



City of Charleston
Committee on Public Works & Utilities
June 16, 2025

A meeting of the Committee on Public Works & Utilities was held this date beginning at 5:02 p.m. over video conference call.

Notice of this meeting was sent to all local news media.

Present: Councilmember Gregorie, Vice Chair, Mayor Cogswell, Councilmember Gregg and Councilmember Parker.

Also Present: Matt Alltop, Jennifer Cook, Julia Copeland, Magalie Creech, Melissa Cruthirds, Elizabeth Dieck, Matthew Fountain, Morgan Gundlach, Tim Keane, Kaylan Koszela, Logan McVey, Sheila Smith, Robbie Somerville and Amy Wharton.

Link to meeting: <https://www.youtube.com/watch?v=IAgvLs9rMQo&t=24s>

A. Invocation

The meeting was opened with a moment of silence provided by Vice Chair Gregorie.

B. Approval of Public Works and Utilities Committee Minutes

1. May 22, 2025

On a motion by Mayor Cogswell, seconded by Councilmember Gregg, the Committee voted unanimously to approve Item B1.

C. Request to Set a Public Hearing

D. Old Business

None.

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

1. Ferguson Village Drainage Upfit -Acceptance of drainage easements on properties within Ferguson Village including TMS 337-00-00-040 and 337-00-00-039.

Mr. Fountain said the item would bring the Ferguson Village community's drainage system into the City's maintenance system and would continue the ongoing drainage project. These were gratis dedications.

2. Indigo Grove Phase 1 - Acceptance of drainage easements within Indigo Grove Phase 1, TMS 345-00-00-217.

Mr. Fountain said these were traditional drainage easements associated with the new Indigo Grove Phase I Development on Johns Island off Maybank.

Councilmember Parker asked if the community had been notified.

Mr. Fountain said they had been notified; there were public meetings and door-to-door work.

On a motion by Councilmember Parker, seconded by Mayor Cogswell, the Committee voted unanimously to approve Items E1 and E2.

F. Temporary Encroachments Approved by The Department of Public Services (For information only)

1. **415 King St. (Rocky Mountain Chocolate Factory)** - Installing right angle sign encroaching into City right of way. This encroachment is temporary.
2. **424 Lesesne St.** - Installing fence encroaching into City drainage easement. This encroachment is temporary.
3. **604 White Chapel Cir.** - Installing fence encroaching into City drainage easement. This encroachment is temporary.
4. **306 King St. (Marsh Wear)** - Installing right angle sign encroaching into City right of way. This encroachment is temporary.
5. **51 Watroo Pt.** - Installing special finish driveway encroaching into City right of way. This encroachment is temporary.
6. **49 John St. (Oliver Pluff's Tea Shop)** - Installing awning and blade sign encroaching into City right of way. This encroachment is temporary.
7. **28 Pitt St. (Merci Neighborhood Bistro)** - Installing awning encroaching into City right of way. This encroachment is temporary.
8. **1415 Widows Ct.** - Installing fence encroaching into City drainage easement. This encroachment is temporary.

Mr. Keane said that the items were standard encroachments and presented for information only.

G. Public Service Department Update

1. Director Updates

Mr. Alltop said he had just a couple of items to report. As a reminder, crews would collect the normal Thursday collection on Friday due to the July 4th holiday. They planned on grading two locations due to the rain, Angel Oak Road and Dunnemann Avenue.

Vice Chair Gregorie asked if they were doing something with Dunnemann.

Mr. Alltop said the sidewalk by the wall would be repaired.

H. Stormwater Management Department Update

1. Stormwater Utility Fee Collection - Approval of an agreement with Charleston County for the collection of City Stormwater Utility fees.

Mr. Fountain said the item related to the stormwater utility fee being moved from the Charleston Water System (CWS) bill to the county tax bill and would be for the approval of the agreement with Charleston County for the collection of City Stormwater Utility fees.

Councilmember Gregg said that it was too bad Councilmember Waring would not be here to approve the item.

Vice Chair Gregorie said Councilmember Waring was celebrating his Fiftieth Wedding Anniversary.

Councilmember Parker asked if Charleston County would charge the City to handle the fees?

Mr. Fountain said yes.

On a motion by Councilmember Gregg, seconded by Mayor Cogswell, the Committee voted unanimously to approve Item H1.

2. Stormwater Utility Fee Collection - Approval of an agreement with Berkeley County for the collection of City Stormwater Utility fees.

On a motion by Councilmember Gregg, seconded by Mayor Cogswell, the Committee voted unanimously to approve Item H2.

3. Howle Ave Stormwater Retrofit Project - Approval of a construction contract with Premier Horticultural Services for \$351,420.70. This project is funded by a grant from the National Fish and Wildlife Foundation.

