

A regular meeting of the Beaufort City Council was held on November 10, 2009 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 Reverend Wyatt Minton III, Wesley United Methodist Church. The Pledge of Allegiance was led by the Mayor.

PUBLIC COMMENT

Debra Johnson, 1710 Duke Street, complimented the city's work in the Northwest Quadrant on the weekend before. She shared an e-mail from someone who'd been there and seen all the work that was done. Mr. Dadson said the average sanitation tonnage is 4 tons per day; 26 tons were picked up in two days in the Northwest Quadrant, plus an additional 6 tons of yard debris and 2 tons of greenery out of the right-of-way. He shared other neighborhoods that will be getting similar clean-up in the near future.

Laura Von Harten shared a copy of the Tree Map with council.

Eddie Rogers commended Chief Matt Clancy and another officer for their actions at a "Tea Party Express" meeting in Waterfront Park.

PUBLIC HEARING

UDO AMENDMENT REVISING SECTIONS 6.2.D, 7.1.A, AND 11.2 TO REVISE THE STANDARDS FOR TOWNHOUSE DEVELOPMENT

Mayor Keyserling opened this public hearing. Libby Anderson said townhouse dwellings are currently permitted in several districts in the city now. The proposed standards are more urban in character. This will not change the locations in which townhouses are permitted. It changes the WAY townhouses are developed. She showed slides of developments currently permitted by ordinance and the type that will be encouraged and, to some extent, required. They're located on the street with sidewalks, parking isn't visible, etc.

Three areas of change:

- 1) The definition of "townhouses" (11.2)
- 2) Delete section 6.2.D and replace with other standards:
 - All townhouse units must be located on a street. Row house might be a better term.
 - There needs to be a sidewalk in front of the townhouse.
 - Changes in build-to lines in residential and commercial districts
 - No set-back requirement
 - Maximum building coverage is 85% per lot; there's no limit on impervious surface.
 - Two on-site parking spaces required & located in the rear of the home.

- Changes in design standards, i.e., finished first floor height is raised at least 3' from average adjacent sidewalk grade, etc.

3) Clarification of the issue of street access (7.1.A)

Planning Commission recommended approval at their October 5 meeting. Local architects have offered input as well.

Ms. Rogers asked if there are a minimum or maximum number of units per building. Ms. Anderson said the minimum is 3 units and the maximum is unlimited. They're permitted in 3 districts: general residential, neighborhood commercial, and office commercial districts. Mayor Keyserling asked if general residential was the only district in which apartments were permitted. He asked what is done if there's no precedent for townhomes in the historic district. Councilman McFee said there are condos on King Street and on New and Port Republic streets. Mr. Dadson said the current text supports a more suburban rather than urban form. Ms. Anderson said they'd asked Historic Beaufort Foundation, which responded about location, not design.

Mayor Keyserling proposed an exception for the Historic District. Councilman Sutton said no townhouse design in the Historic District will get through the Historic Review Board. Ms. Anderson said there are other neighborhoods where townhomes are appropriate. Mayor Keyserling said there's a clear distinction made between urban and suburban townhouses; he's more concerned about increased costs. Councilman McFee asked if the architects commented on increased costs because of the redesign. Ms. Anderson said no, and this doesn't address materials. Mr. Dadson said the design issue isn't one of cost, but of how it's set on the lot, etc. Councilman Sutton discussed the 3' elevations and said they're not needed in every case. Mayor Keyserling said it's desirable to accomplish the vertical look and they need to be flexible. He said it's mostly not infill-suited because of lot sizes. Ms. Anderson said it will be difficult to come into an existing planned lot and do this. Mr. Dadson said the issue of whether the units are up and off the ground might need to go back to the Planning Commission. Ms. Anderson said bringing it off the ground makes a big aesthetic difference right away. Mr. Dadson said the flood elevations are a concern.

Ms. Johnson said much work was done on the preservation plan. She would like to see a lot of discussion about the recommendations in the preservation plan. An urban design is "lovely" but may not belong in the Historic District. Mr. Dadson said it creates more alternatives for using land more efficiently. Ms. Johnson said in the parameters set out, 85% of the lot can be taken up by the building and then there needs to be off-street parking and there are a few places in Beaufort where that is the model.

