

A work session of the Beaufort City Council was held on August 31, 2010 at 4:00 p.m. in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Council members Donnie Ann Beer, Mike McFee, Mike Sutton and Mayor Keyserling, City Manager Scott Dadson, Shirley Hughes, Ivette Burgess and Mack Cook. Councilman Gary Fordham 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 work session to order at 5:02 p.m.

### **INTERVIEWS – BOARDS AND COMMISSIONS**

**Pat Case** interviewed for a position on the Redevelopment Commission, and **Joel Newman** interviewed for reappointment to the Historic District Review Board (HDRB).

Mayor Keyserling introduced **John Gadsden** to the table and said he had agreed to serve on the Housing Authority if council appoints him. Mayor Keyserling said the Housing Authority has been disconnected from the city in an unproductive manner. There are many redevelopment dollars available in housing. If Mr. Gadsden takes the position, the city and the Redevelopment Commission would be behind him in his effort to get the Housing Authority to look “outside the box.” Mayor Keyserling presented Mr. Gadsden’s credentials as they would apply to this effort. Mr. Gadsden explained what his areas of interest would be in the position. He stressed that he is not interested in seeing “business as usual,” in regard to workforce housing.

### **DISCUSSION REGARDING PERFORMANCE STANDARDS RELATED TO BUS TOUR SLOTS**

Mr. Dadson said city attorney Bill Harvey was asked to draft an amendment to section 7-11044(f) of the tour bus ordinance that would add the following sentence at the end of the section to make it consistent with that of the carriage tours: “Should either of the licensed tour bus operators cease to operate for a period of more than sixty (60) consecutive days, the rotation slot shall be forfeited and the slot shall be open and available for purchase in the same manner.”

Councilman McFee asked if, at the end of the 60 days, they would reinstate a bid process for the slot. Councilman Sutton said there is no bid process; there is a fee. **Peter White** asked if there should be a bid processes for slots for the buses as well. Councilman McFee asked if the bus tours are competitive. Mr. White said they want to have a bus to provide tours in the event of extreme hot and cold weather. Councilman Sutton asked when the fee ever came back to council for adjustment. Mr. Dadson said it never does for buses. Mayor Keyserling asked if buses should be dealt with like the carriages and if there should be “a universal model,” with the same system for both. Councilman McFee said TMAC has guidelines.

Mr. Dadson said the question is how to fill the two slots. He doesn't feel it needs to go to bid. He wanted to know if the guideline was that they can get their license and operate on the 61<sup>st</sup> day (after an operator ceases operation). Mayor Keyserling said they could get to the point where they are restricting competition. He wondered why they didn't use a process for the tour

buses that has worked so far for the carriages. Councilman Sutton said out-of-city tours can only do 60 per year. There was general agreement on “the performance kicker.” Mr. Dadson asked if council needed more clarification about the other elements of it. Councilman McFee said the ordinance has performed for the time they’ve had it. There is potential to look at what could be better refined, but business doesn't need to stop. There are guiding ordinances at this point. Mayor Keyserling said this is a good stop gap, but they need to look at the whole ordinance at some point. Mr. Dadson said one buys a slot to keep competition from walking in. He thinks the performance standard is fair, and if a license is given, it should be for a certain period of time, and the fee should maybe be a little more competitive and more predictable and able to be policed.

**Rose White** said she’s concerned that no matter what happens, in the future, there’s no way for her to get into the bus business. Councilman Sutton said that in the longer term, the period of time needs to be made more feasible. Now, they need only operate 6 tours to keep their license. Mayor Keyserling asked when their bid expires. Ms. White said in 18 months. Mayor Keyserling asked if they should bring TMAC back in anticipation of both ordinances.

Mr. White described the operation at Arcadia National Park in Maine, which has one operator on a ten-year contract. It operates well, one carriage operator makes a good profit, and it eliminates a lot of problems. They could do it by proposal and/or bid process. Councilman McFee said BH would have to look at it. Councilman Sutton said he doesn’t want to be stuck with an operator for 10 years if the relationship goes bad.

Councilman McFee said there’s stability there for the staff who has to work with it. He said he’s aware there are performance requirements. Councilman Sutton said the city has been recommended doing it this way legally. Ms. White said the letter they wrote to the city manager asked if Ms. White was next in line for a slot. Mr. Dadson said they told her to get her name in, and they distributed slots in the order of applications received. He thinks it would be fairer to have a predictable process as to how it happens and what realistic expectations are. Council has to adopt this ordinance before the 60 days can start. Councilman Sutton said Mr. Dadson can make a call on this. But Mr. Dadson said if the current slot holder runs his bus between now and then, he only has run it once in 60 days. Mr. Dadson said he’ll seek the advice of the city attorney. If they read it for the first time September 14, 2010, it will go for second reading two weeks later; it goes into effect after the second reading.

#### **DISCUSSION REGARDING RAIL TO TRAIL GRANT**

Mayor Keyserling said that Beaufort County, City of Beaufort, and Port Royal applied for a \$4 million+ TIGER grant for a skeleton shuttle bus service, a linear park from Port Royal to Laurel Bay, and more sidewalks and connectivity. The grant was not awarded. The county was awarded \$3.1 million. Because the City of Beaufort isn’t a large enough area, the money comes through other areas, in this case the SCDOT. Mayor Keyserling said the county has known about this for 60 days. 30 days ago, Mayor Keyserling met with County Council representatives Flewelling, Sommerville, and Von Harten. At a second meeting, Mayor Murray came, too.

