

**CITY COUNCIL MEETING  
CITY COUNCIL CHAMBER**

Regular Meeting

April 12, 2022

The one hundred twenty-first meeting of the City Council of Charleston was held this date convening at 5:00 p.m. at City Hall and over video conference call (Zoom).

A notice of this meeting and an agenda were made available on the City's website April 7, 2022 and appeared in the Post and Courier on April 11, 2022.

PRESENT (12)

The Honorable John J. Tecklenburg, Mayor

Councilmember Gregg <i>(absent)</i>	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 Bowden	District 10
Councilmember Brady	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Parker	District 12

Mayor Tecklenburg called the meeting to order at 5:00 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "Now, if you would like to join us, Councilmember Bowden will lead us in a [prayer and the Pledge of Allegiance.](#)"

Councilmember Bowden opened the meeting with an invocation.

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

Mayor Tecklenburg said, "So, thank you all for being with us this evening in person and what a beautiful day it is in Charleston. I just feel terrific that we have some really great community recognitions to make this evening, and we're going to start with a [proclamation recognizing and honoring Judge Brucie Hendricks.](#) I'd like to ask Judge Hendricks and her husband and, if I may, ask Gil Kerlikowski and his wife to come join me up on the podium. I think Deputy Chief Jack Weiss is going to join us and make a few remarks on behalf of our Police Department. Please just come on up behind me, and Chief Reynolds may make a few remarks, as well, online. I think he's listening in. So, if I may start, Your Honor, with making a proclamation for all to hear."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "So, I would like to ask first Deputy Chief Jack Weiss to make a few comments on behalf of the Charleston Police Force if he would like. Jack."

Deputy Chief Jack Weiss said, "On behalf of Chief Reynolds, we just want to thank Judge Hendricks for her leadership and bringing us all together to do collaborative work during this epidemic, which our City has been plagued by, like everywhere else in this country. She's brought us all together to the table because like we always say, 'You can't arrest your way out of a drug crisis.' Bringing all of the resources into one room, taking part in case reviews, seeing what we may have been able to do better, and have an honest, open conversation is to further down the road to save lives in our City. Thank you."

The Honorable Brucie Hendricks said, "Thank you very much. My goodness gracious. Thank you to the Mayor and everyone who had a hand in this. I have some reasonable suspicion as to who may have conspired, but let me just start out by saying my general philosophy has been, since I started this job, that I do believe that a courtroom can both punish and heal, and that is my overriding philosophy. But, I need to begin my tenure as fully, newly minted City of Charleston honoree by putting the credit right where it belongs, with the people that truly make the Federal Drug Court and the State Drug Court, because I collaborate closely with Judge Irv Condon and all of the great judges across the street, who work day in and out to help those that are suffering from substance use disorder. Whatever honor and respect I'm receiving today ought to be paid tenfold to the probation officers, the Assistant United States Attorneys, the Federal Public Defenders, and the United States Magistrate Judges that pour their souls into this work. Moreover, I'd like to highlight and honor unsung, unseen heroes, the sponsors, the mentors, and the family members that so sacrificially come alongside Drug Court participants, those suffering from the ravages of Fentanyl and substance use disorder, to ensure that they are truly successful in their endeavor toward recovery. That's where the real work of recovery is done. It's in the families, it's in Alcoholics Anonymous and Narcotics Anonymous meetings with the boss. Someone who takes on someone who is in recovery because they know what it's like to struggle with addiction themselves. They do it, we all do it, because it's perhaps the most redemptive thing happening in the Federal Court System. Watching a life be transformed from the brink of incarceration for criminal activity connected to addiction all the way to full recovery, employment, and successful living in the community is nothing short of a beautiful thing. I'm honored to play a small part in it, but most of all to see those transformations become a reality. I'd also like to thank all of the people in the community who have helped pull together to create the ACT Force. Chief Reynolds has been a linchpin, Chief Reggie Burgess, the Mt. Pleasant Chief, the Sheriff, and Mr. Kerlikowske, who is the former Director of the Office of National Drug Control Policy under President Obama, has been key and the glue to hold this all together, so we have a lot more work to do. I'm surprised, but I'm flattered and hope that this will keep us energized for the hard work ahead. Thank you, all."

There was applause in the Chamber.

Councilmember Shahid said, "Mr. Mayor."

Mayor Tecklenburg said, "The Judge introduced Gil Kerlikowske and his behind the scenes role in all of this, and I'm just going to say, before you walk off, that Charleston is very honored and blessed to have you and your lovely wife as Charlestonians now, and thank you for your service to our country and to our community ongoing."

Gil Kerlikowske said, "Thank you, Mayor."

There was applause in the Chamber.

Mayor Tecklenburg said, "Thank you. One minute, I think we're going to bring Chief Reynolds in for a comment, too. Do we have that on a screen or just over the speaker system?"

Chief Luther Reynolds said, "Are you ready now, Mayor?"

Mayor Tecklenburg said, "There he is."

Chief Reynolds said, "Are you ready for me now? Can you hear me now?"

Mayor Tecklenburg said, "Hey, Chief?"

Chief Reynolds said, "Mayor, can you hear me?"

Mayor Tecklenburg said, "Barely. Speak up a little bit, and we'll try to adjust the volume."

Chief Reynolds said, "I just want to add to what you just said for Judge Hendricks, and I'm sorry I'm not there in person to say this, but as you said, when we first talked about honoring the Judge, I think quoting you, 'She is a true Charlestonian leader.' A person who loves this City, loves the people that she works with, and she is a true collaborator. She has been so passionate about getting all of us at the table, Federal, State, and local, and I just want to say thank you, Judge. I would agree with you that we have a lot more work to do, but this is a well-deserved recognition for your leadership, for your integrity, for your commitment, for your tenacity, and for your passion for saving lives. One of the things that we say is, 'If we save one life, it's all worth it.' There's no question in my mind, Judge, that we are saving lives, and we certainly have a lot more work to do. So, congratulations and thank you so much for all that you've done and all that you will be doing to continue to keep us together."

The Honorable Judge Hendricks said, "Thank you, Chief Reynolds, appreciate it."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "And, Judge Hendricks, you're not going to get away from this courtroom. First of all, Mayor and City Council, behind me is, or next to me is, Magistrate Judge Molly Cherry is also with us, so I just also want to recognize her for being here and appreciate her presence. Judge Brucie Howe Hendricks would not be here but for her father, 'Uncle Arthur,' as we affectionately called him, who for many years practiced on Broad Street. Judge Hendricks, at one time, was an Assistant United States Attorney Hendricks, and she and I have worked together on the Violent Crime Task Force and several other notable projects. I just want to tell you how proud I am and how grateful our community is to your service. I've said this to other folks who we have recognized, and they are sons of Charleston. You are a daughter of Charleston, and we mean that sincerely. So, thank you for all that you have done, and this is a well-deserved recognition. I'm just sorry I didn't come up with the idea, but Chief Reynolds did ahead of me, so Chief beat me to the punch. Congratulations."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Shahid said, "My senior Councilmember kicked me out of my chair."

Councilmember Seekings said, "I did. Fellow Councilmembers, I can't let this moment go without making just a few very brief comments. Every now and then, and it's rare, but every now and then someone comes along and rises to a place where they can do so much good in their community and beyond. I have known Judge Hendricks long before she was elevated to the lofty position of Judge Hendricks, back in the days when we traveled to Richmond, and we would argue in the 4<sup>th</sup> Circuit. The arguments would last about two minutes. By the time I got back, the decision was already made. Another win for Judge Hendricks, then U.S. Attorney Hendricks. But what she's done with a lifetime appointment and a rare opportunity is unique. I mean, we just don't hear about things like this in our community and our Country every day, and there's a reason, because there aren't many people like Judge Hendricks. What she's done in our community to take on what is something that affects all of us every day. Whether you know it or not, it affects all of us. She has been the leader in addressing it not in a way that you might think a judge would do. By dispensing sentences, she has dispensed something way better than justice, and that is compassion and understanding, and there's no doubt that she was destined to be sitting on the bench for a lifetime, and in these Chambers, and in our community doing what she's doing. So, I'm honored to, I've known her for a long time, to call her both Your Honor and friend, and it's a proud moment for all of us that you're here, Judge, so thank you so much."

Mayor Tecklenburg said, "Alright. One last hoorah."

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "Well, next, I'd like to recognize the [South Carolina State Guard](#), and we have some more distinguished guests with us if you would join me, please, on the podium. Brigadier General Leon Lott, Lieutenant Colonel David Preston, Warrant Officer Michael Northrup, Command Sergeant Major James Guest, Private Robert Ashley, and Private Kyle Castin. Thank you for being with us all this evening. The occasion rose, as requested by a fellow South Carolina Guardsman, Karl Brady, that on the occasion of the Cooper River Bridge Run that for many, many years the South Carolina Guard has come to help volunteer as we conduct that big event. But, believe you me, and I guess I'll mention this in the proclamation, that there's so much more the South Carolina State Guard does, and we're so thankful for what you do for public safety and for watching out for us in this State."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "Congratulations, General. Thank you so much."

Brigadier General Leon Lott said, "Thank you."

Mayor Tecklenburg said, "So, before you come forward, if you don't mind, I'd like to ask Councilmember Brady, one of your colleagues and fellow guardsman, although I understand he might get a demerit this evening for not shaving properly. Councilmember."

There was laughter in the Chamber.

Councilmember Brady said, "I'm in between drills, so it's okay. I wanted to thank Mayor Tecklenburg and my colleagues on Council for letting us recognize the State Guard today. I think a lot of the comments that I had originally gotten were that people didn't know a lot about the

State Guard. I'm sure Brigadier General Lott can fill everyone in, but I'm honored that we were able to do this today, and I'm going to turn it over to the General who definitely outranks me. General."

Brigadier General Lott said, "Thank you, Mayor and Council. I want to thank you all for recognizing the South Carolina State Guard, your South Carolina State Guard. As the Mayor said, we are in our 352<sup>nd</sup> year. This was the very first military organization in the State of South Carolina. Now, you can see we all look different, but we have one thing in common, that's the love that we have for this State and the citizens, and we serve because of that. The Bridge Run is just one of those opportunities that give us that opportunity to go out here and serve, so we appreciate that opportunity. We will continue to be here to serve you. I hope we don't get called for a hurricane anytime soon, but if it happens, we're trained, and we're ready. That's our motto, trained and ready. So, Mayor, thank you so much, but I would also like to give you our coin, our 350<sup>th</sup> Anniversary coin. It's two years past, but we're going to give it to you today. Thank you."

Mayor Tecklenburg said, "God bless. Thank you, sir. Appreciate it very much."

Brigadier General Lott said, "Yes, sir."

Mayor Tecklenburg said, "Would you all like to come up and just get a picture together with the General? And we'll see if we can appropriate some funds to buy Councilmember Brady a razor."

There was laughter in the Chamber.

Councilmember Brady said, "That's right."

Brigadier General Lott said, "A shave to match his head would be a good shave."

There was laughter in the Chamber.

Mayor Tecklenburg said, "God bless you. Thank you for your service. Appreciate it."

Councilmember Brady said, "Thank you."

Brigadier General Lott said, "Thank you, all."

Mayor Tecklenburg said, "That is a big coin now. Alright. Thank you. So, then, in addition to those recognitions, we have a couple of City of Charleston employees that have received community recognition since our last meeting, and I would like to recognize them. First, [Paul Wieters](#), please come forward along with Irv Batten, who is the race director of the Cooper River Bridge Run. Speaking of the Cooper River Bridge Run, we also have two other board members of the Cooper River Bridge Run, our own Councilmember Mike Seekings and Laurie Yarbrough, head of our Recreation Department. If you all would all come forward, I would appreciate it. So, I was at the little opening luncheon that they have for the Cooper River Bridge Thursday a week ago I think it was, time flies, and felt so proud and honored that the City of Charleston's own Paul Wieters was recognized by the Cooper River Bridge Run with their Joseph P. Riley Award, so we're here to congratulate you, Paul. Paul, we won't hold this against him, he's a graduate of Clemson University, has a Bachelor's Degree in Administrative Management. He began working with the City of Charleston in 1996. I was working there at the same time. He was head of the Recreation Department and has more than 15 years now specifically focused on health and

wellness. He has served as the President of the South Carolina Parks and Recreation Association, a member of the SCPRT Commission, the NRPA Southern Regional Board Member, Eat Smart and Move More South Carolina Board of Directors, Tri-County ESMMS Board, I don't even know what that one is."

Paul Wieters said, "Eat Smart."

Mayor Tecklenburg continued, "Eat Smart and Move More, Cooper River Bridge Run Board of Directors, serves as the lead for the City's Health and Wellness Advisory Committee, and also a former President of his church congregation. He has been instrumental in developing the Lighten Up Charleston Initiative in Charleston and partnering with MUSC. In his free time, believe it or not, he enjoys Clemson football, and he also enjoys spending time with his wife, Maudie, and his children, who are wonderful. So, I'm going to ask Irv Batten now to come forward and make a re-presentation of this 'very small' trophy that they presented to Paul just a few weeks ago. Irv. And thank you for your service, Irv, in making sure the Cooper River Bridge Run runs so well. You did a terrific job this year, Irv. Irv Batten."

There was applause in the Chamber.

Irv Batten said, "On behalf of the Cooper River Bridge Run, we want to present Paul Wieters with the Joseph P. Riley Award for Health and Wellness."

Paul Wieters said, "Thank you."

There was applause in the Chamber.

