

A work session of the Beaufort City Council was held on May 18, 2010 at 4:00 p.m. in the City Hall Conference room, 302 Carteret Street. In attendance were Council members Donnie Ann Beer, Gary Fordham, Mike McFee, and Mayor Keyserling, City Manager Scott Dadson, Shirley Hughes, and Mack Cook. Councilman Mike Sutton was absent.

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.

Mayor Keyserling called the meeting to order at 4:06 p.m.

DISCUSSION REGARDING REZONING A PARCEL ON ALLISON ROAD

Libby Anderson reviewed what was discussed about this proposal at the May 11, 2010 regular council meeting. She said the Planning Commission had supported the proposal but expressed concern about spot zoning. She provided a copy of the city attorney's opinion, which is that it's not spot zoning, but if it were, it's in accordance with the city's comp plan.

Councilman Fordham questioned the Planning Commission's decision. Also, he had pointed out that Dr. Moore had purchased a property in Spanish Point which was rezoned for an office "but now he's going to this property." He added that if someone owns property on Allison Road where the public property owners who spoke last week live, he feels they wouldn't be in favor of the rezoning.

Councilwoman Beer said she has a problem with rezoning a single property, adding that and if two others were to be rezoned, she'd be a little more in favor of it. She said there needs to be a plan to buffer or screen the property. Councilman McFee said Design Review Board still has to review it. Ms. Anderson said after a certain point it has to go to the Design Review Board. Councilwoman Beer said there's a lot of commercial near that area, and Councilman McFee added that there's medical along the other side. He would feel better if the other properties near Dr. Moore's were also rezoned. Mayor Keyserling said he concurs with everyone in that he doesn't feel one property should be isolated; he thinks they should look at the whole area. He used Charles Street as a model; they got more buy-in from talking with the whole neighborhood.

Ms. Anderson said this was a staff recommendation, but they intend to look at the other two lots and discuss it with them. Councilwoman Beer said the two unenthusiastic neighbors at the last council meeting weren't totally against the rezoning. Councilman McFee said their concern was that because they're not commercial properties and abutting commercial might make their property less valuable.

CONSIDERATION OF WAIVER REGARDING USE OF SANDWICH BOARDS IN THE DOWNTOWN AREA

Lanelle Fabian said Main Street Beaufort's first thought was to support this idea because "business is hard now." Then at a recent meeting, they discussed the potential clutter if all merchants were to put out sandwich boards. They wondered if it would be worth it for

merchants to buy a board for 6 months. Now Main Street Beaufort's position is to allow them on private property, but she doesn't know if that's covered in the ordinance. They could put it in a portico, for example, like Plums does.

Ms. Anderson said new signs are not permitted in the Historic District, only outside it, where they're only permitted for six months and for new businesses. Ms. Fabian said there are quite a few grandfathered in. Ms. Fabian said Pete Palmer was in favor of it, but Randall Birch said Mr. Palmer later retracted that opinion. Mayor Keyserling asked if, then, Main Street Beaufort and Historic Beaufort Foundation think it's a bad idea, and Ms. Fabian said yes. Like Main Street Beaufort, no one seems to want them "all over the sidewalks," but private property is fine. Councilwoman Beer asked a maximum number that it could be on private property in the Historic District. Ms. Fabian said probably not many additional to those that are there now. There was some discussion about where the signs are now and who might want them.

Councilwoman Beer said it would be good to know how many might be involved. Mr. Cook cited Nippy's and the two new condo apartments in the old Greyhound terminals; that's all he could think of. Mayor Keyserling said Port Republic, Craven, and Charles Streets are all in the Historic District, and Mr. Cook said most of those businesses opened up their entrance to the sidewalk and put sandwich signs there. Mayor Keyserling said there's not clear positive signal from the two organizations who were asked for their opinions, and council doesn't want to change an ordinance for one person.

DISCUSSION REGARDING VARIOUS BOARDS/COMMISSION APPOINTMENTS

Mayor Keyserling listed the various positions which need (or will need) to be filled. He said council needs lists and needs to get on with this. Historic Beaufort Foundation has submitted two candidates; one was ineligible and the other there wasn't a consensus of support. They don't want someone who will be turned down and waylay the process further. Mayor Keyserling recommended Mike Rainey because of his experience. Mayor Keyserling said Councilman Sutton wants new blood, but Mayor Keyserling feels if there's no one else, it should be revisited. He feels there's something broken. and it needs to be fixed. Mr. Dadson said if they want to fix something, fix who gets appointed. He's concerned that the Historic Beaufort Foundation hamstring the council. Mayor Keyserling said he doesn't feel someone who's an advocate for something should be appointed to a board, but if it needs to get moving, they should have the discussion later and do an appointment now.

