

## COUNCIL CHAMBER

Regular Meeting

January 14, 2020

The eighty-eighth meeting of the City Council of Charleston was held this date convening at 5:15 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media January 8, 2020 and appeared in The Post and Courier January 12, 2020 and are made available on the City's website.

### PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Delcioppo	District 1	Councilmember Waring	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Sakran	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Griffin	District 10
Councilmember Brady	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Jackson	District 12

Mayor Tecklenburg called the meeting to order at 5:15 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "Now, if you would like to join us, Councilmember Shealy will lead us in an invocation and Pledge of Allegiance."

Councilmember Shealy said, "Thank you, Mr. Mayor. Let us pray."

Councilmember Shealy opened the meeting with an invocation.

Councilmember Shealy then led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, "Thank you for that fine prayer, Councilmember Shealy. So, I know many of you are regular attendees, but I'll start the New Year's meeting out with my regular announcement. Just in case we were asked to evacuate the building, these are our two exits from this main room, and there is an exit door from the room to my right. In that event, please do not use the elevator, but use the two stairways going downstairs and then the one stairway going out to the front. It's a very unlikely event, but just in case, everybody knows where to go. Alright, my first order of business is an incredible recognition, or in fact already recognized in that beautiful prayer, is to proclaim and recognize Joe Engel Day today in the City of Charleston. I'm honored to share a proclamation honoring truly one of the kindest, bravest and most generous citizens that

this City has known, Holocaust survivor, Joe Engel. It's particularly timely to do this as we approach January 27, 2020. It's the 75<sup>th</sup> anniversary of Joe's escape from the death march and liberation of Auschwitz. Joe, if you would please, join me up front along with Samantha and your family."

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "So, if I may make this proclamation, Joe."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

There was a standing ovation in the Chamber.

Joe Engel said, "What can I say now what wasn't said before? I want to thank you all for being here, and I want to thank the Mayor kindly for proclaiming today. Of course, I got a proclamation from the whole State of South Carolina. You know this?"

There was laughter in the Chamber.

Mr. Engel continued, "On May 1<sup>st</sup> was Joe Engel's Day, the State of South Carolina, by the State."

Mayor Tecklenburg said, "We'll add another for the City."

Mr. Engel said, "I've got my library. I've got so many of them. I didn't know what to do with them."

Mayor Tecklenburg said, "We hope you get many more to come."

Mr. Engel said, "Yes, I hope so."

There was laughter in the Chamber.

Mr. Engel said, "So, I want to thank you very much, all of you, and I hope nobody has to go through what I've been through in my life. We really have to prevent. A Holocaust should never happen. We are all here for the time being. We are all here on vacation. When the vacation is over, you say goodbye, and that's all. We're not going to see each other anymore. So, that's why we have to be good to each other and love each other. I don't care what color you are, what nationality you are, or what religion you are. We all came from the same place, and we're all going to the same place. So, I want to thank you very much. I'm not going to tell you my story because the Mayor told part of it."

There was laughter in the Chamber.

Mayor Tecklenburg said, "I beat you to it."

Mr. Engel said, "Because it would take me 24 hours."

There was laughter in the Chamber.

Mr. Engel said, "So, I want to thank you, thank you all, and what else can I say? Be good to each other because life is short, and like I said before, 'We are all here on vacation.'"

There was laughter in the Chamber.

Mr. Engel said, "When vacation is over, basically, you say, 'bye, bye.' So, I want to thank you again."

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "You all know that, in addition to Joe Engel Day in the City of Charleston, we also have a Joe Engel Street. I've shared this before, but when I became Mayor it was just known as Engel Street, and somebody took the sign down. So, we had to put the sign back up. Joe either called me or I saw him somewhere, and he said, 'Mr. Mayor, you know I'm not the only Engel in town, and somebody might get confused that Engel Street is named for one of my relatives or somebody else.' So, when we put that sign back up, we put on the sign not that it was not just Engel Street, but it's 'Joe Engel Street'."

Mr. Engel said, "Holocaust Survivor."

Mayor Tecklenburg said, "Holocaust Survivor, it says so on the sign, so there would be no confusion in the City of Charleston. God bless you. So, one other little presentation which is not on the agenda, but with everyone's forbearance, I'd like to ask former Mayor Pro Tem Peter Shahid to come forward. I'd like to present him with a little plaque in appreciation for his service in 2019 as the Mayor Pro Tem of Charleston."

Councilmember Shahid joined the Mayor on the dais.

There was applause in the Chamber.

Mayor Tecklenburg said, "Would you like to say a few words? Not long."

Councilmember Shahid said, "I won't stay long, but I will just tell you that the idea of being Mayor Pro Tem, you call up the Mayor and ask, 'What can I do for you today, Mr. Mayor?', and waking up at 6:00 o'clock in the morning to start a race is one of the things that I did. I was just astonished by the number of activities outside of the City of Charleston. I won't mention the jurisdiction, but I was not in the City of Charleston doing a welcoming or proclamation for that organization who just wanted to make sure that the City of Charleston had their stamp of approval on their particular project. It was very interesting and rewarding, and it's quite an honor. Councilmember Mitchell mentioned to me this is his third run on this, but it really is quite an honor to serve in this capacity. I appreciate the opportunity of doing that, Mayor. Thank you very much."

Mayor Tecklenburg said, "Yes, sir. Thank you for your service."

There was applause in the Chamber.

Mayor Tecklenburg said, "So, we have no public hearings tonight, but we have approval of City Council minutes, I believe from the December 3<sup>rd</sup> and the 17<sup>th</sup>."

Councilmember Shealy said, "Move for approval."

Councilwoman Jackson said, "I'll second."

Mayor Tecklenburg said, "We have a motion to approve. Are there any additions or deletions?"

No one asked to speak.

On a motion of Councilmember Shealy, seconded by Councilwoman Jackson, City Council voted unanimously to approve the minutes of the December 3, 2019 and December 17, 2019 City Council meetings.

Mayor Tecklenburg said, "Next, we're already at our Citizens Participation Period. I don't know if we had folks signing up for our Citizens Participation Period. We're bringing in the list now. We allow a 30-minute period, and we have a short list of folks today to speak, so I'm going to ask everyone to please keep your remarks to two minutes. When you come to the microphone, please state your name and address. Mr. Bryant, you're up first."

1. Anthony G. Bryant said there were people who were still unpopular. He did a public comment years ago to the Securities and Exchange Commission about the 4<sup>th</sup> Circuit Court of Appeals. He decided to do a lawsuit about pleading poverty in Federal Courts. There was a Yale Law Journal article on pro se litigants. There were 96 District Courts in America and no standard to determine poverty of people appearing in Court. Police needed to learn from lawsuits, and that started with paying attention. This was an editorial done by the Post and Courier. All suspects were presumed innocent until proven guilty in Court. He hoped that when the Chiefs had their press conferences, they opened up with that every time. One out of 25 people in the Country on death row in America were innocent, with many being African American and Hispanic. He was deeply concerned about that, and that would be his work. No one else was working on it but himself. New Opportunity Zones could be a boost for the Neck area. There was a failure of the Drug Enforcement administration and its policy from 1970 to present. He asked who had the courage and guts on City Council and around the Country to say it was a failed policy. It incarcerated people with no power and no money. He welcomed the new Councilmembers to City Council and hoped they could come up with policies, methods, and procedures that would benefit those in the community. They were losing their diversity, but hopefully they were getting some more conscious about it.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Next, we'll have Peter Zulka followed by Kevin Mills and then George Karahalis."

