CITY COUNCIL MEETING

Regular Meeting

August 16, 2022

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

A notice of this meeting and an agenda were made available on the City’s website August 11, 2022 and appeared in the Post and Courier on August 15, 2022.

PRESENT (13)
The Honorable John J. Tecklenburg, Mayor

Councilmember Gregg District 1 Councilmember Waring District 7
Councilmember Shealy District 2 Councilmember Seekings District 8
Councilmember Sakran District 3 Councilmember Shahid District 9
Councilmember Mitchell District 4 Councilmember Bowden District 10
Councilmember Brady (virtual) District 5 Councilmember Appel District 11
Councilmember Gregorie District 6 Councilmember Parker District 12
(excused 8:05 p.m.)

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

The Clerk called the roll.

Mayor Tecklenburg said, “And, now, Councilmember Brady who is joining us online has the invocation or a pass thereof.”

Councilmember Brady said, “Thank you, Mr. Mayor. As a special request, I’d like to ask Councilmember Shahid to introduce a guest for the invocation.”

Councilmember Shahid said, “Thank you, ladies and gentlemen. I’m going to ask the Bishop to come and give us our invocation and lead us off in this meeting.”

Mayor Tecklenburg said, “Bishop.”

Bishop Jacques Fabre-Jeune said, “Most of us here are Christians, and we have one prayer in common. There are so many prayers with every church recognizing we have one Father, and this is why as good children trying to understand the mind of the Father in expressing in our activities we say—”

Bishop Jacques Fabre-Jeune opened the meeting with the Lord’s Prayer.

Mayor Tecklenburg then led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, “Thank you. Please be seated and thank you, all, for being with us tonight. First, just a little housekeeping, not expected at all, but in the crazy event that we
would have to evacuate the building, these two doors lead out to the hallway. There is also a
door off the room to my right, but in that event don't use the elevator, use the two stairs going
down and then the one stair going out the front. This is just in case we're called to leave in a
hurry.

Alright. I did want to make a little announcement about a fundraiser for Ukraine. I don't
know if I shared this with Council, but one of our City employees on his own initiative took a
month off, Jamie Price. He works in our Livability Department. He went to Ukraine to try to help
identify orphans that needed to be relocated. He was back and forth between Ukraine and
Poland. He's an amazing employee and person and, anyway, he's continuing this effort. He's
going to have a little gathering at BARSA on August 29th. I can send this around to Council and
share it on social media, but what a terrific humanitarian effort that this man took on personally,
and he's going to continue on. So, I think it's really nice to support Jamie and, of course, folks
over in Ukraine.

So, we have three presentations this evening. First is to invite back again to the stage
the Bishop, Councilmember Shahid, and Councilmember Waring to join me, as well. Bishop,
congratulations again for coming to Charleston, and I'm going to test my French here, Jacques
Fabre-Jeune."

Bishop Fabre-Jeune said, "Fabre."

There was laughter in the Chamber.

Mayor Tecklenburg said, “Fabre-Jeune.”

Bishop Fabre-Jeune said, “Jacques Fabre. It's easy to remember Camp Lejeune.”


Bishop Fabre-Jeune said, “I didn’t realize that until I saw that on television. Lejeune, you
know, that's the same name.”

Mayor Tecklenburg said, “Yes, absolutely.”

There was laughter in the Chamber.

Mayor Tecklenburg said, “I needed a little refresher on my French you all.”

Bishop Fabre-Jeune said, “Don't worry about it.”

Mayor Tecklenburg said, “Merci beaucoup.”

Bishop Fabre-Jeune said, “De rien. Keep trying.”

There was laughter in the Chamber.

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, “Congratulations.”
Bishop Fabre-Jeune said, “Thank you.”

Mayor Tecklenburg said, “Did I do okay?”

Bishop Fabre-Jeune said, “I’m fine. Don’t worry because I had a hard time. I spent an hour trying to say your last name Mr. Tecklenburg.”

There was laughter in the Chamber.

Bishop Fabre-Jeune said, “So, we are even. Thank you for inviting me. How long do I have?”

Councilmember Waring said, “An hour.”

Mayor Tecklenburg said, “45 minutes.”

Bishop Fabre-Jeune said, “Just sit down and relax then.”

There was laughter in the Chamber.

Bishop Fabre-Jeune said, “First of all, I was telling Mayor John the first time when I counted I saw that you have 12 members for the City Council, right, 12 members? And he is 13 and I asked him why? And he told me that is to break the tie. Isn’t it, 6 and 6 so he can break the tie? I said, ‘No, I will tell you in public.’ The 12 apostles, and Jesus was the 13th.”

Mayor Tecklenburg said, “That’s not why I’m number 13, but thank you.”

Bishop Fabre-Jeune said, “And there’s a Judas among you. So, which one is it?”

There was laughter in the Chamber.

Bishop Fabre-Jeune said, “But we have a Jewish brother here, so let’s think about the 12 tribes of Israel and also in the book of Revelation, it’s 144 that are going to be saved. 12 x 12 is 144, that’s when you are responsible for being a nation or many families. Many people are coming, tourists, and all of these people, so it’s a big responsibility. I think we share that in common because when you are in charge, it’s not only being the Chief, right, it’s to be responsible and trust in, quite simply for us, the power of the spirit to lead us. Humanly speaking it would be impossible for us to be here. It has to do something with God’s work. When the Nuncio called me, which is the one who represents the Pope in Washington, that you’ve been selected, chosen, to be the 14th Bishop of Charleston, I said to him, ‘You must be joking.’ He said, ‘No, I’m not joking. I do see your stuff.’ So, I didn’t sleep for a month. So, everybody that I, all of my friends and my sisters, ‘You’re going to South Carolina.’ They were praying for me because they’re wondering if they’re going to lynch me at any time.”

There was laughter in the Chamber.

Bishop Fabre-Jeune said, “So, it’s not easy after I heard. When I heard it, that was the first difficulty, the language. I’ve been away from the Country for the past 30 years outside and have come back again, so I’ve been in Spanish, Creole, and other languages and to go back to be fluent again in English, so that was my first preoccupation, but when I read the story of Charleston I said, ‘The church is too wise,’ and I think there is something in that history, in the
chosen, that cannot be an accident. The first group of Catholics that were able to revive the Catholic Church here in Charleston were the French, who were running away from Haiti, the first Catholics. It's interesting, isn't it? The second priest, I almost had a nightmare yesterday, last night, because I was reading about the church history of Charleston, and there was a big fight between the two first priests. The Bishop of Maryland, they had to suspend the only church here in Charleston because they were not obedient, and I said, 'Well, I hope things have changed since then.' So, because I'm from Haiti, when I chose the palm tree, which is the Tree of Liberty of the Haitian Revolution against the French, that's why I have it in my motto, and Msgr. Droze, who is here told me 'no,' the palm is also the tree for Charleston, so we have that in common. So, there must be something that God wants from us. I'm glad to be here. I don't know what I'm going to do, but I have a good team and I think part of them are here. By the way, your first Pastor is Msgr. Brovey, who is here. He is one that is taking care of all of the Catholics in this area, and those who are not. I'm willing to learn. I wasn't going to say that, but I will say it anyway and I can see that I'm afraid of those telephone.

I went to have a haircut yesterday, and there were two Black men and I told them, 'Why are you not Catholic? Why Black Americans are not Catholic?' And they looked at me, and they said, 'This is a white church.' I said, 'A white church? Look at me.' He said something very profound when he said that, 'When I look through the City and I look at the trees.' When I see the trees I enjoy them, when I see the architecture, it reminds me of the northern part of Haiti, because there is the same French quality, when I saw the sunset, I feel that I'm in Haiti. The weather some people are talking about, I enjoy it, but when I heard him saying, 'When I go through downtown, I remember how my parents, some of my folks were hung from those trees,' and I said, 'We don't look at the same reality the same way. Some things that we can enjoy as a foreigner, as a person who doesn't know history, but some people have deep scars in their heart. So, one thing that I, besides learning and trying to build bridges, and myself, to be a part of that bridge among different religions, because we all have one thing in common. We believe in a higher being, even if we don't practice. I want to be part of, as an outsider, the healing that has to be done, if there is any healing to be done. Anybody that looks at, for example, if the economists or business people will come here, they will learn about the culture in order to make money, right? Yes or no? So, if a historian will come they will read history just to repeat it, and maybe not to repeat the same mistakes. But, Christians when we are looking at history, we're not there to judge those in the past. That was their time, their reality, but we are here to see how God has been working, and wants to work with each and every one of us, and especially this body, that makes so many decisions. And I will be part of this.

