

COUNCIL CHAMBER

Regular Meeting

May 14, 2019

The seventy-fifth meeting of the City Council of Charleston was held this date convening at 5:10 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media May 8, 2019 and appeared in The Post and Courier May 12, 2019 and are made available on the City's website.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Griffin	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Jackson	District 12

Mayor Tecklenburg called the meeting to order at 5:10 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "Let the record show that both Councilmembers Lewis and Seekings are here, as well. If you would like to join us, I'm going to ask Councilmember Moody to lead us in an invocation and the Pledge of Allegiance."

Councilmember Moody said, "Thank you, Mr. Mayor. If you would, join me in prayer."

Councilmember Moody opened the meeting with an invocation.

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

Mayor Tecklenburg said, "So, thank you very much. Next, I would like to recognize the Ashley River Creative Arts 4th Grade Class. If I could ask them to come forward and join the Mayor up here on the podium, I'll just comment that we do have a lot of challenges in this world, as was noted in both of our prayers to start us out this evening, but I want to share with you that we have a lot to look forward to. A lot of uplifting things in our community are going on and particularly, yes, in our schools. There are some really beautiful and bright spots. I was privileged and honored to be a guest at the Ashley River Creative Arts School at which these children attend the 4th Grade Class. After my remarks to the children there, it was really uplifting for me. I'm going to share with you personally that each grade had a little project that they had prepared for the Mayor. This 4th Grade Class wrote a poem that I just felt was so really profound in a way and

so very nice and uplifting, that I wanted to share it, not just with Council, but also our citizens. So, if I may turn it over now who is going to take the lead here?"

There was laughter in the Chamber.

Mayor Tecklenburg said, "You've got to use your big voice, and maybe let's pass the microphone around. Yes, that one will work better. This poem, by the 4th Grade at Ashley River Creative Arts, is called 'A Sense of Peace' in which they refer to our five senses."

One of the students said, "Mr. Mayor, Councilmembers, and citizens of Charleston, our 4th Grade at Ashley River Creative Arts has thought a lot about peace this year."

Another student said, "Peace for the world and peace for Charleston, a city that played a big part in two wars, the Civil Rights Movement, and suffered a horrible racially motivated shooting."

Another student said, "With that kind of history, we need peace."

Another student said, "We'd like to share a poem that we wrote called 'A Sense of Peace'. We'd also like to volunteer if you need to put together a kid Committee for peace."

There was laughter in the Chamber.

Councilmember Lewis said, "We might need that."

Mayor Tecklenburg said, "We'll take you up on that offer."

The students took turns reading the poem:

If I could hear "Peace", it would sound like...

Birds chirping in the early morning

The soft music my mom plays when she is making dinner

A cool, fall breeze

Waves hitting the shore

That's what "Peace" sounds like to me.

If I could smell "Peace", it would smell like...

The sour smell of newly picked blackberries

The piney smell of pine trees in the woods

Fresh air on a hot summer day at the pool

The saltiness of the warm ocean water

That's what "Peace" smells like to me.

If I could taste "Peace", it would taste like...

Pancakes being gobbled and swallowed down my throat

*Spicy chips burning down into my insides
Sweet, sweet Hershey's 'Cookies 'n' Crème' candy bars
My grandma's banana pudding,
That's what "Peace" tastes like to me.*

*If I could touch "Peace", it would feel like...
A blank piece of paper ready for ideas
Prickly grass with footsteps leading everywhere
A puppy's soft, silky fur
A fluffy, fuzzy blanket from the finest cotton
That's what "Peace" feels like to me.*

*If I could see "Peace", it would look like...
A beautiful morning sky so blue
A flower growing in the warm sun
The sparkling shine of silver and gold paint on a car
The pinks and purples of a Charleston sunset
That's what "Peace" looks like to me.*

Mayor Tecklenburg said, "A Sense of Peace, ladies and gentlemen."

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "You all did a fine job. We're going to take you up on your offer to have a kids' Committee for peace. I think you've just passed the first test for us."

A student said, "Thank you, Mr. Mayor."

Councilmember Griffin said, "Mr. Mayor, may I make one comment real quick?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I was blessed enough to attend Ashley River Creative Arts Elementary School and my 4th Grade teacher is in the room tonight."

There was laughter in the Chamber.

Councilmember Griffin continued, "I just want to say one thing to her real quick. I wouldn't be the man I am today if it wasn't for you, Ms. Lowe. So, thank you so much."

There was applause in the Chamber.

Mayor Tecklenburg said, "Madam Teacher, would you like to make any remarks?"

Ms. Lowe said, "I'm speechless."

Mayor Tecklenburg said, "She's speechless. Well, again, we thank you so much. I enjoyed my visit so much. You all are so thoughtful, particularly with everything that's gone on in the City, as you noted in your preface with the history here. An outlook for peace in the world, it's just uplifting for us all, and thank you for all you do. Great. God bless you. Thank you for being here."

There was applause in the Chamber.

Mayor Tecklenburg said, "I'm tell you there are a lot of good things going on, too. Alright. Next, I'd like to ask Councilmember Shahid to join me at the podium and then also the family of Mr. Fred Stroble, if you all would please come forward and join me."

Councilmember Shahid said, "Councilmember Lewis, do you want to join me?"

Mayor Tecklenburg said, "So, we have a resolution honoring the life of one of our dedicated citizens, Mr. Fred Stroble, Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor, members of the Council, Madam Clerk. The resolution reads as follows:"

Councilmember Shahid read the resolution.

---INSERT RESOLUTION---

Mayor Tecklenburg said, "God bless you."

There was a standing ovation in the Chamber.

Councilmember Shahid said, "Mr. Mayor, if I just may tell one quick story about Fred Stroble and his family. So, Fred, of course, was a lawman to the bone. He was, to the core, a professional law enforcement officer. He became a folk hero in our family. Shahid's Department Store is located at 493 King Street, and we had two entrances to our store. Back in the 60's, I heard this story about how this lawman caught a thief red-handed. If you could just bear with me for a second, I'll tell you the story. So, some young man walked into our store, saw that it was unattended, and grabbed a handful of men's trousers, and he scooped them up and ran out the door. My grandfather, who migrated from Lebanon back in 1899, saw this thief running out of the store. So, he, at about the age of 60, runs out after this pants thief yelling at him in Arabic screaming, and yelled to him to come back. My father saw his father, my grandfather, run out of the store yelling for him to come back into the store so he wouldn't get hurt. So, now this scene on King Street was these two Lebanese men running down the street chasing this thief. Well, Fred Stroble was off duty, and he was coming from Edwards 5 and 10. He was looking at his receipt figuring out what he had just purchased and made sure the purchase was accurate. This thief who is running, hearing this commotion of this foreign language being yelled at him from behind, not watching what he was doing, literally runs into the arms of Fred Stroble."

There was laughter in the Chamber.

Councilmember Shahid continues, "So, my uncle and my father were so grateful to Fred, for being Johnny on the Spot, they wrote a nice letter to the Chief of Police, and the next thing we know Fred gets promoted. So, the Shahid family took some credit in Fred's career."

There was laughter in the Chamber.

Councilmember Shahid continued, "Later in life, I became an Assistant United States Attorney. The first person I met in the Marshals Service was Fred. He literally took me under his wing. He was my mentor. His grandson came to work with me for a summer. I wanted to return the favor to Fred. Fred was just a trailblazer and the guy that you wanted to be the first in everything. I just wanted to recognize his family and thank them for all that Fred had done for our community. I don't know if anybody wants to say anything else about that, as well. Yes, come on up."

Yolanda Stroble Mason said, "Good evening. My name is Yolanda Stroble Mason, and I'm actually the youngest daughter of Fred Stroble. I just want to say that it is truly an honor to be here today. I appreciate the sentiments. I guess one of the things I'd like to say is my Dad was who he was in his career, as well as at home. We are just so grateful even in the sorrow, but rejoice in knowing that he is with the Lord. We also know that he lived a well life. He loved well, and he served his family and his community well, and for that, we're grateful. Thank you so much."

There was applause in the Chamber.

Mayor Tecklenburg said, "Alright. So, next is the approval of our City Council minutes from April 23rd."

Councilmember Moody said, "Move for approval."

Councilwoman Jackson said, "Second."

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

No one asked to speak.

On a motion of Councilmember Moody, seconded by Councilwoman Jackson, City Council voted unanimously to approve the minutes of the April 23, 2019 City Council meeting.

Mayor Tecklenburg said, "So, up next already we have our Citizens Participation Period, which we normally allow 30 minutes total for, and we see how many people signed up. So, we've got a pretty big crowd here tonight, but 20 have signed up to speak. It might run a little over, but let's say a minute and a half so everybody has at least 90 seconds to get their thoughts out to us. Please state your name and your address. The Clerk will call four or five signees at a time, and if you all would just queue up whoever she calls. We do respectfully have a time limit, so that we keep the meeting going on time. So, I would just counsel you to get right to the point of what you want to share with Council as you come forward. Madam Clerk."

The Clerk said, "Anthony Bryant, Mohammed Idris, Debra Glovier, Dr. Bobby Baker, and Dr. Michael Kogan."

1. Anthony G. Bryant quoted Noel J. Francisco, Assistant General of the Supreme Court of the United States of America, by saying that government waived its right to file a response to the Petition in this case, unless requested to do so by the court. This was in reference to the people who were impoverished and the impacts of flooding, hurricanes and wind on them and whether or not they would have the capacity to file a Petition on their own through their government to address their concerns and damages. That was an impossibility. He made another public comment to Robin Blume regarding a Notice of Intent to reappoint an incumbent United States Magistrate Judge and invitation for public comment. Everyone should do that as public citizens and African Americans should be filing their complaints because 40 percent of them in South Carolina didn't have any power. That was a fact based upon his research and work as a former BZA member as well as being DOT certified and HUD certified. He did this as his life's work to prove a point that if people were poor in this Country they didn't have any real power.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Mohammed was next."

2. Mohammed Idris said there was a lot of criticism about Mayor Tecklenburg which was needed because Mayor Tecklenburg stole Ms. Wineglass' money and he didn't go to jail. He got a pat on the back. Mr. Idris said he was locked up forcibly, went to jail, and had to pay a \$25,000.00 bond. Then, the case was dropped. He stated that Mayor Tecklenburg was guilty. He also said that Mayor Riley was the worst Mayor Charleston had since Jim Crowism and that both of them needed to be locked up and put under the jail.

Mayor Tecklenburg said, "Thank you, sir."

3. Dr. Bobby Baker expressed his concern about the threat happening to Charleston from outsiders who were coming on Thursday to divide Charleston's peaceful community. Charleston had been successful in telling hostile intruders to stay home and let Charleston solve its own problems. The friendliest city in America was under siege and even the communities could become a target for bullying, especially when no one was willing to stand up for them. As the past President of many organizations, companies, and a hospital medical staff, he had used the phrase 'United we stand, divided we fall' over and over again to ask reasonable people to reach a consensus and to inspire unity and collaboration. If individual members of a certain group with binding ideals worked on their own, instead of as a team, they were each doomed to fail and would all be defeated. He spoke to neighbors and family members in their community and asked everyone to reflect on what was next and questioned if it was the cemeteries, museums, libraries, textbooks, or personal property next in line to be ravaged. He hoped Council would agree with him that the description of this was insane.

Mayor Tecklenburg said, "Thank you, sir."

There was applause in the Chamber.

Mayor Tecklenburg said, "Please, silence in the Council Chambers. So, I know a lot of you are here in support of one position or another and I'll be happy to ask for a show of hands but, I'm sorry, we don't allow outbursts in the Chamber. Thank you very much."

4. Debra Glovier, U.S. Census Bureau, said that the 2020 Census was coming soon and they were hiring for many different positions, not for census takers, but for preparation positions. In June, they were looking for 3,500 people in Charleston County to apply for jobs with them in the hopes to hire at least half of that, if not more. The jobs paid \$13.50 to \$18.00 an hour. She had given Council her contact information and hoped Council could help her reach out to the community, whether it be through job fairs, websites, and talking to community residents. There were two of them in Charleston doing this recruiting effort. She started in January and her co-worker began in February, and they would have people joining them at some point and time. She asked for any help Council could give her.

Mayor Tecklenburg said, "Thank you, Ms. Glovier, and I'll have Tracy McKee in my office be in touch with you. The City of Charleston has formed a Citizens Committee to help you with outreach in the City."

Ms. Glovier said, "Thank you very much. Take care."

Mayor Tecklenburg said, "Yes, ma'am."

The Clerk said, "Dr. Michael Kogan, followed by Brett Barry, Don Livingston, and Alfred Pinckney."

Mayor Tecklenburg said, "Doc."

5. Dr. Michael Kogan said Charleston was famous for its beauty and for its history. People flocked here to see the beauty of the houses, monuments, churches, and they wanted to keep it that way. The group responsible for the toppling of the Silent Sam Monument at the University of North Carolina had arrived and now they had pledged to remove any statues they didn't approve of. The group was rallying in a few days at the Calhoun Statue and their purpose was to have that statue removed. It was reported that a petition had been given to the Mayor, and perhaps Council, by that group asking to vote to remove the Calhoun Statue. That would be first and then it would go on one after another until Charleston's public monuments, that they disapproved of, would disappear. They were there to implore Council that if the petition came before Council to vote it down. The reason the group had so much against Calhoun was his connection to the odious institution of slavery. Every decent human being knew that slavery was the original sin of America, but the way to conquer that was not to remove monuments that had been so much a part of Charleston for so long, but to build the African American Museum and other monuments to the creative efforts of black people in the City, not to tear down monuments, but to add new institutions to affirm racial harmony.

Mayor Tecklenburg said, "Thank you, sir."

6. Brett Barry said he was concerned about the protest group coming to Marion Square on Thursday, as the monuments of Charleston were a key part of the City's historical and artistic landscape. Millions of visitors came to the City to experience

Charleston's history and tour the monuments. Their protection and existence must be ensured for future generations. If the effort to remove Calhoun was successful, it would not be the end, as once a precedent was established in Charleston focus would move to other monuments. Statues of Washington and Jefferson were already under attack across the Country and Charleston must put a firm end to it now. He believed the Mayor had shown the way forward by suggesting adding to the history with additional monuments such as one to Robert Smalls. They would like to know, from the Mayor, what directive he had given to the police regarding the protection of monuments and from the four people running for Mayor, if they supported the removal of any of Charleston's monuments. He asked the people in the Chamber who were in support of the monuments to rise and be recognized.

Mayor Tecklenburg said, "Thank you very much. Just to let you all know this is Citizens Participation Period, it's not a question and answer or a back and forth kind of thing, but appreciate your question."

Mr. Barry said, "At a later time."

Mayor Tecklenburg said, "Maybe at a later time. Yes, sir."

7. Don Livingston said there was going to be an attempt to remove the Calhoun Monument and a few things that needed to be considered was that Calhoun was one of the greatest of American statesmen. A Senate Committee, chaired by John F. Kennedy, ranked Calhoun among the five greatest Senators of all time. He was also a great political thinker and the first American to work out an original political philosophy which was discussed today throughout the world by clinical theorists of the highest level. Calhoun had a brilliant critique of the baneful effects of centralization in modern states and his insight had been of great influence. People on the left and the right had benefited from Calhoun's work, such as the Canadian Constitution incorporated Calhoun's principles in its Constitution of 1982. His insights were developed by James Buchanan in what had come to be known as Public Choice Theory which James Buchanan got the Nobel Prize for in 1986. Calhoun was opposed to the imperialism that typically followed centralization and that was true of the United States, as well. Calhoun opposed the expansion of U.S. territory through war at a great political cost to himself and was in opposition to the Mexican War. He stated that to remove the monument in Charleston to this great statesman and thinker would only further impoverish the heritage of their children and grandchildren.

Mayor Tecklenburg said, "Thank you, sir."

8. Alfred Pinckney said he was a lifelong resident of Charleston and came with a heavy heart, as this was something that should never happen here. Some of Charleston's best people had mistakenly supported this awful effort to remove the Calhoun Statue that would come into play on the weekend. The people coming to Charleston had no interest in the people of Charleston and when they left the people of Charleston would have to clean up the mess. He was there to speak against this awful thing, as it was a terrible idea. A crazy white man came in and shot some noble people at the Mother Emanuel Church and this crowd wanted to finish the task by starting whites against blacks. There was nothing worse than that and this was not anything to be proud of. It was something to be feared, as once you unraveled the civil discourse that they had with citizenship of the City,

you just didn't knit it back together. It had taken 150 years to get it this far, but he thanked God for Council, applauded Council, and hoped Council saw some of his points.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "So, Betsy LaForce, Phil Dustan, LaSheia Oubre, Jimmy Kerr, and Russ Seamon."

9. Betsy LaForce, Coastal Conservation League, said the Conservation League supported the ongoing Dutch Dialogues process and the Transit Accommodations Ordinance. The Conservation League was pleased to have participated in the Dutch Dialogues Colloquium earlier in the month and looked forward to remaining engaged in the process. They hoped this initiative would lead to better dialogue across departments within the City and sectors around the region, as they all worked towards a regional consensus on the threats and priorities facing our community. The biggest challenge Charleston faced when dealing with flooding related issues came down to governance, policies, procedures, and regulations that helped guide where and how they grew as a community and the tools needed to mitigate the impacts of flooding in the existing neighborhoods. They knew that the four study areas of focus in the Dutch Dialogues exemplified larger issues that existed throughout the Lowcountry landscape. One key takeaway from the recent colloquium was that the budget should be scrutinized to ensure that any new Capital Improvement project be required to demonstrate the consideration of resilience, vulnerability, and criticality above all else as the risk of extreme flooding and sea level rise was assessed. They would continue to advocate for new policies that protected the long term health of the community with science based plans and they looked forward to seeing this exemplified in the updates to the City's Stormwater Design Manual later in the year. She also encouraged Council to support the Transit Accommodations Ordinance.

Mayor Tecklenburg said, "Thank you very much."

10. Phil Dustan said he represented a petition he wrote last year and 3,684 people had signed it. He said that 1,000 houses here, 750 houses over there, and 350 houses over here soon would be a sprawl on River Road. The people were against it, as it was causing the destruction of Johns Island and James Island by the City of Charleston. It was destroying property, lives, the Lowcountry's natural resilience, and was putting everyone in harm's way. The guidelines set forth in the Johns Island Plan and the City of Charleston Green Plan needed to be followed. He said 22 of them were on the Committee and another 100 or 200 people worked on it for a number of years. Yet, the City didn't even seem to know what was in it. He told the Mayor he should read, study it, and abide by it, and new knowledge should be applied to what was going on. Planned Unit Developments needed to be eliminated. He hoped Council would at least defer any decisions on these issues until after the Dutch Dialogues were completed and after Council had a chance to study it. If Council didn't do at least that, then Council was not being responsible to the people living in Charleston.

Mayor Tecklenburg said, "Thank you, sir."

11. Jimmy Kerr said he had served with Phil Dustan on some Committees on Johns Island and agreed with his comments, but he thought the PUD before Council was part of the solution and not part of the problem. Overall, their property initially had approximately 560 acres. Out of that, they lost a lot to highways, powerlines, gas lines, water and sewer lines, and it diminished it down to a point. He and his brother recently contributed 160 acres into the Lowcountry Open Land Trust under conservation easement, where no houses could be built other than what was there now, which was their three homes. He thought that was part of a landowner's responsibility as a good custodian of land on Johns Island and they had toed the line on that. 200 acres of the 600 was marshland that would never be developed and, besides what was being put before Council in the PUD, there was about a 50-acre parcel that would be eligible for development, but that was where I-526 was supposed to go. He suggested to Council that they were part of the solution and not part of the problem. They were willing to give the Southern tine, as they communicated in writing to the Mayor in two letters that week. He hoped that would be part of the solution and he asked Council to approve the PUD before them.

Mayor Tecklenburg said, "Thank you, Mr. Kerr."

12. Russ Seamon, Seamon Whiteside and Associates, said he was there to talk about the Kerr Tract, as he represented the owner and the applicant, Stanley Martin. The applicant had reached out to the City and was willing to reduce the unit count by 100 taking 50 units off of the Commercial and 50 units off of the Residential, which put them 143 units below what was currently allowed to be built by-right with the current zoning. They were agreeable to donating the land for the Pitchfork road, which had an estimated value of \$800,000. He thought this was a really big give to the City in providing a solution for the traffic, as there weren't many private developments that he had seen and worked on where it was part of the solution versus being part of the problem. This was very much a part of the solution and it met the Comp Plan. It was a better plan with the PUD, as they were getting 20 percent open space and big green areas around the historic preservation. They thought this was a good plan for Johns Island and they asked that Council approve the plan.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Mark Lipsmeyer, followed by Debbie Mims, Austin Fitzhenry, and Delores Payne.

13. Mark Lipsmeyer, Stanley Martin Homes, said they were the applicant for the Kerr PUD and he was available to answer any questions.

Mayor Tecklenburg said, "Thank you, sir."

14. Debbie Mims spoke out against Item L-1 which was the Kerr Tract and said they had enough development and overdevelopment. She was with Dr. Dustan, in support of the Charleston Green Plan and asked Council to stop building and allowing building to be done in flood prone areas on Johns Island and elsewhere throughout the City. She said she might be a 'come here', as she had only been here for 12 years, but her husband's family had been here for quite some time and owned property on Bohicket Road and lived in downtown Charleston, as well as

Summerville and elsewhere. They were really concerned with the way the City was sprawling out and ruining what was once almost an Eden on earth.

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

16. Austin Fitzhenry said he was a Charleston native with three generations of family currently living here and he was in support of the Charleston Green Plan. He expressed his dissent against the City's policies on development, as the City's policies were allowing the rapid destruction of the City and the City was prosperous exactly because of its natural and historic beauty. The liberal development policies were allowing for the destruction of both of those attractions. Specifically, what was destroying the City was the construction of sprawling suburbs where the natural landscape was completely leveled and replaced by a landscape that was inhospitable to every beautiful thing that was native to Charleston. New development was causing flooding of older developments, as well as intolerable traffic throughout the City. The issue of overdevelopment was quickly becoming a single deciding factor for voters. If the City didn't begin to take a stronger stance against development, this government would be voted out of office, in favor of a government that was more responsive to the issues that affected Charlestonians and the long term wellbeing of the tourism economy and way of life. Development represented short term economic gains, but for that the City was permanently sacrificing the entire future and ability to draw tourism and other economic development to this beautiful City.