2. Peter Zulka, Board Chair of Arm in Arm South Carolinians for Responsible Gun Ownership, said they supported their second amendment rights, but they also supported common sense remedies to keep children and families safe from gun violence. In Columbia, South Carolina the Senate was fast tracking S-139 Open Carry Permittless of guns in South Carolina. This meant carrying a firearm on your hip, without a permit, training, or without any awareness of South Carolina safety rules would be legal and that concealed weapons permit standards would be

eliminated. Someone could carry their concealed weapon or their firearm openly on their hip without a permit, training, or standards. It would also mean that people visiting South Carolina from other states would legally be able to do the same. He asked why it was being fast tracked in the Senate. Last June at the end of the South Carolina session, he was there to give testimony against Permitless Open Carry. The Senate Committee process was shut down, there was no public comment, and people went home. Before the session ended, a parliamentary procedure ended the Committee process, they took S-139, and they put it on the Senate floor today for a vote. He respectfully urged the Mayor, Council, and citizens to contact their State representatives in the Senate and say 'no' to S-139 Permitless Open Carry.

The Clerk said, "Kevin Mills."

3. Kevin Mills said on behalf of the entire Aquarium team, which consisted of 140 employees, 400 volunteers, and over 5,000 fish, amphibians, reptiles, birds, mammals and vertebras, he wished a Happy New Year, congratulations, and welcome to the new Councilmembers. He said Council would be approving a resolution that endorsed the recommendations of the Dutch Dialogues plan, and it was a critical step forward to creating a more resilient Charleston. He committed to Council the resources and the ability for the Aquarium to leverage its Conservation Education Programming to help support the initiative. Back in 2016, they announced the formation of the Aquarium and their resilience initiative for coastal education. Since then, they had been engaged in non-stop community awareness; creating an understanding of climate change and associated issues, developing scientific and climate literacy programs for youth in schools, creating science tools to engage the public, and offering boots on the ground around salt marsh restoration, oyster rejuvenation, and other kinds of green infrastructure. All of those precepts were in the Dutch Dialogues plan. He said they committed their service to support the City in that effort. He said Council may have received an invitation from them to attend a breakfast gathering at the Aquarium, and he had since learned that date was in conflict with another City planned activity, so they would get a new invitation date that worked for all. They looked forward to sharing their vision of how they could support the City's effort, and he thanked Council for its leadership.

Mayor Tecklenburg said, "Thank you for your partnership with us. We really appreciate it. Thank you, Kevin."

The Clerk said, "George Karahalis."

4. George Karahalis said he was there to talk about Shadowmoss and flooding. He asked if the time now was 15 years in the future, and Council had done their good work and appropriately handled the processes of controlling flooding, what would happen should that picture of the future change and if the funding to undertake corrective actions didn't work out. He asked who they could lean on for additional support. He understood the report supplied a certain number of ideas regarding that. No one was going to want their area to be last on the list of places to be corrected for saltwater or freshwater intrusion. He asked Council to think about how they would ensure that the people supported this in their everyday lives because if they didn't get enforcement of the standards that were put before them,

they would not achieve the goal he had described 15 years from now. He asked Council to think about an approach that might work. He suggested that a Regional Commission be established and that the Commission be empowered to direct and enforce the rules on flooding, so if someone in the future decided to disregard those rules and build something that was inappropriate that contributed to their loss of control of water, that there was a place to go for that. He said the money to undertake would have to come from the same sources they were talking about using to correct the action today. The problem was establishing the long-range capacity, so that when they get to year 15, governance would look back not only on Council, but for the solution that they were looking for and promised by the report.

Mayor Tecklenburg said, "Thank you so much."

Councilmember Griffin said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "As one of my constituents here and his great points in regards to Shadowmoss, I think he'd be a perfect member on our Church Creek Task Force that we're starting, especially with those ideas, which I spoke with Kim about that, as well. You all would be perfect members for that. Make sure you see me before you leave, so I can get everyone's contact information."

Mayor Tecklenburg said, "If you would send me a reminder recommendation, I would be glad to consider them."

The Clerk said, "Next, we have Jason Crowley, followed by Mohammed Idris and then Winslow Hastie."

5. Jason Crowley, Director of Communities and Transportation with the Coastal Conservation League, congratulated everyone just elected and re-elected to Council and said he was looking forward to a great New Year and new term for them. He thought they were getting off to a great start with a lot of momentum and great ideas behind them. He hoped that they continued to show that with the passage of the Resolution adopting the Dutch Dialogues, and incorporate it into the upcoming Comprehensive Plan Update that Planning staff would be embarking on this year. He was looking forward to being a resource to Council and continuing to have the Conservation League be an advocate to the community for a good strong quality of life in the Lowcountry region.

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Mohammed Idris."

6. Mohammed Idris congratulated everyone who voted to eradicate the power of the Preservation Society. He said they did a wonderful job and wished that God would continue to bless them. He didn't know if everyone knew the extent of that vote as some said, 'If it wasn't broken, then they shouldn't fix it', but they fixed it. With that vote, they buried racism. The Preservation office on Queen and King Streets thought they were the King and Queen of the City, but there wasn't a Royal family

in the City. It was a democracy with the vote, and it was 1919 when they had the red summer. The Preservation Society was established in 1920, and they were supposed to be bringing peace. Ten years later they established Planning and Zoning. He said they took control of the people, and there was no democracy Great Britain was still running the City. That was the Royal family, and that was the nature of racism when they said there was a Royal family. Racism didn't just start in America. When they said there was a King and Queen, they were promoting racism. He said when they voted them out, it was the best Christmas present Charleston ever received, and racism was now buried. It had been dead, but they buried it. He asked that God continue to bless Council as they were going to have a wonderful year.

Mayor Tecklenburg said, "Thank you, sir."

7. Winslow Hastie, Historic Charleston Foundation, extended a welcome to the new Councilmembers and congratulated them. He was excited to work with them in 2020; the Mayor and rest of Council. He wholeheartedly supported the formal adoption of the Dutch Dialogues recommendations, as they were proud and honored to have spearheaded that effort with the Mayor, the City, Council, and a lot of City staff. It was an incredible effort, and a lot of time and energy went into it. He felt once they unveiled that document in September, it was some of the first glimmers of hope that he had felt in the community around the issues of flooding and sea level rise. But the reality was that the work was still in front of them. He said this was a first major step to adopt it as a formal policy document for the City, but what they needed to do was translate the 30,000 foot recommendations into concrete laws, concrete regulations and ordinances that could help move them forward to become a more resilient community. His hope was that in 2020 with all of them working together, with the Comprehensive Plan, the fill and build ordinance that had been discussed, the Stormwater Manual Update, there were many things to do that would put some teeth into the regulatory side that he thought were important in moving forward to become more resilient. He thanked Council for considering it, and he hoped Council would pass it that evening.

Mayor Tecklenburg said, "Thank you, sir. Alright. Thank you to all who participated. We're going to move right along to our Council Committee reports, and first up is our Committee on Public Works, Councilmember Waring, and I think we'll include a report, if you will, from Mr. Wilbert on the Dutch Dialogues."

Councilmember Waring said, "By all means. Thank you, Mr. Mayor. As you see on your agenda, Stormwater Update, K.1.(i) through (iii) passed unanimously, and I so move."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Alright. If you would allow, I think it would be appropriate before we vote on approving K.1.(ii) regarding the Dutch Dialogues, since we have our new members, to have Mark make the presentation about that."

Councilmember Waring said, "Yes, sir."

Mayor Tecklenburg said, "Yes, sir. Mark."