Councilman Fordham said if the ordinance needs to change, they should do it. Mr. Dadson said they'd pull up the ordinance for council to review and discuss that rule. Councilwoman Beer said Historic Beaufort Foundation has a hard time finding someone who wants to serve on the board. Mr. Dadson suggested an ad or article about all the positions that need to be filled.

Mayor Keyserling reviewed other positions that need to be filled either now or later, and there was some discussion about who was leaving and when. Councilwoman Beer said some will continue to serve until they're replaced. She thought an article about the boards' openings and time commitments would be good. Councilman McFee asked if there was anything left from the

batch of Redevelopment Commission applications. Mayor Keyserling said they could be brought back to the table. Mr. Dadson said they'd do a press release on qualifications, commitment, time, talents, etc.

Mayor Keyserling said if they're really engaging more people and putting them to work, which they are, they need to give them support in finding the people to fill these open positions. Mr. Dadson said staff will have something for council to look at next week's council meeting.

DISCUSSION REGARDING PROPOSED NEW WATERFRONT PARK RULES AND REGULATIONS

Mayor Keyserling said Councilman Sutton sent him an e-mail. You pay as you go and don't get a lease if you owe and also that there would be a set time for taking things down.

Mr. Cook said the genesis for this new policy happened in a workshop on risk management. The speaker addressed cities' rental of space and said a best practice was a formal policy on rentals and how the special use policy is determined. As the Waterfront Park is developed, council and the city have to decide who they're developing it for, and what its intended use is. This is an effort to weigh public and private use. He gave out a calendar of events reserved from now to the end of October. The total number of rental days is 51. 28 Saturdays that are reserved for weddings which means the park is rented all day. Only 10 Saturdays are available between now and the end of October.

Mr. Cook said that Councilman Sutton had said one expectation is that the city be paid for the park's rental in a timely fashion. The Special Event Policy lays out a standardized body of expectations: who's responsible for what, who a person talks to about rental, and some subjective things about requirements of the city for the event based on its size and duration. He said they're moving to a more standardized package and one that treats every festival fairly and the same. Councilwoman Beer said this will make their planning easier if they know exactly what to expect.

Ivette Burgess said they also want to translate this to private events in Waterfront Park. Mayor Keyserling asked what areas the weddings rent in the park. Ms. Burgess said the pavilion is usually rented for \$125, and the contemplative garden, which is \$100 a day. Mr. Cook said other users give the events space, so basically renting the pavilion is renting half the park. Councilwoman Beer said the Yacht and Sailing Club is much more expensive.

Mayor Keyserling said he thinks it's a question of choosing private venues over events open to the public. He doesn't like the gates for "heritage festivals," but he doesn't have a better idea about how to get people to pay. Mr. Dadson said there are heritage events, Chamber and Main Street Beaufort events that are celebrating a district and are business drivers, and open public events like Lilies on the River. The weddings in the park create competition with the private sector, and when someone uses a fence, it's enclosed and becomes a room presenting certain hazards. He feels the question before council is to decide what they really want.

Ms. Fabian said she's concerned about all festivals being treated the same because the planning process for each is different. She said her group will do whatever the consensus is. Mr. Cook said the 4 heritage festivals will have a memo of understanding. The city tries to address each on a level playing field, so each will be tailored. Ms. Burgess said the policy sets parameters for the city's expectations. Councilman Fordham asked if there were restrictions on the park next to Beaufort Memorial Hospital. Councilwoman Beer said it's the hospital's park, people have to deal through the hospital to rent it, and there's no cost for using it. Councilman Fordham suggested moving weddings to there. Councilwoman Beer said personally she doesn't like weddings downtown. Mr. Cook said they're in competition with other businesses in the wedding business.

Mr. Dadson said the park is a big piece of public space, a second Main Street for businesses. Councilman Fordham suggested they should "just say no weddings." Mayor Keyserling said they might as well talk about political groups in the park as well: Are they public gatherings? Do they need a permit? From this policy, a political event would be like a wedding. How should they be handled "so the city doesn't look like a bad guy?"

Ms. Hughes said at a recent council meeting, Councilman Fordham pointed out the need for understanding across the board that this policy rules, and the ability to come to council and ask for a list of waivers "has to go away." She feels this is the way to go: set policies with a little flexibility. She suggested bringing in the groups who have festivals to explain the policy, and the fact that there wouldn't be any more exceptions from council. Councilman McFee said the memo of understanding's intent will be to allow those exceptions.