Mayor Tecklenburg said, "Thank you, sir."

17. Delores Payne thanked the Mayor and Council and said she was a lifelong resident of River Road on Johns Island and that the environment out there was becoming toxic to humans, to the environment, and to animals. She thanked the Kerrs for the easements, but they did not need more houses and units as the zoning allowed. She said they appreciated that not as much would be built as was allowed, but once they had a 1,000 or 2,000 houses and the storms and flooding started the low land that she lived on which was going to be built above her elevations because of Stonoview that was putting 400 houses on River Road right now Waterloo was putting another 100. She told Council they didn't live out there and the developers other than the Kerrs did not live out there and would not live out there and wouldn't because it was not sustainable to what was going on now. She told Council if they kept allowing the developer to do whatever they wanted, and as long as they jumped through hoops and there wouldn't be any legalities about it. She asked Council to think about the repercussions that were happening to people who had been out there and would be out there after the developers were long gone.

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

The Clerk said, "Brad Taggart, Nicole Lavalley, Franny Henty, and Andy Gowder."

18. Brad Taggart said he thought the Kerr PUD up for second reading was a horrible idea for Johns Island, as Johns Island was not the place for stack 'em and pack 'em development like this development would be. This development would add a small town's worth of people in one of the most fragile traffic areas of the City. Being that this landowner had long been an opponent of I-526, that now wanted to

overload what little infrastructure they had with this massive development, he thought the fitting response to any of his zoning requests was to defer until the first cars travel on I-526 when the traffic he was creating might actually be manageable.

19. Nicole Lavallee said people had brought up some good points about the environmental impact and as a licensed home birth mid-wife and a trained EMT, it concerned her how dangerous it was not just for the people driving, but people who needed to get off of the Island in case of medical emergencies. People who didn't live on Johns Island had no idea how terrible it had gotten and something needed to be done. She thought it was great that the Kerrs had offered to donate this land for the other Pitchfork, but that needed to happen before any more permits were given and before any more houses were built as the roads and the infrastructure needed to improve. She attended the meetings, but she got discouraged because everybody kept saying the same things and she didn't feel like they were being heard. She said they wanted Council to represent the majority and the majority was saying it was too much out there. She told Council to come live out there before they let any more permits be given out because if they had to live there for a month or two they would think harder about this.

Mayor Tecklenburg said, "Thank you very much."

The Clerk said, "Are you LaSheia?"

Mayor Tecklenburg said, "She's Franny."

The Clerk said, "Franny. There is a LaSheia that I called and maybe she is not here."

Mayor Tecklenburg said, "She is gone."

The Clerk said, "Okay."

20. Franny Henty thanked the Mayor and Council for their service, as to have a political career in Charleston right now must be hard. She thanked the Stormwater Engineering Department for their careful consideration, as she had been following a developer trying to develop behind her for two years and she thought the Stormwater guys were doing a great job, Kinsey Holton, Matthew Blackwell, and Matthew Fountain. She would like to see the City continue to look after their ecological future and asked Council to consider a permitting allocation system factoring in the reputation of builders. She said recently DHEC found E-coli in Shem Creek and James Island Creek and she was told last fall by a member of the James Island PSD that they couldn't handle anymore sewage in this area on James Island and whatever Council had to do to take care of them she appreciated.

Mayor Tecklenburg said, "Thank you. Mr. Gowder."

21. Andy Gowder said he represented the owner of 200 and 210 Spring Street and he was there to report that on the second reading ordinance to extend Accommodations Overlay from 210 to 200 for a Medical District flexible stay residence. His client met with Councilmember Lewis and members of the Westside Neighborhood Association and had reached a Community Development Agreement which would be read into the record and made a stipulated condition of the Special Exception zoning before the BZA. They thought this was going to

be a great project for Spring Street, as it would improve the streetscape and would provide a needed use and would be friendly to the neighborhood and they asked for Council's support.

Mayor Tecklenburg said, "Thank you, sir. Did we miss anybody? Did anybody sign up that didn't get their name called?"

No one else asked to speak.

Mayor Tecklenburg said, "So, thank you all for being with us. We have one. Yes, please come forward. Ms. Angela Mack."

22. Angela Mack, Executive Director, Gibbes Museum, said she appreciated the opportunity to announce a forthcoming exhibition at the Gibbes entitled 'Black Refractions Highlights from the Studio Museum in Harlem'. It was a major traveling exhibition organized by the American Federation of Art, in collaboration with the Studio Museum in Harlem opening in two weeks. The exhibition presented nearly a century of works by artists of African descent and over 70 objects would be on view by 50 artists all over the Country and abroad that started from the 1920s to the present. They would all be on display at the Gibbes from May 24 to August 18. Through its pioneering exhibitions, public programs, artists to residencies, and bold acquisitions, the Studio Museum in Harlem had served as a nexus for the artists of African descent locally, nationally, and internationally since it was founded in 1968. The Gibbes was selected along with four other prestigious museums across the Country to showcase this once in a lifetime exhibition and as the only museum in the south to be part of the tour. Tremendous support from the community made this opportunity possible and they had numerous partners for the exhibition from all over the County including numerous education programs for students and they hoped everyone would spread the word.

Mayor Tecklenburg said, "Thank you, Ms. Mack. So, thank you all for being with us this evening. You're welcome to stick around, but certainly understand if you would like to go do something else with the rest of your evening as well but, please, stick around if you would like. Thank you for being with us and sharing your thoughts and ideas with City Council tonight.

So, next up is our Council Committee Reports, and the first one up is our Committee on Public Works and Utilities. We might just give one minute to allow an exodus here. We've got a fan to keep ourselves cool. We're cool tonight now. Alright. Let's proceed along with our Committee on Public Works and Utilities. Councilmember Waring."

Councilmember Waring said, "Thank you, Mr. Mayor. You see the Acceptances and Dedications of the various roadways J.1.a.(i) through (iii) were passed unanimously, and I put that motion forward."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "We have a motion for approval of J.1.a.(i) through J.1.a.(iii), and let's go ahead and take that if that's okay."

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

Mayor Tecklenburg said, "Yes, sir."

Councilmember Waring said, "Beyond that, we had updates from our Stormwater Management Department, and I'm going to turn it over to Matt."

Mayor Tecklenburg said, "Mr. Fountain."

Councilmember Waring continued, "Also, to be followed by Mr. Julka with the Floodplain Manager Update."

Matt Fountain said, "Thank you, Chairman, members of Council, Mayor. So, briefly to update you on the projects, we do have an arch repair that will begin on Monday with a single lane closure on South Adgers. The Low Battery Project, we have a solicitation out for pre-qualifications of contractors. We have the DOT agreement for the Public Works utility to take over maintenance of some of the features with that project. We have sent the Memorandum of Agreement to the Army Corps of Engineers that we did at the last Council meeting, so that permit is moving forward. The Huger/King pump station, we are working with the design engineer right now on finalizing a scope for the preliminary engineering to look at some project options for that proposed pump station. For the Hickory Farms Diversion Channel, we're in the easement acquisition stage where our design is at about 90 percent or ready to go to easement acquisition, so we're looking at those properties. We are continuing to evaluate other projects for storage options in that Church Creek Basin. We are coordinating the Lake Dotterer Project with the County on the Glenn McConnell widening. We are developing a conceptual project to do a pilot demonstration of green infrastructure on the buyout properties within the Church Creek Basin. We have a final draft in hand for the Dupont/Wappoo Drainage Study, which has recommendations for improvements in 11 primary areas identified. We should have that study reviewed and have any comments addressed within about a month. We'll come back to Public Works and Utilities with a more complete presentation at that point on those recommendations. The Barberry Woods Diversion Model is also complete for that project, so we're moving forward to an RFQ for preliminary engineering and design services on that project. The Central Park Drainage Improvement, we have the preliminary engineering scope finalized, so we're bringing that for the next Council meeting with AECOM, one of the Management Master Services Agreements. We also have a prioritization proposal in hand for that project, as well, which we'll discuss in more detail at Budget Ad Hoc this week. Having said that, I think we do have a presentation for you on the floodplain issues."

Councilmember Gregorie said, "Just one question for you. While it's not in my district, it's in District #12, what are we doing with respect to Shoreham? As the Councilmember realizes, there are issues there. Are we tracking anything there? I did have a brief conversation with someone from the area who is upset, and I think you guys are all familiar, and I did mention that I would bring it up at our next meeting. Apparently, they're really suffering over there with respect to flooding, losing homes, etcetera, etcetera. I do know the legality part of it, as well, but just wanted to know whether or not we were doing anything proactively to try to address the problem in Councilwoman Jackson's district?"

Mr. Fountain said, "So, our general proactive program is that we're working on that proactive maintenance approach to rehabilitate all of the front yard and rear yard drainage throughout all of the City parcels. So, that's one thing that will apply in a lot of those neighborhoods that are having issues that are relatively challenging to address from a City perspective, but I would be happy to come back with more details for you on that particular neighborhood, as well."

Councilwoman Jackson said, "Mr. Mayor. Thank you, Councilmember Gregorie. There are a few properties that are on, I think, the 2017 buyout list. All of the properties that were eligible were given the opportunity to put in their application. So, that is probably the most mitigating solution that we've been able to offer over the last couple of years, but I'm really looking forward to championing the improvements to the drainage watershed management."

Councilmember Gregorie said, "Thank you."

Councilmember Waring said, "Mr. Mayor, I just have a question for the Councilwoman."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Did they apply, Councilwoman Jackson?"

Councilwoman Jackson said, "The person you're talking about?"

Councilmember Waring said, "Not the person, but any other--"

Councilwoman Jackson said, "Yes. There are some properties in that neighborhood that are on the list to be bought out."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "Are there any other questions of Mr. Fountain?"

No one else asked to speak.

Mayor Tecklenburg said, "Now, we will be hearing from Mr. Julka a little later, unless we could have him come forward now or just include his report together."

Councilmember Gregorie said, "So, just to make sure that you put Shoreham on your list, so we can continue to track it."

Mr. Fountain said, "Absolutely."

Councilmember Gregorie said, "I appreciate it. Thank you."

Mayor Tecklenburg said, "Mr. Julka, would you like to recap your report to the Committee earlier this afternoon other than your presentation?"

Councilmember Waring said, "Well, Mr. Mayor, why doesn't he just do it all at once now? It's not a point of order."

Mayor Tecklenburg said, "Are you all okay now to take it on?"

Councilmember Waring said, "Yes."

Stephen Julka said, "The presentation is really my only report."

Mayor Tecklenburg said, "Okay, let's go."

Mr. Julka said, "So, do it now?"

Mayor Tecklenburg said, "Yes, that would be great."

The Clerk said, "So, there is also a bill up for first reading."

Mayor Tecklenburg said, "We'll have to get to that, too. We could go ahead and approve that while he's getting ready."

The Clerk said, "There is a bill up for first reading to delegate the signature authority for Mr. Fountain for easement acquisition."

Councilmember Waring said, "Thank you, Mr. Mayor. That bill passed the Committee unanimously, and I move for its approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion and a second to approve that."

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

An ordinance to amend Chapter 27, Article I, Division 2 to add a new Section 18 authorizing the Stormwater Director, in addition to the Mayor, to sign stormwater drainage easements and drainage facility dedications on behalf of the City of Charleston after their acceptance by the Public Works and Utilities Committee; as well as, permit applications related to stormwater projects.

Mayor Tecklenburg said, "Mr. Julka, you're on."

Mr. Julka said, "Good evening, I'm just going to briefly introduce a little bit of information that is coming out of the National Flood Insurance Program in terms of some proposed changes with the National Insurance Program, and also in addition to that, have some discussion about our current standing with the Community Rating System, as well as our ongoing strategy to improve that score with CRS. I'm going to start out with Risk Rating 2.0. This is a set of proposed changes that are being discussed by the National Flood Insurance Program at the Federal level to make revisions to how National Flood Insurance Program policies are assessed, and we have very little information at this point. There have not been any concrete policy changes published yet, but there have been some talking points that have been released. I want to share those with the group to keep everybody posted on what's happening at the Federal level and how those changes at the Federal level may impact flood insurance here in Charleston. Obviously, as we get more information, more details, we will continue the conversation.

Very briefly, Risk Rating 2.0 is a proposed update to the NFIP to assess flooding insurances policies more accurately based on actual risk to a property, as well as to assess policies more individually on a property by property basis. Right now, the FEMA Flood Insurance Rate Maps that just show flood zones and base flood elevations are the primary tool for determining flood insurance policies and premiums. Risk Rating 2.0 is a move away from just singularly looking at flood zones and adding information to that to more accurately depict risk on an individual property. The policies for Single-Family properties are set to be announced in April of 2020, and those policies would go into effect six months later in October 2020. As I said, we don't have a ton of detail at this time, but as we get closer to that date, or certainly in April of next year, we will have a lot more information to work with. But, a brief look at more specifically what is proposed or what is being discussed to be revised and how it may impact the policyholders here in Charleston. Again, this is going to be a really data driven effort to include multiple sources of flood risk data to more accurately depict actual flood risk for a property. This is going to include

information from multiple flooding hazards, and multiple sources of flooding. The FEMA Flood Insurance Maps primarily show flood risk associated with a storm surge event. The Risk Rating 2.0 proposes to use information from multiple sources of flooding, including intense rain events, to more accurately depict flooding risk. Also, as part of that, looking at the proximity of a property to a flooding source. So, if you have two properties that are in the same flood zone, if one property is closer to the flooding source than another, that premium would likely increase. There would also be a consideration of replacement cost for a property. If a property is completely destroyed, the cost to replace that property back to its pre-damaged condition would be considered in assessing the policy and the premium for that property. There is also a discussion of including the property owner's income in assessment of the premium. Again, we don't really have any details of how that would work. It's just been a topic of conversation at this point, but the anticipated impacts of those changes mostly come down to more accurately portrayed risk for an individual property and also, of course, to incentivize better mapping.

As I said, our maps right now really only look at flooding from a storm surge event, so this move to a more comprehensive risk assessment by the NFIP would lead to more precise mapping, including multiple sources of flooding. Probably, the biggest impact would be that the Risk Rating 2.0, the changes to the NFIP would more closely resemble an actuarial insurance program, as opposed to the subsidized insurance program of the NFIP. So, what that conceptually looks like for us here in Charleston is both the consideration of flood risk, a more accurate assessment of flood risk combined with an assessment of the replacement cost to a building. So, if you have both a high flood risk and a high replacement cost, you will have a high premium. If you have a very high replacement cost, but a low flood risk, you would have a lower premium. So, that's what we would expect to happen for properties here in Charleston, in terms of the premiums that would be assessed out of the Risk Rating 2.0.

I just wanted to touch on the anticipated timeline of a few NFIP related items coming together for us here in Charleston over the next year, year and a half or so. So, as we, at the City, learn more about Risk Rating 2.0 and as we get closer to our Charleston County Flood Insurance Rate Map being published by FEMA, which we expect to come out sometime this year. We're still waiting on FEMA to wrap a couple of appeals on that map, but the City is going to engage in a pretty robust public outreach effort to educate residents about what we are learning about Risk Rating 2.0, what the new Flood Insurance Rate Map is showing for different neighborhoods, and what all of that information might mean for individual property owners. That is going to, as I said, roll into when we expect the new Charleston County Flood Insurance Rate Map to become effective which should be, we're thinking sometime this winter but, again, we don't have a concrete timeline until we get the final map published from FEMA. Then, as I said, in April of 2020, the policies for Single-Family residences under Risk Rating 2.0 should be announced followed by, October, those policies would go into effect.

This is all also kind of under the consideration that the City of Charleston is on the list to have our five-year cycle visit for our Community Rating System assessment in 2020. That meeting has not been scheduled yet, but we are on the list to be in 2020. So, all of these things are converging at once which provides good opportunity to consider what may be changing with Risk Rating 2.0 in preparation for our CRS cycle visit, as well as changes on the map, how that plays into overall flood insurance premiums for residents. So, with that, I'm going to turn it over to Mr. David Stroud. He's with WOOD in Raleigh, North Carolina and he is our consultant who works with us on our Community Rating System efforts. So, he probably knows the ins and outs of Charleston's current standing with the CRS better than anybody. He has been kind enough to make the trip down from Raleigh to present his knowledge of our CRS standings to you all. So, I will turn it over to him and then we can answer some more questions at the end."

David Stroud said, "Thanks, Stephen. I'm David Stroud with WOOD out of Raleigh, North Carolina working with the City of Charleston on your Community Rating System Program. One thing I want to talk about, when Stephen was talking about the new Flood Insurance Rate Maps, which will hopefully become effective later this year, the firm doesn't tell the entire story of flooding for a variety of reasons. One, in particular, is we have to look at existing conditions hydrology from the mapping perspective. What that means is you can't look at a buildout scenario for impervious surface. You've got to look at existing conditions, hydrology, because FEMA can't defend something that might or might not happen in the future with mapping. So, that's one thing which means, in effect, that floods are often higher than what the base flood elevation shows on a Flood Insurance Rate Map. Most flood studies don't account for debris from storms and obstructions under bridges which increase flood heights. So, you've got to consider those things as well when you look at your flood insurance study.

Then, on impact think about the other things of new development because once you take a map home it's like a car driven off the lot. It becomes a used map. With more development, those studies were based on a certain model and once you have more development then those flood heights can be higher. Stephen also mentioned the new Risk 2.0. One of the things that I wanted to mention is that FEMA wants you to understand that, from a flood perspective, everybody is at risk. Some people have a low risk, some people have a moderate risk, and some people have a high risk of flooding but, essentially, everybody has a risk. 33 percent of all flood losses across the United States occur outside any special flood hazard area. That could be an X zone or a C zone, which technically requires no flood insurance. So, in coastal areas you have what's called the V zone rating which means buildings are elevated and you look at the bottom of the lowest horizontal member for rating purposes. In a typical non-AE zone, that's the coastal zone in the AE zone which is a river flood zone, which Charleston has a lot of, you aren't accounting for that lower horizontal number. You're looking at the top of that floor for the rating purposes, so you have more chances of that building getting wet.

So, this graph from the Association of State Floodplain Managers, a national organization dealing with flood issues across the United States, looks at the reduction for every height that you have of freeboard in your jurisdiction the lower your flood insurance rates are going to be, substantially lower. If you look at it from a better perspective, this data is also from the Association of State Floodplain Managers. If you look from one foot of freeboard across the United States, rating is all of the same. Whether you live in Alaska or Charleston, South Carolina, it's all elevation rated. So, it doesn't matter where you live in the United States flood insurance rates are based on the same rating. So, one foot of freeboard your rating, on average, is going to be \$1,000.00 or at most \$1,100.00. If you have an extra foot of freeboard, that goes down to \$734.00, so you have a substantial savings by an increase in freeboard. If you look at it from a 30-year mortgage, which is when you get a mortgage, adding two feet of freeboard adds about \$20.00 to a 30-year monthly mortgage. That's about \$240.00 per year. You already have one foot of freeboard in Charleston, so it would be less than \$20.00 to a 30-year mortgage for an extra foot of freeboard and the insurance savings would be \$1,000.00 over each year or \$2,000.00 in a coastal zone. What's important from the Community Rating System perspective is that every increase in foot of freeboard gives you extra credit. Extra credit means you get a lower classification. It means flood insurance premiums are cheaper. There is a discount. There is an incentive to do more for the Community Rating System Program. This table reflects that every 500 points a community generates on its application translates into a five percent rate break for policyholders. So, for Charleston, it means that right now you are a Class 6, so on average the City is saving its residents about \$5.7 million per year in the cost of flood insurance over those 26,000 flood insurance policies. If we get enough points to generate a Class 5 rating, then the savings will be \$7.1 million per year for your residents and the increase in the SFHA, those policies which are higher rated,

you're going to have an increase of about \$50.00 additional discount per individual policy by going one foot higher in freeboard. That's a substantial savings for a lot of people on an individual basis let alone from a community-wide basis."

Councilmember Seekings said, "I'm sorry to interrupt, but how many properties and how many policies?"

Mr. Stroud said, "You have 26,000 policies in the City."

Councilmember Seekings said, "Okay. Thank you."

Mr. Stroud said, "26,000. So, from the CRS perspective, the Community Rating System perspective, it's all a point based program. So, points are essential, and it's based on how much of that regulation affects the special flood hazard area or the entire community. So, currently, Charleston has 2017 points. 2,000 points are needed for a Class 6 discount. That's a 20 percent discount on flood insurance premiums. If you reach a Class 5, that goes to a 25 percent discount for residents. So, you go and increase in freeboard, you lower their flood insurance rates, and then you add an additional 25 percent discount on top of that. That's a substantial savings for policyholders for the 26,000 policyholders across the City of Charleston. It's essential that we look at that freeboard because without that extra 125 points you need 483 to get to that Class 5. It's going to be almost impossible to get to that Class 5 without that additional foot of freeboard to make that Class 5 and 2,500 points of credit. So, each of those 19 CRS activities I've got a table here which shows what the potential total credit is on your next verification visit. It's essential that we get as many out of the higher regulatory standards and the 125 points for freeboard, which is also a life safety issue for many residents. It is also a protection value and a reduction in the cost of flood insurance for your citizens. That's all I have."

Mayor Tecklenburg said, "Are there any questions?"

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, sir. I just wanted to know, you said there were 26,000 households that currently have insurance. Is that just the NFIP?"

Mr. Stroud said, "Well, yes, in NFIP. There could be some private insurance as well on top of that, so there are private companies that do write private insurance, and you're seeing more and more of that. So, that doesn't account for the private insurance."

Councilwoman Jackson said, "Okay, that's what I wanted to know. Thank you."