Yesterday, I went to Bishop England High School and they left me a flag, a Haitian flag, with the word ‘bienvenue.’ They forgot the ‘e’ at the end, but it was okay, that’s okay. People try to speak French with me, try to make me at home, and also what kind of food that I eat. There have been so many, I’ve been in 15 different countries, probably 7 cultures, so what I have left as a Haitian, I don’t know what it is, but I really believe that we are one family. And love? I’ve found it everywhere, anywhere, without exception, and I think it’s here, too. And our last name as Christians is what? Love, because God is love, the Son is love, the Holy Spirit is the perfect love between God, the Father, and the Son. Although, my last name is Jeune."

Mayor Tecklenburg said, "Jeune."

Bishop Fabre-Jeune said, "And your last name is?"

Mayor Tecklenburg said, "Teck-len-burg."
Bishop Fabre-Jeune said, “Tecklenburg. We still have ‘love’ as our last name, because we were born of the same Father. Although, you were born during the day, and I was born at night, but we are brothers.”

Mayor Tecklenburg said, “The same year.”

Bishop Fabre-Jeune said, “That’s what I am saying, you were born during the day, and I was born at night, but we are brothers. It’s our joke, right?”

Mayor Tecklenburg said, “Amen.”

Bishop Fabre-Jeune said, “But a Brazilian priest used to present me as this in Mexico, because we were from the same community, and said ‘We are brothers.’ I was born during the day, and him at night. But, I think sometimes we are too serious with color, too serious with differences, instead of being serious with what we have in common, and that’s what I’m bringing, not because of that long list of where I’ve been, but it’s what those cultures, those languages, those religions help me to be, and I want to share that, and I’m willing to be your instrument of love and peace. Again, Msgr. Brovey, and he’s up, maybe we can see you, he’s tall for everyone to see. Msgr. Droze. Thank you. These are Saint Mary’s, and very close. I’m sorry, your time, what time?”

There was laughter in the Chamber.

Bishop Fabre-Jeune said, “I want to say something, but it might be misunderstood. Say it, don’t be afraid. Time is up? They told me that I have an hour. Thank you, and you know what, you will hear it and/or see it, the image that I use for my nation is a lettuce. You know when you peel it, there’s always something fresh within, and this is us. And, finally, we’re all bees, at least bees for the Lord. So, I’m going to do that. I’m doing it with the children, I can do it with you. It’s good sometimes, but we are all bees, right? We can all do it.”

Bishop Fabre-Jeune mimicked the buzzing of a bee.

Bishop Fabre-Jeune said, “So everything will be sweet for you. Thank you.”

Mayor Tecklenburg said, “Bishop, you get to keep the proclamation. Thank you, Bishop, and thank you for the French lesson and for the mathematics, as well. We are really glad to have you in Charleston. So, next, I’d like to ask the Doscher family, Ricky, Johnny, and Councilmember Appel to join me. I’ve got a proclamation for them, as well. I guess you all know the famous Doscher store on Savannah Highway has closed, and we want to recognize the family for their generations of service to the City, but I know it’s outside of the City of Charleston, but they still have a Doscher’s store open up in Hanahan, so you can still go up there and shop at Doscher’s.

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, “Thank you so much to Ricky and Johnny for being with us and I’m going to ask Councilmember Appel to say a few words as the store was in his district and then ask the Doschers if they would like to make a comment, as well. Councilmember.”

Councilmember Appel said, “Thank you, Mr. Mayor. I’m going to make this real brief. I think that, you know, I’ve got a soft place in my heart for local, long-time Charleston businesses.
My family had Morris Sokol Furniture on King Street for years, my Dad's side of the family had Appel Vision in Charleston and elsewhere in the area, and so when I heard that Doscher's was closing over on Highway 17, it was sad because that's just another business that we all know, and we've all driven by a thousand times and it's going away. It's tough to be a small business in Charleston. It's tough to be a small business anywhere, and so the least we can do is honor and recognize this long-standing Charleston institution for what they are and everything they have given back to the City of Charleston. So, without further ado, let's turn it over to Johnny."

Johnny Doscher said, “Thank you. I've got a short speech. Thank you, Ross, Mayor John, City Councilmembers for recognizing Doscher's and all of those connected with Doscher's, and all of the loyal shoppers for over 48 years on Savannah Highway. Ricky and I especially would like to thank you for remembering our Dad, Mr. D, for his years of service to Charleston, West Ashley, and the entire Lowcountry. Thank you, all, very much.”

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

Ricky Doscher said, “No, I'm fine.”

Mayor Tecklenburg said, “And we have one more recognition. Is Shorty Blake with us this evening? You ready, Shorty, to come in? Here he comes. Hey, Shorty. We’re going to get Shorty situated. So, finally, we have a proclamation recognizing Christopher ‘Shorty’ Blake. He marked his 61st consecutive year of employment with the City just yesterday, and just yesterday celebrated his 90th birthday. How about that?”

There was a standing ovation in the Chamber.

Mayor Tecklenburg led Council in singing Happy Birthday.

Mayor Tecklenburg said, “Hooray! I'll continue on, if I may, you may be seated.”

Mayor Tecklenburg read the proclamation.

Mayor Tecklenburg said, “God bless you, sir.”

There was applause in the Chamber.

Christopher ‘Shorty’ Blake said, “I don’t have much to say, but thanks to you all for having me.”

Mayor Tecklenburg said, “Thank you, again, for being with us. We'll see you out at the golf course soon. So, next up, we have our public hearings. We've got about nine of those this evening, and I’m thinking Mr. Morgan will help lead us through these items. The first one involves 1471 Folly Road, and it's a rezoning. Mr. Morgan.”

Christopher Morgan said, “Thank you, Mr. Mayor, and members of Council. E-1 is 1471 Folly Road. It's a request to rezone from Limited Business to General Business, TMS #334-00-00-052. You see it in front of you on the map there. It's a small portion of a parcel that is adjacent to it. It is a little bit smaller than some of the nearby parcels. This side of the street is in an area that has been Commercial and Industrial. The Signal Point Industrial Park is to the west. The eastern side of Folly Road has been more Residential historically. In our Comprehensive Plan, this is in the Industrial area of Folly Road near Signal Point, but the
request to General Business would be compatible with that. This is just a background on what Industrial in the Comprehensive Plan calls for which is appropriate here. Here is an aerial image of the property. It’s vacant at present. A street view, again, a vacant lot along Folly Road, and it’s adjacent to a church that is to the right, and these are just the different uses that are allowed in General Business. Generally, all of our Commercial uses are allowed in General Business, and Planning Commission did recommend approval 6 to 0 for this rezoning.”

Mayor Tecklenburg said, “Alright. Would anyone like to be heard on this matter? Yes, sir.”

The Clerk said, “Mayor, what is the time limit?”

Mayor Tecklenburg said, “Ninety seconds, a minute-and-a-half.”

1. Anthony Bryant said the comments made on public safety and public health within Council, the CARES Act, and American Rescue Act did not fall under the Administrative Procedures Act of 1946 regarding effective dates and procedures. The judicial review for it was a Congressional emergency measure regarding no final rule. Congress passed the Inflation Reduction Act regarding climate change and with the number of people in the community with no flood insurance adding to the Zoning Map made by FEMA and Homeland Security. By Council rezoning properties, Council created an unintended consequence. With the reduction of money going through the Governor’s office which would provide funding for grantees, hopefully there would be money available for those who didn’t have flood insurance and those who had to get their flood insurance adjusted because of local land use zonings under the control of cities and counties, not the Federal government.

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

No one else asked to speak.

Mayor Tecklenburg said, “Seeing none, the issue comes to Council.”

Councilmember Shealy said, “Move for approval.”

Councilmember Sakran said, “Second.”

Mayor Tecklenburg said, “We have a motion and a second. Any questions?”

No one asked to speak.

Mayor Tecklenburg said, “Mr. Morgan, do you know if there’s a specific intended use for the property with the rezoning?”

Mr. Morgan said, “The applicant is interested in having an office warehouse on the property, and that was not allowed in the Limited Business category.”

Mayor Tecklenburg said, “I see. Okay. I was just curious. Alright. Any other questions or discussion?”
No one else asked to speak.

