

COUNCIL CHAMBER

Regular Meeting

January 28, 2020

The eighty-ninth meeting of the City Council of Charleston was held this date convening at 5:09 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media January 22, 2020 and appeared in The Post and Courier January 26, 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 5:09 p.m.

The Clerk called the roll.

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

Councilmember Sakran opened the meeting with an invocation.

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

Mayor Tecklenburg said, "Thank you very much, and just by way of announcement, for those who haven't been with us before, in the most unlikely event that we would need to leave the building, these are our two exits here, and then there is one door from the room over to my right. In that event, please do not use the elevator, but just use the two stairs going down to the first floor and the stair out to the front. It's very unlikely, but just in case for everyone to know which way we're headed. Now, I do want to make just a brief off-the-cuff announcement. It was about a month or six weeks ago that we had here in the Council Chamber a wonderful local musical group that had received a Grammy nomination. Just in case anybody missed it Sunday afternoon, it was actually announced in the program Sunday night, but Ranky Tanky won the Grammy, and they're going to bring it home to Charleston."

There was applause in the Chamber.

Mayor Tecklenburg continued, "So, congratulations Ranky Tanky. Just by way of introduction, I'm going to call on Councilmember Shahid very briefly to introduce some guests who are here from afar, who are partners with us in the Charleston 350 Celebration this year, Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor, members of Council, and Madam Clerk. Randy Draftz, who you all may know, is very much involved in sailboat racing in the Greater Charleston area, and we've brought our partners from O.C. Sports who are here to go over the last minute details of this little boat race that we're going to be having in Charleston in May from Bresse, France. If you all want to come up to the microphone really quick to say a few words, they're here to finalize the details of some contracts and other loose ends that we need to take care of. I want you to state your name for Council. He's with O.C. Sports, and we welcome you to Charleston. We've been meeting regularly and exchanging e-mails, but we're getting very close to finalizing all of the details of our arrangement. So, thanks for coming."

Yann Royer said, "Thank you, all. I apologize for my English. I will try to do it correctly. So, from O.C. Sports Team, we want to thank all of the City Council who are reaching an agreement to welcome the race in Charleston. It's a big step organizing the event. The event will take place from the first of May in Bresse, France, the west part of France, and we are expecting the first boat in Charleston between the 18th and 20th of May. We are expecting between 30 and 40 boats around 100 feet long, and between 30 and 35 knots speed, and we hope to share all of the events with families here in Charleston. So, thanks a lot."

Councilmember Shahid said, "So, Mayor, some of these boats are superfast. We met with Robbie Freeman at Safe Harbor this morning and some of these boats are so fast that they're going to make them do a circle around, so the other slow boats have a chance to catch up with them just a little bit. These are very high-tech boats and very sophisticated pieces of machinery. It's very exciting that they are a part of our 350 Celebration, and we welcome that. Part of the coincidence that we're having with the College of Charleston is called a CLAW Conference, an international conference dealing with seaports and their contribution to the American economy. So, you will be getting more details, but they're coming in conjunction with that CLAW Conference and with the beginning of Spoleto. So, thank you all for your cooperation. Stirling (Halversen) has just been wonderful. I wanted to single her out, Mayor, with her work on the contracts that we've been doing with them, and we're getting very close to finalizing all of this. Thank you all for coming, gentlemen. Thank you, Randy."

Mayor Tecklenburg said, "I offer my thanks, as well, and will explain to folks here a little more. This is, I think most people know, our 350th Birthday of the City of Charleston. We were founded in 1670, and we have a number of events planned this year, particularly telling our history and the full story of our history. One important part of our history is our maritime connection, the history of being a harbor and a seaport. So, having this transatlantic race ending here in Charleston is just one of the many events we'll be having this year, and we're so glad to have you all as a part of it. So, again, thanks and congratulations."

Next, we're going to have our public hearings, if we could get our screen up. Christopher Morgan will come forward and present these one at a time. During the public hearings, anyone can speak. If you come forward, please state your name and address, and I'd ask everyone to keep your remarks pertinent to the item at hand, if you will, and also limit your remarks, if you would, to two minutes. So, first up is a--"

Councilmember Seekings said, "Mayor, can we take one and two together? They're the same item."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "We could take one and two together. They're both concerning entitlements for 7 Calhoun Street and so, without objection, we'll do that, Mr. Morgan."

Christopher Morgan said, "Okay. Thank you, Mayor, and members of Council. I'm glad you're taking those two together because I have them together in our slide show. It's E-1 and E-2. These both relate to these properties at 7 Calhoun. They're currently in the MU-2 District, and they're going to a PUD, a Planned Unit Development. They're also currently in the 30/56V Old City Height District, and they would move to the 6 Story Old City Height District based on the changes that have occurred on the property, as per flood zones and things like that. I'll show you a few images just to acquaint you with the property, although I'm sure you all probably know it pretty well. It's at the eastern end of Calhoun Street. It's across from the Dockside Condominiums, the South Carolina Aquarium and the parking garage associated with it. It backs up to the Gadsdenboro Park, which is the area in gray to the south.

We have some images from our Comprehensive Plan. Of course, it's recommended for Urban Core, which is our most intense district in the Comprehensive Plan and in line with the types of uses that are discussed in the PUD. Here's an aerial image of the property, Calhoun Street to the top, Concord Street to the east, an office building to the west, and, of course, the park to the south. We also have a tighter view of the property itself, and then we have the overall concept that is now emerging for the Gadsdenboro Park area. This dates back a decade-and-a-half to the Ansonborough Field discussions and plans, and this is the PUD site that is coming forward to you tonight. You all have seen the other developments that have come in, including the Williams Terrace affordable housing in the southwestern corner of Gadsdenboro Park. Of course, there are elements to this PUD that help to make sure that it is funded in perpetuity for its maintenance, as well as the recent completed Gadsden Condos that are on the southern end of the park, and the offices to the west that I've already mentioned there. Here is the FEMA document that changed the flood zone on the site that necessitated the change in Height District. Essentially, we are dealing with comparable Height Districts because the 30/56V really goes up to 70 feet, and you have comparable 30/56V buildings nearby, such as the Anson House, which is a six-story structure just down the street on Concord. Of course, the height of the Dockside all makes, in our opinion, the changes to the Height District very appropriate. The PUD itself is a Mixed-Use PUD that would allow for a hotel on the site, as well as ground floor retail, other Residential uses within the structure, and it is very much in keeping with what has been planned for this corner. The Planning Commission recommended approval with a 5-0 vote and staff recommends approval, as well."

Mayor Tecklenburg said, "Alright. Would anyone from the public like to be heard on these two matters?"

No one asked to speak.

Councilmember Mitchell said, "Move for approval."

Councilmember Seekings said, "Second."

Mayor Tecklenburg said, "We have a motion to approve and a second. Is there any discussion on both items?"

No one asked to speak.

On a motion of Councilmember Mitchell, two (2) bills (Items E-1 and E-2) received second reading. They passed second reading on motion by Councilmember Seekings and third reading on motion of Councilmember Seekings. On further motion of Councilmember Mitchell, the rules were suspended, and the bills were immediately ratified as:

2020-011 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 7 CALHOUN STREET (PENINSULA) (APPROXIMATELY 1.798 ACRES) (TMS #458-01-02-064 AND 458-01-02-067) (COUNCIL DISTRICT 1), BE REZONED FROM MIXED USE (MU-2) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (GADSDENBORO PARK PUD) CLASSIFICATION. THE PROPERTY IS OWNED BY RB CHARLESTON LLC.

2020-012 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 7 CALHOUN STREET (PENINSULA) (APPROXIMATELY 1.798 ACRES) (TMS #458-01-02-064 AND 458-01-02-067) (COUNCIL DISTRICT 1), BE REZONED FROM 30/56V OLD CITY HEIGHT DISTRICT CLASSIFICATION TO 6 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTY IS OWNED BY RB CHARLESTON LLC.

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "The next item is on Line Street, and we'll turn to the slides for that. This is at 32 Line Street in the Eastside. It's a piece of property that's currently zoned DR-2F, and the request is to rezone it to Residential Office. It is just east of Meeting Street. We have another image that shows some of the surrounding uses. This is the urban area of the City in the Comprehensive Plan, so this type of use would be appropriate in the urban area of the City. Here, you see a more detailed image that shows some of the surrounding uses. The subject property is outlined in the box in yellow. It is to the west is the Church's Chicken Restaurant, to the south is the Family Dollar, and to the east are Single-Family and Multi-Family Residential properties. As you can see, there is a diversity of uses in the area. Our feeling amongst staff was that an (RO) Residential Office use was appropriate here, a good transition from the more intense Commercial along Meeting to the neighborhood in the Eastside. They're just more decidedly Residential. Of course, in the RO District, you have to keep the Residential look of a structure, and that will help with the overall character, we think, here. Just a few other images, this is a little bit tighter view of the aerial, and here is a view of the historical structure that has been renovated and would have some Office use in it. There we have the structure view from Line Street and a view of Line Street going towards Meeting. So, both staff and Planning Commission recommend approval of this change."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter?"

No one asked to speak.

Councilmember Griffin said, "Move for approval."

Councilwoman Jackson said, "Second."

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

No one asked to speak.

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, this is in the district I represent. It is on Line Street. I know exactly where as I went by and took a look at it. I know it was an old housing complex at one time. I don't have a problem with it being rezoned, but my dilemma is I'm losing another unit, insofar as housing is concerned, and that's the only concern I have with it. I have to apologize to the individual, the owner. I know he called me, and I was going to call him back, and I misplaced his number, because I wanted to make sure that he informed the community and the neighborhood association of the plan for that particular housing complex, since we're losing those units there as housing. We're losing too many units, but the area is changing a lot on the Eastside in the area on Line Street, and this might help a little with the problem that we're having in that particular area, at Nassau and Line because we had a tragedy there. So, I would still ask him to go and get in touch with the neighborhood association if he hasn't and inform them that this change is going to take place, so the community would be aware of what's happening in that particular area. Even if we vote on it tonight and give it that first reading, I want to ask him to get in touch with the neighborhood association before it comes back for the second and third reading."

Mayor Tecklenburg said, "Is the owner here by chance?"

No one asked to speak.

Mayor Tecklenburg said, "I don't see him. Okay."

Mr. Morgan said, "Councilmember Mitchell, I will say that both at the Planning Commission meeting in December and then tonight, we have not had any folks come out or have concerns with it. The property was posted with a sign, and the neighborhood leaders got a copy of the agenda, too."

Councilmember Mitchell said, "The only problem I have with that is they might not come out to you, but then when I go over there, I get beaten up."

There was laughter in the Chamber.

Councilmember Mitchell continued, "That's my problem, my dilemma. I want to make sure that they understand exactly what's happening because on the Eastside, we have a lot of problems going on as it is and a lot of challenges. I don't want to have any problems coming back to me again. Information is the key now and to make sure that people understand what's happening. We've got to make sure we have this information out to the community. So, you can contact the owner and you can contact me if you want to, and I can give you the name of the neighborhood association's president and telephone number, so that he can call her to get on the agenda and explain to them exactly what's happening with that particular housing complex."

Mr. Morgan said, "Okay."

Councilmember Waring said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I just have a question for my colleague. Do you want to defer the first reading until you have that contact, or what is your pleasure?"

Councilmember Mitchell said, "No, we can go ahead and give it a first reading because right now, I don't know if it's occupied that much."

Mr. Morgan said, "I think there is a resident in it. Yes."

Councilmember Mitchell said, "A few residents in it, but then we had some problems in that area. So, I would just give it first reading, but if they have any problem with it, then I'll make my changes when you come back with the second and third reading."

Mayor Tecklenburg said, "Alright. Are there any other comments?"

No one else asked to speak.

On a motion of Councilmember Griffin, seconded by Councilwoman Jackson, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 32 Line Street (Peninsula) (0.07 acre) (TMS #459-05-03-025) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to Residential Office (RO) classification. The property is owned by Michael George.

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "We're moving on to West Ashley, and this next item is on Sycamore Avenue, 101 Sycamore Avenue, at the corner of Paula Drive. I think in previous times there may have been a reference to this property as 101 Paula Drive. It's in the Magnolia Neighborhood in West Ashley. It is a Single-Family residence that is currently zoned SR-2 Single-Family Residential. The request is to rezone to Residential Office, as well, similar to the one on Line Street. We'll show you some images here. It's in the Comprehensive Plan as a suburban designation which would not preclude a RO zoning. It's inside the box there with the little star. It's right near our City Park and also the new office complex that's been developed at the corner. Here, you see that there is a church across from the property, as well as a Multi-Family development, and across the street is a daycare, across Paula Drive to the south. So, there is kind of a mixture of uses. It's not exclusively Single-Family in this area. This is a closer image. It is an existing Residential structure, which would have to be maintained as part of the RO zoning requirements to keep the residential character of the structure. They would just have the ability to use it as an office now with this rezoning. Here is another image of the structure and street views of the surrounding area. Staff and Planning Commission did recommend approval of the rezoning. Here you see the daycare center that is across the way, as well, and it now comes to you for your action."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter? Yes, sir. Please come forward."