Mr. Stroud said, "Sure."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I'm sorry I forgot your name. Can I get your name again?"

Mr. Stroud said, "David Stroud."

Councilmember Waring said, "Mr. Stroud, could you answer the question that's been perplexing me and, quite frankly, I know some of my colleagues on Council?"

Mr. Stroud said, "Yes."

Councilmember Waring said, "A person loses their home from a tragedy, not because of flooding. It gets 51 percent damage from a tree falling through the middle of the roof. If we go to Freeboard +2 or, quite frankly, a Freeboard +1, and let's say that house is at FEMA 13.6 base flood elevation, if they don't lift that house another foot right now or another two feet if we went to Freeboard +2, this City will not give them a building permit to fit their home in place."

Mr. Stroud said, "The homeowner would need to meet the City's flood damage prevention requirements at the time that structure is damaged. So, whatever the freeboard requirement, if you have one, would need to be met at that time, if it's substantially damaged."

Councilmember Waring said, "That is our understanding."

Mr. Stroud said, "Correct."

Councilmember Waring said, "From one of our insurance professionals that we happen to have around the table, that coverage to lift your house or jack your house up isn't a normal part of your homeowner's coverage. It's a special provision."

Mr. Stroud said, "There is insurance coverage. It's called Increased Cost of Compliance, ICC coverage. There is \$30,000.00 available on every flood insurance policy to elevate a home, and also, there is grant money from the Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program and Flood Mitigation Assistance Program to also assist those in elevations that are eligible through the BCA, Benefit Cost Analysis Program."

Councilmember Waring said, "So, then every citizen that fell into that situation, as a matter of fact the example I used in our meeting today when Hugo hit Charleston in '89, at that time it did almost a billion dollars' worth of damage. The majority of damage in Charleston was not due to flooding. It was due from wind and trees falling and a combination thereof. At that time, people could fix their home in place. Today, those same people who were able to file a claim with their homeowner's insurance for wind damage, tree damage, etcetera, water coming through the roof, they could do that. Today, they could not do that. Besides applying for a grant, where else would the revenue come from to jack those people's houses up?"

Mr. Stroud said, "Right. If you look at it from the cost of a 30-year mortgage, they're going to be saving more on the back end from reduced cost of insurance than they are on the front end. So, if they have to pay \$4,000.00 to \$10,000.00 to \$16,000.00 to elevate their home, the insurance savings over the life of that mortgage is going to more than pay for that initial cost of elevation. They're going to be saving at least \$1,000.00 to \$1,500.00 on the cost of flood insurance that they would otherwise not be getting based on this freeboard requirement."

Councilmember Waring said, "Those are not the prices we are getting to lift homes in Charleston, \$4,000.00, \$5,000.00, \$6,000.00, \$8,000.00. Those aren't the prices."

Mr. Stroud said, "Well, it depends on the type of foundation. If it's slab on grade, it's more expensive. If it's crawlspace, it's much less expensive so you need to look at the type of construction."

Councilmember Waring said, "Well, what we definitely need to do because one of the items that was put out in our newspaper twice was that to raise a house a foot was slightly less than \$2,200.00 on a roughly 2,000 square foot house. In my opinion, that's not accurate."

Mr. Stroud said, "Well, it depends, once again, on the foundation type of that home. Every foundation type is different so you can't *carte blanche* say it's this amount of money because it's based on the foundation type of that structure."

Councilmember Waring said, "I don't think, well anyway we'll have a chance to debate that. But, the issue about lifting people's homes and how much it's going to cost, we don't have accurate information on that, and the unintended consequence that we put thousands of our citizens in believe me, I know I have at least a 1,000 houses in the district that I represent that are in flood zones and on grade. So, to jack those houses up, we have yet to see an accurate number on that, and our homeowners are very unaware that in some cases the most valuable asset they have is at risk."

Mr. Stroud said, "I'll also say that the statistics that were provided tonight are national statistics across the United States for the Association of State Floodplain Managers who go to every state and look at what the cost of elevation is. This is an average across the United States. So, there are some that are higher, there are some that are lower. This is an average cost across the United States from a national organization."

Councilmember Waring said, "The average cost you quoted is, what, to raise a house?"

Mr. Stroud said, "I'm sorry."

Councilmember Waring said, "The average cost to jack a house up across the United States is what?"

Mr. Stroud said, "It depends on what foundation type. It's anywhere from--"

Councilmember Waring said, "Let's say it's a crawlspace, and then let's get us a price for slab."

Mr. Stroud said, "I think that was around \$2,200.00 to \$2,500.00."

Councilmember Waring said, "Does anybody in this room know a company that would do it for that?"

Mr. Stroud said, "I mean \$22,000.00 to \$25,000.00. I'm sorry, I misspoke."

Councilmember Waring said, "Does anybody in this room know of any company in Charleston that will raise a house for what I thought you said, \$2,200.00?"

Councilmember Seekings said, "Even that is low."

Mr. Stroud said, "It depends on the square footage of the house, as well. So, it's not just an 800 square foot, 900 square foot house which is going to be a lot less than a 1,800 or 2,000 square foot house."

Councilmember Waring said, "I agree with you on that, but that's the type information we will need before we can make that kind of decision. Because a \$200.00 to a \$300.00 annual premium savings is not worth the risk of not being able to fix your house or repair your house in place, in particular to low to moderate communities. Low to moderate community folk, frankly, don't have \$25,000.00, \$30,000.00, \$40,000.00 to lift their houses. In most cases, they don't even have the flood insurance."

Mayor Tecklenburg said, "Mr. Julka, did you want to add something?"

Mr. Julka said, "I just wanted to quickly interject and introduce another one of our guests tonight, Mr. Andrew Muller. He's here representing the South Carolina Insurance Association, so if there are any insurance questions he can also provide some expertise there."

Councilmember Waring said, "Thank you."

Andrew Muller said, "Thank you. So, I'm Andrew Muller, President of Mappus Insurance, and I'm also on the Board of our State Independent Insurance Association. Councilmember, to answer your question, a standard homeowner's insurance policy actually does include, built in to the policy, ten percent additional increase cost of construction for ordinance and law related issues. So, if you're insuring your house for \$300,000.00, you would have an additional ten percent naturally built in to your policy, so an additional \$30,000.00 for ordinance or law related issues that come up. I think the Mayor is probably aware of a house located at 42 Rutledge Avenue maybe. Did you grow up there?"

Mayor Tecklenburg said, "I did."

Mr. Muller said, "Okay."

Mayor Tecklenburg said, "And my father did."

Mr. Muller said, "Your father did. Okay. Well, as you all may know, that was a house that was burned beyond 50 percent back in 2018. I actually insure that property, and it was the first property downtown to have been elevated. I can tell you right now my clients paid zero dollars personally to get that elevated. It was his insurance policy that did that."

Councilmember Waring said, "You're telling me that every homeowner's insurance policy has that coverage?"

Mr. Muller said, "If it's a standard ISO insurance policy. ISO is an organization that standardizes policies for across the country, yes, and if it's not an ISO policy, I'm sure they have that similar coverage built in because they're trying to compete with other companies. You can increase that coverage, as well, and it doesn't cost much to increase it, and it's an additional coverage. Absolutely."

Councilmember Waring said, "So, who takes the liability on that if you're wrong?"

Mr. Muller said, "What's that?"

Councilmember Waring said, "Who takes the liability on that if you're wrong?"

Mr. Muller said, "Well, I'm just here representing, I guess, myself. But, I mean I can review your policy if you want me to, and I can tell you if you have the coverage or not."

Councilmember Waring said, "No, frankly, that's a joke, but I'm not the person in question. I'm fortunate. If I had to, I could jack up my house."

Mr. Muller said, "So, the State Department of Insurance regulates insurance companies here, and that could be a great question to ask them if that's a requirement that they require all insurance companies. I can just tell you that a standard ISO homeowner's policy includes it, and I don't know any company that's not using this."

Councilmember Waring said, "What do you call standard? So, what about a substandard policies? In other words, you have homes, and we all know about the inspections that take place

on homeowner's coverage, if your home isn't up to date, you can't get certain policies. What about those policies, the substandard policies?"

Mr. Muller said, "I mean what we call non-standard or E and S, excess and surplus, lines policies. Most of those are all written on the same ISO policy forms, even if it's their own manuscript forms, it's going to be a very similar wording."

Councilmember Waring said, "So, you're saying that they're going to have form of coverage?"

Mr. Muller said, "I'm not going to guaranty it, but it should be the homeowner's responsibility to make sure that they got the proper coverage."

Councilmember Waring said, "That's the type of information we need to make this decision. You see what I mean?"

Mr. Muller said, "I agree."

Councilmember Waring said, "Because I represent people that don't have insurance on their house. They take the risk. I'll tell you why. I have a client in my district that gets every bit of \$1,100.00 a month. She was a domestic worker, and she's 82 years old. She owns her house. The house is in disrepair, but if she gets, as a matter of fact, her house is assessed at \$29,000.00. If she gets 50 percent damage, our City will not issue a permit for that lady to repair her home in place. Those are the people whose voices aren't in this room. We have to give voice to those people. So, a lot of this is politics, but we want the right answer."

Mr. Muller said, "Certainly."

Councilmember Waring continued, "Before the decision could be made. We made a mistake as a Council when we went to Freeboard +2, +1, because we did not get that answer. Now, that's not this Mayor's responsibility or this Council's responsibility. That happened prior to Mayor Tecklenburg. I was on that Council that voted for that. This part of the conversation never came up. It's coming up now, and I think we should answer it definitively before we pass something because, frankly, it helps some of us. I, 100 percent, understand where you're coming from. Unless it's a requirement to make somebody have homeowner's insurance, many laws get passed that not everybody is going to follow. But when the tragedy hits, when the next storm, it won't be named Hugo, it won't be named Michael, it won't be named Andrew, but those homes that get damaged by wind and trees and debris and not by flooding."

Mr. Muller said, "Well, this is not flood related at all if we're talking a wind claim. That's a homeowner's policy. If it's a flood claim, and they don't have flood insurance, they can't apply for a flood grant in which you don't have to pay back a flood grant if it's flood related."

Councilmember Waring said, "I understand but, again, that homeowner is at risk of depending on donations and grants to be able to get back in the home, quite frankly, they've been in decades."

Mr. Muller said, "Yes, that's why there are organizations like the Red Cross even, to help out people like that, but I can't make somebody buy homeowner's insurance."

Councilmember Waring said, "You've given good information, and I think it's helping to give us a pathway to find the broader information to make the accurate decision, and I'm not saying that to be trite with you. You have given good information. This gentleman behind you

that gave the 26,000 policy owners in the City of Charleston tells me a lot of people don't have coverage."

Mr. Muller said, "The one other thing to add to that, that the numbers he was talking about, that was a premium savings going from \$5 million something to \$7 million something. That's not factoring in the amount of savings there will be from preventing flood losses, which will cost even more than what a flood policy costs."

Councilmember Waring said, "Yes. Our question would not be on new construction or somebody doing a substantial renovation. It is on that person who has a fire, has a tree, has a tornado. Again, it has nothing to do with flooding, but our City will require them to lift their houses in addition to repairing their homes. Thank you."

Mr. Muller said, "Yes."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. I just have some follow-up questions. We're at +1 now, correct?"

Mr. Muller said, "Yes."

Councilmember Shahid said, "So, in taking Councilmember Waring's analogy, if we did not have +1, and we did not pass that ordinance back when we did, if a house was damaged more than 50 percent, we would still have some standards we would have to abide by to allow that house to be reconstructed or rehabilitated, right? So, regardless, if we're at +1 or +2, FEMA is going to require that house to come to a certain standard whatever that standard may be at 0 or +1 or +2 if it's been damaged more than 50 percent of its value. Is that accurate?"

Mr. Muller said, "Yes."

Councilmember Shahid said, "Okay."

Mr. Muller said, "Just because we're talking about flood-related stuff, but if somebody has a house damaged beyond 50 percent, they need to bring so many other things up to code, too. So, if somebody doesn't have insurance, and they're beyond 50 percent, they would have other restrictions or, not restrictions, but other guidelines that they would have to bring up to code, not just flood-related."

Councilmember Shahid said, "Alright. Let me sort of follow this train of thought if I may, please. So, if I have flood insurance, is a standard flood insurance policy going to pay for the elevation expense?"

Mr. Muller said, "So, a standard FEMA flood insurance policy has a maximum coverage of \$250,000.00. If you want more coverage than that on your property, you can buy excess flood coverage through private flood companies. A standard FEMA flood policy, which I can tell you that a standard FEMA flood policy is the same across the board, so that's not different because it's FEMA, and it's all the same, but they're going to provide an additional \$30,000.00 increased cost of compliance. Then, if there is anything beyond that, that's where you can apply for a grant, if you still haven't. I have a client on James Island that had a total loss, and she does not have enough to rebuild. She doesn't, but she's selling the property. She's selling the land, and she's getting a lot of money for it, and she's going to build elsewhere. So, it can happen."

Councilmember Shahid said, "Okay. Just one other follow-up question. You talked about grant money being available. Number one, what are the requirements for a person to be eligible for a grant and, two, does a grant pay for the full cost of the elevation?"

Mr. Muller said, "Well, I don't know the full requirements, but I can tell you the grants, I believe, can get up to \$250,000.00."

Mr. Julka said, "David can take this one."

Mr. Stroud said, "Yes, it's based on what's called the Benefit Cost Analysis. So, typically, the value of the building is a factor. Typically, from Residential, it would take at least two, maybe three, buildings combined that want to do this to make the Benefit Cost Program get a 1.1 threshold or greater, which is what FEMA requires for that grant funding to be issued, to know that the rate of return on investment is going to be worth it. So, typically, one building might not qualify for the BCA rating, but two or three Residential buildings in the \$200,000.00 or less range probably would. It may require more, but it's based on what's called the Benefit Cost Analysis Program. You have to reach a certain threshold which, I believe, is a 1.1 on Residential, in order for those structures to qualify for the grant, but that's outside of the \$30,000.00 for the ICC coverage that you can automatically get out of your flood insurance policy to elevate that building."

Councilmember Shahid said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Yes, I just had another question to clarify because I appreciate that Councilmember Waring is zeroing in on how many households are potentially not insured, so I think we should probably get a more full picture of that. So, of the 26,000 policies that you said are FEMA issued policies, are those all in the Special Flood Hazard Area?"

Mr. Stroud said, "No. If you look at the table, the left hand column is the total value. The center column is what's called the SFHA, the Special Flood Hazard Area. So, I think it's around 25. I don't have it in front of me, but maybe I do. So, the second column is your SFHA. That's your floodplain. So, there are 21,155 policies. There are 914, what we call, Standard X Zone policies. These are policies where FEMA doesn't require you to buy flood insurance in the X or C Zone. 914 people did because they're experiencing flooding in those areas, so they got the standard coverage in the X or C Zone. Then, another 3,844 policies are called Preferred Risk policies. Those are policies you can buy in the X and C Zone for that peace of mind coverage, less than probably \$450.00 per year for that insurance. It's lower in terms of contents and coverage certainly, yes."

Councilwoman Jackson said, "So, how many properties do we have, approximately, in Charleston that would be in the X Flood Zone that aren't choosing to be covered?"

Mr. Stroud said, "Are you asking in the SFHA? That's really where you're looking at?"

Councilwoman Jackson said, "No, I'm just trying to get to how many households do we have in Charleston? We have 150,000 residents."

Mr. Muller said, "Most people don't have a flood policy, basically."

Councilwoman Jackson said, "Right. Yes, I think we should be cognizant of that point, that we're not talking about how many of our houses we have in Charleston minus 26,000 are not insured and in danger, at risk. I think we need to be a little more understanding of the fact that

the people that are most at risk in the Special Flood Hazard Area are covered. I have properties that are privately insured. More and more you can't get companies to write FEMA, so they're not covering. I know for sure State Farm is not even writing on James Island any longer, so you have to go to the private market for a lot of these coverages. So, I don't think we should back into thinking that there are twice as many people that are not insured as these 26,000 are. That was my point. So, thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "So, up to \$30,000.00 is just a standard part of the premium, am I correct?"

Mr. Muller said, "For flood insurance."

Councilmember Gregorie said, "Okay. But in addition to that ten percent?"

Mr. Muller said, "Well, the ten percent I was referring to is on a homeowner's policy if it was a non-flood event."

Councilmember Gregorie said, "Right. I'm just trying to make sure, so there is potentially-

Mr. Muller said, "We do a great job of confusing people."

There was laughter in the Chamber.

Councilmember Gregorie said, "That's why the premiums are so high. So, you're saying that's generally a standard provision of most homeowner's policies. I've used it once, and it had to do with an ordinance, a requirement of the town, which put the cost up. So, I do know that that policy has it, and it wasn't a flooding event either. This was a fire. So, luckily, my policy had that provision in it, but I'm sure there are a lot of people that don't even know about that provision because I didn't until I started researching the policy."

Mr. Muller said, "Unfortunately, there are a lot who may not have that information. Every home policy is going to have exclusions. It's the only way to make it affordable, quite honestly. So, there are a lot of exclusions and sublimits that, unfortunately, people don't find out until after a loss that they're capped at a certain amount or that they just don't have coverage at all."

Councilmember Gregorie said, "Well, I had 100 percent loss."

Mr. Muller said, "Yes, glad you had the coverage. Not everybody does."

Councilmember Gregorie said, "The renter had coverage, too, on my building, so it worked."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I'm just wondering, since we deferred this tonight, what our game plan is on this? Councilmember Waring, did you have any sort of recommendation with your deferral?"

Councilmember Waring said, "I want to get more information. I appreciate this young man coming with that information, but it may be more definitive to get somebody from the State Department of Insurance here. The reason I say that, with a major event, I'm just talking about

areas like Ardmore could be wiped out with this. Sherwood Forest with the same damage that you had from Hugo could be wiped out with this, as could South Pine Point, East Oak Forest, West Oak Forest, all of those areas are in flood zones. During Hugo, again, people that got 50 percent or more damage could repair their homes in place. I think we need to be clear on this. It's going to be our Building Inspections Department that's not going to issue a building permit if your home got damaged 50 percent or more, and it's not from flooding, and you have the money from your insurance company to repair your home. It's going to be the City of Charleston's Building Permit Department that's not going to issue a permit to do work on your home. If you're obstinate and you say, 'You know what? I'm going to fix it anyway', then they're going to pull your power. You're not going to have a Certificate of Occupancy to occupy your home because the City of Charleston will be saying you have to raise your house to FEMA +1 or FEMA +2. It's not FEMA that's going to be telling you that you've got to lift your house up to FEMA +1 or FEMA +2. It's going to be your local government telling you that.

Now, we've been told that the people West Ashley, James Island, and Johns Island may be able to file for a variance. I went in front of the BZA a month ago to get a 16-inch variance. I want all of you all to know this is a little bit less than 12-inches. I went to get a 16-inch variance on the width of a lot. They got so convoluted in the discussion it got deferred, 16 inches. This is riding by between being 52.9 versus 52.5 feet wide and you tell me, riding by on the street, can you tell me the difference in a lot that's 16 inches in width smaller than another one? So, can you imagine the people from, after a major hurricane, people West Ashley coming and saying, 'I want to fix my house in place, I didn't flood, I got the money to fix it up. I need a variance to be able to fix up in place', like the historic homes will have? There is an exemption for historic houses. We don't have that in West Ashley, James Island, on Johns Island. You don't have that on the west side of town. So, can you imagine the BZA handing out all of those thousands of variances? It isn't going to happen. You can apply. You are just not going to get it. Fast forward, those areas that are close to the Peninsula, and people can't repair their homes in place and can't occupy their homes, they're going to have to sell the houses as is, and somebody who can build 14.5, 15.5 feet off the ground will then come in and occupy. You're going to lose neighborhoods, you're going to lose cultures. Thank you for indulging that diatribe."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. Councilmember Waring, I really admire you're insight into wanting to protect people from the disasters that, unfortunately, we know we have to be planning for in Charleston. I guess every time you talk about the problems with people that are not insured, and if they have a disaster that is not flooding related, they're still going to be required to build their house back as if they were flooded out, to be honest we're arguing about one foot difference. Most of the older neighborhoods that are on slabs are already below the base elevation that they would be required to build back. So, yes, we would be asking them to raise it up an additional foot beyond what they would be required to do today, but I know many houses on slabs and their elevation is like eight and nine feet, so they're already going to have to build back to 13 feet to get to the requirements that we currently have today that can't be changed. We could do away, I guess, with our one foot freeboard, but we can't do away with what FEMA would require them to build back, which is base flood elevation. So, I would join you in saying, let's try to protect the people who are the most vulnerable, the aging, the single-family that are struggling to make it on their incomes. Let's start some insurance subsidy fund that we can help people buy their flood insurance, and let's deal with the problem with the people that you care about, and I join you in caring about them. I don't think that by saying that we're not going to increase it one foot, we're going to change the dynamic of what could happen in a worse case non-flood related disaster. All of those houses are going to have to be built to the FEMA standard,

and most of them are not there today, so we have that reality, but I don't think that what we're protracting in making this freeboard decision is dealing with the heart of the people that are vulnerable to a disaster that aren't insured. I would like to start there."

Councilmember Waring said, "Respectfully, Councilwoman Jackson, if the public knew about it. You saw people who came in here with the Calhoun Monument. They had this place filled up because they knew about it."

Councilwoman Jackson said, "Why don't we call them?"

Councilmember Waring said, "Why don't we call them? If the people knew about it, we couldn't get to our seats. They don't know. They didn't know when we went from FEMA +1. They didn't know. So, passing on, basically, an unfunded mandate and the people don't know. It's not coming from Washington. It's not coming from the State of South Carolina, the unfunded mandate. It's coming from the government that's closest to you, which is most effective."

Councilwoman Jackson said, "Sir, it's already there. That's the reality."

Councilmember Waring said, "The people don't know. That's my point."

Councilwoman Jackson said, "Call the people. It's already there."

Councilmember Waring said, "We've done a good job telling them about FEMA +1. We've done a great job over the years so far. They still don't know. That's why we are their stewards. Anyway, thank you for the time, Mr. Mayor."