Mark Wilbert said, "Thank you, Mayor, and thank you, Councilmembers. To the new Councilmembers, welcome. What I'm going to try to do here is, as you get ready to vote tonight, give you a quick overview of the Dutch Dialogues process, some of the general recommendations, and get into some of the specific areas. Then, I did order copies of the Dutch Dialogues books for you all today, and they will be back from the printers in a couple of days. I'll bring them with me next week. So, this was really a community effort. I can't overemphasize that. You just heard from Winslow Hastie and certainly his co-worker, Holland Williams, were instrumental in this, but this was really a community effort that was co-lead, but MUSC was involved, the Nature Conservancy, Charleston Water System, Clemson Design Center, Crosstowne Church, engineering, design, and architectural firms, along with groups representing realtors and builders, the College of Charleston, and the American Flood Coalition. This was truly a real community effort. This wasn't just a City effort that was kicked off.

What I'll present tonight is a quick timeline with some key dates, study areas, and connection to other efforts. We're going to go through the values, general principles and recommendations, which are really important to the authors. I talked to the authors of the document over the last couple of days, and that's really important to them, a very high level overview of the recommendations for each study area. I just want to say, in many cases, these recommendations are already underway. Some of them are pretty mature as they move along.

So, first thing they looked at were the challenges. This wasn't a surprise to anybody, increasing severe and frequent flooding. Anybody who was around Christmas week certainly saw that this is becoming our new normal, 89 days of flood events last year. Increasing rates of sea level rise, we are under increasing pressure. Development pressure in low-lying, risky, and ecologically sensitive areas, we talk about that at just about every Council meeting. Then, of course, historical character and identity is something that, whenever we talk about Charleston, we have to fold in the folks from the Dutch Dialogues team. We're really, really keen on preserving our history and the beauty of Charleston. In terms of how long we did it, it was an 18- to 24-month process. The actual project kicked off in January of 2019 with some stakeholder meetings and engagement, but it really started before that with a group of us going over to the Netherlands. It really started back with Mayor Tecklenburg, a group of us, including Councilmembers. Two of the Councilmembers that are seated here tonight went over with us to see how the Dutch do their business and came back excited about this process, and then we went ahead and kicked it off. We started, as I said, in January. The colloquium was held in May. That was a two-day process, and it was really about bringing all of the stakeholders in the community together gathering data, putting the analysis and synthesizing it, and leading up to a Design Workshop which was a five-day event in July, and the final report in September.

The four areas that we looked at were the Church Creek area, the New Market and Vardell's Creek area on the Eastside, the Lockwood Corridor in the Medical District, and Johns Island. We chose those areas. We were very specific. They are geographically diverse, and also the fact that the results and recommendations from those areas could be replicated in other parts of the City and the region, they were actually chosen quite strategically. The values, and I think this is important. This was important to the authors of the report. One, 'safety first', you don't put people in harm's way. That was something that they went over and over again. If you do, it's not a question if you develop or not, but instead where, how, and at what cost? So, this wasn't a document that said you can never develop again, but it was a document that said if you are, make sure you are smart about how you do it. 'Beware of externalities,' and that's the pressures others put on you as you're making decisions. 'Look to the past,' because if you just look back in the way we've done things in the past, if you continue doing it that way, you will get the same results

in the future. 'Natural systems matter', you will hear this over and over and over again, preserving the natural systems that we have are important, and then, maintain and protect what we've got.

It then went on with a series of principles and, again, you see the natural systems, but really, I don't want to go through all of these. Some of them are repeats, but these are principles and recommendations. They're not absolutes, but pathways grounded in science developed with the community and should inform planning, engineering, and investment. This is not in and of itself a planning or engineering document, but it is a place to start the dialogue and conversation. This is really where the deliberation should start once it's adopted tonight. General recommendations, these apply to all of the areas. One, 'slow, store, and drain', slow it down, store the water, and then allot it to drain when it's right. 'Development of a water plan', that's a future project that's quite complicated and would be rather expensive to do, but look at markets and policies as we go forward. Again, 'transfer development rights', 'stormwater conservation credits', 'business leadership', that's something that we really should be working on this year, and I think we will, and develop a culture within the City of citizens having responsibility for their part, as well. I think you will see that this year. 'Regional governance', this is a regional problem. We can't do it alone. We've heard that over and over again. We've got to get the rest of the region involved and then, again, back to the natural systems matter. I can't emphasize that enough. It's probably the least costly way that we have to defend ourselves from what's just coming at us. I'll start with Johns Island and, again, these are very high level recommendations. When you get the report, you can dig into it and read it, but it's really about doing no harm. We're smart enough now to know what causes harm. Let's make sure we don't do that. Again, 'conserve and protect', not just our natural, but Johns Island is full of cultural assets. 'Respect elevation', it matters. In the report, it's very specific about elevation, where we should or shouldn't be building. 'Update the Johns Island Plan', 'maintain and improve overland drainage', and 'use market-based tools', some that I just described that you may see in the Comprehensive Plan as it's developed.

The Church Creek area, these were the recommendations, and this was a really fascinating one to go through. This is Judo, not Boxing. You can't just keep fighting it, and that's what's been going on, and it precedes everybody in this room really. It goes back quite some time. 'Develop watershed-based plans', and I think we've already started on that. 'Protect and sustain the inner tidal zones', I know there are folks already looking at those projects. I think Matt had talked to us about some of those today. 'Detain and infiltrate', so let's get back so that the storage works the way it should, and integrate our parks and water storage and the historical landscapes. Again, these are high level recommendations.

The Eastside, again, one of the really interesting places to work, I had to put this in. I didn't put it in for everyone, but this is the kind of visioning that the folks and the Dutch Dialogues had for different areas. How do we transform areas, so that we can live with water as we begin to move forward? The Eastside was 'expose and celebrate waterways', prioritize high ground.' As you know, that area that we looked at, there is not a lot of high ground there, but prioritize that, and make sure that's an area where we do look to do what's right. 'Add water to public spaces', we need to have a separate set of development guidelines there. 'Coordinate drainage and perimeter protection', I can tell you that's happening now as we work with the Army Corps on that particular project, and then 'look at projects, programs, and partnerships moving forward.'

The Medical District, another very interesting, but really important area for the City of Charleston, for the region, and actually for a multi-State region. 'Establish a Flood Resilience Coordinating Committee', that Committee has been in place and has been meeting since the Dutch Dialogues were here. We meet every other week, and there have been some good recommendations. We just had a half-day workshop not too long ago. 'Understand the cost of

doing nothing’, we have the hospitals now currently tracking what their costs are every time we have a flood event, so we can begin to gather the data to find out what it’s going to cost us. ‘Real-time forecasting capability’, that’s there. We’re improving it. We’re really looking for new and innovative ways to make that better. ‘Multi-benefit perimeter protection,’ again, back to the Army Corps. ‘Anticipate changing conditions’, twice a year now we’re meeting with the folks from NOAA to get updates on the sea level rise projections, so we have a really good idea of where they’re headed, and ‘create resilient connections where we can.’

‘Peninsula system as a whole,’ this was kind of a bonus for us. They weren’t supposed to do this, but at the end they said, ‘We can’t leave here without really doing this for you.’ ‘Emphasize those historical connections,’ again, history was really important to them and, I think, it’s important to everybody in the room. ‘Decouple the high and low ground water systems,’ that’s a little complicated, but when you open up, you will be able to see what it means. ‘Perimeter protection must be multifunctional and beautiful’, we’re working on some perimeter protection. We are working very hard and will be working really hard in the future, I should say, to make it multifunctional and beautiful. ‘Work at all scales and work towards a no regrets holder approach,’ and with that, I’ll take any questions.”

Mayor Tecklenburg said, “Okay. Are there any questions for Mr. Wilbert?”

No one asked to speak.

Mayor Tecklenburg said, “Alright. Back to--”

Councilmember Waring said, “I thank you again for your expertise, Mr. Wilbert. That is great. We had a motion on the floor to pass K.1.(i), (ii), and (iii).”