Mr. Wieters said, "Well, I just want to say everything I do has always been a team effort. I've had great mentors over my career starting with Dr. Reid, Thad Bell, then Marcus Newberry, and it just continues on. It's all about us talking and listening and then finding ways to make a difference in our community. With your help, through the Health and Wellness Advisory Committee, through 'Lighten Up Charleston,' we've been able to start that process. I really can't thank you enough. I had 30 years in Parks and Recreation, and then I always knew there was more than Parks and Recreation, and it was in Health and Wellness where we really can take a deeper look into how we change lives, so I'm honored to be a part of the City's team, and I look forward to more years to come. And as a great football coach in South Carolina says, 'We're all in this together, all for one.'"

There was applause in the Chamber.

Mayor Tecklenburg said, "I did just want to share that Paul's entire life has been dedicated to the well-being of others. Listen to this, if you call Paul, and he doesn't pick up the phone, even his voicemail says, 'It is a great day in Charleston. Get out, and exercise, and eat healthy.' Thank you, Paul. Paul Wieters, everyone. Let's give him another round of applause."

There was applause in the Chamber.

Mayor Tecklenburg said, "Then, lastly, although the news was broken in our Ways and Means Committee, that wasn't on the agenda. We would like to recognize [Geona Shaw Johnson, the 2022 Lowcountry Woman of the Year](#). Geona, would you and your husband please come forward?"

There was a standing ovation in the Chamber.

Mayor Tecklenburg continued, "And Eddie Bines and other staff and family, you all please come forward. So, you all, for the last few years, WCBD News 2, Count on 2, has been highlighting local women who make a difference in our community with their Remarkable Women Campaign. Each year over a hundred nominations are made, and they have a six-person committee that goes through all of the nominations and selects someone on three criteria: community contribution, self-achievement, and family impact. Now, the four finalists this year actually included Dr. Jocelyn Evans of the College of Charleston, Nilsy Rapalo who also serves on the City of Charleston Latinx Advisory Council, and Emily Cruse who leads 'Be a Mentor,' which mentors kids out of our own City of Charleston Julian Devine Center. So, I must tell you, when I showed up the other day and, out of four of the finalists, three of them were actively involved with the City of Charleston in some way, made me feel very proud, but I couldn't be prouder than when they announced the finalist and the Most Remarkable Woman in Charleston this year being our own Geona Shaw Johnson. Congratulations, Geona."

There was applause in the Chamber.

Geona Shaw Johnson said, "Well, I want to first thank God for the nomination and the election of me as the WCBD TV 2 2022 Remarkable Woman of the Year and then, Mayor, certainly, and Council, for this wonderful acknowledgement by you. I also want to remind me and us that what we accomplish is never done singularly. I have an amazing family, a supportive husband, Lieutenant Colonel Johnson. He's the quiet one of the two of us. He's with us tonight. My siblings are here tonight, as well, at least two of them, and my grand nieces, and members of the staff of the Department of Housing and Community Development. I know I don't look like a great aunt, but I am. So, I could not do what I do on a daily basis without my team members. Eddie Bines, who has been with the City now 30 plus years, Eddie, LaTosha Jenkins-Fludd, who Council approved last year for us to hire. LaTosha will direct the Hope Center, currently called the Navigation Center, but the Hope Center. She is with us tonight, as well, and other team members who could not be here. I want to acknowledge them as part of this success because, again, I could not do it without them. Finally, I accept this acknowledgement and recognition on behalf of my awesome parents, Benny and Thelma Shaw. They are deceased and no longer with us. However, they raised ten children, and I am the ninth of that ten, two boys and eight girls, and we all love each other. They taught us a great deal about honoring God, hard work, loving one another, and respecting our fellow man. I would say, in these days and times, these are characteristics that we can carry on and, hopefully, allow generations to come to experience those same things. So, God bless you, members of Council, and thank you all for your support tonight."

Mayor Tecklenburg said, "Amen to that."

There was applause in the Chamber.

Mayor Tecklenburg said, "Let's get a picture."

Ms. Shaw Johnson said, "Thank you."

Mayor Tecklenburg said, "Terrific. Congratulations."

Ms. Shaw Johnson said, "Thank you again, Mayor."

Mayor Tecklenburg said, "Alright, and just when you thought all of our recognitions were over, I did want to present a [ten-year employment pin to Madam Clerk, Jennifer Cook](#). Here is your ten-year service pin."

The Clerk said, "Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Speech. Jennifer?"

The Clerk said, "No, I'm good."

Mayor Tecklenburg said, "No, she's good."

There was laughter in the Chamber.

Mayor Tecklenburg said, "I did also want to share with Council, because the family had requested that it not be a big media event, but Councilmember Mitchell and I joined the Earl Drayton family today. He was one of our fallen firefighters from the Charleston 9. He grew up on Amherst Street on the Eastside. At the corner of Nassau and Amherst Street, please go by there sometime soon and note the sign that we've honored the memory of this brave firefighter, the 'Earl Drayton Way' at the corner of Amherst, the block that he and his family kind of owned when he was growing up. It was a very nice memorial, not only to Earl, but to all of our Charleston firefighters. We had a really terrific showing there today. Councilmember Mitchell, do you want to add anything?"

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Mr. Mayor, a lot of people and the family thought that this would never be done because this has been going on probably, what, for the past four years. After COVID came, everything just kind of slacked down, so when the Chief called me, Chief Curia called me, I said, 'Well, let's go ahead and get it done,' and we got it done. We had the Color Guards out there today. We had also the last fire truck that he rode on which is, what, 119. Station 119 that was there. It was a beautiful occasion with the family there recognizing that he died, you know, but he gave his life to help and assist the people in this community, so we have to always remember that, and I told the family the same thing. I know he is looking down and smiling although he is not here in presence, but in the spirit he is here, but he gave his life for the residents of the City of Charleston. So, they can be proud of that although he is not here. His daughters are here and some of his sisters and brothers were there, so it was a beautiful occasion. I was glad I was a part of it. Thank you."

Mayor Tecklenburg said, "Thank you, Councilmember. So, we're going to move ahead with our agenda. First up is [approval of City Council minutes from March 22<sup>nd</sup>](#)."

Councilmember Brady said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Any additions, deletions, corrections?"

No one asked to speak.

On a motion of Councilmember Brady, seconded by Councilmember Shealy, City Council voted unanimously to approve the minutes of the March 22, 2022 City Council meeting.

Mayor Tecklenburg said, "Next is our [Citizens Participation Period](#). Madam Clerk."

The Clerk said, "So, we have 28 people signed up to speak."

Mayor Tecklenburg said, "Let's do 90 seconds to give everybody a little time to be able to express themselves."

The Clerk said, "Alright. Anthony Bryant."

1. Anthony Bryant said he went to the County Council, and they said he went from Zoning to the Solicitor's Office. He said, 'He who knows that he knows is wise.' He said he loved every minute of it. He requested under the South Carolina FOIA Procedure Act a copy of the officer-involved critical incident guidelines, due to the public notice expressed by Scarlett Wilson, 9<sup>th</sup> Circuit on March 9, 2022, expressed copy to SLED Captain Ryan Neill and to Rebecca Gregg. He said that [Bryant v. U.S. District Attorney's Office](#) was the same date, and he took it as a political reprisal against him that he took personally. He had a Charleston Police Department report placed with his social security number. He said they didn't handle personal identifiers, and that it was intentionally done because Council had the information that the Clerk had. He made a public comment in 2016 and 2017 to the Charleston Police Department, Charleston County Sheriff's Office, and the Commission on Accreditation for Law Enforcement Agencies, Inc., an indirect initiative against his speech and what he stood for as far as prohibition being a failure, and destroying Black lives throughout the whole Country, from 1970 to present. He said it was embarrassing to hear that mitigating, ridiculous nonsense. It had no effect on the lives of poor Black folks, and they had been destroyed by those crime bills and were still being controlled by them.

The Clerk said, "Time. Mohammed Idris."

2. Mohammed Idris said they were working to place a Philip Simmons' Multi-Purpose Culture Center at the site where he was beneath a tree as it looked like he was about to be hanged. He said that one picture was more expressive than a thousand words, but when they looked at a picture of Philip Simmons, who was a great iron worker and a great citizen of Charleston, it looked like he was being hanged. He said they wanted to put a Multi-Purpose Cultural Center for the recognition of the late Philip Simmons on that site.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Hilary Smith."

3. Hilary Smith said she was born and raised in Charleston. She said she was referencing the rezoning of two properties on Folly Road and said they had been fighting a battle with Mr. Bennett for two or three years. She said they weren't following the zoning policies Council had set forth, and he had to go in and re-do some things. They didn't know about the request that was read a month or two back, which was for

first reading. She said they weren't notified and didn't know anything about it. She said they were distrustful of a lot of the things he said he was doing and was going to do. She said they never saw a sign about it, but there were many signs on the lot, and when they were going by it at 40 mph, it was facing the road and was not perpendicular. She lived one street behind, running parallel, and they were worried about increased traffic because between Camp Road and Fort Johnson Road, if the Folly Road traffic got any worse, they would become a frontage road. People sped down that way already. She said that currently, Mr. Bennett had two properties, one building had four mailboxes on it---

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you, ma'am."

The Clerk said, "Nathan Gates."

4. Nathan Gates said he worked for the City of Charleston as a firefighter, and he was there to talk about the pay and retention issue that plagued the City of Charleston Fire Department. When he spoke last time, one of their comparables with their pay study they gave Council was Durham, who received a 14.3% increase in January. He said they were roughly 29 days out from the 90-day pay review for first responder pay, and they eagerly awaited the results of that, and, hopefully, that was all public knowledge at that point. He had been in the fire service full-time for 14½ years, and it was the first time he had heard of an ISO 1 department like the City of Charleston have to re-open their lateral hiring process due to lack of applications. It should have been a destination department with a rich history. The equipment and personnel were good, but they struggled to attract and maintain experienced members with their entry-level pay and the retention pay. He said since he last spoke, the City of North Charleston raised their pay for entry-level and across the board. He said the City of Charleston's qualified members with the same qualifications got paid \$6,917 less starting out compared to their partners to the north. He said if there was a new person looking to get into the field and they saw those two numbers, he asked why somebody would come to the City of Charleston when they could make \$7,000 more for doing the same job.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Michael Maher."

5. Michael Maher said he was the CEO of the WestEdge Foundation which was a non-profit foundation in the WestEdge District. He gave an update on the process they had been going through for the permit that was necessary for addressing the ongoing and increasing tidal flooding issues along Hagood Avenue within the Westside and Gadsden Green Homes. He said the effort began in 2007 and continued from 2013 working with the Corps of Engineers and with South Carolina DHEC. He had two public hearings in 2015 and 2019, and a City Council review in 2020, and culminated last summer in a determination by South Carolina DHEC and OCRM that the proposed work was appropriate under South Carolina regulations. He said they were now in litigation to protect the permit that made that remedy possible. The hearing would be in June at the South Carolina Administrative Law Court (ALC). He said the issue would have its day in court, and the Chief Justice of the ALC would make a legally binding ruling based on the facts of the situation. He said their work was always guided by an

ethic of facts-based analysis and engineering to arrive at a legal, feasible, and fundable solution for complex challenges such as the flooding issue on the Westside. He said their remedy would protect the public health, safety, and welfare and alleviate the impacts on that vulnerable community.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "John Pachomski."

6. John Pachomski said he had been a member of the Charleston Fire Department for over four years. During his time, the City had failed to address the department's pay retention issues. He said they currently had 48 vacancies, and forcing people to work had been an ongoing problem. He was likely to be forced again on Easter Sunday and possibly throughout the week, and he hoped Council never had to make the disappointing phone calls to their children to tell them they wouldn't be home to celebrate the holidays again. He said it was constantly told to them that their hourly wages decreased due to working more hours. He said being required to work more hours was not a privilege, but a sacrifice, and their time should not have been devalued because emergencies didn't only happen between the hours of 9:00 a.m. to 5:00 p.m. He said that currently, Charleston was viewed as a stepping stone for many to obtain certifications and gain experience in order to get hired by better paying departments, and that ongoing cycle cost taxpayers in Charleston lots of money. He said that ignoring the fact that the issues were directly correlated to firefighter pay would be willfully ignorant.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "I believe it's Allen Small or Dalen Small."

7. Dalen Small said in the final City Plan adopted October 12, 2021, action item #5 stated, 'Collaborate with regional and State partners to increase preservation and restoration of saltwater ecosystems like our marshes and wetlands, as these are key carbon sequestering assets.' She said Mayor Tecklenburg brought the Dutch Dialogue scene to Charleston, and in his May 19, 2019 opening remarks for that effort, he noted that, 'It's the Dutch way to give back to the world with their expertise.' She said he called for a coming together to create a vision imploring people to understand that water was not to be viewed as the enemy, but as a resource. They did otherwise at their own peril. She said in January of 2020, City Council unanimously approved the Dutch Dialogues Final Report, a report that was unequivocal and in its insistence that Gadsden Creek not be filled, noting the history of worsened flooding in Charleston every single time a tidal creek had been filled. She simply called on the City to engage in practices it had already approved.

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Richard Gowe."

No one asked to speak.

The Clerk said, "Barbara Savage."

No one asked to speak.

The Clerk said, "Peyton Thays."

No one asked to speak.

The Clerk said, "Kristin Wallace."

No one asked to speak.

The Clerk said, "Tony Daniell."

Mayor Tecklenburg said, "Were you called out?"