Mr. Fountain said the item related to the Howle Avenue stormwater retrofit project and the ecological park approach that reduced flooding in that area. Approval would be needed for the construction contract with Premier Horticultural Services for \$351,420.70. The entire contract would be funded with a grant from the National Fish and Wildlife Foundation.

On a motion by Mayor Cogswell, seconded by Councilmember Parker, the Committee voted unanimously to approve Item H3.

I. Miscellaneous Business

1. Request approval of a professional services contract with Thomas & Hutton Engineering Co. in the amount of \$198,725.00 for professional consulting, master planning, environmental analysis, and design services related to the Hagood Avenue Improvement Plan. This contract will be funded by contributions in the amount of \$92,400.00 and General Fund Reserves in the amount of \$106,325.00.

Vice Chair Gregorie said he had a question, and it went back to Councilmember Parker's question regarding procurement when approving the Robinson Companies. He asked if the City had an open contract with Thomas & Hutton that could be tied into and therefore shorten the process. From what he understood, the City could use their non-profit for contracting services that would move things quicker than the procurement process. He asked if the services from Thomas & Hutton should go through the procurement process.

Mayor Cogswell said that it would be up to the group to decide.

Vice Chair Gregorie disagreed and said there were procurement rules.

Mayor Cogswell asked to continue with his answer and said one, other parties contributed funds towards professional services. Two, the only reason not to do procurement would be when they had a consultant with extensive knowledge and a third party or group without the expertise or background would be brought in, invariably it would end up costing more. Thomas & Hutton have done all the work to date. The Mayor said those were the reasons for deciding not to go through the full procurement process but instead brought them directly to the Committee and then to Ways & Means.

Vice Chair Gregorie asked whether it would be because of the uniqueness of the project; there would be talk about sole sourcing.

Mayor Cogswell said yes.

Vice Chair Gregorie said he had a legal question. Would asking Thomas & Hutton to reimagine the creek be considered backdoor and rescind Council's approval to fill the creek? He did not want to put the Committee in a position where Council, some time ago, made a ruling about the creek and now received three (3) different

iterations on how to approach the issue, which he thought they had done. The first would be to bring the creek back for \$62M, the middle would be around \$30M but he could not remember, and the third would be for filling the creek which would be on the plus side. Either way, they would fill the creek, or they would not. If they were going to fill it, why would they get three iterations when they already had them from West Edge that cost it out depending on the approach.

Mayor Cogswell asked if the three iterations he referred to had been presented by the previous Executive Director Mike Maher.

Vice Chair Gregorie said yes.

Mayor Cogswell said he thought that the Committee or the staff would not be privy to that unless they were members of the West Edge Foundation. The Mayor said he would provide that information but, as he recalled, they were back of the envelope numbers. When discussing Hagood in relation to that property and the creek, the focus would be on Hagood Avenue and not necessarily the creek itself. As for the questions or concerns raised by Vice Chair Gregorie as to whether it would be a backdoor way of looking at the options for Hagood improvements and whether it would go against Council's decisions and the decision as a member of West Edge Foundation, the Mayor said he would be happy to have a lawyer review it. A lot of work needed to be done on Hagood Avenue that was not a part of West Edge, it was related to West Edge, and where the focus would be needed.

Vice Chair Gregorie said he looked at the scope of proposed work and one of the items would be to reimagine the creek and come up with three different iterations. As a councilmember, he voted for the creek to be filled so why did they get iterations instead of a contract indicating how to fill the creek. He agreed Hagood Avenue would be major, but the scope of services had been clear that one of the items would be to reimagine the creek. He did not want to vote on something that would contradict a previous vote, he believed it to be a legal call.

Mayor Cogswell said he would defer to an attorney. The objective should be Hagood Avenue as the creek would slowly take over. It would be difficult to determine the future of Hagood Avenue without contemplating the creek. To only fill the creek would limit the possibilities. It would not be a backdoor way of voiding a previous vote by Council, but by going through the process, they would keep an open mind for other opportunities that would have a financial impact either positively or negatively.

Vice Chair Gregorie asked if there had not been a decision to fill the creek.

Mayor Cogswell said it would be West Edge Foundation's decision to make and not the Committee's decision.

Vice Chair Gregorie said he agreed, and West Edge Foundation said to fill the creek, and they went to court and that would be what it had been all about.

Mayor Cogswell said he would agree.

Vice Chair Gregorie said he agreed they needed to weigh all the options but because he was on West Edge Foundation and City Council he would not vote on something that would potentially nullify either of those votes. One would not be done without the other but now getting into the scope of work would need to show three renditions. The question would be whether they were wasting money.

Mayor Cogswell said that he did not think so but there were many possibilities, a lot had changed with West Edge, with the property, and with the objectives since the vote had been taken. The Committee would need to keep an open mind but if they wanted to, he certainly would understand if they did not.

