

A regular meeting of the Beaufort City Council was held on September 23, 2008 at 6:00 p.m. in the County Administration Building, Ribaut Road. In attendance were Mayor George H. O'Kelley, Council members Donnie Ann Beer, Gary B. Fordham, Mike Sutton, and City Manager Scott Dadson. In accordance with 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.

PLEDGE OF ALLEGIANCE

The invocation was given by Rev. Eric Spivey Interim Pastor of the Baptist Church of Beaufort. The Pledge of Allegiance was led by the Mayor.

PROCLAMATION

On motion by Councilwoman Beer, second by Councilman Sutton, Council adopted the proclamation designating September 27, 2008 as A Day of Repentance, Peace, Prayer and Reconciliation.

PUBLIC COMMENT

Jim Pisciotto, 1306 Battery Creek Road, expressed his concerns with the Pond Place Apartments located at 1412 Battery Creek Road. He stated it is supposed to be a senior government subsidized housing project. The project has been reviewed by the Design Review Board three times with no action. Council does not seem to be taking a pro active approach on this issue because he submitted petitions with 40 signatures from the neighborhood that are against this project. He added that something needs to be done to discourage the development.

Hugh Folk, 1750 Pigeon Point Road, said he is representing his neighborhood crime watch association who are also involved in supporting the Pigeon Point Park. He said they need a fence on the Pigeon Point side of the play area to discourage children from running into the road. The fence that has been recommended will cost \$16,000. They will supply the labor which will reduce the total cost. They have raised \$11,000 by selling engraved, memorial bricks which have been placed in the walkways. However, they are asking the City to provide the extra \$5,000.

Dot Gnann, 1509 Riverside Drive, addressed the Pond Place project. She said there are over 700 multi-family dwellings in the Mossy Oaks area. The police department, the school, and the value of the homes will be affected. She suggested talking to the developers regarding alternative housing because the characteristics of the neighborhood are being changed. The zoning in Mossy Oaks needs to be considered too. Mayor O'Kelley asked staff to review the zoning in that area to determine whether more single family residential homes are needed as opposed to what is there. Councilman Fordham agreed the zoning does need to be reviewed and suggested staff conduct a study of that area. Mr. Sutton mentioned the comprehensive plan studies are just beginning. He urged the citizens to attend and participate in the charrettes so those issues can be addressed. Mr. Fordham asked staff to provide a map with zoning designations at the next meeting. Council agreed.

Fred Washington, Jr, 804 West Street, voiced his opinion as a former member of the Beaufort Housing Authority about the Marsh Pointe development. His concern is that there is talk about moving those residents from a successful low income mixed neighborhood to other locations. The twenty-four families successfully reside there in a relatively good neighborhood because they have certain amenities available that makes life easier for them. He said that is a valuable piece of property but at the same time the needs of the Housing Authority and the residents should be considered. It is more expensive and difficult to maintain 26 scattered units than 26 in one area. He asked Council to make those families whole when they are moved and consider the additional expense to the Housing Authority. The Mayor suggested Mr. Washington attend a meeting when Reggie Barner makes a presentation again for the relocation of the residents.

PROCLAMATION

Anita Prather arrived to receive the proclamation approved earlier. She invited everyone to attend a prayer breakfast on Saturday morning at 8:00 a.m. at the New Covenant Church on Lowen Drive off Shanklin Road.

PUBLIC HEARING

A public hearing was held to receive comment on the **rezoning of a parcel of property located at 1103 Bay Street** known as The Anchorage, identified as District 120, Tax Map 4, Parcel 845. The existing zoning is "Office Commercial District." The proposed zoning is "General Commercial District." A Notice of Publication was duly published in the Beaufort Gazette on September 8, 2008. The Joint Planning Commission recommended approval of Neighborhood Commercial zoning.

Libby Anderson, City Planner, stated the structure is listed on the National Register of Historic Places. The building has housed many businesses over the years, one of them being a restaurant, she said. The proposed use of the property is a restaurant. Staff suggested either General Commercial or Neighborhood Commercial zoning. Ms. Anderson noted the differences between the two districts stating after studying the area, they are recommending Neighborhood Commercial. This zoning designation requires on-site parking. The applicant did present this to the Zoning Board of Appeals and they granted a variance for on-site parking; therefore, if the building is allowed to convert to a restaurant, on-site parking would not be required.

Dr. Paul Brewer, property owner and Broome Lane resident, said he was approached by a successful catering company who worked and lived in Knoxville, Tennessee for ten years. They would like to use the site for a venue for weddings, receptions, dinners, meetings, etc. The restaurant would actually be a lunch café during the week and serve brunch on weekends. Events would be held on weekends. The marina parking lot can provide parking for their customers.