Kristin Wallace said, "Yes, I'm Kristin Wallace."

8. Kristin Wallace said she was there to speak to Council not as an expert on environmental systems or water, but as a concerned citizen and researcher of racial disparities in Charleston and nationally. She said she'd like Council to consider the impact of the filling of the Gadsden Creek on the community and the historical role that the destruction to that area had on the people of Charleston. She encouraged Council to look at the research by the Coastal Carolina Conservation League, as well as the City's research, to look at the best practices in which to restore the creek. Restoration there meant not only restoration of a creek, but restoration of a people who had been systematically discriminated against going back over 100 years. She said that the creek once brought fish and livelihood and was the center of a vibrant and flowing community. She said they just wanted to see that brought back in the most environmental and safe way while respecting the ongoing business interests and the development of the historical and beautiful City. She thought that everyone would agree that thriving people of all backgrounds, cultures, and nations were better than having divisions. She thought it needed more study, and she appreciated Council looking into it.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you. Let's go back to Mr. Gowe because I think those folks came back upstairs. He was the first one I think."

The Clerk said, "Alright. Richard Gowe."

9. Richard Gowe said he was there on behalf of Mr. Patel with the Montford Group to let Council know if they had questions during the second reading, he was happy to participate.

Mayor Tecklenburg said, "Great. Thank you, sir."

The Clerk said, "Barbara Savage."

No one asked to speak.

The Clerk said, "Peyton Thays."

No one asked to speak.

The Clerk said, "Tony Daniell."

10. Tony Daniell thanked Councilmember Brady for the traffic study, but he said it was fairly flawed. He said if there were over 1,000 cars averaging 16 miles an hour in a 25 mph speed limit zone, that should tell them it was because there was a ton of traffic, and then there was no traffic. He said if they averaged together three cars going 5 mph and one going 45 mph, that would equal about 16 miles an hour, which was exactly the data Council got. He said Council asked if there was any way to alleviate traffic. He said there used to be on Inverness Drive. He said there was no traffic on Inverness Drive. He asked Council why they didn't put the black box on Burning Tree Road, Inverness Drive, and Fairway Drive to see where the traffic was really going. He didn't know that he would agree with Council. He thought 1,100 cars without being able to count the ones that are in traffic for the school because almost 200, 250 a day went to the school, which was 750. He asked Council how they got 1,100 when they had 750 cars in three days picking up from the school. He said the numbers didn't match. He said people were speeding. He wanted to see what it was between 10:00 p.m. and 4:00 a.m., because that was when they flew down the road. He said they couldn't fly down the road during the day because there was traffic, and they would run into somebody. That was why the average speed limit was 16 mph over a three- or four-day weekend. He said that was the problem, and it was still illegal to close roads. He asked if it wasn't so bad, then he asked why they were screaming. He asked Councilmember Seekings why Charles Rivers wrote to him. He asked the Mayor why they kept saying it was okay because it was not okay. He said when he met with the Mayor that the Mayor told him he had to sue the City to get them to enforce the law.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Reverend Darby."

11. Reverend Darby said he was a member of the Charleston Area Justice Ministry, and he thanked the members of Council who attended their recent Nehemiah Action. He encouraged other members of Council to stand with them to restore and revitalize Gadsden Creek. He made that request as Pastor of Nichols Chapel AME Church on the Westside adjacent to Gadsden Green, but the flooding was getting worse instead of better. He said restoring and revitalizing the creek would be compatible with the recommendations of the City's Dutch Dialogues. He believed it could be done because he knew how Charleston protected its architectural history. He had seen houses ready to fall over rehabilitated and restored, and they needed to do the same thing when it came to the environmental history. He commended Council for its recent attention to Charleston's unvarnished racial history, and its creation of a Commission to address that. He said restoring and revitalizing Gadsden Creek would address a century of environmental racism, instead of simply filling it in and covering it up. He thanked Council and said God bless.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "John Ford."

No one asked to speak.

The Clerk said, "Caroline Frady."

12. Caroline Frady said at City Council July 29, 2020, over 50 citizens made public comments demanding that the City of Charleston stop with the Westedge plan to destroy Gadsden Creek, but instead that same day, Council voted unanimously to support WestEdge. She said last Monday, at the CAJM Nehemiah Action, over 1,500 people showed up to make the same demands. She said Councilmembers Bowden, Sakran, and Waring committed to stopping the filling, revitalizing the creek, and working with the community to design the pedestrian greenway that reconnected the Gadsden Green community with the water. She said Mayor Tecklenburg and the rest of the City Council did not attend, so they were now bringing the issue to Council. She told Council to stand for the people in breaking the pattern that put profits over people.

Mayor Tecklenburg said, "Thank you, ma'am."

The Clerk said, "Courtney Kozelski."

13. Courtney Kozelski said she lived at 1605 Shandon Street and shared a property line with 1144 Folly Road. She requested that Council deny the rezoning of both 1144 and 1150 Folly Road. She said no matter the owner of the property, upzoning was not compatible with their neighborhood. She said they had a quiet neighborhood where many toddlers, kids, and people rode their bikes, and walked throughout the neighborhood. She said the LB zoning would increase the traffic and the noise in the neighborhood, business hours would extend up to 11:00 p.m., the larger business allowances would make for more traffic, and cars and trucks would be heard, even dumpsters may be emptied on a property. They already heard Black Magic Café's dumpster emptying at 4:00 a.m. sometimes. She said the general livability conditions would be negatively impacted. They loved their backyards, and there would be no setbacks in LB zoning. She said the shopping center where Garage 75 was located was an example of a Limited Business zoning, and there were quite a mixture of business uses there that were not typically allowed under LB, and they could already hear that, so they would be opening a can of worms if they moved to LB zoning. She wanted to know when the last visit from City zoning was done at the properties, as she already knew they were in violation of RO zoning at present, and had been for several months. She urged Council to deny rezoning at both of the properties, and if Council was unable to deny, she asked Council to defer until the residents had the opportunity for meaningful participation.

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Michelle Brandt."

14. Michelle Brandt said that time and time again, the level of opposition to the project from citizens whom Council claimed to represent had far outnumbered the endorsements of the City's plans to destroy Gadsden Creek. She said Council wanted to destroy the

creek to gain four additional acres of developable land. She asked those in attendance to stand if they were in opposition to the City's current plans to destroy Gadsden Creek. She said they stood in support of Councilmembers Sakran, Bowden, Waring, and others who were ready to lead and forge a new path to save Gadsden Creek. She also said there was no television downstairs in the overflow room, and it should be addressed.

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Judy Dixon."

15. Judy Dixon said she wanted to add her voice to those urging the Councilmembers to support the preservation and the restoration of Gadsden Creek.

The Clerk said, "Megan Grasmick."

16. Megan Grasmick said she supported the residents of Gadsden Creek and urged Council and the Mayor to prevent WestEdge from destroying the wetlands. She said on January 14, 2020, the City united in support of the Dutch Dialogues. She said she remembered watching as there was excitement in Council Chambers that night. It was a community effort involving MUSC, CWS, CofC, the Nature Conservancy, and the Aquarium, to name a few. She said Chief Resiliency Officer Mark Wilbert kept repeating 'natural systems matter and safety first. You don't put people in harm's way.' She said those were the biggest takeaways from the report. She said Mr. Wilbert also stated 'we're really, really keen on preserving our history and the beauty of Charleston,' and Council agreed and voted unanimously to adopt the recommendations. She said most of Council who voted then were still serving, and most of Council ran their campaigns with a promise to address flooding. She said when affluent areas flooded, the City worked tirelessly to mitigate the problem, but if Council refused to restore the creek in the historically Black community, then they should call it what it was: environmental racism. She asked whose history and beauty were they really interested in preserving.

The Clerk said, "Kathy Squires."

17. Kathy Squires spoke regarding Agenda Item L-4 which had to do with the zoning change approval on Folly Road. She couldn't add anything better than what her daughter spoke about, but she wanted Council to take into consideration that the person who owned the property had tried on numerous occasions to deceive them and had succeeded. She said when the zoning change was announced, he put several signs in his yard so they wouldn't notice. She thought currently he had five mailboxes, rented out five offices, and had two RVs on the property that may have been occupied. She said he may have just be applying for a zoning change, but he was applying for a foot in the door. As Council could imagine, people were always upset when their neighbors applied for zoning changes. She said no matter what Council gave to Mr. Bennett, it would not be good, and it would not be enough. She asked that at least, when Council approved his zoning, which was probably what they would do, that Council take into consideration his past history and his lack of respect for the zoning laws and regulations. She also wanted Council to inspect the property sometime after business hours.

Mayor Tecklenburg said, "Thank you, ma'am."

The Clerk said, "Cameron Wilder."

18. Cameron Wilder said he used to live on the Westside near Gadsden Creek, and when he heard in July 2020 that Council voted to move forward with the filling of Gadsden Creek, he learned about the deep ties to the community and how the City had used the land over and over again to disadvantage the surrounding community by seizing the land from the largest group of Black homeowners, dumping municipal waste, and letting the thriving creek turn into a polluted mess. He loved Charleston, he loved the people that made up their beautiful City, he loved the diversity, he loved what their community offered. He said that, with just another step, they were disadvantaging the community and what was left of the Black community on the Peninsula, many of whom were descendents of enslaved folks who built the City and whose culture the City continued to advertise and profit from. He said the filling of Gadsden Creek for yet another deep pocketed investor, who did not care about the people, but profit, could not be allowed. He said they loved to tout the preservation of history in the City, and that was what attracted so many folks to Charleston to visit and to live. He said the creek held so much important history and was so important to the telling of a story of Charleston. He said while they recognized the decision remained in litigation, no matter what happened the City owned the creek and therefore had control over its fate.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Elliott Ferguson."

19. Elliott Ferguson said on July 28, 2020, City Council unanimously voted to support the WestEdge permit to destroy Gadsden Creek, citing the creek's contamination, yet the GEL report funded by the City in 2020 reported that the surface water quality did not appear to be significantly degraded, and was similar to the Ashley River. He said the contamination levels were not any worse than those in Shem Creek, James Island Creek, or the Ashley River, yet the plan for those was not to fill them in. He said there were local experts with alternative plans for Gadsden Creek other than the one presented by WestEdge that allowed development to proceed without filling the creek. He said they called on City Council to adopt one of the alternatives and save Gadsden Creek.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Marcus McDonald."

20. Marcus McDonald said he was a concerned citizen of the City of Charleston. He thanked the Mayor and City Council for the opportunity to speak, and he stood with CAJM against the filling of Gadsden Creek. He asked if they had learned nothing in the City's over 350-year history of filling in wetlands. He said it was not a sustainable City plan. He said that, unfortunately, prioritizing private interests over environmental community concerns was a path well-traveled by Council, and he found it hypocritical and disingenuous that many elected officials who ran on tickets that addressed flooding had remained silent on the issue. He said to save Gadsden Creek and protect

the 'Back the Green' community. It had come to his attention that Amber Johnson resigned as the Equity, Inclusion, and Racial Conciliation Manager. He thanked Amber Johnson for all of her hard work on the Special Commission on Equity, Inclusion, and Racial Conciliation Report, creating the Racial Equity Map, and putting the Human Affairs and Racial Conciliation Commission on the right track to be successful. He said her presence and leadership would be missed. He urged the Mayor and City Council to do their best to find the most qualified and effective leaders to not only take the reins as a manager, but to also become a strong and respectful support group within that department and the soon-to-be established Commission. Although he stood in solidarity with the firm believers of Christ and CAJM, he didn't want Charleston to see any great floods or famines.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Rita Kazirskis."

21. Rita Kazirskis said nearly a year ago, on July 29, 2021, Mayor Tecklenburg and most of the members of the Council held a closed-door emergency meeting regarding a new First Amendment demonstration ordinance amid their concerns for open carry at demonstrations in Charleston. After listening to the Chief of Police describe how a handgun was found in a backpack during a demonstration, Council voted the ordinance into law. She said Sec. 2538(c) stated that open carry was not allowed at permitted events and that the person organizing a demonstration must posted signs indicating the area where open carry was prohibited. She said the men who gathered at the Battery nearly every Sunday morning to wave their Confederate Flag never posted the required signage, yet Charleston Police refused to enforce the ordinance against those groups and instead welcomed them back to the Battery every Sunday morning. She said the group of men continued to violate multiple sections of the ordinance yet Charleston Police regularly refused to speak and walked away from and threatened to arrest citizens who requested assistance enforcing the law that was urgently passed by Council almost a year ago. She asked if there were groups or individuals who were exempt. She said Sec. 2544, Item #7, stated that if the demonstration was to be solely on the sidewalk, that the demonstration should be in single file only with no vehicles or other non-human objects except reasonably sized signs individually carried. She said that group not only included a vehicle, but also an enormous flag that was not individually carried. She asked if anyone had the authority to exempt anyone from the law. She said Sec. 2554(b) stated that if one's group's demonstration repeated more than one time per month---

The Clerk said, "Time. Minister Rosalyn Brown."

No one asked to speak.

The Clerk said, "Greta Anderson."

22. Greta Anderson said last week she met with the Mayor to discuss the First Amendment Ordinance and remind him that each week the City of Charleston Police Department issued a permit to the group 'Flags Across the South.' Each week, that group violated the permit which, in turn, violated the First Amendment Ordinance. However, the Police Department continued to issue the permit to 'Flags

Across the South.’ She asked the Mayor to look into the violations and find out why the permits were still being issued. She now asked Council to get with the Mayor and Captain Bruder to stop issuing the permits. She said the Mayor was sent a full list of violations, which she was sure he shared with Council. The City had her phone number and e-mail address if anyone wanted to reach out to her personally for more information.

