

A regular meeting of the Beaufort City Council was held on September 9, 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 Councilwoman Donnie Ann Beer. The Pledge of Allegiance was led by the Mayor.

### **PRESENTATION**

Dennis Adams attended the 14<sup>th</sup> Reunion of the International Association of Beauforts in Beaufort, Isere, France last year as the City's representative. On behalf of the village of Beaufort, Isere, he presented a token of esteem from that town to City Council.

### **PUBLIC COMMENT**

**Carlotta Ungaro**, Chamber of Commerce, said they support reinstating Main Street and the Historic Beaufort Foundation's seat on the City's Historic District Review Board.

**Joy Locke**, Main Street Beaufort, mentioned she has received several calls about the traffic signal at the intersection of Bay and Carteret Streets. She said she wanted to make Council aware because there doesn't seem to be enough time for pedestrians to cross safely. Mayor O'Kelley stated some cities have a separate "walk" arrow and all the vehicles have a red signal. He said that might be a solution. The City Manager noted there is a pedestrian only light at Allison and Ribaut Road for the hospital where the signal stops the traffic all four directions. He said he would speak to the Highway Department.

**Tommy Logan**, expressed his and his neighbors concerns that a section of Ribaut Road from Baggette Street to the hospital will be resurfaced in conjunction with some work to be performed on US Highway 21. The Water Authority is to be notified to address maintenance issues and upgrades under the asphalt at that time so there would not be a need to make additional cuts once the resurfacing is completed. It was also brought to their attention that when this work is completed that Ribaut Road will be realigned with a center turning lane, one single southbound lane, one single north bound lane and a six foot bike and pedestrian trail on either side of Ribaut Road. Some of this is being paid for through the one cent sales taxes through the County given to the City for the Boundary Street project for new construction. He asked if Council will be involved and if that is the appropriate step to take. Both Council and the City Manager said they have not heard of a realignment occurring. He was aware of the resurfacing.

Mr. Logan said the Ribaut Road residents did approach the former highway commissioner to remove

the heavy truck traffic off Ribaut Road and return it to a residential street. Hopefully, the roundabout at the intersection of Ribaut Road and Boundary as well as the realignment will discourage heavy truck traffic from using that route. He said he would like Council to inquire through the highway department about changing Ribaut Road from a truck route on and off the islands.

### **PUBLIC HEARINGS**

A public hearing was held to receive comment on the **revision of Section 6.8.G, Boundary Street Redevelopment District, Street Types**, to change the proposed design of the intersection of Boundary Street and SC 170 from a roundabout to a signalized intersection. A Notice of Publication was duly published in the Beaufort Gazette on August 25, 2008.

Libby Anderson, City Planner, stated the traffic analysis report for proposed improvements to the Boundary Street Master Plan indicates that the roundabout proposed at the intersection of Boundary Street and Robert Smalls Parkway (SC 170) will not provide adequate traffic circulation. Therefore, City Council voted to change the design of that intersection from a roundabout to a signalized intersection. The Boundary Street Redevelopment District Ordinance contains a Regulating Plan that sets out a street classification system for existing and proposed streets in the Boundary Street district. The change in design necessitates a revision to the Boundary Street Regulating Plan.

The City Manager reminded Council that the Master Plan was funded by impact fees and the zoning code which sets out guidelines for private development was adopted. The Redevelopment District and the guidelines were then developed. The citizens also voted for the monies to make these improvements. Kimley Horn was hired to perfect the engineering as it relates to the Master Plan and they also met with the Department of Transportation to discuss the issues for the application. This ordinance revision is one of the administration matters required, he said.

Councilman Sutton asked if the parallel and frontage roads were considered when the traffic studies were conducted for changing to the "T" intersection. Larry Misner of Kimley Horn and Associates said the slip roads and the parallel street were included even though they will be built at a later phase. Councilman Fordham asked what was the traffic count. Mr. Misner replied that the current count on Boundary Street is about 36,000 vehicles per day and Robert Smalls Parkway has about 19,000 vehicles per day. He said they compared the traffic counts of Ribaut Road and Robert Smalls intersection and based on the projected volumes for the year 2030, during the afternoon peak hour the intersection of Boundary and Robert Smalls will have about 5,000 vehicles approaching from all directions. The Ribaut Road intersection will have about 4,500. More importantly, the Ribaut intersection will be a T intersection (3 legs); Robert Smalls will have 4 legs although the northern section will be small but as Boundary approaches Ribaut Road about half of the cars will turn right onto Ribaut Road. The Mayor mentioned a favorable article regarding roundabouts is in the current Time magazine.

**Karen Andrews** said she uses the Highway 170 and 21 intersection often and asked why the City is going to the expense of changing it. Mayor O'Kelley stated the proposed change will reduce the number of phases of the signals from five to three relieving backed up traffic. Ms. Andrews said her concern is when an accident occurs and traffic backs up will this change be effective. Councilman Sutton pointed out the long range plan is to install the parallel road that will provide two alternatives

in case traffic does back up.

There being no other comments, the public hearing was closed at 6:30 p.m.

### **MINUTES**

The minutes of the special City Council meeting of August 12, 2008 were reviewed by Council. On motion by Councilwoman Beer, second by Councilman Fordham, Council approved the minutes as presented.

### **MINUTES**

City Council reviewed the minutes of the regular City Council meeting of August 26, 2008. On motion by Councilwoman Beer, second by Councilman Fordham, Council approved the minutes as presented.