Ms. Hughes stated that any and all fees, unless the city manager makes a decision to waive the fees, need to be paid up front. She added that deposits won't be refunded until after a thorough review to determine there was no damage; in the past there have been some who slipped through. Ms. Burgess said that was because of the way the former policy was structured.

Mr. Dadson suggested adding a way to build in "some carrots towards the kind of events council does want." Mayor Keyserling said the idea to better utilize the park for arts and culture is in the comp plan. He thinks it's a huge asset, and he feels A-tax money could be leveraged to subsidize some of the costs of the park for.

Mr. Dadson said council has taken the downtown and expanded it beyond the idea of a park and Bay Street. The visitor's center is at the Arsenal, so the Beaufort experience begins there. He said Main Street Beaufort's Wednesday market is also good for this. Mayor Keyserling said cultural happenings can be produced throughout the downtown. They're making a huge investment to see that it's used, respected, and cared for. He thinks the active marketing piece is very important. The bike race is an example. He feels they need to look at other events like that, i.e., a 5K race where people see and appreciate their town.

Mr. Dadson suggested a yearly request for these sorts of events and tying in the A-tax money. Getting more people to downtown Beaufort means more people will want to live there which leads to a better retail mix. While waiting for Boundary Street, this is a chance to solidify downtown. Mr. Dadson said they also need to decide who they want in downtown; just tourists? People living in the planned communities who decide they would like to live downtown? That's the idea of the comp plan: living and working in the same place and removing the barriers.

Ms. Hughes said a carrot may be looking at the existing structure in terms of what is an appropriate fee structure given the effect on the public use of that facility, i.e., the pavilion rental. Councilman Fordham said a motion could be made at the next meeting to stop weddings. Mayor Keyserling said he agrees but feels it's just piecemeal.

Mr. Dadson reiterated that they "need to look for the carrots." He said the Chamber and Main Street Beaufort need to figure out lots of things that could be brought in and plan a picture of a full year, integrating the A-Tax committee. Mayor Keyserling said they should integrate organizations that are always looking for help. Mr. Dadson said the group could say "We want 20 events for children, 20 performing arts events, educational events, music events," or they could approach it by thinking about how to get people in on Tuesdays. What athletic events could go in the park? This kind of organization makes it easier to determine costs.

Mayor Keyserling said Open Land Trust could be entrepreneurial and charge to use the Bluff for weddings. Councilman McFee said A-Tax requirements are in disagreement with what's being discussed. Mayor Keyserling said he'd use it to draw people here and be part of a vibrant community. Mr. Cook said what's key is getting the citizens who pay for the park to get to use it. Mr. Cook said debt and maintenance are close to a \$1 million.

OTHER BUSINESS

Mr. Dadson asked if council needs to have a tree discussion on next week's agenda. There was discussion about where they stand to date: Mr. Dadson said SCE&G's response was that they'll be resuming trimming June 1. The city attorney is reviewing all the agreements, who has what rights, and what they will and won't do. This will be done by next Tuesday. The agreement will be updated per council's request. Mr. Dadson said the city could take the Tree Board regulations that SCE&G agreed to, but whether they "will be able to push the envelope" is unknown. The last piece of the puzzle is the economic question. Long-term, the council should have a list of neighborhoods / corridors / districts that can have lines buried under the non-standard service agreement. Mayor Keyserling said he hopes after June 1, the Planning Commission, the Tree Board, and neighborhood groups to come up with a long-term plan.

Ms. Burgess asked if there is going to be further discussion of the Waterfront Park policy or a motion at next week's council meeting about excluding private events. She said she'd like to implement the policy July 1. Ms. Hughes said there is an ordinance in place related to the Waterfront Park, rentals, agreements, fees, etc. They need to look at that and compare it to the policy under discussion. Mr. Dadson said it would be best to bring it back to work session in

two weeks. Mr. Dadson asked Ms. Fabian to think about integrating incentives and bring it back to council by the next work session.

Maxine Lutz said within the Historic District, one group could become pitted against another if all sections are not undergrounded. There are lines of division. She added that the Old Commons concert and fish fry is Saturday at 6 pm at the Lodge.

ADJOURNMENT

There being no further business, Councilwoman Beer made a motion, seconded by Councilman Fordham, to adjourn. The motion passed unanimously and the meeting was adjourned at 5:38 p.m.

ATTEST: _____
IVETTE BURGESS, CITY CLERK