wouldn't need an easement anyway, but this does not address that. The city is

getting the rights to create access/crossing space and to the building. Mr. Dadson said it's an access agreement and likely doesn't supersede any other agreements. Mayor Keyserling said he should address his questions to the National Railroad Authority. The motion passed unanimously.

MAYOR'S REPORT

Mayor Keyserling met with Senator Graham's office and "they are into being supportive." He also met with representatives from the National Parks service to talk about the district with a historian from Washington interested in learning more about the area and being supportive of cultural initiatives.

Mayor Keyserling raised the consideration of the idea of the Scott Street Extension being an egress to the park. Ingress would be "the new street" which is only an alley and doesn't yet have a name. He thinks they should go back to the plans and discuss the logic of it. Councilman Sutton said the flipping of streets requires "much deeper study"; the one-ways change dynamics. They have been flipped before and had mixed reviews. He agreed that it merits more discussion and requires a big overview. Mr. Dadson agreed that any move would have consequences. Councilman Sutton said he's heard interest in making Bay Street one-way to the bridge and Port Republic one way the other way. Mayor Keyserling said the appropriate context might be Downtown Redevelopment.

REPORTS BY COUNCIL MEMBERS

Councilwoman Beer said she'll be heard from in the future about the Rebuilding Together project and the Shrimp Festival which there are "big plans for."

Councilman Sutton said he'd like to express appreciation for the clean-up by The Greenery downtown and has had positive feedback from the public. He added that the horse and buggy study will be coming back to council soon.

Councilman McFee attended the SC Arts Commission Forum. They spoke to leaders from HH, the county, and the Bluffton markets. He said it was a good discussion about the health and dimension of the arts in SC. He has also heard positive comments about The Greenery's work downtown. He brought up the power-washing and asked about the date. He added that April 15 is the deadline for entries for the logo for the tricentennial; a selection will be made by May 1.

ADJOURNMENT

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 6:55 p.m.

ATTEST: _____
SHIRLEY HUGHES, ACTING CITY CLERK