Mayor Tecklenburg said, “Right. We’ve got a motion to approve K.1.(i), (ii), and (iii), which includes the recommendations you just heard to officially adopt the Dutch Dialogues Report, which will inform not only our Stormwater Manual recommendations that will be coming to you in two weeks, but also our review of the Comprehensive Plan this year and projects as we bring them forward.”

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, “Mr. Mayor, do you mind reading that resolution into the record?”

Mayor Tecklenburg said, “The Resolution to adopt the recommendations of the Dutch Dialogues Charleston Final Report. Yes, sir.”

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted unanimously to approve K.1.(i), (ii), and (iii) of the Committee on Public Works and Utilities Report:

- (i) Award of Construction Contract for Rivers Point Row Storm Drain Rehabilitation Project to B&C Land Development, Inc. for \$43,220.00
- (ii) Resolution to Adopt the recommendations of the Dutch Dialogues Charleston Final Report
- (iii) Approval to apply for a FEMA FMA grant that requires a City match of \$30,754.50. If awarded, this grant would cover \$510,336 of the total costs to: acquire two (2) parcels

of land and demolish the existing flood-prone structures. The City match of \$30,754.50 is available through the Stormwater Operations account.

Councilmember Waring said, "Mr. Mayor, just by way of example, I know I'm digressing, but in 1930, at St. Patrick's Church, you had St. Patrick's School that was built. St. Patrick's is now in the process of renovating that building, and just today at 1:00 p.m. we met with the construction team, which had a parking lot on the Radcliffe Street side. The gutters came down off of the flat top roof and hit a piping system that goes right into the street drainage system. We changed that just because of the Dutch Dialogues. Now, we're not going to pave that parking lot. We're going to do crush run and let the water percolate into the ground. So, I mean, it's having effects even in a small way. By the way, we actually save money by not paving the asphalt parking lot that was grandfathered. So, we couldn't put in retainage, but we're doing crush run. It did create an excitement in the town going forward, so I thank everybody involved with that."

Mayor Tecklenburg said, "That's great."

Councilmember Waring said, "Now, we call Mr. Fountain for the Stormwater Project Update. So, all Councilmembers who are not on Public Works, listen up. There is probably a project in your area. Mr. Fountain."

Matt Fountain said, "Thank you, Councilmember Waring, and I do want to mention that Chairman Waring and the Committee did request that we provide in February an overview of where we stand on all of the projects, especially for the new Councilmembers, and as a refresher for the continuing Councilmembers. So, we will have kind of a more formal overview of all of the major projects in February. We do provide these regular project updates on a monthly basis for major changes to projects. Then, on the second meeting of the month, we'll do sort of just a very brief set of updates of any really significant changes since the previous update. So, this month's update, the Low Battery, this is the raising of the Low Battery Project. We have completed test piles on that project, and we're now working into the actual wall of reconstruction. We started coring for the micropiles this week. We did have a meeting with the Charles Towne Neighborhood Association, as well. That went well. It was last night. For the Spring/Fishburne Drainage Project Phase 3, this is the deep tunnel aspect of the Crosstown/US 17 drainage improvements in the larger basin."

Councilmember Waring said, "Mr. Fountain, I think you need to say Septima Clark."

Mr. Fountain said, "The Septima P. Clark Parkway/US 17 and the surrounding area. There are two major tunnels on this project. The lining of the cross tunnel the north/south running tunnel is now complete. The lining of the east/west running tunnel is complete from between the bridges to the intersection of the tunnels, and we're now working on the remainder of that lining. We do have this project running on its projected schedule at this point with an estimated completion date of May 2020 for substantial completion.

The Spring/Fishburne Drainage Project Phase 4, so Phase 3 is the deep tunnels. Phase 4 is the wet well on the outfall pipes. The wet well is basically the very large hole being excavated between the West Ashley bridges that will hold the water for the eventual pump installation. The outfall is the pipes that then discharge that water out into the Ashley River. This work, the test piles were completed on this phase of the project, which means they can start production piling. The pilings, for those of you who aren't in engineering, are basically what this whole structure will sit on top of, so it doesn't just sink down into the marl into the future. So, we are now progressing with production piles. If you drive by, you will see the trestle, which is the sort of temporary bridge construction built out into the marsh. It's just about complete. They drive the crane onto that to

be able to install the coffer dam and pile support structures for that outfall pipe. Those coffer dams, which are basically large sheets of metal being driven down into the soil as a bracer, are being installed now, and they are also making good progress on that. So, that project is moving along very well for production at this point.

We discussed the Forest Acres Project. We are working through some utility coordination issues. That one has some challenge there that we've discussed with the Committee on methods to move forward with encouraging the utilities to support the relocation work on that project. The King/Huger surface drainage improvements, this is a two-component project. There is a short-term project for the actual surface drainage improvements on the intersection, which will help the water get to the eventual pump station that is in the second phase of that project. The surface drainage improvements, we have a good conceptual design together. We're in the process of coordinating with Charleston Water Systems, which is doing some utility work in the area, to see if they want to go in contract on that, or if it will be that they complete and then we follow on. This is a grant funded project, so the timing is more critical than many projects. We really need to go to construction this year on that project. The pump station is at a full 30 percent design on the three primary options we were looking at. So, we'll now look at selecting those options and then coming back to move forward with a final design on the selected pump station option. That construction wouldn't be for another year or two once we get through all of that design and permitting work on the pump station component.

The Central Park Basin, this is the James Island Drainage Evaluation. This existing condition model is now complete. We've met with the residents, gone over the verification of the areas we see flooding, evaluated under a number of different scenarios including sea level rise, different storm events, intensification of storms, and we're finalizing our design work on the improvement recommendations now for that basin, similar to what we've done for Dupont/Wappoo. Those improvement design recommendations should be ready in March, and then we'll move forward if we want to go to a full design and permitting on any of those recommendations, which does bring us then into the Dupont/Wappoo drainage improvement area.

We did have a West Ashley Revitalization Commission meeting last week where we presented on this. We have the first four recommended project improvements in negotiations with our consultant. We're just about complete with those negotiations. I'm going to be coming back for Council for consideration of funding. We're also coordinating in the very short term with the County. Part of that evaluation was identifying the highest priority blockages within the system or areas that had partial blockages. So, it's sort of an overlay of a matrix of how much clogging there is with how important that piece of the system is in the flooding that's occurring. Then, you use that to prioritize where you do your cleaning. We're coordinating with the County because, again, this is an area of overlap jurisdictions. So, the short-term plan is to go out and start working through that sequentially of those major maintenance issues we've identified.

The Windermere drainage improvements, we have our RFQ in preparation on that, and then we'll be advertising for engineering firms to submit their interest in that project. We also have the Church Creek National Fish and Wildlife Foundation Award is being finalized with that Grant Foundation, so we can bring it to Council for formal acceptance. That is the work to then take the buyout properties we have acquired in that basin and convert them into beneficial use for stormwater, so we're looking at installing raingardens, installing urban forests, natural wetland systems, and then there is a very large, it's a partnership project with the Nature Conservancy and Clemson Extension as a plan then to go out and basically have a major outreach component of that project. That's why we have those partners on board, to say we'll come up with these

project ideas and then help spread that throughout the entire basin and then on into other areas of the City. That's something we've generated in keeping with the Dutch Dialogues, which is one of the things we've talked about as trying to immediately build that into projects we can realize and bring the population into.

The Lake Dotterer improvements, this is trying to bring down the flooding issues in that lake, kind of at the end of the Church Creek Basin. We're in coordination with Charleston County to try, as part of the Glenn McConnell widening, to do some pipe connection work to improve the hydrology on that. Weston & Sampson should be finalizing the H&H Study, the Hydrology & Hydraulic Study, for that improvement work by the next month. Then, we'll be finalizing that with the County to try to incorporate that into their design project. We've been in regular meetings with them, and that coordination is going well.

