

**CITY COUNCIL MEETING
COUNCIL CHAMBER**

Regular Meeting

April 26, 2022

The one hundred twenty-second meeting of the City Council of Charleston was held this date convening at 5:07 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 21, 2022 and appeared in the Post and Courier on April 25, 2022.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Gregg	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 5:07 p.m.

The Clerk called the roll.

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

Councilmember Appel said, "Alright. Thank you, Mr. Mayor."

Councilmember Appel opened the meeting with an invocation.

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

Mayor Tecklenburg said, "So, I know many of you all have been with us before, but just in the most unlikely event that we would need to evacuate the building, we would not be using the elevator. We have, as exits from this room, these two doors here and one door from the room to my right. You just simply have to use the two stairwells going down and then the one stairwell out the front. Very unlikely, but I just want everybody to have that situational awareness in the event we needed to leave the building. So, I would like to ask Council if you would consider [amending the agenda](#). It came to my attention, just this morning, a letter from Secretary Hall to the County regarding the completion of I-526 and would like to have Council consider a [resolution](#) just supporting the County's efforts in that completion."

Councilmember Waring said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Thank you, and if we could do that first up, I would appreciate it, so we can send a message to County Council, who is meeting this evening. Any discussion just to add it to the agenda?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shealy, City Council voted unanimously to amend the agenda to consider a Resolution in Support of the Completion of I-526 and Phasing Recommended by South Carolina Department of Transportation.

Councilmembers Sakran and Parker were excused from the Chamber at 5:18 p.m.

Mayor Tecklenburg read the resolution.

Councilmember Sakran returned to the Chamber at 5:19 p.m.

Councilmember Parker returned to the Chamber at 5:21 p.m.

Mayor Tecklenburg said, "That's our resolution. Do we have a motion to approve?"

Councilmember Waring said, "Move for approval."

Mayor Tecklenburg said, "And a second?"

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Any discussion?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted unanimously to approve the Resolution in Support of the Completion of I-526 and Phasing Recommended by South Carolina Department of Transportation.

Mayor Tecklenburg said, "We'll send this by text message right away to County Council, so they will know we've voted on this encouragement this evening. Next, we have a number of proclamations this evening, a few more than normal, but we had a lot of requests from Councilmembers, as well as being that part of the year. First up is a [proclamation recognizing Provider Appreciation Day](#). It was requested by Councilmembers Shealy, Sakran, and Brady. If you all would please join me up here, along with Ashley Parker, the Director of the Oaks Children's Academy in West Ashley. Ashley, are you with us? Then, I'll proceed with their proclamation. Hey, how are you? Welcome."

Ashley Parker said, "Thank you very much."

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, "As a father of five children, I can tell you firsthand, how important child care can be to families here and in the State of South Carolina. So, thank you, Ashley, and to all child care providers. Ashley, would you like to make a few remarks on this occasion, or any of the Councilmembers who have recommended this today?"

Councilmember Sakran said, "I won't be long. I just want to say thanks to child care providers in the community. Number one, COVID did show us the remarkable appreciation and effect that they have to keep our economy going, to keep working parents working. So, I just want to say thank you for everything you do, and I would be remiss, this is my only time to do this this evening, and I would be remiss if we didn't tell the families and the children that suffered some gun violence last night in North Charleston that we are thinking about you. We are living in a different time, and those kids did not need to see that last night. So, I just wanted to say that we are thinking about you, and tonight is about you, and tonight is about our child care providers in our City. So, thank you, all."

Councilmember Shealy said, "Yes, thank you, Mr. Mayor. I just want to say thank you to Ashley for the job she does. She takes care of a lot of children that happen to be in the district that I represent, right in the entrance of Springfield and Canterbury Woods, and she does a fantastic job. I can tell you, because my wife is also a pre-school director in West Ashley, that it is a tough job. Children are sick, and when we're going through the pandemic that we've had, they've had to go to extra levels that even some of the older kids don't have to go through. I can tell you that my wife, she looks like the ghost busters when she comes through. She's got a spray thing and sprays things down, but she's having to show up early and stay late to make sure everything is clean and sanitary for each day. I can tell you when there was a break, there were parents that were begging for pre-schools to open back up. So, Ashley, thank you so much for all that you do, and thank you to all of the child care providers that are out there. It's a service that's overlooked a lot of times, but we need to appreciate them and thank them for a job well done. So, thank you."

Mayor Tecklenburg said, "Would you like to say a couple of words?"

Ms. Parker said, "I'm okay. Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Alright. Next up we have a [proclamation recognizing International Composting Awareness Week](#). Did everybody know it's International Composting Week? I'm going to ask our own Katie McKain, who is our Director of Sustainability, and Betsy LaForce with the South Carolina Coastal Conservation League to join me up here and anybody else that's supposed to be up here."

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, "Let me shout out to the County of Charleston. They've been running a composting program for some time. You can take stuff out to the Bees Ferry Landfill. You can even pick up compost from them and, thanks to Katie McKain and the City, we started this program. I and my family have been participating. We've got this little plastic thing we put our scraps in, and I take it out to Ackerman Park. You all, I have noticed a reduction in the amount of regular trash in my green trash can that I put out every week just because of composting. This really works. We can reduce the waste stream of our City if everyone would compost, and you don't have to do it that way. You can get a little composting thing and put it

out in your yard to help add nutrients to your garden, as well, and they were probably going to say some of those things, but I just couldn't resist."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Betsy and Katie, please make some remarks."

Katie McKain said, "Thank you, Mayor Tecklenburg and members of City Council. Thank you so much for recognizing International Composting Awareness Week next week. As you know, we've been talking a lot about composting this year because we started the program Mayor Tecklenburg mentioned that he's participating in. It's a residential program. There's a couple of drop sites throughout the City, and it's really easy for residents to drop off their food scraps and participate. Our compost hauler, who is grant funded for this year only, then services those carts, hauls the material out to the Bees Ferry Compost Facility, which is award winning, and materials process from there.

I just want to really quickly share some data so far from the program. Residents love this program. People are really eager and excited to participate. There are over 800 households that have voluntarily signed up. Many more are interested. I hear from people every day asking questions, making sure they're following the directions. They want to know how the program is going. It's going really well. What they really want to do is they want to pledge their support for the program to continue permanently into next year, so I wanted to share that with you. I also wanted to share we have a data driven goal, as we are a data driven City, which came from our Climate Action Plan, to divert 20 tons of food scraps during this program in our first six months. I'm really excited to announce that we are on track to meet and potentially exceed that goal. We have collected over nine tons so far in just our first two-and-a-half months, so that's really exciting.

Now, there are lots of benefits to composting. I don't want to go through them all, but I did want to mention one that Mayor Tecklenburg touched on, too, that has really stood out in this test pilot period so far, and that's the potential to reduce our garbage collection expenses. One quarter of our garbage collected is food waste, and that could be composted instead, and the success is really in the model. This idea of community drop sites has been widely successful in all kinds of other cities and other urban areas globally. Like I said, the success is in the model, so the material is taken to designated sites where users are already frequenting and visiting, our City parks. When that material is picked up at designated locations, instead of picking it up curbside at individual residential addresses, we are saving a whole bunch of money, and that is something we are currently doing is picking up curbside. I will be sharing a lot more data and analysis with the Resilience and Sustainability Advisory Committee about this program in our May meeting. If anyone is interested in learning more about it in the meantime, please just let me know. Thank you so much."

Mayor Tecklenburg said, "Thank you, Katie. Betsy."

Betsy La Force said, "Thank you, Mayor Tecklenburg, Katie, and members of City Council for recognizing International Compost Awareness Week a week early tonight. My name is Betsy La Force. I'm a Senior Project Manager with the Coastal Conservation League. It's been an honor to be involved with the creation of this new composting program. I had the privilege of representing the Conservation League in the Climate Action Planning process last year with Councilmember Brady. Our committee worked to come up with various solutions to waste problems in Charleston, and this pilot program grew out of those ideas. Thanks to the

outstanding leadership of Katie McKain, a community composting program is now up and running from idea, to plan, to implementation in less than a year. How is that for efficiency and the power of action at the local level?

The goal of ICAW is to work together to raise public awareness on why we should all be composting our organics, recycling, and using compost. What a great opportunity to highlight the progress that's happening locally in Charleston. This pilot program is bringing free composting access to residents who were previously limited to either backyard composting, and we know many people don't have a backyard, or paying a monthly fee for private hauling services, which can be cost prohibitive. This pilot is an exciting step toward sustainable waste management and increased environmental literacy in our community. So, hats off to the City of Charleston for being one of the first municipalities in the whole State to offer a City-led community compost program and, certainly, the first in the Lowcountry.

As Mayor Tecklenburg mentioned, our compost facility at Bees Ferry was the first compost facility in the whole State to start composting food waste. Now, there are three other large commercial facilities in the State as the industry continues to grow, so what better time to leverage local composting infrastructure and regional collaboration through this program. I encourage those of you who are not already composting at home or with the City program to sign up for it today, this week. You will be amazed. The Mayor is right at how little trash is left in your kitchen after recycling and composting, not to mention the rewarding feeling of helping to complete the farm to table, table to farm, loop here in our City renowned for local food and farms. Just last week, the compost material generated already from this program was returned to our City parks and gardens.

We know that government action can't meet emission reduction goals alone. We need the entire community to be a part of climate solutions, and that's exactly what this program is doing. Building community support and awareness around doing the 'rot' thing in Charleston by composting our food waste. As we heard the Mayor read in the proclamation, just a few quick highlights on the benefits of composting if you didn't hear before, saves valuable landfill space. Do we want to grow food or landfills? Landfills can be reduced by at least one-third when there is a focused attention on recycling organic residuals. Reducing those harmful methane emissions for climate action. Methane happens when organic material tries to break down without the presence of oxygen, which is exactly what happens in a landfill. It gets smooshed. Improving soil health and productivity for local farmers and growers. Compost nourishes our soil for healthier parks and gardens, and increases stormwater absorption capacity to help reduce flooding. Lastly, composting is climate action. Returning compost to the soil creates a carbon sink helping to store carbon and remove it from the atmosphere.

In closing, compost is a great community unifier. It was my foray into the environmental work and community work here in Charleston more than ten years ago. Some of my fondest memories of volunteering are centered around compost education and food waste collection at various events in the City where I had the pleasure of working alongside our dear friend and community MVP Sebastian DeModica whose life and legacy we honored just last week. I saw you there Councilmember Mitchell. Thank you for being there. Sebastian was awarded Volunteer of the Year by Keep Charleston Beautiful among many other accolades for his fierce commitment to supporting his community. Sebastian was passionate about composting and would be thrilled to see this proclamation before City Council tonight. We at the Conservation League are hopeful that the success of this pilot program will lead to a full-time composting program for the City of Charleston. Thank you all for your leadership and service to the citizens

of Charleston and Happy 'almost' International Compost Awareness Week. Thank you so much."

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

There was applause in the Chamber.

Mayor Tecklenburg said, "Okay. I'll just end up by saying composting is cool. If you're not doing it, get with it. Yes. Alright. So, next up we have [a proclamation recognizing Child Abuse Prevention Month](#), which we recognize every year, such a critical issue. I'd like to ask Beverly Hutchinson to please come forward. She's the Executive Director, you all, of the Dee Norton Child Advocacy Center. Cait Przetak. Are you with us, Cait? Communications Coordinator for Dee Norton, as well. You all please come forward, and I believe later this week we will be having our Pinwheel Ceremony, as well."

Beverly Hutchinson said, "Yes, we will."

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, "I invite Beverly to come forward and share some words with us from the Dee Norton Child Center. Beverly."

Ms. Hutchinson said, "Thank you so much. I come to you tonight grateful. Grateful that 31 years ago there was a group in our community who decided we needed to do better. Better for children, our most vulnerable, children who had been abused. In that time, this group put together what is now the Dee Norton Child Advocacy Center. I come grateful to the Mayor, to the City, to the Council. Without your help 31 years ago, there likely would be no Dee Norton Child Advocacy Center. For 31 years, we have lived at 1061 King Street, and in 31 years we have helped 32,000 children and families in our community. We cannot do it without your help, and we are so grateful for that. We're also grateful that each and every day we get to work alongside our police force, law enforcement, social services, Guardian ad Litem, and the solicitor's office. Part of what the model does that we work under is we work with every agency in our community to coordinate and deliver services for children who are victims of abuse. I'm grateful to go to work every day. I'm grateful for the five year old little girl that I sat with last week in our center East of the Cooper. We ran out of space at 1061 King Street. Three years ago we had to open a second full-service location in Mt. Pleasant to better serve those East of the Cooper. I sat there with that little girl. I was grateful that she wanted to play. I was grateful she did not look damaged or broken. What makes my heart sad is that the only reason she was in our building is because someone was concerned something had happened to her. I was grateful for the staff, the people that she was getting ready to meet, the people who were going to walk alongside her and her family as they work through this trauma. Mostly, I was grateful for her imagination because with a waste management truck, a firetruck, three dinosaurs, and a doll she completed an entire story for 20 minutes ad lib.

April is National Child Abuse Prevention Month. We would all want it not to happen. I would love for us to be out of business. That's not going to happen anytime soon. Each of us in this room has a responsibility. We have a responsibility to the children in our community. So, this April, I challenge you. Learn something. If we know more, we do better. Visit our website. There are great resources there. Simple things. At home, talk to your children, communicate. Let them see that you're okay, you're a safe place to talk about anything, even the yucky stuff, so that when something happens to them, God forbid, they come to you and then you know where to

go. And thanks to this body, in large part, you know to go to the Dee Norton Child Advocacy Center. Go to our website and take our pledge, pledge to prevent, protect, and heal. Thank you.”

There was applause in the Chamber.

Mayor Tecklenburg said, “So, for the Councilmembers that don’t know, Beverly mentioned how the City was so helpful 31 years ago. The building on King Street was provided to Dee Norton by the City of Charleston. We’re a pretty good landlord, aren’t we?”

Ms. Hutchinson said, “A whole dollar a year.”

Mayor Tecklenburg said, “A whole dollar a year. So, we continue to support Dee Norton directly through the facility, and we’re so thankful for what you all do. Thank you very much. Next up, we have a [proclamation recognizing Fair Housing Month](#), and I want to invite Otha Meadows to come forward and join me. I’m going to ask Councilmember Gregorie to come up, as well. I don’t know if Geona Johnson is with us this evening. If she is around, please come up and join us, as well. So, April, among many other of these accolades, is also Fair Housing Month, and we have this proclamation.”

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, “Of course you know Geona Johnson, our Director of Housing and Community Development, has worked diligently her whole career to ensure fair housing for all, but I want to recognize and ask someone to say a few words, and that’s Otha Meadows. He is the head of the local Trident Urban League, and they work day in and out on these issues and, in fact, on a matter that we will discuss at our meeting later tonight regarding fair housing in the City of Charleston. He is a partner to us and willing to help us in any way that they can to make sure we’re providing fair housing for all. Otha.”

Otha Meadows said, “Thank you, Mr. Mayor. I’d like to thank the City of Charleston, Councilmembers Gregorie, Councilmember Mitchell, especially Geona Shaw Johnson and her staff, to support the work of the Urban League and what we do in the area of fair housing. I don’t think I have to tell anyone here that, especially in this climate, fair housing is our number one priority. We have a responsibility to provide fair and equal access to housing to each and every resident in the City, and I will tell you categorically that the Urban League is working hard in that accord, but it’s not the Urban League alone. As the Mayor has said, it is the Urban League working in collaboration with the City of Charleston. We have been working with this collaboration since about 2009, I think, Geona, and over those years, we have done a tremendous job in bringing remedies to those persons who are being impacted by fair housing infractions in this community, but we still have a long ways to go.

As the Mayor has said, I was reading the same report from HUD as I came over here a little earlier. There were over 9,000 discrimination complaints made last year, predominantly against people with disabilities and people of color. I will say that the Urban League, this past year, responded to over 200 calls to the Fair Housing Hotline. We successfully mediated over 37 landlord/tenant complaints, we have helped over 15 people buy their first home, and we’re going a little further. We were only one of three agencies in the nation selected by HUD to receive fair housing education and outreach funding this year. We are going to be rolling out a campaign in the next couple of weeks, Mr. Mayor, about fair housing is more than words. You will see messaging on CARTA buses, on the exterior and the interior. I’d like to invite you, Mr.

