

A regular meeting of the Beaufort City Council was held on March 9, 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.

CALL TO ORDER

The Mayor called the meeting to order at 6:05 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Debra Johnson, 1710 Duke Street, read a letter to council about taxes and fees and her feelings about changes in parking rates. She's concerned that the government and staff are losing sight of their purpose. She said government is not a for-profit business and she's not a consumer of the city. The values and language of profit, consumption, "commodity," and business are not appropriate for government, which should be about health, welfare, safety, etc.

Carlotta Ungaro of the Beaufort Regional Chamber of Commerce formally introduced Bob Moquin, the new Executive Director of the Convention and Visitors Bureau.

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

The mayor opened the public hearing. Libby Anderson said the amendment pertains to security lighting. Council had asked staff to develop standards for such lighting. Staff met with SCE&G; they believe the revision to be very workable. They are proposing a revision to section 7. She read from the revision. The area of single-family and two-family lots had not been regulated before. They're trying to regulate the street light-level high intensity lights. Existing non-conforming lighting will be grandfathered. The Planning Committee has recommended approval. Ms. Anderson answered Councilwoman Beer about "cut-off lights" by telling her that 98% of the light is directed down.

Janice Jones said that she's concerned that cut-off lights will not radiate enough light for her yard to be safe, and she doesn't want to give up the current lighting her home has when it has to be replaced.

Harry "Trey" Matthews, 2303 Barnwell Street, described his personal history with the issue. He said Mr. Zara, his neighbor, told him that he would "contact Libby Anderson" to compel him to keep down the light in his yard. He likes the lights in his yard and feels it's ridiculous to say that

the light trespasses into someone else's lawn. Councilman Sutton said he doesn't support the concept of making people get rid of security lights. The process is to bring the matter up in public and see if there's an issue. He said it's only step one. Mr. Matthews said he's aware that his lighting is bright because he asked SCE&G for it. He feels there are a number of reasons to have well-lighted yards. Councilman Sutton asked what kind of light he had in his yard. Mr. Matthews said he doesn't know the number of lumens. He would be willing to shade it in some way, but he objected to the way his neighbor handled the matter. There being no further public comment, the mayor closed this public hearing.

MINUTES

The minutes of the regular council meeting on February 23, 2010 were presented to council for review. Edie Rodgers' last name was misspelled, and Hall Sumner was incorrectly entered as "Paul." Councilmen Sutton and McFee asked for a correction of the vote on Councilman Sutton's proposed amendment to the parking ordinance on page 4 of the minutes. The motion to amend did not pass. Councilman Sutton and Councilman Fordham voted in favor of it. The votes against the motion to amend came from Councilwoman Beer, Councilman McFee, and Mayor Keyserling.

On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes as amended.

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 OF BEAUFORT

Mr. Dadson explained the history of the ordinance from first reading, through the workshop and to the second reading. Currently, what's under consideration is raising the parking rate to \$1 an hour and raising the fine to \$10. Mayor Keyserling said council has decided to set aside the issue of the time for paid parking changing from 6 pm to 9 pm for now.

Councilman Fordham said he felt the two matters under consideration should be taken one at a time. Mayor Keyserling invited the public to speak. **Lanelle Fabian** presented copies of a statement to council about extending the parking fee hours to 9 pm. She read from the statement, which detailed Main Street Beaufort's support for the time extension.

Lee Foster said she doesn't think the parking times should be extended because it will affect attracting customers downtown. She feels if more money is made downtown, the city will get more taxes.

Jay Lovell, a board member of Main Street Beaufort and manager of two banks, one of them downtown, supports parking enforcement until 9 pm. His bank's lot is small, and he has had nasty encounters because of restaurant employees who park in his lot or on the street. He feels people who can't park don't spend their money downtown.

Dick Stewart said parking has been an issue since 1935. He referenced the restaurant smoking issue which he believes didn't ultimately affect restaurants and concerns that the noise ordinance would adversely affect business. He said 70% of retail in the core commercial district occurs after 5 pm and on Sundays. He feels that eliminating shopping downtown because there is no place to park means less profit for the businesses downtown. Main Street Beaufort, "professionals in the field," and many others have been recommended the change in paid parking hours. He has vacant office space because people are concerned there's nowhere for their customers to park. He believes retail, offices, and professionals will move out, and Bay Street will become "Bourbon Street." For Bay Street to thrive, the parking spaces need to be available. He recommended six months of experimenting and then evaluation of the results. He said the owner of Plums and Saltus is comfortable with the proposal because the restaurants can validate parking and customers could extend the time on their meters via cell phone.

