

A regular meeting of the Beaufort City Council was held on April 27, 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 6:00 p.m.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Pastor Mark Walker of Seaside Vineyard Fellowship. The Pledge of Allegiance was led by the Mayor.

### **PROCLAMATION OF PUBLIC SERVICE RECOGNITION WEEK**

Councilwoman Beer, second by Councilman Fordham, made a motion to approve the proclamation for May 3 - May 9. The motion was approved unanimously. Mayor Keyserling read the proclamation to Ms. Carol Smalls. She thanked the council and mayor for the proclamation.

### **PUBLIC COMMENT**

Joe McDermott offered comments about tennis in the city of Beaufort and surrounding areas and asked council to consider putting tennis into the 30 acres of South Side Park for the benefit of "the next generation." He gave council a handout. He felt there were options for partnerships and that Beaufort County should build a tennis center and hire a director for it. He would like to see the Water Festival Tennis Tournament come back. He discussed financial differences for building and maintenance of clay and hard courts.

### **MINUTES**

The minutes of the regular council meeting on April 13, 2010 were presented to council for review. On motion by Councilwoman Beer, second by Councilman Fordham, council voted unanimously to approve the minutes as written.

The minutes of the council work session on April 20, 2010 were presented to council for review. Councilman McFee noted that all references to the "TBC" in the minutes were incorrect and should be "TVC" (for "Tour Vehicle Coordinator"). On motion by Councilwoman Beer, second by Councilman Fordham, council voted 4-0 to approve the minutes as amended. Councilman Fordham abstained from voting because he was not present at the work session.

### **LETTER OF REQUESTS FOR CONSIDERATION FROM THE GULLAH FESTIVAL COMMITTEE**

Gullah Festival is slated for May 28 through May 30, 2010. Councilman Fordham said he feels there should be one form for application for various festivals, as this same issue arises every

year. All festival applicants know what will be approved and rejected already. Mayor Keyserling recommended following staff's recommendations.

Mary Dawson, representing the Gullah Festival, said that they feel it's best to ask for things each year because things may change from year to year, and this way they don't have to come back several times. Councilwoman Beer said she'd be glad to meet with Ms. Dawson to discuss the staff recommendations. Mr. Dadson said Gullah Festival staff was already given a copy of the staff recommendations. Mayor Keyserling gave Ms. Dawson his copy and the item was moved to the end of the agenda to give her time to look at the recommendations.

**REQUEST FROM TABERNACLE BAPTIST CHURCH FOR PARADE PERMIT TO CONDUCT ANNUAL RUN/WALK MAY 29, 2010**

Councilman Fordham, second by Councilwoman Beer, made a motion to approve the request. The motion passed unanimously.

**MOTION TO APPROVE FORM BASED CODE MEMORANDUM OF UNDERSTANDING**

Councilman Fordham, second by Councilman Sutton, made a motion to approve the MOU. BK asked about the addition of governance process. He asked that, in the absence of a Metro Planning Commission, it would be the Northern Regional Plan Implementation Committee.

Councilman Fordham amended his original motion to state that governance would be by the Northern Regional Plan Implementation Committee or the Metro Planning Commission if it has been achieved by that time. Councilman Sutton seconded the motion. The motion passed unanimously.

**MOTION TO APPROVE INTERGOVERNMENTAL AGREEMENT BETWEEN TOWN OF PORT ROYAL AND CITY OF BEAUFORT REGARDING SOUTHSIDE PARK POND**

Councilwoman Beer, second by Councilman McFee, made a motion to approve the Intergovernmental Agreement regarding the South Side Park Pond. The motion passed unanimously.

**MAYOR'S REPORT**

Mayor Keyserling said that on Wednesday, April 28, 2010, Beaufort citizens would be able to discuss the tree trimming at 5 p.m. He recommended a 3-minute time limit for comments, and there was general assent.

Shirley Hughes offered a reminder of a council work session on the budget at City Hall on Thursday, April 29, 2010 at 5:00 p.m.