The Clerk said, “LuAnn Rosenzweig.”

23. LuAnn Rosenzweig said she was a member of Kahal Kadosh Beth Elohim on Hasell Street and part owner of the Charleston Crafts Gallery on Society Street. She said the Kentucky author and writer Wendell Berry wrote, ‘A viable neighborhood is a community, and a viable community is made up of neighbors who cherish and protect what they have in common.’ They all had Gadsden Creek in common. She said a waterway that was properly protected, repaired, and restored then returned the favor in protecting the community from floodwaters. She said filling in Gadsden Creek was destroying what they had in common and, therefore, in essence, destroyed the community. She said their waterways were Federally protected for a reason. She said they agreed with Councilmember Gregorie that the City had kicked the can down the road far too long and had failed to care for the creek, but filling in the creek was not the answer. They called on the City to go through the necessary mitigation steps that other communities were taking to save their vital creeks. She asked Council to save the creek and save the community.

Mayor Tecklenburg said, “Thank you, ma’am.”

The Clerk said, “Lin Kuhl Jay.”

24. Lin Kuhl Jay spoke in support of restoring and revitalizing Gadsden Creek and joined her fellow citizens in demanding reparations for the Gadsden Creek community. She was a member of CAJM and an ally of Friends of Gadsden Creek. She was at the 2019 public meeting that the CEO of WestEdge mentioned, and there had been overwhelming opposition to the developer’s plans and filling in the creek. In the past few years, Council had adopted several reports including the Dutch Dialogues, the City Comprehensive Plan, the Stormwater Design Guidelines, and the Climate Action Plan. She said all four of those reports explicitly stated a commitment to natural drainage solutions that worked with wetlands to address flooding. The reports cited Gadsden Creek as a prime example of a tidal wetland that was an invaluable resource that should not be destroyed in favor of an engineered drainage solution. They asked for the City to keep its promises and commitments and reverse its support of the WestEdge permit application. As the majority landowner of the impacted site, Council had both the power and the responsibility. It was accountability to stand with the people in taking the City in a new, more equitable direction.

The Clerk said, “Time.”

Mayor Tecklenburg said, “Thank you.”

The Clerk said, “Those were all of the speakers that we had signed up. We did receive some comments. We had one person that said every excuse for the illegal road closures was

disproven. The group that claimed to be the majority only represented 43 out of 93 residents. The City's attorney said only temporary blockades were authorized, not the closing of streets. Four people opposed the rezoning of 1144 and 1150 Folly Road and said that families that lived behind the properties would be impacted. Rezoning to Limited Business would allow hours of operation to be as long as 11:00 p.m. to include Saturdays and Sundays. One person said the City closed two streets that forced traffic and congestion near a senior citizen's home. There was no explanation or legal argument put forth by the City. Two people said for the well-being and quality of life for the Gadsden Green community, it was critical the City did not proceed with their plan to fill in Gadsden Creek. The creek was not a ditch and was an integral part of fighting flooding on the Peninsula. One person asked that there be a report from the Director of Planning with details on the status of the RFQ from the consulting community with expertise to draft comprehensive revisions to the City Zoning Code. Three people said to listen to the residents and do not fill in Gadsden Creek. One person asked that City Council announce and implement a process to identify a timeline for nominating, vetting, and seating Commissioners to the HARRC and congratulated Amber Johnson and the City GIS for creating the Racial Equity Story Map. Three people said that filling in Gadsden Creek would increase flooding, and instead the City should support efforts to revitalize and increase the ecological function of the creek. Those are all of the comments that we received."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "If you don't mind, Mr. Mayor, if we're about to move on from public comment, I want to sort of put on the record, we've heard now, over the course of several weeks, from some of our firefighters. Tonight, I heard Mr. Gates talk about all of the wonderful assets and all of the good things in the Charleston Fire Department and the reasons why people should come here. I just want to make sure that the firefighters know, if you all have any grievances, it shouldn't be with your Chief. He fights like crazy for you all and is probably the best team player we've got in the City. Chief Curia, if there's a grievance, it's with us around this table, so please know that he's out there. One of his jobs is to make sure we're informed as to what's going on, and he does it. He just flat-out does it, and he fights for you all, so I just want to make sure that people know that. We're listening, we get it, but if you're thinking about coming to be a firefighter in Charleston, there's no better leader to work for than Chief Curia. So, I want to make sure to put that on the record. Thank you."

Mayor Tecklenburg said, "Thank you. Well, thank you, all, who came and participated and shared your comments with us this evening. I really appreciate it, and I appreciate your civic involvement and being here. God bless."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mr. Mayor, I would like to sort of mimic what Councilmember Seekings just said with regard to our firefighters and our Chief, but I would also like to remind everybody that the City, our staff, is currently doing a 90-day study to make some determinations with regard to salaries for firefighters, so it's not as though we're not listening. We're just trying to wait until the results of those studies come in so that we can make recommendations accordingly. I just wanted the record to reflect that, Mr. Mayor, and I think you placed that 90-day."

Mayor Tecklenburg said, "That is correct."

Councilmember Gregorie said, "Okay."

Mayor Tecklenburg said, "And I think we're well into that."

Councilmember Gregorie said, "Yes, we are."

Mayor Tecklenburg said, "Yes. So, when that report is ready, just to let everyone know who is interested, it will go to the Human Resources Committee of Council first for review, and then recommendations can be made to the full Council. Alright. So, next up is our Petitions and Communications. We have [appointments to the Charleston County Aviation Authority.](#)"

Councilmember Gregorie said, "Move for approval."

Councilmember Waring said, "Second."

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

No one asked to speak.

On a motion of Councilmember Gregorie, seconded by Councilmember Waring, City Council voted unanimously to approve the following appointment to the Charleston County Aviation Authority:

1. Appointments:

(a) Charleston County Aviation Authority

(i) City of Charleston Representative – Councilmember Michael Seekings

Councilmember Seekings said, "Thank you."

Councilmember Appel said, "You're cleared for take-off."

Councilmember Seekings said, "Thank you."

There was laughter in the Chamber.

Councilmember Shahid said, "You're being re-routed already."

Mayor Tecklenburg said, "Well, of course, there is a process for further steps or final approval for Councilmember Seekings. I did, as noted here, want to announce, and I'm able to do this without any other approvals, I'm appointing Joan Robinson-Berry as my permanent proxy on the Authority. She is a wonderful person, if you haven't met her, but her experience with avionics is par excellence, if I may say, and I'm really looking forward to her representing, not just me, but all of us on the Aviation Authority in addition to Councilmember Seekings."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, just a quick update, as well. We also are trying to get some West Ashley Revitalization Commissioners appointed. I don't know what the delay has

been with getting that, but I will check with your office to see what we're doing, and I think that we all just need to take one other recognition that we went through this process about four years ago with our representative for the Aviation Authority, and it was very controversial, so I'm just glad that we're on a different track now with our new appointments, so our time is up. So, thank you."

Mayor Tecklenburg said, "Yes, sir. So, next up is our, I think will be very brief, [update on the City's response to COVID-19](#). Tracy might have a couple of slides for us. Tracy McKee."

Tracy McKee said, "Thank you, Mayor, and good evening, Councilmembers. I will try to make this very brief. The good news continues as far as cases go for COVID-19. Up at the top, this chart shows the daily cases in Charleston County and then the lower chart actually shows the daily deaths, the 7-day moving average for Charleston County. So, you can see cases are doing very well, but the deaths are still a little bit volatile following the latest surge that we experienced at the beginning of the year. We see this same trend happening in Berkeley County, but cases continue to look really good. Some more double zeros for employee cases, which is excellent news for everyone."

Councilmember Shahid said, "We like zeros."

Ms. McKee said, "Yes. So, from the CDC, our COVID-19 community level is low, and that's for both Charleston and Berkeley counties. With communities that have a low classification, the biggest recommendation is for citizens to stay up-to-date with their COVID-19 vaccines. So, just a little information about the efficacy of vaccinations. This is from the most recent data from the CDC. So, this is COVID-19 cases by vaccination status and booster dose, so you can see that the black line on this is number of cases for unvaccinated. The dashed blue line is vaccinated with a primary series only, and then the solid blue line is vaccinated with a primary series as well as a booster dose. And then we can see here, the same data looks at deaths though based off of vaccination status, and I apologize for the typo, not COVID-10, but COVID-19. In January, unvaccinated individuals 12 and older were 21 times more at risk from dying from COVID-19. That's data that was just from January of this year.

So, just a few points on what the current recommendations are for vaccine and booster guidance from the CDC. Obviously, as with all other diseases, people are best protected against infection when they stay up-to-date on their vaccinations. COVID-19 vaccinations continue to protect people from getting seriously ill, being hospitalized, and even dying, especially people who have received a booster are especially protected. The CDC recommends that everyone ages 12 and older do receive the booster after completing their COVID-19 vaccinations, their primary series. Some people are now eligible to receive two boosters, so I'll show that here in just a second and, of course, there are special considerations and recommendations for those who are immunocompromised, and all of those details can be looked up on the CDC site very easily.

So, here is just the general guidance, but essentially anyone over the age of 12 can receive a booster after their primary series and, in general, the mRNAs can be received five months after their primary series for the first booster. For the second booster, they're now recommending that if you're 50 and over, and you can have that as early as four months after your second booster. All of the boosters, they do recommend that it's an mRNA vaccine, as well. Slightly different for you if your primary series was Johnson & Johnson, but generally the same. As always, if you need help getting a vaccination or a booster, you can visit the <http://vaxlocator.dhec.sc.gov>, and I'm going to try to answer any questions."

Councilmember Seekings was excused from the Chamber at 6:20 p.m.

Mayor Tecklenburg said, "Any questions?"

No one asked to speak.

Mayor Tecklenburg said, "Thank you, Tracy. Appreciate it."

Ms. McKee said, "Thank you."

Mayor Tecklenburg said, "So, next up is our Council Communications. First is a [discussion regarding an ordinance clarifying the Mayor's emergency powers and administrative powers](#). Councilmember Parker."

Councilmember Parker said, "Thank you, Mr. Mayor. Yes, just wanted to put this on again just to kind of give you an update. I am working on an ordinance with our Legal team, and I hope to just bring you all something once I have it, but just wanted to give you that update. Just going to hopefully be talking to you all in the future and see what we might be able to do or what we might agree on as far as the process moving forward. Thank you, Mr. Mayor."

Councilmember Seekings returned to the Chamber at 6:21 p.m.

Mayor Tecklenburg said, "Okay. Thank you. Any further comment or questions for Councilmember Parker?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, next is a [discussion regarding correspondence from Councilmember Shahid to discontinue mandates discussion](#), and this was also requested by Councilmember Parker."

Councilmember Parker said, "Thank you, Mr. Mayor. And, Councilmember Shahid, just so you know, I mean, understanding the rules, I felt that since this was shared with the entire Council, I thought it best be discussed openly here in Chambers. So, you questioned why I brought up an issue that is important that you might not feel is important to be discussed. I, again, Council, I really don't want to go backwards. I want to move forward, which is the whole idea with the ordinance and the process. Councilmember Shahid, I do wish that you had reached out to me. I was a little taken aback by the e-mail. I certainly will always continue to bring up issues that arise that citizens bring to my attention and, as you know, it affected me, as well. That's why I am continuing to work on something of an ordinance or a process.

Why is it that my questions disturb you so much? Our opinions may differ, but it certainly doesn't mean that you are right, and I am wrong. I'm allowed to ask questions and have an opinion. The challenge to this policy has not been fully litigated, validated, and resolved. Fact. I've read the Orders you felt the need to share with me prior to raising the question and asking the AG for an opinion. City Council is not bound by a judge's orders, and asking for the AG's opinion seems perfectly reasonable in my opinion, so, no, the question has not been answered. When these Administrative Laws were written, a pandemic like COVID-19 was, obviously, not taken into consideration. So, Councilmember Shahid, I will respectfully decline your request to cease raising the issue. To think that a question and conversation would confuse our citizens is

downright insulting when so many have asked for answers and policy change. So, I thank you for your time, but I'm always available by phone."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor, and thank you, members of Council. Councilmember Parker, I thought that this was the appropriate way to address your continuing bringing up this question. The answer has been resolved. You may not like the answer that Judge Norton gave, but in the two Orders he has fully litigated this question. You can seek an Attorney General's Opinion, and we'll get an Attorney General Opinion, maybe, maybe not, but it doesn't change anything about the Mayor's authority and what he did. We may not have liked the way he did it, we may disagree with the way he did it, we may disagree with the policy, but at the end of the day, the question has been answered. This is not a popularity contest among Council. I give you the opportunity to talk anytime you want, Councilmember Parker. I'm available for you to come see me, come talk to me. I tried to reach out to you personally one time, and you rebuked my efforts. I'm sorry you did that.