On a motion of Councilmember Shealy, seconded by Councilmember Sakran, 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 1471 Folly Rd (James Island) (approximately 0.30 acre) (TMS #334-00-00-052) (Council District 6), be rezoned from Limited Business (LB) classification to General Business (GB) classification. The property is owned by Antonio Jesus Gentile.

Mr. Morgan said, “The next item E-2 is at 640 King Street. It's a tenth of an acre tract, #460-04-04-028. It's a request to go from General Business to MU-2/WH which is our Mixed-Use/Workforce Housing designation. This property is immediately adjacent to King Street and the I-26 and U.S. 17 overpass here on Upper King Street. It is an older single house that has had a Commercial use in it, and they are going to rehabilitate the property and have other uses on the property. In our Comprehensive Plan, this is in our City Center's designation, so that is the kind of designation that we recommend the MU-2/Workforce Housing for. The most intense types of uses in the City are along this corridor. Here is just some background on the City Center. The aerial images show the surrounding development. There is Commercial uses on really all sides. Here is an image of the property, again, an old Charleston single house on a typical single-house size lot. Here is a view of other development nearby to the south, and the Planning Commission did review this and recommended 6 to 0 for the approval of the rezoning.”

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

No one asked to speak.

Mayor Tecklenburg said, “Seeing none, the item comes to Council.”

Councilmember Shealy said, “Move for approval.”

Councilmember Shahid said, “Second.”

Mayor Tecklenburg said, “We have a motion to approve. Any questions or discussion?”

No one asked to speak.

Mayor Tecklenburg said, “I’ve got to just share with you all that a customer of mine used to be at this property. It was David Jones Trucking Company. They had their office in this little house. They hauled seafood up and down the east coast and, boy, there was a smell or two around that place most of the time. It’s amazing some of the changes we’ve seen. Any further questions or discussion?”

No one else asked to speak.

On a motion of Councilmember Shealy, seconded by Councilmember Shahid, 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 640 King St (Peninsula) (approximately 0.10
acre) (TMS #460-04-04-028) (Council District 4), be rezoned from General Business (GB) classification to Mixed Use/Workforce Housing (MU-2/WH) classification. The property is owned by EQ Squared LLC.

Mayor Tecklenburg said, “Mr. Morgan.”

Councilmember Seekings said, “Mr. Mayor.”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Public hearing items 3 through 9 are all annexations. For purposes of public hearing, can we just have Mr. Morgan call out the addresses to see if anybody has any public comment?”

Councilmember Shahid said, “Second.”

Mayor Tecklenburg said, “Without objection, that would be fine with me. You all fine with that, taking them all together in terms of comments?”

Mr. Morgan said, “Yes, sir.”

Mayor Tecklenburg said, “Okay, but we’ll have to run through them all, so we know what’s on the table. Mr. Morgan.”

Mr. Morgan said, “Number E-3 is 820 East Estates Boulevard. It’s a recent annexation. It’s a quarter-acre tract. The zoning recommended for it would be SR-1, and I will just sift through these, and I will move on to the next one. That’s an image of the property. The Planning Commission did endorse that 7 to 0.

For E-4 this is 2863 Maybank Highway. It’s approximately 1.59 acres. It’s two TMS numbers, 313-00-00-135 and 138, annexed into the City on July 19th. This is the second reading for the zoning, as well. It would be a General Business designation. This is the Low Tide Brewery, I believe, that has annexed into the City, and just some images here. The zoning is compatible with our plans, and here is an image of the current business that is on the property, and the Planning Commission recommended for this 7 to 0.

Then, we’ve got 1978 Maybank Highway which is on James Island. It’s about a third of an acre. It’s TMS #343-03-00-198 to be annexed in the City, and it would be zoned General Business. It’s right here. It’s adjacent to some other General Business properties. Our Comprehensive Plan calls for this area to be Neighborhood Edge, and the surrounding GB we feel makes that a compatible zoning recommendation here. It has been reviewed by the Planning Commission. Here you see an image of the property. It’s had businesses in it in the past. Typically, they have been food service businesses. The Planning Commission did review it and recommended 7 to 0 for the General Business zoning.

E-6 is 4 Tovey Road, it’s an annexation coming into the City that would be zoned SR-2. It’s nearly two-tenths of an acre. Here it is in the map view, and it is in our Suburban recommended densities from the Comprehensive Plan, so the SR-2 is compatible with that, and Planning Commission did review this and recommended 7 to 0 for its SR-2 designation.
**E-7 is 31 Avondale Avenue**, another recent annexation. It would come in as SR-1, and let me show you where that is. Here it is outlined in black, and it would be in our Suburban area and our Planning Commission did review this and recommended for the SR-1 with a 7 to 0 vote.

And, then, **E-8 is 5 Oakdale Place**, and this is a recommendation for SR-1 on a .22 acre property, and it is also in our Suburban recommended area. It is recommended by the Planning Commission 7 to 0, as well.

Finally, **22 Oakdale Place** which is being recommended for SR-1, we have an image here. That is also in our Suburban designation, so the SR-1 is compatible with that, and the Planning Commission did recommend for this, as well, at a 7 to 0 vote.”

Mayor Tecklenburg said, “Thank you, Mr. Morgan. So, that was a lot of properties. They're all coming into the City, and we’re just giving them their initial zoning. So, does anyone want to be heard on any of those properties or matters coming in? I'll just quickly repeat the addresses: 820 East Estate Boulevard, 2863 Maybank Highway, 1978 Maybank Highway, 4 Tovey Road, 31 Avondale Avenue, 5 Oakdale Place, and 22 Oakdale Place.”

The Clerk said, “Mayor, I think there was someone online who is trying to speak.”

Mayor Tecklenburg said, “Okay.”

1. Heather Champagne said she lived on Tovey Road, and she wanted clarification on what the zoning was. She asked if it was to come into the City as a property instead of St. Andrews.

Mr. Morgan said, “Yes, ma’am. It’s to come into the City. These folks are annexing into the City. They will still remain a Single-Family residence.”

Ms. Champagne said they weren’t sure what that was, and she appreciated the clarification.

Mayor Tecklenburg said, “Thank you for joining us. Anyone else online or sent comments in?”

The Clerk said, “I don’t believe so. No.”

Mayor Tecklenburg said, “Okay. Anybody else want to be heard?”

No one else asked to speak.

Mayor Tecklenburg said, “Hearing none, they all come to Council.”

Councilmember Seekings said, “Move for approval.”

Councilmember Shahid said, “Second.”

The Clerk said, “Wait.”

Councilmember Seekings said, “One of them is a second reading.”
The Clerk said, “Yes. Number 4 is a second reading.”

Councilmember Seekings said, “Number 4 is a second reading, so we can take that out and take 3, and then 5 through 9, and then come back to 4.”

Mayor Tecklenburg said, “Well, sure. We can give first reading to numbers 3 and items 5 through 9, correct?”

Councilmember Seekings said, “So moved.”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “Thank you, Mr. Mayor. Just real quick, I have to recuse from item numbers 4 and 5. Thank you.”

Mayor Tecklenburg said, “Councilmember Appel is recused from items 4 and 5. Alright. Any further questions or discussion?”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “I need to recuse myself from number 3.”

Mayor Tecklenburg said, “Councilmember Waring recuses from number 3. We’re bringing some more Warings into the City.”

Councilmember Waring said, “I know.”

There was laughter in the Chamber.

Mayor Tecklenburg said, “Any other questions or comments?”

No one else asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Shahid, 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 820 East Estates Boulevard (Long Branch- West Ashley) (approximately 0.26 acre) (TMS #310-02-00-152) (Council District 7), annexed into the City of Charleston July 19, 2022 (#2022-098), be zoned Single Family Residential (SR-1) classification. The property is owned by Leroy E. Waring Sr. and Shelia W. Waring.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1978 Maybank Highway (James Island) (approximately 0.38 acre) (TMS #343-03-00-198) to be annexed into the City of Charleston, be zoned General Business (GB) classification. The property is owned by Publican Investment Group.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 4 Tovey Road (Carolina Terrace- West Ashley) (approximately 0.17 acre) (TMS #418-10-00-109) to be annexed into the City of Charleston,
be zoned Single-Family Residential (SR-2) classification. The property is owned by John Bouvette.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 31 Avondale Avenue (Avondale-West Ashley) (approximately 0.36 acre) (TMS #418-14-00-029), to be annexed into the City of Charleston, be zoned Single-Family Residential (SR-1) classification. The property is owned by Ashley and James Mackintosh.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 5 Oakdale Place (Avondale-West Ashley) (approximately 0.22 acre) (TMS #418-15-00-042), to be annexed into the City of Charleston, be zoned Single-Family Residential (SR-1) classification. The property is owned by Allison and James Lutz.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 22 Oakdale Place (Avondale-West Ashley) (approximately 0.24 acre) (TMS #418-10-00-104) to be annexed into the City of Charleston, be zoned Single-Family Residential (SR-1) classification. The property is owned by Kayley Seawright.