Lord Calvert is a road in West Ashley from the section between Markfield and Sanford. We're replacing a failed pipe and actually upgrading it to a larger pipe system. That construction is ongoing. It should be complete within about the next month. Rivers Point Row is on Bids and Purchases for you this evening. That's a pipe rehabilitation of, basically, a failed pipe system that was causing sinkholing and drainage issues on James Island, so that will be aligned. That should take about one month to complete. Sherwood Forest, this is where we're installing a drainage system that connects kind of two existing pieces of drainage system, almost like a sidewalk infill project. An easement acquisition has been completed on this. We've completed our bid work for fence relocations and tree removals. We'll be completing that within the next month or two and then coming in to do the drainage work in that area.

Dunoon Drive, this is in Shadowmoss. This is another installation of a drainage system to kind of extend the current end of a drainage system that is completed for design and is scheduled to go to bid in the next month. William Ackerman, this is the installation of a berm inject valve under our Inject Valve Program. That should also be complete within the next month or so. We did have a brief update from Floodplain Management, as well, which is that we've been awarded a number of additional grants for about nine total additional property acquisitions, which we're processing through the acquisition and eventual demolition of those properties, as well."

Councilmember Shahid said, "That's it?"

There was laughter in the Chamber.

Mr. Fountain said, "Those were the major updates."

Mayor Tecklenburg said, "There's not much going on."

Mayor Tecklenburg recognized Councilmember Gregorie followed by Councilmember Mitchell.

Councilmember Gregorie said, "Yes, the Central Park piece, that's only going to deal with the issues at Central Park, or will that extend with regard to the whole Wambaw Basin?"

Mr. Fountain said, "So, we did a study in cooperation with the County and the Town of James Island for the overall James Island. That's what that basin has been named in that study to try to get us all on the same naming page, but it is what we frequently refer to as the Wambaw Basin. It basically extends from Central Park to Maybank, north to south, and from Folly to Woodland Shores, east to west. So, it will be an analysis of that entire drainage area."

Councilmember Gregorie said, "Okay, and when do we project that that will be complete? As you know, I think I sent you a note on Howell recently."

Mr. Fountain said, "So, yes, Howell is included."

Councilmember Gregorie said, "I know it is."

Mr. Fountain continued, "Yes, and the recommendations for design improvements should be complete by like April, is what we're projecting for internal review. Then, we'll have to decide which one of those, just like with Dupont/Wappoo, which we moved to design and permitting."

Councilmember Gregorie said, "Okay, and Shoreham, is there anything that we're doing with regard to Shoreham?"

Mr. Fountain said, "So, that community is one where we have focused a lot of attention on buyouts. We did get reports during the December 23<sup>rd</sup> and 24<sup>th</sup> storm events that the system actually functioned much better since a lot of the heavy maintenance we've done. Again, there is a limit of the level of improvement you can do in that area because it is below floodplain, as we've talked about flood elevations, but we have done some additional cleaning with the Town. We have tried to do everything we can with rehabilitation in that system. It seems to be helping, but it's not going to bring the worse sections of the neighborhood up to a full compliance. So, we do continue to look for acquisition opportunities out there, as well."

Councilmember Gregorie said, "Lastly, Gordon, Simons, Peachtree, Piedmont, President, I mean all of which are basins, as we understand it. Are we looking into those at all?"

Mr. Fountain said, "We are. So, Simons, in particular, is one that we do have our on-call IDC contractor doing some evaluation of that drainage system, as we think there are some major blockages and issues in that area. It is DOT maintained roads. We're trying to coordinate with DOT on those, but we do have our contractor trying to help out as we did see some immediately blockage issues and potential failures. We have our IDC, our Indefinite Delivery Contractor, working on that section. The other areas are certainly basins that we have identified as problems. Some areas have some benefits from Spring/Fishburne, but as you move outside, you do not, and that's where we do need to continue to look at these additional projects. The project list I gave is not, by any means, the eventual fix for the entire City."

Councilmember Gregorie said, "I understand. Thanks a lot."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, I'm getting back to Huger and King. That's where we have a lot of flooding, and as I mentioned before, there has been flooding since I was there for 35 years, and we have the school there. We have James Simons School on one side, you have the Catholic Church there, Sacred Heart, and a station there, but it floods. You had the young lady who owned the after school daycare center. She had to move, and she sold that building because she flooded out, and the insurance company wasn't going to pay anymore for the flooding. I forgot her name."

The Clerk said, "Mrs. Minnie Parker."

Councilmember Mitchell said, "Ms. Parker. She ended up selling that building, and I'm right there next to the school, and there was flooding since I was there. Like you all remember,

when it flooded so much, they had to have the rescue squad and rescue boat come and take people out of the station and bring them back in front of my door. So, something really needs to be done with that area because you have that school there, people are coming in, and it's dangerous. That's dangerous, so we need to get something done there, even temporarily, until we can get this thing working. Now, I know they were doing some work by the track, but I don't know if that was a part of putting anything down or not. That wasn't dealing with it."

Mr. Fountain said, "No, we've looked at that. We had an initial conceptual engineering evaluation of that intersection to see if there was anything we could do on a short-term basis. Like you were saying, the flooding is so severe in that area, there really is very minimal work you can do that will provide short-term relief. I mean things like mobile pumps really have no substantive impact on that intersection unfortunately. The surface level drainage improvements will see a marginal improvement because there are some constrictions in that piping, but it will be reducing how long it's flooded more than how badly it floods. That will be built this year. The pump station approach, I mean, but certainly with the Dutch Dialogues, we've tried to really steer away from pump stations anywhere we can avoid them to try to say what other options there are, but that is one of those options where we really can't find any other approach that will work because, like you were saying, if you haven't been out there, I mean it's feet of flooding. In that intersection, there is a fire station, the City owns a fire station in the immediate area, and the firetrucks can't go through that intersection during flood events. I mean it really is a terrible intersection. That's why we do have it funded for that pump station approach. We have three different options we're working through. It's under the Architectural Review, the BAR, for the City, so part of what we're doing is coordinating with that process and trying to make sure we don't have any hiccups as we move through getting all of our approvals in line. We want to make that project move as fast as possible now that's it's been identified, funded, and into the engineering work on it."

Councilmember Mitchell said, "It also included the Eastside which is Hanover Street, Aiken Street, Line Street, and South, too, where it's flooding, and people can't even get into church on Sunday. It is flooding bad over there now, too, in that area, especially on Aiken Street. Aiken Street was flooding, well, I heard about it. People were telling me about it way back then. I mean, it's been flooding ever since and at Columbus Street, Aiken Street, Hanover Street, and Line Street. All of that ties in together, and then you have Drake Street that was already flooding. It floods when it's not raining behind the Post Office, so those are the areas that we are really concerned about on the Eastside."

Mr. Fountain said, "So, the Eastside is one that I did not specifically bring up this evening, but it actually is one that we're making some significant progress on. We actually have a scope negotiation going on for sort of the two primary basins on the Eastside that experience the flooding, the worst of the flooding moving from the Cooper River Bridge Redevelopment Area down south two basins, to about kind of the midpoint of the Ports System there, the dock. Those basins are actually what we're proposing to do which is similar to what we've done at Central Park and at Dupont/Wappoo to come in, evaluate what drainage infrastructure is there, and see what we can do from a short-term maintenance perspective while we're simultaneously developing the improvement recommendations. There is funding identified for that within the TIF. The TIF does have that funding becoming generative and available now so that is another one where we do have really good progress occurring on that. So, we just need to get through the administrative process work to be able to get that scope negotiated and then be able to move into actual design and outreach for the community."

Councilmember Mitchell said, "I just want to make sure we give those people some relief from the years and years of flooding, if we can give some relief in that area, because they were flooding a long time over there, too, in that area."