1. David Nauheim said he was the applicant, and his wife was with him. He said they lived a short walk from the property. It was a dream of theirs to own a Commercial property in the neighborhood where they lived to house his law practice. His practice focused on representing Plaintiffs and employment law cases. He said the rezoning was consistent with the uses on Sycamore Avenue where there were several non-Residential uses. Before they made an offer on the property, they knew they would have to ask for rezoning, so they went to the neighborhood president and asked if there was any opposition. They invited people to contact them with questions and support or opposition. He didn't receive anything in opposition. He received four e-mails in support. The neighborhood president said they were okay with it being a law office now, but asked what might happen down the line if it was rezoned. He said they looked at it and determined if they asked for Residential Office instead of a more permissive zoning, then it would always be a professional office. The neighborhood president said they had strong support and could feel comfortable with moving forward on purchasing the property and asking for rezoning. He couldn't say it was unanimous support, but there had been no opposition expressed to him, no opposition at the Planning Commission hearing, and hopefully there would not be any opposition at the Council meeting. He asked for Council's support.

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. This piece of property is close to my office, so I'm familiar with it. I drove by it yesterday. I guess the one concern that I have, or one question I have for you, that leaves one Single-Family home. In fact, it was on the map a minute ago, but it leaves one Single-Family home between you and the cemetery. Did you have direct discussions with that particular property owner?"

Mr. Nauheim said, "Yes, I did. I forgot to mention that. I went and spoke with every adjoining neighbor, and every one of them, including the property that you're asking me about, expressed support."

Councilmember Shealy said, "Okay. Great. Thanks."

Mayor Tecklenburg recognized Councilmember Griffin followed by Councilmember Shahid and Councilwoman Jackson.

Councilmember Griffin said, "Yes, sir. I just want to kind of give kudos to Mr. Nauheim for coming and giving us that background. That's really good, and this is an example of a citizen going above and beyond. Before he purchases the property, he goes around and meets with the neighborhood, talks to the neighborhood president, gets their support, and then comes to Council. Usually, it's the other way around. Usually, it's come to Council and then everything breaks loose. So, I thank you, sir, for just being a great citizen of Charleston."

Mr. Nauheim said, "Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I just want to add on to that because he called me numerous times and kind of bothered me a little bit, but that's okay. He was very persistent. He came by, and then we chatted. So, just for a point of reference, down the street from Sycamore is our Schoolhouse where we have frequent meetings and that we've used for our Revitalization Commission there. I just want to echo David's persistence and doing what I suggested for him to do. Reach out to the neighbors, and reach out to the Neighborhood Association President, so I would recommend we approve this. David, thanks for coming in this afternoon. I appreciate your tireless efforts to get this taken care of."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. Yes, I happened to be at the Planning Commission not to hear about this item, Mr. Nauheim, and I am in support of approving this request. I just remembered that the Planning Commission did have a pretty thoughtful discussion about literally the location of the house on the lot, knowing that it was pushed back from what is the comparable commercial street of Sycamore closer into the neighborhood. What I remember about the conversation was it's all well and good to have an Office Use like this that's benign and essentially non-invasive of the rest of the neighborhood that's 100 percent Residential. But, I do think that as the Planning Commission is going to be thoughtful about individual decisions about this, we should remember and not always give the same type of recommendation if there are reasons to be concerned about the encroachment on a residential neighborhood. So, thank you very much."

Mr. Nauheim said, "Thank you."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. You may want to update your website to add zoning and land use law because I've seen a lot of bad land use law advocacy over the years. That was very, very well done, and you're to be commended. So, congratulations."

Mr. Nauheim said, "Thank you."

Councilmember Griffin said, "Can I add one more point, Mr. Mayor?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "The other thing that makes this unique to me is that you have a daycare across the street, and it's been there for a while, and the neighborhood's been okay with that. So, I think this is a little bit different than let's just say, you go into a residential neighborhood that has no commercial activity. You also have a church, a park, and a cemetery, so you have a lot of people coming in and out. So, having a law practice, I think, is a good added commercial activity. I was a little bit concerned of what uses you could do in a Residential Office, but his definition, I'm guessing, and our City's is the same. It has to be nothing but an office and can't have a barbershop pop up or any other Commercial activity. Thank you."

Mayor Tecklenburg said, "Can I entertain a motion? I don't think we had one on the floor."

Councilmember Waring said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Yes. Councilmember Waring made a motion to approve and a second from Councilmember Shealy. Is there any further discussion?"

No one else asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 101 Sycamore Avenue (101 Paula Drive) (West Ashley) (0.26 acre) (TMS #418-09-00-075) (Council District 9), be rezoned from Single-Family Residential (SR-2) classification to Residential Office (RO) classification. The property is owned by David Nauheim.

Mayor Tecklenburg said, "Thank you, sir."

Mr. Nauheim said, "Thank you."

Mayor Tecklenburg said, "Alright, number five."

Mr. Morgan said, "Now we move on to some zonings for some recently annexed properties in the City. The first is 1565 Hutton Place in West Ashley. It is a recommendation for SR-1. It was R-4 in Charleston County, and the nearby zonings in the City are SR-1, and that matches the lot size here, and Planning Commission and staff recommend approval of SR-1 on this property."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter?"

No one asked to speak.

Councilmember Waring said, "Move for approval."

Councilmember Mitchell said, "Second."

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

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1565 Hutton Place (West Ashley) (0.49 acre) (TMS #353-11-00-003) (Council District 7), annexed into the City of Charleston November 26, 2019 (#2019-122), be zoned Single-Family Residential (SR-1) classification. The property is owned by Natasha Chisolm and Tanya Chisolm.

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Most of the rest of these are annexations, and if he wants, he could publish all of the different numbers and the addresses, then ask anyone if they want to speak on any one of these, because all of these are annexations."

Mayor Tecklenburg said, "You want to take six through ten together maybe? They all have first readings. Is that okay with Council?"

Several Councilmembers said, "Yes."

Mayor Tecklenburg said, "You want to just run through them real quick together?"

Mr. Morgan said, "Okay. So, six is 758 Arcadian Way. It was R-4 in Charleston County. The recommendation is SR-1 in the City. The next one is E-7, which is 1440 Dorset Lane in West Ashley. It was R-4 in Charleston County and SR-1 as recommended in the City, as well. Then, the next one is 1249 Wisteria Road. It was R-4 in Charleston County. Now, this one is SR-2, given the lot size and the prevailing zonings in the City nearby. There are a little bit smaller lots over here. That was recommended by the Planning Commission, as well. Then, we move on to E-9, which is 1701 Woodcrest Avenue. It was R-4 in Charleston County. SR-1 is recommended in the City as is the surrounding area. Then, we move on to the tenth one which is 1623 Woodcrest and R-4 in Charleston County, recommended for SR-1 in the City. Those are the remaining items."

Mayor Tecklenburg said, "Alright. I'm going to call out the addresses one more time just so it's clear. If anybody is here to speak on any of these matters, we have 758 Arcadian Way, 1440 Dorset Lane, 1249 Wisteria Road, 1701 Woodcrest Avenue, and 1623 Woodcrest Avenue. Would anyone like to be heard on any of those matters?"

No one asked to speak.

Mayor Tecklenburg said, "Seeing none, it comes to Council."

Councilmember Mitchell said, "Move for approval."

Councilmember Shahid said, "Second."

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

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Griffin.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I don't really have a discussion other than that I do think it would be helpful for ourselves and the public for Mr. Morgan to educate us. You mentioned that one of the properties (E-8) is being recommended for SR-2, as opposed to SR-1, based on the size. So, would you just take a minute to tell us that distinction and when you made that choice?"

Mr. Morgan said, "Yes, ma'am. Essentially, if the lot is smaller than the zoning category, like a SR-1 lot is a 9,000 square foot minimum lot. SR-2 requires a 6,000 square foot minimum

lot. So, if the lot that's coming in is smaller than 9,000 square feet, we aren't going to recommend for it to be an SR-1 because it then, immediately, becomes non-conforming. In this instance, we have a lot that's smaller, plus we have other SR-2 parcels in the area. So, those two issues combined together make our recommendation to SR-2."

Councilwoman Jackson said, "So, it would be our expectation then, in giving it a SR-2, that this lot would not be subdivided or eligible for subdivision?"

Mr. Morgan said, "That is correct."

Councilwoman Jackson said, "I think in just seeing the label SR-2 we sometimes think, 'okay, well, that's going to be a Multi-Use lot', because SR-1 allows for subdivision, but this would pretty much preclude it."

Mr. Morgan said, "SR-2 does allow just like SR-1 does, but you have to have 6,000 square foot lots."

Councilwoman Jackson said, "Based on the size, right."

Mr. Morgan said, "But it still is a Single-Family category. Yes, ma'am."

Councilwoman Jackson said, "Right. Okay. Thanks."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, I was actually speaking with this applicant about moving into the City and explaining to her about Councilmember Shahid. I informed her that he's actually got this really quirky thing that he can't ever sleep between the hours of 2:00 a.m. and 5:00 a.m. So, I've said if you have any questions about moving into the City, make sure you call him during those hours and gave her his cell phone number."

There was laughter in the Chamber.

Councilmember Shahid said, "I just want Council to take note of the number of applications one, two, three, four, five, six are in my district. So, I think people must like what I'm doing or don't like what I'm doing and may vote for or against me the next time around. I think three or four of these properties are in the Pinecrest Subdivision. I was just having this discussion with our Planning Department about annexation. Pinecrest is one of the oldest subdivisions in West Ashley and the issues that we're having over there with traffic, cars going through, there are speeding issues, and some other issues, is because it is pocketed with areas that are outside of the City limits. So, I'm very pleased with the property owners coming into the City. It's going to make life a whole lot easier for the rest of the residents. My son and daughter-in-law just moved in this area, and they just annexed into the City, as well. So, I would urge you, because our districts touch, I think, in this area, and it's just a beautiful little neighborhood that's been sleeping. I think people will start taking notice of this area. But, we are going to have a push to try and encourage more annexation into these donut holes, if you may, within these older neighborhoods. So, thank you all for bringing this forward. I'm very pleased that they are joining the City, and don't call me at 2:00 a.m. in the morning."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I certainly compliment what Councilmember Shahid said because he is spot on with that. I was just curious. Did you show any one of these homeowners the comparison of how they would save money on taxes if they annexed into the City of Charleston? That's a little known fact that we need to get out."

Councilmember Griffin said, "I did, actually, remember. I got her in touch with Philip Overcash and showed her that she would save \$600 a year by coming into the City. She joined right away."

Councilmember Waring said, "Listen, most people don't know that. Decades ago, that was different, but because of the local half-cent sales tax, Mr. Mayor, in most cases, people can save enough money, annually, to go on a cruise. This is another one of those neighborhoods that, believe it or not, is still an affordable neighborhood. So, keep that in mind. Thank you."

Mayor Tecklenburg said, "So, if I may plug annexation myself, in addition to savings on your property taxes because we have, in essence, a special deal with Charleston Water Service that Councilmember Waring and I both also serve on the Board of, you get a special deal on your water and your sewer bill if you live in the City of Charleston versus outside of the City when you're a Charleston Water Service customer. The savings can almost be as much as the property tax figures. Anyway, we have a gentleman, just for the benefit of Council and anyone else in our Planning Department, Philip Overcash, and he can do a little analysis for a prospective citizen property owner that wants to bring their property into the City. So, feel free to contact Philip if you need that information, and we welcome that to occur at this point with these donut holes in certain areas of the City. It makes delivery of services more efficient and more reliable for the citizen as well, to know who to call. Plus, they'll have the excellent representation here of a City Councilmember when they come into the City. So, anyway, good points, all. Okay. Did we vote on that?"

The Clerk said, "You need to vote."

Mayor Tecklenburg said, "Okay. Is there any further discussion on all of those items, six through ten?"

No one else asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, 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 758 Arcadian Way (West Ashley) (0.33 acre) (TMS #418-15-00-063) (Council District 3), annexed into the City of Charleston November 26, 2019 (#2019-121), be zoned Single-Family Residential (SR-1) classification. The property is owned by John and Chantal Byrne.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1440 Dorset Lane (West Ashley) (0.3 acre) (TMS #352-09-00-081) (Council District 9), annexed into the City of Charleston December 3, 2019 (#2019-130), be zoned Single-Family Residential (SR-1) classification. The property is owned by Shelia D. Pace.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1249 Wisteria Road (West Ashley) (0.19 acre) (TMS #351-12-00-111) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-139), be zoned Single-Family Residential (SR-2) classification. The property is owned by Rachel Carson Holling.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1701 Woodcrest Avenue (West Ashley) (0.25 acre) (TMS #351-11-00-021) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-140), be zoned Single-Family Residential (SR-1) classification. The property is owned by Gregory R. Thomas.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1623 Woodcrest Avenue (West Ashley) (0.24 acre) (TMS #351-11-00-027) (Council District 9), annexed into the City of Charleston December 17, 2019 (#2019-138), be zoned Single-Family Residential (SR-1) classification. The property is owned by Kristen and Eric Chappell.

Mayor Tecklenburg said, "Next, Number 11."

Mr. Morgan said, "This item is on James Island, 403 Fleming Road. It is an existing Industrial property. It was zoned Industrially in Charleston County. It is along Fleming Road where there are a number of Industrial uses. It is true, though, that there are Residential uses to the east side of Fleming Road, so it is a real mix in that area. We've got some images to show you. This is in our Job Center designation because of the existing Industrial in that area. So, Industrial zoning is appropriate for the recommendation. Here, you see how there are a large number of operations going on there. The subject property is in the yellow box, so it has been Industrial in the past and would continue to be Industrial in the City. We have some other images, I thought, here, but maybe we don't. So, both staff and Planning Commission recommend for the Light Industrial zoning for this property."

Mayor Tecklenburg said, "Alright. Would anyone like to be heard on this matter?"