Councilmember Waring recused himself from voting on Item E-3 and completed a Conflict of Interest Form, which is on file in the Office of the Clerk of Council.

Councilmember Appel recused himself from voting on Items E-4 and E-5 and completed a Conflict of Interest Form, which is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, “Now, for second reading for number 4.”

Councilmember Mitchell said, “So moved.”

Councilmember Seekings said, “Second.”

Mayor Tecklenburg said, “We have a motion and a second. Any discussion or questions?”

No one asked to speak.

On a motion of Councilmember Mitchell, one (1) bill (Item E-4) received second reading. It passed second reading on motion by Councilmember Seekings and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shahid, the rules were suspended, and the bill was immediately ratified as:

**2022 - 099 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2863 MAYBANK HIGHWAY (JOHNS ISLAND) (APPROXIMATELY 1.59 ACRES) (TMS #313-00-00-135 AND 138) (COUNCIL DISTRICT 5), ANNEXED INTO THE CITY OF CHARLESTON JULY 19, 2022 (#2022-089), BE ZONED GENERAL BUSINESS (GB) CLASSIFICATION. THE PROPERTY IS OWNED BY MAYBANK GROUP LLC.

Mayor Tecklenburg said, “Any further public hearings?”
No one asked to speak.

Mayor Tecklenburg said, “I think that wraps that’s up. Next up is our approval of City Council minutes from our July 12th workshop.”

The Clerk said, “This is just the July 19th minutes.”

Councilmember Mitchell said, “Move for approval.”

Councilmember Shealy said, “Second.”

Mayor Tecklenburg said, “Just for July 19th. We have a motion to approve and a second. Any deletions, improvements, corrections?”

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shealy, City Council voted unanimously to approve the minutes of the July 19, 2022 City Council meeting.

Mayor Tecklenburg said, “Next up is our Citizens’ Participation Period. Thank you all for being with us and sharing, and Madam Clerk will call your name. How many folks do we have tonight?”

The Clerk said, “So, we have 21 people signed up to speak.”

Mayor Tecklenburg said, “Let’s give a minute-and-a-half, 90 seconds, and look forward to hearing your all’s comments.”

The Clerk said, “Alright. The time is a minute-and-a-half. Anthony Bryant.”

1. Anthony Bryant said if they didn’t like Tim Scott, they would love his book. The forward in his book was unbelievable. He saw Senator Scott at his book signing. It wasn’t a political book. It was about the community. He said he was a solid brother, and it was a really good book to read. He said to give the man a chance. He said the U.S. Department of Justice, Civil Rights Division, Federal Coordination and Complaint Section, Notice of Investigative Use of Personal Information, and City grants had required some notice of a complaint. He said when the City got money from the Federal government, they should have complaint forms available for people to sign at all meetings. That was a major problem he had in terms of people having the right to voluntarily file their concerns. He filed a ton of them because poor people didn’t have the capacity. He had his financials, and for four years he was broke. It was his commitment for four years to find out whether or not poor people got any representation from the Federal government. He came to the conclusion that wasn’t real. The second in command at the Department of Justice, when she was with the Mayor on the Eastside, had no complaint forms for poor people, but he played golf at Turtle Point on Kiawah.

The Clerk said, “Time. Mohammed Idris.”
2. Mohammed Idris thanked Council for inviting the Bishop to the meeting as the Bishop verified things he had been saying for the last 30 years at Council. He said Council was supposed to be representing the religious community and workers that benefit the poor and the rich. He was hurt because he had been coming to Council for 31 years, and the City would get people from Mars to place on different committees or the different groups that said they would find a solution regarding inequities. He was hurt, but when he heard the Bishop, and if they went back through the notes, the Bishop said things that he had been saying for 31 years.

The Clerk said, “Cashion Drolet.”

3. Cashion Drolet, Historic Charleston Foundation, said the Historic Charleston Foundation was supportive of the ordinance before Council concerning architectural merit and height. They encouraged Council to give the original first reading as it would initiate an important dialogue that was overdue. She said architectural merit was adopted in 2017 to incentivize developers to produce exceptional designs using the highest quality materials and to make meaningful contributions to the public realm. In practice, architectural merit had been an ambiguous concept that had produced confusion for applicants and the public, had not achieved the high-quality projects intended, had resulted in two-story height jumps, was now viewed as an entitlement rather than something that was earned, and also litigation. Density and additions to the housing stock could still be achieved without that provision. She urged Council to give first reading as the ordinance proposed sensible changes and much needed clarity. She asked Council to consider not deferring because she thought a deferral meant they would potentially be incentivizing a flood of rushed applications that were not high quality looking to lock in architectural merit.

The Clerk said, “Jennifer O’Brien.”

4. Jennifer O’Brien said she was a County resident and the former Executive Director of the Women’s South Carolina Golf Association. She had been a member of the Ladies’ Golf Association at Charleston Municipal for about ten years. She asked Council to consider installing permanent restrooms on the golf course. She said the Charleston Municipal Golf Course had become a popular course ever since they had re-opened. With over 60,000 rounds being played each year, the two existing portable bathrooms were inadequate and unsanitary. She was sure Council could imagine the horrors that awaited inside those bathrooms in the heat of the summer. She had seen many folks forego the bathrooms and opt for a neighboring bush or tree. Charleston was the #1 travel destination, and the City needed to do better to provide sanitary facilities that correlated to being the top travel destination. She implored Council to consider installing proper bathroom facilities on the golf course at Charleston Municipal.

The Clerk said, “And I can’t read the last name, but I think the first name is June, and the speaker also wanted to speak about the restrooms at the Muni. Or Gene, I’m sorry.”

5. Keith Marshall said he had been a Charleston resident for over 40 years and had been associated with the Muni Golf Course for over 30 years. He congratulated the Mayor and Councilmembers on the wonderful job they did at renovating the golf course. It was an outstanding course, but there was one thing they were missing that would make it the masterpiece that Council had put together. He said they
needed restrooms. They needed them for the children, and they needed them mostly for women. The golf course bore the City’s name. He asked Council to imagine coming to the City to play golf and having to go to a Port-a-Potty to use the bathroom in one of the greatest cities in the nation. He urged Council to take the time to look at what a difference it would make if they had restrooms for men and women at the Charleston Municipal Golf Course.

The Clerk said, “Brian Turner.”

6. Brian Turner, President and CEO of the Preservation Society of Charleston, said it was an honor to be there to speak in favor of the Height Ordinance amendments before Council. He said Council had a letter from them, and it was a bad idea to defer the item. He echoed the comments of his colleague, Cashion Drolet, as well. He said it would be a mistake to defer because swift passage was needed to prevent a flood of bad building proposals that could have lasting and detrimental effects on the City’s landscape. He said they were already aware of one project on George Street that would be going to the BAR next week with a seven-story height request under architectural merit. The waivers had become so commonplace that it was almost a default for developers to ask for them. The provision had tied up the City in expensive litigation, and it was a waste of taxpayer money. It was universally despised. It didn’t give predictability to the BAR, it didn’t give predictability to the developers, and so there was no reason to delay the action. He emphasized that passage that evening would only initiate a public dialogue at Planning Commission followed by another public hearing at Council. He said they looked forward to speaking on it in the future and looked forward to helping educate everybody who was interested on that important proposal. He thanked Council for their consideration.

The Clerk said, “Abdullah Muhammad.”