Mr. Fountain said, "Yes."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I've got one more question. The Stormwater Manual, when? The last time I thought it was sometime this month."

Mr. Fountain said, "Yes. So, we have it set up tentatively for a full Council Workshop January 27<sup>th</sup> at 3:00 p.m. with a public hearing then at 5:00 p.m."

Councilmember Gregorie said, "Okay. Will that document be available for the public to access there, too?"

Mr. Fountain said, "Yes, so, I actually have paper copies tonight to hand out to the Councilmembers, and we'll have the PDF on the website tomorrow for people to be able to view prior to that public hearing. We also came up with kind of a short one-page overview of the major thrust of the manual."

Councilmember Gregorie said, "A cheat sheet."

Mr. Fountain said, "Exactly. So, that should be helpful, as well, because it's a very dense read."

Councilmember Gregorie said, "Okay, thank you."

Mayor Tecklenburg said, "Great. Terrific."

Councilmember Waring said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you. I actually, in my haste to get to the popularity of Mr. Fountain's report, neglected to get a motion on Item K.1.(iv), which was approved in Ways and Means."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "Alright. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Griffin, City Council voted unanimously to approve K.1.(iv) of the Committee on Public Works and Utilities Report:

- (iv) Approval of an application for a Federal Emergency Management Flood Mitigation Assistance Grant of \$845,879.33 for the elevation of 5 homes. The grant requires no City match with the property owners providing the matching funds directly.

Mayor Tecklenburg said, "Thank you, sir."

Councilmember Waring said, "I don't know whether we had--"

The Clerk said, "You didn't. We have the remaining ones unless they are just information only, K.1.(v) and (vi)."

Councilmember Waring said, "Well, the Floodplain Manager, I don't know if Mr. Julka is here, but is he?"

The Clerk said, "So, is that information only?"

Councilmember Waring said, "Information only."

Mayor Tecklenburg said, "He basically discussed the two grant applications that we approved, and now there's the last item of the Construction Noise Ordinance."

Councilmember Waring said, "We had a hearty discussion on construction noise, but the summation of it is the new Councilmembers certainly need to have input on that, so what we did was entertained a discussion, but we're going to defer it two weeks, so new Councilmembers, as well as previous Councilmembers, will be able to have additional input. I guess we'll 'make sausage' is what I termed it, at the next Public Works meeting and have something to present on the floor two weeks from now."

Mayor Tecklenburg said, "That's right."

Councilmember Waring said, "It was a hearty discussion, and if you all want to add to it, you've got two weeks to add to it. Hopefully, we'll have something come forward to be voted upon for second reading two weeks from now. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you very much. So, next will be our Committee on Public Safety, Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor, and members of the Council. I've got a new doorstep over here."

Councilmember Seekings said, "Two-sided."

Councilmember Shahid said, "Thank you, saving paper. We received an update on Fire Station #11. This fire station is on Savannah Highway next to the memorial for the Charleston 9. Let me give just a real quick update regarding this project. Groundbreaking was in July of 2018, with a completion date in December of 2019. It is only about 60 to 65 percent completed. The estimated date of completion, if all goes well, would not be until May of this year, and there is some dispute about whether or not that's an accurate date. We did go into Executive Session to talk about some of our legal options concerning this property. There are liens on this. The completion costs have gone from \$5.7 million up to almost \$5.9 million to complete the project. The long and short of it is that we gave staff and our Legal Counsel some authority to move

forward to work with our current contract NBM, so as to provide some incentives for them to complete the project as soon as possible and also to give direction to Chief Curia to look at other options, if need be, since we have sold our current location, and we're under lease with that as to what we may need to do in the event that this project is not completed in time and that we need to look at other options to move in the meantime. So, that is a very basic and quick updated report regarding Station #11, and we've asked that they give us an update at our next meeting on January 27<sup>th</sup> or 28<sup>th</sup> later this month."

Mayor Tecklenburg said, "Alright. Is there any action needed?"

Councilmember Shahid said, "No action is needed at that point. That's just to give staff the option to move forward on working with our current contractor to get this project completed and working with them as best they can."

Mayor Tecklenburg said, "Does anyone else have any questions to discussion about Fire Station #11?"

No one else asked to speak.

Mayor Tecklenburg said, "Thank you for the report. Next up will be our Committee on Ways and Means, Councilmember Gregorie."

Councilmember Seekings said, "So moved."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "We have a motion to approve the actions of the Committee. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Shealy, City Council voted unanimously to adopt the Committee on Ways and Means Report as presented:

(Bids and Purchases

(Stormwater Management: Approval to apply for a FEMA FMA grant that requires a City match of \$30,754.50. If awarded, this grant would cover \$510,336 of the total costs to: acquire two (2) parcels of land and demolish the existing flood-prone structures. The application is due to FEMA on January 31, 2020. The City match of \$30,754.50 is available through the Stormwater Operations account.

(Stormwater Management: Approval to apply for a FEMA FMA grant requiring no City match. If awarded, this grant would provide \$845,879.33 for the elevation of five (5) existing structures on individual parcels. The applicant homeowners have agreed to provide the non-federal cost share for each elevation project at their own expense. The application is due to FEMA on January 31, 2020. There is no City match.

Mayor Tecklenburg said, "Next, we have bills up for second reading. We have ten bills one through ten."

Councilmember Mitchell said, "Move for approval of one through ten."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "I will note for the record that number eight is as amended. There were some amendments made to the International African American Museum Lease Ordinance. Is there any discussion on any of those items?"

No one asked to speak.

On a motion of Councilmember Mitchell, ten (10) bills (Items M-1 through M-10) received second reading. They passed second reading on motion by Councilmember Shahid and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shahid, the rules were suspended, and the bills were immediately ratified as:

- 2020-001** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 52 KENNEDY STREET (PENINSULA) (0.08 ACRE) (TMS #460-07-04-106) (COUNCIL DISTRICT 3), BE REZONED FROM HEIGHT DISTRICT 2.5 (2.5) CLASSIFICATION TO HEIGHT DISTRICT 3 (3.0) CLASSIFICATION. THE PROPERTY IS OWNED BY MARTAY, LLC.
- 2020-002** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 80 ALEXANDER STREET (PENINSULA) (0.17 ACRE) (TMS #459-13-04-045) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO DIVERSE RESIDENTIAL (DR-2F) CLASSIFICATION. THE PROPERTY IS OWNED BY 1776 DEVELOPMENT, LLC.
- 2020-003** AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-263, AND THE DANIEL ISLAND MASTER PLAN ZONING TEXT, TO ADD PROVISIONS THAT ALLOW COMMUNICATIONS TOWERS AND INDOOR ATHLETIC FACILITIES AND TO REVISE THE IMPERVIOUS SURFACE LOT COVERAGE PERCENTAGE FOR THE DANIEL ISLAND BUSINESS PARK DISTRICT.
- 2020-004** AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO CLARIFY THE TYPES OF DWELLINGS DEFINED IN SEC. 54-120 BY INCLUDING DEFINITIONS FOR "SINGLE-FAMILY DETACHED DWELLING" AND "SINGLE-FAMILY ATTACHED DWELLING."
- 2020-005** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 320 WOODLAND SHORES ROAD (JAMES ISLAND) (1.0 ACRE) (TMS #343-11-00-117) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON NOVEMBER 12, 2019 (#2019-112), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY CECIL K. AND JANICE M. CARGILE.
- 2020-006** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF,

SO THAT PROPERTY LOCATED ON BRICKYARD ROAD (JOHNS ISLAND) (2.0 ACRE) (TMS #311-00-00-090) (COUNCIL DISTRICT 5), ANNEXED INTO THE CITY OF CHARLESTON NOVEMBER 12, 2020 (#2020-113), BE ZONED RURAL RESIDENTIAL (RR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY WORLDWIDE INVESTMENTS, LLC.