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

No one else asked to speak.

Mayor Tecklenburg said, "Alright. Thank you, gentlemen, for being with us tonight."

The gentlemen said, "Thank you."

Mayor Tecklenburg continued, "I appreciate the information and Councilmember Waring does that conclude the report?"

Several Councilmembers said, "Yes."

There was laughter in the Chamber.

Councilmember Waring said, "Yes, sir. Mr. Mayor."

Mayor Tecklenburg said, "So, next is our Committee on Traffic and Transportation, Councilmember Seekings."

Councilmember Seekings said, "Thank you, Mr. Mayor. The Committee on Traffic and Transportation met this afternoon at 2:30 p.m. All members were in attendance. Thank you very much. We have two items that need to be taken up by this Council. The first is what we call the Transit Accommodations Amendment to our Zoning Ordinance that allows for TRC review to look at new developments going forward in the City of Charleston and require that there are accommodations put in for public transportation. That is in addition to Chapter 54 of our Zoning Code. One of the requirements that was put forward in the ordinance, that Councilmembers have in front of them in their packet, was that one of the limitations on the enforcement on the

applicability of this ordinance was that the development that was being reviewed by the TRC for Transit Accommodations and Accessibility had to be within a quarter of a mile of existing or planned future public transit routes. The Committee unanimously voted to take that requirement out and to have all future projects in the future, that come before the TRC, to have transit accommodation because we don't know what's going to be out there in the future. So, with that amendment this ordinance was passed unanimously, and I would ask this Council to do the same, to then send it on to the Planning Commission to take a look at it."

Councilmember Waring said, "Move for approval."

Councilmember Lewis said, "Second."

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

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "Was there any discussion about areas of the City of Charleston that don't have public transportation? Daniel Island, in particular, has zero service from CARTA."

Councilmember Seekings said, "So, that's right. We didn't talk about Daniel Island, specifically."

Councilmember White said, "Or Cainhoy."

Councilmember Seekings continued, "But, it's coming someday. The future is going to have public transit all over this City. That is an issue, as you know, and we actually have been talking about Daniel Island. So, we did not exempt or accept any part of the City and, in fact, I would suggest to you that Daniel Island and Cainhoy are the perfect places, where we actually need to employ this type of zoning, so that we can attract public transit to development and to population centers in the future."

Councilmember White said, "But without a system in place today, how does that impact what's already occurring?"

Councilmember Seekings said, "Well, it's a little bit of 'if you build it, they will come.' There is no question that, in the future, we can't pave our way out of all of the issues that we've got and particularly along the Clements Ferry Road Corridor as you go north into Cainhoy. So, we're looking, I'll put my hat on as Chairman of CARTA, and look at regional transportation. Daniel Island is a topic of great conversation. In fact, we're meeting with Benefitfocus next week to look at a pilot program to run a Park and Ride for Benefitfocus for their employees who come from other parts of the City. So, transit is coming to Daniel Island. I can't tell you it's coming tomorrow, but if we don't think about it and build for it and put infrastructure in for it, it's going to make it much more difficult. So, I do believe for projects going forward, and I think that the developers you're going to see in Cainhoy and Daniel Island, but Cainhoy, in particular and certainly businesses that are coming there, they're going to want to do everything they can to attract transit. I don't believe that this is an amendment to our Zoning Code that was met with any resistance from those who are going to be building in the future. Now, that's taking some on faith, the future holds public transit, but how can it not?"

Councilmember White said, "The reason I ask, as I said, Daniel Island has been developing for 25 years now. When it started, development, the question was asked of CARTA would they cover Daniel Island and the answer was 'no'. 25 years later, we still don't have any

public transportation out there. So, it just begs the question, if we start, we just need to be holistically reviewing and recognize that there are parts of the City that don't have public transportation and how that impacts in adding sort of a layer of process when 25 years ago since the development began, we still don't have anything out there. How is that going to make an impact, I guess, is my question?"

Councilmember Seekings said, "I totally agree with you, and we weren't there 25 years ago. I wish we were. We could change a lot of things, but every day that goes by we're closer. As I said, we are actually currently looking today at a program to bring limited, but some, public transit service to Daniel Island. It is a supply and demand issue. It costs money to do it, but as Daniel Island grows, which it is growing as you well know, as the area of Cainhoys and Clements Ferry Road grow, there is going to be a need for transit. As we build Lowcountry Rapid Transit, it's going to make it a lot easier to get public transit out there because it's going to go right by the I-26/I-526 Corridor. So, I would ask that, particularly with your district, you think in the future, that in order to attract transit we've got to do some things that put infrastructure in place, and this is just one of many. I would note that no one has objected to this at all in any of the development community and, in fact, it's been asked for. So, you're right, we're not there. We certainly want to go there. I think everyone around this table needs to work hard to make sure we support all aspects of transit going forward, but it's a long process for sure."

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

Councilmember Lewis said, "Mayor."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I agree with Councilmember Seekings. Park and Ride is a good thing that CARTA has started, and I think a lot of big companies and industries are looking at it because it will help take a lot of cars off the road. It has a direct route right from where you work to where you catch the bus. So, I think I could see Daniel Island using public transportation in the future. Like you say, it might have taken 25 years, but when Daniel Island was first built, the Master Plan called for nine fire stations. We aren't there yet. We aren't half the way there yet, but one day we might get there. So, we've got to think down the line. We've got to continue to look at the future. We can't let that pass. We've got to look at what we were going to do. Thank you."

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

No one else asked to speak.

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

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding thereto a new Part 15 entitled Transit Accommodations to set forth requirements for transit accommodations for multi-family and non-residential projects reviewed by the Technical Review Committee to improve the mobility of the City by increasing the opportunity to utilize and options for transportation. (AS AMENDED)

Councilmember Seekings said, "There is a second item that we took up. I call this the 'no brainer' ordinance. We took up an ordinance to make it illegal to park in a fire lane. That ordinance passed unanimously and I would ask its approval of this Council."

Councilmember Griffin said, "Move for approval."

Councilwoman Jackson said, "Second."

The Clerk said, "I have Councilmember Griffin and Councilwoman Jackson."

Mayor Tecklenburg said, "Okay."

Councilmember Waring said, "I've got a question on that."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Over at the new Big Lots West Ashley, I just happened to go there the other day and had to pick something up. Right where you go to pick things up, there is a fire lane, and that's where they tell you to come to pick up big boxes."

Councilmember Seekings said, "It's on private property, right?"

Councilmember Waring said, "It's on private property."

Councilmember Seekings said, "So, this ordinance would apply to public rights-of-way."

Councilmember Waring said, "Alright. Because they've got signs up saying no parking and all of that, but they don't have a sign that says pick up spot, but that's where they tell you to come."

Councilmember Seekings said, "Our jurisdiction on this extends to the public rights-of-way, and so that's what this would apply to."

Councilmember Waring said, "Okay. Forget my question."

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

No one else asked to speak.

Mayor Tecklenburg said, "Councilmember Waring, I'm sorry, I missed your remarks."

Councilmember Seekings said, "It was a question about the Big Lots."

Councilmember Waring said, "It was on private property, and this doesn't apply to private property, but it just happened in front of the Big Lots, and it's a fire lane with the red stripe where they tell you to come to pick up boxes. I thought about that, but anyway this doesn't apply to private property, and that is."

Mayor Tecklenburg said, "I see what you mean. Okay. Thank you."

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

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Section 234 to make it unlawful to park a vehicle in a marked fire lane when signs, curb painting, pavement markings, or other approved notices or markings are installed giving notice thereof.

Councilmember Seekings said, "That concludes my report, Mr. Mayor. Thank you very much."

Mayor Tecklenburg said, "Next is Committee on Public Safety."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor, and members of Council, Madam Clerk. The Public Safety Committee met yesterday around 5:00 p.m. to receive information from the Fire Department and the Police Department on a training to use these houses that we've just bought, so they can go in and do some real live training. That was information only we received yesterday. If you have any further questions, I'll be glad to talk to you about it."

Mayor Tecklenburg said, "Alright. Does that require any action of Council? I don't think so."

The Clerk said, "It's information only."

Mayor Tecklenburg said, "Just an update."

Councilmember Shahid said, "No action is required. Information only."

Councilmember Seekings said, "Just so Councilmember Griffin knows, the training is going to take place in his district, and they are going to use some loud equipment."

Councilmember Griffin said, "Yes, and we're happy to do it with them."

Councilmember Seekings said, "Yes, but you ought to go. It's really great."

Councilmember Shahid said, "We did require them to put out notices to the community and make sure Councilmember Griffin was aware of the loud noises and the presence of trucks and police cars there. That was my report."

Mayor Tecklenburg said, "Great. Alright. Thank you. So, next is our Committee on Community Development. Councilmember Mitchell has left the Chambers."

The Clerk said, "He's excused."

Mayor Tecklenburg said, "Elvis has left the building, so we'll come back to that one in a minute. We'll go ahead and proceed to Committee on Ways and Means, Councilmember White."

Councilmember White said, "Move for adoption of the report."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "We got any discussion on all of that Ways and Means?"

Councilmember Moody said, "You've got the recusal form."

The Clerk said, "I've got it."

Mayor Tecklenburg said, "We've got the recusal on one vote for Councilwoman Jackson."

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

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

(Bids and Purchases

(Budget Finance and Revenue Collections: Approval of Year 2018 Amendment to General Fund Expenditure Budget [Ordinance]

(Budget Finance and Revenue Collections: Approval of Year 2018 Amendment to General Fund Revenue Budget [Ordinance]

(An ordinance providing for the issuance and sale of Waterworks and Sewer System Revenue Bonds of the City of Charleston in one or more series in the aggregate principal amount of not exceeding \$155,000,000 and other matters relating thereto.

(Fire and Police Department: Approval to submit the 2019 Port Security Grant in the amount of \$543,847 for equipment and supplies. There is a request to budget a cash match of \$135,962 for 2020.

(Office of Cultural Affairs: Approval to apply for \$10,000 from the South Carolina Arts Commission in support of the Lowcountry Quarterly Arts Grants Program. The grant period is 7/1/19 through 6/30/2020. A 1:1 City match is required. Matching funds will come from Community Assistance appropriations.

(Recreation: Approve the contract between the City of Charleston and the Charleston County School District in the amount of \$104,412 to purchase meals to be served during the summer for children who participate in the school free/reduced lunch program. Funding is provided through the SC Department of Education to the City of Charleston as the local sponsoring agency.

(Stormwater Management: Approval to apply for the EPA grant application that requires a City match of \$62,500. If awarded, this grant would cover \$187,500 of the costs to update the City's Stormwater Design Standards Manual to include a set of standards for developers and private owners that promotes the preservation and enhancement of wetlands on project sites. The application is due to the EPA on May 24, 2019. The City match of \$62,500 is available through the Stormwater Operations account.

(Parks-Capital Projects: Approval of a Professional Services Contract with T.L. LIN International | Lindbergh in the amount of \$48,400 for the design, engineering, and preparation of construction documents for the electrical renovations at the JPR, Jr. Ballpark based on the 2018 condition assessment of the facility. The Professional Services Contract will obligate \$48,400 of the \$795,545 project budget. The funding source for this project is the General Maintenance line-item in the 2019 JPR, Jr. Ballpark Budget (023010-52410).

(Stormwater Management: Approval of Fee Amendment #1 to the Professional Services Contract with Davis & Floyd in the amount of \$30,700 to update the "rain-on-grid" flood risk analysis to reflect the Charleston County's 2017 LiDAR digital elevation model. Approval of Fee Amendment #1 will increase the Professional Services Contract by \$30,700 (from \$39,910 to \$70,610). Funding for this will come from the Stormwater Utility Fee Fund.

(Parks-Capital Projects: Approval of Fee Amendment #3 to the Professional Services Contract with Moody Nolan, Inc., in the amount of \$306,500. The fee amendment request is for additional work for design services required for coordination of design revisions and value engineering items and a revision to Exhibit G to remove Object Handling and Acquisition Services which will be provided by the IAAM independent of the Design Contract. The Fee Amendment will increase the Professional Services Contract by \$306,500.(from \$10,531,402 to \$10,837,902). The total project budget remains unchanged. The funding source for this fee amendment is coming from funds directly contributed to the City by the IAAM.

- (Planning Preservation and Sustainability: Approval for an Intergovernmental Agreement between the City of Charleston, Charleston County, Town of James Island, and Folly Beach for consulting services for the implementation of the ReThink Folly Road recommendations and funding for services in the amount of \$19,950. \$19,950 is budgeted in 2019. If the agreement is extended, the additional cost will be budgeted in those respective years, if approved by Council.
- (Legal Department: Approval of Host Venue Partnership Agreement between the City and OC Sport Pen Duick, French subsidiary of OC Sport, for the City's financial support in the amount of \$50,000 for the City to host the finish of "The Transat" single-handed Trans-Atlantic sailing race in 2020.
- (Housing and Community Development: Request the Mayor and City Council approve the recommendation outlined in the memorandum attached and approved by the Community Development Committee of City Council at their April 25, 2019 meeting. The recommendations included forgiveness of debt, extension of affordability covenants and the transfer of 14 Drews Court to the City of Charleston with shared rent proceeds occurring fifteen (15) years from the date of this approval. An explanation is also detailed below. 14 Drews Court: Transfer ownership of the rental home to the City of Charleston. The house would remain as an affordable housing unit for perpetuity. Amend the current Mortgage and Note to allow deferred/forgivable agreements. Grant PASTORS the right to manage and oversee the property to include collecting rents for a period not to exceed fifteen years. After a fifteen-year time frame, PASTORS may continue to manage and oversee the project at the City of Charleston's discretion. However, a minimum of fifteen to twenty percent of the rent proceeds are returned to the City of Charleston and placed in an affordable housing fund to continue the preservation and creation of affordable housing. 69 America Street: Amend the current loan agreements to allow each to become deferred forgivable and extend the term of the affordability period for an additional 30 years; allowing the City of Charleston a sixty-year affordability period for an investment of \$240,000.
- (Request approval for use of First Scot's Presbyterian Church in the amount of \$250.00 by Piccolo Spoleto Festival on June 7, 2019. The property is owned by First Scot's Presbyterian Church. (51 Meeting St.)
- (Request approval for the Mayor to execute a Facilities License Agreement in the amount of \$3,500 for the Free Verse Festival to use the Charleston Music Hall on October 19, 2019. The property is owned by Chicco Associates. (37 John St.)
- (Request approval for use of Second Presbyterian Church by Piccolo Spoleto in the amount of \$3200.00 (\$500 for Youth Music on May 26, 2019 and \$2,700 for the Chamber Music Series on May 28, 29, 30, 31 2019 and June 1, 3,4 ,5, 6, 2019). The property is owned by Second Presbyterian Church. (342 Meeting St.)
- (Request approval for use of the US Custom House during Piccolo Spoleto Festival May 24-26, 2019. There is no cost to the City. The property is owned by the Federal General Services Administration. (200 East Bay St.)
- (Requesting approval for use of St. Matthew's Lutheran Church in the amount of \$470 during Piccolo Spoleto Festival May 26, May 31, and June 3, 2019. The property is owned by St. Matthew's Lutheran Church. (405 King St.)
- (Request approval for use of Cathedral of St. Luke and St. Paul by Piccolo Spoleto Festival of Churches on June 7, 2019. The property is owned by the Cathedral of St. Luke and St. Paul. There is no cost to the City. (126 Coming St.)
- (Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Renee Fleetwood Lewis for the sale of 839 Minnie Street for \$201,637. Ms. Lewis will receive \$50,000 in downpayment assistance from the City of Charleston, invest \$5,000 of her own funds, secure lender financing of \$146,637 and

receive closing cost assistance from the Federal Home Loan Bank. This property is one of 7 new houses recently constructed in the Maryville-Ashleyville neighborhood and is targeted to individuals and/or families earning up to 80% of the Area Median Income. The property is deed-restricted, subject to the City of Charleston Single Family Affordable Housing Restrictive Covenants with an affordability period of 90 years. (TMS: 418-11-00-074) (Ordinance)

(Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Kiuarna Shamone Brown Summers for the sale of 933 Fifth Avenue for \$199,237. Ms. Brown will receive \$50,000 in downpayment assistance from the City of Charleston, invest \$5,000 of her own funds, secure lender financing of \$144,237 and receive closing cost assistance from the Federal Home Loan Bank. This property is one of 7 new houses recently constructed in the Maryville-Ashleyville neighborhood and is targeted to individuals and/or families earning up to 80% of the Area Median Income. The property is deed-restricted, subject to the City of Charleston Single Family Affordable Housing Restrictive Covenants with an affordability period of 90 years. (TMS: 418-07-00-174) (Ordinance)

(Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Damion H. Guild and Nyasha O. Cherry-Guild for the sale of 835 Minnie Street for \$153,578. The family will receive \$50,000 in downpayment assistance from the City of Charleston, and secure lender financing of \$103,578, and invest \$2,500 of their own funds for closing costs. This property is one of seven new houses recently constructed in the Maryville-Ashleyville neighborhood and is targeted to individuals and/or families earning up to 80% of the Area Median Income. The property is deed-restricted, subject to the City of Charleston Single Family Affordable Housing Restrictive Covenants with an affordability period of 90 years. (TMS: 418-11-00-075) (Ordinance)

(Approval to authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Fredricka Ravenell for the sale of 919 Sycamore Avenue for \$196,237. Ms. Ravenell will receive \$45,000 in downpayment assistance from the City of Charleston, secure lender financing of \$148,737, invest \$2,500 of her own funds for principal reduction and pay closing costs. This property is one of seven new houses recently constructed in the Maryville-Ashleyville neighborhood and is targeted to individuals and/or families earning up to 80% of the Area Median Income. The property is deed-restricted, subject to the City of Charleston Single Family Affordable Housing Restrictive Covenants with an affordability period of 90 years. (TMS: 418-11-00-239) (Ordinance)

(Approval to authorize the Mayor and City Council to modify the affordable rental housing restrictive covenant agreement. Previously recorded in Book 0649 at page 915. The modification increases the number of rental homes available to the targeted population and decreases the availability of six (6) for-sale homes low and moderate income homebuyers. This modification was requested by the Housing Authority of the City of Charleston. (110 and 114 Cooper Street – Grace Homes; TMS: 459-05-04-207 and 459-05-04-216). The property is owned by the Housing Authority of the City of Charleston. ***(Councilwoman Jackson abstained from voting on this item and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.)***

(Approval to authorize the Mayor and City Council to modify the declaration of restrictive covenants, which when defined means we are increasing the income ranges of the person served in the first 15 years to persons earning up to eighty percent (80%) of the Area Median Income (AMI). Previously it was up to sixty-five percent (65%) AMI. In the second 15 years, the homes will target persons earning sixty-five percent (65%) of the AMI to one hundred percent (100%) of the AMI. Previously recorded in Book 0332 @

- page 869. (22 Laurens Street – Williams Terrace; TMS: 458-01-02-063)
(Request approval of a Memorandum of Understanding among the City, the South Carolina Aquarium, and the International African American Museum concerning the occupancy and programming of the Charleston Maritime Center (TMS: 459-00-00-169). The property is owned by the City of Charleston.
(Approval of the First Amendment to the Volvo Tennis Center Lease **(DEFERRED)**
(Discussion on Wellness Aquatics Land Acquisition
(Discussion re: Charleston Battery and Stoney Field
(Consider the following annexations:
- 2234 Portside Way (TMS# 353-12-00-016) 0.29 acre, West Ashley (District 2). The property is owned by Elizabeth Bohler Eubanks.
- 2154 Wappoo Drive (TMS# 343-06-00-185) 0.24 acre, James Island (District 11). The property is owned by Tyler Cox and Graham Cox.
(Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to discuss contractual issues and negotiations related to the Washington Park HOA Easement. Action may or may not be taken. **(Requested by Councilmember Moody)**
(Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to discuss contractual issues and negotiations related to a FEMA Buyout. Action may or may not be taken. **(Requested by Councilmember Griffin)**
(Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to discuss contractual issues and negotiations related to 999 Morrison. Action may or may not be taken.
(Approval of the Second Amendment to the Lease Agreement between the City of Charleston and Charleston Digital Corridor Foundation related to 999 Morrison [Ordinance]

First reading was given to the following bills:

An ordinance to make additional appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2018.

An ordinance to recognize the usage of additional funds to meet additional appropriations authorized by Ordinance 2019-_____ for the fiscal year ending December 31, 2018

An ordinance providing for the issuance and sale of Waterworks and Sewer System Revenue Bonds of the City of Charleston in one or more series in the aggregate principal amount of not exceeding \$155,000,000 and other matters relating thereto.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston (“City”) an Agreement of Purchase and Sale, in which the City agrees to sell to Renee Fleetwood Lewis the property located at 839 Minnie Street (Charleston County TMS No. 418-11-00-074) (West Ashley) (Maryville/Ashleyville) for \$201,637.00, subject to the City of Charleston single-family affordable housing restrictive covenants, with an affordability period of ninety (90) years.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston (“City”) an Agreement of Purchase and Sale, in which the City agrees to sell to Kiuarna Shamone Brown Summers the property located at 933 Fifth Avenue (Charleston County TMS No. 418-07-00-174) (West Ashley) (Maryville/Ashleyville) for \$199,237.00, subject to the City of Charleston single-family affordable housing restrictive covenants, with an affordability period of ninety (90) years.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Damion H. Guild and Nyesha O. Cherry-Guild the property located at 835 Minnie Street (Charleston County TMS No. 418-11-00-075) (West Ashley) (Maryville/Ashleyville) for \$153,578.00, subject to the City of Charleston single-family affordable housing restrictive covenants, with an affordability period of ninety (90) years.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Fredricka Ravenell the property located at 919 Sycamore Avenue (Charleston County TMS No. 418-11-00-239) (West Ashley) (Maryville/Ashleyville) for \$196,237.00, subject to the City of Charleston single-family affordable housing restrictive covenants, with an affordability period of ninety (90) years.