Mayor, I'd like to invite Councilmembers to come out when we kick off that campaign. Let's not only think of this month as Fair Housing Month. Let's use every month of the year to commit to providing fair and equal access to housing in the City of Charleston. Thank you very much."

There was applause in the Chamber.

Mayor Tecklenburg said, "You will get a chance to talk later."

Councilmember Gregorie said, "Oh, I will."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Thank, you all. Thank you, Otha, for our partnership. We really appreciate it. Last one up, [a proclamation recognizing Teacher Appreciation Week](#). This was requested by Councilmember Brady, so I ask him to come back up again. Is Courtney Waters with us? She is the Senior Managing Director for External Affairs for Teach for America South Carolina. Thank you for your service, by the way, to our school districts and all that you do. Thank you for being with us. So, the proclamation and, Councilmember Sakran, is back up with us. He is an employee and a servant of the Charleston County School District, as well."

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, "Boy, do we all have teachers that we're thankful for? They're like mentors, as well. Let's hear it for teachers."

There was applause in the Chamber.

Mayor Tecklenburg said, "So, Courtney, I welcome you to make a few remarks and thank you for your service to our community, as well."

Courtney Waters said, "Thank you. I will keep this short. We are last to the post, but here for a very important reason. We wanted to do this in honor of the work that Teach for America has been doing for the last ten years, but also come here in solidarity with teachers across the State, of which there are tens of thousands, and about 3,500 in our school district here. We all know what teachers have done and what teachers have given us over the last two years of this pandemic, and I want to center you on the context of a teacher at this moment. It's the end of the year, almost that moment where they get to say goodbye to the kids for what is always a really, really short summer. As a former teacher, I remember getting to this time of year and counting the days. Counting the days until I get to breathe, until I get to stop taking home all of the issues that my students brought into the classroom with me, that I get to stop having to juggle administrative duties along with children, families who desperately need them to show up every day. We know how teachers show up for people every day, and we seem to never show up as best we can for them, underpaid, often not respected. So, for this Teacher Appreciation Week, if you could just do some of those small things. If you have children in school, think about taking a cup of coffee in the morning to give to your child's teacher or having them write a letter to either apologize for all that they've done over the course of the year or just thank them for being a thought partner and being an extension of you and the rest of your family. Teachers are, I mean, if we didn't have teachers, where would we be? We all remember who our favorite teachers were. Dorothy Malone and Ashley Perry were English teachers of mine who inspired me to just go higher and do more when I didn't think I could, and I know that you all have those same stories. So, really hold on to the knowledge that is Teacher

Appreciation Week and find an opportunity to give something back to a teacher next week Monday through Friday. Thank you.”

There was applause in the Chamber.

Mayor Tecklenburg said, “Would you like to say something?”

Councilmember Brady said, “I was only going to add just briefly because Courtney summed it up beautifully, but many moons ago, I taught second grade on the west side of Atlanta, Georgia, and everything Courtney said is exactly correct. Thank a teacher when you see them, whether it’s at the grocery store, whether it’s at your child’s school, at a park, whatever it is because they’re more than just a teacher. They’re the doctor putting a band-aid on when a kid scrapes their knee at recess, they’re the educator, a lot of times they’re the parent figure, especially while they’re in loco parentis during the day taking care of your child. So, just thank them, do an act of kindness, and wish them well for the end of the year when they get to, as Courtney said, just take a breath. So, thank you, all, for this.”

There was applause in the Chamber.

Councilmember Waring was excused from the Chamber at 5:48 p.m.

Councilmember Bowden said, “Mr. Mayor, may I?”

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden said, “I didn’t know this was coming before until a day or so ago. So, I just want to mention that my wife is a teacher, so I thank you so much for those remarks. It has gotten so difficult to be a teacher in these angry times that we live in. We saw the horrible violence in North Charleston yesterday. Those kids are going to go to school, and their teachers are going to be there for them. That’s a safe place for them. I see, I watch my wife sit at our kitchen table and teach them through the pandemic, try to wrangle a classroom full of kids over Zoom. I see what she comes home with every day, I see what she’s still carrying with her while she’s at home with our newborn child, and we just cannot thank teachers enough for everything that they do. I want to encourage anybody who is listening who is in a policy making role to not just leave it at appreciation. We appreciate people with money, we appreciate people with pay and benefits, and so I think we should sort of extend that call to our friends in the legislature to come up with money for them. That’s how we truly appreciate people.”

Councilmember Waring returned to the Chamber at 5:49 p.m.

Mayor Tecklenburg said, “Thank you. Alright. Thank you, teachers. We are certainly appreciative. So, next up is our [public hearings](#) and, Mr. Morgan, I think will help present these to us. The first one, speaking of schools, is a rezoning matter involving 63 Columbus Street, a former school building on the Eastside of Charleston. Mr. Morgan, and here comes our screen.”

Christopher Morgan said, “Thank you, Mr. Mayor, and members of Council. Waiting for a couple of slides, and then I’ll go through them. Let’s see. As the Mayor said, this is 63 Columbus Street, the old Wilmot Fraser site. It is owned by the school district, and they are seeking to have School Overlay placed on the property. Of course, when it last functioned, we did not have the School Overlay, and so now for the work that they’re going to do to the school, to have the early college/high school in that facility, they need to get the School Overlay designated for the property.

Of course, the School Overlay requires a Special Exception granted by the Board of Zoning Appeals that would deal with issues such as numbers of students at the school, hours of operation, traffic patterns, where gates are, where operations are, where lighting is, all of those aspects that help a school better integrate into a neighborhood. So, that will be an opportunity for the neighborhood to have input into how this school site functions. This is just the first step to get the School Overlay on the property and then, of course, it will go to the BZA. We have some images of the property. I'm sure you all are pretty familiar with it. It is on Columbus Street a couple of blocks in from East Bay. Here it is in our Comprehensive Plan. It is in our Neighborhood designation, so again, a school is a very appropriate use in the neighborhood. Here is the definition of Neighborhood from our Comp Plan. This is the site from an aerial image, and then we have some other aerial images of the property. Here it is from the street view. Again, this building is going to be renovated and added on to, but they will have to go through the School Overlay Special Exception process first, and the Planning Commission recommended approval 7 to 0."

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

The Clerk said, "Mayor, what is the time limit?"

Mayor Tecklenburg said, "If we could keep comments to 90 seconds, we've taken a bit of time already. Yes, sir."

1. Anthony G. Bryant said, under the South Carolina Administrative Procedures Act Title 1 Administration in Government, the Overlay District for that area was good, but the school district didn't have a permanent administrator. The school district had an election coming up in June, so the school district didn't provide a lot of public hearings in terms of public safety and public health. They received tons of Federal and State money, but had very little oversight. It was the biggest budget in the community. By Council rezoning property, it increased the value of the property in the area, created the hardship, controlled the zoning, and increased the value. The African American Museum was \$100 million in value. He asked how it was going to affect the Housing Authority and how it was going to affect people in the community who lived there right now. Council had the power, Council created the hardship, and Council had the zoning. The school district owned property all over the City. He asked what they would do with that property to deal with housing in the community. All of the State portions over at the Union Pier, \$30 million on that property, and he asked if that would be transferred over. He said Council controlled the zoning, and Council would create a hardship for everybody.

Mayor Tecklenburg said, "Thank you, sir. Yes, sir. Please come forward. Please state your name and address for the record."

2. Mohammed Idris said when they closed down the schools to make them earthquake proof, they moved the students out of the school, but when they fixed the school back up and put another group of people in that neighborhood those children had to go to another area all together, and Council was responsible for the tragedy they were having. Many on Council were in fraternities, and they acted like they were fighting one another, but they worked together. He said when they left City Hall, they went to a bar to drink. He said they shouldn't drink because it made their head bad and they came out the next day, most of them drunk, and they made wrong decisions.

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

No one else asked to speak.

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

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "I just want to make sure that the record states that I'm going to recuse myself from this."

Mayor Tecklenburg said, "Okay. So, Mr. Morgan, if I could ask you, I mean, there was a school there for some decades now."

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "What does the rezoning allow them to do that they weren't able to do before? I'm just curious."

Mr. Morgan said, "So, that school had been there pre-existing before our School Overlay. Since it was not functioning on the property, and since they're going to have a new operation there, a new facility set up, they have to go through the School Overlay process that is new to the City. I mean, we've had it for about 20 years, but still it is a process they have to go through that a pre-existing school would not have had to."

Mayor Tecklenburg said, "I see. Just for understanding."

Mayor Tecklenburg recognized Councilmember Gregorie followed by Councilmember Mitchell.

Councilmember Gregorie said, "This may not have anything to do with the Overlay, but Wilmot Fraser is the name of that property, the school at that point, and I'm just wondering whether or not they're going to try to maintain that history."

Mr. Morgan said, "That would be a question for the school district. I don't know."

Councilmember Gregorie said, "I just wanted to put it out there on the record, Wilmot Fraser. Thank you."

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, Mr. Mayor, they had numerous meetings that a lot of the people on the Eastside attended at Tech and other places about Fraser School. This goes way back when Fraser School was closed. They didn't want it to be closed, but they closed it when they created the new Sanders-Clyde because it was two schools at one time, they closed one, and Sanders-Clyde was a new school that was being built. It was a big uproar pertaining to that because of the name of Wilmot Fraser that was there all of these years. Wilmot Fraser goes way back, and now his son is still around, and the people were asking about that same thing that Councilmember Gregorie alluded to insofar as the name. I don't know if they're going to do that or

not, but when they came with the early college students, they wanted to make sure that the front façade of the building is going to remain, and I think they have gotten information that they will keep that front the way it is because they attended the meetings, so they pushed for that to make sure that front of that building is still the same if they do anything with it. So, that's one of the things that the neighborhood association and the neighbors in that particular community that attended those meetings alluded to. So, I don't hear any problems, and I haven't heard anything else about it since that time, so that's why I voted to move and approve it."

Mayor Tecklenburg said, "Right. Alright. Anybody else?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Yes, sir. This is a question, maybe. There was an article, I don't know, months ago about a portion of the property that the City owned that was being used as I think a playground for the school, the school wasn't letting the community use it, and the property belonged to the City. Can anybody clear that up for me? Do you know anything about that, Councilmember Mitchell?"

Councilmember Mitchell said, "Yes. That particular property was fenced in."

Councilmember Waring said, "Is it highlighted here?"

Councilmember Mitchell said, "That's the one on Ann back there, right there."

Councilmember Waring said, "Okay."

Mayor Tecklenburg said, "It's this one right here."

Councilmember Waring said, "Okay."

Councilmember Mitchell said, "Right. It was fenced in, and it was used by the school years ago for the kids to come and play for recess and things like that. So, they fenced that in to make sure it was safe for the kids, for the young people, to be able to play. Now, we had a controversy at one time with the City and the school who had owned it. I think you all had come to the realization that the City owned it, I believe. I don't know."

Mayor Tecklenburg said, "We still respectfully disagree about that."

Councilmember Mitchell said, "Right. So, that's a problem going on between the City and the school. That was given to the school that I remember years ago to the school to use, but I don't know what kind of agreement was made during that time because I wasn't here at that time, and I heard about it after I got here 20 years ago. So, right now, the school, they still want to use it, but they are planning to take the fence down."

Mayor Tecklenburg said, "That's correct."

Councilmember Mitchell said, "I think I heard that the fence is going to come down, and the kids, the young people, from the school will still be able to come over there with lunch and everything, and then the community will be able to use it later on in the evening. But what I want to do, I haven't gotten to it yet, but I want to have signs placed in all of these parks around here that at a certain time these parks are C-L-O-S-E-D, closed, because we have a lot of different items going

on in some of these parks at night when they shouldn't be, so I'm going to get with the individual to make sure that signs are placed on all of these parks to be closed. That's the bottom line of that particular area that we are supposed to own, but, you know, that's what they said."

Councilmember Waring said, "Well, I have a follow up to that. That's why I brought it up. Why don't we get that resolved before we approve, this issue as far as who owned the property and whether the community can have access to the park or not? Let me tell you, one of the prettiest lawns in the City, and we have a lot of pretty lawns, is in front of the Gaillard and Buist Academy, and the City, and the Gaillard, those kids come and frequent that area all of the time without this kind of controversy. Why don't we, I would be in favor, listen, I'm in favor of the motion, but I am also in favor of getting this squared away. If you have some additional information, I'll step back."

Mayor Tecklenburg said, "I do, yes. I wanted to offer to you that there was another couple of community meetings and, as a result of those meetings, the school plans to make improvements to the lot that would allow kids to use it during the day, but also it will be open to the public as a park, you know, the rest of the day and on the weekends, which is what the community wanted. They wanted to see that fence come down and for the property to be used as a park, and it will be done on the school district's nickel. They plan to improve the park. I think their budget for it is about \$150,000. That will be done this summer, I'm told, according to Mr. Borowy."

Councilmember Waring said, "So, do we have an agreement that we can look at in writing?"

Mayor Tecklenburg said, "We do have a lease agreement with the school district that's a few years old, I believe. Ms. Copeland."

Councilmember Waring said, "Mr. Mayor, I meant as to what you just described to us. In other words, do we have something in writing, an MOU, whatever, in writing that says they're going to take the fence down, they're going to do the \$150,000 worth of improvements, kids will use it in the daytime, the public's going to have access outside school hours?"

Mayor Tecklenburg said, "We're happy to request that from them. At this point, it's been verbal. They've told us this is what they would like to do, and it met the needs of the community. So, we thought it was good, but we're happy to ask them to put it in writing."

Councilmember Waring said, "I've got to get that. We can give it first reading with this requirement. Who made the motion? Can we make an amendment to the motion that we give it first reading with that being put in writing that the Mayor described?"

Councilmember Mitchell said, "I don't have a problem with that."

Councilmember Waring said, "But who made the motion? I didn't make the motion."

The Clerk said, "Councilmember Mitchell made the motion, and Councilmember Seekings seconded it."

Councilmember Mitchell said, "Oh, I made the motion. Okay. I understand exactly what you're saying. I don't have a problem with that."

Councilmember Waring said, "Thank you."

Councilmember Mitchell said, "Because this was going on so long about that little section because the church was using it at one time, to park their bus in, and then some of the people had a problem with that. So, when I was making the motion, my motion was really for the school building."

Mayor Tecklenburg said, "Right."

Councilmember Mitchell said, "That's what my motion was, for the school building, the Henry P. Arch building. The Henry P. Arch building is not the park, so I was making the motion only for the building of the school."

Mayor Tecklenburg said, "The rezoning of the school property."

Councilmember Mitchell said, "That's right, that's what I'm making the motion on."

Mayor Tecklenburg said, "We will amend it to add a requirement that they commit to writing our agreement about the improvements and use of the park. Does that sound good?"

Councilmember Mitchell said, "Right."

Councilmember Seekings said, "Second."

Julia Copeland said, "Just before you start that, we can't condition zoning. Just so you know, we are communicating with CCSD. They are open to this, and we are making inroads, just so you know."

Mayor Tecklenburg said, "Yes."

Councilmember Waring said, "Mr. Mayor, just a follow up."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "It's funny how we can, right here, work to a workable agreement and how many years have we been trying to work on this with the school district? So, I mean, I like the idea of deferring this until we get that done. It doesn't take that long for the school district, with their team of lawyers, to come up with, I understand you on the conditional part, but can we defer this and allow them to come up with that agreement?"

Mayor Tecklenburg said, "Councilmember, Mr. Kronsberg might have some more information."

Councilmember Waring said, "Okay."

Jason Kronsberg said, "The latest is, per some of those neighborhood meetings, there was a request that an MOU be established between the City and the school district on the hours of operation and the work that is in their budget. So, we're working on that now and hopefully will get that together soon that defines all of the stuff you've heard here outside of the ownership issue, but public access, the design, and the construction that the school district is getting ready to take on."