**REPORTS BY COUNCIL MEMBERS**

Councilman Fordham commented that there was a suggestion from a group interested in joining the city in the suit against the airport junction as "friends of the court." The matter was

referred to the attorney in Columbia; Councilman Fordham feels the attorney works for the city and the city should say whether they accept it or not. The attorney can't make the decision on his own. Mayor Keyserling said members of city council shouldn't talk with the public; the lawyers should talk to each other and then a decision will be made. Councilman Sutton asked what Councilman Fordham's concern was; Councilman Fordham said the attorney can't make the decision on behalf of the city about the matter. Mayor Keyserling agreed but said the attorney could approach the city and say what he recommended. He didn't feel that the group that wanted to join in the suit should be contacting the council members.

Councilman McFee said the Tricentennial group has met and closed the logo entries. The logo should be chosen soon and will be in use by the middle of May.

Ms. Dawson returned to the council floor to discuss the Gullah Festival. She discussed each request and staff's recommendation about it.

1. They hope council will approve paying outstanding amount May 30, 2010.
2. The festival coordinators had counted 178 parking spaces without counting the fenced- in Marina spots. She said they were told the city only has 138 spaces and that others haven't contracted. They did want to use the parking spaces by Saltus for exhibitors who come in the back. Staff said they won't be available. Councilman Sutton said they're 8-hour meters currently. Two restaurants use them for employees using them at the same time.
3. The Gullah Festival wants to ensure that they won't be responsible for anything the roll cart vendors do as far as clean-up. Mr. Dadson said the Festival will have no responsibility for it.
8. Ms. Dawson said she thought the Marina courtesy car was moved to another location in the past. Mr. Dadson said the city has a contractual obligation to that spot.
10. Ms. Dawson said this item refers to "the signs put out on weekends" – the pedestrian crosswalk signs for special events - and the Gullah Festival wanted to request them.
11. Mr. Dadson said the council has to make the final call on this matter the noise ordinance. He doesn't have the authority. Councilman Sutton said thought this was already covered. Mr. Dadson said it will be louder than the allowed decibels and council will waive the decibels for this and Water Festival.
12. Ms. Dawson said this item refers to little signs with the Gullah Festival logo to be stuck in the ground for people to follow. Mr. Dadson said staff is OK with that. Ms. Dawson said signs for special features are fine, too, as long as the city knows where they are.
14. Ms. Dawson said this item is part of an effort to cut police expense. The Gullah Festival will have its own security to walk around. Mr. Dadson said the police department is aware that they want to reduce their numbers and Ms. Dawson said they have been in discussions "quite a bit" with the police.
16. Mr. Dadson said fencing is \$2.50 per linear foot + additional fees if the city puts it up. Ms. Dawson said they are trying to get Marines to do it as volunteers. Councilman Sutton wondered if steps had been taken to solve the problem of leaving the fencing up overnight

until Monday at the end of the festival; he thought it was probably settled last year. If city staff doesn't take it down, he would like to see it done on Sunday.

18. This is the same as it has been.

19. Mr. Dadson said staff has agreed to a pre-facility walk-through daily and will work through any problems "right then and there." Therefore, items 19 and 20 are negated.

Mr. Dadson, council, and Ms. Dawson went through the bullet points of further staff recommendations.

Councilwoman Beer made a motion, second by Councilman McFee, to accept staff recommendations. Councilman Sutton, referring to staff recommendation # 1, said the city typically doesn't finance festivals. The Gullah Festival has a long history, and one of being in arrears, and they're asking to pay for last year's event 29 days before the new event. He doesn't like that. He would like a policy in place to prevent any event coming before council that doesn't pay their fees less than a month before the event. Councilman Sutton reiterated that his point is one of policy, not specific to the Gullah Festival. Ms. Dawson said groups and cities are going through difficult times. Councilman Sutton said a policy needs to be in place in the future. Mayor Keyserling thanked staff and the Gullah Festival for working through the matters. The motion passed unanimously.

#### **ADJOURNMENT**

There being no further business to come before City Council, Councilman Sutton made a motion to adjourn, seconded by Councilwoman Beer. The motion was approved unanimously, and the meeting was adjourned at 6:53 p.m.

ATTEST: \_\_\_\_\_  
SHIRLEY HUGHES, ACTING CITY CLERK