No one asked to speak.

Mayor Tecklenburg said, "Seeing none, it comes to Council."

Councilmember Shahid said, "Move for approval."

Councilmember Mitchell said, "Second."

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

No one asked to speak.

On a motion of Councilmember Shahid, one (1) bill (Item E-11) received second reading. It passed second reading on motion by Councilmember Mitchell and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shealy, the rules were suspended, and the bill was immediately ratified as:

2020-013 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 403 FLEMING ROAD (JAMES ISLAND) (0.96) (TMS #343-07-00-067) (COUNCIL DISTRICT 11), TO BE ANNEXED INTO THE CITY OF CHARLESTON DECEMBER 3, 2019, BE ZONED LIGHT INDUSTRIAL (LI) CLASSIFICATION. THE PROPERTY IS OWNED BY 403 FLEMING, LLC.

Mayor Tecklenburg said, "Number 12."

Mr. Morgan said, "Mr. Lindsey is going to present this item."

Jacob Lindsey said, "Item Number 12 is related to clerical updates to the Old City Height Districts, and these correct scrivener's errors and clarify language throughout the districts. It does three primary things. First of all, correcting scrivener's errors in the ordinance that were adopted almost two years ago, clarifies language and key provisions, such as the definition of the half story, definition of vertical additions, and the third thing is that it clarifies the language and removes barriers for the elevation of historic homes due to FEMA requirements and flooding. The Planning Commission recommends approval. They had two very minor edits, noting a single clerical language deletion, as well as deleting language that co-mingled parking requirements with the flood elevation component. Those are minor additions, and it comes to you with a recommendation for approval."

Mayor Tecklenburg said, "Alright. Would anyone like to be heard on this matter? Yes, sir. Please come forward."

1. Anthony G. Bryant said in 2010 the State Ports Authority came in to get the height restrictions. He wrote because the government made mention the height restrictions dealt with income, as it created density and money. Planning didn't consider financial hardships of any sort. It should, but it didn't. In March 2010, he did a Federal public comment to the Securities and Exchange Commission Performance and Planning, in which he was told his e-mails were looked into. He submitted them for the record in terms of the effects of the zoning ordinances around the country and in terms of the impacts they may have on the 2020 census. The EPA and DHEC agencies did not consider Title VI complaints at all. They coordinated together with Council to create loopholes in the Federal and final rules by the Federal Government. The densities had led to the dilution of the Black vote. The real question was if the 1964 Civil Rights Act led to race neutral policies around the country. He said that didn't happen.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard on this matter? Yes, sir."

2. Mohammed Idris said they were talking about the height of the buildings and they knew one of the reasons why was because areas like Summerville, James Island, and Mt. Pleasant wanted to claim their own. People came in the Chamber and said that they didn't want to be annexed into the City. Since they didn't want to be annexed into the City, so the City could get the tax money, the City started allowing the tall buildings to be built and ran the small man out of their neighborhoods. The City put buildings on land that was contaminated where people were living for over 50 years, and now the land wasn't contaminated anymore, so it was alright to build on. He said they knew this was going to happen, and it was on record that they

said it was going to happen. Charleston was becoming a New York. People did not want to be annexed into the City, and the City wanted to be able to get the tax money, so the City was putting hotels on top of hotels. When they first started putting hotels in the City, he agreed because one was put on Society Street, and it created jobs, but now the City was squeezing the little person out.

Mayor Tecklenburg said, "Thank you, sir. Would anyone else like to be heard on this matter?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, it comes to Council."

The Clerk said, "We need a motion."

Councilmember Gregorie said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "We have a motion for approval on number 12 for second reading. Is there any discussion?"

No one else asked to speak.

On a motion of Councilmember Gregorie, one (1) bill (Item E-12) received second reading. It passed second reading on motion by Councilmember Shealy and third reading on motion of Councilmember Griffin. On further motion of Councilmember Shealy, the rules were suspended, and the bill was immediately ratified as:

2020-014 AN ORDINANCE TO AMEND ARTICLE 3, PART 2, SEC. 54-306 THROUGH 54-306.V, OLD CITY HEIGHT DISTRICTS, OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE), FOR CORRECTIONS AND CLARIFICATIONS. **(AS AMENDED)**

Mayor Tecklenburg said, "Thank you very much. That's the end of our public hearings for this evening. Next will be our approval of City Council minutes from December 17th and 19th."

Councilmember Shahid said, "So moved."

Councilwoman Jackson said, "Second."

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

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, City Council voted unanimously to approve the minutes of the December 17, 2019 and December 19, 2019 City Council meetings.

Mayor Tecklenburg said, "Next is our Citizens Participation Period. We welcome you all to come forward and share comments on any subject now and we ask you to, again, give your name and address for the record. I think we have about 20 folks signed up."

The Clerk said, "Seventeen."

Mayor Tecklenburg said, "Yes. So, if I could ask you all to keep your comments to about 90 seconds, and we look forward to hearing from you. Madam Clerk will call out four or five names at a time."

The Clerk said, "Anthony Bryant, Mohammed Idris, Jennet Alterman, Charles Steinert, and Marc Knapp."

1. Anthony Bryant said in 2016 he made public comment to the Commission on Law Enforcement Agency, Inc., the Charleston County Sheriff, and in 2017 the City of Charleston. The Secret Service handled a lot of jurisdictions, and they made a serious public comment on the assembly of young African American men and their problem in the State of South Carolina. The prison pipeline was from school to prison, and it was disingenuous to have an education bill. Elected officials were the causation of problems and not about dealing with symptoms. He had a copy of the public comment he had made, and he also wanted to get a copy of the Public Safety Committee Chairman denying him the right to be heard at the meeting on the issue. It was important regarding racial profiling and an audit the City had which deemed it showed biases within the system. He asked how the City could have a Hate Crime bill when there were biases within the City system. He asked the Mayor to develop serious policies around specifically African American men and young brothers.

Mayor Tecklenburg said, "Thank you, sir."

2. Mohammed Idris thanked the Councilmembers for the vote on the 19th at the Special Meeting. He said it was a marvelous thing, and they needed to put it in the Wall Street Journal, the New York Times, the Muslim Journal, and all national newspapers. He said the ten Councilmembers that voted against Mayor Tecklenburg, Councilmember Seekings, and Councilmember Shahid did a wonderful job, and he wanted God to bless them like David.

Mayor Tecklenburg said, "Thank you, sir."

3. Jennet Robinson Alterman, Chair of the City of Charleston Commission on Women, recognized other Commission members who were present: Jennifer Brown, Councilwoman Jackson, and Janet Segal. Their Commission voted unanimously to send Council a Resolution to say it was time for paid family leave for City of Charleston employees. She said everyone had been hearing a lot about it, and the Federal Government had adopted a paid family leave policy. They thought it was something the City could use for a couple of reasons. The City had one of the lowest unemployment rates in the Country, and it was competitive to get good people and keep them. Several members of the City employees had been referenced, and they wanted to keep them. She talked about keeping up with the business world, as well. Benefitfocus offered eight weeks of paid family leave. Walmart offered ten weeks. Boeing offered 12 weeks, and this was family leave,

not just for maternity leave, adoption, or the placement for a foster care child. It also included the actual childbirth and recovery and a serious medical condition of the spouse, the parent, or the child. This was for all City employees of any gender, and they recommended for Council to send it to the HR Committee and let them work something out for the City of Charleston that would make everybody happy.

Mayor Tecklenburg said, "Thank you very much. Mr. Steinert, welcome."

4. Charles Steinert said he was proud to say that he was native-born and a lifelong Charlestonian which was an ever decreasing minority in the City. He was also there as a member of the Jewish Community Relations Council of Greater Charleston (JCRC) and a proud member of Synagogue Dor Tikvah. As a Jewish resident of Charleston, they had seen the rapid rise of anti-Semitism. They had seen, as residents of Charleston, the Mother Emanuel tragedy which was beyond words, and they had seen tragedies for transgender people in the City. The City under Mayor Tecklenburg's leadership was the first City in the State to adopt a Hate Crime Ordinance. They appreciated that and were proud of the Mayor and commended him for it. That evening, there was a Resolution urging passage at the State-wide level. Representative Gilliard had worked on it for ten years. They appreciated it, and they urged and supported Council's passage. He asked Council to bear in mind that they were all governed by a document that talked about life, liberty, and the pursuit of happiness. He said to let all citizens feel the same pleasure.

Mayor Tecklenburg said, "Thank you, sir. I'll point out that it's not just the Mayor, but the Council that showed the leadership in passing that Hate Crime Ordinance for the City of Charleston. Yes, sir. Please proceed."

5. Marc Knapp said Council needed to look at Item 12 in the Ways and Means agenda because the way he read it, Council was giving staff the ability to make a \$40,000 change in the contract which was only \$98,000 the way it read, but he thought it was supposed to be for the \$700,000 portion. The other day, he read an article by a mathematician that said there shouldn't be traffic problems and congestion. The article didn't go far enough in explaining what to do, but he gave Council an idea. He said he usually got to the Hardee's on Hwy. 17 at Sam Rittenberg between 5:30 a.m. and 6:00 a.m., and when he left, he headed north on Hwy. 17. He usually got stopped at the Sam Rittenberg intersection, and down the road, the light at Skylark or Dupont changed red when everything else was green. This was the 400th time he had told Council that they needed somebody that knew how to do traffic, as obviously the City didn't have anybody.

The Clerk said, "Next is Susan Lyons and then Mark Boone, Rebecca Fanning, and Mika Gadsden."

6. Susan Lyons said she represented Groundswell, the advocacy organization made up of families whose properties had been repeatedly flooded or threatened with flooding. She said they were all threatened by flooding. She endorsed the effort by the Stormwater Department to create a Stormwater Manual. It would encourage the City to view development or redevelopment through the lens of flooding and sea rise, and that was the reality all must face. She was aware that there was builder development and investor interests that may resist the changes

that the proposed manual outlined, as they wanted to retain things as they had been. They believed this was a time for change that would protect those that lived, worked, and enjoyed the City. The manual was a step toward the critical water management plan that the Dutch Dialogues called for. She commended Matt Fountain for his elucidating presentation before the Council, and she commended the Committee who worked deciduously for more than a year to craft the document. She urged Council to be bold and take a step to leave the old thinking behind. She enthusiastically supported adoption of the Stormwater Manual, and she hoped Council did, too.

Mayor Tecklenburg said, "Thank you."

7. Rebecca Fanning said she was in the Graduate Program for Environmental Studies and Public Administration at the College. She was there, as well, to voice her support for the Stormwater Design Standards Manual. She recognized Councilwoman Jackson for her diligence in crafting thoughtful policy proposals in advance of the manual. She also commended Councilmember Gregorie for acknowledging the lack of specific wording around environmental justice issues addressed by the manual. She hoped if they didn't appear in ink that they would appear in practice on City-owned properties such as Harmon Field or Brittlebank Park or the wetland corridor that connected them. She thanked Councilmember Appel for his concerns about public misperceptions regarding the practice of filling wetlands. Freshwater wetland was much more susceptible to invasive species coming in, and it didn't serve as many community members. She hoped that the Stormwater Design Standards Manual would be adopted as soon as possible and that, in advance, the City crafted their land management practices towards it immediately.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

8. Mark Boone said he represented Groundswell, and he echoed Susan Lyons' remarks. He had read some of the Stormwater Manual that Matt Fountain and his team put together, and they did an excellent job. He was a layman, and he didn't pretend to understand it all, but he understood what stormwater had done to the community. He said they had seen it in their front yards and backyards on Gadsden Street. He hoped if there were objections to a thorough and careful document, that any objections were carefully and critically examined.

Mayor Tecklenburg said, "Thank you, sir."

9. Mika Gadsden said she was an area activist, and she was there to stand for the citizens of Back the Green a/k/a The Gadsden Green Community. Her peers were going to come after her and give more science and statistical proof to what they were asking Council to do, which was to stop and take a moment. She said to stop listening to Westedge and start listening to grassroots leadership on the issue of filling the Gadsden Creek. She urged Council to exhibit courageous leadership and stop the injustices that had happened since before the 1940s. She had every intention of using every resource at her disposal to galvanize the people of Gadsden Green. Their victory might not look like completely stopping Westedge, all of the Commercial interests, and all of the interest in the money that was there, but their victory would be substantial. She implored Council to act with courage to

meet with them and to question what they were being fed by the Westedge Development Group. They knew for a fact there were several items that didn't meet the standards of the Stormwater Manual, and she asked Council to listen, as this was a justice issue and a racial justice issue that had gone on for generations.

The Clerk said, "We have Cashion Drolet, Denise Sanger Weinstein, Sully Sullivan, Blake Suarez, Seb Choe, and then Christopher."

10. Cashion Drolet, Historic Charleston Foundation (HCF), said the new Stormwater Manual took important recommendations from Dutch Dialogues Charleston and put them into practice by providing special rules and practices for flood-prone areas, strengthening requirements for redevelopment, incentivizing green infrastructure, and providing a means to regulate fill-and-build. The updated manual was a critical component of the City's game plan to address flooding and climate change. She thanked the Mayor and staff, members of Council, and the Stormwater Task Force for their arduous work. HCF remained steadfast in its commitment to improving livability and protecting historic structures by addressing flooding and the high water. They were committed to full implementation of the recommendations in the Dutch Dialogues, and they were energized by what the new manual could mean for the City and looked forward to working with the City on additional zoning measures to prevent new development and fill from compounding flooding, particularly in residential neighborhoods. She additionally commented on last week's meeting of the Board of Zoning Appeals (BZA) and said they were very frustrated by the debate and lack of understanding by the BZA members and staff on the intent and provisions of the revised ordinance. One proposed hotel project at 80 Mary Street was being wedged between two other large hotel projects, a scenario which the new ordinance was designed to prevent. They encouraged Council to continue working on the Accommodations Ordinance.