Wyatt Minton asked if 5' sidewalks were the standard now. Ms. Anderson said the current minimum is 4' but ADA requirements make it 5'. Ms. Rogers offered the senior perspective: 3' off the ground is more attractive and they would want a garage and she asked if there was any reason they couldn't have one. If townhouses are three stories, seniors would need an elevator. The proposed two or three stories makes the townhouses seem as if they're not really for seniors. Councilman Sutton said it depends on where it's built. A developer would design it for a specific reason, and will be driven by the potential buyers' needs. He doesn't want to mandate and take away from the builders, architects, and engineers.

There being no further public comment, the mayor closed this public hearing.

MINUTES

The minutes of the regular city council meeting of October 27, 2009 were presented to council for review. On motion by Councilwoman Beer, second by Councilman McFee, council voted unanimously to approve the minutes. (Mayor Keyserling asked that the minutes reflect, in reference to the last regular council meeting discussion about length of terms for new members of the Redevelopment Commission, that research determined that state statute limits service to 2-year terms, not 3-year terms.)

AMENDMENT TO FY 2010 BUDGET TO ADD A \$50,000 STATE PARKS GRANT

Councilwoman Beer moved and Councilman McFee seconded approval of the amendment on second reading. The motion passed unanimously.

IMPORTANCE OF ESTABLISHING A COMPLETE COUNT COMMITTEE

Dr. Paul Shepherd, Partnership Specialist from the US Census, gave council a packet about background on the census and where they're headed through March. He discussed a Complete Count Committee to allow the best possible count for the city. Mobilizing people on the local level - ministers, teachers, etc. – allows census to get to “each nook and cranny in the city.” This in turn allows the city its fair share of funding resources. A Complete Count Committee has been named for the county. Communities are best served and better-targeted when they have a local group to ensure that they get to everyone in the city. Complete count (like people who live in hotel rooms) isn't possible unless the census knows about them, i.e., “group quarters.” They emphasize simplicity (10 or fewer questions), safety (confidentiality), and importance.

Mayor Keyserling asked what an ideal number of people would be for the committee. Dr. Shepherd said in Denmark they have 15 and Estill has 5. Councilman McFee asked if, in an overlapped jurisdiction, the county avoids the municipalities that have their own committee. Dr. Shepherd said no, the Complete Count Committee in the city feeds information to the county committee. South Carolina has in the past had a significant undercount.

Councilwoman Beer asked about people with P.O. boxes. Dr. Shepherd said if there's no mail delivery to a home address, they're delivered by census workers. Councilman Sutton asked if census was accounting for second homes vs. primary residences. Dr. Shepherd said it's where they are April 1, theoretically, but if you own 2 homes, you can claim whichever residence you choose. Councilman Sutton said many homes are empty in Beaufort most of the year. Mail-outs may never get picked up. Dr. Shepherd said he's encouraging people who have a home here to give their count for their Beaufort home so that Beaufort gets the resources.

Mayor Keyserling asked if there's a special approach for the military to encourage them to claim this area as their physical address and not hold it against them as it might for tax purposes. Dr. Shepherd said there will be a special outreach to the military. Some Complete Count Committees are council members themselves and others have volunteers. He'll come back to train the committee. Councilwoman Beer suggested neighborhood watch groups would be a good

resource for the committee. Dr. Shepherd said he knew people locally who'd expressed interest. Mayor Keyserling said this should be put on a work session agenda.

APPROVAL FOR "LOWCOUNTRY EXPLORE" TO OBTAIN A BUSINESS LICENSE

Councilwoman Beer moved and Councilman McFee seconded approval of the license for the tour guide service business. Ms. Hughes said the ordinance requires approval by someone other than staff. Ms. Von Harten will have a business that starts and ends in the city, but the tours won't be in the city. The motion passed unanimously.

MOTION APPROVING CHANGE IN CITY COUNCIL MEETING SCHEDULE

Council had discussed in their work session cancelling the regular meeting date of December 22, 2009 and the work session scheduled for December 29, 2009. Councilwoman Beer moved and Councilman Fordham seconded approval of the schedule change. The motion passed unanimously.