Vice Chair Gregorie said he would just like a legal call on whether he would nullify previous votes, not just as a Councilmember but also as a West Edge Foundation Board of Directors. For him it would be a contradiction, and he would not be a part of that. He would vote on everything but that.

Mayor Cogswell said alright.

Vice Chair Gregorie said he could vote on everything and in fact he would like to defer that part of it.

Mayor Cogswell asked would it be to defer that part of the scope or the contract itself?

Vice Chair Gregorie said the scope. He would like to find out if discussing the reimagining of the creek would contradict their position for West Edge as well as Council's position. Council took a position which started the whole process. Council voted due to exigent circumstances. The toxins and the poisons were affecting the people in that neighborhood. He does not want to do anything that would contradict.

Councilmember Gregg said it would be helpful if they had a better description of the scope before approving it. Hagood Avenue had been referred to as generally Hagood Avenue, but exactly where on Hagood? How much of Hagood Avenue were they talking about? A more detailed scope of work would be needed for the contract.

Mayor Cogswell said yes, that could be deferred and a more detailed scope requested.

Councilmember Parker said after reading through the scope of work, that should have been done years ago. She was not part of Council when that decision had been made. She believes the scope of work had been clear. If Hagood Avenue was a state road, then something needed to be given to Colombia to get the funding. Her hope would be that the City's lobbyists were going to work on it. The scope of work should show what the funding would be needed for.

Vice Chair Gregorie said he agreed. To apply for XYZ they needed to have something to be able to compete. He said that it would be a special vote with exigency and if Council wanted to vote differently, that would be fine, but the circumstances have worsened. The court had gone with them and indicated that under any other circumstances they might have ruled differently because of the livability and the harm it would be causing to the community. It had been years as to why they ruled the way they did. If they wanted to do something contrary to all of that, fine. Just be prepared to accept the liability.

Mayor Cogswell said valid points had been made. They needed something urgently to receive state or federal funding to address Hagood. That would be a huge priority but complicated by West Edge and the property owner to the west that had to do with the creek. It had been obviously controversial. It had been a lawsuit which they won. Councilman Gregory made good points about the part of the scope that would be reimagined or to look at different options would be the thing to do to cover all bases. The Mayor said if it raised some concern, he would agree to pull that part out to expedite it. Just the piece of the street right away by itself, to get something going. He could go back to Thomas & Hutton and the other parties who planned on paying for it and ask them to look at it with tunnel vision and to look only at the road and not the creek. He would also get a legal opinion to confirm it would be alright and everyone would go into it with a certain level of comfort and not countering something they had previously agreed on or thought would be best.

Vice Chair Gregorie said they had been talking about real life issues in terms of what that community had been dealing with for as long as they did. He wanted to make sure they were not setting themselves up to be contradictory. He said that he heard the Mayor say more than once that they were filling the creek.

Mayor Cogswell said the West Edge Foundation board said that would be their plan.

Councilman Gregorie said no, not the board, and not in connection with West Edge, but in connection with the City, that the City would be filling the creek. It can't be both ways, either the City would, or would not.

Mayor Cogswell asked in terms of this vote, would it make everybody comfortable to defer and get an updated scope?

Vice Chair Gregorie said that would work.

Councilmember Gregg said just the balance of what blocks or how much of Hagood Avenue it would be.

Mayor Cogswell said it went a little beyond Fishburne Street and dropped significantly.

Vice Chair Gregorie said yes, close to Congress Street.

Councilmember Gregg said if we could get a more detailed scope, that would be helpful.

Vice Chair Gregorie said what would be even more important would be to have discussions about West Edge on the next Council agenda because many Council members do not know about West Edge and its success in terms of creating 2,000 parking spaces, 24 new businesses, almost 600 apartment units, etc. He would like to give an overview of the successes of West Edge and why it would need to continue to move forward.

Councilmember Parker said she would be first to admit she did not know all the inner workings of West Edge. She said regarding the scope for the record, "I would prefer that a legal opinion stated whether they would provide that item under the scope of service. I agree, having a legal opinion would be great but for me I like the scope of service as it sits."

Vice Chair Gregorie said he liked the scope of services as long as 99% of them did not negate Council's prior positions or approval on the creek or do anything that would be contrary to the decision of the Supreme Court regarding the creek. He did not want to hold up the project.

Mayor Cogswell said he would get this turned around quickly.

Vice Chair Gregorie said his community had experienced most if not all his life. They must get it right.

On a motion to defer by Mayor Cogswell, seconded by Vice Chair Gregorie, the Committee voted unanimously to defer Item I1.

There being no further business, the meeting was adjourned at 5:41p.m.

Sheila Smith
Clerk of Council's Office