### **ORDINANCE AMENDMENT TO COMPLY WITH NEWLY ENACTED STATE LAW**

The ordinance amending the regulation of discharge of firearms to comply with newly enacted State law was presented for second reading and adoption.

Councilman Sutton moved to adopt the ordinance on second reading. Councilwoman Beer gave second. The ordinance was unanimously adopted on second reading. (Copy of Ordinance at end of August 26, 2008 minutes)

### **ORDINANCE RELATING TO SIDEWALK VENDING**

The ordinance amending Sections 7-9007 and 7-9011 of the City's Code of Ordinances relating to sidewalk vending to specify a new location in the Waterfront Park, include a sunset clause, and state that vending carts may be required to relocate during specific festivals and events was presented for second reading and adoption.

On motion by Councilman Sutton, second by Councilwoman Beer, Council adopted the ordinance on second reading. (Copy of ordinance at end of the August 26, 2008 minutes)

### **ORDINANCE AMENDING THE FY09 BUDGET**

The ordinance was presented for second reading and adoption amending the City's FY 2009 budget to transfer the payment for the sale of the Duke Street property to the Southside Park Project.

On motion by Councilwoman Beer, second by Councilman Sutton, Council adopted the ordinance on second reading. (Copy of ordinance at end of the August 26, 2008 minutes)

### **REQUEST TO SELL ALCOHOL AND CLOSE STREET FOR SHRIMP FESTIVAL**

A letter from the Beaufort Chamber of Commerce requesting use of the Waterfront Park on October 3 and 4, 2008, to close streets for the 5K Run, Walk through History and Popcorn Shrimp Run on October 4, and to close the entrance to the Charles Street extension of the Waterfront Park on October 4 was presented to Council for consideration. The letter also included a request to sell alcohol from 5:00 p.m. until 10:00 p.m. on October 3<sup>rd</sup> and from 11: a.m. until 5:00 p.m. on October 4<sup>th</sup> during the Shrimp Festival.

Councilwoman Beer moved to approve the requests subject to approval of the SCDOT and security of the City's Police Department. Councilman Fordham seconded the motion. The requests were approved unanimously.

**REQUEST TO USE PORTION OF THE WATERFRONT PARK FOR A BAPTISM**

A request from the Baptist Church of Beaufort to hold a river baptism at the Waterfront Park boat ramp and a picnic lunch in the Park from 12:00 noon until 3:00 p.m. on October 5, 2008 was presented to Council.

On motion by Councilwoman Beer, second by Councilman Fordham, Council approved the requests.

**RESOLUTION - 457 DEFERRED COMPENSATION PLAN**

A resolution changing the administration of the City's deferred compensation plan to the ICMA Retirement Corporation was presented to Council.

Councilwoman Beer made a motion to approve the resolution. Councilman Sutton seconded the motion.

Shirley Hughes, Finance Director/Asst. City Manager, said this resolution is to allow staff to move this program to the ICMA Retirement Corporation. This change will provide better customer service for the employees.

Council unanimously adopted the resolution. (Copy of resolution at end of these minutes)

**COUNCIL REPORTS**

**FORDHAM:** Councilman Fordham asked the City Manager for an update on the traffic signals. The City Manager replied a meeting was held with the SCDOT to transfer the necessary information and programs to the City to allow interaction. The plan is to have a public interface to allow the public to call or e-mail a complaint, he said. Also, more loop changes are being negotiated.

**BEER:** Councilwoman Beer commended the City staff on their performance during preparation for Hurricane Hanna.

**SUTTON:** Councilman Sutton asked for an update on the Bay and Carteret Street construction site and public safety improvements. He would like a safety plan for pedestrians coming off the bridge and would prefer construction not continue until that is in place. Also, he would like to have the Preservation update at an upcoming workshop. He reported that this Friday at noon, a homeowner will be moved back into his residence on Congress Street after major renovations through the Block by Block Program. This is the second completed home. On another subject, he said he saw the repairs to the sink hole at the Waterfront Park. It appears the contractor found the problem by the seawall.

**EXECUTIVE SESSION**

On motion by Councilman Sutton, second by Councilwoman Beer, Council moved into executive session pursuant to Title 30, Chapter 4, Section 70(a)(2) of the South Carolina Code of Laws to discuss negotiations incident to proposed contractual arrangements and the

appointment/reappointments to the Historic District Review Board.

**OPEN SESSION**

**Historic District Review Board**

Upon returning to Open Session, Councilwoman Beer moved to appoint Joel Newman to the HDRB. Councilman Sutton seconded the motion. The vote was unanimous.

Councilman Sutton moved to reconsider the vote based on the fact that Mr. Newman does not own property in the City which is a requirement of that position. Councilwoman Beer seconded the motion.

On motion by Councilwoman Beer, second by Councilman Fordham, Council voted to appoint Lisa Estees to serve a two year term on the HDRB because of her qualifications as a property owner. The vote was unanimous. This term will expire June of 2010.

**ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 7:25 p.m.

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GEORGE H. O'KELLEY, JR, MAYOR

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COUNCILWOMAN DONNIE ANN BEER

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COUNCILMAN GARY B. FORDHAM

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COUNCILMAN MIKE SUTTON

ATTEST:

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BEVERLY W. GAY, CITY CLERK