7. Abdullah Muhammad said he was a City employee, and he was there to talk about Councilmembers Mitchell, Gregorie, Waring, and Mayor Tecklenburg. He said what they did for him to save his life, it had been a long time coming, and he had been working to get his son back. He said he couldn’t get his son back because of his past, but now his son lived with him, and it was the result of them giving him a second chance. He asked everyone to give Council a round of applause because what they did for him was so good. Not only did they save his life, but they saved a 16-year old boy’s life by giving him a job. His son understood that he worked in sanitation, but he understood that his father was working a decent job and making a livable wage, and that was because Council decided to reach their hand out to him. He wanted to come to Council to say that Matt Alltop and Clyde Washington told him that he was going to be something, and everything Council had done for him made it possible. He wanted to come to Council and say that. He didn’t know if that was supposed to happen, but he wanted to speak his peace. He thanked Council, he thanked the names he had mentioned, and he thanked Council for everything they did for him. His son thanked Council, as well.

The Clerk said, “Roy Neal.”

8. Roy Neal said he was the owner of El Jefe on King Street, and he supported the Late Night Ordinance revision. He didn’t think it was perfect or checked every box.
He was not in favor of the annual renewal. He would like to see it in a bi-annual renewal or maybe match the liquor license because that was on a two-year cycle instead of a one-year cycle. He was also there to open Council’s eyes about underage drinking on King Street. There was a new tool in the toolbox that restaurants and bars could use which was called Intellicheck. He knew the Police Department and SLED used it. He showed a fake I.D. that was so good, nobody could tell what it was unless it was scanned. He said all they had to do was scan it, and it read the bar code as it was in with the DMV, and it was the best App on the market with a 99% success rate. He asked the Mayor and Council to find some way to do a pilot program and start on King Street. There were about 30 or so businesses that fell under the Late Night Ordinance rules for bars and restaurants. He said to find a way to subsidize the cost. It cost him about $300 a month because of the way the number was scanned. Some places would be more and some places would be less, but if they could find a way to subsidize maybe half of the cost for six months to get everybody on King Street to use it, that would be a total of less than $30,000 to help the businesses that needed it.

The Clerk said, “Time."

Mayor Tecklenburg said, “Thank you, sir.”

The Clerk said, “Ben Smith.”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Can we get his name again?"

The Clerk said, “Roy Neal.”

Mayor Tecklenburg said, “Roy Neal.”

Councilmember Waring said, “Thank you.”

Mayor Tecklenburg said, “El Jefe is the restaurant on Upper King Street. Tacos and a beer after the meeting.”

9. Ben Smith said he lived in the Preserve at Fenwick Hall. He said the Northern Pitchfork had many hurdles with many parties involved which resulted in delays to the project. The project included improvements to a dangerous intersection that served 216 apartments and 20 homeowners including their 15-year old daughter who just got her license. While they tried to make the intersection a tool to teach their daughter about being careful behind the wheel, it didn’t make the intersection any safer. Since moving to the neighborhood three years ago, they had witnessed many collisions that could have been avoided had a traffic light been in place. At their last neighborhood meeting, they heard about a potential funding issue due to delays and a scheduling issue due to the disturbance of bat habitats. After working 20 years in the commercial construction industry, he was familiar with budget and scheduling challenges. He said they needed to make sure the project was fully funded while proceeding with the project ASAP. He had heard it took eight months to manufacture the light poles, and that gave them ample time to bid the project, complete the clearing within the requested time to avoid disturbance of wildlife, and
have a solution to complete the funding for the project. He said they couldn’t afford to take the one hurdle at a time approach like they had up to this point. He told Council to let him know how he could help make the intersection safe for his family.

Mayor Tecklenburg said, “Which intersection was that, sir?”

Mr. Smith said, “That is the Northern Pitchfork.”

Mayor Tecklenburg said, “The Northern Pitchfork. Right.”

Mr. Smith said, “Thank you.”

Mayor Tecklenburg said, “Thank you.”

The Clerk said, “Mark Gould.”

10. Mark Gould said saving Gadsden Creek was compatible with the WestEdge development if it were redesigned in accordance with some of the more current trends in design projects of that sort. There were numerous case studies of projects where distressed water bodies became assets improving the community and improving the experience for the people living and working there. The Urban Land Institute estimated that it would increase the value by 30% to preserve wetland assets on properties like that. He said it could be done as Gadsden Creek only occupied less than 25% of the surface area of WestEdge, and it could be pulled back and redesigned and made up for in other ways with still allowing space to restore the creek. He said right now the way it was designed, all of the water from the impervious surfaces in WestEdge was going to go through a new ditch on the other side of Fishburne. If the tide was high, that would flood and back up. If they preserved the creek, that water would be stored and absorbed by the wetlands. He said all it would take was a tide gate at Lockwood Boulevard, and it would greatly improve flood control and allow the project to proceed and save that valuable water body.

Mayor Tecklenburg said, “Thank you, sir.”

The Clerk said, “Tim Muller.”

11. Tim Muller said he was the Chair of the Peninsula Neighborhood Consortium which was a group that consisted of representatives from the 14 historic Charleston neighborhood associations, the College of Charleston, and the two preservation groups. He encouraged Council to adopt first reading of the Rental Registration Ordinance as the Peninsula neighborhoods had been asking for it since 2013. It had been a long time coming. He was one of the neighborhood presidents at the time and had lived for almost two decades off of Upper King Street. He assured Council they did have an issue in the City with absentee landlords, particularly in some of the Peninsula neighborhoods and the nuisances the properties created. He said the problem was the City had not had a tool to effectively deal with those property owners. The tenants were dealt with through Livability Court, but that was a band-aid as it was a $1,000 fine, and they were gone. The property owners got away with it. He said they had created a system for short-term rentals which had been highly effective, so they were asking for a system that would work for long-term landlords,
as well. He said they believed that there could be some additional modifications as it went along, and they preferred the pilot to start in Cannonborough-Elliotborough.

The Clerk said, “Time.”

Mayor Tecklenburg said, “Thank you, sir.”

The Clerk said, “Marion Hawkins.”

12. Marion Hawkins, President of Cannonborough-Elliotborough Neighborhood Association, echoed Tim Muller’s sentiments. He said their residents had been negatively impacted for years by a segment of long-term rentals which were primarily college rentals owned and managed by absentee landlords. He said garbage bins were left out in the street all week, the constant dumping of furniture and refuse on sidewalks, the overcrowding of people in the units, and house parties with large crowds and noise. He said the properties were poorly maintained and were substandard housing. The impact of college housing, especially over the last 30 years in their neighborhood, probably had been the biggest impact on affordable housing. When they looked at $1,200, which was roughly the going rate per bedroom, a four-bedroom unit was substantial, and that impacted the rest of the rentals. He said they had worked closely with Livability, the College of Charleston, and the Police Department to mitigate those issues, but, unfortunately, they had those ongoing issues. They had been to Livability and Municipal Court, and they struggled to continue to mitigate those. They had raised the issue with the staff several years ago and asked for some sort of ordinance, and they appreciated the work.


13. Lin Kuhl Jay said she was with CAJM and an advocate of the Friends of Gadsden Creek. She said now was the time for the City to solidify the vision and strategy to support specific improvements in infrastructure and processes that would be required to prepare for higher tides. She said those weren’t her words, but instead they were from the City’s Sea Level Rise Strategy Plan from December 2015. The Plan’s initiatives included purchasing repetitive loss properties and using those lowlands to absorb future waterway. At the May 24th Council meeting, Council chose to preserve a half-acre in line with Peninsular preservation and yet Council was still moving forward with the next phase of development in WestEdge which would destroy an existing waterway, Gadsden Creek, one of the last remaining urban creeks to make way for nearly four acres of concrete. It was time to recognize their seas did not respect civic boundaries. She said to work with water for best ecological practice and comprehensive community health, not against it, in the short term and in the name of economic expansion and money for a few, respect science, respect the forces of nature, value their future generations, reclaim the natural buffer of Gadsden Creek, revitalize it, and reinvest in Charleston’s future.

Mayor Tecklenburg said, “Thank you.”

The Clerk said, “Robert Holt.”
14. Robert Holt spoke in opposition to the Rental Permit Ordinance, but he was in favor of the Rental Registration Ordinance which was something they had been lobbying the City for almost 20 years. What Council had in front of them required landlords to comply with the International Property Management Code, which he had spent 11 hours becoming familiar with. He said it would eradicate Level-C housing in the City. All housing would be Level-A. He was a landlord, and he only had Level-A, so it didn’t affect him. It affected the Eastside precisely where the City sought to start with it. It was not something anyone had asked for. It was not something to be done without a lot of study as the unintended consequences of it were horrendous. He circulated some provisions in it that were horrible, and he circulated what was a registration procedure. He said they didn’t need more bureaucracy, more administration, but what they needed was something that was effective. He asked Council to defer it, study it, and actually give them what they needed and what would be effective which was to hold landlords accountable with fines.