Mayor Tecklenburg said, "Thank you."

11. Denise Sanger Weinstein said she was an ecologist that had focused on coastal development and the health of Charleston's harbor for the last 20 years. She commended the City for drafting the updated Stormwater Manual, and it was important that they considered how water left the land and began to enter into the estuaries. The focus on green infrastructure and mimicking nature were critical to the health of the estuaries, tidal creeks, and salt marshes, as well as lifestyles. They did rely upon these environments. She thought it was important that they continued to think holistically and continued to protect the environment.

Mayor Tecklenburg said, "Thank you very much. Yes, sir."

12. Sully Sullivan said he had been in Charleston for about 20 years, and he thought everybody had probably had enough of the development. If it wasn't obvious that Charleston was sinking and putting more developments everywhere, then he wasn't sure what else they should be talking about. The Stormwater Development Plan that had been talked about was in contradiction to filling Gadsden Creek. Councilmember Appel might have said the other night, 'It wasn't like they were filling creeks.' That was exactly what Westedge was trying to do. There was a better way to do it to inspire everybody that lived in the City. Council loved celebrating the African American community when it came time to win a Grammy,

but when it came time to stepping up to the plate and displacing all of them, Council turned their head, and he was tired of it. He didn't move and stay in the City for 20 years to live in a homogenized society full of people that looked just like him. Everybody inspired him, and he wanted to be in a City that invoked that change and that progression. He told Council they had four years. He would gladly step up to the plate and run for Mayor and help make the change that he wanted to see.

Mayor Tecklenburg said, "Thank you very much."

There was applause in the Chamber.

13. Blake Suarez said he wasn't sure who saw the Post and Courier article regarding the City's carbon footprint. The article covered a lot of things the City had been missing, and it seemed they were behind a lot of other progressive cities, even though Charleston was up on a pedestal and missing out on a lot of things to ready itself in the changing climate. The article gave a surface explanation of some of the flooding, including costs, \$64 million on the low seawall, \$200 million on reducing flooding at Septima P. Parkway, but it didn't even really cover the other areas like Gadsden Green where the Westedge Development was exacerbating the issue by elevating the surrounding area. They were blaming Gadsden Creek, but the marshes and wetlands were designed by nature to function as natural sponges, and this prevented flooding which completely dispelled Westedge's argument that it encouraged flooding. He knew the City spent quite a bit of money on the Dutch Dialogues, and they suggested beautifying and reviving Gadsden Creek with the City's future plans, and he thought the City should listen to them, instead of filling it.

The Clerk said, "Seb and then Christopher."

14. Seb Choe said he was an architectural researcher activist with a background in sustainable development. He said there were a few things in the Stormwater Management Guidelines Plan that were not compatible with the proposed Westedge Plan. He said in Sec. 3.5 Redevelopment Requirements, it required reducing impervious cover, reducing total stormwater runoff, and reducing stormwater peak runoff rate. As proposed, the Westedge Plan increased impervious cover, increased stormwater runoff volume, and increased stormwater peak runoff. The City adopted the Dutch Dialogues two weeks ago, which also explicitly said not to fill Gadsden Creek. He said there seemed to be a direct contradiction, and he urged the new Council people if they weren't already familiar with the history of Gadsden Creek and Gadsden Green to look into it, as it wasn't only an issue of this kind of hypocrisy of these reports not being compatible with what was proposed, but it was also an issue of environmental justice. He said they didn't have a forum for that of connecting the dots between racial justice and segregation and environmental policy, but the City really needed to talk about that.

Mayor Tecklenburg said, "Thank you, sir."

15. Christopher Scheu said he was there to talk about some of the things in the Dutch Dialogues and exactly how it conflicted with the development planned in the Gadsden Creek area. Development was currently waiting approval from DHEC. It was by a company called Gateway, and it was to fill in and pave over the

Gadsden Creek, which was one of Charleston's last natural creeks. On page 205 of the Dutch Dialogues, it said explicitly, 'The Dutch Dialogues teams cannot recommend the filling or impairment of Gadsden Creek or its drainage functions. The creek should be beautified, and its functions enhanced.' Not only was the City permitting the development, it was also encouraging it with TIFs, which put a lot of the infrastructure burdens on taxpayers. It was just a part of the history of Charleston working against nature instead of with it, and if they wanted to continue to live on the beautiful Peninsula, they had to consider their behavior towards the people that lived in Charleston, towards nature, and stop filling in creeks.

Mayor Tecklenburg said, "Thank you very much. Alright. Is that everyone on our list?"

The Clerk said, "Yes."

Mayor Tecklenburg said, "Alright. So, thank you all for being here and participating and sharing your comments with us. Next, we have our Petitions and Communications which involve appointments to a few of our Boards. Before we entertain a motion, I would like to share with you that later in the program, under first readings, we'll be considering an ordinance change that would allow for the establishment of alternates on our Planning Commission. That has not been discussed yet. It has not passed yet and, hence, I would respectfully ask that under the Planning Commission nominations are appointments, that we defer voting on alternates until we have a discussion on that ordinance change, which establishes whether we're going to have an alternate or not."

Councilmember Griffin said, "Mr. Mayor."

Mayor Tecklenburg continued, "So, at this point, I would just entertain a motion on the Commissioners themselves. So, with that intro, Councilmember Griffin."

Councilmember Griffin said, "Yes. Can we just move that item up and vote on it now and then take these?"

Mayor Tecklenburg said, "Well, I mean, we just have the three items here. It doesn't matter to me what order you all want to take them in."

Councilmember Griffin said, "So, take first reading now, right?"

Councilmember Gregorie said, "We must give the ordinance first reading."

Mayor Tecklenburg said, "Oh, I see, but the only catch to that is that it really requires three readings to be finalized."

Councilmember Griffin said, "Okay."

Mayor Tecklenburg said, "So, I think we would be better off just deferring the two alternates and coming back to them at the meeting where that ordinance change gets approved or not."

Councilmember Griffin said, "Yes, sir."

Mayor Tecklenburg said, "Okay. So, first up is the Board of Zoning Appeals, Mr. Morrison has been nominated."

Councilmember Shahid said, "Move for approval."

Councilmember Griffin said, "Second."

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

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Griffin, City Council voted unanimously to approve the appointment of Howell Morrison to the Board of Zoning Appeals – Zoning.

Mayor Tecklenburg said, "Next, are members of the Bicycle and Pedestrian Advisory Committee."

Councilmember Seekings said, "Move for approval."

Councilwoman Jackson said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilwoman Jackson, City Council voted unanimously to approve the reappointments of Marijana Boone and David Lewin and the appointments of Steve Saltzman, Najeema Washington, Bowen Powell, and Gervais Del Porto to the Bicycle and Pedestrian Advisory Committee.

Mayor Tecklenburg said, "Finally, the Planning Commission, the three members."

Councilmember Griffin said, "Move for approval."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "We have a motion and a second. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilmember Waring, City Council voted unanimously to approve the appointments of Chaun Pflug, Jimmy Bailey, and Dr. Eddie Irions, Jr. to the Planning Commission.

Mayor Tecklenburg said, "Thank you very much. So, next is our Council Communications. We have first, receipt of the Commission on Women's Resolution on Paid Family Leave. You've heard about it already, but I call on Councilwoman Jackson to introduce this."

Councilwoman Jackson said, "Thank you, Mr. Mayor. I am very proud to, first of all, be a voting member of the Commission on Women. I'm also very grateful to our Chair, Jennet Robinson Alterman, who is here tonight to give you her thoughts on behalf of the Commission as to why we are eager to put this forward through the process of having it reviewed by the Human

Resources Committee and Finance, as we would consider this Resolution. So, I would like to encourage any of my colleagues to discuss their thoughts now as we're allowed to do under this Council Communications, but before I do that, I would really like to read the Commission's Resolution to the Council into the record, if you would indulge me to take that little bit of extra time.

So, it reads a Resolution by, well, it will be a 'Resolution by the Charleston City Council to adopt a Paid Family Parenting Leave Policy to provide paid leave for certain qualified City employees,' and it's recommended by the Commission on Women. 'Whereas, the Family and Medical Leave Act which was passed in 1993 only guarantee's that qualifying workers can take up to 12 weeks of unpaid leave in one year to care for seriously ill family members, their dire health needs or newborns without loss of employment upon return', and I think I read it only guarantee's that they can take the leave. It doesn't say anything about being paid. 'Whereas, the United States is the only industrialized nation that doesn't provide universal leave to accommodate new parents and those with ill family members who temporarily leave jobs to become caregivers. Whereas, Congress passed, and the President signed into law a 12-week paid Family Leave Policy this past December of 2019. Whereas, providing workers with paid time off to attend to the health and needs of their family members will ensure a healthier and more productive personnel in Charleston, and Whereas, this policy will have a positive effect on the public health of the City of Charleston employees by increasing employee retention and better recruitment of candidates for City positions. Now, therefore, be it resolved by the City Council of the City of Charleston that the City's program of paid leave parenting will provide City employees of any gender with up to eight weeks of full income when they take time off from work upon the birth, adoption, or foster placement of a child and/or for the biological mother's pregnancy and childbirth recovery or to help care for a child, parent, or spouse with a serious medical condition. The City of Charleston shall provide paid family parenting leave to employees meeting the criteria of Section 1 at the rate of 100 percent of their then prevailing salary. To be eligible for parenting leave, regular and appointed City employees must have been employed by the City of Charleston for at least six consecutive months immediately preceding the commencement of the paid parenting leave'. It goes on to list out a few other criteria by which people would be eligible for the leave, and the last paragraph is, 'Be it further resolved that the Human Resources Director is hereby directed to promulgate a formal policy of paid family parenting leave consistent with this Resolution by July 1, 2020 and that such policy shall be included in the personnel handbook for City employees.'

So, that's what I would appreciate you all taking under advisement and any sort of discussion that you would like to have about this. I just want to say that the Commission on Women has done a very thorough and responsible job, I would say, to look at other communities, other employees, other employers in our regions and just match ourselves to where we are now and where we would like to be as an employer for our City and a role model. As we just heard, when we get ready to talk about the hate crime, the first in the State to do things that we can be proud of into the future. So, thank you very much for entertaining this conversation, and I'll turn it over to you, Mayor."

Mayor Tecklenburg recognized Councilmember Griffin, followed by Councilmembers Gregorie and Brady.

Councilmember Griffin said, "Mr. Mayor, I'd like to make a motion that we send this to the HR Committee for approval."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "We've got a motion and a second."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "First, Mayor, I am a member of the HR Committee, but I'd like to really commend Councilwoman Jackson for all that she has done with that Commission. She seems to have breathed life and energy that, I think, that Committee really, really needed. As for the Resolution, I was privy to a copy of it some time ago, so I have read it thoroughly. The only thing that I would suggest is that we mirror the Federal policy, that instead of eight weeks when we start vetting, I think we should start vetting at twelve weeks. If it ends up at eight, okay, but I think we should start by reflecting the Federal standards."

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Thank you, Mr. Mayor. I also want to commend Councilwoman Jackson, my friend Jennifer Brown also on the Commission for Women, and the rest of their members for all of their hard work. As the Resolution noted, the United States is the only industrialized nation, there's a couple of others, Suriname, Papua New Guinea, and some of the Pacific islands, that don't have any type of paid family leave. Kudos to the Federal Government for doing it for their employees. I think it's incumbent on us, acting as representatives for our people, to let the City set the way, become an employer of choice, and I look forward to deliberating on this on the HR Committee."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. Correct me if I'm wrong, but I think this is the 100th anniversary of the passage of the 19th amendment granting women the right to vote."

Councilwoman Jackson said, "We'll be celebrating at the next meeting."

Councilmember Shahid said, "Exactly right. My ignorance, because I assumed we already had this in our ordinance, and we don't. So, I'm glad this has been brought to our attention. I will echo Councilmember Gregorie's comments that we look at the Federal, because I'm more familiar with that Federal Family Leave, and what it does, it doesn't just apply to folks who just gave birth to a child. Councilmember Delcioppo just adopted a fourteen year old, and I can imagine how that would impact her, as well. As a side note, and just a quick plug, the 350 Commission has made it a priority that we recognize the role of women in the City of Charleston. There are historical women who we have not taken in full measure and account of their contributions to our community. Some of the stories I've heard, just in this process, are amazing as to what they have accomplished for us. So, this is a step in the very right direction. This family leave is going to apply for all members of our staff and employees. So, let's get this thing done and get it done as soon as possible."

Mayor Tecklenburg said, "Councilmember Shealy, did I see your hand up?"

Councilmember Shealy said, "I did, but I'm okay."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "I also would like to just commend everyone that was involved in getting this done, but the one question I have as a new Councilmember, in addition to HR, is it going to the Budget Committee to make sure we can pay for this?"

Councilmember Gregorie said, "Oh, yes."

Mayor Tecklenburg said, "Well, let's just say that Finance and the budget considerations will weigh into the analysis that will occur and the discussion when it gets to the HR Committee. I don't know that we'll have a separate Budget Committee meeting yet on this matter until the budget process rolls along later in this year."

Councilmember Sakran said, "Thank you. I just didn't know the process."