Mayor Tecklenburg said, "So, why don't we give this first reading and get the MOU back to us before we give it second reading? Does that sound reasonable?"

Councilmember Waring said, "Sounds good."

Mayor Tecklenburg said, "Okay."

Councilmember Seekings said, "Not conditioned, advisory."

Mayor Tecklenburg said, "Advisory. There you go. Alright."

Councilmember Shahid said, "Mr. Mayor."

Mayor Tecklenburg said, "So, the motion is just give first reading to this amendment."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you. Just for clarification, Julia, do we own the property or don't we own the property?"

Ms. Copeland said, "I don't know the answer to that question, but I will tell you that there has been discussion about mirror quit-claim deeds where the City and the school district would quit-claim any respective rights they may have to each other to the respective tracts that we want to manage and own. So, we can have a discussion in an Executive Session at a later time to give you more detail, but that's where we are right now."

Councilmember Bowden said, "Thank you."

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

No one else asked to speak.

Mayor Tecklenburg said, "We will approve the motion and come back with an MOU."

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 63 Columbus Street (Peninsula) (approximately 2.43 acres) (TMS #459-09-02-152, 153 and 168) (Council District 4), be rezoned to be included within the School Overlay Zone (S) classification. The property is owned by Charleston County School District.

Councilmember Sakran recused himself from voting on this item and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "Thank you. Number 2."

Mr. Morgan said, "Yes, sir. This is 100 Line Street. It's in the Cannonborough/Elliottborough neighborhood. It's a request to rezone from Diverse-Residential (DR-2F) to Commercial Transitional. To orient you to the property, this is Line Street south of the

Septima Clark Parkway, and it is about a block south of that. It's in the block between Coming and Percy Streets. We have some other images of the property. This is in our Comprehensive Plan. It is another property that is in Neighborhood, so the rezoning request would be in line with that recommendation from the Comprehensive Plan. This is an aerial image of the subject property on Line Street and another aerial image. You see some Commercial buildings over towards the corner of Coming Street, as well, and this structure itself is a Commercial structure. It was built as a Commercial structure. Here is a street-level view of it and buildings across the street. This is an image that shows some other CT zonings that have gone on in the area. At 92/98 Line Street, we rezoned just the building itself because it had a Commercial history, so we rezoned that to the CT District. At 95 Line, that was a rezoning to the CT, and now this property is before you all tonight. There is another street-view image of the property. Just a comparison, it actually, from a density standpoint, reduces Multi-Family on the site, as well, but the Planning Commission recommended that it be zoned just the footprint of the building, which is really the width of the lot, and it comes all of the way up to Line Street. It's about a little bit more than half of the lot, but they had concerns about the unbuilt portion of the lot possibly having other Commercial uses that could include short term rentals. That was also a request from the neighborhood, so Planning Commission recommended zoning just the building footprint only by a 6 to 0 vote."

Mayor Tecklenburg said, "Alright. We're going to have a public hearing."

Councilmember Seekings said, "Can I just ask a question before we go to public hearings?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "So, my question, I don't know if it's for Mr. Morgan or for our Legal staff, can we rezone a portion of a property and not the whole property?"

Mr. Morgan said, "Yes, sir."

Councilmember Seekings said, "How do we enforce that?"

Mr. Morgan said, "Just by virtue of the Zoning Maps and how it appears in the Zoning Maps."

Councilmember Seekings said, "So, if I go to the record and the deed there just has a plat that shows this is the area that has been rezoned and everything behind it is---"

Mr. Morgan said, "It wouldn't be in our plat records. It would be in our GIS, which is our official Zoning Map, and all of the dimensions would be in there."

Mayor Tecklenburg said, "It is possible. Alright. Would anyone from the public like to be heard? Yes, sir."

1. Anthony G. Bryant said he had a lease at the property years ago, and he made a request of the City regarding the Public Safety Committee with a FOIA at the last meeting regarding 100 Line Street, which was criminal discovery on him. He sent a FOIA request to Mark Keel that week. As a former BZA member, he had it right now in terms of the City criminally discovering on him. A business license person that worked for the City had a Federal offense, and someone at Housing and Urban

Development had a Federal offense. He asked how the City would look into him at that address when the City's people were criminals.

Mayor Tecklenburg said, "Thank you, sir. Would anyone else like to be heard? Alright. Seeing none, it comes to Council."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. This rests in my district. Mr. Morgan, do you know of any conversations about what they're intending to do?"

Mr. Morgan said, "It was our understanding there was a Commercial use plan for it, but that is all of the information we have on it."

Councilmember Sakran said, "So, based on what you said, if it's Commercially used, could they be eligible for an STR?"

Mayor Tecklenburg said, "They could convert the structure to an STR, and I think that was some of the neighborhood's concerns, and that's why they brought forth the idea of maybe just doing the building footprint."

Councilmember Sakran said, "Thank you."

Mayor Tecklenburg said, "Anyone else?"

No one else asked to speak.

Mayor Tecklenburg said, "Is there a motion to approve? Do you want to speak on 100 Line Street?"

Kristen Krause said, "Yes."

Mayor Tecklenburg said, "Yes, please come forward."

2. Ms. Krause, Coldwell Banker, said she represented 100 Line Street and the client that was buying it. She said they intended to use it as an interior design company, so it would not be used for a short term rental.

Mayor Tecklenburg said, "Okay. Thank you for letting us know. Alright. Yes, sir. You would like to be heard on this matter?"

3. Bill Goodwin said he represented the owner. The building had been used for a Commercial purpose for probably 40 years. He said for the last 20 years, it had been a hairdresser, so it had use variance, but had always been Commercial.

Mayor Tecklenburg said, "Thank you. Good to see you, Bill. Alright. Is there a motion on the floor? Can we entertain one?"

Councilmember Shahid said, "So moved."

Councilmember Sakran said, "Second."

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

The Clerk said, "Just for clarification, is the motion for the Planning Commission's recommendation or the applicant's request?"

Councilmember Shahid said, "The Planning Commission's recommendation."

The Clerk said, "Okay."

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

No one else asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Sakran, City Council voted to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 100 Line Street (Peninsula) (approximately 0.03 acre) (TMS #460-08-01-040) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by Victor Wright. (AS AMENDED)

The vote was not unanimous. Councilmember Seekings voted nay.

Mayor Tecklenburg said, "One nay over here."

Councilmember Seekings said, "And I'd like to explain my vote, please, if you don't mind, Mr. Mayor, under the rules."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Seekings said, "I just I think we should rezone it completely, not just part of it. So, I heard Councilmember Appel point out the split zoning. I just think that this just creates some challenges. I think it's going to be a good use. So, I just want my 'no' vote to be reflected that I'm in favor of this moving forward, I just think we should rezone the whole parcel."

Mayor Tecklenburg said, "Alright. Thank you very much. Okay. [Item number 3](#). Mr. Morgan."

Mr. Morgan said, "Yes, sir. This is in West Ashley, a recent annexation. It is 1939 Piper Drive, and the request is to bring it into the City for Single-Family (SR-1) zoning, which matches the other zoning of parcels in that neighborhood that have been annexed into the City. We just have a couple of images of it. It's in our Suburban Edge recommendation, so SR-1 works there. Here is an aerial image of the property and a street view. Planning Commission recommended 7 to 0 in favor of SR-1."

Councilmember Gregg was excused from the Chamber at 6:11 p.m.

Mayor Tecklenburg said, "Alright. Great. Would anyone like to be heard on this item? Yes, sir."

1. Anthony G. Bryant said the 2020 Census hadn't been finished yet, and 2030 was coming up. He said they needed to know how those annexations impacted the community since the City was race neutral, so individuals had to defend their own on the issue of race. He said the Council was race neutral, so people had to be about their business and race conscious politics.

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

No one else asked to speak.

Mayor Tecklenburg said, "If not, it comes to Council."

Councilmember Brady said, "Move for approval."

Councilmember Shealy said, "Second."

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

No one asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1939 Piper Drive (West Ashley) (approximately 0.28 acre) (TMS #350-09-00-067) (Council District 5), annexed into the City of Charleston March 8, 2022 (#2022-041), be zoned Single-Family Residential (SR-1) classification. The property is owned by Susan Vigen.

The vote was not unanimous. Councilmember Gregg was not present for the vote.

Mayor Tecklenburg said, "Next up is approval of [City Council minutes from April 12th](#)."

Councilmember Shealy said, "Move for approval."

Councilmember Sakran said, "Second."

Mayor Tecklenburg said, "We have a motion to approve. Any additions or corrections?"

No one asked to speak.

On a motion of Councilmember Shealy, seconded by Councilmember Sakran, City Council voted to approve the minutes of the April 12, 2022 City Council meeting.

The vote was not unanimous. Councilmember Gregg was not present for the vote.

Mayor Tecklenburg said, "Next up is our [Citizens Participation Period](#), which will be led by Madam Clerk."

The Clerk said, "We have 19 people signed up to speak."

Mayor Tecklenburg said, "Ninety seconds."

Councilmember Gregg returned to the Chamber at 6:14 p.m.

The Clerk said, "Alright. It's a minute-and-a-half. First speaker is Anthony Bryant."

1. Anthony Bryant said he wasn't happy to be there. He was the person who did the public comment on Chief Magistrate Mary Gordon Baker's human trafficking case where the Homeland Security Director avoided arresting somebody and didn't get a Federal warrant. He was there. He bore witness to what happened with it and the FBI looking into Black people like they were animals. He said in 1925 Marcus Garvey was arrested on trumped-up charges by J. Edgar Hoover. He said Black folks had been selling Black folks out for years. He said he knew the City sold him out. All of his documents supported his position. He said the Biden/Harris administration was selling Black folks out as they put the FBI and Homeland Security in those neighborhoods to literally destroy young Black people and men with his voice and his speech. That was what he stood for, and he wasn't moving from it.

Mayor Tecklenburg said, "Thank you, sir."

Councilmember Mitchell was excused from the Chamber at 6:15 p.m.

The Clerk said, "Mohammed Idris."

2. Mohammed Idris said the City moved him out of his neighborhood and said the land was contaminated, put condominiums on the land, and then took his place and his people who had been together for years and scattered them about because the City said the land was contaminated. Then the City put a multi-million dollar museum on contaminated land and said they did him a favor. He said that was a shame before God.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Patterson Smith."

3. Patterson Smith said he was a citizen of the City and represented Second Presbyterian Church in a couple of capacities. He was there as treasurer, an elder member of the Session, which was the ruling body of the church, and specifically there as the Vice-President of the corporation. He said there was an overgrown City park in front of the church.

Mayor Tecklenburg said, "Only 90 seconds."

Mr. Smith said, "Oh, I'm sorry. Alright."

Mayor Tecklenburg said, "Yes."

Mr. Smith said, "I'll start over. Can we start the clock over?"

There was laughter in the Chamber.

Mr. Smith said the church was completed in 1811 and was as historic as any church, any structure, in the community could be. There was an adjacent wall that ran down Charlotte Street that held the earth of the graveyard in place, and that wall had failed for many years. The church did not excavate the soil out of Charlotte Street, which necessitated the wall.

The Clerk said, "Time."

Mr. Smith continued that the soil was excavated for some sort of project that was not a church project, so the wall had continued to fail for many years. He understood that there was some potential agreement between the City and the adjacent property owner, and it may help to find the funds necessary to repair the wall.

The Clerk said, "Time."

Mayor Tecklenburg said, "Time, but in one sentence just make your request."

Mr. Smith said he just wanted Council to know that, as a concerned citizen, as a member of the Session, and particularly as a treasurer, knowing a church that could not afford to repair the wall, they were happy that the City was working on the agreement, and they hoped the agreement went through. They were happy they would see the City using their expertise and resources to resolve the public safety hazard.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Kristie Rasheed."

4. Kristie Rasheed spoke on behalf of her team at the Dewberry. Next month marked her 20th year living in Charleston and working in the Lowcountry hospitality community. She was thankful for the opportunities the City had offered to her and her family. She valued the history and preservation that made Charleston such a special place. She was a member of the hotel opening team, present during the construction, and saw the vision come to reality. For over half of the Dewberry's existence, she had been the General Manager and responsible for the entire business, as well as the operations. One of her top priorities as a leader of the hotel was to protect the City and be a good neighbor. She made a commitment to be involved whether it was the College of Charleston, the Charleston CVB, multiple non-profits, and their neighborhood homeowners association. The Dewberry was the only business out of many that was active in their own neighborhood's community association and the only business who had attended the meetings over the last year. The community in which they resided had always been important to them and, over the years, the hotel had participated with multiple non-profits including MUSC, the Historic Charleston Foundation, the Charleston Museum, and neighborhood beach and beautification. She hoped the City could find comfort in the mindfulness of the hotel operation and trust it would continue.

The Clerk said, "Time."

Councilmember Mitchell returned to the Chamber at 6:19 p.m.

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Alyssa Smith."

5. Alyssa Smith, Interim Executive Director at Charleston Wine and Food, said she wanted to address Council's heated discussion in the Ways and Means Committee, as well as the A-Tax Committee, in regards to the festival moving to North Charleston. The Culinary Village did relocate to North Charleston. She believed some of the Councilmembers had discussed some of the reasons why they were no longer welcome within Marion Square. Given the post-pandemic state and needing to make sure that the safety of their guests had the utmost priority, space was something they needed. She assured Council that Charleston Wine and Food was dedicated to the City. There was a conversation about them riding the coattails of Charleston's brand, and she wanted to reiterate that the founding of the non-profit was to serve Charleston's culinary brand. It was to promote, educate, and uplift the community, and she didn't think there could be a naysayer to say that the festival had a positive impact on the culinary brand of Charleston. She said they continued to bring national media attention to the City, the *Today Show*, *Good Morning, America*, and *The Washington Post* year after year and had reinvested millions of dollars in economic impact for the City. Over 88% of attendees for the 2022 festival said their sole reason for visiting Charleston was for the festival.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you very much."

The Clerk said, "Caroline Frady."

6. Caroline Frady said to destroy the community of Gadsden Creek would confirm the now longstanding belief among the community that the City would continue to take and take from them. She said they could and must change the situation to care for Gadsden Creek, one of the oldest living systems on the Peninsula of Charleston, and restore a place profoundly sacred to the Gullah Geechee culture the Creek once sustained. To desecrate the Creek anymore was to deny that the people and history of that once thriving African American community even mattered. She was there to bear witness to what happened when they lose, subsequently lost, natural ecosystem services afforded by the salt marshes including flooding mitigation, the filtering of pollutants from stormwater runoff, providing protective nurseries for juvenile and commercially valuable fish and crustaceans, and the storing of carbons. She said that the laws since the '70s had been in place to protect those wetlands in South Carolina and appealed for the Coastal Tidelands and Wetlands Act to be enacted.

The Clerk said, "McKenna Stewart."

7. McKenna Stewart said in May of 2020 the Country watched the horrific murder of George Floyd and two months later Council voted to move forward with the filling of

Gadsden Creek. In the months that followed, the Country began to reckon with its past actions that had harmed Black and Brown communities. The City began its reckoning process with a decision that led to the adoption of the HARCC, which was a promising step towards healing. She said they couldn't help but hope that as the decision to fill Gadsden Creek, to continue to take from a community who had already lost so much at the hands of the City, came before Council a mere two years after George Floyd's murder that a different decision would be made. She said while they recognized that decision was currently in litigation, no matter what happened, the City owned the Creek and had control over what happened to it. She said just because a permit had been granted didn't mean it had to be used. With the City's many connections with WestEdge, they were confident that the existing relationships could be used in a positive way to prevent the filling of the Creek.

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Myra Paulsen."

8. Myra Paulsen said she wanted to talk about Ansonborough Park and no smoking. She said Council passed an ordinance for no smoking in the park and put up yard signs that said no smoking, but one wound up in the elevator of the complex she lived in. She said Council had to understand that it was a Parks and Recreation soccer field with children out there playing soccer, not a dog park. It was a beautiful park, but there was no leash law. Council put the yard signs up, and they got thrown in the bushes or whatever. She requested that Council put up nice signs at every corner of the park giving the rules because the current signs were outdated. When the soccer children were out there and they had a game on Saturday, Parks and Recreation came and lined signs up. She said they couldn't have a dog on the field, and the dog had to be leashed. She said they had an incident where a lady and her dog were attacked by two larger dogs and traumatized, but they couldn't do anything about the person who had the dog because he didn't live in the neighborhood. She had confronted people and told them they had to have their dog on a leash.