An ordinance to provide for the annexation of property known as 2234 Portside Way (0.29 acre) (TMS# 353-12-00-016), 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 Elizabeth Bohler Eubanks.

An ordinance to provide for the annexation of property known as 2154 Wappoo Drive (0.24 acre) (TMS# 343-06-00-185), 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 Tyler Cox and Graham Cox.

An ordinance authorizing the Mayor to execute on behalf of the City a Second Amendment to Lease Agreement pertaining to the Lease Agreement between the City and the Charleston Digital Corridor Foundation of property located at 999 Morrison Drive dated January 19, 2016, as amended by First Amendment to Lease dated January 9, 2018.

Councilwoman Jackson abstained from voting on Item 17K of the Ways and Means Report. A completed Conflict of Interest Form is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "So, we're kind of waiting on Councilmember Mitchell."

Councilmember Griffin said, "Is the Vice-Chair here?"

Mayor Tecklenburg said, "Excuse me."

Councilmember Griffin said, "Is the Vice-Chair here?"

Councilmember Lewis said, "She wasn't present at the meeting. Ms. Johnson, could you just give a quick update on it?"

Mayor Tecklenburg said, "Often times, he'll ask Ms. Johnson to report."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "I was not there. I am the Vice-Chairman. I apologize, but if you look at the items under the report on our agenda, they are literally all of the items that were voted on and discussed at Ways and Means. So, really, other than the presentation by the Humanities Foundation, which was for information only, Items 4.(b.) through 4.(d.) under the

Committee on Community Development Report this evening were all recommended for approval by Ways and Means.”

Mayor Tecklenburg said, “That’s correct, and here is our Chairman now.”

Councilmember Lewis said, “And we were discussing a couple of prior meetings before that.”

Mayor Tecklenburg said, “Councilmember Mitchell, we were just noting that 4.(b.), (c.), and (d.) on the Community Development agenda were all approved by Real Estate, but would you like to give us a further update including on Humanities Foundation?”

Councilmember Mitchell said, “The Humanities Foundation was just for information purposes where they explained what they have been doing in so far as the buildings. We might see a lot of change sometime with grants and things like that. So, that’s really the big issue they were talking about, in that they used some of the State money that was in there is about to dry up. Some of those buildings are not going to be as affordable like they used to be. So, those things are going to happen. I don’t know how we’re going to deal with it, but they are working on it. But, that’s all they explained to us about what’s going to be transpiring. As Councilmember Lewis was mentioning, some of the senior buildings on Rutledge Avenue and in North Central Apartments, are going to change because they had State funds, the State Tax Increment Fund. The district was doing that, but those State funds are being dried up now. There will be some problems with the other senior citizen housing coming up in the near future, pretty soon. You’re going to have a lot of other complexes that are going to be changing because many of the complexes that were what they call Section 8 housing under HUD are going to be changing also. The rent is going to be escalated. I don’t know what’s going to happen to all of those people when they have to move because they aren’t going to be able to afford to stay there. So, it’s going to be a big tragedy in housing where a lot of people are going to be displaced on this Peninsula and in other places, too. But, this Peninsula, especially, is going to have a lot of tragic things with housing, and we don’t have places for them to go, and places for them to rent. Even with the King Street Palace, they have changed the rent there. Some of the rents there are going up to \$1,200.00 per month, \$1,400.00 to \$1,500.00 a month right there at the King Street Palace. That’s the district I represent, and I have Bridgeview, which is Section 8 housing that’s going to be changing. So, I’m going to have a lot of different buildings that are going to be really hurt with all of these people having to move. They’re going to be pushed off of the Peninsula. So, we’re going to be losing a lot of people in the district I represent if we can’t find some mechanism to try to help them. So, 4.(b.), (c.), and (d.) were approved, and I’m asking for approval for 4.(b.), (c.), and (d).”

Councilmember Griffin said, “Second.”

Councilmember Mitchell said, “4.(a.) was just for information purposes.”

Mayor Tecklenburg said, “We want to approve the report, we have a second. Is there any discussion?”

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, “I’m good.”

Mayor Tecklenburg said, “Well, I would just say that I’d like to add that this further underscores, double, triple underscores the importance of addressing affordable housing in our City and our region. If there is one issue I feel like we’re most aligned on, I think it’s the challenge and need for affordable housing, and we are all committed. I’ve heard it over the last few years

every strategy to make affordability perpetual or long lasting or at least 90 years, and really draw this thing out and what happens when the Humanities Foundation which is a wonderful non-profit affordable housing developer, but they do rely on these tax credit programs. Through no control or approval of the City, they get these credits from the State and their HUD guidelines and all like that. So, they have certain limits to the affordability, albeit 15, 20, 25, a certain number of years, and that sounds really good to everybody at the time when we build them and folks get moved in, but that candle burns down pretty quick, doesn't it? But, whose fault is it when that candle burns out? Often times, our citizens look to us to help resolve their rent increases or their possible relocation. So, it does put us between a rock and a hard place and, like I said, underscores the urgency of this challenge. Unfortunately, with a number of these properties coming up here in the near term, the owners of the King Street Palace came by to see me about a week ago. They want to propose maybe adding some more units on the property that would be affordable, but they would be making up for affordable units that they're "losing" now and same situation with the Humanities Foundation. So, I don't know, it's a problem we are all aware of, but it triple underscores it all. I think it is incumbent upon us, and that's why Tracy came to Community Development, so we would all have the awareness of what was going on. They're trying, but we need to communicate to our citizens, particularly the ones that are in these housing developments that are burning off the tax credits, to let them know what's going on and communicate with them."

Councilmember Mitchell said, "Mayor, as most of the Councilmembers know, even under the public housing, it is changing also because that's going under the RAD Program. So, everyone, everything is not going to be low income on the public housing anymore. They are giving people what they call Section 8 certificate or vouchers to move out elsewhere, but where are they going to find those places because those vouchers only pay a certain amount of money. You figure they will pay \$900.00 for three bedrooms. Where are you going to find a three-bedroom for \$900.00 here? You might have to go to probably Summerville, Goose Creek, or Ladson. You might find something there, might, if it's there, but it's going to be very difficult for people who are making a limited amount of money to be able to afford to rent anywhere. Right now, it would be hard for me to even try to find a place to rent, if I wasn't in the position I am in now. So, we have to look at it very seriously, about housing when we're trying to do some things. That's why I brought up City housing and that we have to try to do something. It's going to take money, a lot of funds, and I hope the community understands that because we might have to come back to them to try to get funds. We have to help one another to do these things in housing."

Mayor Tecklenburg said, "Right. Absolutely. Alright. So, we could proceed now. We went out of order, Ways and Means."

Councilmember Griffin said, "Mr. Mayor, did we take a vote?"

Councilmember Mitchell said, "Yes, we have to carry the motion."

Mayor Tecklenburg said, "We have a motion to approve the Community Development Report."

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

---INSERT COMMITTEE ON COMMUNITY DEVELOPMENT REPORT---

- a. Presentation by Humanities Foundation (*Information Only*)
- b. Amendment to Owner-Occupied Covenants Grace Homes

- c. Amendment to Restrictive Covenants –Governing Age for Williams Terrace
- d. Amendment to Loan Agreements and Covenants for 14 Drews Court and 69 America Street

Mayor Tecklenburg said, “Thank you, sir. Now, bills up for third reading. We’ve had a big discussion, a lot of new information here this evening on the freeboard issue.”

Councilmember Waring said, “Mr. Mayor, I’ve asked for that to be deferred. I called the Clerk earlier today.”

Mayor Tecklenburg said, “Okay. It did not get noted on the agenda, so could I ask for a motion?”

Councilmember Waring said, “I move to defer.”

Councilmember Lewis said, “Second.”

Mayor Tecklenburg said, “We have a motion and a second to defer. Is there any discussion?”

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Lewis, City Council voted unanimously to defer the following bill:

*An ordinance amending Chapter 27 of **the Code of the City of Charleston**, by amending Flood Hazard Prevention and Control Requirements in Section 27-117 to increase the Freeboard Requirement from one foot to two feet, effective August 1, 2019 **(AS AMENDED)***

Councilmember Mitchell said, “Mr. Mayor.”

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, “I want to excuse myself for a minute. I want to run back to check on Mohammed Idris.”

Mayor Tecklenburg said, “Okay.”

Councilmember Mitchell said, “He’s having another one of those seizures, and I’m working with them on the outside. That’s why I went out.”

Mayor Tecklenburg said, “Yes, sir, and we’ve lost three members here. Could I suggest, it is approaching 7:30 p.m.? I know Mr. Kerr is waiting. The next up would be our PUD discussion. You all want to take a five-minute break now or proceed?”

Councilmember Wagner said, “Please.”

Mayor Tecklenburg said, “What is the pleasure of Council?”

Councilmember Gregorie said, “Break.”

Mayor Tecklenburg said, “Let’s take a five-minute break. I’ve got 7:23 p.m. Let’s start at 7:30 p.m. sharp.”

City Council recessed at 7:23 p.m.

City Council reconvened at 7:32 p.m.

Mayor Tecklenburg said, "Alright. Let's call us back to order, please. So, next up would be bills up for second reading. I think we're gathering here, we're gathering. Yes."

Mayor Tecklenburg said, "So, next we have bills up for second reading. The first one is the one that had the public hearing last time. The PUD Agreement for Mr. Kerr's property on Maybank Highway."

Councilmember White said, "Just a technicality here."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "For bills up for third reading, I know we were deferring. Do we need to make a motion to defer that item or is that already done?"

Mayor Tecklenburg said, "We did."

The Clerk said, "Yes, Councilmember Waring did."

Councilmember White said, "Okay."

Mayor Tecklenburg said, "The motion to defer the bill up for third reading."

Councilmember White said, "Okay. Thank you."

Mayor Tecklenburg said, "Okay, and now we're at the bill for second reading, the PUD, the Planned Unit Development, L-1."

The Clerk said, "Are we going to do them one at a time?"

Councilmember Griffin said, "Just this first one probably."

Mayor Tecklenburg said, "Yes, we're going to take this one by itself."

Councilmember Moody said, "Yes, I'll move for approval of Item L-1."

Councilmember Seekings said, "Second."

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

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "I'd like to move to again defer this motion."

Councilmember White said, "I'll second."

Councilmember Wagner said, "The rationale is very simple. During our discussion, which took up about 20 pages of the notes that the Clerk's Office put out for us, we had discussed in great detail that it wasn't quite ready. We had asked that certain changes be made, which were to occur this week or last week, and it's been three weeks now. As of today, I have heard of none. So, what I think since we, the Council, had asked for some very specific things, i.e. how the infrastructure was going to work, what we could possibly expect from what this thing morphed into

which was a discussion of the Southern Pitchfork. Rather than rehash the whole thing and all 20 pages, which I think ran about 50 minutes on the tape when I watched it last time, I would love to move, flat out, for the deferral, based on the fact that each one of us is basically elected by someone.

We have about 13,000 people in each of our districts. Mine have been, you saw a sampling of them tonight, and I didn't know they were coming. I honestly didn't. I had a couple others I thought were coming, but they didn't make it, so that doesn't matter. It's important to understand, I think, this has nothing to do specifically with any one item in that PUD. Now, what it has to do with, and what I said all along and for some ten pages the last time we met, was that is the heaviest intersection on Johns Island. You cannot get through it. Now, I'm the elected voice to those folks on Johns Island. I'm repeating to you what they're telling me. I leave out a lot of the words, and I substitute some for other words like 'goose poop' for other words quite frequently, but none of us can tell what is going to happen ten years from now or 15 years from now. We know right now because we've seen it. We had a little discussion about some Daniel Island stuff just a second ago that should have happened or could have happened in the last 25 years, but we're still talking about it.

What I am looking for in the deferral is what you actually tried to do and volunteered to come off of vacation to do, and that's to get all of the parties together, the City, the County, the developer, everybody that could possibly be involved with that Southern Pitchfork. I do not want to take the Pitchfork on as a City thing because then we buy all of the liability. The Pitchfork, as showing in the PUD, I do not believe resembles what the County had proposed and sent back to the City about a year ago. I don't know what the City sent back because the County said that we didn't send them anything back. So, I don't know that the information in the PUD is the information that we even started talking about on the Pitchfork, but the Mayor did try to put together this meeting last week, and we just didn't have time. He was willing to come back from his vacation on the beach in order to try and make something happen before this meeting."

Mayor Tecklenburg said, "Right. It just didn't suit everybody's schedule, and we're happy to do that meeting."

Councilmember Wagner said, "I would love to do that at any point and time."

Mayor Tecklenburg said, "I've talked to County Council Chairman Summey about the matter, and he is willing to get the other Councilmembers who have an interest in that part of the County to get together and have a discussion about the future funding of the Southern Pitchfork."

Councilmember Wagner said, "Now, I did have a discussion with Mark, but we didn't talk about specifics here. I was talking predominantly deferment. This is the second time we talked. He didn't agree. He heard what I had to say. I heard what he had to say, and we parted. So, I have no issue with the contractor, the developer, or anything out there. What I would like to do is have a shot at getting this thing right the first time because the minute we approve it, we're locked. There is an item in there, it's on page 6 of the PUD, that talks about a 150-room hotel. Do we want a 150-room hotel on the heaviest intersection on Johns Island? I don't, not today, and years from now it might be the smartest thing they ever did, but let's talk about it then. Phase 1 of the smallest of the phases, by the way, in this PUD is basically all we really talked about last time. 116 units of, I think it was 896, I think that's the taps that we requested initially, water taps from Johns Island Water Company. That leaves an awful lot of empty taps for apartments, townhouses, other houses. It was mentioned last week the last time we met a density of 26 units per acre. You can't put that many houses on an acre, unless you go up. It's not ready yet is what I'm saying. I'd love to have the opportunity to at least talk about it, to do what these people have

asked me to do, and that's protect their interests and hopefully get them the infrastructure, at least know what the infrastructure is going to be. They're a good year away from breaking ground. We haven't got in this thing, there are grand trees that are going to have to disappear. We have a grand tree ordinance. We couldn't cut trees to get off the Island with the fourth lane thereby backing up traffic, but we can cut grand trees to get into this proposed area. That's one of the questions I'd love to have answered. How can we do this? There are just a dozen little nagging things out there. I'm not opposed to the PUD. I just want it to be right when we do it, and that's why I'm asking for the deferral. If we can get with the County and those guys and do it in a month, let's go. I'm all in. I said that last time. Show me how it's going to work, I'm in, but until then I've got to go with the people on Johns Island and just ask, please let's just defer, give it some time to gestate, and get the answers. I think that's the smartest thing we, as a Council, could do for my constituents on Johns Island, and that's all I can ask of you."

Mayor Tecklenburg said, "So, we had a motion."

Councilmember Wagner said, "So, I'd like to make a motion to defer."

Mayor Tecklenburg said, "Did we have second?"

The Clerk said, "We had a second. It was Councilmember White."

Mayor Tecklenburg said, "Okay. Councilmember White."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "I'm going to support the deferral. I did last time. I'm going to support it again for two reasons. Number one is, and Councilmember Wagner is correct, he represents the folks that live in Johns Island, and they're going to be impacted by this development. So, out of respect for him and his position and really being the voice of his constituents, I'm going to support the deferral. The second component though I would say is, I sincerely appreciate that the Kerr's are willing to donate the land for the potential Southern Pitchfork. I think the challenge that I have is I need to understand where the money is going to come from to pay for it. If the City takes on the liability of owning that land and subsequently then has to take on a liability of building that road, we all know the challenges that we face from a budgetary standpoint and a fiscal standpoint moving into the future. I recognize that the Kerr's, they have entitlements, and they can develop this site with current levels of density. I get all of that, and I understand that, and they are certainly well within their right to do all of those things. But, I would say, I think we need to have a very firm and good understanding of what we're going to do with the Southern Pitchfork piece, not necessarily just the donation of the land which is very generous of the developer and the owners, but moreover how do we complete that ultimately so that we're actually going to have positive impact once this development is completed? So, I'm in support of the deferral, and hopefully my colleagues on Council will agree and move forward to do the same thing."

Mayor Tecklenburg recognized Councilmember Moody followed by Councilwoman Jackson.

Councilmember Moody said, "I'm not going to support the deferral because I believe that what we're actually doing here, and I'd really like to hear from our planners as to exactly where this PUD is. I'm a big proponent of PUDs. I think they spell out exactly how we ought to do stuff. This property is zoned General Business and General Office. I don't know how many other zonings are on it, but there is a capacity to build a lot of units, a ton of units out there, without the

Pitchfork. It's there now and the density that hotel it could be built in this General Business, I suspect. I mean today. All of this stuff that we're talking about, and in my opinion, we can wait a week, we can wait a month, we can wait a year, and most of those ladies and gentlemen that came and were opposed to this are going to be right there at that microphone saying they want to defer this. 'We want this property to remain just the way it is.' So, what we've got is a family that owns a big piece of property, have owned it for years, and they have contributed, donated, or put easements on a lot of it, is I guess the way it should be that where it can't ever be developed. Hundreds of acres and now, last meeting that we were here talking about this we talked about this all looks well and good, but we don't have any guarantees that they're going to contribute this land. Well, guess what? I think our Legal Department has that guarantee. Do they not, Ms. Herdina?"

Susan Herdina said, "They have indicated in a letter that they would be willing to do that. One of the things that we've discussed with the Mayor and Planning is that if this would go forward, there would need to be more explicit language included specifically in the document that's not there right now."

Councilmember Moody said, "Yes. My fear is that we just keep delaying, delaying, delaying, and delaying this thing, and they'll just 'okay, I'm done, we'll take our land, you can go get it by eminent domain and condemn it, and we'll sell it to you for fair market value, and we'll put our hotel, and 250 units instead of 115 on it.' At some point, you have to kind of say let's move forward, and I think they have been very fair with the City. Quite frankly, to me this is somewhat of a repeat of what happened across the road with the North Pitchfork and actually what happened, as you alluded to, we ended up with two lanes rather than four. In my opinion, a lot of that's on the City. That's us that kind of messed that up. So, here we have another opportunity to screw it up if you want to do it. I'm not going to vote to try to do that. I think we need to move forward. Thank you, Mr. Mayor."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I will also vote to support deferring the second reading decision this evening. I wrote down three things. I've got some more detailed questions that I couldn't find answers to in reading the PUD document compared to the traffic analysis. So, one of my basic questions, the traffic analysis is based on what is called Phase 1, and that totals in the traffic analysis 118 units a combination of townhomes and Single-Family. Somewhere, we've gotten the understanding, and I couldn't find it today, but the first phase is 116 units. But, regardless, in the residential section that is now under contract as I understand it with Stanley Martin Homes, there is a maximum of 250 dwelling units that are going to be approved if we pass this PUD. So, I don't know if that is just a number that's going to hang out there forever, or is it going to be the difference between 250 and 116 in Phase 1-A and 1-B? Then, the fact that we have the much bigger portion of the density and the development is not even contracted into any sort of purchase arrangement for the Commercial section just has to concern me. So, I have three things that I would say are the reasons why I'm hoping that the Kerr family, as the honorable citizens of this region that they are, would not be so shortsighted or impatient as to just pull the rug out from under us and say, 'Okay, we're going to go and just build by right.' I heard Mr. Seamon say tonight that they're volunteering to reduce the overall by-right density by, I think you said, 160 units or something."

Mr. Seamon said, "A hundred."

Councilwoman Jackson said, "A hundred, but that's not reflected on the chart that we have. The by-right number is 841, and the PUD that we're asking to approve is 798, so that's 43 units. That's fine. You don't need to answer it tonight."

Mayor Tecklenburg said, "It's okay. You can come forward and address the question."

Mr. Seamon said, "Yes, ma'am. We were offering that up that we would be willing to do that if that was a condition of approval."

Councilwoman Jackson said, "As another gift?"

Mr. Seamon said, "Yes, ma'am."

Councilwoman Jackson said, "Okay. Anyway, I think we've got a lot of iterative conversations to have like that. I support Councilmember Wagner's understanding. I want to add that my concerns are, I think, as some of our petitioners said to us this evening, we're waiting for the next six months to get two very important deliverables in the way that I'm trying to educate myself as a responsible decision maker on behalf of the whole City and the Sea Islands, in particular. So, in addition to not knowing the answer for who's going to choose to fund the Southern Pitchfork if I-526 is funded by the Infrastructure Bank in the next few months, then the County's not ever going to be interested in the Southern Pitchfork. It will be on us and/or another developer that we can sweet talk into building that road. We have to put all of our money into flooding, watershed management, and preventing the disasters that we know are coming our way through the climate conditions, that we all understand are the reality we're looking at, and we're planning for. So, in addition to why would the Pitchfork be valuable to us if I-526 is coming along to basically replace it, my infrastructure concerns for the long term safety of the Sea Islands are to wait for the Dutch Dialogues that were specifically studying Johns Island and to wait for the rewrite of the Stormwater Design Manual that, I think, is being premised on the basis of designing more protective development for the flooding conditions that we're all worried about and the watersheds that we're learning more and more about as we're paying for studies and engineering reports and all of that. So, I really appreciate the Kerr family's dedication to conservation. I'm just starting to get to know people that have made that their life long goal on Johns Island and other places in the Lowcountry region and Mr. Kerr, as part of that community. So, I don't want to disrespect the values that you have led, the Kerr family has been exemplary to lead. But, I do feel like we've all got a few months to wait that would be much better spent when we have results that we're paying for and looking forward to knowing the answers to. So, thank you, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "A quick question. You're asking for a deferral, and I'm just thinking about it, but how long? For the next meeting? I try to go along with my colleagues on deferrals. I was going to make a motion to give this second reading and not third reading, but with the deferral, I'm not going to keep deferring, deferring, and deferring. I'm not going to do that. I'm going along with it because it's the district and the people you represent. I am saying that I'm not going to hold them up, and they can do certain things anyway, as it stands. I'm saying if they're going to do it for the next two weeks, fine. I think I've told people before, I've known Johns Island since the '50s. I know some of it hasn't changed, and it's going to change, because it has already changed. I have family there. So, I'm not going to just keep holding things off, and they're doing a marvelous job. They are doing some things, and we need to get with the County. I believe we should do it within the next two weeks. I'm not looking at dragging it on and on, because starting next month we're going to one meeting per month."