- 2020-007** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF CHARLESTON (“CITY”) ALL NECESSARY DOCUMENTS TO AMEND OR RESCIND A PORTION OF THAT CERTAIN TRANSFER AGREEMENT BETWEEN THE CITY OF CHARLESTON AND PASTORS, A SOUTH CAROLINA NON-PROFIT CORPORATION, ADOPTED BY ORDINANCE NO. 2006-364, AS SUCH PORTION RELATES TO CERTAIN PROPERTY LOCATED AT 67 AMERICA STREET AND CURRENTLY DESIGNATED AS CHARLESTON COUNTY TMS NO. 459-09-02-132, AS MORE PARTICULARLY DESCRIBED HEREIN (THE “PROPERTY”), AND TO EXECUTE A TRANSFER AGREEMENT AND OTHER NECESSARY DOCUMENTS TO CONVEY THE PROPERTY TO JJR DEVELOPMENT, LLC, FOR \$30,000 FOR THE DEVELOPMENT OF BETWEEN FOUR AND TEN AFFORDABLE HOUSING UNITS, SUBJECT TO THE CITY’S HOMEOWNERSHIP INITIATIVE GUIDELINES.
- 2020-008** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS AND TAKE RELATED ACTIONS PERTINENT TO THE CONSENT TO THE ASSIGNMENT OF THE LEASE BETWEEN THE CITY OF CHARLESTON AND THE INTERNATIONAL AFRICAN AMERICAN MUSEUM (“IAAM”) FOR 14 WHARFSIDE STREET, CITY OF CHARLESTON, MARKED AS EXHIBIT A, TO THE IAAM SUPPORT ORGANIZATION. **(AS AMENDED)**.
- 2020-009** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS TO ENTER INTO THAT CERTAIN 10TH AMENDMENT TO THE PURCHASE AGREEMENT AND TRANSFER FEE DECLARATION, SECOND AMENDED STATEMENT OF PARKING PROVISIONS IN PURCHASE AGREEMENT FOR CONCORD PARK SITE, FIRST AMENDMENT TO DECLARATION OF TRANSFER FEE COVENANTS AS TO TRACT A2-2, AND CONSTRUCTION OPTION AND LEASE AGREEMENT BETWEEN THE CITY OF CHARLESTON AND RB CHARLESTON, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR THE CONCORD PARK SITE, SAID PROPERTY BEING LOCATED IN THE CITY AND COUNTY OF CHARLESTON, SOUTH CAROLINA; SAID 10TH AMENDMENT TO THE PURCHASE AGREEMENT AND TRANSFER FEE DECLARATION ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN, AND SECOND AMENDED STATEMENT OF PARKING PROVISIONS IN PURCHASE AGREEMENT FOR CONCORD PARK SITE, FIRST AMENDMENT TO DECLARATION OF TRANSFER FEE COVENANTS AS TO TRACT A2-2, AND CONSTRUCTION OPTION AND LEASE AGREEMENT BEING MARKED AND ATTACHED HERETO AS EXHIBITS A, B, AND C, RESPECTIVELY, AND INCORPORATED BY REFERENCE HEREIN.
- 2020-010** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 114 TALL OAK AVENUE (0.24 ACRE) (TMS# 418-13-00-092), WEST ASHLEY, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE

IT PART OF DISTRICT 9. THE PROPERTY IS OWNED BY MYRTLE GRAVES RAHN MIXSON.

Mayor Tecklenburg said, "Next is bills up for first reading."

Councilmember Seekings said, "Move to take one and two together, Mr. Mayor."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "We have a rezoning on one and two together. This is the COG's property that we sold them just north of Mt. Pleasant Street that will become a Park-and-Ride location temporarily in the short term and then permanently a stop for the Lowcountry Rapid Transit."

Councilmember Mitchell said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "I just want to ask a question about that. I'm on the Board of Directors with the COG, but I want to make sure this rezoning is only going to be for that particular property because with the rezoning with the Upper Peninsula, the height can go pretty high. So, I just want to make sure what they're going to plan is just to have a Park-and-Ride there, and later on with the building, how tall is the building going to be? In that area, like I mentioned before, the only tall building there is the Joseph Floyd Manor, and that's all in part of the district I represent. So, I want to make sure when people call me I can be able to inform them exactly what's going to happen. I don't have a problem with the Park-and-Ride because I know we need it, but I just want to make sure what is going to happen afterwards."

Councilmember Seekings said, "Mr. Mayor, if I might just very briefly."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "So, as you know, one of the issues that came along when we took this property over is that there were some environmental issues, so we're working through that. We have lost a northern portion of the HOP lot which is where Mr. Andrade's project is going on. So, the plan is to turn this into temporarily, but it will be temporarily for some period of years, the northern HOP lot. As you know, this is directly in line with the 23-mile linear plan for the Lowcountry Rapid Transit, and the thought with this rezoning is to integrate that into the full plan for rezoning transit oriented development projects along the corridor from Summerville ultimately all the way to the Hospital District short-term, and when I say short term, it will be short-term for a good number of years. This will be the HOP lot."

Councilmember Mitchell said, "Okay."

Councilmember Seekings said, "So, thank you for your support. I think this is both short and long term really providing a service that we need and will fall perfectly in line with transit oriented development when LCRT gets going."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Councilmember Seekings, for that explanation. Can you just compare the current HOP lot size to what this would be? Will we park the same number of cars, or how will that work?"

Councilmember Seekings said, "That's a great question. So, the current HOP lot is actually two-and-a-half or three parcels in one, and the northern parcel is where Mr. Andrade, 999 Morrison, is currently under construction. We still have access to 997, and we could move a little bit into 995 if we needed to. The total number of spaces in there is less than 100. We have yet to finally configure, and this lot that we're talking about, this property we're talking about now, is a very odd configuration, and there is also a little sliver. If you go up there right now, actually, people are storing trailers on it. We're going to take care of that by the way. Councilmember Mitchell, that will end soon. There is also a little sliver that is owned by a third party that we hope to integrate into that, and when we come up with a plan, I suspect we will get 80 to 90 cars in there, maybe 100, but we're working on it, and we're working on a plan. The good news about this property is you get access both east and west. It's a pretty good very functional property, and we can maneuver the bus through there, so it's what we've got. We own it, which is a good thing. It will be there for our use in perpetuity, so more to come on the configuration but it's tight."

Councilwoman Jackson said, "So, we need more?"

Councilmember Seekings said, "We absolutely are going to need more."

Councilmember Mitchell said, "I would like, Mr. Mayor, to have Mr. Benjamin come up because I know we are working on something in that area pertaining to Brigade Street, and there are going to be some changes up in there coming down East Bay Street."

Keith Benjamin, Director of Traffic and Transportation, said, "Yes, sir. So, the plan for the Park-and-Ride lot doesn't affect the improvements to Brigade Street. It just so happens that the on-calls that we used to establish the Brigade Street improvements are also on the team for the Lowcountry Rapid Transit, so they're well aware of what exactly that looks like. I do want to emphasize a piece that the Councilmember brought up. There is no other connection between Meeting and King Street until this year, so one of the benefits of what has been laid out at least to TRC preliminary for the Park-and-Ride lot is that there is going to be connectivity there, not just for vehicular traffic, but also pedestrian traffic as well which is something folks both at Joseph Floyd Manor and Box & Crate and others have asked for specifically. So, still preliminary, but definitely something to look forward to."

Mayor Tecklenburg said, "Great. Are there any other questions or comments?"