Mayor Tecklenburg recognized Councilmember Waring followed by Councilwoman Delcioppo.

Councilwoman Delcioppo said, "Thank you, Councilmember Gregorie, for wanting to extend this even longer. As Councilmember Shahid said, yeah, I just became a mom, to a 14 year old, and it does not matter if they are brand spanking new or if they're 14 years old. It is your biggest joy and the most overwhelming, sometimes it feels suffocating. Everybody congratulates you, and everybody says how proud they are of you, and they dote over your child. But, the people who don't care are the bills. It's nice to know that can still be taken care of, and you can take the time to still form a family bond. For foster care placement to also be introduced into this is huge. I'm very familiar with foster care. I adopted my little girl through the Department of Social Services. She spent a major portion of her life in the foster care system, and it is not uncommon for a foster parent to get a child in the middle of the night. So, imagine, you get a child in your home, and they come to you with a garbage bag. All of their belongings are in a garbage bag. Then, you've got to try to get up and go to work the next day. That's a lot to ask of someone, especially when, to open your home to be a foster parent is immense, and there is a dire, dire need for foster parents in our area. We need about 450 homes to open up and welcome foster children. That's the situation we're currently in. If this encourages one City employee to become a foster parent, in my mind, it's more than paid for itself. I think this very much deserves to go to HR. I'm happy to be a part. I'm a single, working-class mom, and boy, do I understand tax dollars. Never would I want to squander a tax dollar, and I appreciate the sensitivity around how much this will ultimately cost, but I think when you do a cost-benefit analysis, the benefit of this far outweighs any cost encumbered upon it."

Mayor Tecklenburg said, "Thank you for those comments. I want to share with you that Councilmember Delcioppo's daughter, Destiny, took a step right into City government by participating in the Emancipation Day Parade. She was a little uncertain at the start, but by the end of the parade, she was smiling. She's a welcome part of the City family already."

Councilwoman Delcippo said, "She was into it."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I want to piggyback on what Councilmember Sakran said about bringing this forward to the Budget Committee and, obviously, our CFO as soon as possible to work in conjunction with, obviously, HR. You, with your leadership, as well as Councilmembers on the Budget Committee last year, we have hit these high hurdles before of 'how do we pay for it?' We had a high turnover rate, and we worked to approve pay raises. We worked and approved retirement, obviously the big retirement number that the State

sent, the unfunded mandate on the State pension program. I had black hair before we had to work on that one. The truthful part about it, the more leave time we have in what, twelve weeks would cost, and what eight weeks would cost, and I don't want anybody to think, 'well, obviously the politicians will decide on the lower number.' That didn't happen in the pay raises, remember? We looked under stones, and we got the higher amount that was proposed by HR and the CFO. The more time we have, the more realistic ways we can find where the dollars will come from. So, I think it takes the conjunction of both HR and our CFO and the Budget Committee being involved at the onset of the budget process and not the end. Thank you."

Mayor Tecklenburg said, "Right. In addition, last year we added that the City provides paid short-term disability insurance, which I kind of view as a first step to what we brought forward here tonight."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I really appreciate everyone's support, and it's obvious to me that you all have been thoughtful about this before we brought you this issue. I know you've been faced, just in the news, about these considerations. So, I really look forward to taking it to the HR Committee. I'm privileged to be new on the Committee myself, so we'll have a very holistic process. I know that Ms. Wharton is already thinking about these things. I don't have any documentation in front of me to refer to now, but I know as the Commission members were researching how we can match ourselves to what we felt would be comfortable comparisons around the coastal region, we also found out, anecdotally, and talking to other employers that, realistically, it's not a huge budget impact to make a decision like this. But, we'll be looking forward to putting that into a more diagrammable set of facts for you all, and bringing it forward to the Council. I just have to give my new colleague, Councilmember Delcioppo, my admiration and my thanks and praise. I know that our Commission has been saying our prayers to have more females on City Council in this era, but I don't think we ever envisioned having someone who would literally be the epitome of the kinds of support and taking care of women's issues for our City right here, sitting across from me. So, thank you so much for that."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very briefly, Mr. Mayor. Thank you. So many things have been said about this, all of them true. One of the things, and Councilmember Jackson just touched on it, is this will have a very minor, if any, impact budgetarily for the City. For those who just joined us on City Council, one of the things we have wrestled with for the last couple of years is we have a very high turnover rate in our employees in the City of Charleston. Anything that we can do to help retain, in an era where there is low unemployment around us, but a high turnover rate, that tells you that we're missing some things. If we can give people eight or twelve weeks of paid leave to be with their young or recently new family, that will just be another tool we've got to retain employees long-term. If someone goes for twelve weeks and comes back, rather than leaving and not coming back, that's cheaper for us than if we have to go replace somebody, train somebody, lose that productivity forever and all that knowledge. So, this really fits in with all the things we should be doing in the City of Charleston to help and honor our employees. It will, ultimately, be a benefit to us in terms of the human resources part of it, which is the most important, but both economically. I'll be interested to see, when it comes to Human Resources, if you can quantify that. I can bet that we have enough exit interview information of reasons people are leaving us to know this is one reason we will be able to retain people. Go get 'em. I know it will be some work, but I think in the end it will be positive and beneficial, so thank you."

Mayor Tecklenburg said, "Councilmember Gregorie, and then let's call the question to send it to the Committee."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, I guess I didn't state it correctly. I want to amend it, the Resolution, to change the eight to twelve weeks. It would be great if I can get a second."

Councilwoman Jackson said, "Second."

Councilwoman Jackson said, "Mr. Mayor, call the question."

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

No one else asked to speak.

On a motion of Councilmember Gregorie, seconded by Councilwoman Jackson, City Council voted unanimously to send the Resolution on Paid Family Leave Care to the Human Resources Committee as amended from eight weeks to twelve weeks.

Mayor Tecklenburg said, "Next is a Resolution urging the South Carolina General Assembly to adopt H. 3063."

Councilmember Shealy said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Thank you for the motion. I, myself, would like to shout out to Representative Wendell Gilliard who has been carrying this torch for a while. We all attended, a number of us attended together Synagogue Emanu-El, an amazing gathering just a few weeks ago. That led Councilmember Waring to bring this motion forward which also, we're kind of getting a little out of sync here, but also was at the Public Safety Committee this afternoon. So, I'm going to call on both Councilmember Waring and then Councilmember Shahid. After your introductory remarks, I want to call on Chief Reynolds to give us an update on our own Hate Crime Bill as it is."

Councilmember Waring said, "Well, Mr. Mayor, if you have a different order, just go ahead, and do it. All of us are going to get a chance to speak."

Mayor Tecklenburg said, "If you want to come forward, that would be fine."

Chief Luther Reynolds said, "I've got some people who are going to join me, and I'll start talking as they are coming up. I want to thank, and I'll read some prepared comments, for allowing the opportunity for us to speak about the issue of hate crime in our community and to brief the public on strides that our partners, the City, and the Police Department have taken to combat hate in Charleston. Some of the people here with me are Daron Calhoun from the Avery Center, Brandon Fish and Charles Steinert from the Jewish Federation, Chase Glenn from the Alliance for Full Acceptance, and I'm sure I'm missing some people. Some folks from our department, Lieutenant Tony Cretella, Chelsea Taylor, and Terri Cherry, who has been an advocate. I want to express my sincere gratitude for the support of these organizations in this, and I would also like

to recognize those with me from our department who have done a lot of things in the community in building partnerships.

While we have much work remaining to address hate in our City and the State at large, these partnerships are strengthening our footprint, and together, we're preserving and presenting a united front against hate of all kinds. As the Country experiences an uptick in hate crimes, the Charleston Police Department continues to remain vigilant in their commitment towards taking the necessary steps to ensure these types of incidents are accurately reported to the South Carolina Law Enforcement Division. Hate motivated incidents reported to the FBI increased in the State of South Carolina from 123 in 2015 to 436 in 2018. Similarly, an increased reporting is a positive thing. Through officer training on identifying hate-bias incidents and improving reporting procedures, the Charleston Police Department enhanced their capacity to capture hate-bias incidents within criminal conduct. The department's progress in identifying, tracking, and reporting hate bias in the City will certainly increase the number of reported hate-bias incidents due to previous underreporting. Studies show that less than 50 percent of hate crimes are actually reported to the police. The CPD reported six hate-biased motivated incidents in 2019 occurring in the City. The department will continue to appropriately report those incidents and plans to continue to build partnerships with community stakeholders who wish to stand in unison as we here are standing today against hate.

We are implementing the Safe Place Initiative which is a sticker signage program being implemented around the City. Local businesses and organizations that support these efforts will have the opportunity to visibly display their support for the LGBTQ community and work closely with the Charleston Police Department in an effort to encourage reporting and reduce anti-LGBTQ hate crimes. Participating entities will serve as locations supporting safe and secure places for victims to go when they experience crime, discrimination, or harassment. Calling 911 and waiting for police to respond is imperative for suspect accountability, reducing crimes of hate, and demonstrating a City-wide no tolerance policy towards any types of discrimination. Already, 65 businesses and organizations in our City have been trained and agree to display the Safe Place sticker in their establishment's windows to actively stand up to hate. We applaud these efforts, and I look forward to continuing this good work with our local business and patrons. Since 2018, South Carolina has lost four transgender women of color due to this type of hatred, homicides. Tonight, we voice our support for State hate crime legislation. We're thankful for the Mayor, for the Council, and for a community that supports this discussion, and with a loud voice in unity, we recognize all vulnerable groups to the interest of public safety and security. That's why we stand here, and I'm thankful for the opportunity to support this Resolution. This is kind of our 2019 report out based on the ordinance that was unanimously passed about a year ago in the City."

Mayor Tecklenburg said, "Thank you, Chief."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor, and I want to thank you, Chief, and Synagogue Emanu-El for having the rally against hate. It was a wonderful turnout and organization with those from Synagogue Dor Tikvah. What you mentioned that Representative Wendell Gilliard said, I didn't realize he had been working on this for ten years. He needs help. He asked for our help as a community. You led, the Chief led, the Solicitor spoke, and one of the things Solicitor Scarlett Wilson said that resonated was some who say hate crime legislation isn't needed forget to point out that there are messages sent with hate crime. When you burn a church, and you leave a cross outside on fire, that's to send a message not only to the members of that church, but to the congregants and the community-wide. When you defame a synagogue, and

you put a swastika on it, I'm paraphrasing because Solicitor Wilson said this, but it resonated. When you leave a swastika on that, you want to send a message to others to be warned, I don't know, but it's not a message of encouragement. It's not a message of love. It's not a message of inclusion. To have that rally pulled together without action, faith, without works, is empty, and that's scripture. So, I thank you all for allowing this to be placed on the agenda on short notice, and I would hope that you would allow two people to speak on this. It's not on the agenda, but if you would allow Mrs. Ilene Turbow, she is Chairwoman of the Jewish Community Relations Council for Greater Charleston, if she would come and give just a couple of minutes talk, followed by Rabbi Michael Davies of Dor Tikvah."

Mayor Tecklenburg said, "So, I welcome you all to come forward. I will advise that we go live at 7:00 p.m. on Channel 4 with my very brief remarks this year. They're only allowing me ten minutes, and I thought that we would take a five or ten minute break prior to 7:00 p.m. So, could I ask you all to make your remarks, and maybe we go ahead and vote on the Resolution, but after the State of the City, certainly the floor would be open for additional remarks. Please come forward. Thank you."

Ilene Turbow said, "Thank you. I'm Ilene Turbow. I'm the Charleston Jewish Federation Chair of the Jewish Community Relations Council. Thank you so much for letting us speak today because it is time for South Carolina to have a hate crime law. It is inexcusable that we are one of four states in the nation that doesn't have a law on the record. You heard the Chief talk about all of the reasons that it helps him prosecute when he has guidelines to go by. So, I won't go into that, but I do want to point out that hate crime does not have boundaries. We talk about the hate crime against Jewish people, anti-Semitism, but did you know that from the FBI in 2018, we saw the deadliest attack of anti-Semitic hate in history when 11 people were murdered in their synagogue? Just in December, we had at least three attacks in New York where Jewish people were murdered, one in the home of a Rabbi during a Hanukkah celebration. But also, we want you to know that nearly 50 percent of race-based hate crimes are directed toward African Americans. Hate crimes directed at the LGBTQ individuals increased by six percent, but a significant 42 percent increase in crimes directed against transgender individuals, and you heard the Police Chief talk about here in Charleston. Anti-Hispanic hate crimes increased 14 percent for the third straight year. So, there are no boundaries, and we need to take action now. Hate crimes are underreported for many reasons, including the fact that reporting to the FBI is optional. Hate crime mandates are important tools for law enforcement. Data collection efforts have increased public awareness of hate crimes and prompted improvements in the local response of police. We need to take a priority to make this happen because hate crimes have a special emotional and psychological impact on the victims and the victim's communities, and we know that firsthand here in Charleston. Our Jewish values drive us to seek this law, not just for ourselves, but in support of our friends and our neighbors who are being targeted because 'Tikkun Olam', 'heal the world', is what we live by. Thank you so much."

Mayor Tecklenburg said, "Thank you so much."

Mrs. Turbow said, "Thank you."

Mayor Tecklenburg said, "Rabbi."