Councilmember Wagner said, "That's right."

Councilmember Mitchell continued, "So, I would like to see this happen within the next two weeks so we can get this moving, and get it off of this agenda because we've got a lot of other things here. You see deferred, deferred, deferred, a whole list--"

There was laughter in the Chamber.

Councilmember Mitchell continued, "--that people have to deal with a whole lot of stuff, and some of you like to stay out until 11:00 p.m., but not me."

Councilmember Wagner said, "Me neither."

Councilmember Mitchell said, "So, we need to deal with this, and people will holler and scream until the last minute when things come up, but they don't ever come forth when it's time to come forth in the beginning. So, I'm saying, if this is going to be deferred, and it's going to be deferred for two weeks, I might can support it, but if it's going to be any longer, I cannot."

Mayor Tecklenburg said, "Would anyone else like to be heard before I go back to Councilmember Wagner?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "No, that's his area, so I'm interested in what he has to say."

Councilmember Wagner said, "I'm good with two weeks, but I don't know if they are willing to clean up the language within two weeks. They have to do that, too. They have to be a participant here. If they're willing to participate, I'll tell you in two weeks. We'll do everything possible to get to the County. I know the Mayor is already committed to doing that. If we can do it in two weeks, let's do it."

Mayor Tecklenburg said, "It certainly is a good goal. My experience is sometimes it's hard for things to come together in two weeks. We actually have to be ready for the agenda meeting a week from today, so it really is shorter than that, even though the meeting is two weeks away."

Councilmember Wagner said, "When I met with Mark, I told him I'd shoot for two weeks, but it would probably be six. We had this discussion. It's going to take a little while to get the County in the room with us. It's going to take a few minutes to make sure that the Pitchfork that's depicted is the same one that the County wants and the same one we agreed to if we ever get it. One of the people in the County told me we never agreed to it. So, that's another issue, and there are a whole bunch of loose ends. Just like somebody said who was on us about the Northern Pitchfork, it definitely was. I don't want it on the Southern Pitchfork, too. In fact, we mentioned that the last time. I can read you all of these notes. I brought the whole transcript. If you want, I'll sit here and feed it to you, and that way we don't have to keep talking about it. You want two weeks? Two weeks is a great goal, but you've got to give me up to six because of what we don't know, there are other players in this game. We've got three players in the game, the developer, the City, and the County if we're going to talk Pitchfork. Now, I can't tell you what the County will do in a week or two weeks, however, if we're looking for a target, I'll tell you two with an automatic extension to six. I'll even go one further with a guaranteed vote that I will vote with you six weeks from today. It doesn't matter. I'll go with it, even if it's wrong. But, I think we can do it between two and six weeks. We've just got to commit to it and do it."

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmember Griffin.

Councilmember Waring said, "Thank you, Mr. Mayor. Can I get Counsel to come back to the microphone? Ms. Herdina, I know you said you had the letter. I voted for this the first time and, obviously, I've got my brother over here and my hangout buddy over here, opposite side of the issue. But the letter that you have to give the easement on, can you all clean that up, in your opinion, from a legal standpoint in two weeks? Can you get together and get that part?"

Ms. Herdina said, "That needs to get in the PUD to have a binding effect, and right now, it's basically a nice letter, but it's not enforceable. So, we would want to have that condition in the PUD."

Councilmember Waring said, "How long would it take for you all to get the language to the point? I understand you have to talk to the Kerrs, but hopefully he's an honorable man, and willing to do it. How long do you think it would take the Legal Department to get it into the PUD to your comfort?"

Ms. Herdina said, "We can draft the language pretty quickly. It's just a question of whether we can get an agreement from the other side on it."

Councilmember Waring said, "So, if we want to give you time to do that, what is your recommendation to us?"

Ms. Herdina said, "We could get that done within two weeks."

Councilmember Waring said, "You could get that done within two weeks?"

Ms. Herdina said, "If that were the only issue, yes."

Councilmember Waring said, "So, is there a caveat there that I don't know to ask about? I mean the part with the County and all of that. Listen, that's an issue between the City and the County we have to work out. As Councilmember Moody said, we made a mistake as a City years ago with the County. We have to pucker up and apologize, and hopefully we can all get along in the same sandbox. Are there any other issues, as to the easement and this PUD excepting the County hopefully getting something worked out with them that, as a Councilmember, I need to know about that you would like to see being part of the PUD?"

Ms. Herdina said, "Well, we've had some other discussions that we would like to tighten up some issues."

Councilmember Waring said, "Have you had those discussions with the Kerrs?"

Ms. Herdina said, "No, sir. Not yet."

Councilmember Waring said, "Okay."

Mayor Tecklenburg said, "They're mostly with the County, but I mean it's really got to be the three of us in the room."

Councilmember Waring said, "I understand, but if we can get two of the three on the same page, then maybe we can get that third one in there. Just don't leave. Could I get the gentleman from Seamon Whiteside to come back? I'm a big believer in PUDs because it puts everything up front to begin with. They have done a wonderful job reducing from what they can do to what they

are, but you made an offer of a hundred units. Counsel Lady, what does it take to get that part into the PUD? Can that be done in two weeks?"

Ms. Herdina said, "That's just a language issue, yes. We should be able to do that in two weeks."

Councilmember Waring said, "I'm going to ask my colleague on Council, you say you can do two weeks if this comes back and the language is in the PUD and a reduction of units, and we just gave this second reading, not concurrent third reading, doesn't that make you feel a little bit better?"

Councilmember Wagner said, "I'd feel better, but I'd still want to know if we've got the infrastructure. These folks are sitting in traffic for hours every day."

Councilmember Waring said, "I understand, but one thing that was said earlier that if I-526 gets built we won't need this, and I'm just paraphrasing, I respectfully disagree with that. I wish we had too many routes. The more alternative routes we have the better. It's called connectivity. You have a response?"

Mr. Seamon said, "Can I ask a question?"

Councilmember Waring said, "Yes, sir."

Mr. Seamon said, "My understanding is that for us to make an actual change to this document, seeing as how we've been through Planning Commission and first reading, that we would need a condition from you all so that we could modify the document and submit it back to you. Is that correct? My understanding is that we've taken this document to Planning Commission and first reading. For us, as the applicant, to make a change to the document, it would have to be to address a condition that was put on us by Council. Is that correct?"

Ms. Herdina said, "That is correct."

Councilmember Waring said, "So, if we were, hypothetically, to give two weeks for you all to get this in, even if we gave it second reading based on those conditions, can that be accomplished in two weeks and just hold off on the third reading which is, in effect, the same as a deferral?"

Ms. Herdina said, "I think we should be able to do that. Again, you would want to make it a condition of the PUD and give it second reading potentially, but to come back for final reading once we had a chance to work out the language and make sure everyone was satisfied with it. That is an option."

Councilmember Waring said, "Okay. Now, we're in a parliamentary menagerie. We've got a deferral on the list, and if we don't give it a third reading tonight, in effect, if we gave second reading with those conditions, it is a two-week deferral. It shows the Kerr family our good faith. They showed their good faith two weeks ago and came forward with a letter. I understand it's not in the proper form, and they understand that, too, but two weeks from now that could be accomplished. It could be into the PUD, a reduction of units would be as a condition of Council, and this process would continue to move forward. That is great negotiating on the part of your people, Councilmember."

Councilmember Wagner said, "That's pretty much what we said last Council meeting, too, though Keith, it really is. That was giving them the same basic thing that is the same argument."

Councilmember Waring said, "Hold on a second. We're talking about having it legally in legal language into the PUD that will be in front of us prior to the vote on the third vote."

Councilmember Wagner said, "How about prior to the second vote?"

Mayor Tecklenburg recognized Councilmember Wagner followed by Councilmember Waring.

Councilmember Waring said, "No, I'm finished. Go to the other Councilmembers."

Mayor Tecklenburg said, "You're good?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "No, I'm just ready to take a vote."

Mayor Tecklenburg said, "Yes. Councilmember Seekings has not been heard yet."

Councilwoman Jackson said, "I just wanted to clarify something that I think Councilmember Waring referred to me saying that we don't need the South Pitchfork. What I hoped I was saying was, if the County goes forward and gets the funding to build I-526, there won't be money to build the South Pitchfork, and their own motivation and incentive will disappear. That's my personal opinion about the impact of I-526, so it would be on us to build that road."

Mayor Tecklenburg said, "Well, ultimately, we do need the County to speak for themselves."

Councilwoman Jackson said, "Right. Yes."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you. I just have a few questions before we get to whatever vote we're about to get. I want to start with Mr. Lindsey. When we heard the citizens come tonight, they talked about the Johns Island Plan. I just want to make sure where we are, today, is what was being proposed in front of this Council consistent with the Johns Island Plan?"

Jacob Lindsey said, "The PUD before you tonight is consistent with the Johns Island Plan."

Councilmember Seekings said, "Does that also include a recommendation in our Plan for the Pitchfork?"

Mr. Lindsey said, "It does."

Councilmember Seekings said, "Alright. So, Mr. Mayor, if this gets second reading and then waits two weeks for the next reading, do you believe you, with I think the full encouragement of this Council, we will have time to get with Chairman Summey and other members of Council and find them to at least see what their position is on getting behind all or part of this Pitchfork?"

Mayor Tecklenburg said, "Right. I've got time, and we were trying to get about four County Councilmembers together at once that are either near or proximate to that part of the County. So, we could kind of gauge some support that would be meaningful on Council. So, I think we can work out our issues with Mr. Kerr in the next couple of weeks, and I must thank him again. I did last time because he responded right away after our last meeting with a letter to me. He copied all of you as well and, yes, it does need to be codified in the PUD agreement. I think we all agree

on that and we can, I think, easily accomplish that. So, the bigger nut is to try to get a commitment from the County to help fund it because we all would agree, I think, that the infrastructure is important. I agree with Councilmember Waring that, even with the addition of the extension of I-526, the Southern Pitchfork is needed long term for connectivity. It is a part of the Johns Island Master Plan that this property be one of the nodes of some development on, and it's already entitled for that. So, the PUD gives some better structure, but we need to ensure that the infrastructure is in place, and that's all we're trying to do together collaboratively."

Councilmember Seekings said, "I have one more question. Then, I'm going to give it up. So, Mr. Kerr, can I ask you a question? If we give this second reading tonight, with now the commitment of this Council and your Councilmember and the Mayor to get with the County, will you begrudgingly at least give us the next two weeks to get the third reading so that we can at least see what's going on?"

The Clerk said, "Please come to the microphone."

Mayor Tecklenburg said, "Yes, I would respectfully say that to get those other folks together and to get some meaningful response from them, it's going to take until our June meeting."

James Kerr said, "In answer to your question, I try to control things in my life that I can control."

There was laughter in the Chamber.

Councilmember Seekings said, "Well, you're in a tough spot for that."

Mr. Kerr said, "Dealing with the County has not been a shining success over the last 12 years including this Pitchfork, so this isn't a new issue. So, will I wait two weeks? Yes, I'll wait two weeks, but I want to know, this is rhetorical at this point, what happens in two weeks if the County is a no-show? Are we right back to where we are now and what do I do at that point with my contracts with these people here? I think that there is a lot of homework that needs to be done as far as getting up to speed on this. If anybody is deficient on any of the items, I'm sure the staff can get us all up to speed if we need to be. But, yes, two weeks, I'll wait two weeks, but beyond that I've got problems."

Councilmember Seekings said, "We'll give it second. Well, I think there might be a movement here to give it second reading, so alright. Thank you, sir."

Mr. Kerr said, "Thank you."

Mayor Tecklenburg said, "Thank you, sir. So, there is a motion on the floor. Is there any further discussion? There is a motion on the floor to defer."

The Clerk said, "Mayor. Right. There are two. Actually, the motion to defer we're just going to take because it's precedent."

Mayor Tecklenburg said, "Right. Of course."

Councilmember Lewis said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I really hope that you could pull this off with the County because we've been dragging this thing. This gentleman has frankly got his life on the line. We know that the County is hard to deal with, but we're going to have to be the one to step up to the table and say they can build this road. So, I hope that you could pull it off, but I know it's a difficult job. We need to get this behind us."

Mayor Tecklenburg said, "That's right. I concur. Okay. We have a discussion going on over here. We have a motion on the floor to defer. Is there any further discussion?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I was just trying to have a sidebar with Councilmember Wagner."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Okay. We'll allow an official sidebar to occur. Is that in Robert's Rules of Order?"

There was laughter in the Chamber.

Mayor Tecklenburg said, "I've got the book here. I'll look it up while you all are discussing that."

Councilmember Seeking said, "He can amend his motion or withdraw it."

Councilmember Wagner said, "Alright. I will withdraw the deferral request with the conditions that we have just discussed."

Mayor Tecklenburg said, "We've got a withdrawal of the deferral. There is a motion on the floor then to give second reading."

Councilmember Seekings said, "With conditions."

Mayor Tecklenburg said, "Can we have an amendment regarding the conditions?"

Councilmember Moody said, "I amend my motion to approve second reading with the stipulations."

Councilmember Lewis said, "Second."

Councilmember Gregorie said, "Correct, with conditions."

Mayor Tecklenburg said, "With the stipulations."

Mayor Tecklenburg said, "Right. Do you want to enumerate the stipulations?"

Councilmember Moody said, "I'll let Councilmember Seekings and Mr. Kerr and Ms. Herdina."

Councilmember Wagner said, "Minus the hundred, and if we have the opportunity to talk to the County, and our district is the same as the County's, and the PUD. If we're not talking about the same thing, we're wasting time."

Mayor Tecklenburg said, "Right. I understand."

Mr. Seamon said, "The two that I understood was incorporating the Pitchfork right-of-way language from the letter that Mr. Kerr sent in into the PUD and then reducing the units 50 off of the Residential and 50 off of the Commercial."

Mayor Tecklenburg said, "Got it, 50 off, 50 off. Okay, and I'm not going to make this, well, we'll go ahead and take the vote. Is there any other discussion or additions to the amended approval for second reading only?"

Chip McQueeney said, "Can I have a sidebar with Susan for just a minute?"

There was laughter in the Chamber.

Councilmember Shahid said, "It's usually lawyers who have sidebars."

There was laughter in the Chamber.

Mayor Tecklenburg said, "I'm still looking that up in Robert's Rules of Order here you all."

Councilmember Shahid said, "There is usually a Judge around here someplace."

Mayor Tecklenburg said, "So, what I was going to say, Councilmember Wagner, Councilwoman Jackson mentioned a couple of other specific things, and I don't want to make any other conditions to the second reading. If you have some little matter that you've noted here or have some question, would you please send Susan an e-mail in the next 48 hours, so that at least we can discuss it since we are making some changes to the PUD. If there is something, some little picky thing that we can talk about, we'll talk about it. Alright."

Councilmember Wagner said, "Excuse me, you're going to do the County, Mr. Mayor."

Mayor Tecklenburg said, "Yes."

Councilmember Wagner said, "Okay. Give me more than about five-hours' notice. You only gave me five hours this last time. Hard to run from Santee in five hours."

Councilmember Waring said, "So, where are we now?"

Councilmember Seekings said, "We have a motion for second reading."

Councilmember Waring said, "Since we have a little time, I think I was out of order, so I admit to it."

Mayor Tecklenburg said, "Alright. Do you have a report?"

No one else asked to speak.

On a motion of Councilmember Moody, seconded by Councilmember Lewis, City Council voted unanimously to give second reading to the following bill, as amended:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located at Maybank Highway and River Road (the Kerr Tract PUD - Johns Island) (approximately 70.59 acres) (TMS #345-00-00-090 and 345-00-00-099) (Council District 5), be rezoned from General Office (GO) and General Business (GB) classification to Planned Unit Development (PUD) classification. The property is owned by RHK LLC et al. and John A. and James J. Kerr Development. (AS AMENDED)

Mayor Tecklenburg said, "So, next is--"

Councilmember Griffin said, "Move to take L-2 through L-5 together."

Councilmember Lewis said, "Second."

Mayor Tecklenburg said, "L-2 through L-5 together. We have a motion and a second. Is there any discussion whatsoever on Items L-2 through L-5?"

No one asked to speak.

On a motion of Councilmember Griffin, four (4) bills (Items L-2 through L-5) received second reading. They passed second reading on motion by Councilmember Lewis and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shahid, the rules were suspended, and the bills were immediately ratified as:

2019-029 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 200 SPRING STREET (PENINSULA) (0.412 ACRE) (TMS #460-11-01-011) (COUNCIL DISTRICT 3), BE REZONED TO BE INCLUDED IN THE ACCOMMODATIONS OVERLAY ZONE (A) CLASSIFICATION. THE PROPERTY IS OWNED BY 200 SPRING STREET DEVELOPMENT LLC.

2019-030 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 214 RICE MILL PLACE (CAINHOY) (0.24 ACRE) (TMS #269-01-05-023) (COUNCIL DISTRICT 1), ANNEXED INTO THE CITY OF CHARLESTON MARCH 14, 2019 (#2019-018), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-6) CLASSIFICATION. THE PROPERTY IS OWNED BY MATTHEW HUNTER BAKER AND CHELSEA BAKER.

2019-031 AN ORDINANCE TO AMEND THE DESCRIPTION OF THE CHARLESTON NECK REDEVELOPMENT PROJECT AREA AS ESTABLISHED BY ORDINANCE NO. 2004-151; TO AMEND THE PUBLIC INFRASTRUCTURE IMPROVEMENTS AGREEMENT DATED AS OF SEPTEMBER 1, 2015 BETWEEN THE CITY OF CHARLESTON, SOUTH CAROLINA AND HIGHLAND RESOURCES, INC., AS SUCCESSOR TO ASHLEY RIVER INVESTORS, LLC; AND OTHER MATTERS RELATING THERETO. **(AS AMENDED)**

2019-032 AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 54, SECTION 223(3) TO AMEND THE DEFINITION OF A MOPED.

Mayor Tecklenburg said, "Next, is, I've got to sign these, and we don't have any bills up for first reading. The next thing on the agenda though for first reading is the Hotel Task Accommodations matter. It's still deferred, but I did want to just very briefly report to Council that the Task Force has been formed. We've held two meetings that, I believe, substantial progress has been made towards improvement of the proposed ordinance substantially. I will acknowledge to you all publicly that it's a very good process of getting these folks together and talking this thing out point by point, paragraph by paragraph. We are going to end up having a much better result

than we would have otherwise. So, I'll say thank you for your guidance that we needed to have such a Task Force and to get it together. I think it's making a difference."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I just have a quick question. I'm just wondering what changed your mind after our last meeting to force the Task Force to come up with recommendations so quickly when we never talked about that at the last meeting. We actually talked about having them meet several times over a long period to come up with a good idea. Then, we found out the next day that they only had a couple of weeks to do so. So, I'm just wondering what your thought process was on that?"

Mayor Tecklenburg said, "Well, I've got ears, and I listen sometimes. I don't know."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "I think in response to that, Councilmember Griffin, I vividly remember Councilmember White, and I think it was the right gauntlet to throw down. It definitely came across like that, that we could get this done in two weeks because you had already been working with the people that wanted to give input to a more robust Hotel Accommodations ordinance change. They were all teed up and ready to go, and it was going to be a two-week turn-around process. So, I think the iterative is wise if it's going to turn out to be a much better product, but I do think that's where the urgency came from."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just briefly, as I sit on that Task Force, and I know everyone at this table has gotten a lot of e-mails about hotels per capita and per constituent, probably me and Councilmember White the most, for sure. I think this Task Force is working well. People have appeared. There has been a lot of ideas. We've gone through a lot of things. We don't all agree on everything. At the end of the last meeting, we scheduled another meeting for Monday. I think you probably just reported that. Also at the end there was conversation, not by members of this Council on the Task Force, but by members of the community on the Task Force. They also want to make sure this is done in a complete fashion, and there was some resistance to getting this to Council by the 28th. I think we'll see what happens on Monday. We have a lot of work still to do for sure. So, I, as a member of the Task Force, will want to make sure whatever comes to this Council is at least as complete as it can be from the group that's sitting around that table with all of their ideas. They're varied, but we seem to be moving in the right direction. But, I can just tell you, and I don't want to speak for my fellow Councilmembers, I don't think there is anybody on that Committee that wants to bring something to this Council that's half-baked. We've done a lot of that, and that's not where we are. So, I wouldn't pen in the 28th as a long night to talk about hotels. It may take a little bit longer than that. It's possible, and I think given some of the comments after the last meeting, I don't want to say probable, but probably 50/50 because we've got some work to do, and we've got to pen in and we've got to make it right. Anyway, so, I don't think that that Committee feels like there is a hard stop date on them, nor have any of them expressed that they will not work past that stop date. So, I just think be patient, but a patience with a sense of urgency because, look, this is an issue that's gone on for a long time. We need to get through it. For sure, we need to come up with a resolution, and I think anyone who is watching this or listening to this or reading these minutes. They don't have any question about whether this Task Force is moving towards resolution that is to the benefit of residents of this

community. It is. It won't be perfect, but it's going to be better. So, just to answer your question about the urgency, we're working, but we're not ready to just throw in the towel and go with anything just to get to the 28th."

Mayor Tecklenburg said, "Absolutely."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Mayor, I don't know where I should ask this, but under the second readings and all of the long list of deferred items as Councilmember Mitchell brought up, Item L-24 officially expired last week. So, I thought that we were working toward that change or at least making progress between the Planning Commission and the Council. Now it's identified as expired, so is that the reality, or are we going to move that expiration date back, or we're just letting it go up into oblivion because we let it expire?"

Councilmember Seekings said, "We can bring it back up again."

Mayor Tecklenburg said, "We can bring it back up again that's for sure."

Councilmember Griffin said, "That's right. It has to go back to first reading."

Mayor Tecklenburg said, "That's right. Absolutely. So, without any other comment on the Hotel Task Force, we'll move forward to Miscellaneous. Number one is a discussion about Petitions and Communications on the City Council agenda requested by Councilmember Griffin."