DISCUSSION REGARDING BEAUFORT COUNTY TRANSPORTATION PRIORITIES

Mr. Dadson said he had obtained information about approval of the sales tax referendum. The "Northern Connector" was the term used in various documents. It provides a third crossing and a continuous bypass around the downtown area. There are multiple capacity issues in Northern Beaufort County with transportation infrastructure. He discussed road widening and the termini. The discussions at the time meant that everything wouldn't come together at one intersection. Bringing it up and around was considered to be important. The current city and Port Royal comp plans try to deal with that. All these things were considered important and why the referendum was supported. Boundary Street parallel road and improvements were supported at the same time. He said the recent report only goes so far and does so much.

Mayor Keyserling said that at last week's work session, Rob McFee, county engineer, made a presentation. There won't be enough money to do everything, and they had completed a study of the Northern Connector and the most feasible approach financially was to build a bridge across to Bellamy Curve. Furthermore, it dumps 15,000 additional cars on to Boundary Street, which can't hold it. Next Monday, the BTAG committee is going to meet, go through all the projects, and council's contention is that the northern route is worth pursuing, even though no one knows how to pay for it. Mayor Keyserling went to the Lady's Island Business Professional Association. He said Paul Sommerville is in support of the Northern Connector as the only way, even though it's expensive. Mayor Keyserling feels that moving the bottleneck 10 miles out of town is better. He also suggested it would probably be less expensive to buy out every opportunity to build on Lady's Island, as opposed to a \$180-190 million project. He wants to ensure that the Northern Connector is not given up on. If it comes to the point where money is being moved around, he thinks council needs to stand firm on keeping it northern.

Councilwoman Beer said there's a question about how it will affect joint strike fighters because of the height of the bridge with a northern connector. Ms. Von Harten said the MCAS wants to cooperate. Mayor Keyserling said years ago they offered to donate land. Councilwoman Beer said this has only come up recently. Mr. Dadson said the county, MCAS, and Land Trust purchased development rights so that the Clarendon land could be used more readily. He didn't see anything in the report about bridge height and Mayor Keyserling said he didn't recall it,

either. He recommends further discussion and putting the council's position on the table for the BTAG meeting. Councilman Sutton said the Redevelopment Commission directed a letter of support for the existing plans.

Ms. Von Harten asked if changing the Woods Bridge was involved in the discussion last week. Mayor Keyserling said that it wasn't raised in the discussion with Mr. McFee. He said that the BTAG meeting is at 10 a.m. in County Chambers on November 16.

Ms. Rogers said everyone at a charette last year seemed to think the northern connector was a must. Mr. Dadson said in the referendum, \$6 million was for study *and* preliminary land acquisition, depending on what the study said. Mayor Keyserling said Northern Beaufort County was collecting more sales tax than was expected *for this project*. Mr. Dadson explained that every project on the list was a little bit different in terms of where they were in their points of study. The impact fees had slowed substantially, and that had been 50% of project costs for the Boundary Street Project. They're not "sunsetting." An idea was raised that if the sales tax is trending well and can make up the difference for impact fees, it might be good to go back to voters and see if they approve it to be re-appropriated. Ms. Rogers said she hopes the city "will act like Georgia does" in that regard.

RESOLUTION DIRECTING CITY MANAGER TO PURCHASE PARKING METER UPGRADE EQUIPMENT WITH TIF I PROJECT FUNDING

Councilwoman Beer moved and Councilman Fordham seconded approval of the resolution. Ms. Hughes said one aspect of the changes in parking management has been to change current parking meters to pay stations. They're proposing to council to do this with money from the TIF 1 district. The city will continue to maintain ownership of the equipment. There's been no determination of pay station type. Redevelopment Commission, Main Street Beaufort and Lanier have been clear about needing further discussion and involving those who will use parking on a regular basis to get a clearer understanding of their preferences and usage.

Councilman Sutton asked whether the city wants to own the machines or not. He wondered what control that gives the city other than liability. Mr. Dadson said in the way the budget is set, a reserve is built. Also, the current technology was going to be replaced anyway. And if the city goes back into the parking business, they need to own the asset. Councilman Sutton asked how it was budgeted for if it was unknown what equipment would be bought. Mr. Dadson said Lanier did an initial survey of the 467 spots, and determined that this is what the replacements would cost. Ms. Hughes said just replacing one part of it was going to cost a lot of money even before they decided to switch parking management.