The Clerk said, “Time. Erika Harrison.”

15. Erika Harrison said she had no objections to the Rental Registry, and she thought Cannonborough-Elliottborough and a lot of people looked forward to seeing that type of ordinance on paper. She said one thing that was troubling to her was the fact that it would be implemented first in the Eastside. There was a significant amount of reference to the Eastside, especially in 2021, understanding there were probably more parties than necessary. She asked her assistant about it who was a graduate of the College of Charleston, and she said in 2021 they never went to class. The other thing that gave her pause was the City’s Comprehensive Plan. She hoped that the Rental Registry took a look at it. One part was the M housing and how they needed to continue to encourage lower income families and residents in particular areas. They had just lost one last family in Ansonborough, and they should make sure that they had the ability to afford bringing something up to code or being able to take it offline for six months based upon the way the ordinance read.

The Clerk said, “Time. Michael Levine.”

No one asked to speak.

The Clerk said, “Sam Duncan.”

16. Sam Duncan, Neighborhood Relations Coordinator for the College of Charleston, said his role existed to ensure that the college students represented the college well while living off campus and to act as a liaison between residents of the Peninsula and the College. The College supported the City’s initiative to create a Rental Registry, and they believed the ordinance would help allow greater transparency when it came to how properties were managed and help them at the College coordinate efforts with landlords to prevent disruptive behavior from student tenants. It required landlords to communicate information like pick-ups for trash, garbage, and recycling to their tenants. Many College of Charleston students renting on the Peninsula had never lived on their own. That requirement would support them and their efforts at the College to educate off-campus students on their responsibilities and expectations as renters. They understood that there may need to be some modification to the language as drafted, but from a policy perspective, the College of
Charleston supported the effort and believed it would help provide safer housing for their students and improve neighborhoods by minimizing violation of codes.

The Clerk said, “We’ll move to our on-line speakers, and if you’re online, you can press ‘6 to unmute yourself. Tony Daniell.”

17. Tony Daniell said a crime of conspiracy was defined as a combination between two or more persons for the means and purpose of accomplishing an unlawful object by unlawful means. A person who committed a crime of conspiracy was guilty of a felony. He said they knew that the roads were illegally closed in Country Club II, they knew that City Council only approved a temporary barricade, they knew that cars were parked illegally for an hour-an-a-half of every school day outside his house and they knew that cars were not ticketed. He said one of the Councilmembers colluded with other members of the neighborhood to keep the illegally closed roads closed. He said he should not have to come before Council and say why his father was having to suffer from the traffic. They knew that they had 700% more cars than on the other side of the neighborhood because of the Traffic Study from 2018, yet there he was still. He asked what was going on. He would appreciate Council solving the problem by either tearing down the trees, finding another opening, or re-routing the school. If they wanted to block the roads, they could put up a barricade or a closing at the end of Burningtree Road and Fairway Drive to stop the cut-through.

The Clerk said, “Time. Marcus McDonald.”

Mayor Tecklenburg said, “He’s here.”

The Clerk said, “Okay.”

The Clerk said, “Marcus McDonald.”

Mayor Tecklenburg said, “And Merrie Koester is next. I don’t see Marcus, so come on forward.”

The Clerk said, “Dr. Koester.”

18. Dr. Merrie Koester said the next day was the first day of school for students and teachers in Charleston, and she would be out there with them as a science teacher educator. One of the key responsibilities of all science teachers to instill their students, however young, was to get them in the practice of asking the question, ‘What is the evidence to support your claim?’ She urged Council to hit pause and rigorously investigate the growing community claim that destroying Gadsden Creek and developing on top of it could have grave and serious unintended consequences. She urged Council and the Mayor, whom she had great respect for, to bring in a panel of objective scientists and engineers with no financial stake in the project and to explore with them what losing a restored and beautified Gadsden Creek would mean for the entire Westside and Gadsden Green community from increased flooding risk to potential public health hazards. She asked what the loss of that beautiful natural habitat would mean for the hundreds of Title I students who now enjoyed that space to learn.
The Clerk said, “Time.”

Mayor Tecklenburg said, “Thank you.”

The Clerk said, “Marcus McDonald.”

Mayor Tecklenburg said, “I think he's coming back in now.”

19. Marcus McDonald said he was a substitute teacher and the lead organizer of Charleston BLM. He stood in solidarity with the firefighters, sanitation workers, and all City employees fighting for better pay and the ability to live in the City. His great-grandfather was a firefighter in the City back when one of the only jobs for people who looked like him was going into burning buildings and taking them out. He said it was people like him, the Charleston 9, who had kept the City intact throughout the years and the sanitation workers like ‘Papa Smurf,’ who spoke before him, and sanitation strikers from 1969 who had kept the City clean and livable. He asked if they wanted to live in a City with garbage on the streets. He said the tickets to New York City were $80, and they could stay there as they could find a lot of that there. He said this was Charleston, and they should pay the people so they could have a clean City. He also stood in solidarity with Black homeowners who had been removed from the City and outcast, those whose ancestors like him built the City and continued to build the City as it was Black and Latinos who were building the City today. He urged the City to remain consistent in resolving those issues and prioritizing people over money. He also wanted Council to pay attention to the Racial Bias Audit and prioritize racial equity.

Mayor Tecklenburg said, “Thank you, sir.”

The Clerk said, “And those were all of the speakers we had. We did receive some comments online. One person said that they commented at the July 19 City Council meeting regarding the 2022 Edward Byrne Memorial Grant. They requested a copy of the comment in compliance of the Privacy Act of 1974 and said policies should be identified and practices at issue to establish causation and disparity from the 2000 to 2020 census. They said SLED and the Department of Justice did not accept direct complaints.

One person cited the crime of conspiracy and said that the trees in the middle of closed roads were illegal. They said the City attorney said the roads were not to be closed and only temporarily blocked.

One person said the City had published a Sea Level Rise Strategy Plan seven years ago, and the purpose was to inform and provide an overall strategy to protect lives, property, maintain a thriving economy, and improve the quality of life by making the City more resilient. They asked who’s quality of life it was protecting and asked why the City would move forward on the next phase of WestEdge development which stole one of the last remaining creeks on the Peninsula.

One person objected to removing Dupont Road from Sam Rittenberg Boulevard to Savannah Highway and Orleans Road from Sam Rittenberg Boulevard to Savannah Highway from the jurisdiction of the City’s Design Review Board. They said Plan West Ashley and the Dupont/Wappoo Plan could not be any clearer that design control in these areas is critically important to the revitalization and orderly redevelopment of West Ashley. Removing this corridor
from DRB jurisdiction would be contrary to a decade of community planning and should not be approved.

The Preservation Society of Charleston submitted a letter in support of agenda item #M-1. The merit provision had been passed in the spirit of encouraging architectural excellence, however, it had been abused by applicants in recent years. It should be viewed as a discretionary option and not a development entitlement. Approval of the amendment would ensure a robust public process including public hearings at upcoming Planning Commission and Council meetings. They looked forward to engaging with residents, policymakers, and development professionals on this urgently important matter to help address unprecedented growth pressures. Those were all of the comments we received.”

Mayor Tecklenburg said, “Thank you, and most everybody has left, but thank you, all, for being with us tonight and sharing your comments. We really appreciate it. It was a nice diversity of comments tonight, so that was very nice for us I must admit. Alright. So, our next order of business is our Petitions and Communications. We’ve got two Boards to approve.”

Councilmember Seekings said, “So moved.”

Councilmember Gregorie said, “Second.”

Mayor Tecklenburg said, “We’ve got a motion and a second. Any discussion?”