Richard Brooks, 138 Elliott Street, said the changes to parking regulations "are probably a done deal," but he wanted to offer his thoughts. He read from a statement that he believes the parking problem is more perception than reality. The need to solve the perceived problem will make someone unhappy. He said free parking is a valid way to revitalize downtown. He said there are unintended consequences of creating a law-enforcement revenue stream that can create resentment against police officers enforcing the law on the city's behalf. He doesn't understand how the Redevelopment Commission ended up as the recipient of the revenue stream when they aren't going to be using the money to redevelop downtown.

Juliet Harvey said she is a downtown restaurant employee who doesn't park on Bay Street. She is also a patron of downtown and doesn't have a problem parking there. She enumerated the places she could park if willing to walk a few blocks. She read from a statement about her confusion about where the off-street parking is and what it costs. She also feels that the city doesn't appreciate downtown employees' safety concerns which are real, not "perceived" as she feels they've been portrayed to be.

Lisa Estes, 301 Laurens Street, lives and has businesses downtown. She agreed with Ms. Harvey's comments. She supports the 6pm to 9 pm enforcement extension. Parking and safety, she feels, are two separate issues. She feels safety is paramount and thinks increased patrols and foot traffic would help with that. As a business owner, her late afternoon point of sale, barring certain times of year, declines around 3:30 – 4:00 pm. She sees parking behind 808 Bay St. and it is inundated at that time with restaurant employees and parking on Bay Street was all full, but for two spots open at that time. Her customers don't mind paying for parking, but they don't like to be unable to *find* parking. She disagreed with what she called Ms. Johnson's "dissection of language" and "taking language out of context." She said council has run the city somewhat as a business, and she feels that they have to look at certain issues in a business-way. She feels philosophical considerations aren't as important as real-life effects on retailers and merchants on Bay Street.

Andrea Parker Cooler works in food and beverage and shops downtown. She doesn't typically have problems parking downtown. She understands the employee lot and increased fees. She'd like the council to consider that the food and beverage people are targets for crime and to think about their safety.

Neil Lipsitz, downtown business owner, thanked council for taking action on parking. He feels like the plan shouldn't be parceled out but treated as "a plan," including security for food and beverage folks. He supports increasing the time of enforcement to 9 pm as an integral part of the plan.

Councilwoman Beer explained where employee parking in the former Trask Lot is.

Donna Starkey, 1099 Otter, is a member of the board of directors of Main Street Beaufort. In reference to the 6 pm to 9 pm issue, she said change is hard and it should be tried to see if it works and could be changed back. She thinks it's important to add the 6 pm to 9 pm component, which she initially opposed until she heard about the late-afternoon impact. She's worried about the exodus of businesses. Parking provides access to commerce, though it may not be a commodity itself.

Kevin Cuppia, of Modern Jewelers on Bay Street, said council should address the problem as a whole. He believes security is key to a vibrant downtown at night. He strongly disagrees with taking out the 6 pm to 9 pm component. He thinks they should vote on all of the elements at the same time. They can study the results once they implement something.

Chris Damgen said he wanted to reiterate what he'd said at a previous council meeting. The city has been innovative in a number of ways but he feels what's being considered for parking is old solutions, not innovations. There's not leadership in thinking about parking ideas. He used parking in Greenville as an example of innovation. He believes there has not been enough interaction with the business community and with citizens. He thinks it should be studied with the community for a couple of months before a vote and should include a consideration of downtown planning so that this will not be a quick fix but workable for years to come.

Martin Goodman, a member of the Redevelopment Commission, said that this was discussed at their last meeting, and they reaffirmed their commitment to the extension of enforcement from 6 pm to 9 pm, then they would like Lanier to study this for the next 3-6 months. The Main Street Beaufort principles are what the Redevelopment Commission laid out. They would support Main Street Beaufort's approval of the ordinance as a whole. What's happening now isn't working. If the change from 6 to 9 is enforced, then they'll have data "to see who's right." So the Redevelopment Commission recommends that it be approved as it was recommended earlier and study the impact on businesses, which could always be reversed.