Rabbi Michael Davies said, "Thank you, Mayor and Councilmembers for allowing us to speak this evening. Hate crime legislation has unfortunately become more necessary in recent past than almost ever before. The divisiveness with which so many are indoctrinated today creates an atmosphere of contempt which, in more and more instances, leads to horrible actions

with tragic results. Ilene mentioned the events that took place in New York and New Jersey very close to where I grew up, and it hits very close to home. I recall, and we all recall here, Mother Emanuel shortly thereafter in the aftermath of the tragedy, we as a congregation, placed a table in the then Jewish Community Center's lobby with empty chairs and Bibles in memory of those whose study was silenced because it affects us all. When the shooting in New Zealand occurred in multiple mosques, I and several other members of the community, the Jewish community and beyond, attended services at the Central Mosque of Charleston to show our solidarity, just as they had shown up for us after the shooting that took place in the Pittsburgh Synagogue. This aversion to hate goes much further back. It goes back to an adopted Prince of Egypt named Moses who, when he sees two of his Hebrew brethren squabbling, asks 'Evil one, why do you raise your hand against your fellow?', which teaches us that the mere act of raising a hand against another to strike is labeled as wicked. It goes back further to the haunting question that Cain asked God 'Am I my brother's keeper?' The answer which has resounded through the centuries is an emphatic 'yes', but it really goes back to the very beginning wherein God creates all human beings, every single one of us, no matter color or creed, in the divine image.

Earlier today, I had the privilege of representing Charleston in a program in our State Capital commemorating the 75th Anniversary of the Liberation of the Auschwitz Concentration Camp. It was a powerful program that, yet again, reminds us of what happens when hatred and bigotry go unchecked. On the cover of the printed program for the event is a quote by Simon Wiesenthal, Holocaust survivor and Nazi hunter that says, 'For evil to flourish, it only requires good men to do nothing.' I commend you, Mayor, and City Council for your consideration, good men and women who are doing something, and I especially thank my Councilmember, Councilmember Waring, for bringing forth this Resolution. Thank you."

Mayor Tecklenburg said, "Thank you very much. So, I would like to read the Resolution into the record, and we are running out of time. Do you all mind if we go ahead and adjourn?"

Councilmember Mitchell said, "I make a motion that we go ahead and adjourn."

Councilmember Shealy said, "Second."

Councilmember Gregorie said, "Move for approval."

Mayor Tecklenburg said, "Sir?"

Councilmember Gregorie said, "Move for approval."

Councilmember Seekings said, "Second."

Councilmember Mitchell said, "Which one do you want to do first?"

Mayor Tecklenburg said, "To approve the Resolution?"

Councilmember Griffin said, "Yes."

Mayor Tecklenburg said, "You all want to vote on it before we adjourn?"

On a motion of Councilmember Gregorie, seconded by Councilmember Seekings, City Council voted unanimously to approve the following Resolution:

A Resolution urging the South Carolina General Assembly to adopt H. 3063, "Hate Bill."

Mayor Tecklenburg said, "I will read it in the record after my State of the City remarks if you all would like to stay. I would love for you to stay for the State of the City remarks. So, we'll take about a seven-minute break, and we're going to be live at 7:00 p.m.

City Council recessed at 6:51 p.m.

City Council reconvened at 7:12 p.m.

Mayor Tecklenburg said, "Okay. So, thank you very much. We did pass a Resolution. I would like to now read it into the record officially. A Resolution urging the South Carolina General Assembly to adopt H. 3063, Hate Bill."

Mayor Tecklenburg read the Resolution.

---INSERT RESOLUTION---

Councilmember Shahid said, "Amen."

Mayor Tecklenburg said, "Would anyone else like to make remarks?"

Councilmember Shahid said, "Mr. Mayor, we have a report on our Public Safety Committee next if you want me to go into that a little bit. That was one of the items that we had on our agenda for this afternoon."

Mayor Tecklenburg said, "Okay. So, next will be our Council Committee Reports. First up, is the one on Public Safety, Councilmember Shahid."

Councilmember Shahid said, "Yes. Thank you, Mr. Mayor. We've had two meetings, one on the 21st and one on the 28th. I'm going to jump to the meeting today regarding the passage of the Hate Crime Resolution. I think it took approximately one second for us to pass that Resolution. I just want to make a few comments echoing my colleague, Councilmember Waring, and thank you for bringing this up. I attended the Hate Crime Forum that the City Police Officers had originated, I think, about a year ago we had at the Charleston Museum. It is unconscionable to me that in the year 2020 that we have to address this. It is beyond my comprehension that we have to address issues in which people are singled out because of their sexual orientation, their religion, their creed, or their ethnicity, that we have to do that. We heard the statistics from the Chief and from our two guest speakers, who I'm not sure if they're still with us or not, but in reality, we need to send a strong message, and the message is to our friends in Columbia, 'pass this bill now', and I think we need to do that with a loud voice. I think we need to go up there and picket and protest until they get this thing done. It took Mayor Riley to walk from Charleston to Columbia with the American Flag to start the discussion on bringing the Confederate Flag down from the dome of the Statehouse. It took not only the lives of our fellow citizens to take the Confederate Flag out of the Statehouse, and how that Statehouse has not passed a bill after the Mother Emanuel massacre is beyond my comprehension, and for them not to do that, God have mercy on them, and I can't use words strong enough for us to impress upon. We are the laughing stock of the Country if we don't get this bill passed.

One other statement, I was interviewed the other day about this by a reporter who came from Wyoming, and we may remember back about 20 years or so ago that young man was

tortured and brutalized, which started the dialogue across the Country about Hate Crime. Wyoming does not have a hate crime bill. Can you imagine that? The state that started the initiation of this discussion does not have a hate crime bill. We can't be left in the dust with this. We need to make sure that our citizens from our community realize that we're fighting for this bill to be passed. God bless Representative Gilliard for taking the torch on this, and we need to get our delegation, give them the support that they need, and get this thing passed. The Governor needs to make this a number one priority. Frankly, with all due respect, that's more important than us getting \$10 million to fix flooding problems. Because as you said, Councilmember Waring, when they desecrate a synagogue, the message is not just to that particular house of worship, it's to every one of us. It sends a clear message that hate is alive and well in this community, and if we don't have the tools to enforce something to make that a felony, we did what we could, and it's a misdemeanor of 30 days of punishment at our County jail, but if we don't pass something to get this thing resolved, then we're not showing our true colors on this thing.

I'll just finish with this one other comment. Many years ago, when we were debating in the General Assembly criminal domestic violence, and some of us older folks will remember this. The General Assembly passed a law that the punishment for cruelty to animals was much more severe than it was on spouses or children in criminal domestic violence acts. Now, can you imagine that? That's the mindset that we're fighting in our State. So, the message I just want to make very clear and very obvious, we need to do more than what we're doing right here tonight to get this legislation passed, and we should take up the torch and follow through with the rest of our delegations. So, thank you for allowing me to rant a little bit, but I'm just passionate about this. I thank you, again, my colleague, Councilmember Waring, for bringing this Resolution to the table, and let's get this thing done up in Columbia. Thank you all."

Councilmember Seekings said, "We've got a few more."

Councilmember Shahid said, "Oh, I've got a few more reports, I'm sorry."

There was laughter in the Chamber.

Councilmember Shahid said, "I got all wound up."

Councilmember Seekings said, "Well, that was just one second of the report."

Mayor Tecklenburg said, "If that was one second, we're in trouble."

Councilmember Shahid said, "Alright. So, if Councilmember Sakran thought we had an easy committee that he was on, he's been worked pretty hard the last couple of weeks. At our meeting on the 21st, we took up what you call a Good Deed Award Program. That is a program from the Citadel Athletic Department to partner with the City Police Department to recognize citizens during the 2020 baseball season who have done good things for the community, thereby starting a criteria for doing that, and we support that Resolution, and that passed. The other ordinances that were taken up dealt with this problem we're having with people who I guess, for a lack of a better word, are loitering on streets and sidewalks. We amended Chapter 28, Section 45 to include a provision about trespass, so that passed, as well. Then, we passed an amendment to get rid of abandoned boats to pass on the cost to the landowner. So, that was our January 21st meeting. The meeting we had today took up two issues, one was the Hate Bill Resolution, and the other was to discuss the update on Fire Station #11. The short version of that is that we have passed a motion to authorize the Mayor to use the tools within the contract with the general contractor to pursue whatever remedies we may have available from that. So, that is our very

brief report, and I'd ask that we adopt the two ordinances that are amended and the motion to give the Mayor the authority to address our general contractor on Fire Station #11."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Is there any discussion or questions about any of those things?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, City Council voted unanimously to adopt the Committee on Public Safety Report as presented:

---INSERT COMMITTEE ON PUBLIC SAFETY REPORT---

- a. Good Deed Award Program between the City of Charleston Police Department and The Citadel Athletic Department
- b. An ordinance to amend Chapter 28, Section 45, of the Code of the City of Charleston, South Carolina, to provide in subsection (f)(3) that a person convicted of a third or subsequent violation of this section may be prohibited from returning to the streets and sidewalks delineated in section (b) for a period of sixty (60) days.
- c. An ordinance to amend Chapter 21, Section 67, of the Code of the City of Charleston, South Carolina, to provide in subsection 67(h)(3) that if an abandoned watercraft is removed by the City all costs associated with the removal shall become a lien against the watercraft and that the City may bring an action to recover these costs from the owner.

First reading was given to the following bills:

An ordinance to amend Chapter 28, Section 45, of the Code of the City of Charleston, South Carolina, to provide in subsection (f)(3) that a person convicted of a third or subsequent violation of this section may be prohibited from returning to the streets and sidewalks delineated in section (b) for a period of sixty (60) days.

An ordinance to amend Chapter 21, Section 67, of the Code of the City of Charleston, South Carolina, to provide in subsection 67(h)(3) that if an abandoned watercraft is removed by the City all costs associated with the removal shall become a lien against the watercraft and that the City may bring an action to recover these costs from the owner.

(Meeting was held Tuesday, January 28, 2020 at 2:00 p.m.)

- a. Fire Station #11 Update **(Authorize the Mayor to pursue contractual remedies with the contractor.)**
- b. Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code to receive legal advice relating to Fire Station #11 if necessary
- c. A Resolution urging the South Carolina General Assembly to adopt H. 3063, "Hate Bill."

Mayor Tecklenburg said, "Next will be the Committee on Traffic and Transportation, Councilmember Seekings."

Councilmember Gregorie said, "Move for approval."

Councilmember Mitchell said, "Second."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Next will be our Committee on Traffic and Transportation, Councilmember Seekings."

Councilmember Gregorie said, "Move for approval."

Councilmember Mitchell said, "Second."

There was laughter in the Chamber.

Councilmember Seekings said, "I don't think there is any more to say than that. If you've got ten minutes, I've got ten seconds."

Mayor Tecklenburg said, "Nothing more to say. Okay. Did you all talk about anything at the meeting? I missed it."

There was laughter in the Chamber.

Councilmember Seekings said, "Well, Mayor, you did slip in a little bit late. No, we did. A couple of things, and I want to thank Mr. Benjamin because he's always on top of it. We were supposed to get a report from the County on the County Transportation projects and plans. We're going to put that off until our next meeting. The County is busy actually doing things. So, that's good, and then Mr. Benjamin gave us an update on Traffic Signal Maintenance Agreements and updates. There is a lot going on with Traffic Signal Maintenance. What I can just tell you is this. It's a function of technology and funding, and Mr. Benjamin and I think our Committee are going to pursue both to make sure, among other things, we have traffic lights coordinated, we have the downtown traffic signal synchronization process in place and have technology there. Councilmember Brady brought up Johns Island, and he's an advocate for Johns Island. We certainly need to think about Smart Light out there, particularly at River and Maybank, and so it was a comprehensive update that we got. We did not take any action, although we did encourage Mr. Benjamin, and we would encourage this Council and Mr. Mayor to keep on top of all of these issues as we think about traffic and transportation going forward. So, nothing to vote on, that was the report."

Mayor Tecklenburg said, "Okay. Thank you for that update."

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Griffin.

Councilwoman Jackson said, "I would just like to enhance Councilmember Seekings' report because part of Director Benjamin's report to us was to answer some questions about what we can do to move forward the crosswalk opportunities that we have on St. Andrews Boulevard as the bikeway goes across which is essentially Hwy. 61 as it's about to split, and then the County

is it sounds like pretty dedicated to improving the pedestrian intersection at Sycamore. So, between those two, we would have a much better walkable corridor up and down Hwy. 61, but we don't have a specific plan to fund the bikeway crosswalks, so we need to work on that. The citizens are out. They've been studying the area. They had a count the other night that Councilmember Sakran represented his district in doing, so I just feel like that's an important one to the community."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Mr. Mayor, while we're talking about Traffic and Transportation, I just wanted to remind everybody that tomorrow night at West Ashley High School, I think it's from 5:00 p.m. to 7:00 p.m., is the widening of Glenn McConnell Public Information Session hosted by Charleston County and Davis & Floyd. There is going to be a separate room where you can understand how noise barriers work, which are important sound barriers, and they're going to be talking about that project that goes from, basically, Magwood all the way to Bees Ferry Road. So, that's from 5:00 p.m. to 7:00 p.m. in the auditorium of West Ashley High School."

Mayor Tecklenburg said, "Great. Terrific."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "I'd like to add on to Councilmember Griffin's comment to let you know it is from 5:00 p.m. to 7:00 p.m., but there is no set presentation time, but they will be doing those sound demonstrations every 30 minutes. So, right on up until 7:00 p.m., and I did the sound demonstration today with a couple of City Councilmembers from North Charleston, and it is some great technology, and it's really I guess ear-opening."

