

**CROSSTOWNE CHURCH
1941 BEES FERRY ROAD**

Regular Meeting

July 16, 2019

The seventy-eighth meeting of the City Council of Charleston was held this date convening at 5:45 p.m. at Crosstowne Church.

A notice of this meeting and an agenda were mailed to the news media July 10, 2019 and appeared in The Post and Courier July 14, 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 5:45 p.m.

The Clerk called the roll.

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

Councilmember Shealy opened the meeting with an invocation.

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

Mayor Tecklenburg said, "Without objection from Council, I would like to just take number two first. I'm going to ask Michael Moore to please join me at the podium. I thought that we had a formal copy of our Sister Cities Agreement. I would just share with you that we have a Resolution establishing a relationship between the City of Charleston and the City of Freetown, Sierra Leone, joining in a Sister Cities International Partnership to foster and strengthen relationships and provide benefits to our respective cities and communities. Last week, I was able to spend some time with the Mayor of Freetown, Sierra Leone, Mayor Yvonne Aki-Sawyer, a remarkable woman. I must share with you, a truly remarkable woman, and we signed a Sister Cities Partnership contingent on Council approval this evening acknowledging the many connections between our two cities. This idea for the partnership actually came about when Michael Moore traveled to Sierra Leone earlier this year along with some other representatives of the African American Museum. He met with local officials there to discuss ways that our cities might collaborate and further develop a relationship. So, during this trip they visited the remains of this British Slave Fort on Bunce Island, which was the primary spot where enslaved Africans

boarded slave ships to head to Charleston and other points in North America. While Mayor Aki-Sawyer was here in Charleston, she was able to visit the future site of the museum at Gadsden Wharf, and I have to tell you that her experience was a very powerful one. Freetown, Sierra Leone was founded by enslaved Africans who returned to Africa after the Revolutionary War, mostly from Nova Scotia. They had gone there with the British after the Revolutionary War and had been free. She was a descendent of those Nova Scotian Africans. So, the experience of her standing at Gadsden Wharf and looking across the Atlantic to her home knowing that her ancestors had come to that spot, then gone to Nova Scotia, and then back to Africa to settle Freetown, it was like the Tree of Life experience for her. It was really remarkable. So, I was going to ask Michael Moore if he wanted to just share a couple more remarks about that experience, both of going there and Mayor Aki-Sawyer's visit here. Michael."

Michael Moore said, "Thank you, Mr. Mayor. There are, just as the Mayor was saying, some extraordinary historic connections between the Country of Sierra Leone, in particular their capital of Freetown, and Charleston, South Carolina. As mentioned, the people who founded their capital of Freetown were actually Charlestonians and they were enslaved Africans from Charleston who were taken to Nova Scotia by the British and then founded their city. The oldest university, in at least Sub-Saharan Africa, is a university called Fourah Bay University in Freetown, and it was founded in 1827. Its first President was a Charlestonian, a gentleman who was one of the first to graduate from college in America here and went to Sierra Leone and founded that. Of course, much of the rice culture came from that region. There are just so many connections between Bunce Island and the former Gadsden's Wharf. It was an honor both to visit, I spent so many of my days on the land at Gadsden's Wharf looking out beyond Fort Sumter over the horizon. To have had an opportunity with my colleagues to actually stand on the jetty where so many left from was powerful, and that's what Mayor Aki-Sawyer experienced the reverse of. So, I believe that there are lots that our two cities can do to build on this relationship, and I'm just grateful to have had a small part in that."

Mayor Tecklenburg said, "Great. So, I have a resolution establishing our relationship, and the 'Whereas's' have basically been covered already, so I'll give you--"

Mayor Tecklenburg read the resolution.

Mayor Tecklenburg said, "Can I entertain a motion to approve this resolution?"

Councilmember Shahid said, "So moved."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Waring, City Council voted unanimously to adopt the following Resolution:

A Resolution establishing a relationship between the City of Charleston and the City of Freetown, Sierra Leone, joining in a Sister Cities International Partnership to foster and strengthen relations and provide benefits to the respective communities

---INSERT RESOLUTION---

Mayor Tecklenburg said, "We now have a new Sister City, and I know time is moving on, but I've got to tell you one more time that Mayor Yvonne Aki-Sawyer is a remarkable woman and leader. She had never run for elected office before, and she got involved in her community as a

result of the Ebola health crisis in her City and her Country which led her to see the mechanisms of City Government. She wasn't very happy with what she saw there, and she decided to run for Mayor. She got elected and is going to continually be a remarkable leader of that City, and I really look forward to continuing our relationship. So, Mike, thanks for bringing us together with Freetown.

Next, as Mayor Riley noted, Michael is leaving town soon. He will be back often, I know, to visit, but his tenure with the museum is coming to a close as he returns to the private sector. I know much discussion will continue about what goes in the box, but to get to this point where the box will be under construction for this amazing museum is really a remarkable achievement. Hence, Michael, I wanted to recognize you at City Council for your many achievements and contributions to the development of the International African American Museum which, as we know, is to be built on Gadsden's Wharf. This is the really cool part of the story about Michael in addition to his own talents. He is the great, great grandson of Robert Smalls, an enslaved African who earned his freedom in 1862 by overtaking a Confederate vessel in Charleston Harbor signaling the vessel past five Confederate forts and out into the Atlantic Ocean before turning the vessel to Union forces. He became a Captain in the Union Army and, post-Civil War, was elected to both the houses of South Carolina Legislature and the United States House of Representatives. That was his great, great grandfather. In February of 2016, after serving on the Museum Board, Michael Moore was named the museum's President and Chief Executive Officer. As President and CEO with the museum, he has worked tirelessly to secure the future of this institution in Charleston and helped lead a remarkable effort to raise the significant funds needed to proceed with the building's construction."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "Everyone, please recognize Michael Moore."

There was a standing ovation in the church.

Mr. Moore said, "Well, thank you. This is such an unexpected and great honor. It's been a pleasure. I do have to correct the record just a little bit. My hopes and intentions are to stay in the community and to continue to figure out ways to contribute to a wide variety of causes and concerns that will move things forward, so it's an honor to have been here. This is a wonderful honor that I'm very grateful for, and I look forward to seeing and working with you all in the future."

There was applause in the church.

Mayor Tecklenburg said, "Thank you."

Mr. Moore said, "Thank you."

Mayor Tecklenburg said, "Okay. Finally, one more recognition if I may, and that is to recognize a group of young leaders, young men and women, who are the Mayoral Fellows of the City of Charleston this summer. I'd like to invite them to come up and join me as I make these remarks. Please come and stand up here with me, folks. Through the generosity of the Ackerman Foundation, and I'm going to ask Mr. Gerry Kaynard and his wife, Cheryl, to also come forward and stand with us together because it's through their generosity that this inaugural class of Mayoral Fellows Institute has given 12 students, that you see behind me, full-time paid exposure to Municipal Government through a six-week program. I must say this is in addition to the Mayor's Summer Youth Employment Challenge, which hired hundreds of youth in our community this summer, but this was a very special program that these students competed for and were selected.

They've had lectures, discussions, and group presentations, as well as direct field experience across the various departments here in the City. The work these students have done will be capped off with a progress report on their departmental projects and a mock Council meeting where they will bring forth resolutions to debate and vote on. I'd like to recognize this group of remarkable students and just share with you their names and where they have been working.

Zeke Jones, you all raise your hand, maybe I'm in front of you, as I call your name. He has worked with Ruth Jordan and Meg Thompson in Business and Neighborhood Services to update and expand our listing of certified Women and Minority Owned businesses. Timothy Simmons and Max Milliken have worked with Lt. Wojo and Chelsea Taylor of the Charleston Police Department on a comprehensive look at various divisions in the force, as well as how to engage community through its advisory council. I'm also going to ask Max to share one other project he's been working on. Amani Lazarus, Andrew Farrell, and Kylie Skarp, you all raise your hands together, are working with Tracy McKee, Mindy Sturm, and John Mitchell in our Executive Department to standardize how FOIA requests are processed, evaluate and expand existing youth and city partnerships, increase youth engagement in the upcoming Charleston 350th celebration. Sydney Clinton and Haley Borowy worked with Geona Shaw Johnson in Housing and Community Development to explore implementation of the Fair Charleston Plan and helped to make sure we sustained Housing and Urban Development compliance. Semaj Fielding and John Ryan worked with Stephen Julka and Matt Fountain of Stormwater to review project ideas for land use of FEMA buyback lots, as well as researching funding resources for flooding mitigation projects. Finally, Harrison Wedgeworth and Phaizon Myers worked with Keith Benjamin in Traffic and Transportation and will be presenting proposals on creating a more pedestrian safe and multi-modal traffic flow in the Upper King region. So, let me just ask you all to jointly recognize these young men and women."

There was a standing ovation in the church.

Mayor Tecklenburg said, "If we had all night, I'd have them all come up and give a two-minute spiel, but we really don't. So, I am going to ask just two of them to give two minutes. Max, you want to tell us about your project with the boats."

Max Milliken said, "Alright. I'm Max Milliken. I'm an incoming freshman at the College of Charleston. I've been fortunate enough, thank you to the City and the Police Department, to work with the City of Charleston Harbor Patrol on the issue of abandoned vessels. I've learned a lot through that about the process of politics, the process of government, and some of the legal processes that are concerned with that issue. I found that, ultimately, it comes down to funding. It's a very expensive process to remove these boats, and I don't want to go into detail, but those are the main constraints as far as removing them. However, the Harbor Patrol, working with DHEC and the Police Department, are actually removing the most abandoned vessels in the State right now. So, the current process that they have to deal with the issue has actually proven to be effective. It's just, financially, there are some barriers, but I don't want to elaborate anymore on that. What I would like to do is thank John Mitchell with the City, if you would stand. He has been--"

There was applause in the church.

Mr. Milliken continued, "I'd also like to thank Mindy Sturm."

There was applause in the church.

Mr. Milliken continued, "She has been excellent. Any other mentors, if you're here tonight, please stand also, too, and be recognized. I'm not familiar with all of you. Chief Reynolds is here. He's been excellent to work with, but thank you. That's all I have. Thank you."

There was applause in the church.

Mayor Tecklenburg said, "Alright. Well, thank you, Max. Sydney, did you want to add something on the project you were working on?"

Sydney Clinton said, "I can if you want me to."

Mayor Tecklenburg said, "Yes, Sydney Clinton also organized the March for Life event that took place for the last two years promoting gun safety in our community that was the result of the terrible tragedy down in Lakeland, Florida a couple of years ago. She has been a remarkable leader in that regard, and she wants to go to Harvard University. This is a real smart young lady, but she is a real future leader of our community. Sydney."

Ms. Clinton said, "Thank you very much. I'm not really sure what exactly they wanted me to talk about, but Mayor Tecklenburg is too kind. I've worked with him a lot over the last year and a half, and I'm fortunate to work with him again during this program. I've worked a lot with Gerry over the last year and a half, as well, trying to get this program started, so we are wrapping up at the end of our course. We've got a week and a half left, which I'm really excited about all of the feedback that we've gotten so far. To be able to actually work inside the City and really see what goes on in the background has been great exposure, for myself and everyone here. So, thank you again, all City Councilmembers. I appreciate it, Mayor Tecklenburg. Thank you."

Mayor Tecklenburg said, "Yes. Great. Thank you all. We appreciate you being with us tonight and being recognized."

There was applause in the church.

Mayor Tecklenburg said, "Alright. So, next we have some public hearings that are before us this evening. I think we have about seven of those, and the first one is regarding a rezoning. Mr. Christopher Morgan will be making the presentation on those items, and then anyone in the public can come forward and address any of these issues. I'd ask you to keep your remarks relevant to the matter at hand and to also limit your remarks to two minutes. Mr. Morgan."

Christopher Morgan said, "Thank you, Mr. Mayor, and members of Council. Before you is item E-1, a zoning request of 245 Huger Street. It's a half acre. It currently has a small warehouse on the property. The request is to add it to the Accommodations Overlay Zone. This was something that our Planning Commission did recommend for, although our staff did not. Our staff's opinion was that it's in the Upper Peninsula Zoning District and has a lot of varied uses in that category and did not need to have the additional Accommodations potential, but again Planning Commission did recommend for it. Here are some images of the property. We have Huger Street running east and west. This is Meeting Street here. Meeting Street Lofts have been developed across the street. There is a future hotel and parking and an office project across the street from the subject parcel. I think we have the subject parcel, and this is the warehouse building that's on the site and the image from the Accommodations Overlay that shows where the site could be here and these other parcels are in the Accommodations Overlay. However, this large one was not developed for an Accommodations use, even though it did have the Accommodations Overlay. This is just an image from the Visitor Accommodations Study. So, again, the request is to go to Accommodations Overlay at 245 Huger Street."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter? Please come forward. State your name and address and if anybody else is interested, please go ahead and queue up to the microphone. Yes, ma'am."

1. Leah Farrell, Preservation Society of Charleston, said the PSC was opposed to the application, and they were also in agreement with City staff who recommended denial at the Planning Commission. The piecemeal non-contiguous expansion of the Accommodations Overlay was why they were seeing the proliferation of hotels. The area was already overly concentrated with Accommodations uses. As the Hotel Task Force agreed, a livable city required a healthy mix of diversity of uses, so they were looking for housing, retail, office and not another hotel on the site.

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

No one else asked to speak.

Mayor Tecklenburg said, "Seeing none, the matter comes before Council."

Councilwoman Jackson said, "No, he's coming."

Councilmember Shahid said, "One more."

Mayor Tecklenburg said, "Oh, one more. Yes, sir."

2. Ben Chase said he was the applicant and the property owner. He thanked Council for their time and said he knew that flooding, hotels, and many other issues were fairly contentious these days. To clarify the disapproval from City staff and the subsequent approval from the Planning Commission, the City staff said the timing was not right, but the Planning Commission disagreed because even though there may be changes to the hotel ordinance, his request did not conflict with either past, present, or the newest proposed hotel ordinance that allowed hotel use in the Upper Peninsula District, which allowed the Accommodations use with this label. He had Upper Peninsula zoning now. The City had seen fit to rezone his property three times as the City expanded northward. He enjoyed Light Industrial zoning as a warehouse that he built in 1987. Then, the City stripped him of that designation and made him half Light Industrial and half General Business. Then, his property was zoned General Business, and most recently, his property was zoned Upper Peninsula when that new designation came about. Since he had been something of a moving target of zoning of sorts, he asked Council to settle it and square everything up. He had no issue complying with the new hotel ordinance that had been deferred. When and if it passed, the newest form prohibited displacement of certain uses, and he was not displacing any housing. The bridge did that. No Single-Family residents lived between King Street and Morrison Drive on Huger Street. Huger Street had always been a shortcut to cross the City for those who knew about it. It stretched all the way from Hagood Street at The Citadel to Morrison Drive near the River. It was and would become one of the major thoroughfares in the growing area.

The Clerk said, "Time."

Mr. Chase continued and said as evidenced from 2015, they recently approved \$3 million for the Huger Street Makeover Project and supported by the Mayor's own words tonight with the King Street and Huger Street stormwater money spent.

Mayor Tecklenburg said, "Please wrap up."

Mr. Chase said, "Sure. Thank you. This is pretty important, so I've just got a little bit more to say. Thank you."

Mr. Chase continued and said he wasn't displacing any retail or office either. He hoped to provide a project that would enhance the recent developments and approve the ones already approved in the immediate area and take advantage of the City's wishes for the area. He was also amenable to the other factors, such as providing monies for the Affordable Housing Fund. The Accommodations Overlay layer had been directed right across the street from him, and that project would be built. The City, as recently as May of this year, granted the same designation south of his property on Meeting Street and just again north where Meeting Street and Morrison Drive intersect. The City obviously believed the area was both ripe and deserving of this Accommodations zoning. The property caddy-corner from his property was given this designation as well, but they turned into apartments. There would be a nice blend of office, Multi-Family and retail, a church down the street, and City affordable housing on the other corner. If that was not a blending of community, he didn't know what was. As far as the too many hotel syndrome, that simply was not true.

Mayor Tecklenburg said, "Thank you, sir. Please wrap up."

Mr. Chase continued and said one property chose to do Multi-Family instead. He did respect staff's opinion, but he didn't agree with it. He realized the City had changed very rapidly, and they had to manage growth, and that was what this request did. It took hotel guests out of downtown and brought them uptown. He had a copy of the Hotel's Study which showed that hotels generated six times less traffic.