I'm not here for a personality conflict with you. That's not the issue. The issue is this. We have a question that came up, and while you continually bring up the question, it confuses the public, and it undermines the Mayor's authority. He is the Chief Executive Officer of the City. The ordinance substantiates that, State law substantiates that, and when the firefighters, and police officers, and other City employees challenged the Mayor's authority, it got resolved. It's over, and we are bound by that. The City employees are bound by that, Council is bound by that Order, it has been addressed. If an issue comes up again similar to what the Mayor did, then we would have what's called *stare decisis*. That means the issue has been resolved, it's been collaterally resolved, so you bring it up all you want. I think it's important for the community to understand that, in spite of your efforts, the issue and the challenge against the Mayor's authority under the Home Rule Act and our City Ordinance has been validated, and it's over, but continue to bring it up, and I'll address it again. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "It's not about undermining the Mayor's Administrative Laws. Like I said, when the Administrative Law was written, it didn't take COVID-19 into account. You all also mentioned at a previous meeting that a lot of folks didn't remember what they voted on during COVID-19 when these laws were enacted or laws or mandates or things put into place. So, again, I say again, I hear you, I understand, I respect your opinion, but I also hope that you respect--I am allowed to ask whatever question I'd like. So, the e-mail, the letter, was a little off-putting requesting that I stop asking because it confuses the public when the public has asked me those same questions, and I'm allowed to bring them up for Council to discuss. Thank you."

Mayor Tecklenburg said, "Thank you. Alright. No other comments? Next up is our [Council Committee Reports](#). The first one is our [Committee on Public Safety](#). Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor. First of all, I'll remind everybody when our wonderful Clerk tells you you need an hour-an-a-half for a Committee meeting, you better listen to her because she's dead-on right about that. My apologies to Shannon Scaff and to Chief Curia. We did not get to items c and d of the agenda, and I wanted to have that available for Council, particularly from Chief Curia on the Fire Department update, but we will do that at our next Committee meeting, hopefully, in two weeks. So, we received an update from our wonderful Turn90 Director, Amy Barch. If you don't know her or her program, it used to be called Turning Leaf, but since she has sort of hit more of a national standing, to trademark her name, it is now called Turn90. She has been involved with the City as a part of her seven years. I got to know her when I was the President of the Charleston County Bar Association when she was asking for funding on this program, which is really about job placement for folks who are coming out of the prison system. She is located at Leeds Avenue. She's opened an office in Columbia and is working on opening an office up in the upstate in the upcoming months. She addresses those folks who have been recently released from prison to try to stop the pipeline from prison release back into prison. Her transitional work has been overwhelming. She has had, for 2021, zero of her graduates have been re-arrested. Zero of those folks have been re-arrested. That's really an amazing number. Over the seven-year period, only 22% of her graduates have been re-arrested or returned to prison. Those who have graduated from her program, 98% stayed with their job for 30 days, and 89% stayed for that job for 90 days or longer. I will say that the folks that she sends to the City have been well-received. We like that. Only eight are currently employed with the City now, and that is because we pay \$14 an hour. Starting pay in the private sector is paying a little bit higher, but she is working with us. Her model in Charleston has been replicated throughout the State.

We next had a very comprehensive report from Chief Reynolds and the Police Department. I'm not going to go over the entire report. I'll send you, if you wish, the PowerPoint presentation. The areas that he covered were crime statistics, collision statistics, community outreach, staffing, investigative and partnership efforts, initiatives, an update on the Racial Bias Audit status, the annual banquet, and other priorities that are coming along. I'll just give you all some really quick numbers. He gave us a crime statistics report that stretch from 2013 to 2022. There has certainly been a trend in violent crime from 2013 of 227 to 2021 of 498, but the good news is that, as of 2022, we've had zero homicides in the City of Charleston, which is a really important number. All of the property crime has also increased from 2013 just under 1,000, 986, to 2014, 1,514. There is one thing that we have been emphasizing over and over again with property crimes, lock your cars, please lock your cars. A lot of the property crimes are related to thefts out of automobiles. Take your valuables, particularly your firearms, out of your car when you leave for the night. He also gave us an update on accident fatalities. That, too, has increased from 2013 from a low of 10 to 2021 to 24, and of this year just 2.

We talked about staffing. The department is allotted 456 sworn employees. That number is currently at 49 with 47 vacancies. There is a projected vacancy of 30 after the June swearing-in of officers. So, as he stated, by running hard, we're staying in place pretty much with our number of sworn officers. Our number of civilian staff positions is 114. We only have 88 of those filled with 26 vacancies. We talked a little bit about an initiative regarding the Charleston Police Department electronic monitoring. For those of you who are not familiar with that, and I know some of my colleagues around the table are very familiar, if a person is arrested and appears for bond, a magistrate can issue a conditional bond that he wear an electronic monitor. That GPS monitor tracks a person's location and where that person is located, so we're trying a pilot program. We're going to start off with just, I think, five folks. There will be no cost to the person who is arrested. It will provide for curfew hours and then a 120-day review period to see where this is leading. We're going to take this up at a slow start and try to build it up, but this is an

opportunity for those who are released on bond, that we are protecting the community knowing where they are and what they're doing. So, it's just a wonderful opportunity for the City to be involved in monitoring folks who, after they are arrested, where they are located.

You all have heard about the mounted patrol, thanks to Helen Hill and our partners, that's being fully funded for one year. We also had a, and Councilmember Shealy was present, I was there for a short time, the annual banquet to recognize those officers who received certain awards, and I had to bug out a little early, but it was a wonderful event, and I think they're planning that for another year. Then, the Chief went over other issues that were of emergent concern, but that's pretty much a very quick Reader's Digest summary of about an hour-long presentation by the Chief. I appreciate everyone's participation with that, and this is always very good. We try to create this sort of State of the Department Report, and we'll get Chief Curia and Shannon's update in two weeks. My apologies again, Chief, for not getting to you in time, and I just want to echo one more thing that my two colleagues mentioned about Chief Curia. That's why I wanted his report to come out today is just that he has been a tremendous defender for his firefighters. He's working with them very closely, and we are a better City because of men like Chief Curia. Thank you, Chief, for your service to the community."

Councilmember Gregorie said, "A question."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Thanks for the update on Turn90. That was something that I requested."

Councilmember Shahid said, "You did, and I told you that I was going to follow up."

Councilmember Gregorie said, "I appreciate that. I know that there is a dashboard for the audit that you go in. Could you just give us a sense of where we are with respect to that audit in terms of the implementation?"

Councilmember Appel was excused from the Chamber at 6:34 p.m.

Councilmember Shahid said, "Yes. Give me one second, but I just sort of flipped through that, and I shouldn't have done that. They have quarterly updates on the audit, so the final report was presented to the Police Department in 2019. CNA provided, that was our company that we contracted, 72 recommendations. Of those, currently eight recommendations are 'in progress,' so we have eight of those 72 in progress, 63 recommendations are either full compliance or full compliance annually reviewed. I'm not sure of the difference between those two distinctions, and then there was the creation of the Audit Dashboard. That dashboard shows pretty much the raw numbers of police interaction, police contact with the community, and police arrests in certain areas. So, those are raw numbers, and I think that dashboard needs a little bit more interpretation and more refining that we're getting to that point, so we should have, I think within 30 or 60 days, another quarterly report that will be available for the public to join in. I know that the Charleston Area Justice Ministry has been very active and vocal with that, so we're following through with the report, and I can give you an update, hopefully, in the next month or two about where we are with that quarterly report."

Councilmember Gregorie said, "Thank you."

Councilmember Appel returned to the Chamber at 6:36 p.m.

Mayor Tecklenburg said, "Alright. Any other questions?"

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden said, "Yes, I just want to ask about the electronic monitoring program. Who has access to that location data? So, if a crime is committed, is somebody going and checking where all of the people on that program are, or is there some individualized suspicion requirements or a warrant requirement?"

Councilmember Shahid said, "So, what I didn't mention, it was Lieutenant Heath King who has been working on this for about eight months already, so it will be a two-person team working on this particular thing. They're working with the magistrate judges, who are setting the bond, to advise them of this program. When they get the print-out, they will supply that print-out to the Solicitor's Office if they think there's a violation and to the magistrate judge if they think there's a violation. So, they're not going to go back out and arrest somebody if they think there's a violation. They're going to just make the report. Does that answer your question?"

Councilmember Bowden said, "Yes."

Councilmember Mitchell said, "Also, the time, 7:00 p.m."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Shahid said, "I'm sorry?"

Councilmember Mitchell said, "The time is going to be 7:00 p.m."

Councilmember Shahid said, "Yes. It's a curfew of 7:00 p.m. to 7:00 a.m."

Councilmember Mitchell said, "Right."

Councilmember Shahid said, "Yes."

Mayor Tecklenburg said, "Anyone else?"

Councilmember Shahid said, "And I just want to make one more comment about that. The County tried to do this about five or six years ago, and they literally bit off too much that they could chew, and it fell apart, so we're doing this incrementally. We'll see how this review period comes out after six months. I'll give you an update, and you can count on that, but bonding companies make a tremendous amount of money off of these GPS systems now. It really is, and Councilmember Bowden could probably address it a little bit better than I can, it has a disparity element to it. If you can afford to do it, you can get out of jail, be on a GPS monitor, and you are relying on a private entity to make the report. So, to Councilmember Bowden's question, here we have a Police Department who is monitoring this, and they're going to be on top of it, so if there is a violation, there's more of an urgency need to have that report presented to the Solicitor's Office and also a Magistrate Judge, which gives a community a little bit better sense of security of what's going on, and it's not going to cost them anything. It takes away that economic disparity issue that I think that we're concerned about."

Mayor Tecklenburg said, "Great. Thank you. Councilmember Waring."

Councilmember Seekings said, "A short report."

There was laughter in the Chamber.

Councilmember Gregorie said, "Very short."

Councilmember Shahid said, "I just thought I'd give you that summary report."

Mayor Tecklenburg said, "That summary report. Next up, [Committee on Public Works.](#)"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. We're going to do better."

There was laughter in the Chamber.

Councilmember Waring said, "All actionable items on the Public Works Report were passed unanimously by the Committee, and I move their approval again today."

Councilmember Seekings said, "Second."

Mayor Tecklenburg said, "Any discussion?"

No one asked to speak.

Councilmember Waring said, "There were a couple of informational items that I think all Councilmembers should be aware of. We had a wonderful update on the Calhoun West Project, and there were a couple of nice, what I call, small victories that may be in hand as opposed, I know sometimes Calhoun West is an awesome project, you know, somewhere around \$500 or \$600 million, if you take the big number, and sometimes that big number keeps you from doing actionable items, but the Mayor and Councilmember Seekings spoke of some possibilities on Calhoun Street that I hope, that I know, we'll follow up with, so a couple of small steps are big victories in a big project that I think we can move forward on. Councilmember Mitchell, Cooper/Jackson, there was a very good update on that. We found out there are over 10,000 ft. of piping in the Cooper/Jackson district that has been cleaned, over 10,000 ft. of piping."

Councilmember Shahid said, "That's very impressive."

Councilmember Waring said, "Very impressive."

Councilmember Gregorie said, "South Street."

Councilmember Waring said, "South Street, all of that in that area, and I think Mr. Fountain and his team certainly need to be more than an 'attaboy' on that. I mean, they're getting it done. There was a presentation on small projects, and it's a benefit being on that Committee, but the truthful part about it is all 12 Councilmembers need to know about this. It is a limited budget, but these small projects have big impacts in neighborhoods. Ditches being put in where they once weren't, new pipes being cleaned where pipes are broken. So, that's going to be made available, Mr. Fountain, over the next two weeks. Councilmembers who are not on that Committee, please get in contact with Mr. Fountain so we can be brought up to speed. I

know Mr. Fountain will send you all that information out, but this is the time to say, 'what about my neighborhood and your district?' The last thing, the old business, that we need the update on, and I'm going to refer to Councilmember Shealy who attended County Council, and what we appropriated money on last meeting here about the Glenn McConnell Expansion and Lake Dotterer. Councilmember Shealy."

Councilmember Shealy said, "Thank you, Mr. Chairman. Yes, first of all, I just want to say thank you to everybody who helped support this and helped reach across to the County, as well. There were a couple of us that did that, but both Councilmember Waring and I went to the Finance Committee meeting when they first voted on this, and it went through unanimously. I was very humbled and surprised that they were committing this. They felt like it also made sense to do this and Chairman Pryor did say, you know, 'Listen, we want to manage this, handle any contingencies, anything like that, but we just need a check from the City, and we will take it from there, and it will be done.' So, a great thing and, again, I just want to say thank you to everybody who supported it, but I think it was a great collaboration between the County and City. So, thank you so much."

Mayor Tecklenburg said, "Absolutely."

Councilmember Waring said, "Right. Mr. Mayor, he specifically said, 'If the City would cut a check for \$1.3 million, we'll take it from there.' Okay, so, I'm finished."

Mayor Tecklenburg said, "That's what we've got to do. No problem."

Councilmember Waring said, "With that and Amy's approval, that's the extent of my report."

Mayor Tecklenburg said, "We'll get it done. I do believe we've still got to get a permit for it, but yes."

Councilmember Waring said, "No contingency and no [inaudible]."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. I did have a few minutes yesterday to pop in on that meeting that's chaired by Keith, and I just want to say, you're right. When you're not on that Committee and you hear all of the reports, and you hear all of the great things that are happening, it's remarkable. The other thing I do want to just recognize is Mr. Fountain and his office. Any time I need information from Matt, he gets to me. I think it's important because the requests that I have made are just, you know, would have been some updates on particularly the Peninsula, the Westside Neighborhood, Elliottborough/Cannonborough, Wagener Terrace, and he breaks it all down. Hopefully, Matt, I'm not putting more work on your plate, but it's tremendously helpful to be able to share that with constituents because it's the little things that they don't see. A lot of times these trucks are working late at night off weird hours. So, Matt, thank you for that, and I know you're working on a West Ashley update, and I hope to share with my constituents out that way. So, thanks, Matt, for all of your work."