The Mayor stated he received a phone call from the adjoining law firm who expressed concern about their parking lot being used by people going to the restaurant during their business hours. Also, he said a catering business will require vans for delivery and he is concerned where they will park while loading and unloading without reserved parking available.

Councilman Sutton also suggested Dr. Brewer inform his tenants that the marina parking lot is

heavily used during festivals of which they may not be aware.

There being no other comments, the public hearing was closed at 6:47 p.m.

MINUTES

The minutes of the regular City Council meeting of September 9, 2008 were presented to Council for review. On motion by Councilwoman Beer, second by Councilman Fordham, Council approved the minutes as presented.

REQUEST TO CLOSE STREET FOR TRICK-OR-TREAT

A request by the Executive Director of Main Street Beaufort, USA to close Bay Street from Charles to Carteret Street and blocking Scott Street in front of the Wachovia Securities office to allow the parking lot traffic to exit around the UPS Store on October 23rd from 4:15 p.m. to 6:00 p.m. for their annual Halloween event, Trick-or-Treat in Downtown Beaufort, was presented to Council.

Councilwoman Beer moved to approve the request. Councilman Sutton seconded the motion. The vote was unanimous.

ORDINANCE AMENDING UDO TO PERMIT BANQUET HALLS IN OC

The ordinance amending Sections 5.1., 5.3.D, and 11.2 of the UDO to permit banquet halls as a conditional use in the Office Commercial District was presented for first reading.

Councilwoman Beer moved to approve the ordinance on first reading. Councilman Fordham gave second.

Libby Anderson, City Planner, listed the following three conditions to allow banquet halls in the OC district: the use is located in the Historic District; it is located in a structure considered contributing to the character of the Historic District; and there is no outside amplification of any music or noise.

Council unanimously approved the ordinance on first reading. (Copy of Ordinance at end of these minutes)

ORDINANCE REZONING 1103 BAY STREET FROM OC TO NC

The ordinance rezoning 1103 Bay Street, a/k/a The Anchorage and identified as District 120, Tax Map 4, Parcel 845 from Office Commercial to Neighborhood Commercial was presented for first reading.

On motion by Councilwoman Beer, second by Councilman Fordham, Council approved the ordinance on first reading. (Copy of ordinance at end of these minutes)

RESOLUTION CHANGING CITY'S HEALTH PLAN

A resolution changing the City's Health Plan to the SC Local Government Assurance Group was presented to Council for consideration.

Dr. Kimberly Foxworth, Director of Human Resources, stated she, the City's senior accountant, the City Manager, and the Assistant City Manager have been reviewing different health insurance

carriers. They met with a representative from the Municipal Association of South Carolina to discuss their plan. After several meetings, they concluded that their plans would better suit the needs of the City. Their plan focuses on preventative care as well as regular coverage.

Councilwoman Beer moved to approve the resolution. Councilman Fordham seconded the motion. The vote was unanimous. (Copy of resolution at end of these minutes)

MAYOR’S REPORT

Mayor O’Kelley stated he received a message this morning from someone who was concerned about the debris from the storm still being in his neighborhood. By the time he returned the call, Public Works had been there and cleaned up the debris. He commended Public Works for taking care of it.

COUNCIL REPORTS

FORDHAM: Councilman Fordham asked the status of the cell phone ordinance. The Mayor stated he drafted a proposal which the City Attorney is reviewing. Mr. Fordham asked the City Planner if what he read in the paper today about a 94 room hotel with only 83 parking spaces proposed to be built on Boundary Street is true. Ms. Anderson replied that a submittal for the proposal has not been received by the planning department. However, in the Boundary Street Redevelopment District, the requirement for on-site parking is minimal so they would not be required to have one parking space per room. The Mayor said this should be addressed before final approval. Another concern Councilman Fordham had was about a dock that is proposed on the east side of the Woods Bridge in the Point. He is against building it and would like Council to state their position in the matter at the next public hearing which is scheduled for October. Mr. Fordham also asked the status of the traffic lights. The City Manager replied that staff has met with SCDOT and worked out the details on the equipment and the ability to remotely monitor the lights. Also, the City’s IT staff is creating a component wherein reports can be received from the public as a work order. This should be resolved before the end of this year.

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:07 p.m.

GEORGE H. O’KELLEY, JR, MAYOR

COUNCILWOMAN DONNIE ANN BEER

COUNCILMAN GARY B. FORDHAM

COUNCILMAN MIKE SUTTON

ATTEST:

BEVERLY W. GAY, CITY CLERK