Mayor Tecklenburg said, "Thank you, sir. I'm going to have to ask you to finish up, and you will be available, I'm sure, if any questions from Council and me."

Mr. Chase said, "Okay. This is the last part I've got, Mr. Mayor, and I'll take questions."

Mayor Tecklenburg said, "Yes, sir."

Mr. Chase said, "Thank you."

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

Mr. Chase said, "Well, if I could just finish the last paragraph. Then, I'll take some questions."

Mayor Tecklenburg said, "No, sir. I'm going to ask this matter come to Council. I'm sure if they have a question, they will be happy to ask you. The matter now comes to Council."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Before the motion is made, I spoke to Mr. Chase and the problem that I had when I first heard about it, which was Wednesday, I wasn't aware of this. I told Mr. Chase the same thing I wasn't aware of this. I would ask to have both of the churches that were there, which is Greater Refuge Church and Eastside Baptist Church, which are in the district I represent, be informed about what might be taking place. We have a lot of traffic on Huger Street, and I know it very well because I've been living around that area for 35 years. We also have another hotel coming around on the corner of Meeting Street and Huger Street which is still in the making. I've looked at what he is planning on doing with that property if it's rezoned as

another hotel. My problem is I want everyone to be on the same page. When I saw the Planning Commission approved it and staff disapproved it, I wondered what the dilemma was between the two. Most of the time, they're on the same page. This time, they're not. So, I had a little problem with that, and I spoke to Mr. Chase, and he will tell you, I told him the same thing."

Mr. Chase said, "Yes, sir."

Councilmember Mitchell continued, "That was my only dilemma, that this particular project needs to make sure that the people who are there understand what is going to be taking place in that particular area. I want to know how the cars are going to be coming out of there when they have two different churches there. You're going to have another hotel coming, and the other hotel is going to be larger, I guess. Will the hotels be coming out in the same exit, which would be Huger Street? If he builds a hotel, the plan is backed up to Eastside Baptist Church, correct? Your property backs up to Eastside Baptist Church."

Mr. Chase said, "Yes, sir."

Councilmember Mitchell continued, "I want them to be aware of what might be taking place before this goes further. That was my dilemma on all of this. I told Mr. Chase the same thing I'm saying here. They know I don't play games. That's the way I am. I'm going to tell you up front how I feel about something, and I told them I'm looking at the big vision of that particular area, two hotels coming side by side using the same entrance into Huger Street. So, I still have my little problems with that, but the Planning Commission has already approved the rezoning because most of the properties there have been rezoned to the Accommodations Overlay. I am going to tell my colleagues, you vote your own conviction on this one."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Griffin said, "Mr. Mayor, I didn't hear that last thing that Councilmember Mitchell said then."

Mayor Tecklenburg said, "He asked you to vote your own conviction."

Councilmember Griffin said, "Alright."

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmember Lewis.

Councilmember Lewis said, "We need to make a motion before we do a discussion. There is no motion on this request."

Mayor Tecklenburg said, "I'll entertain a motion if someone would like to make a motion."

Councilmember Shealy said, "I make a motion we approve this."

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

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "There's a second. Yes, sir."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "I looked at this a lot on Google Earth and looked at the surrounding properties, and I didn't see an issue, especially with a hotel going across the street."

With that, I really believe what Mr. Chase says, that he's not taking away from any affordable housing. He's not taking away from some of these other things that we're usually concerned with, and this may be a little bit different in this situation. The Chase family has been here for a long, long time, not only as residents of our City, but as business owners. They run good businesses, and they've always been reputable and that family, it's not somebody from the outside. They're a family that cares about this City and is going to do things right and want to do things the right way because they're going to be here a long time."

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

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, sir, Mr. Mayor. Thank you. The Planning Commission approved this thing and normally City Council, in certain cases, doesn't override the Planning Commission. In some cases we can't because it takes ten votes, but it seems like, in this particular case, it's just going to be the simple majority. But, I don't think I'm going to vote to overrule the Planning Commission."

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

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I know Councilmember Mitchell was concerned about the churches at least being informed about this. He shared that with me briefly. Mr. Chase, did you speak to any of the churches that will be your neighbors about what your plans are?"

Mr. Chase said, "Thank you. I've enjoyed a good relationship with both of these churches for over 30 years and spoke to Pastor Jackson. He wasn't the original Pastor of this church. The churches have been parking on my property for 30 years when they have overflow parking at no charge. We've gotten along terrifically, and the only time I spoke to the Greater Refuge was recently with Pastor Jackson a couple of days ago. I remarked to him, 'Mr. Jackson, I know that things are changing very rapidly in that area.' Frankly, they haven't had to use my parking lot for the last number of years because their membership has been declining, but he said when I said, 'Well, I'd like to be a good neighbor with the church if you would like to be a good neighbor with me' and he said, 'We're good neighbors.'"

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "If I could ask Mr. Morgan if he would clarify again what the staff's concerns were with this property."

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

Councilmember Shahid said, "The staff recommended disapproval. Can you elaborate on that a little bit more and clarify that for us, please?"

Mr. Morgan said, "Yes, because the City had given Upper Peninsula zoning on this property, the feeling was that there are a lot of additional uses, a lot of potential additional density for that, and that gives a lot of opportunities on the site. We do try to be very judicious when we

recommend for any expansions of the Accommodations Overlay and that, coupled with the fact that the Upper Peninsula zoning is there, we thought there were many uses that could happen on the property.”

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, “Thank you, Mayor, and thank you, Councilmember Shahid. That was going to be my question, too. I did attend the Planning Commission meeting. I think it was well discussed by the body that tries to be thoughtful, globally, according to our Master Planning and also where their work is being asked to be located. I guess my thought about this, and I spoke with Mr. Chase, too, I appreciate the call and the opportunity to hear from you and ask my questions, but my thought during the Planning Commission, which is the same tonight that you just voiced or reminded us of Mr. Morgan, was I consider the Upper Peninsula zoning the highest and best opportunity we can give to a landowner. It also reflects the stability of use that we like in terms of people wanting to be in a neighborhood so that we have that continuity of population, instead of having the transience of hotels. When I drive through Huger Street, which is not very often, but when I do, I think about the people that must have lived there for generations sort of seeing their neighborhood change, but yet having those anchors of familiar community and the roots that go with them. I just feel like a hotel, yes I know they overcrowd the downtown area, but we’re sort of used to that, and that really was what we created intentionally, to have populations that are going to come and go on a weekly basis in our market, in our streets. We’ve all learned how to drive carefully because the tourists are there. I just don’t see that as a way of continuing development in places that we want to have long term stable use that enjoys a new urban flavor for our City. Thank you.”

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

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, “This is a point of view. I think this would be one of the first hotels that is going to be placed in the area as such. Most of the hotels out there are on Meeting Street, King Street, but in the community or in this particular area of Huger Street, this is going to be the first one that I know of. I’m just kind of shaky with that, to see this coming. I’ve still got my problems with it like I told Mr. Chase, it’s nothing personal toward him at all because I’ve known your parents who ran that store on King Street for years. I remember that, but this is the first hotel coming into that community this way, and this particular street is off of a main thoroughfare. I also told him if it was housing, I wouldn’t have had any problems because he knows how I am with housing. It wouldn’t have been any problem at all, but with the hotel I just have a problem and mixed emotions. I’ve told my colleagues to vote your own convictions, but I don’t think I can really vote for that right now.”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Thank you, Mr. Mayor. No one knows more so than the owner of this property. He has had a pretty long and storied history in front of this Council. I’m pretty sure at one point, not in the too distant past, one of the things that was considered here was a gun range, right? We thought about putting a gun range in there. So, then we got to Upper Peninsula zoning. Upper Peninsula zoning is an opt-in zoning, so I’m pretty sure that’s sort of the gold standard of zoning. We spent a lot of time looking at this, and owners opted in, so it’s a good zoning. We’ve just gone through an enormous amount of time in this City on this Council looking at and thinking about Accommodations. It has been a wrestling match of some epic proportions and to start expanding the Accommodations Overlay Zone now, in the wake of all of the work that

we did, I didn't see this come up during that time. I don't think the timing is right on this. I would ultimately think this is not the best place considering the infrastructure we've got. You're a hundred yards away from one of the worst flooding intersections in the City just to keep adding, adding, adding, adding in that corridor. Fifteen years ago, there was no Taco Boy, there was no E-Street Lofts. There was none of that stuff. We've gone from nothing to a whole bunch with private development, and we haven't caught up with infrastructure. Maybe you've gotten caught in that a little bit, but you've got the Upper Peninsula zoning. It's good zoning. I think enough is enough. I'm going to vote against this, and it has nothing to do with this property in particular, but it's the whole notion of we have to, at some point, say zoning is forever. If we keep rezoning the same properties, we're going to lose complete control of our zoning, the whole process, and what we are thinking about for the future. So, this one is just one step in the zoning process for me too far, and I'm going to vote no on this one."

Mayor Tecklenburg recognized Councilmember Griffin followed by Councilmember Shahid.

Councilmember Griffin said, "Mr. Chase, I want to apologize to you tonight because I think you're a fair and honest man. I liked your truthfulness. Basically, what you've heard tonight is because you weren't greedy and quick enough, you're probably not going to get a hotel tonight. I personally don't think that tonight is the night to award you a hotel either, but for a different reason. I think eventually this would be a perfect property for a hotel because we are finishing an overpass over in that area. We're building a new port. We're going to have a lot of traffic coming through that area, new traffic. But, basically, you came to the table a little bit late, is what I'm hearing from some people here tonight, and I don't necessarily agree with that. I don't think that we should punish you because other people came and got to the table and got their hotels before you. I want to see how this area changes a little bit over the next, I'd say probably, over the next year. I really, really appreciate you coming and talking with me. I wish we could have talked some more. I think that if you don't get this approval tonight, and you have an opportunity to go back and meet with the people in the community and meet with Councilmember Mitchell and meet with some of the rest of us, we can help you eventually find a good use for the site. Maybe it is a hotel, but being that we really just started talking about this late last night, early today, I don't think today is the final end all day that you get that. But, I'm very interested in this area of town because it is changing drastically. In the same respect, I've got to listen to Councilmember Mitchell who represents this district. To grant a hotel or put something in the Accommodations Overlay District would be a huge change to this area, a big, big change and something that the neighborhood may not be ready for at this time. So, I look forward to talking with you. I want to follow up with you. I want to hear more about your ideas. I appreciate you being so honest with us. It's refreshing, and I appreciate you being somebody local who wants to build because so often we have people that come from all over the world. They build, make their money, and they leave, and we never see them again. Nine times out of ten, we don't think twice about those people. We let them do whatever they want and then go away. Here you are, a local businessman who is trying to do something, but the timing is a little bit rough because we haven't gotten our final report back on what's going on with these hotels. I really think you need to meet with Councilmember Mitchell one on one and work with the neighborhood more and get some better ideas and do that, but I appreciate your honesty. So, thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. I'd like to ask Mr. Morgan to come back one more time. Sorry to have you come back and forth."

Mr. Morgan said, "Yes, sir."

Councilmember Shahid said, "Two quick questions, if the request is granted, what type of hotel could be erected there and, as Mr. Chase stated, will this fall into what's been proposed and discussed with the new amendment to the Overlay Accommodations Ordinance?"

Mr. Morgan said, "Yes, since the Accommodations Ordinance has had a first reading for Council, should that move forward, it would have to follow that new Accommodations Overlay and get the special exception under the new standards. As far as what type of hotel could go here, it's a fairly small site. It doesn't have a lot of height. I believe the height is four stories, maybe five. I don't have that with me at the moment, but I don't think it would be a super large hotel. It, obviously, would have to have its parking and things like that on the site, and that would further limit how much you could build on the site."

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

No one else asked to speak.

Mayor Tecklenburg said, "We'll call the question."

On a motion of Councilmember Shealy, seconded by Councilmember Waring, City Council considered Item E-1 on the agenda. The motion failed 7 to 6.

The vote was not unanimous. Councilmembers Shealy, Lewis, Gregorie, Wagner, Waring, and Moody voted in favor of the motion.

The Clerk said, "Okay. So, why don't we do this."

Mayor Tecklenburg said, "You want to do a roll call."

The Clerk said, "Yes."

Mayor Tecklenburg said, "Madam Clerk will call the roll."

The Clerk said, "Councilmember White."

Councilmember White said, "Nay";

Councilmember Shealy said, "Aye";

Councilmember Lewis said, "Aye."

Councilmember Mitchell said, "Nay."

Councilmember Wagner said, "Aye";

Councilmember Gregorie said, "Aye";

Councilmember Waring said, "Aye";

Councilmember Seekings said, "Nay";

Councilmember Shahid said, "Nay";

Councilmember Griffin said, "Nay";

Councilmember Moody said, "Aye";

Councilwoman Jackson said, "Nay";

Mayor Tecklenburg said, "Nay."

The Clerk said, "The nays have it."

Mayor Tecklenburg said, "The nays have it this evening. Thank you."

Mr. Chase said, "What was the count, Mayor?"

The Clerk said, "Seven."

Mayor Tecklenburg said, "Seven to six."

Mr. Chase said, "Seven nays with your vote?"

Mayor Tecklenburg said, "Yes, sir."

Mr. Chase said, "Thank you very much."

Mayor Tecklenburg said, "Thank you. Next, E-2. Mr. Morgan."

Councilmember Mitchell said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "I would ask that Mr. Chase to get with me, with the Eastside Baptist Church, and Pastor Jackson. We're going to try to work something out. It might be back with the hotel. We don't know, but because I voted nay, I can bring it back. I will get with them to see exactly how they feel with the coming of a hotel there. I was trying to tell you I wanted to defer it, and you told me no. So, we can bring it back."

Mr. Chase said, "Thank you very much, and I appreciate your time."

Mayor Tecklenburg said, "Thank you, sir."

Mr. Chase said, "Thank you."

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "Yes, sir. So, Item E-2 is a request at 49 Archdale Street. We have the map in front of us here. These are two small parcels, 0.175 of an acre, at the corner of Archdale Street and Market Street and Beaufain Street across from the Memminger Elementary School. This is the image here of the parcels. There is a small retail shopping center across the street with a restaurant and some other detail. There is elderly housing and a high rise conglomeration of buildings across the street to the south and then the Memminger Elementary School and the Memminger Auditorium here. Here are some images. There is a historic structure on the site that would be, of course, incorporated into any new uses on the site. All new construction here will be subject to BAR approval, of course. The request is to go from Limited Business to the Urban Commercial classification which does allow greater densities, but this is a district that was created for this area of town, Upper King Street zones. This is in conformance with the Comprehensive Plan. Staff and the Planning Commission recommend approval of the request."

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

Paul Garborini said, "Yes, sir."

Mayor Tecklenburg said, "Yes, sir."

1. Mr. Garborini said he lived across the street at the Canterbury House. He said there were 258 residents there, and they were not allowed to have street parking permits. They had 84 parking places which could be rented by tenants for 258 people. There were 17 public parking meters on that property. He couldn't tell Council how important that was for people who had handicapped stickers because there was no place else for them to park. That was as close as they could get to the front door or the building. He urged Council to consider that. He questioned if there was enough parking in the City. He said whatever this zoning required, he urged Council to keep at least those 17 spaces if Council could not increase it.

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

2. Will Morrison said he was the applicant for the rezoning application for 49 Archdale Street. He clarified that the property itself did not have any public parking on it. It was a parcel that was purchased from the City, and all of the spaces that were the City spaces along the bottom edge along Market Street would remain. They weren't planning on removing any of them for this designation. They would be allowed to have a higher density residential development there, which was the goal, and they would accommodate all parking for that development onsite.

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

No one else asked to speak.

Mayor Tecklenburg said, "Seeing none, the matter comes before Council."

Councilmember Seekings said, "I'd like to move to defer this, Mr. Mayor, and be heard, if I can get a second."

Councilmember Shahid said, "Second."

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

Councilmember Seekings said, "So, thank you, Mr. Mayor. Mr. Morrison, I'm glad you're here. Thank you for coming all of the way out here to West Ashley to talk about a property that is next door to the Canterbury House. Have you gone and talked to the people at the Canterbury House about this project?"

Mr. Morrison said, "Yes. Well, we've reached out to the Harleston community, but we have not specifically reached out to them."