The Clerk said, "Time."

Ms. Paulsen continued and said her dog was on a leash. She said Council could rephrase it to say a human being needed to be attached to that leash.

There was laughter in the Chamber.

Mayor Tecklenburg said, "Thank you, and may I say, 'Yes, ma'am.'"

The Clerk said, "Trenholm Walker."

9. Trenholm Walker said he was an attorney and asked Council to seriously consider the settlement proposal put forward by the Dewberry. He had been with the 8th floor litigation every step of the way for five years. One of the things the last four years had shown was that the Dewberry's 8th floor was not a noise problem to the neighborhood. He didn't think the goal of the City was to close down the 8th floor, and he thought there were other common goals. He said they saw a good opportunity to work together to come up with a solution, particularly the one that Mr. Smith spoke to. If it was proving a point as a goal, the Court of Appeals opinion would still be

controlling. He wanted to make clear that they would be working over the next several weeks with Mr. Smith at the church to work out the details of the repairs as to scope, the specifications, and the timeline so they would be tended to, and there would be some certainty. He also pointed out there was no hard agreement, but they hoped to get that when they worked out all of the details. He said by dealing with the church, it didn't mean that the church was responsible.

The Clerk said, "Time."

Mr. Walker continued that he understood there was a standoff, but they hoped to resolve it for the City and for the church.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Cress Darwin."

Mayor Tecklenburg said, "Reverend."

10. Cress Darwin, Pastor of Second Presbyterian Church, said although he was the pastor of the church, he was there as an individual who was at the church all day long. He said there was a historical wall that was about to fail. With the discussions going on with the City and the Dewberry Hotel, it seemed as though there may be an opportunity for it to be fixed. For over ten years, the City and the church had been pointing fingers about who owned it and who didn't own it, and it was unproductive. He said they now had an opportunity, and he thought the issue before Council was not one of right and wrong, not one of precedence, not one of opinion, one of the safety of the people of Charleston. He said they had an opportunity to allow that stretch that led into so much of Charleston to be made safe. He asked Council to consider allowing that to happen.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Audrey Lisbon."

11. Audrey Lisbon, President of the Westside Neighborhood Association, said she was also with Friends of Gadsden Creek. She remembered when the original plans for the WestEdge development were introduced at a meeting at Burke High School. There were pictures showing a beautiful green space of Gadsden Creek as a park with people reading a book or just enjoying the serenity of the Creek and its environment. She heard there was a second reading that passed on destroying Gadsden Creek. She asked when the first reading was held and voted, how the readings passed without the vote from Westside residents, and whose signature or who made the lone decision on behalf of the Westside Neighborhood Association without informing them. As the President of the Westside Neighborhood Association, why wasn't she informed or notified of an interview about Gadsden Creek conducted by journalist Brian Hicks featuring Arthur Lawrence and Councilmember Gregorie published April 6, 2022? She asked if neighborhood presidents were ignored in their position of leadership or if women presidents in neighborhood associations were ignored. She asked Mayor Tecklenburg when he was going to set his sights on beautifying green space and recognizing that Gadsden Creek could be used as an asset, as a teaching mechanism, for teachers to train their children to learn.

The Clerk said, "Time."

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

The Clerk said, "Arthur Lawrence."

11. Arthur Lawrence congratulated the Councilmember that said to wait on the Fraser Elementary School park. He took Council back to the '50s. Mitchell Park had a wire fence before they took it down and built a cement wall around it with black fencing around it. In the daytime, it was a dog park. He said to be careful when the City signed the agreement with the school district. He said that Gadsden Creek was a problem to the Westside. When it flooded, the people on Hagood Avenue that lived by the elementary school flooded out continued to bear with that tragedy. He said the City did a private environmental study, and it came back alluding to the problem that was in the Creek. When the City filled the Creek in, all of that contaminant went into the ground. When people walked through the water, they walked through all kinds of contaminant. The people that didn't want it built didn't have any money. They just had a voice, and they didn't care about the other citizens that lived on Gadsden Green.

The Clerk said, "Time."

Mr. Lawrence continued and said people just getting involved didn't understand the dynamics of the Creek and what happened there. If the people didn't have any money to solve the problem, then they should step out of the way and let the people who had the money solve the problem.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Tony Daniell."

12. Tony Daniell said Councilmember Appel did everything he could to keep the traffic survey from being conducted in his area because, without a survey, they would already be done on Fairway. He said on Fairway there were 265 cars a day, on Burningtrees Road there were 608, and on Frampton 861. He had two roads. The total traffic by his house was 1,469 cars per day. The traffic on Fairway was 265. He said 3 speeders came up in the survey for Fairway, and none of them went over 30 mph. He said 41 cars sped by his house every single day. He asked Mayor Tecklenburg if they were starting to get some big numbers because last time the Mayor said those weren't big numbers. He said he had 1,469 cars versus 265. He said 39,776 cars went by his house in a month, and that took out when the school wasn't in session. Fairway Drive had 7,950. He said 39,776 versus 7,950 because the roads were closed illegally.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Dr. Koester."

13. Dr. Merrie Koester said she was a native Charlestonian and had been a science teacher for 30 years. She was a founding member of the Friends of Gadsden Creek. By training, she was a Science Literacy and Environmental Science Specialist with a focus

on stormwater management, water quality issues, and community hazard risk mitigation. She spoke for the amazing children and youth attending the K-12 schools in the Gadsden Creek watershed. The youngest students in the community could tell them about the beautiful animals living in their salt marsh. They took field trips there and helped pick up the litter they found. Older students knew that Gadsden Creek was supposed to be protected from development by the Clean Water Act. They knew that fill-and-build development on Charleston's tidal wetlands had only ever led to worse flooding in their community and elsewhere. They could speak with authority as eco-literate citizens. Studies by the American Public Health Association and others documented the many positive impacts of nature contact for the physical, mental, and social well-being of children and youth. There were specific studies on the impacts of spending time in wetlands on the management of anxiety and depression, yet the same research studies confirmed that low---

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Jerome Harris. If anyone is online, you can press *6."

14. Jerome Harris said there were a number of important items on the agenda touching on areas of racial and economic justice. He urged Council to adopt the ordinances and resolutions concerning affordable and fair housing, as well as the Pinckney Hate Crime legislation. He noted that the adoption of ordinances and resolutions were only performative unless Council took action. He knew there were concerns that they would be asked to appoint the HARCC Commission even though the ordinance was approved two months ago. He said an additional concern was that critical positions, such as the Director of Procedural Justice in the Charleston Police Department, had been vacant for six months, and the City was losing the Director of the Office of Equity, Inclusion, and Reconciliation, which had now been renamed to the Manager of Human Affairs and Racial Conciliation. He pointed that out to Council because there appeared to be a trend of the City losing talented individuals who happened to be women. He wondered whether or not Council needed to examine that trend to see if it had something to do with resistance to change that was so necessary that Council had voted consistently to be committed to. He looked forward to hearing an update on the appointment of the Commission, and he wished Amber Johnson well and thanked her for her service.

The Clerk said, "Tatiana Balek. If you're on the line, you can press *6."

15. Tatiana Balek, representing Charleston Jazz, thanked Council for the continued support of their organization and all they represented, including the Charleston Jazz Orchestra performances throughout the year and the four-day Charleston Jazz Festival, which concluded on Sunday and was enjoyed by several thousand people from all over the Country. Jazz played a very important role in the community and the history of Charleston, and they were grateful for Council's acknowledgement and support.

The Clerk said, "Reverend Brian Henderson."

16. Reverend Doctor Brian Henderson, Pastor of St. James Presbyterian Church, said water had always been a significant part of the stories of the Old Testament and the New Testament. In the story of Noah, God used water to cleanse the world. Moses'

mother, Jochebed, saved her son by fastening a basket and floating him down a river to be picked up and cared for. Later, Moses would lead the people of Israel across the Red Sea and save them from their Egyptian captors. In the New Testament, water also played a significant role as sick people would come to the waters in the pools as gathering places to find healing. Jesus was baptized in water, and even today people were baptized in water to bring them into communities of faith in the world today. In a sense, the waters of Gadsden Creek were no different from the great healing waters of the Christian and Hebrew scripture. In the same way that God used water in scripture, God also used the waters of Gadsden Creek as places for baptism, fellowship, sustenance and healing for many weary and worn soles in the City. He said let that continue and choose the past of reverence for the land and the waters of Gadsden Creek, but more importantly, choose to continue the tradition of being a place where people could find healing and sustenance. He said restore and reclaim the Creek.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you."

The Clerk said, "Pam Brown."

No one asked to speak.

The Clerk said, "Margo Blaine."

No one asked to speak.

The Clerk said, "Those were all of the names that we had. Then, we did receive a few comments online. One person left six comments referencing South Carolina Code §57-9-20 and said the City allowed massive traffic to be directed illegally throughout a neighborhood. The average monthly traffic near his home was 44,070 cars, and the City was threatening the home of a 92-year old veteran. One person said infrastructure needed to be addressed because roads were full and needed to be maintained. They said that White Point Gardens and the Battery should be protected from racists and encouraged the City to promote equity. There was no affordable housing, and they also complained that the drainage system and education system were poor. One person was in support of the resolution from City Council urging the South Carolina Legislature to pass the Hate Crime Bill which she said was very close to passage at the end of the 2021 session. The City had passed a similar resolution before, and it was joined by the City's Commission on Women, Jewish Federation, NAACP, AFFA, YWCA, and many groups who were chagrined that South Carolina was the last state to adopt such a law. She thanked Councilmember Waring and his colleagues for sending the resolution in a timely manner and said it wasn't too late for the State's legislators to make good on their promise. Those were all of the comments that we received."

Councilmember Sakran was excused from the Chamber at 6:43 p.m.

Mayor Tecklenburg said, "Great. Thank you, and thank you for all who attended and shared your comments with us. We appreciate you joining us tonight. So, next up is our [Petitions and Communications](#), and one communication not on here that maybe you've heard is one of our employees will be leaving us soon to take another job back in Florida where she went to law school, and that's Amber Johnson. I told Amber when she let me know I was happy for her in the

sense that hopefully this is a good step for her career, but we were very sad to see her leave the City, and I just want to call briefly on Councilmember Gregorie to make a couple of remarks.”

Councilmember Gregorie said, “Sure. Thank you, Mr. Mayor. I remember when Ms. Jordan and I interviewed this quiet, unassuming person to lead a charge that we both thought was bigger than all of us in the room. I think we were very fortunate to be able to have the Mayor to appoint Ms. Johnson to that position. Ms. Johnson will leave here with the knowledge and knowing that she’s helped to put the infrastructure in place to move us forward for equity and inclusion. I think history will treat you well. I think your job that you have done in terms of connecting our City nationally, Statewide, and locally.

The sad part is the two Chairmen, myself and Councilmember Sakran, spent many, many, many hours with Amber Johnson and, as a result of that, we all got to know each other pretty well, and we were pretty open and sometimes in pretty heated discussions regarding equity and inclusion and where our City should go, but Amber was always that rock, that person who kept us focused on our purpose. For that, I will forever be thankful for being a part of what I think, historically, will make our City a better place. So, again, publicly, I just want to thank you, Amber, and you definitely will be missed, and I hope we can find someone with the same qualities and skills and expertise that you brought to the table. You’ve always been in the background. People don’t see you up here like they see a lot of other people, but you were always in the vineyards working for the least of us and for our City. So, for that, Amber, you will be missed, and I will keep in contact with you, and Godspeed.”

Councilmember Sakran returned to the Chamber at 6:45 p.m.

Mayor Tecklenburg said, “Thank you for your service, Amber. Appreciate it very much.”

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, “Councilmember Sakran, did you want to say a word?”

Councilmember Sakran said, “Just briefly. It’s tough to come after Councilmember Gregorie with comments. I’m not as articulate and well poised, but I do want to say, Amber, the definition of public servant is you, and Councilmember Gregorie is absolutely right. You’re not out front leading, you’re really leading from behind, and I just want to say, from a personal standpoint, you’ve taught me a lot, and I’ve learned a lot as a Councilmember, as a man, as someone in this community that’s trying to do good. Our conversations, as Councilmember Gregorie said, were often times real, and I was able to be vulnerable, and you were able to be vulnerable, and I really appreciate that. I know you’re going to do great things. If you ever want to come back, we’re here, but we appreciate everything you did for us and the City. So, thank you, Amber.”

Mayor Tecklenburg said, “Alright. Thank you very much. So, next up is an [appointment to the History Commission](#).”

Councilmember Mitchell said, “So moved.”

Councilmember Sakran said, “Second.”

Mayor Tecklenburg said, “No, no, no.”

There was laughter in the Chamber.

Mayor Tecklenburg said, "As last call here---"

There was laughter in the Chamber.

Mayor Tecklenburg continued, "I appointed Councilmember Waring, and no one else volunteered for the Councilmember position on the History Commission. Anybody interested?"

Councilmember Shahid said, "I'm already on."

Mayor Tecklenburg said, "You're already on. I needed one more, and I didn't have any volunteers. Everybody was so busy, so I did volunteer myself, but going, going once."

Councilmember Parker said, "What---"

Mayor Tecklenburg said, "Councilmember Parker."

There was laughter in the Chamber.

Mayor Tecklenburg said, "I would like to nominate Councilmember Parker to the History Commission."

Councilmember Parker said, "No, no, no."

Councilmember Mitchell said, "Second."

Councilmember Parker said, "I'm just asking, what is the time commitment?"

Mayor Tecklenburg said, "I think it's only one meeting per month. I think the meetings normally last an hour to 90 minutes, and there is no homework, so it's not that big of a lift. Would you like to serve on the History Commission?"

Councilmember Parker said, "I will do it for you, Mr. Mayor."

There was applause in the Chamber.

Mayor Tecklenburg said, "Alright. I would like to nominate Councilmember Caroline Parker to the History Commission."

Councilmember Mitchell said, "I second it."

Councilmember Seekings said, "I might call the question quickly if I were you."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Do we have a second?"

Councilmember Mitchell said, "Second."

Councilmember Brady said, "Just as a point of order, the presiding officer can't offer the motion, so we would need someone else."

Councilmember Mitchell said, "I move for approval."

Councilmember Sakran said, "Second."

Mayor Tecklenburg said, "Alright."

On a motion of Councilmember Mitchell, seconded by Councilmember Sakran, City Council voted unanimously to approve the appointment of Councilmember Caroline Parker to the History Commission.

Mayor Tecklenburg said, "You've got it. No, you will really enjoy it. I must say, in addition to helping people, I really enjoyed learning more of our City's history as Mayor. You learn a lot as a Councilmember and then as Mayor. We've got such a fascinating City. It's amazing. You will enjoy it a lot. Thank you for doing that. Alright. Next up is an [update on the Sumar Street Development](#). Eric Pohlman, our West Ashley Projects Manager, is leading with Jason Ward and Jonathan Oakman. They're with Landmark Enterprises and our partner and I see, I think, Dinos Liollo is here, a famous architect of West Ashley and Charleston. Is Andy with you tonight, as well?"

Dinos Liollo said, "He is."

Mayor Tecklenburg said, "Oh, there he is, Andy Clark also with Liollo. Eric, take it away."

Councilmembers Gregorie and Waring were excused from the Chamber at 6:51 p.m.

Eric Pohlman said, "Alright. Thank you, Council, for having us here tonight to provide this update. This is a project that has been ongoing since about 2017. We started when the City purchased the Piggly Wiggly site in the Sumar Street/Old Towne/Sam Rittenberg area. Prior to that, Piggly Wiggly had been closed for about another two years before that becoming a dilapidated structure. We decided to purchase it. In 2018, the building was demolished, and that's when our actual fun part of this project began. We held a community input meeting starting July of 2018 and, with this three-day event, we had a stop-in workshop where we actually had the community come in, and our urban design team, which, at that point, was led by Mr. Allen Davis. He sat down and anything that a community member came in and wanted to see on the site, he would draw it on there for them. We also had a robust survey where over the course of 31 days we had 927 people respond back to it with their ideas for that location. 733 of those were West Ashley residents, 65% of them lived within I-526, and just as a kind of benchmark for this, the online survey for the City Plan, which we just had, was just around 2,500 people. So, on this two-and-a-half acre site, we had almost half of that providing input to us.