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Gregorie, City Council voted unanimously to approve the following appointments and reappointments to the Commission on Women and the Minority and Woman Business Enterprise Advisory Board:

1. Boards and Commissions Appointments:

   a. Commission on Women:

      (i) Amy McLeod – New Appointment
      (ii) CJ Gathers – New Appointment
      (iii) Debra Trogdon-Livingston – New Appointment
      (iv) Amanda Bunting Comen – Reappointment
      (v) Denise Fugo – Reappointment
      (vi) Carolyn Wright-Porcher – Reappointment

   b. Minority and Woman Business Enterprise Advisory Board:

      (i) Mary Butler – Reappointment
      (ii) Karl Hudson Phillips – Reappointment
      (iii) Karen Wright-Chisolm – Reappointment
      (iv) Katie McCravy – New Appointment

Mayor Tecklenburg said, “Next up, we have two Council Communications items. First is a discussion and a request for information from staff regarding the City’s Local First procurement policy. Councilmember Sakran.”
Councilmember Sakran said, “Thank you, Mayor, for getting this added to tonight’s agenda. I guess, I’m not sure who to direct the questions to, so would it be you, or is there a staff member presenting on our Local First procurement policy?”

Mayor Tecklenburg said, “Sir?”

Councilmember Sakran said, “Is there someone presenting on the Local First procurement policy, or am I just asking general questions?”

Mayor Tecklenburg said, “I don’t have anyone presenting. No, sir.”

Councilmember Sakran said, “Okay.”

Mayor Tecklenburg said, “I did get information from Gary Cooper, and I think he sent to you, as well.”

Councilmember Sakran said, “Yes, and I do have some questions, so I’m not sure if the best avenue is to send this to a Standing Committee and have that discussion because I would like some information about our current procurement policy. Are we tracking the data around local small businesses? Those are my general questions. If we’re not prepared tonight to answer them, I guess my request would be to add this to a future Standing Committee for discussion. I just don’t know which one that would be.”

Mayor Tecklenburg said, “So, I will share with you that our ability to track data through our procurement is not nearly as robust as I would personally like, and we are updating our software systems over the next year or so. Maybe Ms. Wharton could share something on that, which would allow better tracking both of our minority business procurement, women-owned businesses, and we could add local businesses, as well. Amy, do you have anything to add to that?”

Amy Wharton said, “So, right now we’re going through an RFP process for a whole new Enterprise Risk Management System which will help us collect better data or keep track of this type of thing, but that’s a long-term project. It’s just that our current system doesn’t really support that, but we do have some statistics that we can share with you. It’s just not the best way to do it. It’s by zip code, and that might not be exactly accurate, but we are working towards that, and we’re also working with Bloomberg right now, as well, with data and procurement in coming up with a better plan for all of that, as well, so there are things we’re working on.”

Mayor Tecklenburg said, “So, I do want to share, and this would be a good opportunity to share with Council, that we were invited by Bloomberg Philanthropies to be one of about 20 cities in North and South America to become something called a ‘City Data Alliance’ where they pair us up with some graduate students and management professionals mostly from Johns Hopkins University. The topic that we’ve chosen to seek their assistance is, in fact, to improve our procurement policy and support our software and all like that. So, we just started this about two weeks ago, and it will take probably six to nine months like going through the semester to get to their recommendations, but we really have some great expertise that we’re going to be able to rely on at no charge courtesy, again, of Mr. Bloomberg to help us to get our procurement in a better place. It will be an opportune time to review our policies regarding local business. We’ve had a policy in place, but honestly, reading it, it looks like we were targeting a segment of our business that might not be attainable for a small business. It was looking for business
procurement items more than $30,000, and as I think you read and I read as a result of your inquiry that other cities that have a local business preference, if you will, tend to focus on the smaller purchases that most smaller local businesses can more easily participate in. So, our policy was set years and years ago. Honestly, it hadn't been that effective, and that's why I'm glad we're embarking on this review with Bloomberg."

Councilmember Sakran said, “Thank you, Mayor, and thank you, Amy. For me, it was just something that either we get and revisit at some point in the future, and I'm happy to put this on my mental calendar. At what point and what committee would this come through?”

Mayor Tecklenburg said, “That's a good--”

Councilmember Sakran said, “Business License? I don't know.”

Mayor Tecklenburg said, “Ways and Means.”

Ms. Wharton said, “I think Ways and Means would be probably the most appropriate.”

Councilmember Sakran said, “Alright. I'll revisit it. I appreciate it.”

Ms. Wharton said, “And let us get through this whole Bloomberg thing, and we can report back.”

Councilmember Sakran said, “It was not my intent to put you on the spot. I just wanted to make sure that at some point in the future we can revisit this and get some data. Thank you.”

Mayor Tecklenburg said, “If that's okay with you all, I think that Council of the whole by way of Ways and Means would be most appropriate when we get ready to discuss recommendations. Great. Thank you.”

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, “Yes. Thank you, Mr. Mayor. I just want to add to that. It's interesting that you brought that up tonight and said that this was an opportune moment to tell us about the study that we were involved in. I think you know that I asked, I, for one, as a Councilmember, found out on Facebook, so this was another issue. I don't know about you all, but these type of things I certainly wish that when we're asking to be a part of these studies or doing something like that, I would assume that it would come to us as a body just to hear, but it was just interesting that you said tonight was a good time to tell us as it was already told to us on Facebook.”

Mayor Tecklenburg said, “Thank you. Alright. Next up is a [discussion to remove Dupont Road from Sam Rittenberg to Savannah Highway and Orleans Road from Sam Rittenberg to Savannah Highway from the Design Review Corridor. Councilmember Waring]“

Councilmember Waring said, “Thank you, Mr. Mayor. As we go about attempting to revitalize West Ashley, there are some flexibilities that exist on the Peninsula, believe it or not, that do not exist West Ashley. The example I would bring up would be Cunnington Avenue. There were four iconic houses there, and I voted to tear them down, but they didn't have to go through BAR, and they didn't have to go through a Design Corridor Review. We had the right to do it. Tonight, we talked about potentially building a new Hope Center because they had the
flexibility to do that. We do not have that in West Ashley. One of the comments against this topic was the Plan West Ashley plan. One of the things that exists West Ashley is dual government. Well, on the Peninsula we don’t have dual government. So, when businesses look at building something new, as in this case the County St. Andrews PSD, they have the choice of coming and talking to our Planning staff, and our Planning staff will tell them about the approval process, one being the Design Review Corridor. When they look at that additional cost, they speak with their architects, they speak with their engineers, and then say, ‘You know what, we’re going to forego some of that, and we’ll just keep it in the County.’

When you look at many of the areas, not all, but when you look at many of the blighted areas in West Ashley, a lot of them exist in the unincorporated areas. St. Andrews PSD doesn’t have a Planning Department like we do. I’m biased, but our Technical Review process within the City of Charleston I think is second to none. My friends in the County, I think our Technical Review process with the City is better. So, if we did not have the Design Review Corridor on virtually every street that has commercialization on it West Ashley, redevelopment can move faster. Now, when we do not do this, doing it that way we’re kind of evolving into a revitalization of the PSD. When people build anew in the PSD, that tax revenue doesn’t come to the City. We have, right now, an opportunity, and that’s starting on this street, but there I would say between certainly a 3 maybe even 4-star hotel that’s been proposed to be built West Ashley, it’s in the County. We would have absolutely no say. We would get no business license fees, no property taxes, no accommodations taxes, no hospitality taxes, and the secret that many people don’t know is that property taxes are lower in the City. I was born and raised in the PSD, and there was a time when there was a huge difference in the taxation. There’s a tax savings by remaining in the PSD, but the little secret right now that nobody wants to really put in the public realm is that you could save a lot of money by annexing into the City. With that said, I don’t want to solve it tonight, but I did want this to move forward to the Community Development Committee, Mr. Mayor. There are a number of streets with small business people. I can think on Dupont Road between Sam Rittenberg and Savannah Highway, I can think of three businesses right now one a new building, two of them that have been totally renovated, and they did it because they can do it in the County and did not have to go through an additional layer of bureaucracy going through our Design Review Corridor. The truth be known, the water cooler talk is that our Design Review Corridor is becoming the BAR of West Ashley, and that’s not what it was originally designed to do. I will fight for the BAR on the Peninsula, I admire the work that our preservation organizations have done on the Peninsula, but West Ashley is not the Peninsula, James Island is not the Peninsula, Johns Island is not the Peninsula, and to create a different level and a longer approval and more expensive process when we’re trying to revitalize is a mistake. So, with that, I would hope that we can move this forward to Community Development and have a longer discussion and, hopefully, come back with a better solution and back to the body of the whole. Thank you, Mr. Mayor.”