There was laughter in the Chamber.

Councilmember Shealy continued, "To understand exactly what these sound walls will do and when they're needed and those types of things. So, I encourage everybody to come, but you don't have to be there at 5:00 p.m. is the point that I wanted to make."

Mayor Tecklenburg said, "Great. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Mr. Mayor, I just want to reiterate what Councilwoman Jackson talked about. Councilmember Sakran, myself, County Councilmember Brantley Moody, Katie Zimmerman, and several other folks were walking this area on where the bikeway and greenway crosses a big gap trying to get across St. Andrews Boulevard but we did take a good hard look at that. So, I know that your Committee is looking at that, as well, but we've got a lot of work to do with that, and there are some easy solutions with the money, I think, that are obligated by County Council to addressing the improvement of Sycamore and St. Andrews Boulevard. So, we've got some more work to do on that, but thanks for bringing that back up to our attention."

Mayor Tecklenburg said, "Great. Terrific."

Councilmember Seekings said, "That concludes my report."

Mayor Tecklenburg said, "That concludes your report. Next, the Committee on Public Works and Utilities, Councilmember Waring."

Councilmember Gregorie said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

Councilmember Waring said, "Yes, let me say this, (i), (ii), (iii), all of those passed unanimously, and so let's get a motion on that to get the money hopefully approved."

The Clerk said, "There's a motion on the floor."

Councilwoman Jackson said, "I thought it was Ways and Means."

Councilmember Waring said, "Well, no, I would like to except out Item (iv) because there were some amendments on that, and I think that the balance of the Council that wasn't there should hear some of those changes."

Mayor Tecklenburg said, "We'll take a motion to approve (i), (ii), and (iii)."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Is there any discussion on those that were already before Ways and Means?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, City Council voted unanimously to approve Items 3.b.(i), (ii), and (iii) of the Public Works and Utilities Report:

b. Stormwater Management Department Update:

(i) Medical District Tunnel Extension Project – Professional Services Contract Amendment #1 with Davis & Floyd to Complete Design of the Ehrhardt Street Tunnel for \$575,510.00.

(ii) Spring-Fishburne Drainage Project - Professional Services Contract with Johnson, Mirmiran, and Thompson, Inc. for the Monitoring of Mitigation Projects for \$88,237.00

(iii) Market Street Drainage Improvements and Streetscape – Professional Services Contract Amendment #14 with Davis & Floyd for Additional Design Services for \$58,500.00.

Councilmember Waring said, "Then, just by way of information the Stormwater Updates, we're going to have a wider public session to bring everybody up on Council on the Stormwater projects that are in process and teed up to go next. So, you can come with your questions, we'll

have a Committee of the whole, if you will, as we deal with this Stormwater Manual. We'll have one like that for the updates to bring everybody, particularly the new people on Council up to speed. So, that was just information."

Councilmember Seekings said, "Has that been scheduled yet?"

Councilmember Waring said, "No, that will be scheduled I think in the next couple of weeks, and Mr. Fountain is going to take care of that for us. So, now, the Stormwater Ordinance, it passed unanimously with a couple of changes to it. One, we had a lot of input, as you know, from the private sector, which is vital to this process, in addition to our staff and of course AECOM, our consultant on it. There are still some issues around the area of modeling and technical terms of the runoff 4.84 versus 3.23, which makes a lot of sense to every one of us, I know."

There was laughter in the Chamber.

Councilmember Waring continued, "But we're all being brought up to speed on this, even the lay people, which I'm certainly one of those, but progress is being moved forward. It passed with a lookback. Think about it, it's not going to go into effect until July. The Mayor asked for the Task Force to remain in place and to meet quarterly to make whatever necessary improvements between, hopefully the first vote today and something being effective in July, and even when it's effective in July, at Mr. Fountain's suggestion, by the first meeting or so in February, we have a chance to test this, kick the tires, and if there are any things that really stick out as being a sore thumb, we can come back and institute those changes in February. With that, I'll open up, Mr. Mayor, to the Councilmembers, and by the way, I thank the Councilmembers who were able to come who are not part of that Committee. We probably had almost eight Councilmembers in there, eight or nine Councilmembers. So, the ones who were not able to come, or anyone else who had any questions or any members from the Committee who had something that I left out."

Mayor Tecklenburg said, "Right. Can I entertain a motion to approve the ordinance, as amended?"

Councilwoman Jackson said, "Move for approval as amended."

Councilmember Waring said, "As amended. Yes."

Councilmember Shealy said, "Second."

Mayor Tecklenburg recognized Councilmember Griffin.

The Clerk said, "Who made the motion?"

Councilwoman Jackson said, "I did."

The Clerk said, "Who was the second? Was it you?"

Councilmember Shealy said, "Yes."

The Clerk said, "Okay. Councilmember Shealy was the second."

Councilmember Griffin said, "Yes, I just wanted to add that we had some discussion about how we can continue to mesh our documents as we move forward. We've got the Comp Plan,

and we've got the Dutch Dialogues Report, and we have this document. They all serve similar, yet very different purposes. One is a Planning document, the other is kind of a mix of the two the Dutch Dialogues, and this is more of a Technical Review document. But, we're going to have an ordinance that we're obviously giving first reading to tonight. I'm hoping that I can, the Mayor and I talked about this at the end, come up with some very simple language that at least alludes to those other documents that we're working together to try to do that because, ultimately, there are many areas of Charleston where we want to really greatly reduce fill-and-build. One way to do that is to reference the Dutch Dialogues Report in this Technical Review document and just enough to where it gives our staff another tool that they can look at because the Dutch Dialogues Report has certain areas of Charleston where it says we should not fill-and-build. One is Gadsden Creek, and then there are many areas of Johns Island and Church Creek. So, we just saw it tonight how concerned our citizens are for this practice, and it's an outdated practice that, while it may be a cheaper alternative than other ways, cheaper alternatives that led to a lot of the problems that we have today. So, as a good faith effort, we all as a community, our developers and our City, all of our residents have to try to work together to right our wrongs and learn from our mistakes. I think that one good way to do that, well, we've already made the first step by approving the Dutch Dialogues Resolution, but to give it some teeth we have to find a way to mesh these documents and refer to them, so our staff has some tools to make sure that our developers are practicing in a way that doesn't hurt our great citizens that we already have. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mr. Mayor, we've talked about a number of plans that would be applicable to the Stormwater Manual, but for me there is one plan that we don't mention, and that's the Green Plan. Now, I do know that we're looking at the Green Plan, but when you look at the Green Plan, and you look at some of the green infrastructure things that we have in the Stormwater Manual, they mirror each other. I mean, these are things that we met, I think over 800 of us, met to develop that Green Plan."

Mayor Tecklenburg said, "So, why didn't City Council pass it?"

Councilmember Gregorie said, "I, well, you know, I, listen, listen, I'll answer your question. Listen."

Councilmember Seekings said, "We never voted on it."

Councilmember Gregorie said, "Yes, we did. We voted to accept it, instead of voting to implement it, and those of us that were on the Committee, of course, we were pushing adoption of it, but we could not get the votes. I don't want you to think that I was pushing 'accepting'. I was pushing 'adopting' that plan, and I'm saying all of this to say that we don't want to be reinventing the wheel. If we have a solid plan on the shelf, let's take it off like you've done, and see how we can apply many of those provisions, that some of them go a bit beyond what we have in Stormwater. I mean, it even talks about things that the City can do to reduce CO omissions etcetera, etcetera. It's all kinds of suggestions in there. I just don't want that to be another plan that people in this City invested hundreds of hours in, I don't want it to go for not. So, when we start talking Stormwater and the Comp Plan and the Consolidated Plan, somebody please mention the Green Plan because the Green Plan has been there for some time, while not implemented, and just accept it. The reason why it was just accepted, Mayor, I can give you the

rationale for why Council voted to just accept the Plan, as opposed to adopting the Plan, because it was not cost out. To implement that Plan as written, I don't know whether or not our budget could take it, so I do think that that was a part of the reason why it was accepted and not adopted."

Mayor Tecklenburg said, "This may be off the topic, but I do want to briefly respond that wonderful Katie McKain has been going through the Green Plan and has come up with a grid of the things that we have done and are starting on and things that we don't need to do anymore. I mean, some of the things are obsolete after ten years, believe it or not, but she's analyzing everything in the Plan and had the first reports to the Sustainability Committee. So, it's off the shelf, we are working on it."

Councilmember Gregorie said, "Okay. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, the continuation of the Stormwater Report, one of the things, several things we discussed in the Committee was for information to be brought back as to if there any unintended consequences on affordable housing with this Stormwater Drainage Plan, in particular, on an infill level. For example, Pinecrest, the area that Councilmember Shahid talked about earlier, there are several vacant lots where new homes have been built. How would this Stormwater Manual affect that? How would it affect the revitalization of West Ashley from the standpoint of a cost perspective? Some of those things we need to actually look at, so we won't have some unintended consequences as we unroll this, and the second thing is you and I were supposed to remember to mention the trees."

Mayor Tecklenburg said, "Jacob, at the next Task Force meeting of Stormwater Manual, we want a full review of the tree ordinance and how it intersects with the Stormwater Manual."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "Yes. Got it."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor, and I made these comments in our Committee, and I'll be very brief about it, but just for the sake of Council, this manual was the result of three Councilmembers' presence with various members of our community and our stakeholders. You saw them here yesterday at our workshop meeting. They were present this afternoon at our Committee meeting. So, this plan has not popped out of just some pie-in-the-sky kind of idea that we sat behind and worked on. This was a revision of our manual and our restrictions that came from a lot of input from the people who are involved and who are going to be directly impacted by that, so it's a very good plan. I'm impressed by it. Let's get this first reading approved, and we'll tinker with it as we go along if need be, and we'll agree to have that review process no later than February 1st to see where we may stand with it after it's been in effect. Thank you."

Mayor Tecklenburg recognized Councilmember Appel followed by Councilwoman Jackson.

Councilmember Appel said, "Yes, I just wanted to echo a lot of the sentiment that we've already heard tonight. I think this Stormwater Manual is where the rubber meets the road on

these development issues. You know at our first meeting of this year we passed the Dutch Dialogues, which is very aspirational, and it's very informative. It doesn't have any regulatory teeth. So, I think it's very, very positive that at the next Council meeting we're giving first reading to a document that actually does have teeth, and I am convinced that this document does advance several of the key findings of the Dutch Dialogues, everything from incorporating rain gardens, rain barrels to redevelopment, infill projects, to looking at a watershed approach to stormwater management for the larger developments that we're seeing come to our City, so I'm very pleased by this Stormwater Manual. I agree that there may be a few things that we need to look at and tweak to make sure we get it right, but I'm also very encouraged by the fact that we're going to keep this dialogue going with the development community, with citizens, and groups that are concerned about this very important issue. Because like the United States Constitution, this document is going to be a living document, a living breathing evolving document, and, I think, that's very positive, so thanks to everybody who has been involved."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilmember Gregorie said, "A point of order, Mr. Mayor."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Gregorie said, "I think that Councilmember Brady was next. I think he hasn't spoken yet."

Mayor Tecklenburg said, "Yes. I'm sorry I didn't see you out of the other corner of my eye. I'm happy to call on Councilmember Brady next."

Councilmember Brady said, "Thank you, Mr. Mayor. I want to thank the Stormwater Department for the manual. It's definitely needed. I just wanted to express, and I'm going to vote to give it first reading, but, I do want to express some concerns. Our workshop was at 2:30 p.m. yesterday afternoon, and even some Councilmembers found it hard to get here, and we had a public hearing at 4:00 p.m. So, we're asking 'Joe' citizen to come and talk about it at 4:00 p.m. in the afternoon when even members of Council can't make it. So, I would just ask that after we move this beyond first reading, if there is a roadshow that we can schedule because we know that there are areas of the City that have been active in this. Also, there are people in our community that are concerned that can't get downtown, whether it's through their work schedule or their transportation and, I think, before we pass this in fullness, we need to go and educate the public, and I understand the Task Force having stakeholders and what not, but I really think we need to educate the public because this is something that they've been asking for, for us to carry the banner and the torch on, and I'd like to see us take this on the road a little bit before we end up giving it second and third reading. Thank you."

Mayor Tecklenburg said, "That's not a bad idea."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Councilmember Brady. I would agree with you on that. I do feel like it is a technical document that most of us will probably never open up again once we feel confident that we are putting something in place that is going to serve our citizens, our development and building community, and our City overall to the best that we have the ability

to put it out there at this moment in time, knowing what we know now, even though the five or six years ago when it was last revised. So, I just want to echo the support for this first reading tonight, that we get this living document in motion and do give our expert community the chance to model the things that they're the most concerned about in any sort of formulaic implementation detail. I don't know if we had it on the record tonight, but when Mr. Fountain gave his presentation at the work session yesterday, he made it clear that a lot of these things are going to be further enhanced by technical bulletins that will basically be the how to, the YouTube of how you do the formulas and things like that. We are going to make available all of the background information that the Storm Water Department has been shepherding on our behalf of giving engineers as much background information as possible. So, we are going to be creating and enabling a system, I think, to help our partners in Charleston's future come to the City when they are ready to be reviewed on all the levels of this document, fully prepared to make their best formulas work for the property they are representing.

I can't thank Mr. Fountain and Kinsey Holton, in particular, enough the way they were able to translate to those of us who are making decisions like these of a higher level, all the way down to the conservationists and the environmental engineers that are hired by our public entities of partners at Clemson. It was really a privilege to sit on a group that was together from the beginning. They knew that this was something that was their responsibility. It was like a gift they were giving to the City for the future. So, I feel very privileged to have been part of that process on a monthly basis for the last year, plus.