Mayor Keyserling said Highway 170 and Allison Road could be connected; the North Street trestle is going to be made an access for emergency vehicles. The council representatives agreed with Mayor Keyserling. The section under discussion is almost in Port Royal, and they want to connect it to get from Ribaut Road to Battery Creek Road to where the sidewalks are. Mayor Keyserling said everyone was on board with this plan, except for those who felt they couldn't tell the grantor what was needed to make it work.

Mayor Keyserling said the Northern Beaufort County Regional Planning Commission (NBCRPC) would make it work. He has told County Council that they should not waste the grant money. The staff is waiting to be told to do something they can't do, so he made a motion to restrict the project to something that is do-able. , and they could meet with the FTC. The vote was 6-5. Mayor Keyserling said that it's not that those who voted against it are opposed to what's being proposed; they're afraid to stand up to staff, COG, or a federal agency. If they could come up with another project, i.e., a \$3 million bus system, he doesn't want to come back with something that's going to fail. He doesn't think there's lack of support. He thinks they fear that if they challenge a federal agency, they won't get their \$3 million.

Mayor Keyserling said Paul Sommerville was under the impression that if they challenge a COG, they won't get the money. Mr. Dadson said they're a publically owned. Jim Hicks has given Mayor Keyserling the impression that they can move forward. Also, he was told that this would be resolved by BTAG, which he called a group now in the midst of trying to stretch money for projects.

Mr. Dadson said the Joint Municipal Planning Commission (JMPC) unanimously endorsed a motion for the city and Town of Port Royal to contact county officials and request that the Bus Livability funds be prioritized by NBCRPC rather than BTAG. Mayor Keyserling said Port Royal would meet the following night and will make it known to the powers that be that SCDOT has agreed that Beaufort County could administer the funds and told them so, so that the COG or county won't take fees out of it.

Mayor Keyserling wants the money to be put to the best practical use, not spread among 3 projects. He would propose that it's designated for the path from Highway 170 to Allison Road and sidewalks brought from Salem Road to Highway 170; Battery Point and Salem Point could be connected to the YMCA. On the other end, they would do the same thing to get from Port Royal to Battery Creel Road. That connects the major part of the density of Port Royal. It does so many things for the city and its citizens.

He's under the impression "that \$3 million is a feasible number." He also wants to ask BJWSA to participate. Mr. Dadson said that they should say that the county has every reason to stay in the extension of TIFs 2 and 3. Mayor Keyserling said he agrees but he doesn't want to confuse the two issues. Mr. Dadson said impact fees are not available now, and they need a reminder that there's a sensible way to stay in the game and help them get further grants. Five of the County Council members live in an area unaffected by this proposal. He doesn't want the matter to go before the whole council. Mayor Keyserling said the next step is to draft a letter

that will go to Port Royal before their meeting. He said Joe DeVito is going to get something similar from the JMPC.

### **DISCUSSION REGARDING CONSOLIDATING COMMITTEES/BOARDS**

Mr. Dadson said he wants council to think about committee and board consolidation. The emphasis now is on civic space and the way parks and open spaces are managed, the trees, etc. He feels "it's all interconnected." He thinks the park system should be thought of more broadly and comprehensively, as should getting trees in the public right-of-way. He would like council to think about how to consolidate these activities into one board. They need to think about the best structure to connect all the civic space. Isolating any one of them isolates dollars.

Mr. Dadson said the make-up might have representation at the neighborhood level, by specialty orientation, or a mix. Councilman Sutton said the Tree Board and the South Side Board could be folded into the Parks Board. Mayor Keyserling said it sounds good but made the caveat that before they let the Tree Board go, they need to get on with the SCE&G plan. Mr. Dadson said it only makes sense for the Tree Board to think of more than trees on private property. There are very few trees on public property.

Mr. Dadson said the linear path under discussion is also about connecting people. Councilman McFee asked if Mr. Dadson meant that the current Tree Board would work as part of the Parks Board. Mayor Keyserling said the city had a committee concerned with parks and trees in the past. Mr. Dadson said that when they gave up the parks to the county, the city can call an audit on all of the county parks within the city system, and he highly recommends that they do so. Councilman Sutton asked if the county would want to give the parks back. Mr. Dadson said he thinks it's worth a discussion to find out. Councilman McFee asked why they got rid of PTAC. There was general discussion of what happened and when. Mr. Dadson said the comp plan calls for what he's proposing. He would also encourage the creation of more neighborhood groups.

Councilman Sutton said walking trails are being put in in Pigeon Point Park. He wondered if there's lighting going in, too, after a citizen questioned him. Mr. Cook said it's not in the grant, which is for the trail only. Councilwoman Beer said the parks were turned over to the county because at the time they couldn't afford to keep them up. Mr. Dadson said he doesn't disagree with being part of a county-wide system, but the more complicated part of parks is recreation - the scheduling of time - which he wouldn't want the city to take on. The spaces are under-utilized. Councilman Sutton said they need options to make long-range planning work and this would be a part of that.

### **EXECUTIVE SESSION**

On motion of Councilman Sutton, seconded by Councilwoman Beer, council voted to move into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws to discuss contractual matters. The motion was approved unanimously.

Councilman Sutton, seconded by Councilman McFee, made a motion to come out of executive session and resume the council work session. The motion was approved unanimously.

**ADJOURNMENT**

There being no further business, Councilwoman Beer made a motion, seconded by Councilman McFee, to adjourn. The motion passed unanimously and the meeting was adjourned at 7:40 p.m.

ATTEST: \_\_\_\_\_  
IVETTE BURGESS, CITY CLERK