No one else asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Shealy, City Council voted unanimously to give first reading to the following bills:

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that previously Unzoned Rail Right-of-Way located at 1320 King Street Extension (Peninsula) (approximately 1.50 acres) (TMS #464-14-00-191) (Council District 4), be zoned Upper Peninsula District (UP) classification. The property is owned by the BCDCOG.*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of 1320 King Street Extension (Peninsula) (approximately 0.94 acre) (a portion of TMS# 464-14-00-191) (Council District 4), be rezoned from 8 and 2.5 Old City Height District classifications to 4-12 Old City Height District classification. The property is owned by the BCDCOG.*

Mayor Tecklenburg said, "Next, we have a motion to go into Executive Session to discuss a couple of proposed settlements on, I would consider minor lawsuits, and then to take some legal advice on our pending Gaillard litigation. We may take action when we come back on the proposed settlements, but not on the Gaillard matter, just if anyone was in the Chambers wanting to report anything when we get back out."

Councilmember Seekings said, "So moved."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "We have a motion to go into Executive Session. Are there any other comments or business before we go into Executive Session?"

The Clerk said, "I would like to say something to the newly elected Councilmembers. I have put your oaths on your desks, so if you could please sign those. You will have two, one that you can have and then one that we will keep. Just sign them, and then we will seal them and get them back to you and have them notarized and that sort of thing."

On a motion of Councilmember Seekings, seconded by Councilmember Shealy, City Council voted to go into Executive Session at 6:27 p.m.

On a motion of Councilmember Waring, seconded by Councilmember Shealy, City Council voted to come out of Executive Session at 7:28 p.m.

Mayor Tecklenburg said, "Let the record show that there was no action taken during Executive Session on any matter whatsoever."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I would ask that we put a resolution on the agenda at the next meeting. You were at the No Hate Rally at Synagogue Emanu-El on Sunday, and Councilwoman Jackson was there, Councilmembers Appel and Shealy."

Councilwoman Jackson said, "Councilmember Griffin."

Councilmember Waring said, "Councilmember Griffin, that's right, and myself."

Councilmember Griffin said, "Right next to you."

Councilmember Waring said, "Right next to me. How could I forget that?"

There was laughter in the Chamber.

Mayor Tecklenburg said, "To support Councilmember Gilliard's House legislation."

Councilmember Waring said, "Legislation on the Hate Crimes bill."

Mayor Tecklenburg said, "Right."

Councilmember Waring said, "There are 50 States in Union. There are only four that do not have any hate crime legislation, South Carolina being one. I hope we would put that and send that to our delegation."

Mayor Tecklenburg said, "We'll bring that resolution to Council next meeting."

Councilmember Waring said, "Thank you, sir."

Mayor Tecklenburg said, "Are we good with that, Susan? I think, and I didn't get it done, actually Representative Gilliard had requested that in a meeting with me recently."

Rick Jerue said, "Mayor, there's a draft that Liz Bailey is working on."

Mayor Tecklenburg said, "Oh, who's working on it?"

Mr. Jerue said, "Liz Bailey."

Councilmember Griffin said, "Thanks."

Mr. Jerue said, "What I'll do is have her get in touch with Susan."

Mayor Tecklenburg said, "Okay. We'll have it ready for the next meeting."

Councilmember Waring said, "By the way, you did a great job up there, and I'll tell you, Chief Reynolds really did a good job."

Mayor Tecklenburg said, "Yes, he's awesome, but you ought to try that soap, Dr. Bronner's soap. I'm telling you, it's--"

Councilmember Waring said, "I'm going to get it just to read the part that you read."

Mayor Tecklenburg said, "It's imprinted right on a bar of soap, 'All one', and I went and watched, you can look it up on YouTube or Netflix. There are a couple of little stories about them, true stories about the company and Dr. Bronner. It's very fascinating. Councilmember Gregorie is back, so we will be able to take up the matter. First is O.1., which is a proposed settlement in the matter of Nance v. City of Charleston."

Councilmember Shahid said, "I move we approve the agreement."

Councilwoman Jackson said, "I second."

Mayor Tecklenburg said, "What is the motion?"

Councilmember Shahid said, "To move that we approve the agreement."

Mayor Tecklenburg said, "We have a motion to approve the agreement, and we have a second. Is there any discussion?"

Councilmember Appel said, "I just have to note for the record that I have to abstain from voting on this item."

Mayor Tecklenburg said, "Councilmember Appel will abstain. Alright. Is there any other further discussion?"

No one else asked to speak.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, City Council voted to approve the proposed settlement agreement between the City and Albert Tyler Nance arising out of Case No. 2019-CP-10-3121, Nance v. City of Charleston, et al, relating to the use of an accessory structure on Nance's property located at 8 Elmwood Avenue (Charleston County TMS No. 460-02-04-132 for a short-term rental.

The vote was not unanimous. Councilmembers Delcioppo, Gregorie, Seekings, and Griffin voted nay. The motion passed 8 to 4 with one abstention. Councilmember Appel abstained from voting on this item and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.

The Clerk said, "Alright. So, how many ayes did we have? Can I have hands?"

Mayor Tecklenburg said, "A show of hands on aye."

Councilmember Shahid said, "In favor?"

The Clerk said, "This is aye."

Mayor Tecklenburg said, "In favor."

The Clerk said, "Eight."

Mayor Tecklenburg said, "The motion passes but, for the record, you might want to record the nays."

Councilwoman Jackson said, "One nay."

The Clerk said, "Four people, okay."

Councilwoman Jackson said, "And one abstention."

The Clerk said, "Okay. Yes, that's right."

Mayor Tecklenburg said, "One abstention."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

There was laughter in the Chamber.

Councilmember Griffin said, "A standing nay."

The Clerk said, "Seekings."

Mayor Tecklenburg said, "Gregorie."

The Clerk said, "Gregorie."

Councilmember Delcioppo also voted nay.

Mayor Tecklenburg said, "Alright. Next up is number two. We have a proposed settlement between the City and Carmella's."

Councilwoman Jackson said, "Move for approval of supporting the settlement agreement."

Councilmember Brady said, "Second."

Mayor Tecklenburg said, "We've got a motion to approve the settlement and a second from Councilmember Brady. Is there any discussion on this one?"

Councilmember Waring said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "On the advice of Legal Counsel, I'm going to abstain on this one."

Mayor Tecklenburg said, "Okay. We have two abstentions on this one, Councilmembers Appel and Waring. Is there any further discussion?"

No one else asked to speak.

On a motion of Councilwoman Jackson, seconded by Councilmember Brady, City Council voted to approve the proposed settlement agreement between the City and Carmella's, LLC, arising out of Case No. 2019-CP-10-4217, Carmella's, LLC v. City of Charleston, et al., relating to a request for a special exception for a late night use at 198 East Bay Street, Suite 100 (Charleston County TMS No. 458-05-04-003).

The vote was not unanimous. Councilmembers Waring and Appel abstained from voting on this item and completed Conflict of Interest Forms which are on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "So, if there is no further business, we are hereby adjourned. We have a workshop meeting scheduled for 3:00 p.m. on the afternoon of Monday, the 27<sup>th</sup>, and we have a regular City Council meeting back here on Tuesday the 28<sup>th</sup> at 5:00 p.m."

Councilwoman Jackson said, "I'm sorry, what time is the 27<sup>th</sup>?"

Mayor Tecklenburg said, "3:00 p.m."

Councilmember Griffin said, "The public hearing is at 5:00 p.m., right?"

Mayor Tecklenburg said, "The public hearing going along with that workshop will be at 5:00 p.m., which will be advertised. That's all about the Stormwater Manual Update. You'll be able to read it in full between now and then. We're hereby adjourned."

There being no further business, the meeting was adjourned at 7:32 p.m.

Vanessa Turner Maybank  
Clerk of Council