Mayor Tecklenburg said, "Great."

Councilmember Waring said, "Mayor, you might want to tell them that joining that Committee, the price to tap into that Zoom meeting is very affordable."

There was laughter in the Chamber.

Mayor Tecklenburg said, "So, Mr. Chairman, if I may just add one comment to the report on the Cooper/Jackson Drainage Basins that, even though we have the 'hooray' for the 10,000 ft. of cleaning that's occurred, the Stormwater Department and Mr. Fountain are recommending, going forward, that we upsize a number of pipes in the two drainage basins. That will be a significant future project. We hadn't priced it out, but it will be millions of dollars to upgrade the pipe sizes in that part of the City, so I just want you all to know that will be coming maybe later this year or next year, those specific requests, along with others that will work through the system."

Councilmember Waring said, "Thank you for that, Mr. Mayor, and one of your suggestions was also to try to find an outparcel so in the future if we need to put a pump station in that area, which was certainly forward thinking. Thank you."

Mayor Tecklenburg said, "And Charleston Water System might have another piece of property we'll be interested in."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I think either you or Councilmember Seekings ought to talk about the groundbreaking that we attended yesterday."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. I heard a rumor that there were some pictures of it on the front of the paper today. I didn't see it, but anyway, yesterday, we gathered at the Low Battery, at Rutledge and the Low Battery, to see the final product of Phase 2 of the Low Battery Seawall, which now takes it from the Coast Guard Station 2,000 ft. to the east. When you stand at sort of the end of that 2,000 ft. and look back towards the Coast Guard Station, you realize what an incredible project this really is. Going in and basically retrofitting and rebuilding a wall that was originally constructed 110-plus years ago, it's really been tremendous. They've done it on budget, on time, and essentially we're at half-time, right? So, not only did we see the product of those two phases, we then cut a ribbon on Phase 3, which is the longest phase going forward another 1,800 ft. When it's done, it really will be an amazing amenity for the City.

What I thought was interesting yesterday, we had some of the people who lived around there sort of come and join in with us, just their amazement of what they saw and all of them not taking pictures of us talking of this project, and that to me I thought was really telling. We were talking, and they were photographing a really beautiful project that is going to be out there in the public for a long time. So, it was really satisfying to be there and see what we can do on a couple of fronts. The most important is planning. For those of you who have not been here as long as Councilmembers Waring, Gregorie, and I have been, we've been thinking about this for a long time and putting a little bit of money aside. Amy has been really terrific about that, and this is a project that's being paid for with Hospitality dollars, and that's just a really good thing. I mean we're a tourism City. People who say, 'Well, where did that money go?', well, you can go and take a look at it. Not only can you take a look at it, you can take a walk on it. So, Mr. Mayor, it was a really great day. I don't know who was in charge of the weather, who is going to take credit for that, but it was spectacular out there yesterday. So, if you haven't been---

Rick Jerue said, "We're taking credit for it."

There was laughter in the Chamber.

Councilmember Seekings said, "Rick said they're taking credit for it. If you haven't been out there, just go ahead and take a walk on it, just go take a walk on it and see. Then, finally, and I think the Mayor probably should talk about this a little bit more than me, but we did see, for the first time, the unveiling of a plaque that also represents perhaps some opportunity we'll have in the future to elevate the wall if we need to do that, if seas rise and tides become more frequent, and that was sort of a big deal, too, we all saw for the first time. So, to those sitting around this table that stuck with this project from the get-go, and particularly to the two to my right who have been there from the beginning, ---"

Councilmember Waring said, "And Councilmember Mitchell."

Councilmember Seekings said, "Councilmember Gregorie, oh and Councilmember Mitchell, too, sorry, I can't see you, Councilmembers Mitchell, Gregorie, and Waring. This is not in their districts, but they recognized how important it was for this entire City, and I can't tell you how your vision came to fruition yesterday and more coming. So, with that, Mr. Mayor, I'll let you talk about the new addition down there, the ten ft. of the plaque."

Mayor Tecklenburg said, "Oh, the panel?"

Councilmember Seekings said, "Yes."

Mayor Tecklenburg said, "So, well, there was a picture of that in the paper this morning, and you know that we did the engineering for the whole wall so that you can build up higher without having to re-pile it and re-do the foundation. It will support even more. So, as looking to the future, which is what we try to do, as sea level rises, we'll be able to protect our City even more, and one possibility is to install glass. When I say glass, you think about a window or something. That glass is about three or four inches thick. I mean, it's really a panel of glass that would hold up, and you could literally install panels of glass up and down the Battery whereby you could still see the view, see the water, enjoy the Charleston harbor and the river as we do now, and get about another 2 to 30 inches of protection for the future without having to rebuild the whole thing.

Not to belabor the point, if I may add, if we have not proven that you can protect the City and do it in a functional way where people can recreate, run, repose, and enjoy themselves, and in a beautiful way as in a linear park as we've done, you just need to go down there and see it because this City can do it that way. We don't build junk here in the City of Charleston. We can protect ourselves and be beautiful and be multi-functional at the same time, and that's the whole essence of the lessons from the Dutch Dialogues and our trip to the Netherlands a few years ago. So, it's quite an accomplishment and thanks, everybody, for supporting it, and the dollars from Hospitality, as noted, that were able to pay for this without raising people's property taxes is an important facet of it, as well."

Councilmember Seekings said, "One more thing very briefly."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Seekings said, "Because I cannot pass this up, the one person that's not here tonight but really has been there day in and day out, I mean, for two-and-a-half years watching over this and making sure that every detail is attended to, is Frank Newham. I mean, it's been incredible what he has done down there, and I will tell you, remember where this wall is being built. That is a group that has been there watching for two-and-a-half years, so not only does he have to manage design construction, and it's very complicated, he has managed the group."

There was laughter in the Chamber.

Councilmember Seekings said, "Which are my friends, and neighbors, and constituents, but they have their moments, as well. So, to Frank, thank you. Stick around, we're not done yet, so he's really been amazing what he has done down there."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Just one more comment that, at the press conference, you read from the historical account as to the construction of the original wall. It's one thing just to sort of keep in mind that, over the past 100 years, there has been almost zero maintenance on that wall, but it has held up. As Councilmember Seekings mentioned, being 100, 110 years old, held up without the City paying much attention to it. So, what they did, and it's really a marvel what our forbearers did on that wall and, as you said, Mayor, we do things right in Charleston, and I think that this project also is going to reflect us doing it right. So, I just want to thank everybody who was involved. It was quite an educational tour for me being down there with you all, and I appreciate the opportunity. I talked to some of the engineers about what they're doing. We should be very proud about this, and that's why I just wanted to make sure that, Mayor, you and Councilmember Seekings made some comment about it because this is something that is an amazing accomplishment that everybody in the City has been engaged in, our Budget Office, our Public Works, and Stormwater Department. So, thank you, all."

Mayor Tecklenburg said, "Great. Alright. Next up is our [Committee on Traffic and Transportation](#). Councilmember Brady."

Councilmember Brady said, "Yes. Thank you, Mr. Mayor, and I actually will try and be short."

There was laughter in the Chamber.

Councilmember Brady said, "That's why we're going to keep plowing ahead with this one. So, we had two applications for a Certificate of Public Convenience and Necessity, one for a limousine service and one for a taxi. Those were both approved unanimously. We received an update on the Frampton Street and the Police Department Traffic Study, which was a follow-up from a public hearing that was held before our Committee in January. There were two signs on Frampton Street warning no idling or standing. We've been in touch with the Charleston County School District to have them continue to inform parents that they can't block the driveways in that particular area. CPD did a speed study with, actually, a stealth box, which sounded really cool. That way you didn't see it posting your speed or anything, and an officer didn't have to sit out there with the box and record the traffic count and the speed over the three-day period that that was, from January 26<sup>th</sup> to January 30<sup>th</sup>, and it monitored in both directions, going away from the school and going towards the school.

Just for Council's edification, if you were going away from the school, it was 950 vehicles with an average speed of 16.8 mph. There were no speed issues there. Going towards the school, it was 1,178 vehicles. Average speed was 16.78 mph with the 85<sup>th</sup> percentile on that being 23 mph, and the speed limit on that road is 25 mph. So, the Police Department found there were no significant speeding issues, but we did reach out to the School Resource Officers at the school for the School District to try and help mitigate some of that. So, they're looking at double-stacking for the cars that are going in for pick-up. That has not been completed yet, but, you know, that is something that we are working to mitigate knowing some of the inconveniences that that causes.

Then, lastly, we had a presentation and approval of the Charleston County Transportation Sales Tax (TST) for a raised crosswalk and a request for Coming Street, and St. Philip Street, and the College of Charleston Greenway. Councilmember Seekings was quite excited about this project, and we've been working on it for over ten years, and the City does not have to put up any funding for that, so that is always a good thing. With that, I would ask for approval of items 3, 4, and 6."

Councilmember Seekings said, "Move for approval."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Shahid, City Council voted unanimously to adopt the Committee on Traffic and Transportation Report as presented:

---INSERT COMMITTEE ON TRAFFIC AND TRANSPORTATION REPORT---

- a. Charleston Car & Limo Service, LLC - Application for Certificate of Public Convenience and Necessity, Limousine
- b. Prestige Transport of Charleston, LLC - Application for Certificate of Public Convenience and Necessity, Taxi
- c. Update on Frampton Street/Police Department Traffic Study
- d. Presentation and approval of Charleston County Transportation Sales Tax (TST)-Raised Crosswalk request for Coming Street and St. Philip Street, College of Charleston Green Way
- e. Discussion

Mayor Tecklenburg said, "Next up is our [Committee on Ways and Means.](#)"

Councilmember Seekings said, "Move for approval."

Councilmember Brady said, "Second."

Mayor Tecklenburg said, "Any discussion on any of those?"

No one asked to speak.

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

---INSERT COMMITTEE ON WAYS AND MEANS REPORT---

(Bids and Purchases

(Executive Department: Approval to submit the Department of Transportation (DOT) RAISE Planning Grant FY2022 application in support of the Lowcountry Lowline, a proposed 1.7 mile bicycle/pedestrian trail located in downtown Charleston. The grant requires 80/20 cost share. The required City match is \$1,750,000 and the DOT funding request is \$7,000,000. The application is due by April 14, 2022. The required City match is \$1,750,000. The City of Charleston, as the grant applicant, will be responsible for the match. It was previously discussed in 2021 to allocate City TIF funding towards the project. The attached Lowline & City TIF Districts Overlay Map illustrates which TIF districts are included in the project area. In addition, the Friends of the Lowline have included a letter explaining their intent to raise funds to help fund the match.

(Executive Department: Approval to accept a \$70,250 grant award from the NLC Equitable Economic Mobility Initiative for the second round of funding. In the first round of funding, the total received was \$25,000. The overall grant award amount received from the NLC Equitable Economic Mobility Initiative is \$95,250. There is no City match required. The National League of Cities (NLC)'s Equitable Economic Mobility Initiative (EEMI) is a 15-month technical assistance and grant project intended to catalyze municipal action to expand economic mobility for residents while eliminating longstanding racial inequities.

(Parks – Capital Projects: Approval of Municipal Operations Complex Professional Services contract with Edifice, LLC, in the amount of \$59,500 for construction manager services for the replacement of the current City operational facilities located at Milford St. The current contract includes services for Phase I of the project including pre-construction services, pricing of existing complex to establish a baseline replacement cost, pricing of conceptual building program with material and structural alternates, pricing of site development, site analysis and conceptual master plan. Approval of the professional services contract will obligate \$59,500 of the \$600,000 project budget. The funding source for this project is the 2019 General Fund Reserves (\$600,000).

(Parks – Capital Projects: Approval of Parking Garages Structural Repairs Professional Services contract with ADC Engineering in the amount of \$929,344.10 for the preparation of construction documents for short-term, intermediate and long-term repairs for 12 City garages as well as construction administration services. Approval of this professional services contract will obligate \$929,344.10 of the \$4,451,300 project budget. The funding source for this project is the Parking Fund.

(Parks – Capital Projects: Approval of Johns Island Fire Station #23 Professional Services contract with Liollo Architecture in the amount of \$855,732 for design, development of construction documents, bidding and construction administration for the construction of a 3-bay 12,000-14,000 ft fire station located on Johns

Island. Approval of the professional services contract will obligate \$855,732 of the bond \$8,951,156 project budget. The funding source for this project is the 2021 IPRB Bond.

(An ordinance authorizing the Mayor to execute on behalf of the City a Lease Agreement to lease six parking spaces at 2150 Milford Street to the City of Folly Beach, South Carolina.

(An ordinance authorizing the Mayor to execute on behalf of the City a utility easement, approved as to form by the Office of Corporation Counsel, to Dominion Energy South Carolina, Inc., encumbering a portion of the City's real property designation as Charleston County TMS No. 463-16-02-039, commonly known as 645 Meeting Street , within the right of way shown on drawing D-84391, to permit installation and maintenance of underground electrical lines in order to create an electrical loop servicing 645, 649, and 651 Meeting Street and to allow for the conversion of overhead to underground cables north of 651 Meeting Street as shown on Drawing D-84391.

(An ordinance to close and abandon Ackerman Court and authorizing the Mayor to execute on behalf of the City one or more quitclaim deeds and any other necessary documents, approved as to form by the Office of Corporation Counsel, to quitclaim equal portions to the adjacent property owners, subject to any and all easements and utilities.