Councilmember Seekings said, "Okay, and I haven't heard from you all, so I'd love to talk to you about what your plans are for this. I'd like to make sure I get to the Canterbury House. There are 258 citizens who live there. They are 258 voters. We want to make sure they hear. There are 258 people who want to park, and we've got Harleston Village all around. I haven't heard from the Homeowner's Association. So, I have no idea what you plan for that. I am not for or against it. I just want to hear what you have to say. I understand you're consistent with the Comprehensive Plan and all of that stuff. It would just be great if I could lead and let them know what's cooking. So, if we can wait a couple weeks, I would ask my fellow Councilmembers for a

deferral. You and I will get together as soon as possible, and we'll see where this is all going and report it back out subject to its okay."

Mr. Morrison said, "Sure."

Councilmember Seekings said, "Thank you."

Mr. Morrison said, "Thank you."

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

No one else asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 200 Spring Street (Peninsula) (0.422 acre) (TMS# 460-11-01-011) (Council District 3), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by 200 Spring Street Development LLC.

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "Item #-3, is at 200 Spring Street. This is a request to rezone from General Business to the MU-2/Workforce Housing District. There are other parcels on either side that have been zoned with the MU-2/Workforce Housing District. This parcel had a gas station on it which has been demolished. It's on the north side of Spring Street or the Septima Clark Crosstown Expressway area. The images here show the property with the demolished gas station on it. There will be new housing built in a building here and also in a building here. There is another parcel just down the street from it that is up for a similar zoning tonight, as well. I think we've got another image here just a little bit closer in to it. Both staff and the Planning Commission recommend approval for the MU-2/Workforce Housing on this site."

Mayor Tecklenburg said, "Could we go ahead and take E-3 and E-4 together? Is that okay? They're related, I think."

Mr. Morgan said, "Okay."

Mayor Tecklenburg said, "Where are the other properties?"

Mr. Morgan said, "Then, the other property is just down the street. It is home to a check cashing business at the present. Again, it's General Business also, and the request is for MU-2/Workforce Housing. Sorry, our little squares have gotten kind of morphed off here, but this is the property in question. Then, the other parcel is right here, and the other parcels in between have now been zoned to the MU-2 Workforce Housing with the exception of one parcel the City is using for a laydown yard for the Crosstown drainage construction. On both of these cases, the Planning Commission and staff recommended approval."

Mayor Tecklenburg said, "Alright. Would anyone like to be heard on these two matters? Please come to the microphone if you would like to be heard. Yes, sir."

1. Jeff Runswick, 29 Ashton Street, said he thought about a month or two ago some of this was brought up. Their full community on Ashton Street supported it, 100

percent. They liked the idea of the gas station being gone. On the new proposal where the check cashing and everything else was, they asked that their Residential area not be taken away. Ashton Street was under development change, and it was going in the right direction. When they started talking about rezoning residential area to accommodate what was new on the property of the check cashing, it was hard to say he moved into the area four years ago. Before the property next door to him could be Residential, and in a matter of minutes, it could change the zoning, and it could be turned into a parking lot or something like that. They supported 100 percent what happened on Spring Street and everything else. They just asked for their Residential area to not be taken away from them and to make it housing and a community.

Mayor Tecklenburg said, "Yes, sir. Mr. Lawrence."

2. Arthur Lawrence, Westside Neighborhood President Emeritus, said he lived at 210 Fishburne Street and this particular piece of property was an eyesore and a problem for the community for years. Every time he went past the property he had nightmares because of what this had done to the community. The developer took pride in what was happening on Ashton Street and the surrounding area, and he had a wonderful track record for the neighborhood. No one else had that record for the neighborhood. He said he didn't go along just to get along and they needed this, and hoped that Council would approve it, as this would give consistency to what was happening on Spring Street on both sides of the street and with the medical complex. He asked Council to make the property the right thing for the right community and the right City.
3. Patrick Head spoke on behalf of the development team, and he clarified that the two projects were separate. He said the City-owned lot separated them and the existing MU site at 210 Spring Street which was the old Pizza Hut was together with 200 Spring Street which was the gas station. They were looking to sync up that zoning to both MU instead of the split zoning. With the other site, he thought some of the confusion was that some of the parcels on Ashton Street were also zoned together with these parcels, but they were not looking to rezone the Ashton Street parcels. Similar to what they did behind 210 Spring Street, they renovated two houses that were part of the community. They were not looking to add MU to Ashton Street, just to the Spring Street parcels. There was a little piece of a vacant lot in the back that would square up 216 Spring Street with 214 Spring Street to allow the north bottom of the lot for easier building.

Mayor Tecklenburg said, "So, the only part that is going to MU-2 is that little part there?"

Mr. Head said, "Exactly. Yes, the rest of it is all GB. That lot is a flag lot that you can see goes out to the street. Then, there is another lot about three to the right that are all part of the grouping, but they're not part of that MU parcel."

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

Mr. Head said, "Thank you."

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

No one else asked to speak.

Mayor Tecklenburg said, "Seeing none--"

Councilmember Mitchell said, "Move for approval."

Councilmember Seekings said, "Second."

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

The Clerk said, "I think it's Councilmember Mitchell and then Councilmember Seekings."

Mayor Tecklenburg said, "Councilmember Mitchell and Councilmember Seekings. Are there any comments?"

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes. Mr. Mayor, I'm happy to see that is happening in that area because right where 200 Spring Street is where we lived. I lived there with my parents back into the 50's, and it was housing all around Spring Street and further up you had the St. James Hotel. Now, they're replacing what was there back in the 50's and before. So, I'm happy to see that they are putting housing back in those areas and getting that corridor back like it was before. That's been helping a lot in that particular area."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, sir. Thank you, Mayor. This project is in my district. The developers have been before the Neighborhood Association, and it's gotten approval from them, and it's been before City Council. It was voted upon, and it was asked to go back to the Planning Commission to make some changes. They went back, they met with the Planning Commission, and they met with the neighborhood organization. So, certainly, I support this project and ask that City Council would approve it. Thank you."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, sir. Thank you. Mr. Morgan, the property adjoining this applicant's property we just rezoned at the last Council meeting, is that correct?"

Mr. Morgan said, "Yes. Well, there was a request for the Accommodations Overlay on those. Yes, sir."

Councilmember Shahid said, "Right. Okay. Thank you."

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

No one else asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 200 Spring Street (Peninsula) (0.422 acre) (TMS# 460-11-01-011) (Council District 3), be rezoned from General Business (GB) classification to

Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by 200 Spring Street Development LLC.

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 and 216 Spring Street and a portion of 31½ Ashton Street (Peninsula) (approx. 0.422 acre) (TMS# 460-11-01-016, 017 and a portion of 037) (Council District 3), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Bergland Investments LLLP.

Mayor Tecklenburg said, "That's for E-3 and E-4. Mr. Morgan, E-5."

Mr. Morgan said, "E-5 is 404 Woodland Shores Road. I believe our slide projector is not advancing now for some reason, but I can just give the background on it. You have the maps in front of you. Again, this is a recently annexed parcel. It's an individual Single-Family house. It was annexed into the City June 18th of this year. The request is for SR-1, which matches the surrounding area of the City."

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

No one asked to speak.

Mayor Tecklenburg said, "It comes before Council."

Councilmember Shahid said, "Move for approval."

Councilmember Seekings said, "Second."

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

No one asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 404 Woodland Shores Road (James Island) (0.50 acre) (TMS #343-11-00-104) (Council District 11), annexed into the City of Charleston June 18, 2019, be zoned Single-Family Residential (SR-1) classification. The property is owned by Nathaniel West.

Mayor Tecklenburg said, "E-6."

Mr. Morgan said, "Okay, and this is also on James Island. It's a quarter acre site. Here we go. It may be my controller here. Here we go. That's the Woodland Shores, and here we have 2154 Wappoo which is also recommended for SR-1 zoning. Both the Planning Commission and staff recommend approval, and that matches the zoning of the surrounding area."

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

Councilmember Gregorie said, "Move for approval."

Councilmember Lewis said, "Second."

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

No one asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2154 Wappoo Drive (James Island) (0.24 acre) (TMS #343-06-00-185) (Council District 11), annexed into the City of Charleston May 28, 2019, be zoned Single-Family Residential (SR-1) classification. The property is owned by Tyler Cox and Graham Cox.

Mayor Tecklenburg said, "So, finally, E-7."

Mr. Morgan said, "E-7 is an item that's been before the Traffic and Transportation Committee and I believe Mr. Benjamin may have a couple of comments. This is a change to the Zoning Ordinance to require through the TRC process provisions for transit accommodations when new development occurs in the City. I'll let Mr. Benjamin give a couple of comments."

Keith Benjamin, Director of Traffic and Transportation, said, "Good evening, Councilmembers. I will be really, really brief. I just want to thank you first for your unanimous approval of this for the first reading, both with T&T and the Council, and our Planning Commission approved this as well. Councilmember Mitchell said something that was interesting earlier regarding the hotel you all were reviewing, regarding the traffic patterns and how that affects the public right-of-way. The goal of this ordinance puts a tool in the toolbox of TRC to address those concerns directly based on existing measurements that we have in our TRC process. As you might already know, the two main things that are measured within the traffic studies that these major projects do is one, level of service of the public right-of-way and then trip generation. What we've asked for in this ordinance is to use those existing measurements that are already taken for these development projects that would come before TRC and say, 'If you're going to be addressing transportation, you need to address it in its totality, and that includes transit.' So, we're excited about this, really grateful to CARTA and the Council of Governments that really helped us shepherd this through. Remember, we have 860 or so bus stops in the Tri-County area. Less than 20 percent have a shelter. In the City, we have 378, and not even 40 of them have sheltering. Thankfully, because of the work of CARTA, of Councilmember Seekings, Senator Kimpson, and others we already have ten brand new shelters that have been installed in the City in the last six months. So, we're just really excited about this movement to make sure that we're addressing our congestion concerns, addressing our safety concerns, and making sure that there is choice of mode. This piece gives an extra key to the TRC process to address that."

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

No one asked to speak.

Mayor Tecklenburg said, "Seeing none--"

Councilmember Mitchell said, "Move for approval."

Councilmember Seekings said, "Second."

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

discussion?”

No one asked to speak.

On a motion of Councilmember Mitchell, one (1) bill (Item E-7) received second reading. It passed second reading on motion by Councilmember Seekings and third reading on motion of Councilmember Seekings. On further motion of Councilmember Lewis, the rules were suspended, and the bill was immediately ratified as:

2019-057 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 PROJECTS, NON-RESIDENTIAL PROJECTS, AND SUBDIVISIONS WITH FIFTY (50) OR MORE DWELLING UNITS THAT ARE REVIEWED BY THE TECHNICAL REVIEW COMMITTEE IN ORDER TO IMPROVE THE MOBILITY OF THE CITY BY INCREASING OPPORTUNITIES AND OPTIONS FOR TRANSPORTATION. **(AS AMENDED)**

Mayor Tecklenburg said, “So, I must admit I was remiss when we started our meeting to recognize Reverend Paul Rienzo of Crosstowne Church. They are our host tonight, and we just want to thank them for their hospitality both last night and tonight. Reverend Rienzo is in the back of the church. Would you all please recognize him and thank you?”

There was applause in the church.

Mayor Tecklenburg continued, “If you were here for last night at the beginning of our Dutch Dialogues meeting, Reverend Rienzo, Paul, opened us up. He didn’t preach, but he could’ve been preaching about water and drainage, and is a very passionate advocate for improvements in our City for drainage, and we thank him for his support and his passion on this topic. So, next we have just one City Council minutes to approve, May 28th.”

Councilmember Mitchell said, “Move for approval.”

Councilmember Shahid said, “Second.”

Mayor Tecklenburg said, “We have a motion. Are there any additions, deletions, or corrections?”

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to approve the minutes of the May 28, 2019 City Council meeting.

Mayor Tecklenburg said, “Next is our Citizens Participation Period. I don’t know how many folks we had sign up, but we take a 30-minute period. I guess Jennifer is going to go get that right now. So, while she is doing that, I’m going to go ahead to Section I, the Fast-Track Cities, and it’s more of an announcement than approval needed. I just want to make Council aware that the City of Charleston, by way of the Mayor, has agreed to be part of the Paris Declaration. It doesn’t have anything to do with climate change. It’s ending the AIDS epidemic and setting a goal to achieve what they call the 90/90/90 targets by the year 2030. The trajectory is to get a zero HIV AIDS spread in the City of Charleston. We’re working with all of the healthcare providers in our

community. We had a signing of this commitment, and it's going to be a remarkable effort over the next 11, 12 years or so to address HIV AIDS. It's really an epidemic in our City. So, we have about 36 people here."

Councilmember Lewis said, "Mr. Mayor, could we just have a five-minute break?"

Mayor Tecklenburg said, "Could we have a five-minute break? I've got a request for a five-minute break. It's five minutes until seven by my watch. Can we reconvene at 7:00 p.m. sharp? Just five minutes, don't make it 15 now, five minutes."

The City Council meeting recessed at 6:52 p.m.

The City Council meeting reconvened at 7:01 p.m.

Mayor Tecklenburg said, "Next is our Citizens Participation Period, and we allow 30 minutes. We've got a little over 30 people that have signed up. So, I'm going to ask you to please state your name and address and please try to keep your remarks to a minute. First on the list is Robert "King David" Ross, King David."

1. Robert 'King David' Ross thanked Wendell Gaillard and the many friends and concerned citizens who were at the press conference at the International Longshoreman's Association of Charleston. He was a member of Citizens Who Want Excellence for the IAAM, a taxpayer, a member of the South Carolina Arts Commission, a member of the Gullah Society, a local storyteller, a direct descendent of Pharaoh Ramses III of Ancient Egypt based on his DNA analysis, and a proud 2019 Charter Member of the International African American Museum. They respectfully demanded that Council defer action and delay the request on to approve the construction contract for IAAM. The IAAM board members were committing fraud and Dr. Joy Bivens, Chief Curator—

The Clerk said, "Time."

Mr. Ross continued, Dr. Bernard Powers, Interim CEO, and former Mayor Riley were being intellectually dishonest in telling the African story. Cannibalizing cultural memory was not progress and to belittle and deemphasize of their African ancestor's greatest accomplishments in the world was the creation of mathematics and the first mathematical tool. He recommended the Ishango Bones proposal to the IAAM Board--

The Clerk said, "Time."

Mr. Ross continued until questions of priority such as museum governance, museum design, museum exhibits, historical narrative and content have been resolved he respectfully requested that Council delay the construction contracts for the IAAM. They did not want a minimal adequate education museum.

Mayor Tecklenburg said, "Thank you, sir."

Mr. Ross said, "Thank you."

There was applause in the church.

The Clerk said, "Next is Mohammed Idris followed by the Reverend Charles Heyward and Mark Brandenburg."

2. Mohammed Idris said he was asked to speak on the forum of using images to promote trade, superiority, and white supremacy. He said the most deadly form of white supremacy was to promote an image of a white man to the world as God and that was evil at its utmost. People were asking to take the Calhoun Statue off of Marion Square and to take all images that portrayed the vine from out of their houses of worship and out of their City. Anything that portrayed the vine was an act of evil.
3. Reverend Charles Heyward asked again that Council take action to remove the John C. Calhoun Statue from Marion Square. If people appreciated the comments made on African American History in that room over and put the statue in context of what the President of the United States had been saying for the last three days, the two Republican Senators, as well as the silence from the Federal representatives. This was a great challenge and it would take courage for Council to act but it would only take courage of one to make a motion, courage of another to second, courage for all of Council to debate the issue, and courage of the majority of Council to take the actions to move the statue. He said just think about the statue and the International African American Museum co-existing. He appealed to Council's better sense of doing the right thing as doing the right thing was always the right thing to do.

Mayor Tecklenburg said, "Mark Brandenburg."

4. Mark Brandenburg said he lived on Burden Creek Road on Johns Island which was adjacent to the area which was up for annexation and where a PUD had been proposed. All of this had been pulled off the agenda for this meeting and the problems with that project were legion and there were many opponents to it. The least of the problems was that it was originally named Oakville and it was now called River Run. There was already a River Run on Johns Island, so the developers had not done their homework on that. The worst of the problems was the drainage. They were at the Dutch Dialogues expert reports, some of which came out to look at the property. All of whom they talked to said it was not an area that ought to be developed at all. It was very similar to area right behind the City where a few months ago the City bought a bunch of houses that were previously City Council approved to be developed out there and the City demolished them. Council approved the annexation and the PUD, some future Council would do that in years to come. Insanity was doing the same thing over and over again and thinking you would get a different result. He said stop the insanity, reject the annexation, and reject the PUD.

There was applause in the church.