I do support the amendments that you all agreed to at the Public Works Committee this afternoon. I think it would be very strategic of us to continue to have quarterly meetings of the existing taskforce, as many people as can volunteer to continue on that basis. It is going to be the living process that helps us learn by doing. You can model to death, but you can't really, until you are actually out there in the field trying to make a piece of property into something that it isn't at the time you are working with it. I'm not sure that six months after the fact is going to be a long enough look back, but we will be able to decide that when the experts come in that have tried to use the whole manual to the fullest extent. I really think this is the time. The citizens are watching. They are trusting that our own staff and our own AECOM representatives have their best interest at heart. If you read the terminology in Chapter 2, you can tell that this is something we never made ourselves responsible to do. We are not looking at Green Infrastructure as a required process at this moment in time. We are not looking at low impact development. We talk about that, but we cannot regulate it. So, that is what this document is going to do. It will be the layer on top of the land use. That is my final reminder. I think that we've seen clearly over the last year that this is the tool that is sort of the fruition of the land we are making available through our zoning and master planning for property owners to use to their highest and best ability. We have got to hold ourselves responsible as best we can, as soon as the Comp Plan is in motion to make hard decisions that may not be what we all envision, even a few years ago, but we've got the information. We've got the science. We've got the experience of looking at the before and after. So, I am looking forward to that part of it as much as I have enjoyed being a part of this team process. Thank you very much."

Mayor Tecklenburg said, "Thank very much. I would like to call the question, but just hearing comments from the committee meeting this afternoon and here tonight, we are giving this first reading and it does not become effective actually until July 1st, which gives the engineers some time. So, listening to you all, I'd propose we not bring this back for second reading at the next meeting and maybe not even the next one, so that Councilmember Griffin's suggestion that we review some of the language and the mission statement of the document, and we address the questions that Councilmember Waring had today at the committee meeting, and even have an

opportunity of within the next 30-45 days of having another public hearing somewhere else, other than City Hall, another public dissemination of this, and maybe one more meeting of the task force talking about the tree ordinances. Then come back, and give a second and third reading. They know it is coming after we give it first reading. Does that sounds like a plan? Any further discussion for first reading?"

No one asked to speak.

On a motion of Councilwoman Jackson, seconded by Councilmember Shealy, City Council voted unanimously to give first reading to the following bill, as amended:

An ordinance amending the Stormwater Design Standards Manual as set forth in "Exhibit I," attached hereto and incorporated herein by reference, to provide updates reflecting advances in technology and experience related to stormwater management and to increase the fees associated with stormwater plan review, stormwater inspections, and transfers. (AS AMENDED)

The Clerk said, "So Mayor, we have to go back as Item A needs to be adopted. This was put on the agenda after they initially sent it out because the Public Works Department needs this item."

Mayor Tecklenburg said: "Okay. We have to vote on the acceptance of a right-of-way, Item a."

On a motion of Councilmember Griffin, seconded by Councilmember Mitchell, City Council voted unanimously to approve Item a of the Public Works and Utilities Report:

a. Acceptance and Dedication of Rights-of-Way and Easements

- Approval to notify SCDOT that the City intends to accept maintenance of 720LF concrete sidewalk, granite curb and street trees at Washington Street (S-1022) and (S-2387) and Vernon Street (S-221) in conjunction with the project at 31 & 32 Laurens Street

Mayor Tecklenburg said, "Anything further, Councilmember Waring, from your committee?"

Councilmember Waring said, "No sir."

Mayor Tecklenburg said, "Okay, great. So, next is our Committee on Ways and Means, Councilmember Gregorie."

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

(Bids and Purchases

(Mayor's Office for Children Youth and Families: Approval to accept a grant award in the amount of \$200 from Youth Volunteer Corps to engage Charleston area youth in an environmental service-learning project. This grant was submitted on December 1, 2019. No City match is required. This is an after-the-fact approval.

- (Mayor's Office for Children Youth and Families: Approval to accept the Youth Service America Lead Agency grant award of \$2,000 to engage youth in service on nationally recognized service dates including the 2020 MLK Day of Service and the 2020 Global Youth Service Day. No City match is required.
- (Stormwater Management: Approval of Market Street Drainage Improvements and Streetscape Fee Amendment #14 with Davis & Floyd in the amount of \$58,500.00 for additional engineering services related to pedestrian refuge area and brick crosswalks, extended project management and coordination through TRC, and extended coordination for landscaping plans. Approval of Fee Amendment #14 will increase the Division III portion of the overall Professional Services Contract by \$58,500.00 (from \$1,218,232.55 to \$1,276,732.55). Funding sources for this project are: 2012 Stormwater Bond (\$6,400,000), Municipal Accommodation Funds (\$2,228,775.80), Waterfront TIF (\$1,106,000), Hospitality Funds (\$3,177,225). *(Pending recommendation by the Public Works and Utilities Committee)*
- (Stormwater Management: Approval of Ehrhardt Street Tunnel Design Project Fee Amendment #1 with Davis & Floyd in the amount of \$574,510 for professional engineering services to develop preliminary 30% design to final design. Approval of Fee Amendment #1 will increase the professional services contract by \$574,510 (from \$286,922 to \$861,432). Funding for this project is the Drainage Fund. *(Pending recommendation by the Public Works and Utilities Committee)*
- (Stormwater Management: Approval of Spring-Fishburne Phase 3-Mitigation Professional Services Contract with Johnson, Mirmiran, and Thompson, Inc., in the amount of \$88,237 for the post-construction monitoring for the Guerin Creek Mitigation construction required by the U.S. Army Corps of Engineers. Approval of the Professional Services Contract will obligate \$88,237 of the \$49,059,532 budget. Funding sources for this project are: State Infrastructure Bank (49,000,000) and Capital Contribution (\$59,532). *(Pending recommendation by the Public Works and Utilities Committee)*
- (Parks – Capital Projects: Approval of the 2020 Parks and Recreation Development (PAR) Grant Application to furnish new playground structure, swing set, and safety surfacing for the Vivian Anderson Moultrie Playground. Requesting funding of \$32,430.60 with a 20% City Match of \$8,107.65. City match \$8,107.65 from 523000-52435 Maintenance, Playground Equipment.
- (Parks – Capital Projects: Approval of West Ashley Greenway Improvements-Stinson Drive to Parkdale Drive LPA Supplemental Agreement No.1 in the amount of \$12,371.36 for the termination of the SCDOT Local Public Agency Contract LPA-07-15 entered into agreement on March 13, 2015. Cancellation of the agreement includes reimbursement of SCDOT for costs associated with staff reviews and will cause the obligated Federal funds to be returned to the CHATs Committee of BCDCOG. Approval of this Supplemental Agreement will obligate \$12,371.36 of the project budget. By accepting this Supplemental Agreement, the City will forfeit the Grant and match amount of \$235,000 will be eligible for another project. This funding will be replaced by 2018 General Fund Reserves. The funding sources for this project are: 2013 General Fund Reserves (\$214,016.57) and 2016 General Fund Reserves (\$100,000), 2018 General Fund Reserves (\$235,000).
- (Parks – Capital Projects: Approval of Cannon Street Fire Station #6 Retrofit Construction Contract with IPW Construction Group, LLC, in the amount of \$4,825,229 to structurally retrofit the unreinforced masonry of the historical Fire Station #6 which will bring the facility into compliance with modern codes. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved Budget. Approval of this will institute

a project budget of \$5,554,229 of which the \$4,825,229 construction contract will be funded. Funding sources for this project are: 2015 FEMA Hazard Mitigation Grant (\$281,512), 2015 IPRB Bond (\$1,126,057.25), 2019 FEMA Hazard Mitigation Grant (\$3,096,659.75), 2015 General Fund Reserves (\$269,000), and 2018 General Fund Reserve (\$781,000).

(Parks – Capital Projects: Approval of City Market Shed Gas Overhead Heaters Construction Contract with IPW Construction Group, LLC, in the amount of \$96,460 to install 32 overhead heaters at Market Shed C as part of the first phase of heater installation. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved Budget. Approval of this will institute a \$711,514.46 project budget of which the \$96,460 construction will be funded. Funding sources for this project are: City Market Capital Fund Balance (\$295,514.46) and Hospitality Funds (\$416,000).

(Housing and Community Development: Mayor and City Council approval is requested to execute a contract in the amount of \$50,000 with Charleston Habitat for Humanity. The contract would allow for the provision of services related to minor repair and renovation for low and moderate income residents living in the City of Charleston. Funds to support this contract will be derived from prior year Community Development Block Grant (CDBG) Funds.

(Police Department: Approve an independent contractor agreement in the amount of \$50,000 with Kylon Middleton Ministries, LLC to perform consulting services in connection with the 2020 Illumination Project and continuation of listening sessions.
(DEFERRED)

(Police Department: Approve the Kennedy Center Alcohol Enforcement Grant Award of \$2,200 for field intelligence training to combat underage drinking and drug use. The grant has already been accepted due to time constraints. No City match is required. This is an after-the-fact approval.

Mayor Tecklenburg said, “There are no bills for third or second reading, so we have items 1 and 2 under first reading.”

Councilmember Mitchell said, “Move for approval.”

Councilmember Shahid said, “Second.”

The Clerk said, “That is correct.”

Mayor Tecklenburg said, “Items one and two are under the first reading, and number two is the ordinance I mentioned earlier that we would establish alternates for the Planning Commission. Any discussion on one or two, assuming we are taking them together? We had a motion to take them together, I think.”

Councilmember Shealy said, “We may need to back up. I am not sure, maybe I missed it, but did we talk about the noise ordinance?”

Councilmember Shahid said, “We didn’t take any action.”

Mayor Tecklenburg said, “We didn’t. It was deferred basically to the next meeting, but we were running out of time. So, we have a motion on the floor to accept bills up for first reading, number one and two together correct?”

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I won't be long, and I appreciate being able to have a conversation with you as I express my interest in the item number 2 up for first reading. The Planning Commission has been put on the agenda to amend their operations, part of the Zoning Code, which basically defines how the Planning Commission does its work on behalf of the City. I was at the November meeting when this item was tabled on the agenda or deferred on the agenda. They did discuss it, and what they discussed at that point in time was their great interest in having their own workshop, to be able to in the public, but not as part of a formal meeting, drill down into what it would look like for them to make some changes to their operating way of being. I will vote for a first reading on this, but I do think it needs to be with an understanding that, before it comes back to us for second reading, the Planning Commission will be encouraged and given the opportunity to have their own work session. They have some other ideas, potentially, about changes that they would want to amend into their operating section of the Zoning Code. I think that we should encourage them to take ownership of their work, responsibilities, and their new understanding of how they're being respected and given the opportunity to operate on the behalf of the citizenry, who are going to their meetings and expecting decisions that have some background delivered at the time they're making their decisions. I do feel like the Planning Commissions is very interested. They're going to have three new members, and they're very interested in being able to take that time to really discuss is among themselves. The Design Review Board were able to do that before they came forward, and I do feel like that's the right thing for them to be able to do at the same time."

Mayor Tecklenburg said, "Alright, well conversations are good. If they want to make a recommendation to us, we'll be happy to consider it."

Councilwoman Jackson said, "Right, but they need to get the format for a workshop."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Oh, I'm good."

Mayor Tecklenburg said, "Any further discussion on 1 and 2?"

No one else asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid 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 right-of-way located at the north end of Bender Street (West Ashley) (approximately 0.13 acre) (Council District 3), be zoned Single-Family Residential (SR-2) classification. The property is owned by the City of Charleston.

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to Planning Commission composition to establish commission member alternates and to update other applicable sections related to Planning Commission Rules and Procedures.

Mayor Tecklenberg said, "We're going to go into Executive Session. I will mention that a lot of times when we go into Executive Session we don't conduct any business when we come back, but we probably will this evening, just to let folks know. We will be back in just a few minutes."

On a motion of Councilmember Griffin, seconded by Councilmember Shealy, City Council voted unanimously to go in to Executive Session at 7:53 p.m.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, City Council voted unanimously to come out of Executive Session at 8:10 p.m.

Mayor Tecklenburg said, "Let the record show that no action was taken while we were in Executive Session."

Councilmember Shahid said, "I have a motion to make Mr. Mayor."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Shahid said, "The motion is to resolve our ongoing litigation with our contractor for the Gaillard improvements. For that, the City will pay to them the total of \$2.25 million, plus the contract balance. In addition, the City will reserve all rights and claims against all parties relating to latent defects and warranty obligations."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "Let the record show that, in addition to our payment, that the professionals that were working for the City will also be paying \$2.75 million as part of the lawsuit settlement. In essence, the total settlement is the contract balance, what was still owed on the contract, plus a total of \$5 million, but only a total of \$2.25 million of that will come from the City of Charleston."

Councilmember Shahid said, "That's my understanding, as well, Mr. Mayor."

Mayor Tecklenburg said, "Any further discussion?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Waring, City Council voted unanimously to settle the litigation with the contractor for the Gaillard Center improvements. As part of the settlement, the City will pay \$2.25 million, plus the contract balance and will reserve all rights and claims against all parties relating to latent defects and warranty obligations.

Mayor Tecklenburg asks, "Any other business comes before this evening?"

There being no further business, the meeting was adjourned at 8:11 p.m.

Vanessa Turner Maybank
Clerk of Council