Donald Starkey, 1099 Otter Circle, feels council will make parking secure in any way necessary. He feels the fine is ridiculous at present and raising it is “a no-brainer.” He supports raising the hourly fee and feels the impact will only be immediate, not long-term. He asked council not to NOT make a decision about extending enforcement from 6 pm to 9 pm, saying “if it’s wrong, you can change it.”

Andina Foster, of Hemingway’s Bistro, said there are two types of businesses downtown: “destination” businesses where people spend time downtown for a few hours, and retail businesses where customers are only there a few minutes. She feels that changing the parking structure discriminates against the destination businesses like her bar. Her business has been affected by the non-smoking ordinance and is “hurting.”

Mayor Keyserling clarified that Port Republic Square will be available after 3:30 pm to 9 am for \$15 a month to downtown employees. Mr. Dadson addressed safety concerns. He said there are a series of commercial areas around the city in which safety is a concern. There will be a full plan presented at the next council workshop. Hiring Lanier allowed them to move police officers to concentrate on other things than parking tickets. Resources will be re-allocated as needed. There is money for capital improvements (CIP) for more lighting, but that’s going to bring up a new set of concerns. There are many technologies that can be used in the core business district for a consistent theme for lighting, safety, trash pick-up, flowers, etc. Cameras will be considered, but those present problems. There may be safety phones. Just changing lights isn’t enough. The light poles aren’t replaceable, so they need a better process, and it will be dealt with. He offered clarification on the Main Street Beaufort and Redevelopment Commission splitting of profits. Those profits will be poured back into improvement and marketing for downtown.

Mayor Keyserling asked the timeframe on the installation on the new parking equipment. Mack Cook said it will be almost 8 weeks from now. Mr. Dadson said upgrading lights will take a longer period of time, but they can allocate resources in a way that makes sense. Ms. Cooler said brighter lights won’t solve her safety concerns. She thinks the phones are a great idea. She’s concerned about quick, immediate crimes.

Mayor Keyserling said “some things happen, and the city doesn’t even know about it,” so they can’t do anything about it. Councilwoman Beer reiterated that the parking issue has been before council as long as she’s been on council. No matter what they do, someone will be unhappy, but something has to be done. When Bay Street redevelopment was completed the first time, almost to a person, the merchants didn’t want free parking because paying meters increase turnover so they can get customers. She is pro-business, but she disagreed that the city is run like a business; however, they have to make a profit to put aside if it’s needed. She is in favor of the change from 6 pm to 9 pm for parking enforcement.

Councilman Sutton said the motion is for two topics. There has been a lot of hard work to get to where they are tonight, and he has done a lot of research on the 3 blocks of parking and the businesses on them. In his conversations, 90-98% of the customers don't want to change parking enforcement from 6 pm to 9 pm for a variety of reasons. One consistent answer was that it would change the town's "character." Beaufort is doing fairly well, given the economy. There was a contract signed last week for downtown maintenance. The discussion about money is, at least to him, that the increased revenue stays downtown and goes toward its revitalization. He feels security hasn't been talked about enough in council. They need more police and a different approach to policing. The issues of fees, fines, hours of operation and security, he agrees with Mr. Cuppia, should be treated as part of a whole plan. He said on the 58 Bay Street spots from Charles to Carteret, the 6 pm to 9 pm change would not generate that much more money per week. He doesn't think that the customers downtown have had a voice in this; the merchants haven't asked their customers what they think. He hasn't met anyone yet who thinks extending the time of enforcement is a good idea. Also, restaurants don't tell their employees where *not* to park. Raising the rate isn't to make more money; it's necessary for the equipment costs, etc. He doesn't want to study the 6 pm to 9 pm extension anymore. He doesn't always agree with everything the professionals tell him; he gleans through it to figure it out himself. Fees and fines need to be raised, and safety isn't just the concern of the city. The merchants need to help, too. He feels there is a character change about to happen in Beaufort.

Councilman Fordham said they'd heard a lot of good comments, and the parking problem has been around 56 years. He agrees with what Councilman Sutton said. He has no problem with increasing the fees and fines, but opposes increasing the time. Employers have to tell their employees to stay off of Bay Street, maybe by making it a condition of their employment.