Mayor Tecklenburg said, "So, I'm going to ask for you all to refrain from future outbursts, even applause. If someone would like to ask the audience who is in support of their comment by a show of hands, that would be most appropriate and happy to do it that way. Thank you."

The Clerk said, "Next is J. Denise Williams, Tim Squire, Eric Lundgren, Lorie Adams, and Franny Henty in that order."

5. J. Denise Williams Cromwell said she lived in North Charleston and had spoken with Councilwoman Jackson on the break, so that would probably help her to get with Councilmember Waring on the concerns that she had personally that there were no African Americans on the Planning Committee. She wanted to find out more information about being a part of that. She was born and raised in Charleston and had a cousin, Marion Newton, who is currently completing a book of their family history. She had taken a DNA test and learned that her family came from not just slaves, but Kings, Queens, and Royalty. She would like to be able to voice and share their opinions of African Americans. If they were building a museum to represent them, they should be at the planning table.
6. Tim Squire said he lived on Johns Island and he spoke about the River Run/Oakville Project concerning the annexation and Planned Development. Even though it was deferred it was still a pending issue and there was much concern with drainage and flooding. In the past, Council seemed to have not been able to see the forest for the trees concerning these issues or to see the swamp for the water and that applied in this situation. Any such project like this, not just River Run or Oakville, where there was significant up build, a fill and build project, pre-dated a neighborhood that became a massive earthen dam and it blocked natural drainage. It created flooding on surrounding properties. He urged Council to draft an ordinance to put an end to fill and build practices and development. This was something that needed to be addressed to stop the insanity.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Eric Lundgren. Eric's not here? Okay. Lorie Adams and Franny Henty."

7. Lorie Adams said she lived on Johns Island, also known as the redheaded stepchild of the State of South Carolina, the County, and the City. She implored the City to stop annexing property on Johns Island until the flooding issue was solved. Johns Island didn't have a representative from Johns Island, so they had no say. She didn't think there was any place else in the United States of America that had a township that didn't have a say in what went on. She believed things that had been done could be undone and she implored the residents of Johns Island and James Island to get some good lawyers and reverse what had happened, so that the City could not continually annex property. The residents concerned about developments because of the fill that had been put in had lived there for 20 years. FEMA was not the answer to residents who were concerned about their properties flooding. She urged residents of Johns Island, James Island, or anybody else who wanted to see Johns Island maintain its rural integrity. It was not rural anymore but they could stop the insanity.

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

There was applause in the church.

Mayor Tecklenburg said, "Franny."

8. Franny Henty thanked Council for approving the Fort Pemberton Parksite on James Island, for passing the traffic amendment, and the City's staff for recommending disapproval on something at the beginning of the meeting. Regarding annexing the property for the purpose of the PUD River Run, at this

junction in the City any action contrary to solving the flooding and traffic issues was self-serving to the developers' pockets only. In the interim, it ultimately harmed the existing taxpayers. They were already beyond maximum density in the way that it had been managed up to now. She urged Council to not let flooding engineers gaslight them with algorithms which ignored the obvious to contiguous property owners taxpaying in the City and adjacent jurisdictions.

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

The Clerk called on, "Steve Green, Rich Thomas, Phil Dustan, Nicole Lavallee, and Thomas Legare."

9. Steve Green of Johns Island said he had read the City's Century V Plan Update and the number one goal was to preserve the physical qualities and the way of life in rural areas of the City. He had lived on River Road for 37 years and had seen what the City did under the Century V Plan with the new Stonoview development. Six inches of rich topsoil was stripped from the land, topsoil which grew cabbage, potatoes, and now on Johns Island, tomatoes. It was sold and replaced with four to five feet of sandy soils and clay which didn't allow permeability. The development had created a dam effect between his house and the Stono River. His front yard started flooding when development began infilling and this went against the number one goal of the Century V Plan. He urged Council to stop the annexation from moving forward until after the Dutch Dialogues were complete and their policy recommendations had been implemented.

Mayor Tecklenburg said, "Thank you, sir."

There was applause in the church.

The Clerk said, "Rich Thomas."

10. Rich Thomas said he didn't live in the City, but things the City did affected him and his neighbors on Johns Island. He had jotted down a few things that David Wagner had said the prior evening. He said, "Do something special, solve problems, and have concerns about compromises that cost nature, and you can't lose things that are valuable." The proposed Oakville Project would violate each one of those principles Mr. Wagner spoke of. Everything known about the project and Johns Island told them that it violated every one of those principles that Mr. Wagner spoke to. He urged Council in any future deliberations to put a stop to the project now. The easiest way to solve a problem, as Mr. Wagner stated, was not to create it to begin with. Council had the opportunity not to create a problem and he urged Council not to do that.

There was applause in the church.

Mayor Tecklenburg said, "Thank you, sir."

11. Nicole Lavallee said she had lived on Johns Island for 20 years but had friends that had lived there their whole lives. Her mechanic said he had never seen the type of flooding that he saw just two weeks ago over the bridges and it was getting bad. She said she just watched a family that was, by all accounts very responsible and cared about the community, denied a request to build in part because of the flooding at Huger Street. She was curious that an out-of-towner could come in and

have a shot at doing something like that on Johns Island when it would cause a real problem. Her heart swelled as she applauded for the museum and hardworking young people and it bothered her that Council would try to silence applause.

There was applause in the church.

Ms. Lavalley continued that applause represented what so many people on Johns Island were feeling. She said no more build and fill and to please stop the insanity.

There was applause in the church.

12. Phil Dustan said 3,701 people had signed the Change.org petition to save River Road in the last year. He asked how many people were there because of the Johns Island issue and asked them to stand up. He said they vote. With regard to River Run, he asked why homes would be put in harm's way and why would they build on the delta of a river that they knew already flooded. Was it ignorance, stupidity, or greed and whose idea was it? Charleston had enough problems already and didn't need more. He urged Council to do the right thing to stop it now and be responsible and vote no against the annexation and the PUD.

There was applause in the Chamber.

13. Thomas Legare said he was a lifelong resident of Johns Island and his family had been on the Island for over 300 years. He came to speak about Oakville, but it got pulled off the agenda. So, he figured he would speak on the annexation but it got pulled off the agenda an hour before the meeting. He was upset about that and thought it to be a poor procedure for the City to allow developers to put something on the agenda, as people took time off of work, got babysitters, and took time away from their family, to come speak about an item and then a short time before the meeting it got pulled off the agenda. That was something that needed to change.

There was applause in the church.

Mr. Legare continued by saying Councilmembers had told them this would be a great opportunity to come out and speak, but they would not get the chance because of the poor procedure.

The Clerk said, "Randall Horres, Mary Hall, Leah Farrell, and Laura McKenzie."

14. Randall Horres said he appreciated the opportunity but unlike Thomas (Legare), he didn't have expectations from Council. He had been involved with the City 21 years and he had property on James Island, Johns Island, and West Ashley. He had never been so embarrassed by a Council in his life. Council didn't listen to the public, the people, and they continually did things that put the citizens in harm's way. He had a house and a commercial building that flooded, which had been in his family for 50 years and had never flooded before. He told Council they were an embarrassment and didn't listen to the people. All they had to do in politics was listen and Council refused and he particularly found Councilmember Moody's attitude and ignorance embarrassing and humiliating and suggested to vote him out.

There was applause in the church.

15. Mary Bull said she lived in the County part of Johns Island, but everything Council did affected her life. She appreciated Council being there and she hoped they had read the e-mail she had sent. It only took her 40 minutes to get to Crosstowne Church versus the 55 minutes it took to get downtown. She asked Council to try to get a meeting on Johns Island if they wanted Johns Island people there. She was disappointed that security had to be put up for people to come in. It was scary and she didn't know if it was because Johns Island was on the agenda, but that was what people were saying which was sad. Johns Island people were not that bad. She reminded the Mayor of a conversation she had with him at a meeting where he referred to Johns Island as being one of the Charleston boroughs. She said the Mayor thought that the City of Charleston was a peninsula and it had five boroughs and Johns Island was one of them. She asked the Mayor if he would be willing to give up his borough and let his borough become the Town of Johns Island, but no. He liked their tax money.

There was applause in the church.

16. Leah Farrell, Preservation Society of Charleston, said they were pleased that the annexation and PUD had been deferred. They still wanted to raise concern not only with the project, but also with the public process. This was brought to their attention when a lot of residents started getting concerned over it, as this was a large scale project with major implications. It felt like it was trying to preclude the public population. They knew that wasn't the intent, but that was how the sentiment felt when it happened like this. They wanted the public to be engaged and speak to their community to help shape the City so they had to be given the opportunity to do that. To echo the concerns of the residents of Johns Island, it was concerning to even be considering another project in a flood prone area. They needed to stop filling in the wetlands and removing the natural flood infrastructure. If they were going to grow as a City, they needed to build better.

There was applause in the church.

The Clerk said, "Laura McKenzie."

17. Laura McKenzie thanked Council for the opportunity to come and speak at a great facility. She owned property on Johns Island and had lived there since she became an adult. She now lived on James Island and the problem was with the filling and building and further down the river there were problems. She talked during the Dutch Dialogues and it was said that you didn't have to be a doctor or an engineer to understand when the marsh area was filled in and built on, then it would create a problem, just like what happened on Church Creek. She lived on the divider between Church Creek and Bohicket Creek so she was familiar with the water and she owned property on Burden Creek. She appreciated Council listening. She did get to vote for some of Council even though she owned property in the County. If Council wanted to annex, they needed to do it responsibly and not allow all of the building when the infrastructure wasn't in place.

Mayor Tecklenburg said, "Thank you very much."

There was applause in the church.

The Clerk said, "Sheri Irwin, Debbie Mims, Marc Knapp, Catherine Poag, and Delores Payne."

18. Sheri Irwin said she lived in West Ashley, but she was there to ask Council to vote no on the annexation on Johns Island. Council used their tax dollars, the FEMA buybacks, because of problems caused by the City overbuilding in the first place. At the Dutch Dialogues, it was asked what was suggested for Johns Island and a gentleman said to stop building, as it was going to make the flooding worse not only on Johns Island but it was going to come downstream and it would make the Church Creek Basin even worse. It wouldn't only affect the residents of Johns Island, as it was destroying the beauty of the Lowcountry. At the Dutch Dialogues, they said you couldn't build on this as they had done soil samples and the City had to stop doing this. She didn't know why Charleston was being destroyed and turned into an urban area and destroying the colonial city that exist when she moved here 15 years ago. She said that was being erased.
19. Debbie Mims said she lived on Johns Island in the City and she owned property on Bohicket Road in the County, so she and her husband, as well as the rest of their family did vote. She urged Council to not approve the PUD and to not annex any additional property since it would allow for denser development. It would also include marshland, undevelopable property, which would put owners of the new homes at risk for storm surge and it would also act as a dam to push floodwaters into existing neighborhood properties. Council approved a property to be built off of Brownswood Road next to the Summertrees development and people across the street from her never had flooding. Now that the land had been filled in and the trees and topsoil stripped off it flooded every time it rained. She said the flooding came into the street and pushed everything into the sewer which affected the rest of the marine life. She said again no PUD, no annexation, she voted, and she appreciated Council's time.

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

There was applause in the church.

Ms. Mims said, "Delores Payne will not be here because you took so long to conduct the rest of your business. She had to leave."

20. Marc Knapp said he attended the Audit briefing and it was a sham. They were told that nobody knew what was in the Preliminary Draft Report, but then somebody knew enough to pay some of the bills just before the briefing which concerned him. If no one had seen it, then how did someone find out about it or at least what numbers to pay? He suggested finding an outside independent auditor that actually looked at everything correctly. He hadn't read it yet, as he just found out where to find it, but he was concerned. The bought and paid for attorney for Columbia basically scared him. He wondered who paid him.
21. Catherine Poag said she was a resident of Johns Island and she thanked the Mayor and Councilmembers for listening to the public input. She had the pleasure of attending the meeting with the many experts who were part of the Dutch Dialogues Project. It was an amazing group of individuals with a wealth of knowledge and experience. If the City wanted to truly solve the flooding issue, the Council must be willing to listen to the ideas put forth and to act on them, as well

as understand that they couldn't say they were following what had been recommended and then approve projects like the annexation and the PUD that would only increase the flooding problems on Johns Island. Scientific research had shown that the project would add ongoing flooding to neighboring areas. She hoped Council would pay attention to what they were hearing and stop the madness and destruction that was going on.

The Clerk said, "Shawn Boynton-Carr, Kipp Valentine, and Ana Zimmerman."

22. Kipp Valentine said he had lived for at least 20 years and farmed for no less than 40 years on Johns Island in St. John's Parish. If Council looked at what he had presented them, the Burden Creek was mechanically dug by Charleston County Government over 50 years ago when it was legal to dig in the marsh. Since then the Coastal Council had continuously moved the distance from the river that could be maintained which was moved in over a mile. All of the properties that had recently been constructed at the end of Cane Slash Road had to drain into the Burden Creek which was an area of greater than five square miles and nothing had been done to alleviate the massive amount of impermeable which were rooftops, sidewalks, and driveways, 43,000 square feet and one inch of rain. There had been no effort to increase the drainage and they could not maintain what they had and there had been no new drainage added. The soil at Oakvale which was the correct name for the property in question was where Mr. Burden developed the Island cotton. It was a heavy clay and already impermeable as a vertical drainage. It was not an alluvial sandy soil. It was a bowl. Any construction in there of more impermeable ground covering was going to grossly increase the amount of water that was being put into the Burden Creek drainage and it had no choice but to back up and flood. He begged Council to be brave and put the brakes on the madness until a drainage program was in place before laying down any more pavement that may require a FEMA action.

Mayor Tecklenburg said, "Thank you, sir."

There was applause in the church.

23. Ana Zimmerman said she was a flooded-out resident on Shoreham Road and it was 100 percent the responsibility of the City of Charleston. She and others were extremely concerned about the City being ruined and about the FEMA violations that were going on. They would not stop until the families could be made whole and no family should ever have to go through having a house flooded out by the City of Charleston.

Several people stood up and protested.

A gentleman said, "If you want to stand up to City Council, come stand with us. We welcome anybody and everybody."

Another gentleman said, "If anybody doesn't want to re-elect them, you don't have to."

Ms. Zimmerman continued by saying some of them flood and some of them vote."

A gentleman said, "We all vote."

Another gentleman said, "Well, let us vote. Here on Johns Island, let us vote. That's all."

A gentleman said, "See what you all have pushed these people to do."

Mayor Tecklenburg said, "Thank you very much."

Another gentleman said, "Enough? Leave? Bye? No, I don't think so."

Mayor Tecklenburg said, "One speaker at a time, please. Who is next, please?"

A gentleman said, "Do you all understand it?"

Another gentleman said, "I've lived on Johns Island for 55 years. Enough is enough, you all. Stop."

A gentleman said, "You all had no right to annex onto Johns Island if this is how we're going to be treated."

Mayor Tecklenburg sounded the gavel.

Mayor Tecklenburg said, "You can have a turn to speak, but in order, please."

A gentleman said, "Jacob can't even look at us."

Mayor Tecklenburg sounded the gavel.

The Clerk said, "Willis Christina Tant, Bonnie Gothaun, Julie Hallman, Ian Crouse, Jr., and Wilmot Fraser."

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

24. Willis Tant said she wanted to humbly echo the voice of people concerned about the African American Museum and how it was being curated and who was involved in it. They had actual living beautiful heroes and descendants in town, Sol Legare, and all around the City who should be spoken to and this museum should be laid at their feet. She also echoed, humbly, the voice of taking down heroes that perpetuated hate and slavery. She also echoed the voice that Johns Island had real flooding issues, and with creeks and the nature of water any time they went against the nature of water, they were just setting themselves up for more irresponsibility and more problems. She asked Council to consider the fact that, as the second largest land mass island on the east coast, they had no more public access to water except under the Limehouse Bridge. As these development choices were being made, they should think about the County park systems and places that people could still access water because she believed it should be a human right for a community.

Mayor Tecklenburg said, "Thank you very much."

There was applause in the church.

Mayor Tecklenburg said, "Thank you, ma'am. Was there anyone else whose name was called?"

The Clerk said, "Julie and Wilmot."

Mayor Tecklenburg said, "Wilmot Fraser."