Councilmember Griffin said, "I'd like to make a motion that we amend our City Council agendas moving forward so that Councilmember requests are taken under a subject heading directly under Petitions and Communications, and if Legal wants to expand on whether I can do that, that's what I would like."

Ms. Herdina said, "What we would be doing is amending the Rules of Procedure and including that item as part of our agenda process. If Council is inclined to do that, you can do that."

Councilmember Gregorie said, "Can we wait until January, or do we do that now?"

Ms. Herdina said, "It would be by ordinance that we would amend the rules, so it could either be done now, or you could wait until January."

Councilmember Waring said, "I second the motion."

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

Councilmember Seekings said, "So, the motion is to put this on our agenda for the next meeting to discuss it and change it?"

Councilmember Griffin said, "No."

Councilmember Waring said, "What's your motion?"

Councilmember Griffin said, "Yes, I want it as a first reading."

Councilmember Seekings said, "We would have to put it on the agenda and advertise it, right, or is it because it's our rules we can just do it?"

Ms. Herdina said, "What we could do, if Council is so inclined, is direct us to draft an ordinance along these lines, and we can put it up for first reading on the next agenda."

Councilmember Griffin said, "That's my motion."

Councilmember Waring said, "I second it."

Mayor Tecklenburg said, "We've got a motion to direct staff to draft a motion."

Councilmember Griffin said, "I guess I should explain why I want it done."

Councilmember Seekings said, "That would be helpful."

Mayor Tecklenburg said, "It's not necessary, but if you would like to."

Councilmember Griffin said, "The reason why I'd like to be done is because the majority of the requests that we get that we bring to Council as Councilmembers come from our constituents. They shouldn't have to wait until 10:00 p.m., 11:00 p.m., or 12:00 a.m. at night every meeting to have them heard. This administration has decided that it goes under Miscellaneous Business at the bottom. So, the only way to do it, the Mayor said if I wanted to change it to make a motion and have it changed, so that's what I'm here to do. Change it, so that our constituents, if they want to come to the meeting and hear it, they'll know that they can hear it at a reasonable manner, and if they want to watch it on T.V. or watch it on YouTube, they don't have to wait until midnight to hear it. I think that some of the ordinances that have been brought to us lately have not been the best, and I think that it's time for Council to bring some new ideas to the table."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "I agree with Councilmember Griffin. I do feel like there are several things that come before us as representatives of our territory and the people that we serve, and I have been in communities where exactly what you are suggesting, Councilmember Griffin, is the matter of course as far as their own Rules of Procedure. So, if Council brings things that don't necessarily end up in being any sort of lawmaking, but definitely becomes representative of what we want the public to appreciate about what we're learning and what we would like to accomplish in our rules. So, thank you."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Yes, I just wanted, I guess back to the first of the year, I had pulled up all of the Rules of Council. There is a section in our rules. When you put that up there, how about making a copy, and I'll be glad to give you my copy, but everybody needs to read those and know exactly how we're supposed to act and what's procedure and if, I was going to say if I spoke out of turn, but if Councilmember Waring spoke out of turn, we need to call to order on those kind of things on each other. If you follow the rules, it makes for a more efficient and a tighter meeting, and I think we all ought to be doing that. So, I would ask the Clerk of Council to send those rules out and let us all review them, and then we can vote on this one, and if there is any other amendments, we can talk about them then, too. Thank you."

Mayor Tecklenburg said, "So, just by way of some explanation, I was trying to do exactly that, Councilmember Griffin, when this issue came up, and maybe I had been a little loose about putting things on a place in the agenda where they, in fact, did not belong. So, when numerous

requests were made about New Business items coming to Council I, in fact, did just what Councilmember Moody said. I went and read the Rules of Council that we passed at the beginning of the year and, consistent with Robert's Rules of Order, it specifies the order of our business which starts with properly advertised public hearings and then has a public Citizens Participation Period towards the beginning of the meeting as we did tonight, so that if there is any matter that the public wants to engage in and share with us and be seen on YouTube, it is, in fact, towards the beginning of the meeting. But, as is consistent with Robert's Rules of Order, Old Business is handled first and then New Business at the end of the meeting. So, the requests that had been coming forward were, in effect, New Business, to discuss something that wasn't on the agenda before. If you took a solid look at our Rules of Order of Business and consistent with Robert's Rules of Order I would still, respectfully, say if you all make a request, and I've always honored a request to put something on the agenda, but if it's a new item for the discussion that it would be considered New Business and would come towards the end of the agenda as is prescribed in our rules that we passed. It's totally up to Council. If you all want to put it before the prayer invocation, you can do that, and it's our Rules of Council. You all can decide wherever on the agenda you want something to go, but I was going by what our rules were."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "With all due respect, sir, this Chamber holds a couple of hundred people, and we have 150,000 people in the City of Charleston. So, to say that they can all come to the microphone and speak for 90 seconds, they elected us to speak on their behalf on a lot of things, and we have an opportunity to speak a lot longer than 90 seconds. So, that's one point, and the other point is just there have been plenty of times that you have brought stuff up, and it's been under first reading, it's been up under Resolutions, we've taken votes on stuff. That's brand new business, but it's different if it's yours, and it's different if it's ours. Let's all be on the same playing field and give us an opportunity to bring some new stuff to the table because, unfortunately, I find some of the things that we've been voting on ineffective, and it's time we get some new voices around the table."

Mayor Tecklenburg said, "Thank you, sir. I was just following the rules. Alright. We have a motion on the floor to ask staff to change the Rules of Council to place Councilmembers' requests, no matter whether they be New Business or Old, under Petitions and Communications. Does that describe it?"

Councilmember Griffin said, "That there is a new heading under it."

Mayor Tecklenburg said, "A new heading of Councilmembers' requests for consideration."

On a motion of Councilmember Griffin, seconded by Councilmember Waring, City Council voted to direct staff to draft a bill to be placed on the next Council agenda which amends the Rules of Council to include a section for Councilmember requests after Petitions and Communications on City Council agendas.

The vote was not unanimous. Mayor Tecklenburg voted nay.

Councilmember Gregorie said, "I have a quick question for you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "The agenda items are due by when? Don't we have a specific timeframe? If we want to put something on the agenda, then have it to you Monday."

The Clerk said, "Yes. On Monday prior to 3:00 p.m."

Councilmember Gregorie said, "Gotcha. I just wanted to make sure that was --."

The Clerk said, "We have our meeting at 3:00 p.m., and we would like to have it prior to that."

Councilmember Gregorie said, "Thank you."

Councilmember Moody said, "I think that's in the rules, too. Is that right, Madam Clerk?"

The Clerk said, "It is."

Mayor Tecklenburg said, "Can I now hear a motion to go into Executive Session to receive Legal advice on the LDC litigation?"

Councilmember Griffin said, "Mr. Mayor, before we go into Executive Session, I asked Legal before the meeting that the two items that I had put under Executive Session, they can be talked about publicly. Under us all trying to be transparent, I think we should go ahead and take those items out in the open before we go into Executive Session. Legal wanted to make sure that we understood what could and could not be said publicly."

Mayor Tecklenburg said, "Okay."

Ms. Herdina said, "That is correct."

Councilmember Griffin said, "So, I probably need a motion, don't I, or a second to not take those items under Executive Session?"

Ms. Herdina said, "What I would do is specify what you would like to discuss out of Executive Session and then, as we've discussed, and I also mentioned to Councilmember Waring, however that conversation goes, we may need to move back into Executive Session. But, I think at this point we would need a motion because the agenda reflects that the conversations would be in Executive Session just to make a motion to what you would like to take out of Executive Session."

Councilmember Griffin said, "I would like to make a motion to take M-4 out of Executive Session and discuss it publicly."

Councilmember White said, "Second."

Mayor Tecklenburg said, "Alright. We have a motion to take M-4 out of Executive Session, and is there any discussion on that?"

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilmember White, City Council voted unanimously to discuss M-4 out of Executive Session.

Mayor Tecklenburg said, "Okay. Still the next item on our agenda is to go into Executive Session regarding the LDC matter. Can I hear a motion--?"

Councilmember Griffin said, "Mr. Mayor, I'd like to make a motion that my item that we just moved out of Executive Session be moved up, so that it can be heard, so that we could go ahead and get that done and do the Executive Session items last."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "We now have a motion to change the agenda and is that for just M-4?"

Councilmember Griffin said, "Yes, sir. M-3, I did not ask to come out of Executive Session."

Councilmember Waring said, "I was going to ask that, but we hadn't gotten to it yet."

Mayor Tecklenburg said, "M-4. Okay."

The Clerk said, "Did I hear you second?"

Councilmember Gregorie said, "Yes."

Councilmember Waring said, "I thought you did."

Councilmember White said, "I seconded the first one."

The Clerk said, "You seconded the first one?"

Councilmember White said, "Yes."

Councilmember Waring said, "Just a point of clarification, Madam Clerk, what item are we on?"

The Clerk said, "We're still on Item M-4."

Councilmember White said, "We're going to take M-4 first."

The Clerk said, "Yes."

Councilmember White said, "Okay. There is a motion on the floor. I call the question to take M-4 first."

Mayor Tecklenburg said, "Is there any further discussion?"

No one else asked to speak.

On a motion of Councilmember Griffin, seconded by Councilmember Gregorie, City Council voted unanimously to consider Item M-4 first.

Mayor Tecklenburg said, "So, next we take Item M-4, discussion regarding a personnel matter."

Councilmember Griffin said, "This was actually two parts. The first part I would like to discuss is the business card. I have, in my possession, a business card that was handed to me by Mrs. Sandy Tecklenburg. It has the Mayor's information on one side and Mrs. Tecklenburg's information on the other. On her side of the card, it has the City of Charleston logo and the seal. After looking into this matter, I wanted to find out who paid for this card and why this card was

created in the first place. My initial concern is, number one, she's not a City employee, nor a City official. Let me repeat, in no way, shape, or form is she an employee of our City. This has apparently gone unnoticed, or swept under the rug, for quite some time regarding the business card. So, I would like to know who is checking the Mayor's expenses. We're giving Mrs. Tecklenburg some credibility here and an opportunity to mislead our residents with any sort of say so that she might have in our government by giving her this card. I then found out that the City funded these cards. I was told that the first batch of cards had her name only, but that the Mayor's name was subsequently added to the other side to make this a Mayor's Office expense. So I ask, again, who authorized this? I want to recap real quick. A non-elected, non-hired person, has access to resources and means that no other resident has. She obtained that through a blatant abuse of power by her Mayor husband and then, to top it all off, expensed it back to the taxpayer. Mr. Mayor, what you did was a misappropriation of City funds. I have to ask you, is this the only instance of your office abusing City funds? I ask, again, is this the only instance of your office abusing City funds?"

Mayor Tecklenburg said, "Well, first of all, to answer your first question or to respond, it's not a misappropriation of City funds, and I'll be glad to share some comments and remarks about that."

Councilmember Griffin said, "Okay. Well, I think it's time for us to take action as a Council. I think our City needs to be run as a business, not a charity. Our residents are sick and tired of getting nothing on the heavy amounts of taxes that they pay. We need to go ahead and take a look at whether or not there are any other occurrences of what I would consider a misappropriation, self-dealing, and blatant disregard for the rules. I'm calling for an audit of the Mayor's Office. Our citizens deserve to know why you made this a City expense, and they deserve to know whether or not this is the only occurrence that it's happened. Thank you."

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

No one else asked to speak.

Mayor Tecklenburg said, "So, I would like to begin, it is my card, John Tecklenburg as Mayor, and on the other side is the name of my wife, Sandy Tecklenburg. Although it's not a paid position of this City of Charleston, by virtue of being my spouse, she is the First Lady of Charleston. It's an honorary position, admittedly. I want to tell you all a little bit about my wife, Sandy. She is a woman of faith, and her heart is to serve our City and our community. I'd like to share by reading both from the Old Testament and the New Testament from Isaiah 58 referring to the kind of fasting that would be appropriate and suitable to God. Isaiah 58: 1-6, it says, 'No, the kind of fasting I want calls you to free those who are wrongly imprisoned and to stop oppressing those who work for you. Treat them fairly and give them what they yearn. I want to share your food with the hungry and to welcome poor wanderers into your homes. Give clothes to those who need them and do not hide from relatives who need your help.' This is a consistent message of both the Old and the New Testament. In St. Matthews 26 after the King says to those who he is separated the sheep from the goats, 'He will place a sheep at his right hand and the goats at his left and then the King will say to those on his right Come ye who are blessed by my Father, inherit the Kingdom prepared for you from the foundation of the world, where I was hungry and you fed me, I was thirsty and you gave me drink, I was a stranger and you invited me into your home, I was naked and you gave me clothing, I was sick and you cared for me, I was in prison and you visited me.' I aspire to that.

My wife lives it and, I want to share with you, she would be embarrassed to share the kinds of things that she does because she is so humble. Fifteen years ago, she became very

interested in prison ministry, as outlined in both the Old and New Testament. She founded two organizations and now serves on the Board of a third that helps former prisoners get a better place in life, main challenges being employment and housing. Delancey Street, originally South Carolina Strong, Sandy founded, it's still operating in North Charleston as a residency program for over 50 individuals who have come out of prison and looking to get a new start in life. In a similar fashion, she helped start another organization called Fresh Starts that does the same kind of thing. They've now renovated four homes in North Charleston and have a program to help these individuals get started again.

Since I became Mayor, she became a Board member of Turning Leaf that we all support. When I was elected, and I guess I'll step back and say I'm really blessed to have a wife, a First Lady, who is so supportive in what I do in serving our City and our citizens as Mayor. It's in her heart to serve our brothers and sisters who are most in need. She has been passionate about helping those who have been incarcerated before and need a new chance, a new start. She believes in recycling, as we believe God does, but it doesn't stop there. When I was elected, and Tent City had grown to significant portions, there were hundreds of people living in tents under the passageways. Who was there helping individuals to get a place, a new start in life, helping those individuals get placed in housing? Sandy Tecklenburg. Along the way, she founded another warehouse to accept donations of furniture, so that when we found housing for those who had been in tents and Tent City, she would physically go to their new apartments when they were located out of their tents and have the guys from Delancey Street that the former prisoners deliver furniture to their homes. She set all of this up, amazing effort. Now, her support of our Navigation Center as a volunteer and a supporter to Marie Elena Roland is nothing short of incredible, not just fundraising, but personal time. I call her a one-person social service agency. She is amazing at connecting those in need to the resources in our community to help them. So, yes, when I became Mayor, and to this day Sandy is often with me at community functions and affairs meeting people, even walking up and down King Street speaking to homeless individuals to see if she can help them. She has personally helped relocate or buy a bus ticket for someone who needs to go back where they had support. She would often give out my card, Councilmember Griffin, and write her name on the back of it and put her phone number and her e-mail address for other individuals, as well. I don't know if they would be intimidated or something to call the Mayor, they shouldn't be, but she would say, 'Gee, if you can't reach the Mayor, and it's something I can help connect you with, give me a call. This is my personal cell phone number.' She didn't mind offering that to people and so, as this went on, this was three years ago so admittedly, we've been doing this for a while. It was a good way for her to make those connections and so, I authorized it. I thought it was a good idea. It's good for our citizens. She connects and helps so many people, and the list could go on and on to educational programs she helps in our community to cultural arts programs and events, for example, with Cookie Washington, both at the place up on King Street after the Mother Emanuel tragedy. Affordable housing, I've got to tell you she is most passionate advocate and keeps me on task in that regard. When we go to a U.S. Conference of Mayors meeting in Washington, many times I'll ask her to attend a session, a conference, because they will schedule more than one seminar at a time and, again, totally on a volunteer basis, she will go to listen in on one seminar and get the information, so that she can share it with me. I could go on and on. She helps Habitat for Humanity, she helped organize a women's group to build a home. I'll be glad to recognize you when I'm finished."

Councilmember Griffin said, "You're just rambling."

Mayor Tecklenburg said, "Actually, I'm going down the list here of--"

Councilmember Griffin said, "This has nothing to do with what we're talking about."

Mayor Tecklenburg said, "I'll be glad to give you the floor when I'm finished, Councilmember Griffin. It's got everything to do with what we're talking about. She's a wonderful servant to this City and to our citizens. She is our First Lady, and I'm proud to have her love, and I love her. She is my soulmate. She is a remarkable help, not just to me personally, but to the City of Charleston and to our citizens. I'm very proud of her and what she does and that she lives out the spirit of both the Old and New Testament in what she does each and every day in our community, and I'm very proud of it."

Mayor Tecklenburg recognized Councilmember Moody followed by Councilmember Shahid.

Councilmember Moody said, "Thank you, Mr. Mayor. I don't disagree with a thing you said about Sandy. This question is really not about her. The question really is about the judgment of, I mean, maybe I would consider having my City business card with my wife's name as First Lady of District #11, but I would never think about the City paying for it. Quite frankly, I suspect if we went around this table, each one of us that has a spouse could probably say a lot of the same things about our spouse."

Mayor Tecklenburg said, "You could. Absolutely."

Councilmember Moody continued, "I don't want to cast aspersions on Sandy because she's a great lady, and you're a great guy. I like you."

Mayor Tecklenburg said, "Thank you."

Councilmember Moody said, "But, there is a judgment problem here about using City funds for that. Then, when you mentioned a minute ago that, and I don't know the details. You just said it, she attended certain meetings with you. That's one of the reasons, when I go to a meeting, I don't let the City pay. I think our Clerk will tell you that I've been to a bunch of meetings, and I don't let the City pay for anything because I don't want any questions. That's just Bill Moody, but I think our employee handbook says you have to be an employee for the City to pay for your expenses. Now, if you're flying to Washington, for example."

Mayor Tecklenburg said, "I pay her expenses."

Councilmember Moody said, "What?"

Mayor Tecklenburg said, "I pay her expenses."

Councilmember Moody said, "Yes, you shouldn't even use your card and reimburse the City for that. The handbook says that you're not allowed to do that unless you're an employee. Now, they said they would help you through the travel to make those arrangements. So, I'm hearing you say things, and I'm hearing Councilmember Griffin say things and my sense is, as an auditor, whenever I see something like this in my professional life, I'd say maybe we ought to look into it. It will do one of two things. It will either show that you're right, or it will show that you're wrong and that we have a rule book that we're supposed to go by. We have an internal auditor that is responsible to us. I wish I could remember Robert's last name."

Councilmember Seekings said, "Majernik."

Mayor Tecklenburg said, "Majernik."

Councilmember Seekings said, "The loneliest employee in the City."

There was laughter in the Chamber.

Councilmember Moody said, "That's right. He answers to City Council, and I've seen this before. This is not the first time I've seen this."

Mayor Tecklenburg said, "Right."

Councilmember Moody said, "I just kind of dismissed it myself. So, probably, I'm bad for not saying something. She never gave me one, so I'm kind of upset about that, but I had seen it. So, there is talk out there, and that's what gives me pause. It's not saying anything bad about Sandy. It's just there is something wrong with that and if we need to look into, I'd get Robert to take a look at it. While we're talking about this, I know we have a policy on vehicles. I have heard, again it's just hearsay, that she has driven your car. I mean a lot of times you're in it with her, but technically that's in violation because I don't know whether we've got insurance to cover her if she got in a wreck. I don't know that, but there is a reason for that policy. So, all of these things that we're talking about here, I think we just need to kind of clear the air and get on the right page here. I'm not trying to besmirch anybody's character. I really don't want it to go into that level, but I think there is a little bit of smoke and in that case, as a recovering CPA and auditor, I usually react to smoke. I'm like a bee so, anyway, that's all I've got to say."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Thank you."

Mayor Tecklenburg said, "No, I'm sorry. I called Councilmember Shahid next."

The Clerk said, "Then, Councilmember White has had his hand up."

Councilmember Griffin said, "I would like to speak again."

The Clerk said, "Yes."

Councilmember Shahid said, "So, can we have our Corporate Counsel come up and answer a few questions? Because I think you've already looked into this, Susan, have you not?"

Ms. Herdina said, "Councilmember Griffin was kind enough to call me last week and asked a few questions about these issues."

Councilmember Shahid said, "Is there anything illegal about this?"

Ms. Herdina said, "I could not locate any kind of statute or law or ordinance that prohibited what the Mayor has talked about here, which is printing her name on the back of a business card."

Councilmember Shahid said, "Is there anything unethical about it?"

Ms. Herdina said, "Well, the ethics, I don't think there is an ethical violation either. There is language in the ethics law that talks about, and let me put my glasses on, if I can."

Councilmember Shahid said, "That would help."

Ms. Herdina said, "There is basically a provision, 8-13-700, that is part of the State Ethics Law that talks about, it says, 'No public official may knowingly use his office to obtain an economic interest for himself, a family member, an individual with whom he's associated or a business with whom he's associated. This prohibition does not extend to incidental use of public materials and

personnel or equipment and subject to or available for a public official's use that does not result in additional public expense.' Now, there is, I think, a question here about how much was spent here?"

Councilmember Shahid said, "Right. So, how much was spent on the cards?"

Ms. Herdina said, "On the cards, and I understand it was minimal to get her name printed on the back of that card, but I think the provision I just read does not define public expense, but there is another section of the Ethics Code that talks about economic interest, and that is defined as \$50.00 or more. So, I think that that might cover the printing of the card. So, the other thing that we've looked at and talked about is there wasn't anything on the card that was a misrepresentation, which is sometimes an issue that couldn't happen with people using business cards. I do have to tell you that the issue that I was concerned about which, actually, two issues that I was concerned about, that I mentioned to the Mayor. One was the use of the City seal. So, I did go ahead, because I remembered that we had an ordinance that dealt with the use of the City seal, and it's Section 1-10 of our ordinances, and I don't think it is on point. I don't think it covers this kind of situation. It talks about the Clerk of Court shall have the custody of the seal--"

The Clerk said, "Council."

Ms. Herdina said, "I'm sorry. Clerk of Council shall have the custody of the seal."

There was laughter in the Chamber.