Councilmember Shealy was excused from the Chamber at 6:52 p.m.

The things they wanted to see here are the transportation improvements that will be occurring. They also wanted to see greenspace and vegetation. They wanted to see us improve the intersection. Most of them wanted to see paths and parks, small scale retail, and restaurants, if possible, as well. Of the 708 open-ended responses that we received, what came out of it was they wanted parks and greenspace, they wanted some good, pure retail and commercial, something that was family friendly. They also wanted to see the traffic flow around there improved. They wanted the development of it to be more of mixed use or traditional neighborhood space, something that had greenspace within it that families could go to. They also wanted to see civic and cultural improvements in the area, specifically, one that came up

quite a bit was a request for a wooden dance floor for dance events. There were a few people that said pure residential would be okay, but in general, what people wanted was it to be family safe, beautiful with parks, greenspace, something that could host events, as well as a lot of it was to fix the merge.

Councilmember Brady was excused from the Chamber at 6:53 p.m.

Out of this, we distilled the program that we went forward with. So, what we decided from all of the input was to have a passive park, small scale retail, restaurant commercial, and civic and cultural. With Allen Davis, we worked out some rough square footages that we felt could be supported on the site for this location. Shortly after we developed a program and had the workshop, the County announced that they were going to embark on a half-cent sales tax program to realign Sam Rittenberg and Old Towne. So, we had to put sort of our City side on pause because what we wanted to do is make sure that whatever program we came up with would fit within their different alternatives that they would have and to see what type of opportunities it would provide to expand it. So, over the course of the next about nine months to a year, we probably did six to seven different iterations where we showed how the program could continually fit inside the parcel. About November of 2019, it came out that the County decided to have a no-build option, and they were going to go back and instead focus on bicycle and pedestrian improvements in the area, along with some other traffic calming measures, so we came to you for an RFQ to be released out to the public.

Councilmembers Gregorie and Waring returned to the Chamber at 6:54 p.m.

So, this was the last time that full Council saw the project in this state and, at that time, we were considering that it would have two multi-story buildings and then a civic gateway building holding each of the corners around the area. After the RFQ came out, that's when Landmark and Liollo came in. They're the ones who have really pulled this project forward. They saw a lot of great investment opportunity in this location. They actually felt like we could do more than what our team had considered, so this increased the square footage by about 30,000 sf. is what they thought they could get on it, 30,000 more. So, we came out to having 20,000 for the civic function, 30,000 for office, and 10,000 for restaurant and retail. They came to the West Ashley Commission in May of 2020. They provided three general program ideas, program schemes, where the West Ashley Commission provided feedback. What was decided was that this was the most ideal scenario for how to arrange the program on the site.

Councilmember Shealy returned to the Chamber at 6:55 p.m.

Shortly after that one in August, the Old Towne District Transportation Improvements released their workup for the area where, instead of realigning Sam Rittenberg and Old Towne, they would leave the scissor intersection in place and focus instead on improving the intersection of Orange Grove, improving the intersection of Amberly, Sam Rittenberg, Donohue, and Old Towne, and Charles Towne and Sam Rittenberg while focusing, again, on pedestrian improvements. So, they are going through their construction document phase right now. They are anticipating it to cost roughly \$7 million to \$8 million to do the entire thing. They're looking to break it up into a phasing approach, and so this would tie right in with our development phase on our parcel. During the course of COVID, we did reassess the overall RFQ response. This was the original idea at the start of COVID, and what we ended up changing by the time we got to a Memorandum of Understanding was reducing it by 10,000 sf. overall and shifting some of that market and restaurant around to make the project more sustainable and more attainable for

our private sector development partners. The civic space and office space have remained the same square footages, and this is where I'm going to turn it over to Jason Ward."

Councilmember Brady returned to the Chamber at 6:56 p.m.

Jason Ward said, "Thank you, Mayor. Thank you, Councilmembers. Thank you, City. My name is Jason Ward. I'm the President of Landmark Enterprises. We are the selected developer on this fine project for the City. I'd like to just start by thanking everybody for the collaboration, thanking everybody for the opportunity. We've been working really hard on this project, even though it's been a long time coming. I promise you this project is a fantastic opportunity for the residents of West Ashley. We're not taking this lightly, and we feel like this is a community amenity is how we're looking at this as a gathering place. It's something for everyone. We've listened to the community, we've taken a lot of steps forward to incorporate their ideas and their requests in this project. One of the things that, when we step back and look at this, this is a site that we feel like should be something that folks in West Ashley can work and play, and that's where we came to is just to gather, create a place and an environment that pulls people together in a way that there isn't much of in the City right now. So, our thoughts are that this is just that platform. So, what we've put together is a platform to create that environment where people can have a neighborhood, office space, retail, family friendly restaurants, and local restaurants, barbeque, brick oven pizza, tex mex, you name it, and then have community engagement and community events, live music, art shows, farmers' market, chili cook-offs, you have it, we'll have it. So, if you want it, we can do it. So, bring the community together, and that's really what we're excited about with this opportunity and pulling this project together with the City and for the City. With that, we have a brilliant team of folks working on this project. The Vice-President of Development is with us, Jonathan Oakman. He is working on this project day and night, and weekends, seven days a week, and our brilliant architecture team, which is Dinos Liollo, Andy Clark, and Tom Wells. With that, I'm going to turn it over to them because they have some really, really, I think, interesting, powerful slides to show you about our progress and our project. So, with that, I'll introduce Dinos."

Dinos Liollo said, "Good evening, Mr. Mayor, members of City Council. Thank you, again, so much for letting us be here. Numerous community meetings have been held, as Eric had shared. Four main items came out of those discussions. The need and desire for a civic lawn, rooftop access, as well as outdoor dining, and pedestrian friendly. I'm going to skip through a lot of these slides to get to the heart of the issue, but let me start with the site plan. A triangular site, it pretty much reveals itself in the manner in which the buildings might begin to assemble. The civic assembly area, buildings 1 and 2, predominantly toward the front on the apex of the site itself. Item 6 is the civic lawn, which is central, and, as you can see, the buildings begin to form an acoustical barrier so the noise from Old Towne and Sam Rittenberg are muffled to a great extent. Restaurants and retail surround the civic lawn with offices nailing down the southern portion. There are sunken gardens, actually, within the context off Sam Rittenberg. We have incorporated public transportation as a stop, as well. To help facilitate the parking needs, we have a subterranean parking area in order to get our 240 spaces by zoning. The subterranean does two things for us. Number one, it allows us to accomplish the number of parking spaces we need and, most importantly, two, it allows us to address the Dutch Dialogue criteria that we've been discussing throughout the City with regards to the ability, even at this high point of land, to collect water in a high water rain event and appropriately disseminate it, as time allows in an appropriate manner, without flooding the areas around. So, consequently, as you can see, office buildings 2 and 5 bookmark the interior two- and one-story structures themselves and you get a sense, particularly of a pedestrian area, that is for the outdoor seating that occurs between buildings 3, and there is a north/south access that runs through 6.

The whole idea is transparency in all of the buildings, and the studies that we did as it relates to the ongoing evolution of the design, and then we finally got into some of the dialogue as it relates to how these buildings may begin to relate themselves as you come into the West Ashley area as a welcoming to the City and to the historic area of Charleston. With the office building, we've even torn away portions of the main entry here so that we reflect the significance of this elevation. We're studying other elements, as well. You can see the above grade storage stormwater storage tank here that we're dealing with on both sides, north and south, of the building and the elevations, simple masonry, simple steel, the sense of the area here very European, Greek, Italian, Lebanese, as well."

There was laughter in the Chamber.

Mr. Liollo continued, "In terms of its ambiance and the manner in which it begins to respond to the items that we learned through the community meetings and, again, the aspect of what the assembly area might look like, the three-story office building to the north, and then the civic lawn, and the manner in which it relates to the rooftop dining as well as the second floor areas. There are multiple levels here that give you the opportunity for multiple perspectives as you sit within here. So, thank you."

Mayor Tecklenburg said, "Any questions at all for the development team?"

Councilmember Shahid said, "Not a question, Mayor, but I'd like to just make a few comments."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you. Of course, this is the project that's right in the heart of District 9, and something that the Mayor and I have been working on since 2016. We first met with the County Development Transportation Team to address some of the concerns dealing with this intersection. And, as Eric mentioned earlier, and I don't want this to be lost on us, we went through about a year, a year and a half, of trying to come up with solutions to the transportation issues of what has been marked as a suicide merge. And, for your information, this intersection of Highway 7 and 171 is one of the highest traveled intersections in the County, and I can't remember the exact number that was given to us, but it is amazingly well-traveled because of Cosgrove Avenue coming off the Interstate.

So, we went through a variety of ways to address a suicide merge. The Sandhurst neighborhood did not like option number one, and we went to option number two, and the Northbridge neighborhood did not like that option. So, we are now looking at this process that Eric had mentioned to us very briefly, which is going to calm the traffic down, add connectivity to these major intersections of Sumar Street, Amberly, Dickinson, and Donahue, and provide what the community had been asking for, which is connectivity to this area. It is a first step in addressing what we will see as the gateway to South Carolina—the birthplace of South Carolina, the gateway to the birthplace of Charleston.

The project that Dinos and Jason and Jonathan went through very quickly will provide us with an opportunity for the very first time, for the very first time in the history of West Ashley, a civic center that is not a tennis court, a playground, or a fire station. The City of Charleston, which is the birthplace of this community, is going to put its flag there, and that's an important statement to the City's commitment to what we value of West Ashley. And that's why it's so

critically important that we have spent the amount of time and energy on doing this to show that we have the opportunity, now, to put a civic building there, so that when we have a large City Council meeting, we have an alternative place for us to meet as City Councilmembers at this civic center, and have an opportunity, for the first time, for the first time in West Ashley, a community center for our neighborhood associations to meet, for the Design Review Board to be able to meet at this location. When we talk about issues dealing with West Ashley, we're not meeting at 2 George Street, we're meeting in West Ashley with these issues that are important to the community, to all of West Ashley, and James Island, has a home where they can meet. We're going to maybe pluck Eric out of 2 George Street and bring him over to the center as well, but it is finally a testament to the commitment that the City is trying to make to the citizens of West Ashley. So, here's our opportunity to do that.

In addition, as they pointed out, the other private sector with all of this is office spaces, restaurants, and retail opportunity, as well. So, we are creating this community vision for people to gather, for people to enjoy this area, and I call upon Eric for his diligence. I've been bugging him for the past several years about this, and Jonathan and Jason, and of course Dinos, for their vision on what this can be, and we're looking for more citizen input and community reaction to this. Our first Design Review Board meeting to address this will be in May, so I just wanted to thank the team for their help. They put up with me. I've been fussing, and yelling, and stomping my feet on this project, but we're finally getting to that point. Thank you, Mr. Mayor."

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

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, just a quick question. If everything goes as planned, which, I know is, you know, the test of the project, when are you expected to break ground and start that leasing of the locations and sites?"

Mr. Pohlman said, "So, just some quick consultation."

There was laughter in the Chamber.

Mr. Pohlman said, "We're thinking some point mid-23, we would be looking to be going for it."

Mayor Tecklenburg said, "Yeah, alright. Well, thank you all for the presentation, and our partnership. We're partners in this together, and I think, if I may just give a personal comment, I think you got the form good and the site plan, and I'm just going to challenge Dinos and his team to keep working on that iconic entrance when you're coming to the top of triangle, and I look forward to seeing what you all come up with over the next couple of months.

Mr. Pohlman said, "Thanks."

Mayor Tecklenburg said, "God bless. Alright, so, next up is our update on the City's response to COVID-19."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I am not going to ask a question on West Ashley revitalization, but I will plan a question since we've given a 90-day extension to give

them 90 days to come up with the answers, not tonight. Is it going to be the developer, or the tenants, or City, that is going to pay for the underground parking? I'm not asking for the answer tonight, I know they've got some time to work on it. When you come back, I'd like an answer to that question."

Mayor Tecklenburg said, "That's something we're working on. That's right. Exactly. Alright. Councilmember Mitchell, did you have a question or a comment? Councilmember Seekings? Okay. So, our [update on COVID-19](#) is simply to tell you that we do have two active cases right now of City employees and three folks that are quarantined, just waiting for tests, so we are starting, the last two or three meetings, we've reported zero cases to you, we're seeing some cases. I think there's an uptick in the Country again. We're keeping our eye on it. That's all we have to report at this time.

So, next up is our [Council Communications](#), a resolution supporting and encouraging the passage of the Clementa C. Pinckney Hate Crimes Bill that this Council is on record of supporting in times past, but, given that it's on the verge, we hope, of passage, we wanted to renew that commitment."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor, for your indulgence, and our Council's reconsideration of this. Hate visited our City, six years ago?"

Councilmember Gregorie said, "Seven."

Councilmember Waring said, "Seven years ago. This Council and Mayor, and previous Councils and Mayors, have had a resolution. There are eight senators right now that are preventing it from coming to the floor to even be voted on. That's what this is about. If there's a city in South Carolina, if not the Nation, that can speak directly to hate coming to visit, it is Charleston, South Carolina. Oklahoma City can certainly attest to that. The people at Sandy Hook can attest to that. And, sometimes we get moving on as business as usual. I know the hearts and where the spirit is with the Mayor and Council on this, so I know I'm preaching to the choir, but if anybody has any contacts. There are 48 states in the Union that have passed this, by the way. Only two states have not passed hate crime legislation. That's Wyoming and the great State of South Carolina, and I daresay, our State is better than that. So, if we know the senators, and we can certainly have those names go out to each. If you have a friend that has a friend, I want to feel that, I don't know the gentlemen, but I feel that they are God-fearing people, and if this type of hate visited Greenville, Spartanburg, some of the areas that these senators represent, I think they'd have a different opinion on it, and I think the politics would move out of the way and right prevail. So, thank you for your consideration on this, especially our Clerk of Council, who had several tries, but got it on, and our Legal staff got this out in such a quick order for our consideration this afternoon. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor, and thank you, Councilmember Waring, for bringing this back up. We did pass a resolution to get this passed several years ago, and we shouldn't overlook that we passed our own City Ordinance dealing with hate crime, as well. It's just unconscionable that this State does not have a hate crime bill, and whatever we can do, on our part, to encourage, to enforce, to strong-arm, whatever we need to do to get this thing passed, we need to do that. It is far too long. As Councilmember Waring just said, if

anybody can attest to hate and experience hate in this community, it's the City of Charleston, unfortunately. That's a mark we don't want to carry along, but it is reality, and we need to get this hate crime bill passed. We need to get it passed this year."

Mayor Tecklenburg said, "Thank you. Anyone else? I would like to point out that the two original primary sponsors of the bill on the House side was Representative Wendell Gilliard, who used to sit in one of those chairs right there, was a member of City Council, and also Representative Beth Bernstein, from Columbia. So, shout out to them. They've been carrying this water for a long time. Any further discussion? Hearing none, all in favor please say 'aye.'"

The Clerk said, "I think we need a motion and a second."

Mayor Tecklenburg said, "Did we have a motion to approve?"

Councilmember Waring said, "So moved."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Okay."

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted unanimously to approve the Resolution Supporting and Encouraging the Passage of the Clementa C. Pinckney Hate Crimes Bill.