25. Wilmot Fraser said he was there on behalf of Concerned Citizens Want Excellence at IAAM and he echoed the remarks made earlier by people who spoke in favor of Council deferring action on any contracts until the matters had been dealt with. They had received only lip service from the Executive Board of IAAM for 17 years and there was no real attempt to communicate or to solicit information from the citizenry, particularly the citizenry that was African American which had the human rights based responsibility and right to protect its own history. They could not have a museum established by the City which was given both land and material resources that simply sanctified their enslavement. They had the longest history of any people on earth and he thought that history deserved due consideration particularly the Ishango Bone Exhibit which set up their identity with the founding of mathematics, science, and technology. If they wanted young people to grow up educated, they had to educate them.

Mayor Tecklenburg said, "Thank you, sir."

There was applause in the church.

26. Julie Hallman said she lived on James Island and she was there on the deferred PUD for James Island. She asked the City to stop approving high density housing for their sea islands and she echoed what Councilmember Seekings said about the development on number one of the agenda on Huger Street, 'Climate change is here. Scientists are predicting stronger storms and more rain events than we have ever seen before. Charleston likely will experience a rain event like what happened in North Carolina last year and Houston the year before.' She said they relied on them to protect their property and their way of life. Her property flooded and she voted.

There was applause in the church.

Councilmember Griffin said, "Mr. Mayor, can I make a comment real quick? I think that's it."

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

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I know that some of the public comments tonight were a little unorthodox, but what I'll say about that is that I can tell that these people, especially on Johns Island, they really, really, really care. They're very united. It's amazing when we have that many people come out for one topic. The reason I asked to grab the microphone is because I just heard recently that the Johns Island Growth Management Committee is no longer meeting. I'm very concerned about that because we had a meeting last year where it was on the agenda to have a moratorium on Johns Island, and we said 'no', but we're going to create this Council, and it was the County and the City together. They haven't even met since November of last year. I'm very concerned about that because one of the things that came up with this deferral, I said, 'Well, maybe we can bring this to the next Johns Island Growth Management Committee meeting', and they said, 'Oh, shoot! We haven't met in a year.' So, I'm very, very concerned about that. All I'm saying is I think that we need to reestablish some more meetings on Johns Island because they really, really care, and they're very, very worried. We've got to find a way to have that Committee meet again because I thought that Committee was a great, great idea, and I just wish it would come to fruition more."

Mayor Tecklenburg said, "Thank you, and thank you all for coming out tonight and sharing your thoughts and concerns, and admittedly, an applicant does have the right to withdraw or defer a matter that they've presented to Council."

A gentleman in the audience had an outburst.

Mayor Tecklenburg continued, "They do have that legal right."

The gentleman spoke out again.

Mayor Tecklenburg continued, "But it doesn't prevent us from listening to you, and you had the opportunity to speak, and we were listening, so thank you for being with us tonight."

The gentleman spoke out again.

Mayor Tecklenburg continued, "So, next is our Petitions and Communications. I already handled I.a."

The gentleman said, "I don't care."

Mayor Tecklenburg continued, "Next, we'll proceed with b., c., d., and e., which is our Commission appointments."

The gentleman spoke out again.

Mayor Tecklenburg continued, "Sir, I'm going to ask you to please respect our meeting as we go on with our business."

The gentleman spoke out again.

Mayor Tecklenburg continued, "I.b. is the Commission on Women's Appointments, and do I hear a motion from Council?"

Councilmember Gregorie said, "Move for approval."

Councilwoman Jackson said, "I'll second."

Mayor Tecklenburg said, "I have a motion to approve."

The Clerk said, "Okay. Who made the motion?"

Mayor Tecklenburg said, "It was Councilmember Gregorie, and Councilwoman Jackson seconded. Is there any more discussion on the two appointments to the Commission on Women?"

No one asked to speak.

On a motion of Councilmember Gregorie, seconded by Councilwoman Jackson, City Council voted unanimously to approve the appointments to the Commission on Women.

---INSERT APPOINTMENT MEMO---

Mayor Tecklenburg said, "Next, we have the Commission on the Arts."

Councilmember Gregorie said, "So moved."

Councilwoman Jackson said, "I move to approve."

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

No one asked to speak.

On a motion of Councilmember Gregorie, seconded by Councilwoman Jackson, City Council voted unanimously to approve the appointments to the Commission on the Arts.

---INSERT APPOINTMENT MEMO---

Mayor Tecklenburg said, "Next is a single person appointment to the Municipal Election Commission."

Councilmember Shahid said, "So moved."

Councilmember Mitchell said, "Second."

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

The Clerk said, "Councilmember Shahid and who was the second?"

Mayor Tecklenburg said, "Councilmember Mitchell."

The Clerk said, "Okay. Thank you."

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

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, City Council voted unanimously to approve the appointment to the Municipal Election Commission.

---INSERT APPOINTMENT MEMO---

Mayor Tecklenburg said, "Then, the Planning Commission Appointments. Do I hear a motion?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "The last time we had the Planning Commission Appointments come up, I asked that we look into a matter, and I'm wondering if our staff ever did. We deferred it because of a specific reason with one of the reappointments, and I'm wondering if our staff ever looked into that occurrence because I still don't think we should approve this if they have not."

Mayor Tecklenburg said, "Well, they have, and they found, to the best of their ability, that there was no substance to the report."

Councilmember Griffin said, "Well, it's funny that if they've looked into it and they never contacted me when I'm the one that asked for the deferral and asked them to look into it."

Mayor Tecklenburg said, "I see. I can't speak to that. Yes, sir."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Yes, I've got a little bit of a problem. I'm going to probably vote to do this, but I know the two that are up for reappointment. We have a long-standing requirement that these people attend these classes, and these two have not attended those classes. I'm just wondering if we should delay the appointment of those two to maybe the next meeting to give them a chance to do that before we vote them in. They should have attended those classes before or right after the last time they were reappointed, and they still haven't done that. So, I'm a little bit concerned that they're just ignoring our rules."

Mayor Tecklenburg said, "I don't know if they've had the opportunity since the last time."

Jacob Lindsey said, "They have not."

Mayor Tecklenburg said, "They have not, so they still need to attend. Yes, sir."

Councilmember Moody said, "I know they haven't attended, at least that's what I was told, but when is the next class, and how long has it been since they attended a class?"

Mr. Lindsey said, "Can I come to the microphone?"

Mayor Tecklenburg said, "Sure."

Mr. Lindsey said, "Councilmember, those opportunities come up on a regular basis, but they don't happen every week. They typically are a bi-monthly event overall. So, the next one, I don't have the exact date, but it would be something that would occur over the next month to month-and-a-half, so they don't have the opportunity to do those things immediately. However, we always take the chance to inform our Commission members when opportunities for Continuing Education take place, and we'll be sure to do that when the next available opportunity happens. It should be within the next month."

Mayor Tecklenburg said, "They will continue to serve since they're sitting Board Commission members."

Councilmember Moody said, "I agree with that. I think we can leave them on there, but I think before I'm going to vote to reappoint them that they attend those classes because I don't know, Jacob, how long has it been since they attended? Aren't they supposed to do it every year?"

Mr. Lindsey said, "Councilmember, they are supposed to keep their records current in terms of their accreditation, and we did give some of the information to Council at the last meeting. I don't have it right in front of me at the moment, but we will, as we've clearly heard from Council, take every opportunity to stridently insist that all of our members meet their continuing education requirements as you all have requested."

Councilmember Moody said, "Well, if they're not going to comply with your assistance, then the only recourse we have then is to not reappoint them until they comply. Is there any other recourse?"

Mayor Tecklenburg said, "That's the easiest one, that's for sure."

Councilmember Moody said, "Yes. If they want to be reappointed, then they ought to at least have their credentials current."

Councilwoman Jackson said, "I think that's fair."

Mayor Tecklenburg said, "Okay. Could I entertain a motion to appoint Matthew Yaun to the Planning Commission?"

Councilmember Griffin said, "Move for deferral."

Councilwoman Jackson said, "No. Let's appoint the two new ones."

Councilmember Moody said, "Let's do the two--"

Councilmember Griffin said, "Just do the new ones."

Councilmember Moody said, "The new ones, appoint the new ones."

Councilwoman Jackson said, "The new one, it's only one new one."

Mayor Tecklenburg said, "Ms. Harrison has actually already been approved at a prior meeting."

Councilmember Moody said, "Yes, she was appointed last time. That's right."

Mayor Tecklenburg said, "Could I hear a motion--"

Councilmember Moody said, "I'll make a motion that we appoint Matthew Yaun."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "Matthew Yaun."

Councilmember Griffin said, "And defer the other two."

Mayor Tecklenburg said, "And we'll defer the other two until they attend school."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I agree with the motion, but I think if we're going to defer the other two, I think we ought to put some stipulations on it. If we defer it, and if they don't get their Continuing Ed by the next opportunity, then they ought to be off the Commission. They've had plenty opportunity to get their CE, frankly. They've been slack. They're good Commissioners. I've served with them, good Commissioners, but you've got to get your CE. If I don't get my CE, I lose my license and designation. I cannot make a living. If you don't get your CE, you can't keep your CPA. Same thing with you, the lawyers on the Board. So, I think if we're going to defer it, we defer their appointments subject to them getting the CE requirement completed at the next opportunity."

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

No one else asked to speak.

Mayor Tecklenburg said, "The motion is to approve Mr. Yaun and defer Mr. Geer and Ms. Johnson."

Councilmember Waring said, "I had an amendment in my ear from my colleague as long as they've got it scheduled by the next meeting. Well, suppose they don't do it. No. They've got to get it done."

Councilmember Moody said, "Yes."

Councilwoman Jackson said, "They need to get it done."

Councilmember Waring said, "So, if they don't get it done at the next available opportunity, then bring it back and let us know that and we'll act accordingly."

Mayor Tecklenburg said, "That's right."

Councilmember Waring said, "But I'll vote for Mr. Yaun, as well."

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

No one else asked to speak.

On a motion of Councilmember Moody, seconded by Councilmember Griffin, City Council voted unanimously to approve the appointment of Matthew Yaun to the Planning Commission and defer the appointments of Gordon Geer and Angie Johnson until completion of their Continuing Education classes at the first available opportunity.

Mayor Tecklenburg said, "So, next are our Council Communications. First up is a request by Councilmember Waring, that the State Attorney General provide a written opinion regarding the matter with, coincidentally, the Planning Commission. Councilmember Waring."

Councilmember Waring said, "I know we had this aligned to come up after that conversation we just had. This Council has voted four times, in less than three years, to change the override policy on the Planning Commission. Just to restate it, if the Planning Commission denies something, and it comes forward to City Council, it takes 75 percent of the total Council and Mayor. In other words, you have to get 10 out of 13 votes, not 75 percent of a quorum, not two-thirds of a quorum like we have on the national level, like we have on the State level, 75 percent. That rule was put in place during the Jim Crow era. This Council, most recently in December, voted 9 out of 13 to change that rule. In my opinion, that's wrong. There is not a single piece of business in the City of Charleston that we cannot do with a majority vote. To pass this budget, which is a little over a \$200 million annual budget, it takes seven votes. As a matter of fact, we can do it for less than that. We have to have a quorum, but once we achieve a quorum, and we can have a quorum with as little as seven, four votes can pass the annual budget, but we cannot override a Commission that we appoint, a voluntary Commission. As a matter of fact, we just appointed a person tonight. If that person were to have a quorum at the Planning Commission, with nine members on the Planning Commission, if there were five of them there, and three of them were to vote in the negative on an issue when it comes forward to City Council, it's going to take 10 out of 13 to override that. That's a terrible government structure. It was put in place in the 30's to benefit the influenced. It certainly wasn't put in place in the 30's to benefit the people who don't have a voice. So, I am asking my colleagues on Council that we write the State Attorney General, and I understand. I respect those who may not want to do this, but put together a letter saying that we've been told by our staff it's State law. I doubt that, and I'll tell you why I have doubt in that particular part of the advice. The State law cannot be applied one way in Greenville, another way in Columbia, and yet still different in North Charleston, Mt. Pleasant, and then come to Charleston, and we have this 75 percent rule. North Charleston has a simple majority override to override their Planning Commission. In Mt. Pleasant, they have the simple

majority of Council to override a negative decision on their Planning Commission there. The same thing in Greenville, same thing in Columbia, but in Charleston, again, it takes 10 out of 13 votes. So, I would like to ask the State Attorney General where it says in State law that an elected City Council cannot change the governance procedures, or frankly the override procedure, of a voluntary appointed Planning Commission. That's the question to go before the State Attorney General, and certainly we'll sit back and wait on his ruling. So, that's the reason for this, and I'd like to put that as a motion."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "Alright. We've got a motion and a second. Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Councilmember Waring, I certainly applaud you for your effort, but the people of influence in this City influence our staff and some of our Councilmembers will not vote for this. If you look at it, we are elected officials who are elected to serve the people of this City. Now, when 12 elected officials are overruled by 9 people who we appointed, something is wrong, but if you read the Municipal Association of South Carolina Handbook, it says 'All powers of City Council lie with the members of City Council.' So, if we have the power, according to the Municipal Association Handbook, to make any ordinance that we want or to change any rule, I don't understand why we're being told time after time by our attorneys that we cannot change an ordinance to make it possible for seven votes to overrule any decision that the Planning Commission made. Something is wrong, definitely wrong. So, I applaud you for this. I hope that we get this opinion and get it quick because if we're going to be effective elected officials, we've got to do our jobs. Thank you."

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

No one else asked to speak.

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

Request by Councilmember Waring that the State Attorney General provide a written opinion that identifies the State Law which states that an elected City Council cannot change the governance and override procedures of a voluntary, appointed Planning Commission.

Mayor Tecklenburg said, "Number two is an additional request of Councilmember Waring regarding our referendum item to be placed on the November 2019 election ballot. Councilmember Waring."

Councilmember Waring said, "Thank you, Mr. Mayor. The issue is Freeboard +2. We had a first reading that came before Council that basically said, for those in the room who don't understand freeboard, freeboard is actually the main level of flooding for FEMA, 13.5 feet. Currently, the City of Charleston is FEMA +1, which means your elevation should be 14.5 feet. There is a proposal to go to 15.5 feet, and in having a discussion, I voted for FEMA +1. I did not realize at the time of that vote that was in 2015 that if a person were to sustain 50 percent or more damage to their home or non-residential property, in addition to repairing that house or non-residential property, you're going to have to raise your house in this case. Let's just say you were

at FEMA 13.6. You're going to have to raise it to 14.5. You're going to have to raise it a foot. Now, there has been all kind of information put out on that in the press that's been all over the place. There has been an article in the editorial in March that said if we do this, we have a 5 percent discount on our insurance if we go to FEMA +2. Most recently in the paper last week, it said if we do this we would have a 25 percent discount on our flood insurance.

Well, if you have damage to your home, 50 percent or more due to any other reason than flooding, you're still going to have to comply with that rule. So, if your house caught fire, hurricane, tornado, if you had damage of 50 percent or more due to Formosan termites, in addition to repairing the home, you're going to have to raise that house. In this case, it would be another two feet above the FEMA flood level of 13.6. That is a financial burden that the local government is putting on to its citizenry that we don't even know how much it's going to cost, and then the solution to it some have said is to apply to FEMA for a \$30,000 grant. Now, think about this, this is a municipal requirement, and we're telling our citizens because we can't fund it, it's an unfunded mandate, go to the Federal government and pay for a rule that your City government paid for. Now, if that were to happen en masse, I just don't see the Federal government stepping up to do that, and in particular, if it happens as an individual because any time you sustain 50 percent more damage particular where you live, it is a tragedy whether singularly in the case of a fire or certainly with a super storm that is subject to come through.

It's an election year, and flooding is going to ride some people into office. In some cases it won't, but the fact is I asked our Floodplain Manager today at our Public Works meeting how do you determine the value of a house? Well, first they look at the assessed value, and if you disagree with the assessed value, then the homeowner or property owner can get their own appraisal. Keep in mind, the value of the property is subtracted from that assessed value. So, hypothetically, you have a house that is assessed at \$150,000, and I've got thousands of homes in the district that I represent that are assessed at certainly less than \$200,000. If you back out the value of the lot, and let's say the value of the lot to make the math easy on a \$150,000 home is \$50,000, if you sustain \$51,000 of damage, in addition to repairing that home, you're going to have to raise it, and we call that FEMA +2. I had a couple of reporters call me about that, and I also had a couple of folks from the television come and interview me about that, and I asked the question to them. 'Tell me something about Freeboard +2, tell me about Freeboard'. They didn't even know what it was. They were coming to interview me about it. So, in putting this referendum question on the ballot, I think we ought to change the ordinance to say, or change the question that goes on the ballot to say, 'An ordinance to raise the residential and non-residential properties as a result of substantial damage of 50 percent or more', and we could put Freeboard +2 in parentheses. Too many people in the City of Charleston simply do not know what Freeboard +2 means. I was having a conversation with Councilmember Moody a couple of weeks ago and I said I bet some people think, just like we had Freedman's Cottage, I think some people believe it goes back to a period of time post-slavery, Freedman something. Actually it deals with, in most cases, the largest asset that most people have which would be their home. This being on the ballot I think is going to create, and the Dutch Dialogues, are certainly going to create conversations. This being on the ballot is going to create conversations.