(Request approval of a Resolution to authorize the use of \$514,870 of the City of Charleston's Urban Greenbelt funds to provide for a conservation easement for the Oakville Tract.

(Please consider the following annexations:

-- 1890 and 1886 Ashley River Road and 1407 Adele Street (0.35 acre) (TMS #351-07-00-027, 028, and 048), West Ashley, (District 7). The properties are owned by the Charleston Redevelopment Corporation.

-- 2158 and 2154 Westdrivers Road (0.48 acre) (TMS# 343-01-00-115; 136), James Island, (District 11). The property is owned by Ryan and Lauren Fogelgren.

-- 2153 Westdrivers Road (0.24 acre) (TMS # 343-06-00-209), James Island, (District 11). The property is owned by Nicholas and Martha Kliossis.

-- 2931 Maybank Highway (0.61 acre) (TMS# 313-00-00-092), Johns Island, (District 5). The property is owned by HCC Holdings, LLC.

First reading was given to the following bills and resolution:

*An ordinance authorizing the Mayor to execute on behalf of the City a Lease Agreement to lease six parking spaces at 2150 Milford Street to the City of Folly Beach, South Carolina.*

*An ordinance authorizing the Mayor to execute on behalf of the City a utility easement, approved as to form by the Office of Corporation Counsel, to Dominion Energy South Carolina, Inc., encumbering a portion of the City's real property designation as Charleston County TMS No. 463-16-02-039, commonly known as 645 Meeting Street , within the right of way shown on drawing D-84391, to permit installation and maintenance of underground electrical lines in order to create an electrical loop servicing 645, 649, and 651 Meeting Street and to allow for the conversion of overhead to underground cables north of 651 Meeting Street as shown on Drawing D-84391.*

*An ordinance to close and abandon Ackerman Court and authorizing the Mayor to execute on behalf of the City one or more quitclaim deeds and any other necessary*

*documents, approved as to form by the Office of Corporation Counsel, to quitclaim equal portions to the adjacent property owners, subject to any and all easements and utilities.*

*Resolution to authorize the use of \$514,870 of the City of Charleston's Urban Greenbelt funds to provide for a conservation easement for the Oakville Tract.*

*An ordinance to provide for the annexation of properties known as 1890 and 1886 Ashley River Road and 1407 Adele St (0.35 acre) (TMS# 351-07-00-027, 028 and 048), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The properties are owned by the Charleston Redevelopment Corporation.*

*An ordinance to provide for the annexation of property known as 2158 and 2154 Westdrivers Road (0.48 acre) (TMS# 343-01-00-115; 136), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Ryan and Lauren Fogelgren.*

*An ordinance to provide for the annexation of property known as 2153 Westdrivers Road (0.24 acre) (TMS# 343-06-00-209), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Nicholas and Martha Kliosis.*

*An ordinance to provide for the annexation of property known as 2931 Maybank Highway (0.61 acre) (TMS# 313-00-00-092), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by HCC Holdings, LLC.*

Mayor Tecklenburg said, "Next up is our [bills for second reading](#). We have ten items. Councilmember Appel."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "I have a sense that we're about to go on light speed here, so I'd just like to note for the record I have to recuse on item number 10 under second reading. Thank you."

Mayor Tecklenburg said, "Okay. Could I request that we take number 4 separately? Number 4, the matter regarding Folly Road."

Councilmember Mitchell said, "So, I move for approval of 1 through 10, but excluding number 4."

Mayor Tecklenburg said, "Okay. So, we're going to have a motion to give second reading right now for 1, 2, 3, and then 5 through 10, correct?"

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Alright. Any discussion on any of those items?"

No one asked to speak.

On a motion of Councilmember Mitchell, nine (9) bills (Items L-1 through L-3 and L-5 through L-10) received second reading. They passed second reading on motion by Councilmember Shealy 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:

- 2022-048 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES ON MEETING STREET (PENINSULA) (APPROXIMATELY 0.37 ACRE) (TMS #459-05-04-077, 078 AND 079), (COUNCIL DISTRICT 4), BE REZONED FROM ACCOMMODATIONS OVERLAY DISTRICT (A-1) CLASSIFICATION TO ACCOMMODATIONS OVERLAY DISTRICT (A-4) CLASSIFICATION AND TO INCLUDE PROPERTIES ON MEETING STREET (PENINSULA) (APPROXIMATELY 0.14 ACRE) (TMS #459-05-04-216 AND 222) (COUNCIL DISTRICT 4) WITHIN THE ACCOMMODATIONS OVERLAY DISTRICT (A-4). THE PROPERTIES ARE OWNED BY GRACE HOTEL INC. AND THE CITY OF CHARLESTON.
- 2022-049 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 590 MEETING STREET (PENINSULA) (APPROXIMATELY 0.23 ACRE) (TMS #459-01-03-047) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) AND 5 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION TO UPPER PENINSULA (UP) AND 4-12 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION AND TO BE INCLUDED WITHIN THE ACCOMMODATIONS OVERLAY DISTRICT (A) CLASSIFICATION. THE PROPERTY IS OWNED BY MEETING STREET PROPERTIES.
- 2022-050 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1224 WAPPOO ROAD (WEST ASHLEY) (APPROXIMATELY 0.33 ACRE) (TMS #351-12-00-192 AND 028) (COUNCIL DISTRICT 9), BE REZONED FROM GENERAL OFFICE (GO) CLASSIFICATION TO COMMERCIAL TRANSITIONAL (CT) CLASSIFICATION. THE PROPERTY IS OWNED BY JOHN PETERS. (PLANNING COMMISSION RECOMMENDS DISAPPROVAL.)
- 2022-051 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1517 AND 1521 WAPPOO DRIVE (WEST ASHLEY) (APPROXIMATELY 0.54 ACRE) (TMS #351-12-00-115 AND 207) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON FEBRUARY 22, 2022 (#2022-031), BE ZONED SINGLE- AND TWO-FAMILY RESIDENTIAL (STR) CLASSIFICATION. THE PROPERTY IS OWNED BY LITTLE DUDES LLC AND THE DUDE INVESTS LLC.
- 2022-052 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2309 LAZY RIVER DRIVE (WEST ASHLEY) (APPROXIMATELY 0.46 ACRE) (TMS #310-14-00-017) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON FEBRUARY 8, 2022 (#2022-023), BE ZONED RURAL

RESIDENTIAL (RR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY SEEL LIVING TRUST.

- 2022-053 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2131 CLAYTON DRIVE (WEST ASHLEY) (APPROXIMATELY 0.25 ACRE) (TMS #310-12-00-018) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON FEBRUARY 22, 2022 (#2022-030), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY DAVID WILLIAM OGDEN AND ERIN HOPE LEACH-OGDEN.
- 2022-054 -** AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF CITY OF CHARLESTON, SOUTH CAROLINA HOSPITALITY TAX REVENUE BONDS, AND OTHER MATTERS PERTAINING THERETO; PRESCRIBING THE FORM OF BONDS ISSUED HEREUNDER; PLEDGING LOCAL HOSPITALITY TAXES TO THE PAYMENT OF THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING.
- 2022-055 -** A FIRST SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE BY THE CITY OF CHARLESTON, SOUTH CAROLINA OF NOT EXCEEDING \$38,000,000 HOSPITALITY TAX REVENUE BONDS, SERIES 2022, AND OTHER MATTERS RELATING THERETO. THE PROCEEDS OF THESE BONDS WILL BE USED FOR THE LOW BATTERY SEAWALL PROJECT.
- 2022-056 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PORTIONS OF 518 E BAY STREET AND 81 WASHINGTON STREET (PENINSULA) (APPROXIMATELY 0.67 ACRE) (PORTIONS OF TMS #459-13-02-011 AND 459-13-02-010) (COUNCIL DISTRICT 4), BE REZONED FROM LIGHT INDUSTRIAL (LI) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION AND FROM 5 STORY AND WP OLD CITY HEIGHT DISTRICT CLASSIFICATIONS TO 6 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTIES ARE OWNED BY MORRIS SOKOL LLC AND 530 E BAY LP.

The vote was not unanimous. Councilmember Parker voted nay on item 2. Councilmember Appel recused himself from voting on item 10 and completed a Conflict of Interest Form, which is on file in the Office of the Clerk of Council.

Councilmember Parker said, "I apologize, Mr. Mayor, number 2, 'nay.' Item 2."

Mayor Tecklenburg said, "On number 2?"

Councilmember Parker said, "I apologize. Yes."

Mayor Tecklenburg said, "Councilmember Parker votes 'nay.' Okay."

The Clerk said, "And Councilmember Appel recused from item number 10."

Mayor Tecklenburg said, "And Councilmember Appel is recused from number 10, correct. So, then, I just thought we would consider number 4 separately. I know we gave it first reading at the last meeting, but we had a couple of comments here this evening that I think raised a couple of questions. I'll entertain a motion to defer maybe so that we would have time to go back to our Planning Department and ask them a few questions that were raised tonight, but it's at the pleasure of Council."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Sure. If you all would like me to speak on this quickly, alright, so after the first reading, prior to the first reading, I had received no public comment, nothing in regards to being opposed to this. The day after our March 22<sup>nd</sup> meeting a constituent reached out to me, so then I spoke briefly with Mr. Morgan, and we discussed the various zoning items within that area. I will say, yes, I truly, I spoke with the constituent yesterday, the constituent that was here. That person was the only one that reached out to me. I'm certain that there is history here, but the Board approved it 3 to 2. I believe it passed at first reading in the presentation. Also from what I understand in looking at the maps with Mr. Morgan, there's other LB. We already have LB in that corridor. I truly believe, just personally, I always knew that this was going to be the most difficult part of this job. You guys can help me there, but I certainly, it's always, I would love to make everybody happy and I just, I don't know if this is a situation that we can stop from happening on Folly Road. When you look at the Comp Plan and Re-Think Folly Road, I mean, unfortunately, these zoning changes are coming up and development is happening. I will say, as I told the constituent, as all of you may know as well, that this Folly Road Overlay District, there are certain requirements, there are limitations. LB also has some limitations, as well. There is no doubt, as I spoke with the constituent, as well, but, obviously, this increases the property value for the future if they were to sell. I understand that, but for what this owner is saying that they're going to do with the property, whether it's true or not, I agree with the Board, the Committee, and I agree with Mr. Morgan that other LB parcels already exist in this area. So, I'm okay with moving forward with second reading. As I told the constituent yesterday, my vote is probably not going to change. That's all I can say on that."

Councilmember Gregorie said, "I second that."

Mayor Tecklenburg said, "Is that a motion?"

Councilmember Gregorie said, "Yes."

Mayor Tecklenburg said, "And what is the motion, please?"

Councilmember Parker said, "To approve. I'm sorry."

Councilmember Gregorie said, "Move for approval."

Mayor Tecklenburg said, "To give it second reading?"

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "And we have a second. Alright."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "So, Mayor, you had mentioned earlier about wanting to defer it to give an opportunity for more public hearing. Is that what I heard you say? Correct me if not."

Mayor Tecklenburg said, "If it's the pleasure of Council."

Councilmember Shahid said, "Okay."

Mayor Tecklenburg said, "I didn't think that was an unreasonable---"

Councilmember Shahid said, "Well, no, I'm just trying to follow up. Can we do that? Can we give it back for more consideration for the public hearing part of it?"

Mayor Tecklenburg said, "I don't think so."

Councilmember Shahid said, "No. Okay. I just wanted to have clarification."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "I was going to ask the same question as Councilmember Shahid."

Mayor Tecklenburg said, "I mean, you can approve the motion, or turn it down, or you can have a motion to defer. It's the pleasure of Council. I thought it was reasonable, given some new concerns, but I haven't investigated as you have."

Mayor Tecklenburg recognized Councilmember Mitchell followed by Councilmember Brady.

Councilmember Mitchell said, "Let me ask a question of Councilmember Parker. You just want to give it second reading and then let them take a look at it, or you want to give it second and third reading? I don't know what the motion---"

Mayor Tecklenburg said, "The motion right now is just to give it second reading."

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Yes. I was just going to add. That was going to be my question, as well, Councilmember Mitchell, but we're under no obligation to upzone a property. Just because one of our constituent appointed boards gives a recommendation, we're under no obligation to follow that, nor do we have to upzone the property. With the comments that the constituents have said, I don't think there is any need to rush into this, to upzone it. I would ask that we just give it second reading and then let people come and make further comments on it if they want. If what some of them are saying is true, I would love to see Livability go out and come back with a report, as well. So, if we're going to upzone and potentially help somebody get rich and sell the property, let's do the due diligence on our side, as the City, before we move kind of headlong into that."

Councilmember Mitchell was excused from the Chamber at 7:02 p.m.

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Mr. Morgan, could you come to the microphone, please? Because I think I asked this question on first reading, and I think I know the answer. You gave the answer, but I think it bears repeating again. Should this property be zoned, the motion, can you talk about the buffer zones that would be required for this owner to put in place and, in particular, on the back of the property between him and his neighbors?"

Mr. Morgan said, "Sure. Because the Folly Road Overlay has extra buffers as part of its requirements, and I'm going to turn to, let's see if I can find the requirements. I believe it's about a 25 ft. buffer at the rear."

Councilmember Waring said, "Yes, sir."