Mayor Tecklenburg said, "Next up is our [Committee Reports](#), and the first one is our [Committee on Community Development](#)."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Community Development Committee meeting was held on April 21st at 3:00 p.m. I know normally I usually have a short meeting, but this wasn't a short meeting. This was a three hour meeting, and we had a lot of things on the agenda, and we had a lot of discussion on a lot of these items I'm going to name on the agenda on the 21st. First, we had an update on the homeless strategy. It was an electronic presentation. We had a lot of information on that and discussion on that particular one. We also had a review of the Affordable Housing Dashboard, which was shown to us, and if anyone wants to look at it, they can go online and take a look at that, also. And number three, we had certification of an abandoned building site, which was 11.5 St. Philips Street. That was approved. And number four, request for additional TIF funding for the Low Line housing. That was also approved.

Then, we had a very big discussion on amending Chapter 54 of the Code of the City of Charleston's Zoning Ordinance, and it was a very long discussion on that particular one, also. And that was also approved and sent to full Council. Then, we had an ordinance to repeal and replace Chapter 16 of the Human Relations and the Fair Housing Practices of the City of Charleston for the Ordinance requested by Councilmember William Dudley Gregorie. That took a long, long time. There were a lot of questions asked about that, but I'm asking that we have that one approved with the amendments, and I'm going to ask our attorney to come and explain the amendments on that particular item, but could we go and approve those other items, in the meantime? I'll move for approval for those items and wait until she finishes with the amendment, insofar as explaining the amendments to everyone on the Fair Housing item."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "Alright. So, the motion is to approve KA 1-5 at this time. Is that correct?"

Councilmember Mitchell said, "Correct."

Mayor Tecklenburg said, "Alright. And does that include the one on accessory uses?"

Councilmember Mitchell said, "Yes, we're going to approve that, that's the Old Business. That also was approved. Old Business was approved. So, I want add to that motion to approve that, and we'll come back to the fair housing."

Mayor Tecklenburg said, "Okay. So, we'll take all of them together, including the ADUs, and come back to fair housing."

Councilmember Mitchell said, "Correct."

Mayor Tecklenburg said, "Does that sound like a plan for everyone? Alright. I have a second on that?"

Councilmember Sakran said, "Second."

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

No one asked to speak.

Mayor Tecklenburg said, "And, technically, one and two were just for information purposes."

Councilmember Mitchell said, "Presentations."

Mayor Tecklenburg said, "So really, from a practical matter, we're approving 3, 4, 5, and B1."

Councilmember Mitchell said, "3, 4, 5, and B1."

Mayor Tecklenburg said, "Does that sound right, Madam Clerk?"

The Clerk said, "Yes."

Councilmember Mitchell said, "Correct."

The Clerk said, "And the micro units one will get a final reading later on in the agenda."

Councilmember Mitchell said, "Correct."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I just want to say, Councilmember Mitchell's right, it was a long meeting, but I'm going to tell you, we got a lot of work done in this, in particular on the

micro units. Everybody's on the same page. I'd like to thank Mr. Roberts because he certainly contributed. He was another member of the Committee, almost, but anyway, he contributed some very good ideas that will make leases going forward in that area, and parking, hopefully, and enforcement, that Councilmember Appel was very serious about, I think will make those units fit into neighborhoods a lot easier as a result of that working together in that Committee. So, I just wanted to recognize all input that made the Ordinance coming in a better product that's on the floor tonight."

Mayor Tecklenburg said, "And, for my own edification, but maybe also for those that might be watching on YouTube, could someone, maybe Geona or Legal, explain what little number five, with the parking adjustments for affordable housing and also for the accessory dwelling units, what we're approving tonight, what it means for everyday folk?"

Ms. Shaw Johnson said, "Mayor, are you referring to microunits or--"

Mayor Tecklenburg said, "Item A5 and Item B1."

Mr. Summerfield said, "So, Mr. Mayor, members of Council, so, the micro—as we've been calling it—the micro unit ordinance, honestly, for everyday folks, it won't change anything. For developers who want to develop in that unique style and meet the criteria that's established in the Ordinance, they will be able to have a lower parking standard than they otherwise would if they were building multi-family elsewhere in the City. So, if they meet those criteria, they'll be able to build less parking as a part of their overall building.

For the affordable, the accessory dwelling units, what this means now is that, if you finance your entire accessory dwelling unit, you won't have an affordability period by the Code, but, again, more often than not, these are naturally occurring affordable dwelling units. You just can't demand the kind of rent that you can for a luxury apartment, for a 350 sq. ft. converted garage. So, the reality is they will become affordable housing kind of naturally. But if, through any of the grant programs that Geona's team provides, or anything like that, there's a City subsidy, then they would have an affordability period attached to them."

Mayor Tecklenburg said, "I see. That makes sense. Alright. Any other questions on A3, 4, or 5, or B1?"

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Just a quick question. I believe 1 is just for the peninsula. Did I read that—the ordinance? Okay, not that one. B1, is that just on the Peninsula? That's for the entire--"

Mayor Tecklenburg said, "It's City-wide, as well."

Councilmember Parker said, "Okay."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Yes, Mr. Mayor. Thank you, yeah. We're going to let freedom reign with ADUs City-wide in the City of Charleston. My question was, regarding the ADU ordinance, we're giving these amendments first reading this evening, and then we'll have second and third reading, presumably, at the next Council meeting?"

Ms. Shaw Johnson said, "Yes."

Councilmember Appel said, "My follow-up question is, since this is a zoning ordinance, do we have a public hearing component as part of that, or does it just go to second and third? Oh, we already had the public hearing."

The Clerk said, "Yes."

Councilmember Appel said, "Okay."

The Clerk said, "But the ADU ordinance is up for a first reading. It was deferred."

Mr. Summerfield said, "We had a public hearing, so it has had a public hearing."

Councilmember Appel said, "Got it."

Mr. Summerfield said, "But it did not get first reading. First reading was deferred for staff to go back to CD, to have the debate that you and Councilmember Gregorie have had kind of back and forth."

Councilmember Appel said, "Okay."

Mr. Summerfield said, "And for staff to provide some additional information."

Councilmember Appel said, "Got it, thank you for that. That's very clarifying. And just to briefly touch on this, I think that this amended ordinance, as it arrives today, is a compromise between two different visions of how you reach affordability. One is through, sort of, the free market approach. The other is through, sort of, the covenant, you know, government mandate approach. And, this ordinance has something for everybody in that regard, and I really look forward to seeing how this works over the coming years, and if we need to make additional tweaks, we can do it. Thanks."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "When we're doing this, even with the profit restrictions that we have, we will be looking at that along the way, as these are being built, to make sure that we stay with the parking situation. If we see a problem there, then we can make changes along the way."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. I'm proud to support these coming out of our CD Committee. I want to thank Councilmember Appel for kind of pushing the ADU conversation. I think it's a dual track, and I think it's a great idea. And, for folks that are paying attention to our affordable housing crisis, this is not a silver bullet, it's just another tool in our toolbox. And, they're very similar. I mean, they're very similar ideas. We're trying to attract middle income folks and all along the spectrum. We need affordable housing. And it's not just, you know, for the lowest, but all along the spectrum. So, I think this is a great idea, and I'm proud to support it, and we have to have additional conversations. Councilmember Mitchell, thank you for indulging us for three hours, but we got work done."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I'd just like to say, I think that it's a much better ordinance because it came to Community Development and had extensive discussions. So, I think that we need to really make sure that we continue to do that because I think the results are much better."

Mayor Tecklenburg said, "Absolutely. Alright. Any further comments, questions?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Waring, City Council voted unanimously to adopt the Committee on Community Development Report as presented:

a. New Business

- iii. Certification of Abandoned Building Site at 11.5 St. Philip Street
- iv. Requests for additional TIF funding – Lowline Housing, LP
- v. Discussion: Amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) Article 2-Land Use Regulations, Part 15-Workforce Housing Districts and Opportunity Zones: And Article 3-Site Regulations, Part 4-Off Street Parking Requirements: Small Efficiency Dwelling Unit (Micro-Unit) **(See also City Council agenda item L-8)**

b. Old Business

- i. To amend Part 4 (Accessory Uses) of Article 2 (Land Use Regulations) of the Zoning Ordinance of the City of Charleston, by Modifying Section 54-214 (Accessory Dwelling Unit) Thereof to Clarify that the Affordability Requirements for Accessory Dwelling Units is limited to those receiving subsidy and to clarify the existing procedures and requirements for approval of accessory dwelling units.

First reading was given to the following ordinance:

An ordinance to amend Part 4 (Accessory Uses) of Article 2 (Land Use Regulations) of the Zoning Ordinance of the City of Charleston, by Modifying Section 54-214 (Accessory Dwelling Unit) Thereof to Clarify that the Affordability Requirements for Accessory Dwelling Units is limited to those receiving subsidy and to clarify the existing procedures and requirements for approval of accessory dwelling units.

Mayor Tecklenburg said, "Thank you, Mr. Roberts. We appreciate your contribution to this discussion, as well. Next, we'll take up the Fair Housing Practices Ordinance."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Mr. Mayor, I'm asking, would our attorney, Julia, come and explain the amendments that we have to it? So we can get that squared away, and then we can move on."

Councilmember Gregorie said, "Mr. Mayor?"

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Just to be clear, I mean, it did pass Committee. Let's just make sure everybody knows that it did pass Committee. But there are some items that I think Legal may want to explain."

Councilmember Mitchell said, "And we approved it at Community Development."

Mayor Tecklenburg said, "You approved it as--"

Councilmember Mitchell said, "With the amendments."

Mayor Tecklenburg said, "With some amendments that were requested, right?"

Councilmember Mitchell said, "So, we are sending it to full Council, but I'm asking the attorneys to kind of give the highlights of the amendments to the full Council."

Mayor Tecklenburg said, "Alright. Okay. Terrific. Mr. Johnson, or Ms. Copeland, whoever would like to address. Maybe both of you would."

Ms. Copeland said, "Thank you. I can give you the procedural history on this one. So, the original version that was taken to CDC is the procedural, it's essentially the South Carolina Human Affairs Commission's statute providing the procedural and the enforcement mechanism for the Fair Housing Act. It was whittled down to an ordinance version for consideration for CDC, but, instead of the Human Affairs Commission, it was noted that the HARCC, the Human Affairs and Racial Conciliation Commission, would be taking on the investigatory and the enforcement mechanism. So, during the meeting, it was recommended that that be removed and that we just have the City enforcing, investigating, through its Legal Department. So, that was one big change that came out of the CDC, as well as the removal of number seven, where it would allow the Commission to take donations and grants in order to enforce the ordinance itself. So, that's the version that you have in front of you today for consideration."

Mayor Tecklenburg said, "Alright. Any further consideration, or comments, or questions, about the ordinance as it stands now?"

Councilmember Gregorie said, "Yes."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Just a comment."

Mayor Tecklenburg said, "And I will note that Councilmember Gregorie brought this item to us for consideration. Thank you, sir."

Councilmember Gregorie said, "Yes. Especially, I mean, we're celebrating 54 years of the Fair Housing Act. I just think it's pretty appropriate for this Council to move forward with providing more enforcement. We've always had a fair housing piece of legislation, our ordinance. But, this gives it a bit more teeth. And by that, I think it's very important for us to know

that it has to be under the jurisdiction of a government entity. If it's not under the jurisdiction of a government entity, it would not pass the muster as being substantially equivalent. No non-profit will be able to make the decisions, with respect to subpoena, etc. etc., all of that has to float through our Legal Department."

Mayor Tecklenburg said, "Don't talk bad about my friend, Mr. Meadows, over here."

Councilmember Gregorie said, "We got that, we got."

Mayor Tecklenburg said, "I'm just kidding. I'm sorry."

Councilmember Gregorie said, "And that is not to say that there are some sub-contracting activities that we would partner with the Urban League, who already has a FHIP, a Fair Housing Initiative program. And, at the national level, they look pretty well on localities that have FHIP and a FHAP. The question is, how are we going to pay for it? It's going to be paid for through the Department of Housing and Urban Development. That is not to say the City must not have some resources tied to it. And, I think, as we move forward, this ordinance will continue to evolve as we get closer to submitting to the Department of Housing and Urban Development to determine if there is substantial equivalents. There are a number of things that are prerequisites in addition to the ordinance. The structure, and how that's going to work in our Legal Department, is necessary for us to also submit.

So, I'm saying all that to say that there are still some things that we will have to do as we move forward, some of which, hopefully, we'll be able to do by second reading, if it passes first reading tonight. But, I'm very pleased because I had a conversation today with the CEO of the State Human Affairs Commission, Jamie Davis, who's appointed by the Governor, and she stated that, in our area, and when I say our area, I mean the coast, from Hilton Head to Myrtle Beach, there are over 150 complaints that have been filed, most of which are disability complaints. However, a portion is also race. A State of our size should only be looking at about 60 complaints annually. They're at 150. So, any help that they can get, at this point, would be great. We would be the first city in the State of South Carolina to do this, and one raises the question, 'why haven't others done it?' Well, because they're not Charleston, is my answer. So, I hope that my colleagues would support first reading, and be prepared for amendments as we move forward to make sure that, on its face, that our law is substantially equivalent to the Federal law."

Mayor Tecklenburg said, "Regarding the funding, the way I understand it is, once we get qualified by HUD, it's almost like they give us a grant to administer the program, and we may have a match to make to the grant, although I can't quote percentage that equates to."

Councilmember Gregorie said, "Well, there, I mean, first of all, we'll need capacity building, we'll need technical assistance, and all of that will be funded through HUD. We will have three years, initially, to cut the mustard. And, if we don't, it's over."

Mayor Tecklenburg said, "We're done and out."

Councilmember Gregorie said, "But, we also would be paid based upon caseload. There is a number attached to each complaint. I think it's \$4-5,000, it may be higher now. So, any investigation that we do will be paid for through the Department of Housing and Urban Development. And, yeah, you can call it a grant, but we're working for them, really."

Mayor Tecklenburg said, "Right."

Councilmember Gregorie said, "So, they're paying us for what we're doing."

Mayor Tecklenburg said, "Understood."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Councilmembers, Mr. Mayor, that's why I asked Otha to stay around to listen to what we are planning on doing, since he is handling fair housing, and he is also working with the City now with fair housing through our Community Development Block Grant that we receive, and also other entities like Dorchester County, Berkeley County, North Charleston. He's doing all over, you know, the Urban League is doing that. So, we can partner with them when we get to a certain point in the Fair Housing Act. So, I just want to throw that out to you, so we'll be doing some other things. This is something that's very needed, and, like I mentioned, Councilmember Gregorie worked with Fair Housing in Boston and DC for all those years, but I did it here, locally, in Charleston, and I handled the whole South Carolina area right here, as a HUD-certified housing counselor for Fair Housing during that time. So, I'm very aware of what fair housing is about, and people don't understand that there's a lot of fair housing complaints here, right here in Charleston.

When I was on the Board, it was Bankers Trust, the Community Development Board, and we were trying to work with them in regarding the redlining of people that were coming in the banks, and I was working with them and all the banks in the Charleston area with redlining, where people go and try to make loans and borrow, and they had the red line there, and it's still going on to this day. But, people don't understand it's still happening. That fell under the rug, too, so they got away with that if you may, the banks did. So, these are some things that happened over the period of years since I've been here coming up to the present day. So, we have to get a handle on a lot of these things, and right now, it's the time to do it. Now, because in a couple or three years, even for the past last three years, I wouldn't be around, and a couple others here wouldn't be around, so we can put it in place now. Let's show people that we are serious about these things, about the Fair Housing Act in the City of Charleston, at least. Thank you."

Councilmember Gregorie said, "Is Wells Fargo our bank?"

Mayor Tecklenburg said, "I'm sorry?"

Councilmember Gregorie said, "Do we bank with Wells Fargo?"

Mayor Tecklenburg said, "I believe we do have an account with Wells Fargo."

Councilmember Gregorie said, "Because Wells Fargo has just recently been charged with discrimination on mortgages, and the discrimination is based on the value and interest rates, and how it differs between blacks and whites. And, I raise that question because, if it becomes a class action suit, or, if the Secretary of HUD determines that it's systemic throughout Wells Fargo, then the Secretary of HUD would initiate its own complaint. There's only been one Secretary-initiated complaint in the State of South Carolina, okay? And that was done when I was the Director of HUD, and we took that straight through to make sure that the remedies were appropriate. So, again, absent a complainant, if there's enough evidence brought forward, the

Secretary of HUD has the power to initiate complaint action on its own. And, if it's systemic, okay, it could be pretty costly, for any institution, not just the bank.