The amendment that I put on, and Council voted in the majority of the second reading, to carve out houses that sustained 50 percent or more damage due to anything other than flooding. Now, if you flood, you've got to raise your house in addition to fixing it up. If not, you should be able to repair your house in place. Anybody who was here during Hugo remembers the devastation that a lot of houses sustained, and it wasn't from flooding. It was from roofs being torn off, trees coming through roofs, etcetera. Think of the people that were able to repair their homes in place. If this rule were in place in 1989, they couldn't have moved back in because they

wouldn't have had the money to do it. There is one big omission in this whole discussion that we're having. We all talk about the discount, potentially, on flood insurance. Nobody is talking about the increase of your homeowner's coverage. If you get a discount on your flood insurance, that is only one peril. If you have to increase the building code to raise your house after a fire or after a tornado, or after damage from a hurricane, or like I said, Formosan termites, if that building code requirement goes up, your homeowner's coverage is going to increase because the payout from the insurer would have to increase. There are too many moving parts to this that the public, I think in a purposeful way, has not been told. So, I do this because certainly the easy thing to do would be to have the third reading, but let's put this on the ballot so we can get more citizens in the City of Charleston involved with the discussion of 'if I raise my home, how much is that going to cost me?' We have articles in the paper that started out saying between \$1,000 and \$2,400 to raise a home. That is to disconnect it from the foundation, disconnect the plumbing, disconnect the electrical, disconnect the HVAC, raise that house, and when you raise the house, it's going to shift and so the drywall is going to crack. You've got to repair all of that, come back, reconnect the HVAC, reconnect the plumbing, reconnect the electrical, reconnect the foundation, and I don't know, I guess get a brick mason or something to shore up that two feet that you took it up, that you increased it. This is just too important to put through in a political vote.

Those who are for Freeboard +2, under all circumstances, certainly need to state their case. Those that want to protect people who run into substantial damage, and I say again, you are not going to run into substantial damage without it being a tragedy. They should be able to repair their homes in place. So, that's the question, not Freeboard +2. We can put Freeboard +2 in parentheses, but the first reading would be the question, 'Do you want to do it that way, or do you favor raising the house and carving out substantial damage for any other reason excepting flooding?' We are all in unison when it comes to new construction going to Freeboard +2. The problem has been existing houses, and it's the older houses that are going to be, in particular, punitive. I asked the Chamber who got in contact with the Council of Governments just to get the number, the value of the building permits on new construction in the City of Charleston. They did it for two years for 2017 and 2018. That's since Freeboard +1. There is not quite \$2.5 billion, about \$2.3 billion worth of new construction that's by a permit, and I've appraised that. That's just by the permits that were issued in the City of Charleston over those two years. Now, just think about it. If either one of those properties were to sustain, they're already at 14.5, if they were to sustain 50 percent or more damage, a 2,000 square foot house that was built in 2016, it's going to cost \$1,000 to \$2,400 to raise 12 inches? That's just factually wrong, and to put that out to the public should be criminal. So, I appreciate the time that you all have allotted me on this, but I think if we were to put this on the ballot, I think citizens will be asking a lot of questions of the Mayor and certainly all 12 of us, and rightly so. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Griffin followed by Councilwoman Jackson.

Councilmember Griffin said, "Councilmember Waring, you've had a lot of good ideas over the years, but this might be your best one. How could we, as 13 people, make a decision that is going to impact people financially 130,000, 140,000 people? This would be a pretty, pretty, drastic situation, and I don't think this should be in our hands. It should be in the citizens of Charleston, but the one thing I'll say that I'd like to see happen if this did go on the ballot this November, I would like our City to have a couple of workshops or learning sessions so people actually know what they're voting on. Far too often you see referendums in the ballot box, and you have people that may tell you, 'Oh, you should vote this way or that way', but if we want to make sure the

people are educated, and we set up some workshops a few weeks prior to the General Election and make sure that people have the opportunity to get the science behind it and make your own factual decision, they need to know the financial cost or benefit that could be. They need to know what the elevation is of their home when they go to the ballot box because that might influence their decision. If they know that they're already below elevation, the requirement, and they were to have a 50 percent or more damage, they could have to raise up their homes way more than two feet. It could be several. So, I just want to make sure everybody is educated. I'm guessing that number three, this was the reason I raised my hand, is because the third item on here to make it official to go on the ballot, is that what that Resolution would do?"

Mayor Tecklenburg said, "I believe that is correct. We have for whatever reason two items here. One just to discuss the matter and then a third one to actually put the Resolution on the ballot."

Councilwoman Jackson said, "Okay. So, there is only one Resolution."

Councilmember Griffin said, "Did you make a motion, Councilmember Waring?"

Mayor Tecklenburg said, "No. Stirling could address that question. Stirling."

Stirling Halversen said, "I'll just explain the addition of the third item. When we became aware of Councilmember Waring's request for the second item, the Legal Department looked into, as far as the timing goes, for adding a referendum question to the ballot. That deadline is going to be August 15th, which is prior to our August 20th meeting. So, this would be our last opportunity for a regularly scheduled meeting in order to pass that unless we want to call a Special Meeting between now and August 15th. So, that was the reason for preparing that and adding it to agenda if you all want to entertain that."

Mayor Tecklenburg said, "So, we have a Resolution prepared."

Councilmember Griffin said, "Did you make a motion?"

Mayor Tecklenburg said, "There is not a motion that was made yet."

Councilmember Waring said, "There is not a motion yet. I kind of wanted to hear the discussion."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilmember Moody said, "Why are we discussing without a motion?"

Councilmember Waring said, "Well, I'll move for approval then."

Mayor Tecklenburg said, "Second."

Councilwoman Jackson said, "Actually, I raised my hand originally because I thought, incorrectly, that we should have two resolutions. So, I'd appreciate hearing the motion and the second, and then I want to think about what I want to say."

Councilmember Waring said, "Yes, I'm making a motion."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "We have a motion and a second. I presume the motion is to approve the resolution as has been presented as edited by Stirling or not?"

Councilmember Waring said, "I'm going to say no because I think to title it Freeboard +2, again, is confusing. I am okay with an ordinance to raise the flood elevation from 13.5 to 15.5 once a residence or a non-residential property sustains 50 percent or more of substantial damage, and in parentheses, we could put Freeboard +2. If we put this on a referendum as Freeboard +2, a lot of people are still going to be confused. I think we ought to put it on that as it was on the first reading 'Are you in favor of that and as the amendment as suggested carving out houses that sustained substantial damage excepting flooding?' In other words, if you have it for any other reason than flooding, you can fix your house in place. If not, then you have to jack it up if you did because of flooding."

Mayor Tecklenburg said, "So, I just want to be clear on exactly the language of what you're proposing for this referendum because tonight would be the last Regular Meeting we could approve it, and I do think you would want the language to be exact, so that it's correct if it's going on the ballot."

Ms. Halversen said, "That's correct. The actual referendum question needs to be in the form that we would submit to the Election Commission. So, if you feel like you need to do more work on it, it might be advisable to call a Special Meeting to work out the details of that if we don't want to use the version that has been proposed in the packets. If it was a simple correction, then we might be able to just amend it verbally, but that actual language needs to be in the form that is going to go to the Election Commission for review and approval."

Mayor Tecklenburg said, "So, if I may ask a question. You gave us this Resolution, and it's got these 'Whereas's' which kind of explain. The first Whereas says 'Freeboard is an additional height above the FEMA mandate.' So, it kind of explains it, but would all of this be on the ballot or just that one question?"

Ms. Halversen said, "Just the one question."

Mayor Tecklenburg said, "Just the one question under Section one."

Ms. Halversen said, "That's correct, and so, the Resolution just puts it into a legal form that we can then submit to the Election Commission with all of the legal language that needs to be in there as far as we know approving and authorizing the Commission to ahead and put that on the ballot. I believe that they still would review it and need to approve the final form of the question, but that would be your mandate, to say that we would like for this particular question and this language to go on the ballot."

Mayor Tecklenburg said, "So, right here on page 2, you all if you want to move forward, we need you to specifically change the wording and propose that to us here this evening."

Councilmember Waring said, "Well, let's do this. Councilmember Griffin came up with a good idea. We're going to have an Audit Committee meeting on the 25th of next week, a Committee of the whole, so we're going to be there together. That would give us some time between now and then to work out the wording on it, and we could add that on to the end of the Audit Committee."

Ms. Halversen said, "That sounds good. I think as far as the legal part of it goes, I feel like I have a good handle on the Resolution, but I did work very closely with our Stormwater team on the language that would need to be in there because it's hard to make sure that all of the

definitions are addressed for the general public. A lot of this is very technical, so it would be good to work it out with them, as well.”

Councilmember Waring said, “Great. Certainly, I move for approval, but if we don’t mind deferring it to the meeting of the 25th, it sounds like a reasonable solution.”

Susan Herdina said, “Councilmember, I was just suggesting we’ll have the Special Council meeting I guess after the Audit Committee meeting--”

Councilmember Shahid said, “Before.”

Ms. Herdina continued, “Or before, whatever is convenient, but if you could have your proposed language to us in advance of that meeting so we have an opportunity to review it and circulate it with everyone, I think that might be productive.”

Councilmember Waring said, “Well, hopefully we can hammer that out before the week is up.”

Ms. Herdina said, “Okay.”

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Shealy.

Councilwoman Jackson said, “So, I’ll just make a motion to defer this item until we have our Special Meeting on the 25th.”

Councilmember Griffin said, “Second.”

Mayor Tecklenburg said, “We have a motion to defer and a second.”

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, “Thank you, Mr. Mayor, just two questions. First of all, I guess just from a procedural standpoint, do we have to announce that we’re having this meeting, and do we have enough time?”

Mayor Tecklenburg said, “Absolutely. We have to advertise public meetings.”

Councilmember Shealy said, “Alright. The other question I guess I had maybe, Councilmember Waring, would the language be too confusing if we put, instead of using Freeboard, two feet above base flood elevation? Now, I know it’s still confusing because a lot of people aren’t going to know what base flood elevation is, but they may. I don’t know. I’m just trying to think of an easier way for people to understand it.”

Mayor Tecklenburg said, “So, I think any recommendations as to specific language need to be sent to Stirling, and she’ll try to incorporate it into the bill.”

Councilmember Waring said, “I think anything that makes it easier.”

Mayor Tecklenburg said, “The easier the better. Is there anyone else before I go to second shots?”

Mayor Tecklenburg recognized Councilmember Griffin followed by Councilmember Seekings.

Councilmember Griffin said, "I just wanted to say that the language of the referendum number two is just a summary, right? So, the actual language is what was passed out to us, and yes, do you support the City Council? Yes, so that actually looks a lot better. I don't think you're going to have a lot of corrections or revisions that you're going to need done, Counsel. I think it was just a little confusing the way it was put on the actual agenda that looks like a summary of that. So, thanks."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. I think we should really proceed with great caution here. We have been talking about this a lot. I was prepared to vote for third reading on the ordinance that we had. I mean, Councilmember, if it said how you do this for 140,000 people, we do it every time we meet. We vote for them. They vote for us, and we vote for them, and I'd like to talk to Jacob for a second before we get to next Thursday. One of the things that we are proceeding under the ordinance that was before us is there were certain, not just provisions in there, but there were certain areas of the City that were going to be exempted anyway. Under this ballot provision, it does not include the exemption for those portions of the City. I can assure you, I'm prepared to vote for my constituents right now, no, because there was a whole different consideration in districts in downtown with historic homes because of the zoning requirements and the difficulty we had with going to Freeboard +2 and some houses that are currently -4 or -5 against height ordinances and all of that. So, I really want to make sure, when we get this on a ballot, that we are not making this broader than what we were considering as a City Council going through the three readings. So, please, I hope you're available next Thursday. Be prepared to address that, and I would like to build into this ballot provision the exemptions that were already in what we were considering through the three readings that we're about to get through tonight. So, did I make myself--"

Councilmember Waring said, "Its non-binding."

Councilmember Seekings said, "I understand it's non-binding, but remember how this works. Once you get down there and people vote on it, we want to make sure they know what they're voting on and what the intended, and more importantly, unintended consequences may be because this is clearly one instance where one size does not fit all. I totally agree with Councilmember Waring's concerns about having to go back and build something bigger and taller than it was for reasons you never anticipated, but again, this has some implications that are beyond that. So, Mr. Lindsey, sorry to give you some homework between now and then, but I do think we need to match the ballot proviso with the ordinance that was going forward. Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I will support the vote to defer. I think that's the best idea in terms of having the time and the clarity of what we're going to be asking the citizens to think about on a ballot. To be honest, my first reaction to this was I guess sort of polar opposite of yours, Councilmember Griffin. I do think that this kind of decision making is why we are elected, why we have our districts and the constituents that we are responsible to. I personally don't understand the wisdom of having an Advisory Non-Binding Referendum. What will we do when it's a close vote or a core vote? To me, it just seems to keep everything sort of up in the air and unclear. This is such a complicated topic in the way that people would have to be thinking about it in sort of black and white terms or applying it to their own home, and they get to the ballot box. We've never really been able to talk about it with any sort of common sense. I would like to

have like a case study by the time we get to the 25th. I think the statistics that Mr. Julka gave us at one of those very thorough presentations about the statistics of how many people have insurance in the City, that would immediately if they had any kind of disaster to their house, fire, wind, whatever, a car runs into their property and knocks it off the foundation, they're going to get covered by their insurance company. Their insurance company is going to require them to build their house to the base elevation plus whatever the building code says in the municipality in which it's being rebuilt. So, we're really talking about one foot of difference, and that's what we were pricing. That was the information that was originally given to us about the additional cost for raising a house one foot above what they would already have to do today. I think we've lost track of that, and my heart goes out to the people that you're most concerned about, Councilmember Waring. I totally admire your whole reasoning for wanting to do this. I think the better way of doing this is to establish a way to help people if they don't have insurance, and they come across that kind of catastrophic occurrence that requires them to rebuild their house and raise it up to meeting building code. We can do that. We can have subsidies. We can help people buy insurance. It just doesn't make sense that we're trying to legalize something that is not going to happen for many people and will punish who are faithfully paying their insurance premiums, and just in principle, I think that we are neglecting a tough decision and turning it back on people who are going to be confused at the ballot box, and we'll still be confused when we get their answer. So, I'm sorry to run on about that, but I would really like to have this discussion again on the 25th. Thank you."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Griffin.

Mayor Tecklenburg said, "Then, we're going to hopefully call the question."

Councilmember Shahid said, "The question is to defer."

Mayor Tecklenburg said, "To defer."

Councilmember Griffin said, "Councilmember Seekings and Councilwoman Jackson, I'm glad that we can agree to disagree. That's what makes this country great, but the way I look at it is I couldn't go to Maryville or Ashleyville and knock on somebody's door and say, 'Hey, guess what? I raised your elevation to Freeboard +2, and you need to cough over thousands of dollars.' I couldn't do that. I don't feel like that's my place to do. I think the way that we're going to give people the opportunity to decide whether they're willing to take that risk is to put it on the ballot, and if you don't agree, then just don't vote for it next Thursday."

Mayor Tecklenburg said, "Alright. The motion is to defer."

On a motion of Councilwoman Jackson, seconded by Councilmember Griffin, City Council voted unanimously to defer the following item:

Request by Councilmember Waring that a non-binding referendum be placed on the November 2019 election ballot asking the public whether they are in favor of going to Free-Board plus 2 once a homeowner sustains 50% or more damage to property, the cost of which will be paid by the homeowner and/or property owner.

Mayor Tecklenburg said, "Next is our Council Committee Reports."

Councilmember Shahid said, "Mr. Mayor, if I could make one comment, if I may. I'm sitting here with this young family in front of me, and I've just got to congratulate you, ma'am. These

young boys have sat here since 5:30 p.m. or 5:00 p.m. They have been the most polite young men, and they have had to witness some of the most impolite comments directed at public officials. I just want to tell you I appreciate what you have done in the way you have raised your children. Thank you for being here and taking part in watching this civics lesson tonight. They have just been perfect angels.”