Mayor Keyserling said lot spaces owned by businesses could be negotiated with Lanier and if/when the business closes, the kiosk could go to another site. Councilman Sutton asked if Lanier was the vendor, and Ms. Hughes said no. There are several and they'll take bids. She added that it might be one pay station per block. There are a variety of types of pay stations.

Mayor Keyserling asked council if they feel they should wait closer to the time of purchase to make this decision. Mr. Dadson said he recommends having it in place now. Mayor Keyserling said there's no dollar amount given and asked if there should be a maximum. Councilman McFee

said he has no objection to putting a dollar amount on it if staff thinks it should be done. Ms. Hughes said they could give approval and come back with a final number before they issue a purchase order. Mayor Keyserling said he has no objection to authorizing them to do it, but he's concerned that they're allocating funds and council's oversight is in their budgeting. Councilman McFee said they still serve on the Redevelopment Commission. Councilman Sutton said he's okay with it as written, but he wants to be briefed on what kind of equipment is being considered. Councilman Sutton said they're authorizing using TIF 1 funds to do something that's in the TIF 1 district.

Councilwoman Beer amended the motion to add that staff will come back to council before the actual purchase of equipment with a report. Councilman Fordham seconded the amendment. Mayor Keyserling suggested "adding a comma" and the words "upon final approval of council" to the last paragraph / "Wherefore..." in the resolution. Mayor Keyserling passed the gavel to Councilwoman Beer and made the motion. Councilman Sutton seconded the motion and the motion passed unanimously.

RESOLUTION CREATING A TRICENTENNIAL COMMITTEE

Councilwoman Beer moved and Councilman McFee seconded approval of the resolution. The motion passed unanimously.

CITY MANAGER'S REPORT

Ms. Hughes said that on November 23 at 5:30 p.m., the FY 2009 budget CAFR results will be presented to the general public.

MAYOR'S REPORT

Mayor Keyserling said that the Port Royal/Beaufort Joint Planning Commission is moving ahead and will join the November 20 Northern Regional Plan meeting. He also said he had forwarded the news release regarding people interested in positions on the Redevelopment Commission and hoped others would forward it, too. There has been a lot of interest already.

REPORTS BY COUNCIL MEMBERS

Councilman Fordham suggested getting Joe Wilson involved with the Woods Bridge timing for opening. He feels fewer openings would be good for the merchants downtown. Councilman McFee said it used to open at 20 minutes, 40 minutes, and on the hour, but has switched to on the hour and half-hour unless commercial boat traffic comes through. Councilman Fordham thinks once an hour would be even better than twice, adding that other East Coast communities do it once an hour. He also brought up an issue with the Burton Fire District that Mayor Keyserling said Mr. Harvey would cover at the meeting's executive session.

Councilwoman Beer asked what can be done for people not in the districts receiving neighborhood clean-ups. She asked if the clean-ups were only being done in neighborhoods that have association groups. Mr. Dadson said special pick-up can be arranged any time. The contractors are picking up some neighborhoods on weekends so the contractors can staff up for that particular day and take care of it then. It helps when the whole neighborhood is working together. Pigeon Point could add in those streets Councilwoman Beer mentioned if the association includes them and lets the city know. They could add Higginsville. Ms. Hughes said

the maps are clear so the contractors know to cover those streets that day. Ms. Johnson said the public doesn't realize that there's not a charge for the service. Mr. Dadson said there should be an extra level of emphasis that they can get it done, and that it's best when the whole neighborhood does it at the same time.

Mayor Keyserling said that he had heard that Councilwoman Beer and Councilman McFee are ready to discuss signs. Councilman McFee agreed that it could be added to the next work session agenda.

EXECUTIVE SESSION

On motion of Councilwoman Beer, seconded by Councilman Fordham, council voted to move into Executive Session pursuant to Title 30, Chapter 4, Section 70(a) (2) of the South Carolina Code of Laws for legal briefing pending litigation from the city attorney. The motion was approved unanimously.

Councilwoman Beer, seconded by Councilman Fordham, made a motion to come out of executive session and resume the regular council meeting. The motion was approved 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 8:26 p.m.

ATTEST: _____
SHIRLEY HUGHES, ACTING CITY CLERK