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden said, "Can you all help me understand exactly what responsibilities we're taking on here? Are we investigating for them to make some report to some other entity to adjudicate, or are we taking on some adjudication responsibility, as well?"

Councilmember Gregorie said, "We're taking it all on. We're taking on the investigative function. We're taking on the conciliation function, because most times things don't go any further than conciliation. As long as the respondent and the complainant come to an agreement, it's over. It's when they can't come to some type of conciliation agreement that it goes further. Yes, on both sides, there may have to be some subpoena of information, yes. Will courts be involved? Yes. Yes, they can be involved, because it goes beyond the scope of the powers that are given to the City. So, to answer your question, yes."

Mayor Tecklenburg said, "So, I did not, I was not able to attend the 3 hour meeting the other day, so I didn't have the benefit of hearing all that discussion. I was at a Mayors Conference out of town. I would just respectfully ask that, given the way this ordinance has matriculated up to us, and I know we can make changes between first and second reading, I would like to request that we acknowledge that staff be charged with reviewing the ordinance to see if there are other appropriate amendments or changes, edits, that might help it comply with the Federal Housing Act. I'd like to call on Wilbur Johnson to share with us a few, he shared a few with me today that he thinks we could make this even a little better and things that we still need to work on, maybe, to make this in full compliance with the Federal Act. Wilbur."

Mr. Johnson said, "Yeah, I had a similar conversation with Councilmember Gregorie about this. The present legislation, I think, provides sort of a good template for what I think Councilmember Gregorie and other members of Council are trying to accomplish, and that is how to investigate and enforce fair housing practices and laws. What we will need to do, though, it may be the present iteration of this legislation needs some work, frankly, because there has to be, there's been some discussion, I think, about perhaps using the Urban League, or some other entity as the investigating and enforcement authority. We will need to be fairly clear in our agreement with the Urban League, whatever that turns out to be, that the delegation of authority on behalf of the City is pretty clear, pretty understandable, and legal, in the sense that we are able to invest upon the Urban League, or whoever that other entity might be, that we do that properly, and we do that in a way that is sustainable and enforceable, if there is a challenge. So, that's one issue I think that requires us to look very closely, or more closely, at this legislation as it proceeds.

Another issue has to do with the fact that the current legislations indicates that it's subject to the APA, or Administrative Procedures Act of the State of South Carolina. At the moment, there's no State entity actually involved. The APA covers State action, or State entity, or some dispute with a State entity. We do not have that at the moment, so we will need to somehow reconcile the language of the legislation that speaks to the APA, or that the legislation

is subject to the APA, to be sure that we can properly invoke the authority of the Administrative Procedures Act.

A third issue, I think, has to do with the fact that the current legislation suggests, actually, requires, that the City attorney sue for unlawful or unfair practices in Federal Court. I think we need to be sure that there's a proper basis for Federal Court jurisdiction. Now, you can make the, I guess, the judgement that, if the suit, or if there's some basis for suit on the basis of racial discrimination, or discrimination on some other unlawful factor, that maybe gets us into the Federal Court, but, I think we need to be a little bit more clear about how that works to be sure we have the proper jurisdiction, or background, or basis, for the City attorney or, for some other entity to pursue an action, or to bring a lawsuit, against an entity in Federal Court. So, those are some of the things that I think we need to be sure that we have clarified, and that we have the appropriate language in the legislation as this moves forward."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. And, Mr. Johnson, thank you for that summary. When I first saw the proposed ordinance, I had a lot of concerns about it, particularly trying to coattail this with the Human Affairs and Racial Conciliation, since we had spent so much time debating that and getting that passed, and that Commission has not even been fully staffed and formed. We've got on our table the recommendations of those members who are going to be appointed to that, so I'm glad that the amendments that I see initially have taken this out of that conversation, so it's not going to be considered as part of that.

And, I understand what we're trying to do here, so I think it's not only noble but, unfortunately, I think it's probably necessary, what we're trying to accomplish. I pulled out and read, this afternoon, our existing ordinance dealing with this. I'm very proud that we have a history of an ordinance dealing with fair housing because I can't think of anything more insidious, quite frankly, of a person being denied an opportunity to rent, to own, or to build a house because they've been discriminated against, for whatever reason. I think that just speaks volumes as to what we're trying to accomplish here. But, I have to tell you, I have some real concerns about some of the issues on here.

I'll just, let me just point out a few of them. For instance, under Section 16-24.02, Section 8, under f, it sounds like we're talking about the City having the ability to issue a subpoena duces tecum. Now, how can a City have the ability to issue a subpoena decus tecum? I mean, a subpoena decus tecum is something that a party in a civil action issues to another party to try to produce documents and records. This is not Congress. I mean, Congress has the ability to issue a subpoena, but how does a city impose upon itself the ability to say, on behalf of the City of Charleston, I'm issuing my own subpoena without the institution of an existing pending case going forward? In doing that, this sounds unconstitutional, quite frankly, to be able to do that.

Then, further down, when you go to Section 9, under Section 16-24.03, again, they talk about subpoenas. Subpoenas, for those of us who don't practice law, a subpoena is not just a request to do something, it is a demand, and if you fail to abide by a subpoena, you can be held in contempt of court. Donald Trump, as you may have heard, has been held in contempt of court for failing to comply with the subpoena duces tecum. But under Section 9a, it even goes a bit further, and it says 'in conducting an investigation, the City shall have access at all reasonable times to premises.' Well, I'm sorry, there's a constitutional prohibition from coming into my home,

to my premises. I mean, in order for anybody to go onto a premise, you've got to have a search warrant, because the Constitution protects us from unreasonable searches and seizures.

I understand what we're trying to accomplish. I really do understand what we're trying to accomplish, but I'm just looking at this, and I'm going 'wait a minute, we've got to hit the pause button as to what we're trying to accomplish versus what this ordinance is speaking of right now.' That gives me a lot of heartburn and problems with it. In addition, I can go on to other things. I think my point I'm trying to make is, what are we trying to accomplish beyond what we have as an existing ordinance that we need to have accomplished to fill the gaps, I think, that Councilmember Gregorie is talking about? Mr. Johnson, you've been clarifying it for us, I think. I don't know what the best way of handling this, you know, either deferring it, going back to the drawing board on this thing, I don't know. I understand what we're trying to do, but I think we have to be careful that you, if you want to model something after an existing Federal law, that's fine, but we don't have the same components that a Congress has, that the City does not have.

In addition, another legal term I'll throw out there for everybody is standing, legal standing. To initiate a lawsuit, you have to have the legal ability to bring the lawsuit. You have to have what's called standing to do that, meaning I have the right. So, if Mike Seekings and I have a car accident, he can sue me, or I can sue him because we were injured. We have a standing to seek redress against one or the other because of a car accident. But, Councilmember Bowden can't bring that lawsuit on my behalf as a private citizen. He could do it as a lawyer on my behalf, but not as a private citizen. So, is the City taking on this obligation when it doesn't have the standing, the legal ability to do that? Those are just questions I'm bringing up, as to how far we can point in the direction that I think I understand that this Committee is trying to accomplish. So, those are questions, and those are grave concerns I have as for what we're trying to accomplish."

Councilmember Gregorie said, "And I think they're all ---"

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I'm sorry. I think they're all legitimate questions. However, some of what you just raised, okay, if it's not included, the law won't be substantially equivalent to the Federal law. Secondly, I, along with Julia, Amber, we have looked at other local jurisdictions, okay, and their language is exactly the same language we have here. So, if it's a Constitutional question, it goes beyond us, because every single one that I've read has every single item we have, and some even go further. Some even go to the point of determining what level of compensation, if someone's violated. It goes much further than that, than ours. I don't have a problem with deferring this, but deferring this, and it not going anywhere will be problematic for me, just to let you know. Because I have compared what we've written with the national law, with the State law, and with other local jurisdictions. We are the first in the State of South Carolina. Yeah, of course, the State agency, but we would be the first locally, in South Carolina. However, as you look at North Carolina and some of the other places, the language that we have is the same language. So, if we want to test constitutionality, you need to start at the Federal level because, I'm just explaining to you, because, in order for our law to be substantially equivalent, it has to mirror the Federal law.

And, secondly, no non-profit, including the Urban League, can make determinations with respect to the result of an investigation. That information comes to us. Once we review what has been submitted to us, then that determination is made. So, no non-profit, including the Urban League, can make any decision in this regard. It has to be a government entity."

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Yes, thank you, Mr. Mayor. I do agree with Councilmember Shahid. I think the core of what this is trying to accomplish and the sentiment is noble and good, and we should definitely continue to move in that direction, but I think just given the nature of what Mr. Johnson said, as well as, you know, it's my understanding it was a last minute add to the CD agenda, Legal didn't have a ton of time to review. I would think, we've gone over the 10 minutes, it's okay. I would like to offer the motion to defer, but only for 90 days, to allow Geona and the Legal Department adequate time to craft an ordinance and go through some of the answering of the questions that Mr. Johnson has rightfully brought up on this. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Alright."

Councilmember Gregorie said, "Okay, Mayor, and I'm for the deferral."

Mayor Tecklenburg said, "Okay, is that a second?"

Councilmember Gregorie said, "I mean, that's a second, but ---"

Mayor Tecklenburg said, "Okay."

Councilmember Gregorie said, "But there's a 'but' here. First of all, I think 90 days is too long, because, what you're talking about doing, we've done it. Been there, done what you're talking about. That's where it's very problematic for me, that folks don't clearly understand that, before we bring something to them, we're going to do our due diligence. We've done everything you just said to do, so with 90 days, no. I don't think 90 days. If I can amend it to 30 days."

Mayor Tecklenburg said, "Why don't we ask the Legal Department how much time they think they need to work on it. Put them on the spot."

Mr. Johnson said, "So, Julia and I are sort of tag teaming this. What's your thought on the actual time to rework it? I mean, there are a couple things that need to be done. One, we need to be certain that the basis for the City's implementation of action, I think, is sound. Secondly, if we are certain that the City has a sound basis, that the City can then vest upon another entity, such as the Urban League, in a way that provides that entity with the legal basis for an investigative or an enforcement action. So, there's sort of two levels to that."

Ms. Copeland said, "So, the research that we've been doing today is reaching out, there's some great versions of this ordinance in North Carolina – Durham, Winston-Salem, Charlotte. They're written in a form that we could easily adopt and change to make it our own. The question of the subpoena power, that's something we still need to figure out just because Charlotte or North Carolina has its own chartering legislation that gives municipalities the right to subpoena, so we need to make sure that we have the same kind of enforcement power. Those are questions we need to get answers to. We can do that in what, 30, 45 days? I mean, we can do that."

Mr. Johnson said, "Yeah, I think 30 or 45 days would be the least amount of time."

Mayor Tecklenburg said, "Let's give them 45 days to be safe."

Mayor Tecklenburg recognized Councilmembers Sakran, Bowden, and Seekings.

Councilmember Sakran said, "Thank you, Mayor. I'm good."

Mayor Tecklenburg said, "You're good? Councilmember Bowden."

Councilmember Bowden said, "Thank you. Forty-five days does seem sort of tight, and, Councilmember Gregorie, I do not at all mean to suggest that you didn't do your homework here or that everybody else involved didn't do their homework. I just haven't been privy to all that conversation and, sitting here, and this is the problem with lawyers generally is we come up with problems. I have about a million questions, starting with the ones that they just suggested. I also want to note, just from a practical standpoint, if anybody has come up with an idea of the number of new staff that we're going to need to take on, the institutions we're going to need to create. And so, I think maybe more than just legal work is going to need to be done and, you know, figure out how much this all is going to cost, whether the HUD funds are going to cover it because you said they're sort of prescribed based on the number of cases, whether we're going to have those cases, or whether we're taking on additional expenses. So, I would think that 90 days would be appropriate just for all that. Then, not only for them to do the work, but then to educate me. So, that would just be my suggestion, is that there's, I think, a ton to get done here, and I just don't want to put anybody in a bind saying 45 days, then we come back and do all of this over again."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just briefly, I didn't really actually come here to practice law tonight. I came here to sit as a City Councilman, but just a couple things. I think, one, first and foremost, we don't want to put something out there that doesn't establish on the front end what Mr. Johnson was alluding to, although I don't think he used the exact word, and that is, 'where does jurisdiction vest when we adopt this as we go through the process?' And, if you look, and I did this today, I looked at how our proposed ordinance is drafted, and I went and looked at, thanks to our Legal Counsel, they pointed me towards the Code of Federal Regulations. One of the questions that I have is, in pursuing our ordinance as a city, where we pursue it on the legal side, and Mr. Johnson alluded to, well, if you've got some issues of unfair housing and the like, that may get you into Federal Court. Well, he's right about that, but the way it gets you into Federal Court, if I'm not mistaken, and I'll stand down if I am, is by bringing an action pursuant to a Federal statute. We can't just walk into Federal Court without having a Federal statute, and if you look at the Code of Federal Regulations, one of the things that caught my eye was what makes a law inadequate on its face for purposes of certification as a co-sponsored HUD city. And there are a few things that, I don't want to go through all of them, one of which is, you alluded to, is handing any of these administrative duties, it's not just final decision making, it's administrative duties to a third party. Okay, that's one, and we can go through that, and I think you're well aware of that. But the second is, we have to bring the action to a court of competent jurisdiction, which is empowered to do the following: award the plaintiff, the complainant, actual and punitive damages. We can't do that in City Court. We can't do that, so there's got to be a way to get to a court of competent jurisdiction, and that we have to figure out before we put this out there, because we will put ourselves way behind the eight ball if we don't do that.

So, with all due respect, Councilmember, I know you've worked really hard on this, but 45 or 60 days compared to the whole process, I think we need to get this right, and we need to

get legal answers to what path we pursue, and how we attach jurisdiction to a complaint for a violation of the City's unfair housing practices ordinance, whatever it is. I did go back today, by the way, and look at our currently existing ordinance, and it's got some things in there that are actually interesting. It is linked to the criminal code, I'm sure you're aware of that, which actually makes it criminal, per se, if you're found to have violated it civilly. We probably need to fix that, by the way, but that's a whole different issue. I would just caution and ask a deep breath be taken, and we figure out, through our very competent Legal staff, the actual jurisdictional process by which we are going to pursue and enforce a City of Charleston-adopted fair housing practices ordinance, as opposed to a State or a Federal Fair Housing practices statute, which attaches Federal jurisdiction. And that's just one of the issues. There's plenty more, but I'm not getting paid by the hour for this. Well, I am. By the way, for the record, its \$5."

There was laughter in the Chamber.

Councilmember Seekings said, "And, I think probably, the advice I gave is just worth that. So, with all due respect, I think, at a minimum, to put this team under a microscope and come up with those answers in 30 or 45 days is aggressive. I think we should give them a little more time. Anyway, with that, I think 90 days is the right number."

Councilmember Gregorie said, "I think 45."

Mayor Tecklenburg said, "Can we do this? Can we proceed with a motion to defer and, as Legal Counsel reviews all these questions, some of which do sound a little complicated to me, that if we don't have an ordinance truly ready in 45 days ---"

Councilmember Seeking said, "So, Mayor, maybe this ---"

Mayor Tecklenburg said, "You give us a report back in 30 days on how you're doing, what you really think you need, and assess it from there. We want to move it along, is the point, Councilmember Gregorie. We're not deferring this just for it to go in the wastebasket or anything like that. We want to pursue this diligently, but we want to do the right thing. It does sound like there are a lot of complicated issues."

Councilmember Gregorie said, "This is one of the suggestions from the CEO for the State that what we may want to do, okay, is sit with HUD, and start having some discussions with HUD. I think that is the way to go, as well."

Mayor Tecklenburg said, "That's a good starting point."

Councilmember Seekings said, "Can I quickly follow up on that, Mr. Mayor?"

Mayor Tecklenburg said, "Yes, sir. Councilmember Seekings."