Their Mom said, “Thank you.”

Councilmember Shahid continued, “So, I couldn’t sit here any longer and not make a comment to you and your children and your family members here with you. Thanks for being here.”

The lady said, “Thank you. It’s for their future.”

One of the young boys said, “Thank you.”

Mayor Tecklenburg said, “Alright. Thank you very much. Next is our Committee Reports. First up, part one of the Committee on Public Works. Councilmember Waring.”

Councilmember Waring said, “Thank you, Mr. Mayor. The Committee on Public Works met on Monday, and as you see in your agenda, Items K.1.a.(i) through (vi) all passed unanimously, and I make a motion this passes.”

Councilmember Moody said, “Second.”

Mayor Tecklenburg said, “Alright. Items K.1.a.(i) through (v), is there any discussion?”

No one asked to speak.

On a motion by Councilmember Waring, seconded by Councilmember Moody, City Council voted unanimously to approve the following items of the Committee on Public Works Report as presented:

- a. Acceptance and Dedication of Rights-of-Way and Easements**
- (i) Approval to notify SCDOT that the City intends to accept maintenance responsibility for 680 LF of concrete sidewalk 9 street trees and 5 street lights on Sam Rittenberg Blvd (SC Hwy 7 & 171) and Orange Grove Road (S-726) in conjunction with the project at 1140 Sam Rittenberg Boulevard.
 - (ii) Approval to notify SCDOT that the City intends to accept maintenance responsibility for 12 street trees on Meeting Street (S-107) and the I-26 off ramp in conjunction with the project located at 511 Meeting Street.
 - (iii) Approval to notify SCDOT that the City intends to accept maintenance responsibility for 18 street trees and 4 street lights on Maybank Highway (SC HWY 700) to be constructed in conjunction with the Avalon at James Island project.
 - (iv) Approval to notify SCDOT that the City intends to accept maintenance responsibility for street tree wells, bike racks and street lights in conjunction with the project at 1310 Meeting Street.

- (v) Swyger's Landing, Phase 4, Acceptance and Dedication of Tebalt Drive (40' R/W, 945.50 LF), a portion of Glasson Street (40' R/W 300 LF), A portion of Claybrook Street (R/W varies, 799.17 LF). There are 26 lots. All infrastructure is completed.
- (vi) Ashely Preserve, Acceptance and Dedication of a portion of Lantern Street (R/W, 459 LF). There are 18 lots. All infrastructure with the exception of sidewalks has been completed. The sidewalks have been bonded.

Councilmember Waring said, "Mr. Mayor, Items K.1.b. through h. also passed. Spring/Fishburne Amendment to the contract, Spring/Fishburne Professional Services Contract, JMT Professional Services Contract, Item K.1.e. National Fish and Wildlife Foundation. As a matter of fact, one that took a lot of effort, and I know Councilmember Seekings is not going to be for this, but I hope you all will join in with me to try and get his influence to pass Item K.1.f. Low Battery – Project Construction Discussion, Item K.1.g. outfall maintenance general permit work by DHEC OCRM, and K.1.h. Spring/Fishburne – Potential Ehrhardt St Shaft Schedule Discussion. So, all of those things went well. I'll move for approval of those."

Councilmember Seekings said, "Second."

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

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I'd be remiss if I didn't mention Church Creek being that we're in Church Creek, and we did talk about that."

Councilmember Waring said, "This is Monday I'm talking about."

Mayor Tecklenburg said, "That's part two."

Councilmember Waring said, "That's part two."

Councilmember Griffin said, "Where is it?"

Mayor Tecklenburg said, "This was on yesterday's meeting."

Councilmember Waring said, "Church Creek was today."

Councilmember Griffin said, "I know. I, oh, I see it. Sorry about that."

Mayor Tecklenburg said, "We'll come back to you."

On a motion by Councilmember Waring, seconded by Councilmember Seekings, City Council voted unanimously to approve the following items of the Committee on Public Works Report as presented:

**b. Spring/Fishburne - D&F Professional Services Contract
Amendment 17 Discussion**

**c. Spring/Fishburne - D&F Professional Services Contract
Amendment 19 Discussion**

d. King/Huger - JMT Professional Services Contract Discussion

e. National Fish and Wildlife Foundation Grant Application Discussion

f. Low Battery - Project Construction Discussion

g. Discussion of status of outfall maintenance general permit work by DHEC OCRM

h. Spring/Fishburne – Potential Ehrhardt St Shaft Schedule Discussion

Mayor Tecklenburg said, “Next, we’ve kind of already had a report--”

Councilmember Seekings said, “Yes. Thank you, Mr. Mayor. I just ask that the Council adopt the report I gave during Ways and Means, no action needed.”

Mayor Tecklenburg said, “Next is our Committee on Public Works Part Two.”

Councilmember Waring said, “It happened today. I’m going to turn it over to our, where is Mr. Fountain?”

Mayor Tecklenburg said, “Matt is over here.”

Councilmember Waring said, “He was the star of the show at today’s meeting, so I’m going to let him go through these updates.”

Matt Fountain said, “Thank you, Council and Mr. Mayor. At the second portion of the Public Works and Utilities meeting, we had a brief overview of the Forest Acres Project particularly talking about options for replacing the footbridge on the existing canal. We looked at a few different options and decided to move forward with considering a design/build option as probably the most cost efficient approach for the project. We also discussed Orleans Road. This is a repair and lining of a stormwater pipe project on a pipe failure near the Citadel Mall within a public easement. This work is currently out for bid. We’ll be bringing it to the next Council meeting, hopefully, with a recommendation to award.

The third item was Lord Calvert. This is an upsizing of a failed roadside pipe system. We’re currently finalizing our temporary construction easements and having the project go out for bid. Again, we’re hoping to bring this project to the next Council meeting, as well, for a recommendation to award that construction project. We discussed the Special Protection Area Tool. This is relating back to our Stormwater Design Manual which is the next item. These two intermesh together. We have an ongoing discussion with a Task Force related to additional drainage requirements for the Stormwater Design Standards Manual, especially in areas where we have known flooding, so that the stance here is to ask AECOM, who is the Program Manager, to come forth with a proposal, which they’re working on now, to identify the areas between the 1984 study. They will also review studies we have done since that time, and the knowledge of staff and the citizenry of locations where we have known flooding or lack of capacity for future development. Take those areas, identify them on a map, delineate them, add them into the Stormwater Manual with requirements that are appropriate for areas where there really is not that capacity for new development to continue to add additional volume of water into those basins. We will publish the maps of developers and then homeowners, commercial properties, would all have that information available when they’re making decisions about what they’re going to do with their properties. There are no surprises. They have it clearly laid out for them, as well as

upgrading that section of the manual to provide those extra requirements. So, we're hoping to bring that proposal, as well, to the next Council meeting for a recommendation to award.

We then discussed, as Councilmember Griffin was mentioning, the Church Creek Projects. We had quite a bit of discussion in the previous meeting that the National Fish and Wildlife Foundation grant was a \$125,000 grant with a \$125,000 City match that is in partnership with the Nature Conservancy and Clemson Extension. That grant is looking at what to do with the buyout properties in the Church Creek Watershed to say what can we do other than have them be grass fields. Grass fields are an improvement already from a flooding structure, but let's see if we can bring in either LID, BMB's, whether it's a rain garden, whether it's a naturalized wetland in a larger parcel, an urban forest and try to say what can you do that's more of an amenity, as well as an improvement to stormwater on those parcels. Then, trying to work with our partner agencies to develop worksheets where you can see how to build a site on your own parcel if you would like to, doing demonstrations of pallet projects on those parcels and then having Clemson help us to develop a class to teach HOA's, developers, and residents how to do it themselves on their own parcels. So, that's the first section of what we've been doing on Church Creek. We'll talk about the buyouts in a second, the demolition status on that.

We also have the Hickory Farm Diversion Channel Project that has been submitted to TRC for permit approval. We are finalizing the easement and right-of-way acquisition for that parcel, as well based on those permit applications. We've also identified three additional projects at this point that are potentially ready to move forward that we are looking at. Those include an option for additional stormwater storage in the West Ashley Traffic Circle, an addition for additional stormwater storage at the bottom of the watershed, and the Lake Dotterer Project trying to protect the homes on Lake Dotterer. So, the two storage projects, the traffic circle and the additional storage in the lower part of the basin, we have Weston & Sampson preparing a scope for evaluating those two options to see the cost benefit on those. We would like to bring that scope to the next Council meeting which will then let us move forward with determining if we want to move forward with them on final design on one of those two projects, at which point we would have to allocate funding for the project, but we can move forward with that. The Lake Dotterer Project, we've been meeting with the County on the Glenn McConnell widening, and they have agreed to do support work in terms of the piping aspect of that. So, we'll also be working with the consulting engineer to develop the actual hydro study the DOT would require for the Glenn McConnell work, as well as making sure we don't have a negative impact on Church Creek while we're protecting Lake Dotterer properties. So, that one should also be coming forward with professional services as well, and that will be hopefully a lower cost project in that partnership with the County, and we'll put those two projects together.

In addition to the Stormwater Manager Reports, we have the Floodplain Manager Reports, and those focused on that we're currently preparing a plan to meet the remaining item from the Community Assistance visit for DNR. We have a plan that we're proposing to them. We'll submit that plan, and they'll hopefully approve the plan, and we'll basically implement that and finish out the last item left in their Community Assistance visit. The demolitions, we had an update that we now have seven of the Single-Family homes completely demolished and reseeded. We are working on trying to get those up to a good grass field in the short run until we have our long term plans for those projects. We also are underway on the townhome demolition. A number of these units have been at least partially demolished. We are continuing with those and then going back and launching one more Single-Family home in this first round of demolitions."

Mayor Tecklenburg said, "Thank you very much."

Councilmember Lewis said, "Mr. Mayor."

Mayor Tecklenburg said, "We have a question over here."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I do have a question that's not in your report. East Oak Forest, West Oak Forest, around Playground Road and White Drive in those areas over there, I have constituents that are concerned about the weather that is going to get bad with the hurricane season. Are we doing anything to address cleaning some of those ditches out over there?"

Mr. Fountain said, "So, we do have the entire City right now on a monthly schedule where each neighborhood is set up month by month of when it will be rehabilitated back to the original design. I can check with you on what the exact month is for those neighborhoods, but we are working through to basically do a full rehabilitation back up to the original design for every front yard ditch as in one program, and every rear yard ditch is in the second program."

Councilmember Lewis said, "Would you send me a copy of that schedule, please?"

Mr. Fountain said, "Yes. Absolutely."

Councilmember Lewis said, "Thank you."

Mayor Tecklenburg said, "Alright. Are there any further comments or questions on Mr. Fountain's report?"

No one else asked to speak.

Mayor Tecklenburg said, "Alright. Councilmember Waring, is that the end of that report?"

Councilmember Waring said, "Yes, sir. That is the extent of my report."

Mayor Tecklenburg said, "I think that was all just for information, so I don't believe any action is needed. So, next we'll go to our Committee on Ways and Means. Councilmember White."

Councilmember White said, "I move for the adoption of the report."

Councilmember Griffin said, "Second."

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

No one asked to speak.

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

(Bids and Purchases

(Police Department: Approval of an after-the-fact item for a \$12,700 increase in the grant award from \$47,500 to \$60,200 for the removal of five vessels from the Ashley River/Charleston Harbor area. This grant has already been accepted due to time constraints. Charleston City Marina agreed to provide a \$5,000 match. There has been no increase to the match requirement since initial approval on April 9, 2019.

(Fire Department: Approval to apply for a HMEP grant in the amount of \$12,500 for the Charleston FD-Haz-Mat Team to attend specialized training. Due to time constraints this grant was submitted on May 10, 2019. A 20% in-kind match is required for this grant.

- Salaries of personnel attending classes will be used. This is an after-the-fact approval.
- (Stormwater: Approval to apply for the NFWF grant application that requires a 50/50 match of \$125,000. If awarded, the grant would fund an Engineering and Final Design Plan regarding the acquired property sites in the Church Creek Drainage Basin area. The application is due on Monday, July 22, 2019. The City Match of \$125,000 will be budgeted in 2020.
- (Resiliency: Approval to accept the 2019 SC DHEC Solid Waste Reduction and Recycling grant in the amount of \$35,000 to support a reusable bag giveaway, education program, and outreach and awareness project about reducing single-use plastics. No City match is required.
- (Mayor's Office for Children Youth and Families: Approval to apply for the Youth Build grant application that requires a City match of \$145,834 (\$48,611 per year x 3 years). If approved, this grant would support 50 youth who dropped out of high school to receive their GED, complete a certification program at Trident Tech, and gain meaningful employment through SC Works, an American Job Center. The application is due on August 6, 2019. The City Match required is \$145,834 and will be budgeted in 2020.
- (Office of Cultural Affairs: Approval to accept a grant award in the amount of \$5,376 from the South Carolina Department of Parks, Recreation and Tourism (Tourism Advertising Grant) to support the 2019 MOJA Arts Festival. A 1:1 City match is required. Matching funds will come from corporate sponsorships and paid admissions.
- (Office of Cultural Affairs: Approval to accept a grant award in the amount of \$1,628 from South Arts (Literary Arts Touring Grant) in support of literary programs of the 2019 Free Verse Festival. A 1:1 City match is required. Matching funds will come from corporate sponsorships.
- (Office of Cultural Affairs: Approval to accept a grant award in the amount of \$2,000 from the Jerry and Anita Zucker Family Endowment Fund of the Coastal Community Foundation of South Carolina. Funds will be used to support outreach programming of the 2019 Piccolo Spoleto Festival. No City match is required.
- (Mayor's Office for Children Youth and Families: Approval to accept the Youth Service America Lead Agency grant award of \$2,000 to engage youth in service on nationally recognized service dates including the 2020 MLK Day of Service and the 2020 Global Youth Service Day. No City match is required.
- (Stormwater Management: Approval of Huger-King Street Drainage Improvements Professional Services Agreement with Johnson, Mirmiran & Thompson, Inc., in the amount of \$405,061.21 for engineering services to provide updated hydrologic/hydraulic modeling, a detailed cost analysis for multiple improvement scenarios, grant funding research, permitting research, environmental and permitting services, property acquisition services, survey and design and construction administration services to improve the drainage conditions of the Huger Street Drainage Basin. This will obligate \$405,061.21 of the \$1,374,469 budget. Funding for this project is from the Cooper River Bridge TIF (\$1,000,000) and a South Carolina Rural Infrastructure Authority Grant (\$499,292). *(Pending recommendation of the Public Works and Utilities Committee)*
- (Parks-Capital Projects: Approval of a SCDOT LPA Contract with Johnson, Mirmiran and Thompson in the amount of \$178,364.30 for the engineering and permitting of the Huger Street Streetscape project. This revised contract replaces the original contract due to revisions associated with reducing the limits of the project to Morrison Dr.-Meeting St., modifications to the proposed street sections, and increase the project scope to include stormwater improvements. Approval of this Professional Services Contract will obligate \$178,364.30 of the \$2,562,108.00 of the project budget. The funding source for the project is Federal Mitigation Funds.