Councilman McFee said he disagrees that there's a *perceived* problem; it's a *real* problem that needs to be addressed. They should look to the people who have the most at stake, and their support is for the extension. It won't be voted on tonight and needs to be reviewed. There has been a lot of study, and to discount that, or to believe the issue can't be addressed, is a fallacy. There is data to support the ideas, and this wouldn't be something that's irreversible.

Mayor Keyserling said he's answered e-mails and interacted with many people on this issue. All the meetings have been confusing. There are the issues of the fees, fines, and the time extension. He doesn't feel safety is part of parking; it should be considered even if they weren't discussing parking. He agrees with Councilman Sutton on the question of character. It would be nice not to have meters, but it hasn't worked. There have been meetings between the two kinds of merchants. All but 2 restaurants take the Main Street Beaufort position. He wondered if extending enforcement to 7 pm would work. He remains comfortable with the 2 issues discussed in workshop but still isn't comfortable with the extension of enforcement from 6 pm to 9 pm.

Mayor Keyserling asked Ms. Fabian if she felt it should be held and voted on as a package. She consulted with her board members who were present and then replied that they'd like council to vote on it as a package or give a timetable on the 6 pm to 9 pm extension if they vote on the other two issues. Councilman Fordham preferred to vote. Councilwoman Beer said if the downtown merchants are telling what they want, they ought to be listened to. She read from a 1935 Beaufort Gazette article about parking on Bay Street.

Councilwoman Beer moved and Councilman Fordham seconded approval of the amendment to the ordinance as written on second reading. Councilman McFee said nothing goes in to effect until the new meters arrive. Councilman Sutton said he's comfortable with voting now. He said the public he's engaged are comfortable with these two issues of fees and fines. He discussed some other complications to parking re: hours that he'd raised in the workshop. Mayor Keyserling said whatever passes, it's not finished. Enforcement wasn't being done in an acceptable way and council's eyes were opened. Mayor Keyserling said after the vote on fees and fines, he is going to ask council's permission to form a task force per the suggestion of Main Street Beaufort. Councilman Sutton said he doesn't want to see that council votes on this tonight, and next week the meters are \$1 an hour. Councilman McFee suggested that this could be part of the motion that this doesn't go into effect until the equipment is in.

Councilman McFee made a motion that the hourly rate will increase to \$1, fines will go to \$10, and no changes will occur with either fees or fines until the new meters are installed. Councilwoman Beer seconded the motion. **The motion on the amendment passed unanimously.**

Mayor Keyserling turned over the gavel to Councilwoman Beer and made a motion that council direct the Redevelopment Commission and Main Street Beaufort to create a task force that would include merchants, restaurant owners, and employees in their study of the 6 pm to 9 pm enforcement issue and other issues such as timing and monthly passes for parking. Councilman McFee seconded the motion. **The motion passed 4-1, with Councilman Fordham opposing.**

BEAUFORT KENNEL CLUB REQUEST FOR CO-SPONSORSHIP OF "CANINE GOOD CITIZEN EVALUATION"

Councilwoman Beer moved and Councilman Sutton seconded approval of the request for the May 22, 2010 event in Waterfront Park. Councilman Fordham said he disagrees with overly frequent co-sponsorship by the city. Councilman Sutton said for the record this group has met the requirements of any other entity to receive co-sponsorship. **The motion passed 4-1, with Councilman Fordham opposing.**

CHILD ABUSE PREVENTION ASSOCIATION REQUEST FOR THE ANNUAL "ANGEL WALK" ON THE SIDEWALK WITHIN THE DOWNTOWN CORE DISTRICT AND CO-SPONSORSHIP FOR THE "ANGEL PARADE"

Councilman McFee moved and Councilwoman Beer seconded approval of the requests for the event, slated for April 24, 2010. **The motion passed unanimously.**

MAYOR’S REPORT

The mayor thanked city staff for their part in the discussion on parking.

REPORTS BY COUNCIL MEMBERS

Councilman Sutton thanked city staff for helping council “to run the city like a business.” He added that not-for-profits need to show a profit in order to provide service. Councilman McFee added that there’s a difference in the terms “profit” and “fiscal responsibility.”

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 8:03 p.m.

ATTEST: _____
SHIRLEY HUGHES, ACTING CITY CLERK