Councilmember Shahid said, "Well, we've turned into a court sidebar."

The Clerk said, "I know the seal is Clerk of Council's."

Ms. Herdina said, "Thank you. 'Has custody of the seal and the same shall be carefully preserved and kept by him at all times in his office. So, that part of the code that deals with the seal I don't think addressed this issue. So, I think if Council has a concern about the use of the seal by Ms. Tecklenburg, then that maybe needs to be addressed. The other concern I had, frankly, was whether or not somebody, who is not a City employee, but has a card, is holding themselves out with some apparent authority. That, I think, is a legal risk. I don't think that it's necessarily an issue here because Ms. Tecklenburg is the First Lady and closely associated with the Mayor, but in any event I don't see any law or ordinance or regulation or rule that prohibits this. I don't think it ever happened in the Riley administration. I don't think that was used, but I couldn't find anything that prohibited it, that it was illegal in any sense."

Councilmember Shahid said, "There is no indication that she ever did this for financial gain, so there is nothing unethical about it or illegal about it. I think I heard the price of doing this for 500 cards was less than \$10.00. Is that accurate?"

Mayor Tecklenburg said, "The differential between the price of my card, which I consider my card, to be honest with you. If I run out of cards, I have some of these also. I give them out as my card, but anyway the differential is \$10.47 per box."

Councilmember White said, "Mr. Mayor. So, you have a separate card?"

Mayor Tecklenburg said, "I do. I don't always have these."

Councilmember White said, "There is really no differential. This is Sandy's card then."

Mayor Tecklenburg said, "Well, both of our names are on it, sir."

Councilmember White said, "But you have your own card."

Mayor Tecklenburg said, "Correct, and sometimes I don't have it with me, and I give this out as my card, as well."

Councilmember White said, "Well, how much is it for Sandy's card to be printed I think was the question, correct?"

Mayor Tecklenburg said, "The differential is \$10.47."

Councilmember White said, "No, the total cost for Sandy's card?"

Mayor Tecklenburg said, "Either one is approximately \$150.00 per 500 cards."

Councilmember White said, "\$150.00 for Sandy's card, same as for your cards, which are separate cards?"

Mayor Tecklenburg said, "Approximately. There is \$10.00 difference when you print on the second side. You follow me?"

Councilmember White said, "I think we're all smart enough here, Mr. Mayor, with all due respect, you get my point. Do I have the floor?"

Councilmember Griffin said, "Yes."

Councilmember White said, "First and foremost, let me say this is absolutely nothing about your wife. This is not a personal issue. When Councilmember Griffin brought this up, several people made comments to me about things that they had seen and things that had happened that caused me to pause. In my professional career, I've managed hundreds of people. I've dealt with HR. I've had 18 different direct reports at one time. So, having to deal with business issues related to policy violations is second nature. I've done it hundreds and hundreds and hundreds of times. When this came up over the weekend, I did a little homework because the question to me, is this isn't a personal issue. This is just simply a business issue, associated with the fiscal responsibility and the responsibility as employees that we, as elected officials, effectively, and all employees of the City of Charleston, have to adhere to. So, number one, I would contend that the card issue is a procurement policy violation. I'm fairly certain that's going to be the end result. You had alluded to, or I think there was a comment just made, about Sandy's use of or driving your City business vehicle. Has she driven your car before?"

Mayor Tecklenburg said, "She has."

Councilmember White said, "In the City's handbook, this is Section 2.9, Vehicles and driving for the City, the second sentence in the first paragraph says, 'Only authorized personnel may operate the vehicle.' It goes into the things that they have to do, about safe operations, and all of that. So, the question was what's an authorized personnel, and the answer is 'an employee' is the only person that's authorized. I've had many business vehicles provided to me from companies before. Let me just say, it is absolutely taboo, you do not let anyone drive your business vehicles. It just doesn't happen. At 100 percent, you cannot do it, not even back up out of the driveway to move the vehicle. It just doesn't happen. The second thing that came to my attention was the flight issue and the booking flights and being reimbursed. So, I went and looked at the travel policy and it specifically states in Section B under Commercial Aircraft. The first item,

'Employees may use a City authorized travel agency', and then it speaks to use of the procurement card and all of that. This is just simply a business issue where multiple policy violations have occurred, internal policy violations. I can tell you, from my professional experience, when you are at the top, and you are at the helm, you are held to a higher standard than anyone else around you. Your employees look to you for guidance, and they look to you for what they should do and how they should act. The fact that we've got, in just a very brief, over 48 hours, identified three policy violations to me is of grave concern, and it's not personal. It's just simply that we've got to identify, from a business perspective, exactly what is occurring, what policies are being broken. I'll just throw in, as an aside, I was told that Sandy had a key to City Hall. So, you see what I'm saying? It just goes on and on, and it creates a lot of questions for people."

Mayor Tecklenburg said, "I'm just curious, because that's absolutely not true."

Councilmember White said, "That's good. That's one policy that didn't get violated. My point in being this is not a personal issue, but if we've got a number of internal policy violations occurring, and these are just the ones that we've identified, it gives me great pause and concern."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I've got a couple more issues that I'd like to share. Number one, you just lied to all of us when you said that no misappropriations occurred. He just named off three, and you admitted to her driving your car. You were reimbursed from the City on travel expenses. There are two right there."

Mayor Tecklenburg said, "I did not admit to any such thing about travel expenses."

Councilmember Griffin said, "I said were there any misappropriations, and you said, 'No, I'll answer that, no misappropriations occurred.' You said it."

Mayor Tecklenburg said, "I don't consider there to have been any."

Councilmember Griffin said, "Well, that's the problem. You don't have the right judgment, and I think that we do. So, that's why I'm asking that there be an audit done of your office and every expense that you've had while you've been in office because this is not being run as a business anymore. If I went into my business tomorrow, and I brought my girlfriend or spouse to make business decisions with me, I would be fired and laughed out of the building. You are allowing your wife to help you make decisions to run this City. She was never on the ballot. She's not going to be on the next ballot, unless she decides to run against you. Let's be honest. Your judgment is clouded right now, and I get it. You're a great husband, you're a wonderful husband, you love your wife more than anything, but she was not elected to serve. She is not a City employee, and you have, for some reason, a problem separating work and your personal life. So, I would ask my Councilmembers to support this audit. I think it needs to be done. You've already admitted to some things that are questionable at best, and this could be the tip of the iceberg, and the snowball could get a lot bigger from here."

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

Councilmember Shahid said, "I just want to recap what we heard here. So, Councilmember White has brought up some issues about the inappropriate use of a vehicle. She's driving the car and the way that travel that has been reimbursed. Those are at best, as I understand, policy violations or violations of the handbook of the rules of what we operate in the City. I get Councilmember White's concern with that, and you are the Mayor, and you set the

tone for how the City is supposed to be run. But, if you're calling for an audit, let's just make sure we're clear on all of this. You're calling for an audit for a case upon, at worst, \$100.00 business cards being reproduced maybe two or three different times."

Councilmember Griffin said, "No."

Councilmember Shahid said, "Hold on a second."

Councilmember Griffin said, "You don't know that."

Councilmember Shahid said, "I have the floor, and you have a problem interrupting people when they have the floor. So, what I hear and understand is that the business cards have been reproduced two or three different times, maybe four times at the most."

Mayor Tecklenburg said, "Four times."

Councilmember Shahid said, "Four times. Councilmember White has brought up the issue about traveling in a car. That's not a gross appropriation of funds. That is a violation of a City policy because there may be an issue of if she has an accident, it can be a liability problem with that, but it's not a misappropriation of funds."

Councilmember Griffin said, "I didn't say funds."

Councilmember Shahid said, "You did say that, Councilmember Griffin."

Councilmember Griffin said, "Misappropriation."

Councilmember Shahid said, "You said misappropriation, so a misappropriation of funds. I heard what you said. I wrote it down as you were talking, and the other thing that you brought up as maybe a misappropriation of funds would be whether or not the Mayor has violated the policies regarding reimbursement. Now, those are the reasons you want to have an audit?"

Councilmember Griffin said, "Yes."

Councilmember Shahid said, "I just want to make sure that we're clear on all of that. Those are the reasons you want to have an audit because the Mayor's wife is driving the car, they violated the policies perhaps on reimbursement of travel, and we spent maybe \$500.00 on business cards?"

Councilmember Griffin said, "Yes."

Mayor Tecklenburg said, "So, let me just respond that I've never--"

The Clerk said, "Is your hand up?"

Councilmember Gregorie said, "Yes."

The Clerk said, "Okay."

Mayor Tecklenburg continued, "I've always paid for Sandy's expenses whenever she's gone on any trip with me. I must tell you that I know you don't get credit for this, but there are many expenses that we both incur that are technically City business that I never submit for reimbursement. I know you all, some of you, would like to continue on with this. That's fine, we can go on all night. I would submit to you that the intent of what happened here was nothing but

to help the citizens of the City of Charleston and to serve as the Mayor, be you male or female, that your spouse, I feel, should have a place of honor. In this case, Sandy is such a dedicated volunteer to our community, I think she deserves that honor. So, I said earlier, Councilmember Griffin, that I do have ears, and I listen. I will certainly respect if it's the wishes of Council for her to no longer use this card. I'll gladly reimburse the City for every single business card that was ever procured with her name on it, but I assure you the intent for both Sandy and myself has been nothing but one of service. There has never been an economic interest from either one of us by our service to the City and I just ask you to, respectfully, consider that."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mr. Mayor, in all due respect, if someone on your staff did this, what would you do? The reason I ask that question is because, like Councilmember White and others, I've managed hundreds of people. If this was brought to my attention by one of my employees, I would have no recourse but to take some action. That action comes in so many different forms. That action would be consistent with the employer's handbook which would govern what I can or I can't do. So, I just leave you with that question. If someone on your staff did this, what would be your response?"

Mayor Tecklenburg said, "First, I would inquire why and see if there was some purpose behind it. I've tried to explain to you all as best I can, probably inadequately, the intent of this to help our citizens. So, I don't know that I can offer a whole lot more, but I would inquire why. Maybe you all don't think, the way this evolved, that it's a good justification. So, I'm offering to you that we'll no longer use the card, and I'll reimburse the City for the full expense thereof."

Councilmember Gregorie said, "Right. The reason why I raise the question is yes, you would inquire, but you would also carry out the provisions of the employment handbook which says that that's a violation and requires some reprimanding of some sort. I'm just saying, based upon my being a manager, and if I was confronted with this, I would specifically go with the provisions of the employee handbook because you do report to Council."

Mayor Tecklenburg said, "That's right."

Councilmember Gregorie said, "I'll leave it at that."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "So, two things, number one to Councilmember Shahid's point. At no point, I don't think any of this is illegal. I'm not a lawyer, but I don't think it's illegal, but a policy violation surely. To Councilmember Dudley Gregorie's comments, that is my concern is that we have multiple or a pattern of policy violations happening at the absolute top of our organization, many of which, I presume, that if a Department Head found that these things occurred within their department, a pattern like this, would lead to termination. My point in saying all of this is, when you're at the top of the organization, you're held to the highest of standards. This is just the information that's come to light in 48 hours. I have to agree with the audit. If it's found that there is nothing there, fantastic. That's the hope that we all have. But, I think that there is enough question in my mind at this point that we need, and I think the citizens deserve to make sure that we clear the air here."

Mayor Tecklenburg said, "Are there any further comments?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I don't have any comments about the card because I think that's certainly been addressed. I got an e-mail today from one of our Legal Counsel about payroll and salaries. I looked at, I think it was 2016, and I looked at, I believe it was 2018, I'm sorry, 2019. I saw some drastic differences that, and I'm going to kind of quote some scripture I wrote down, you said from Isaiah. It said, 'Treat them fairly'. I certainly agree with that, and you all know the struggles we had on that Budget Committee trying to balance the budget and give a pay raise to our employees of a 4 percent pay raise. When I saw, when I compared, before and after, some pay raises on the executive level, I've got to be frank, I was shocked at some of the percentages. I don't remember that ever being a part of our Budget Committee discussions. When you're in business, and we have six people around this table if I'm wrong, to correct me, if that was a part of the discussion. I understand government is not a business, but when things are tough sometimes the boss doesn't get paid. I know I've been in that position, but the employee does get paid. But, if we struggle, because, as a matter of fact, as a part of that deliberation, we were trying to get our lowest paid employees up to \$15.00 an hour. At that time, during the 2019 Budget deliberations, the lowest paid employee was at \$11.00, and we wanted to get them up to \$12.00. One of the things you suggested to try to get the budget balanced was to bring that from \$12.00 to \$11.50. Again, when I compare that to, and we fought to keep it at \$12.00, and sometimes the people at \$12.00 are the people that try to help keep this City's reputation. A lot of times that the people hanging on the back of the sanitation trucks. They keep this City clean. Some of our parks, you never hear people talk about, 'Oh, we got too many parks.' They love the parks that we have and we do, too, but if my calculations were right, some of these pay raises were in excess of 20 percent. Twenty percent when we had to raise the taxes, what was it, 3 mills? So, there is a void when you leave your office, work on behalf of your constituents. I wonder how that was not brought to at least any of the Budget Ad Hoc Committee's attention. I'll ask my colleagues on Council, the remaining six on Council, maybe you all had a discussion on the size of pay raises on the executive level? So, I thought, to me, that's part of the smoke that our personal auditor esteemed, that I hold high in this town."

The Clerk said, "Councilmember Shealy, did you have your hand up?"

Councilmember Shealy said, "Yes, ma'am. Thank you."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Yes. I agree with Councilmember Waring. I got that e-mail today, too, and when I looked at some of these pay increases that have happened that weren't brought before Council, one of them, \$27,575.00, and that's over three years. That's 2016 to 2019, of course. Another one \$11,935.00, another one \$10,000.00, another one \$10,000. These were significant pay raises. I guess what upsets me the most is that I sit on that Human Resources Committee, and I know that we were losing 18 percent of our, we talked about how are we going to retain these people. Well, where are we losing these people? Well, we're losing them to other municipalities. They're going to the County, or they're going to other cities, a lot of these people, and a lot of them over \$1.00 or \$2.00 an hour. When I saw this, yes I was disappointed, as well, knowing what we went through at the end of the year talking about budgets and how we were going to make things work and how we were going to have pay raises and those types of things. So, I too was disappointed when I got that e-mail this afternoon."

The Clerk said, "Alright. We have Councilmembers White--"

Mayor Tecklenburg said, "Would anyone else like to be heard? We've called on Councilmember Griffin over two times already. Would anybody else like to be heard on this matter?"

The Clerk said, "Councilmember White."

Councilmember White said, "Well, I just, unless if you want to yield, on the salary thing, and I have to agree. It gave me significant pause to look at the significant increases that were occurring in the executive office, but these were some of the most highly compensated people in the City getting some of the largest raises. I had to reflect back to the challenge that we had in building and balancing the 2019 budget and the fact that, Mr. Mayor, your choice to help balance the budget for 2019 was to hold off on giving pay raises to our employees until July, instead of giving it to them in January to balance the budget. We all disagreed with that. We ultimately didn't go with that idea. It just seems so, just the business acumen of the decision making process of what occurred I'm not sure, but it certainly doesn't make, in my mind, good fiscal sense to have 1,750 employees who are doing their best, and we're doing our best to give them a decent living wage. Then, we've got members of your staff getting 20-plus percent raises. That doesn't feel right, and I don't know all of the circumstances, and maybe it's not the position of us to understand those circumstances today, but I can just say, from a business standpoint and a management standpoint, I don't see how you do that."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "There are two reasons why I asked for this to be put on the agenda. Number one, because I was called by a City employee who brought it to my attention which broke my heart. Number two, the 2019 salaries and the 2016 salaries were listed on the City website under transparency. This is not transparent, in my eyes."

Mayor Tecklenburg said, "They have been transparent on the City website and all of our expenditures. By the way, every check that the City writes over \$150.00 is on the City website, as well. So, I don't know how we could share the information any more fully than that. We'll be happy to look at salaries with you in more detail. A lot of information went out today for the first time. I want to thank Council for joining me in advocating for increasing the minimum wage of our City's staff. When I became Mayor a little over three years ago, there were folks making \$8.50 an hour that worked for the City, and we're now over \$12.00 an hour. We've made significant progress, in that regard. There are some staff members that have worked for the Executive Department for the Mayor's Office. I'm very proud of them and the work they do. I think they do a tremendous job for the City. I'll point out to you that I don't believe any of them make more than the comparable position when I became Mayor. A number of them started at a lesser salary than their predecessors made. So, I think that's a factor here, to be honest with you. Then, when we had some turnover, Mr. Martin left, and there were more responsibilities given to other employees that pay grades or positions were modified, as well. So, there is more to it than just comparing a 2016 number and a 2019 number, with all due respect. So, I'm happy to look at that further. Are there any further comments?"

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Yes, I won't go into some other things, I don't even know if there is a motion on the floor to call for the audit."

Mayor Tecklenburg said, "I don't believe there is."

The Clerk said, "There is not a motion on the floor."

Councilmember Moody said, "There is not."

Councilmember Seekings said, "I haven't spoken."

Councilmember Moody said, "Well, I was trying to figure out where I am."

Mayor Tecklenburg said, "Okay. Well, we're about ready to go into Executive Session if I can get a motion on that."

Councilmember Griffin said, "But we're not finished here."

Councilmember Moody said, "Well, I thought we ought to just go ahead and call for our Internal Auditor to do a review of what we've spoken about tonight and look for anything else that comes to his attention as he's looking through the disbursements."

Councilmember Griffin said, "Second."

Councilwoman Jackson said, "I second that."

Mayor Tecklenburg said, "We have a motion and a second."

Councilmember Moody said, "To clear the air and report back to us in 60 days. I'm not looking for a witch hunt or anything else. I just want these items brought to the attention, and somebody who's qualified to look at them, spend some time looking at them, but report back to this body on what they find. In the meantime, if there is anything else that somebody sees or knows or any evidence that they have, or mitigating evidence. As far as something, if Mrs. Tecklenburg was driving your car, and it was an emergency to get you to the hospital, I'd overlook that, but there might be some evidence out there that we need to look at."

Mayor Tecklenburg said, "How about if I was falling asleep?"

Councilmember Moody said, "Well, at any rate, we've got a motion and a second, but we need to kind of pretty much define the scope of this examination. I'm not looking for a witch hunt."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "So, just very briefly and, Mr. Mayor, I'm sure the last person in the world you're going to look to tonight for advice is me, but just having heard what's going on around here, it seems to me this could all be taken care of by just agreeing let's let Mr. Majernik do his thing. If you disagree, we'll all be happy, and he is going to probably do it anyway because I think under our rules and as the Chairman of the Audit Committee, one person could call for it, and we don't need a motion, and we don't need a vote. If you just agree, have Mr. Majernik do it."

Mayor Tecklenburg said, "That's fine. It's absolutely fine. I welcome Mr. Majernik--."

Councilmember Seekings said, "I think you've just taken some good advice, Mr. Mayor."

Mayor Tecklenburg continued, "--to take a look at all of the records."

The Clerk said, "So, what exactly is the motion? It says 60 days to do an internal audit."

Mayor Tecklenburg said, "The motion is to ask Mr. Majernik-- yes."

Councilmember Moody said, "An internal audit of the items that were discussed, and report back to us in 60 days, and to not just limit it to that, but if there is anything else that shows up as you're going through."

Mayor Tecklenburg said, "But why doesn't he just look at all of it? He could look at every expenditure."

Councilmember Moody said, "He's heard the deliberations."

Mayor Tecklenburg said, "There is no need to limit it."

Councilmember Moody said, "No, I'm not trying to limit it."

Mayor Tecklenburg said, "Alright."

Councilmember Moody said, "But at least bring us back in 60 days what he finds."

Mayor Tecklenburg said, "Of course, that would be fine. I'm agreeable to that."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "One thing, Mr. Mayor, we made a good point, we're going to look at the entire office, and when we get done with it, we'll have the attorneys look at the ethical rules, and if the ethical rules were broken inside of your office. If there is no problem there, then we're finished. I mean, I heard tonight about the raises. I wasn't happy about the raises that might have been given to your staff, but then I think being the executive of the City, you have the authority probably to give your direct staff a raise to what you see fit. So, I mean all of this could be included in that, and let's look at it and get it over with."

Mayor Tecklenburg said, "So, are we done with this discussion? Are you all ready for the next item on the agenda?"

The Clerk said, "We haven't voted, Mayor."

Mayor Tecklenburg said, "I don't think it's required. I've agreed to it. I will order that the audit be done."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I understand that, Mr. Mayor, but we went through a lot of deliberations on this."

Mayor Tecklenburg said, "We can call the question if you prefer."

Councilmember Waring said, "I call for the question."

On a motion of Councilmember Moody, seconded by Councilmember Griffin, City Council voted unanimously for the Internal Auditor to conduct an audit of the Mayor's Office in connection with, but not limited to, the items discussed by Council and report back to Council in 60 days.

Mayor Tecklenburg said, "It was unanimous. Let the record show."

Councilmember Lewis said, "I move that we go into Executive Session."

Councilmember White said, "Second."

Mayor Tecklenburg said, "So, I'll leave you with one card that came in the mail this weekend. It came from someone that many of you know, but I'm not going to name her name, and it was written May 4th, and we get these from time to time:

'Sandy – As I sit here reflecting on today's events, I can't help but think how grateful I am to have a friend like you. Had you not staked your friendship on a longshot like me, I would have never gotten to work at (name of company) that provided me the discipline I needed to move forward.'

I have a sense that you all have, did someone adjourn the meeting?"

Councilmember Shahid said, "No."

Councilmember Lewis said, "We have to vote to go into Executive Session."

Mayor Tecklenburg said, "Do we have a motion to go into Executive Session?"

On a motion of Councilmember Lewis, seconded by Councilmember White, City Council voted unanimously to go into Executive Session at 9:26 p.m.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted to come out of Executive Session at 10:07 p.m.

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

There being no further business, the City Council meeting adjourned at 10:07 p.m.

Vanessa Turner Maybank,
Clerk of Council