- (Parks-Capital Projects: Approval of Huger Street Streetscape Supplemental No. 1 to the Agreement between SCDOT and the City to change the completion date to January 31, 2022. Approval of Supplemental No. 1 will obligate \$0.00 of the \$2,562,108 of the project budget. The funding source for this project is Federal Mitigation Funds.
- (Parks-Capital Projects: Approval of CPD Forensic Lab increase P157074 with ESP Associates, Inc., in the amount of \$3,980.34 for testing services outside the building footprint including backfill, sidewalk and soil evaluation, retaining wall testing and observations. Increasing P157074 will increase the PO amount from \$36,915 to \$40,895.34. The funding sources for this project are the 2015 Installment Purchase Revenue Bond (\$7,392,186) and 2017 Installment Purchase Revenue Bond (\$5,000,000).
- (Parks-Capital Projects: Approval of the International African American Museum Owner's Agreement between the City and the International African American Museum non-profit in regards to the real property located at 14 Wharfside St. and the intentions to construct the IAAM Museum. **Mayor Tecklenburg 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.**
- (Parks-Capital Projects: Approval of International African American Museum Construction Manager at Risk (CMAR) Fee Amendment #2 with Turner Construction Company in the amount of \$58,457,323 as the Guaranteed Maximum Price (GMP) for Construction Services of the IAAM Building Shell and Site Work. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council Approved budget. **Mayor Tecklenburg 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.**
- (Parks-Capital Projects: Approval of the International African American Museum Construction Management Contract with Cumming Construction Management, Inc. in the amount of \$767,689 for construction and project management services for Phase I of construction (core & shell) of the International African American Museum. **Mayor Tecklenburg 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.**
- (Parks-Capital Projects: Approval of the International African American Museum Professional Services Contract with S&ME Inc., in the amount of \$163,800 for materials testing and inspection services for the International African American Museum construction project. **Mayor Tecklenburg 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.**
- (Parks-Capital Projects: Approval of the International African American Museum Undergrounding Other Work in Progress (OWIP) Agreement with Dominion Energy in the amount of \$843,909 for engineering services and construction to convert overhead electric distribution to underground services on Concord St. **Mayor Tecklenburg 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.**
- (Stormwater: Approval of a Memorandum of Understanding between the Army Corps of Engineers, SHPO, and City of Charleston related to construction and repair of historic property *(Pending approval by the Public Works and Utilities Committee)*
- (An ordinance establishing the Morrison Drive Redevelopment Project Area; making certain findings of blight within the Redevelopment Project Area; designating and defining redevelopment projects consisting of public improvements within the Redevelopment Project Area; designating appropriate redevelopment project costs; approving an overall redevelopment plan; providing for notice and public hearing in connection with the foregoing; and other matters related thereto. **(DEFERRED)**
- (Stormwater Management: Approval of Spring-Fishburne US 17 Fee Amendment #17 with Davis and Floyd, Inc. in the amount of \$348,208 for additional Design and Professional

Service work in support of Phase 4 project work. *(Pending recommendation by the Public Works and Utilities Committee)*

(Stormwater Management: Approval of Spring-Fishburne US17 Phase 3 Fee Amendment #19 with Davis and Floyd in the amount of \$1,171,514 for additional CEI services based upon the continuation of services beyond the original construction contract end date of July 5, 2019 to the current contract end date of October 11, 2019 and covers anticipated additional effort between the latest project date of completion (March 18, 2020). Approval of Fee Amendment #19 will increase the Phase 3 portion of the overall Professional Services Contract by \$1,171,514 (from \$5,300,670 to \$6,472,184). The funding source for this work is the State Infrastructure Bank (SIB). *(Pending recommendation by the Public Works and Utilities Committee)*

(Legal Department: An ordinance to amend the fee schedule for building and trade permits attached hereto and incorporated herein by reference as Exhibit I, by providing an amended definition for plan review fee, by providing a new fee for plan revision review and by providing for additional permit fees associated with plan revisions for updated project scope of work that result in increased construction costs.

(Review Mayor's Division Audit Report

(Approval to enter into a Special Use Permit with the U.S. National Park Service for the First Day Festival at Liberty Square. The Permit begins at 5:00 a.m. on August 18, 2019 and ends at 7:00 p.m. on August 18, 2019. There is no fee associated with the Permit: City must leave the area in the same condition as it was found.

(A Resolution authorizing the City of Charleston to acquire the Fort Pemberton sites and to enter into certain grant and loan agreements facilitating said acquisition.

(Approval of a Memorandum of Understanding between the City of Charleston and Washington Park Homeowners Association for acquisition of strip of property for \$50,000 for drainage project in West Ashley.

(Request authorization for the City of Charleston to accept an access easement over 539 square feet of property located on Dills Bluff Road, shown on the attached plat, said property to be conveyed by the City to Galphin Lee Jackson, III, as set forth in Ordinance No. 2019-008, with the final form of the easement subject to approval by the City's Corporation Counsel. ***(Councilwoman Jackson voted nay.)***

(Approval to authorize the Mayor to execute, on behalf of the City of Charleston, a Transfer Agreement conveying 2321 Birdie Garrett Street to Charleston Redevelopment Corporation (CRC) for the amount of \$18,000 to develop a single-family detached affordable home for a person or household earning 120% or below the Area Median Income (AMI). The sale of the home is subject to the CRC's Palmetto Community Land Trust guidelines. (TMS: 464-01-00-109; 2321 Birdie Garrett Street)*[Ordinance]*
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 to execute, on behalf of the City, a Transfer and Development Agreements conveying 105 Hanover Street to Charleston County Human Services Commission dba Palmetto Community Action Partners for \$68,090.95 for the development of four affordable rental housing units subject to the City's HOME Investment Partnerships Program Guidelines *[Ordinance]*

(Consider the following annexations:

-2951 Bolton Road (TMS# 307-10-00-044) 0.32 acre, West Ashley (District 5). The property is owned by Joshua L. Bettinger and Shelby R. Walls.

- 0 Oakville Plantation Road (TMS#317-00-00-007) 10.47 acres, Johns Island (District 5). The property is owned by Keith W. Lackey. ***(DEFERRED)***

- 2495 River Road (TMS#317-00-00-012) 4.75 acre, Johns Island (District 5). The property is owned by Gail Grimball. ***(DEFERRED)***

- 2493 Summerland Drive (TMS#317-00-00-075) 9.91 acre, Johns Island (District 5). The property is owned by Gary S. Worth. **(DEFERRED)**
- 0 Summerland Drive (TMS# 317-00-00-076) 8.70 acre, Johns Island (District 5). The property is owned by Gary S. Worth. **(DEFERRED)**
(Update on City purchase of .46 acre waterfront property on James Island (Brantley Park)(greenbelt funds)
(Discussion regarding Sumar Street property in regards to the proposed CARTA lease **(Councilmember Moody)**
(Executive session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice regarding development plan for Ackerman Park, located at 55 Sycamore Avenue, in West Ashley, including possible need to condemn right-of-way for access to Park. Upon returning to open session, the Committee may or may not take action on this item.
(Executive session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice regarding proposal for Voluntary Cleanup Contract (“VCC”) Services from S&ME, Inc., relating to the former railroad right-of-way purchased by the City from Norfolk Southern. Upon returning to open session, Council may or may not take action on items discussed in Executive Session.
(Request authorization for the Mayor to accept a Proposal for Voluntary Cleanup Contract (“VCC”) Services from S&ME, Inc., relating to the former railroad right-of-way purchased by the City from Norfolk Southern and to execute the attached Agreement for Services with S&ME, Inc., as a sole source provider, for a total fee of not to exceed \$51,980.00, said fee not be exceeded without prior City Council approval. The funding for this project will come from the 2018 Recreation Bond.
(Annexation toolkit presentation - Tracy McKee, Chief Innovation Officer

First reading was given to the following bills:

An ordinance to amend the fee schedule for building and trade permits attached hereto and incorporated herein by reference as Exhibit I, by providing an amended definition for plan review fee, by providing a new fee for plan revision review and by providing for additional permit fees associated with plan revisions for updated project scope of work that result in increased construction costs.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston (“City”) a Transfer Agreement and all other documents necessary to convey real property located at 105 Hanover Street (Charleston County TMS No. 459-05-01-077) to Charleston County Human Services Commission, doing business as Palmetto Community Action Partners, for \$68,090.95, for the development of affordable rental housing, subject to the City’s Home Investment Partnerships Program Guidelines

An ordinance to provide for the annexation of property known as 2951 Bolton Road (0.32 acre) (TMS# 307-10-00-044), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Joshua L. Bettinger and Shelby R. Walls.

The vote was not unanimous. Mayor Tecklenburg abstained from voting on Items 17 through 21 of the report and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council. Councilwoman Jackson voted nay on Item 28.b and abstained from voting

on Item 28.e. of the Ways and Means Report and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "Please note that I recused myself on Items 17 through 21."

Mayor Tecklenburg said, "Okay, and now bills up for second reading. We have nine items on the agenda."

Councilmember Griffin said, "Move to take M-1 through M-9 together."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion and a second to take all Items M-1 through M-9 together."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I have to recuse myself on Item M-6."

Mayor Tecklenburg said, "Councilmember Shahid will recuse himself on Item M-6."

Councilmember Mitchell said, "M-9 is deferred?"

Mayor Tecklenburg said, "There was an amended agenda that was sent out that included a different M-9."

Councilmember Griffin said, "As amended."

The Clerk said, "But also M-7 and M-8 are deferred."

Mayor Tecklenburg said, "They are?"

The Clerk said, "Yes, if I remember correctly. Isn't it the applicant that asked that they be deferred?"

Mr. Morgan said, "They were on deferral. They asked that they be pulled off, but we discovered that they had not had public hearings. So, they are going to come back next month for public hearing."

Councilmember Griffin said, "Mr. Mayor, I'd like to amend my motion then."

Mayor Tecklenburg said, "We have a different motion."

Councilmember Griffin said, "I'd like to take M-1 through M-6, defer M-7 and M-8, and take M-9, as amended."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We've got a second on that motion. Is there any discussion on M-1 through M-6, defer M-7 and M-8, and M-9, as amended, for second reading. Is there any discussion?"

No one else asked to speak.

On a motion of Councilmember Griffin, seven (7) bills Items M-1 through M-6, and Item M-9, as amended, received second reading. They passed second reading on motion by Councilmember Mitchell and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Lewis, the rules were suspended, and the bills were immediately ratified as:

- 2019-058** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT THE FORMER RIGHT-OF-WAY FOR KINLOCH COURT, ALSO SOMETIMES KNOWN AS KINLOCK COURT (PENINSULA) (APPROXIMATELY 0.09 ACRES) (UNZONED RIGHT-OF-WAY) (COUNCIL DISTRICT 4), BE REZONED FROM UNZONED RIGHT-OF-WAY TO LIMITED BUSINESS (LB) CLASSIFICATION. THE PROPERTY IS OWNED BY THE CITY OF CHARLESTON.
- 2019-059** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO CHANGE THE ZONE MAP, WHICH IS A PART THEREOF, SO AS TO CLARIFY THAT THE FORMER RIGHT-OF-WAY FOR KINLOCH COURT, ALSO SOMETIMES KNOWN AS KINLOCK COURT (PENINSULA) (APPROXIMATELY 0.09 ACRES) (UNZONED RIGHT-OF-WAY) (COUNCIL DISTRICT 4), IS CONTAINED WITHIN THE AMUSEMENT AND RECREATION SERVICE, AR OVERLAY ZONE. THE PROPERTY IS OWNED BY THE CITY OF CHARLESTON.
- 2019-060** AN ORDINANCE TO AMEND CHAPTER 22 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO INCLUDE VIOLATION OF A POSTED PARK RULE TO THE LIST OF PROHIBITED ACTIVITIES IN A PARK.
- 2019-061** AN ORDINANCE TO AMEND CHAPTER 2, SECTION 152, TO SPECIFY THE TERM OF OFFICE AND STAGGERED TERMS FOR THE RECREATION COMMISSION.
- 2019-062** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1732 ELM ROAD (0.49 ACRE) (TMS# 355-11-00-120), 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 10. THE PROPERTY IS OWNED BY CAROL L. JACKSON-POWELL.
- 2019-063** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1617 JESSAMINE ROAD (0.14 ACRE) (TMS# 351-12-00-081), 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 9. THE PROPERTY IS OWNED BY ALBERT PETER SHAHID, III & SARAH ASSEMAN Y SHAHID.
- 2019-064** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 2, ADMINISTRATION, ARTICLE VIII, FINANCE AND FISCAL PROCEDURES, TO ADD A NEW SECTION 2-274 TO ESTABLISH A PROCESS FOR WAIVER OF PERMITTING FEES ASSOCIATED WITH CITY-OWNED PROJECTS.

Mayor Tecklenburg said, "So, does anybody have an announcement to make while I sign these things?"

Councilmember Griffin said, "Mr. Mayor."

Councilmember Seekings said, "I've got a question."

Mayor Tecklenburg said, "We have a question."

Councilmember Lewis said, "I've got one announcement, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "When you all see me again, I'll be 70 years old starting next week, next week Monday."

There was applause in the church.

Councilmember Griffin said, "Mr. Mayor, just as a point of order, I believe we have to withdraw N-6 under first reading. Right, Madam Clerk?"

The Clerk said, "Yes, that's correct. We're going to ask for a motion to do that."

Councilmember Griffin said, "Alright."

The Clerk said, "Yes."

Councilwoman Jackson said, "Also, Madam Clerk, do we have to make a note--"

Councilmember Gregorie said, "We can't hear you guys down here."

Mayor Tecklenburg said, "You all have got to use the microphone. I'm sorry. Let's pass the microphone around, please."

Councilmember Seekings said, "Well, can I ask my question real quick while it's going?"

Councilwoman Jackson said, "Sure."

Councilmember Seekings said, "Under Miscellaneous Business, our next City Council meeting, are we meeting at City Council Chambers or are we still on the road?"

Councilmember Griffin said, "Johns Island."

The Clerk said, "We are on the road."

Councilmember Seekings said, "On the road again. Awesome."

Councilmember Wagner said, "I'd like to be the first to welcome Councilmember Lewis to the 70 club."

Councilwoman Jackson said, "I just wanted to ask, the first reading bill is still published on our agenda. The applicant chose to defer that. Do we make a note of that?"

Councilmember Mitchell said, "N-1?"

The Clerk said, "Which one?"

Councilwoman Jackson said, "The first reading, Item N-1. In the printed agenda, it looks like it's available to be heard, but the applicant asked for it to be deferred."

Councilmember Griffin said, "Do we get to defer those?"

The Clerk said, "Wait a minute. Are we talking about the bills up for second reading?"

Councilwoman Jackson said, "No, ma'am. First reading page 13."

The Clerk said, "Okay. Well, he's trying to sign those, and then we're going to go to first readings."

Councilwoman Jackson said, "I thought we were already adjourning."

The Clerk said, "No, he asked us to wait until he signed."

Mayor Tecklenburg said, "Okay. I have signed these, but here are the ones that should have been signed, and here are M-7 and M-8 that were deferred."

The Clerk said, "M-7 and M-8."

Mayor Tecklenburg said, "Alright. So, now we're at bills for first reading. Can I entertain a motion to defer N-1?"

Councilmember Lewis said, "So moved."

Councilwoman Jackson said, "Second."

Mayor Tecklenburg said, "So moved and seconded."

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the zone map, which is part thereof, so that property located on River Road, Summerland Drive, and Oakville Plantation Road (Johns Island) (126.95 acre) (TMS #317-00-00-007, 317-00-00-011, 317-00-00-012, 317-00-00-075, 317-00-00-076, and 317-00-00-089) (Council District 5), be zoned, and existing Light Industrial (LI) classification be rezoned to Planned Unit Development (PUD) classification. The property is owned by Keith w. Lackey, Gail Grimbball, and Gary s. Worth.(DEFERRED)

Mayor Tecklenburg said, "Then, can I entertain a motion to withdraw N-5?"

Councilmember Waring said, "So moved."

Councilwoman Jackson said, "Second."

Mayor Tecklenburg said, "We're going to withdraw N-5. Is there any discussion?"

No one asked to speak.

The Clerk said, "No, it's not N-5."

Mayor Tecklenburg said, "It's not?"

The Clerk said, "It's N-6 instead."

Mayor Tecklenburg said, "My bad. Can we restate that motion, please, that the withdrawal is for Item N-6 under first reading to be withdrawn?"

Councilmember Waring said, "So moved."

Councilwoman Jackson said, "Second."

On a motion of Councilmember Waring, seconded by Councilwoman Jackson, City Council voted unanimously to withdraw the following bill:

An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to incentive options and particularly strengthening Workforce Housing; and by amending Sec. 54-201 (V), Base Zoning Districts to correct Upper Peninsula District; and by amending Article 3, Part 2, Sec 54-305 (B) pertaining to Upper Peninsula District; and by amending Article 3, Part 1, Sec. 54-301, Table 3.1 Height, Area and Setback Regulations, footnote 24, pertaining to correcting the Section number; and by amending Article 4, Part 4, Sec. 54-420, Table 1.2 allowed sign types by Zoning District to add Upper Peninsula District; and by amending Article 1, Part 1, Sec. 54-102 (b), Base Zoning District Classifications to add Upper Peninsula District.

Mayor Tecklenburg said, "Our next Regular Meeting will be Tuesday, August 20, 2019. We will be announcing the location. I can't thank you all enough for sticking with us tonight and once again, thank you Paul Rienzo, Reverend Rienzo and his staff and all of the fine people here at Crosstowne Church. We love you. You all are great. We now stand adjourned."

There being no further business, the meeting was adjourned at 8:41 p.m.

Vanessa Turner Maybank
Clerk of Council