Councilmember Seekings said, "I agree with that, and it's the one chance we get at the law. One of the things we don't get to do as lawyers representing our clients is get advisory opinions. You actually have to walk into a courtroom and have a judge or a jury tell you yay or nay. They don't give you advice. We can get some advice in advance of this, and why wouldn't we go get an advisory opinion rather than have to be challenged, and we will be at some point if we do this without getting that advisory opinion, and set us back to square one? So, Mr. Mayor, with all due respect, I think around this table, and Councilmember Gregorie can certainly speak for himself and does very well and very often, is that 60 days really is a good reporting period

time to come back, and then we can see where we are. I just, there's a lot in here for them to get going on when we've got other things going, so I would respectfully request, whoever made the motion, that it be a 60 day reporting back period, and then we see where we are from there."

Mayor Tecklenburg said, "Absolutely. And in a practical matter, we're the second meeting in April. In June, we go to one meeting per month. It would be the third Tuesday, so could we ask for a report back at the June meeting? Does that sound like a good plan?"

Councilmember Gregorie said, "Yeah."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Brady said, "As a point of order, I'll submit to the amended motion."

Councilmember Gregorie said, "And I second."

Mayor Tecklenburg said, "Alright. Councilmember Appel."

Councilmember Appel said, "Thank you, Mr. Mayor. I just want to echo a lot of the sentiment that was raised just now from Councilmember Seekings, and Shahid, and Bowden, and others. The intent here is good, we just need to get this right. You know, I don't want to reiterate what I said on Thursday and reiterate what these fine folks have said tonight, but I just want to throw out another consideration. We have limited staff resources, our Legal Department has a limited bandwidth, so when we put them on tasks, we need to have some sort of prioritization in mind because we have to be mindful and cognizant of their time. They only have a certain amount of bandwidth. So when we talk, and I'm just throwing this out for what it's worth, we talked about barriers to access to housing. If you were to ask me what the top ten barriers to access to housing are for minorities, for everybody in the City of Charleston, number one, price. Number two, price. Number three, price. Number four, price. You get what I'm saying?"

Councilmember Gregorie said, "No, I don't."

Councilmember Appel said, "Well, I'm here to tell you that ---"

Councilmember Gregorie said, "It's price for you."

Councilmember Mitchell was excused from the Chamber at 8:03 p.m.

Mayor Tecklenburg said, "Alright. Let's have one person at a time. Sorry. Councilmember Appel."

Councilmember Appel said, "Okay, and I'm going to say another thing, and I appreciate Councilmember Mitchell walking out. One of the other things that we do during process in committee is we get information, and we get facts. Like, how many fair housing complaints have there been in the last 10 years in the City of Charleston? What's wrong with our current ordinance? What is the State doing? What is the Federal government doing? Have we been provided with any of that information? What role does this serve? These are things that need to be fleshed out. These are things that need to be developed. Frankly, I'll be honest with you, I think that we need to have fair housing, no question about it. I don't think this is even close to being in the top priorities. I think housing price and affordability is the number one problem in

the City. I think jobs. I think those are the issues we need to be focusing and spending our time on. And, oh, by the way, those are the things that we actually have control over as a municipality, okay? To try to think that we're going to become a mini HUD, I think, is a very unrealistic thing to say. I don't think we have the bandwidth for that. We don't do this kind of level of enforcement for anything in the City, outside of our criminal code. So, I think we need to be a little bit more humble when we're approaching these issues.

Councilmember Mitchell returned to the Chamber at 8:04 p.m.

I think the way that this ordinance was presented to us at the CD Committee was shockingly sloppy. It was an awfully drafted ordinance, and our Legal Department's not going to say this, but I'm going to say this, our Legal Department did not have a hand in what we saw on Thursday, and that's a fact. That's a fact because I know our lawyers, and they would not put what I saw on that ordinance on Thursday night in an ordinance to go before Council. No way. So, let's do this right. We spent over a year on our ADU ordinance. This is far more significant than that. Let's spend the time to do it right. I don't understand why we're putting artificial deadlines on this. We're talking about real serious stuff, and we're trying to send signals to the market 'come to Charleston to provide affordable housing.' But, meanwhile, we're going to set up this draconian enforcement regime. We're going to be subpoena duces tecum-ing people and getting nasty with people. I mean, it's sending the wrong message."

Councilmember Mitchell said, "Mr. Mayor, I say point of order before we get out of hand here. I think we're going to get out of hand. I think point of order. Let's move on."

Mayor Tecklenburg called for order.

Councilmember Appel said, "Oh, I'm sorry if I hurt your feelings."

Mayor Tecklenburg called for order.

Mayor Tecklenburg said, "Let Councilmember Appel finish his piece."

Councilmember Appel said, "Whatever. Whatever, I'm done. Let's defer it."

Mayor Tecklenburg said, "We have a motion on the floor to defer with a report back from Legal in June. Any further discussion?"

No one asked to speak.

On a motion of Councilmember Brady, seconded by Councilmember Gregorie, City Council voted unanimously to defer the following bill and requested a report from the Legal Department at the June City Council meeting.

An ordinance to amend Chapter 16, Article IV, Section 16-18 of the Code of the City of Charleston; to delete and replace with new language Sections 16- 20, 16-22, 16-23, and 16-24 of the Code of the City of Charleston; and to create Sections 16-24.01, 16-24.02, 16-24.03, 16-24.04, 16-24.05, 16-24.06, 16-24.07, 16-24.08, 16-24.09, 16-24.10, and 16-24.11 of the Code of the City of Charleston, the purpose of which is to adopt a City of Charleston Fair Housing Act which is substantially equivalent to the Federal Fair Housing Act. (AS AMENDED)

Councilmember Gregorie said, “And I’m glad that’s on the record.”

Mayor Tecklenburg said, “Thank you. Next up is our [Committee on Public Works](#), I think.”

Mayor Tecklenburg recognized Councilmember Waring.

Mayor Tecklenburg called for order.

Mayor Tecklenburg said, “Please. Order, you all. Councilmember Appel and Gregorie, please.”

Mayor Tecklenburg called for order.

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Thank you, Mr. Mayor. The Committee on Public Works met on Monday. Everything you saw in the agenda passed unanimously, and I so move for the adoption of the Committee reports.”

Councilmember Seekings said, “Second.”

Mayor Tecklenburg said, “Any further discussion?”

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Seekings, City Council voted unanimously to adopt the Public Works and Utilities Reports as presented:

Stormwater Management Department Update:

(i) Approval of Church Creek Drainage Basin Improvements Fee Amendment #6 with Weston & Sampson Engineers in the amount of \$69,574.00 for the final US Army Corps of Engineers permitting for the Glenn McConnell Parkway culverts. Approval of Fee Amendment #6 will increase the Professional Services Contract by \$69,574.00 (from \$618,231.00 to \$687,805.00). Funding for this project is the Drainage Fund.

(ii) Approval of the Low Battery Seawall Repairs – Phase III Memorandum of Agreement with CPW for in-contract utility work on the Low Battery Seawall Repairs Phase III project from King St. to Limehouse St. Reimbursement will be provided by CPW for expenses incurred in the contract for water and utility work.

Mayor Tecklenburg said, “Next up is our [Committee on Ways and Means](#)—”

Councilmember Brady said, “Move for approval.”

Councilmember Gregorie said, “As amended.”

Mayor Tecklenburg said, “As amended. Any discussion?”

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

(Bids and Purchases

(Budget, Finance, and Revenue Collections: Approval of the 2022 Amended State Accommodations Tax budget approved by Council on 12/7/21, to amend the budget to include grant awards from the 2022 grant process held in early 2022. This was approved by the Accommodations Tax Advisory Committee on 4/14/2022. **(AS AMENDED.)**

(Office of Cultural Affairs: Approval to accept the grant award in the amount of \$20,000 from the U.S. Department of Agriculture (USDA)'s Pandemic Response and Safety Grant Program for costs associated with enhanced safety protocols for Charleston Farmers Market and West Ashley Farmers Market. There is no City match required.

(Parks – Capital Projects: Approval of International African American Museum GMP Change Order #15 with Turner Construction Company in the amount of \$2,332,588 for subcontractor claims due to roofing delays (\$244,076), general conditions for the contractor due to delays in substantial completion (\$689,706.34), payments for builder's risk insurance due to contract extending past the contractual completion date (\$270,355) and various change requests in design and materials from the IAAM (\$1,128,450.66). Funding will come from the Owner Sitework Allowance (\$354,644), the Moisture Barrier balance (\$65,167) and the Owner Contingency Allowance (\$220,500) in the GMP contract. The remainder needing Council's approval is \$1,692,277, and those funds will come from the IAAM. Approval of Change Order #15 will increase the GMP contract by \$1,692,277 (from \$59,829,652 to \$61,521,929). The funding sources for this project are: Accommodations Tax (\$13,200,000), Charleston County Accommodations Tax (\$12,500,000), State Funding (\$14,000,000), IAAM Contributions (\$53,000,000).

(Parks – Capital Projects: Approval of International African American Museum GMP Change Order #16 with Turner Construction Company in the amount of \$372,071 for landscaping changes, security camera and alarm changes, and kitchen changes. Funding for this will come from the IAAM. Approval of Change Order #16 will increase the GMP contract by \$372,071 (from \$61,521,929 to \$61,894,000). Funding sources for this project are: Accommodations Tax (\$13,200,000), Charleston County Accommodations Tax (\$12,500,000), State Funding (\$14,000,000), and IAAM Contributions (\$53,000,000).

(Parks – Capital Projects: Approval of Cannon St. Fire Station #6 Retrofit – FEMA HMGP 4166-10 grant modification acceptance for additional Federal funds in the amount of \$564,216.75 for Phase 2 of the Cannon St. Fire Station Retrofit project. This increases the Federal funding for both phases of the project to \$3,942,388.50. The additional match of \$188,072.25 will come from 2018 General Fund Reserves. The project is complete. Approval of this grant modification does not adjust the total project budget of \$5,754,229. Funding sources for this project are: FEMA HMGP (\$3,942,388.50), 2015 IPRB Bond (\$1,126,057.25), 2015 General Fund Reserves (\$269,000), and 2018 General Fund Reserves (\$416,783.25).

(Stormwater Management: Approval of Church Creek Drainage Basin Improvements Fee Amendment #6 with Weston & Sampson Engineers in the

- amount of \$69,574 for the final US Army Corps of Engineers permitting for the Glenn McConnell Parkway culverts. Approval of Fee Amendment #6 will increase the Professional Services Contract by \$69,574 (from \$618,231 to \$687,805). Funding for this project is the Drainage Fund.
- (Stormwater Management: Approval of the Low Battery Seawall Repairs – Phase III Memorandum of Agreement with CPW for in-contract utility work on the Low Battery Seawall Repairs Phase III project from King St. to Limehouse St. Reimbursement will be provided by CPW for expenses incurred in the contract for water and sewer utility work. The estimated dollar amount is around \$2,000,000 and could be more or less depending on how much actual CWS related work is performed during this phase of the project.
- (Housing and Community Development: Approval of a Memorandum of Understanding (MOU) template between the City of Charleston and partner organizations. The MOU would be executed between the City of Charleston and organizations partnering with the City of Charleston to provide specific services to persons experiencing homelessness or those at-risk of becoming homeless at the Hope Center. Approval is also requested for the execution of the MOUs for each organization upon review by Corporation Council.
- (Housing and Community Development: Request the Mayor and City Council approve \$500,000 in TIF funding to support development of fifty-five (55) affordable rental apartments at the Lowline Affordable Housing Development. Council originally allocated \$1.5M for this project, and the developer previously requested \$900,000 of the funds. Due to increased construction costs, they are requesting an additional \$500,000 in TIF funding from the original approval amount.
- (Police Department: Approval to submit an application for the 2022 Duke Energy SC Emergency Preparedness/Storm Grant in the amount of \$12,050 for publication of Hurricane Preparation Guides and promotional pens. The application is due April 29, 2022. There is no City match required for this grant.
- (Police Department: Approval to sign a CARFAX Enrollment Form giving CPD access to CARFAX Investigative tools which provide motor vehicle data for investigative purposes. There is no cost for this service.
- (Request to authorize the extension of deadline from May 1, 2022 to August 1, 2022 in the Memorandum of Understanding between the City of Charleston and Landmark Enterprises, LLC regarding 14 Sumar Street. The property is owned by the City of Charleston.
- (Please consider the following annexations:
- 2506 Birkenhead Drive (0.25 acre) (TMS # 309-13-00-051), West Ashley, (District 2). The property is owned by Christopher R Jefferies.
 - 1940 Capri Drive (0.6 acre) (TMS # 350-14-00-039), West Ashley, (District 5). The property is owned by Jeffrey and Meredith Fox.
 - 1804 Able Street (0.25 acre) (TMS # 351-02-00-035), West Ashley, (District 7). The property is owned by Lanita Brown.

First reading was given to the following bills:

An ordinance to provide for the annexation of property known as 1804 Able Street (0.25 acre) (TMS# 351-02-00-035), 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 property is owned by Lanita Brown.

An ordinance to provide for the annexation of property known as 2506 Birkenhead Drive (0.25 acre) (TMS# 309-13-00-051), 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 2. The property is owned by Christopher R. Jefferies.

An ordinance to provide for the annexation of property known as 1940 Capri Drive (0.6 acre) (TMS# 350-14-00-039), 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 5. The property is owned by Jeffrey and Meredith Fox.

Mayor Tecklenburg said, "Next up, we have our [bills for second reading](#). We have eight of them this evening. Does anybody need to carve out one of them for any reason?"

On a motion of Councilmember Mitchell, eight (8) bills (Items L-1 through L-8) received second reading. They passed second reading on motion by Councilmember Seekings and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shealy, the rules were suspended, and the bills were immediately ratified as:

2022-058- 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.

2022-059- 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.

2022-060- 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.

2022-061- 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.

- 2022-062-** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2158 AND 2154 WESTRIVERS 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.
- 2022-063-** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2153 WESTRIVERS 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 KLISSIS.
- 2022-064-** 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.
- 2022-065-** AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) ARTICLE 2-LAND USE REGULATIONS, PART 15-WORKFORCE HOUSING DISTRICTS AND OPPORTUNITY ZONES; AND ARTICLE 3- SITE REGULATIONS, PART 4-OFF-STREET PARKING REQUIREMENTS.

Mayor Tecklenburg said, "Our bill up for first reading is deferred, so we have a miscellaneous business of two [executive sessions](#). One, to receive legal advice regarding a settlement proposal for the 334 Dewberry appeal, and the other an executive session to receive legal advice regarding the Charleston School of Law. Let me say beforehand, I will recuse myself from the second matter, and if we go into a continuous executive session, I'll excuse myself when we get to the second matter. Can I entertain, and we'll maybe take a five minute break before we go into executive session? Maybe seven. Could I entertain a motion that we go into executive session for those two items?"

On a motion of Councilmember Brady, seconded by Councilmember Waring, City Council voted unanimously to enter into Executive Session at 8:15 p.m.

On a motion of Councilmember Brady, seconded by Councilmember Seekings, City Council voted unanimously to come out of Executive Session at 8:36 p.m.

Mayor Tecklenburg said, "Let the record show that no action was taken while we were in Executive Session, and I'll confirm with the Mayor Pro Tem no action was taken while I was out of the second half of Executive Session. Thank you. So, Can I entertain any motions regarding Item 1 regarding any legal advice on a settlement?"

Councilmember Seekings said, "Thank you, Mr. Mayor. I would move in the matter of the Dewberry litigation that we, as a Council, authorize our legal counsel to move forward with negotiations in anticipation of settlement under terms that are acceptable to the City and consistent with the terms required by the neighborhood association."

Councilmember Brady said, "Second."

On a motion of Councilmember Seekings, seconded by Councilmember Brady, the Council voted unanimously to authorize legal counsel to move forward with negotiations in anticipation of settlement under terms that are acceptable to the City and consistent with the terms required by the neighborhood association in the matter of the Dewberry litigation.

Mayor Tecklenburg said, "Any further motions to be made? Do we have a motion to adjourn?"

There being no further business, the meeting was adjourned at 8:37 p.m.

Jennifer B. Cook
Clerk of Council