Mr. Morgan said, "That's what we discussed at the last meeting. I'm just going to double-check that. I may not have that with what I've got with me, but I'm pretty certain---"

Councilmember Mitchell returned to the Chamber at 7:03 p.m.

Councilmember Waring said, "I believe that's what it is 25 ft."

Mr. Morgan said, "Yes, sir."

Councilmember Waring said, "I just thought that beared repeating because for some of the neighbors to hear. That buffer zone is not in place right now."

Mr. Morgan said, "Not to my knowledge."

Councilmember Waring said, "Right. With the zoning, it will be in place between the neighbors, in particular, to the rear of this property and now, so it's actually going to put a little bit more protection in place for the neighbors. I thought that was worth pointing out."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Just to briefly piggy-back on what Councilmember Waring said, you know, assuming that buffer exists, which I have no doubt that it does, it wouldn't just materialize by itself just by dent of the rezoning, of course. It would actually have to take a new site development plan to initiate that through the TRC process. So, what I'm maybe concerned about, and I come from the school of thought that says, you know, Councilmember Parker knows her district better than any of us, and I defer heavily, heavily to her, so this is not intended to step on your toes at all, but to the extent there are existing zoning violations on the property, which I have no idea about, but it's been put out there today. Sometimes a rezoning can have the effect of curing existing violations and so if that is all that is being sought here, in other words, there's no intent to, in the near future, redevelop this property, so as to trigger those buffers, that ought to be something we know about because the buffers all sound great, but buffers don't just come along because we upzone a piece of property.

Councilmember Brady couldn't have been more correct. Nobody has a right to a rezoning under any circumstances. It's an entirely legislative decision that's fully vested with our discretion. So, I'm not opposed to the Limited Business zoning in theory, but I do think that a little bit more ought to be known about the plans here and the current status of any enforcement issues on the property because, if we're going to upzone this, we, as a Council, better be sure that buffer is coming along in the near future. Because I do think that, on the whole, that could very well be a net benefit for the neighborhood, but that buffer may never come. This property may never be developed according to the Limited Business Zoning District. In other words, this rezoning may be simply sought to cure existing zoning violations. I know in the County, and Lord knows I've had some clients deal with this over the years, you can't even seek a rezoning if there's an active violation on your property. They red tag that property so fast. Nobody will talk to you over there until you fix it, so I just think maybe we ought to get a little bit more information on this. So, I'm happy to give it second reading tonight and then maybe push third reading out so we can maybe get some more information."

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden said, "Yes, I certainly agree with that approach, but I'll admit that I was a little bit distracted at our last meeting."

Councilmember Seekings said, "I can't imagine why."

There was laughter in the Chamber.

Councilmember Bowden said, "What is currently on this property, and what is it going to be? Like, why are they seeking this change? What do they want to do with it?"

Mr. Morgan said, "So, there are two former Single-Family residences on the property that are being used for office use because it's got the RO designation, Residential Office, and it's my understanding that they want to have a workout-type facility that does not fit within Residential Office as one of the tenants, not the whole facility, but then to get that business license, of course, they would have to meet all of the standards that would be associated with the Limited Business category."

Mayor Tecklenburg said, "Anyone else?"

No one asked to speak.

Mayor Tecklenburg said, "Back to Councilmember Parker."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Yes. So, again, there is no construction being planned, it's really just about the use of the current property and, from what I understand, it's going to be some type of gym for children. Again, if they sell the property and develop it later on, but, again, all of those overlays and things, buffers, and all of that would come into play. Again, I don't know the violations. Like I said, there is a history between a previous Councilmember and this particular property owner. Again, I haven't heard from an abundance of neighbors. As you know, where that property is, I mean, we line up on Folly Road. We have neighborhoods behind a lot of LB zoned properties right behind. They were opposed to, I believe, Black Magic Café, as well.

It's not something that's easy for me to digest to say, 'Okay, yes, this is okay,' but I don't see a problem with it. I don't. If they have concerns personally, and if this business becomes an issue, then, certainly, and like I said, I don't believe there are violations on the property, but I can't say that with certainty, but I'm pretty sure there aren't, and Mr. Morgan, when they went through this rezoning process, that would've come up, correct?"

Mr. Morgan said, "Well, yes, we had not heard complaints about any of the issues that were raised today, and we have forwarded those to our enforcement personnel to investigate. We don't know if what they're talking about is going on. I think there were some vehicles that they said that were parked that were not supposed to be parked there, that kind of thing, but if it is in fact true, it can be easily remedied."

Councilmember Parker said, "Yes."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "This will be brief. I just want to say that, as we go through this process, that we apply the same criteria that we've applied to other potential folks, and we're not doing anything egregious or doing something because we've heard from constituents, which is important. I just want to make sure we're applying the same consistent criteria for other folks that have gone through this process. Thank you."

Mayor Tecklenburg said, "Thank you. Alright. So, we have a motion on the floor to approve, give second reading, and a second. Any further discussion?"

No one else asked to speak.

On a motion of Councilmember Parker, seconded by Councilmember Gregorie, City Council voted unanimously to give second 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 1144 and 1150 Folly Road (James Island) (approximately 0.88 acre) (TMS #425-13-00-030 and 031) (Council District 12), be rezoned from Residential Office (RO) classification to Limited Business (LB) classification. The property is owned by Bennett Construction & Realty LLC.*

Councilmember Seekings said, "So moved."

Mayor Tecklenburg said, "Now, do you want to take a motion for third reading?"

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "And we've got a second. Can I respectfully make a motion to defer? Would anyone second my motion?"

Councilmember Brady said, "Second."

Mayor Tecklenburg said, "Any discussion on the motion to defer?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I think, Mayor, that when it comes back up, I'd like to hear from the applicant again and from the citizens who raised these questions to answer some of the issues that were just brought up. That's why I work with Councilmember Waring and Councilmember Appel as to these buffers and whether or not it is legal on that property. I'd like to get a full report of what's going on and why we should approve this, so I support the motion to defer."

Mayor Tecklenburg said, "Thank you."

Councilmember Shahid said, "But I'd like to hear back from the applicant to see what's going on."

Mayor Tecklenburg said, "Right. Any further discussion?"

Councilmember Seekings said, "Just very briefly."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Back to Councilmember Sakran's observation, I just think we've got to be really careful. This isn't a place to air a grievance between people who are not happy with each other. If there's a process, like Mr. Morgan said, that we can send our enforcement team over there to investigate, that's fine. I just think we're putting off doing what we're asked to do, which is vote on rezonings that have been brought to us through the process, to then have grievances aired back up again, and I worry about setting that precedent. I don't think that's what we want to do around this table, but again, I understand the motion, and I'll vote accordingly but, I think, a cautionary tale on this one."

Mayor Tecklenburg said, "Well, I hear you and I do resonate with Councilmember Appel's remarks a minute ago that there were some comments made tonight. I would just like to personally satisfy myself as to the answers to some of those questions before voting affirmatively on the matter."

Councilmember Gregorie said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I agree with you, but if there are violations or whatever, we should have a record of it. If there were any complaints, we should have a record of it, and one would assume that our Planning Department would take those things into consideration and share them with us. We can go through the process."

Mayor Tecklenburg said, "Right."

Councilmember Gregorie said, "But I'm just assuming that, if there had been violations, there should be a record somewhere."

Mayor Tecklenburg said, "We can check."

Councilmember Gregorie said, "I did not hear any of the folks who are opposed to it that said anything specifically about a violation of our ordinance. I don't have a problem with us doing what we're going to do, but I just think that---"

Mayor Tecklenburg said, "We'll double-check."

Councilmember Gregorie said, "Sure, we can."

Mayor Tecklenburg said, "If we get a deferral, I'll double-check."

Councilmember Gregorie said, "I just think that all of that should have been done before we even got here. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Thank you, Councilmember Gregorie. Once again, I just feel exactly like you said. I just hope that this personal grievances situation isn't coming into Council. They've gone through the process, there's certainly plenty of rezonings that come up that constituents are not happy about, we vote on them all of the time. I certainly don't think that that's our duty to re-bring those up, and there are things that I won't bring to Council regarding some of these zoning issues. I'm sure if we let the owner do that and the neighbors do that, I mean, if that's what you would prefer, but I have to say that I'm disappointed. It seems like one rezoning in my district, and I understand that you want a deferral, but---"

Mayor Tecklenburg said, "Alright. So, that motion's on the floor. It might not pass. I don't know."

The Clerk said, "So, you want to do a roll call? Okay. Councilmember Shealy."

Councilmember Shealy said, "Nay."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "Nay."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "I vote nay."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Aye."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Nay."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "Nay."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Nay."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "Aye."

The Clerk said, "Councilmember Bowden."

Councilmember Bowden said, "Aye."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Aye."

The Clerk said, "Councilmember Parker."

Councilmember Parker said, "Nay."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Aye. The motion fails."

The Clerk said, "Yes."

On a motion of Mayor Tecklenburg, seconded by Councilmember Brady, City Council considered deferring third reading of Item L-4 on the agenda.

The motion failed 7 to 5. The vote was not unanimous. Councilmembers Brady, Shahid, Bowden, Appel, and Mayor Tecklenburg voted in favor of the motion.

Mayor Tecklenburg said, "So, now, for third reading and ratification. Any discussion? We already had a motion on the floor before the deferral?"

The Clerk said, "Yes."

Mayor Tecklenburg said, "Any further discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Waring, City Council voted to give third reading to the following bill:

**2022-057 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1144 AND 1150 FOLLY ROAD (JAMES ISLAND) (APPROXIMATELY 0.88 ACRE) (TMS #425-13-00-030 AND 031) (COUNCIL DISTRICT 12), BE REZONED FROM RESIDENTIAL OFFICE (RO) CLASSIFICATION TO LIMITED

BUSINESS (LB) CLASSIFICATION. THE PROPERTY IS OWNED BY BENNETT CONSTRUCTION & REALTY LLC.

The motion passed 7 to 5. The vote was not unanimous. Councilmembers Brady, Shahid, Bowden, Appel and Mayor Tecklenburg voted nay.

The Clerk said, "Who are the 'nays' just for the record? That's Councilmember Brady, Councilmember Shahid, Councilmember Bowden, and Councilmember Appel."

Mayor Tecklenburg said, "Alrighty. So, our two items for first reading are deferred, and now we have a request for an [Executive Session](#) to receive Legal advice on the Municipal Improvement District on Johns Island."

Councilmember Waring said, "Mr. Mayor."

Mayor Tecklenburg said, "Yes."

Councilmember Waring said, "Prior to going into Executive Session, I thought about this during Council Communications, but I got a call today from, well, yesterday, from former Councilmember and current representative Wendell Gilliard. It's about the Hate Crime Bill that this body has supported passage in the past and certainly you spoke, too, recently over at Dor Tikvah. It is going to be presented in front of the Senate soon, and he would like whatever support, letters or otherwise, maybe even another Resolution. There are nine Senators that are holding it up in the South Carolina Senate. It's passed the House, and it's now in the Senate. He has asked for our support, and I know we would want to give that. We're coming up on the anniversary of the Mother Emanuel tragedy. There's an example for a Hate Crime Bill and 48 states in the union have passed Hate Crimes legislation. There are two states that don't have it. I believe it's Wyoming and the great State of South Carolina, so we're trying to get it through. Whatever we can do as a City, I like the idea of putting it on the agenda, so over the next two weeks, people can think about that. In the interim, whatever we need to do to send, or I'll give the list of the Senators who are standing in opposition in the South Carolina Senate against it to you, but prayerfully our Council will do what we've done in the past and support passage of this piece of legislation in the South Carolina Senate, I mean, the General Assembly."

Mayor Tecklenburg said, "A-okay."

Councilmember Waring said, "Thank you, sir."

Mayor Tecklenburg said, "So, I must ask, I believe we had a Resolution supporting the State Hate Crime Bill that we adopted a couple of years ago."

Councilmember Waring said, "We did."

Mayor Tecklenburg said, "So, this is not a new matter for Council, and if it's simply a matter of pulling that up and re-sending it to those folks, I mean, we've already given it our seal of approval."

Councilmember Waring said, "But it will be good to send that, and current letters, and as Councilmember Seekings said, maybe even a letter from our Police Chief reiterating our stance on this."

Mayor Tecklenburg said, "Yes, absolutely. We will be more than happy to do that."

Councilmember Waring said, "Thank you, Council, and Mr. Mayor."

Mayor Tecklenburg said, "Now, back to our request for an Executive Session, can I entertain a motion we go into Executive Session?"

Councilmember Appel said, "So moved."

Councilmember Shahid said, "Second."

The Clerk said, "We just need to say what we're going into---"

Mayor Tecklenburg said, "I'm sorry."

The Clerk said, "We just need to say what we're going into Executive Session for."

Mayor Tecklenburg said, "I said that a minute ago."

The Clerk said, "I got it. Okay."

Mayor Tecklenburg said, "But, to repeat, this is an Executive Session to receive Legal advice on the next steps related to the Municipal Improvement District on Johns Island. So, did we have a motion and a second?"

On a motion of Councilmember Appel, seconded by Councilmember Shahid, City Council voted unanimously to go into Executive Session at 7:18 p.m.

On a motion of Councilmember Waring, seconded by Councilmember Gregorie, City Council voted unanimously to come out of Executive Session at 8:07 p.m.

Mayor Tecklenburg said, "Let the record show that no action was taken while we were in Executive Session. Now, can I entertain a motion we adjourn?"

There being no further business, the meeting was adjourned at 8:07 p.m.

Jennifer B. Cook  
Clerk of Council