Mayor Tecklenburg said, “Thank you.”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “Thank you, Mr. Mayor, and I appreciate my colleague bringing this to our attention. What he is referring to, if you didn’t pick up on it, is there is an area on Savannah Highway that’s been blighted for a number of years or so, a car lot. It got abandoned, it’s overgrown with weeds, and it will extend from Dupont Road to Orleans Road, and it will entail a major complex which will be the Charleston Place of West Ashley, and it’s not in the City. It’s in the County, and the owner is electing not to annex into the City because of the experience he had with the Design Review Board. It’s unfortunate because the revenue we’ll
lose on this particular project is the property taxes, it’s the business license fee, it’s the sales tax, it Accommodations and Hospitality taxes that are going to be involved in this. It includes a convention center, a 400-room about 500-room hotel, two outparcels of 5,000 sq.ft. each of retail space, so it’s a major project. There is an issue with the Design Review Board. I’ve been in front of them many of times, and several projects have been delayed or short-circuited, and I think it is very frustrating to a lot of the developers over there.

So, what I would propose to do, Councilmember Waring, as opposed to just taking this particular portion out, is sending this to the Planning Board to look at a more robust review, the Design Review Board, and its jurisdiction. There are some tweaks that just need to be made, quite frankly, with it. These are very dedicated members of that Board. They spend hours and hours on a monthly basis going through the review process, but sometimes I think they get out of their lane a little bit. I understand the frustration of a lot of the developers who are trying to participate in the revitalization of West Ashley, so maybe this is just an opportunity, I think, to look at this as an overview. We may want to actually extend our jurisdiction as opposed to reducing it. I’m not sure if that’s the right avenue, but what the Design Review Board does do is rely on some level of consistency with West Ashley, but we’ve got to look at it. I hear the complaints, and I think you bringing this forward, Councilmember Waring, it deserves a lot of merit. One of the things, and I’m looking at Councilmember Shealy, that we were successfully able to address was the development of a gas station at Playground Road which our partners would be the St. Andrews Public Service District, and the Recreation Department opposed it because of this location. One way we were able to impede it was because they had to demolish a building that fed right into their jurisdiction that was over 50 years old. It was a back-way door or getting it accomplished, but we were successful in getting it accomplished. I hear you very loud and clear, so we just need to think of a way of maybe re-tooling the DRB a little bit on these corridors, and maybe you’re right, maybe we take it out, but maybe we just re-examine some of the process in doing this. So, it’s a very good discussion to have, and I think it’s time for us to sort of take the temperature of the DRB and see what direction we need to take to make sure it is being consistent with our Plan West Ashley.”

Mayor Tecklenburg said, “Alright. Anyone else?”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “I can’t resist. Councilmember Waring, I appreciate you bringing this forward. I think it’s something that really is worth taking a close look at because people are willing to go through unbelievable regulatory challenges on the Peninsula to get through our architectural review process, and we’re better for it, and the economics of it tend to work. So, when you get shut down by the BAR, and you’ve got to go back to your architect and re-draw your plans and that’s going to cost six figures, it is a little bit more of a digestible thing to take on when you’re looking at the end product of a development on the Peninsula. I’m not trying to downplay West Ashley or certain parts of West Ashley, but those economics are not the same, and I really think that you’re right when you say that the Peninsula is not like West Ashley. I think that’s very true and so I think, you know, everyone agrees in principle. We want to have good-looking design on our major corridors throughout West Ashley. That’s not a controversial proposition. I think the issue is how do we get there?

When you make a developer appear before a quasi-judicial board like DRB which functions very similar to the BAR in this instance, it’s just a very difficult process. I mean you’re dealing with inherently subjective concepts of architectural merit, compatibility, and things like that, and you’ve got a bunch of different opinions from very good meaning people on the board.
There are other ways you can get it, aesthetic regulation. You can have certain objective design standards included in the Code where we just say there are 20 things we don’t want to see in West Asley like really obnoxious-type stuff. We can just identify what those things are and just preclude them as a matter of zoning, so you don’t have to go in front of this body. It makes it a lot more predictable and objective on the front end. It makes it easier to get folks through the process because in these donut holes, it is a bit of a competition. Whereas we may be able to provide a benefit from a property tax or a utility perspective, if we’re going to have a regulatory burden, it way outweighs that in terms of unpredictability, costs, and things of that nature. We’re not going to be competitive, and we’re going to have all of those negative results. So, I think this is something that’s accomplishable, and I think it’s something we ought to spend some time looking into.”

Mayor Tecklenburg said, “Anyone else?”

No one else asked to speak.

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “I appreciate my colleagues’ input because that’s exactly what we need. I would prefer, if you allow, Councilmember, to go to Community Development and whenever we finish, if we want to send it to the Planning Commission, I think that would be fine. Because at the end of the day whatever Planning sends forward, we’re going there. I just want to, hopefully, attempt to speed that up by vetting it first. One of the things that Councilmember Appel brought up is the competition aspect to it. On the Peninsula, again, we have unified government. They don’t have the option of, ‘You know what, the BAR, forget them. We’re going to do this in the County’, but they have that option in West Ashley. We have that west of the Peninsula, again, West Ashley, James Island, and of course, Johns Island. So, I think our Community Development Committee could do a great job, and not only that, one of the things that’s happening here is their unspoken disagreements that some in the design community are fearful of coming forward with for fear of reprisals on their next project, and that’s the kind of thing we need to get at and correct so we can make it more efficient, take in some of the aspects that Councilmember Appel said, and put it into some of the Code which will make it more expedient. That’s all, and we’re not going to solve this tonight, but I think if we can go to Community Development and, obviously, all of you all would be invited to come, but that’s the topic, and I hope we could go forward to that committee.”

Mayor Tecklenburg said, “Mr. Chairman of Community Development are you agreeable to have this come to your committee?”

Councilmember Mitchell said, “Yes. How many items do we have on Thursday?”

Mayor Tecklenburg said, “Or at a future meeting. Yes.”

Geona Shaw Johnson said, “We have four, Councilmember Mitchell.”

Mayor Tecklenburg said, “Alright. So, I commend us sending it to the committee to have a robust discussion about it. I will echo your comments about how the BAR over time has worked so well in the Historic District, and I must say that I’ve had many conversations with property owners and developers who went through the process. They agonized a little bit, and they complained a little bit, but then almost without exception after they’re all done, they all agree that, you know, we have a better product, a better building, better looking because we
went through the BAR, and of course, that was the intent of the DRB for the major corridors of our City outside of the Historic District. I think it was put in place before I was working for Mayor Riley in the ’90s, but it wasn’t that old, the DRB, at that time, and there was an adjustment made, Councilmember, a few years after the DRB was put into place that adjusted what streets it even had jurisdiction over and applied to. So, this is not without precedent, but I just would add that I think we ought to be very thoughtful and not make changes on a whim or lightly. I know that’s not your intent here, but we should be careful about it because even though the other parts of the City are not the Historic District, one of the intents was not to let the rest of the City of Charleston look like Any Place, U.S.A., that we have these design jurisdictions in place so that we make sure that we’re a special place, we have special design, and Charleston will remain to be unique whether it’s West Ashley, James Island, Johns Island, and Downtown may, you know, be a different flavor so to speak in the historical architecture. It is quite a nuance of the donut holes of the competition of what we do from an approval point of view versus the County, and that’s all something we need to put into the pot here and think about as we go deliberate over it.”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “Just a quick comment based on what you said, Mayor, and Councilmember Waring said, that this is the reason we need to have a robust annexation into West Ashley because this is how we create uniformity and not just sort of spot design that’s going on out there. If everybody in West Ashley is in the City, your argument about what happens on the Peninsula just fits right into play with that, so I look forward to continuing the discussion. We’ll continue discussion, put it in front of Councilmember Mitchell’s committee, and get it to the Planning Department, and let’s make some adjustments on this thing.”

Councilmember Waring said, “Thank you.”

Mayor Tecklenburg said, “So, speaking of which, it’s time for our Council Committee Reports. First up is Community Development, Councilmember Mitchell.”

Councilmember Mitchell said, “Community Development met on July 21st at 3:00 p.m., and we only had three items under New Business. The first one was increasing affordable rental units. We had a lot of information given to us by Heather Dillashaw from the Community Development office, and I mean she gave us a lot of different information. I can’t remember it all, so we’re not going to go into that part of it, but we can probably get with her, and she can update you on some of that information on how much housing we need, 2,213 units that’s needed right now, and how they’re doing some rental assistance, increasing sustainable affordable housing, and things like that.

So, then we had a discussion regarding the frequency of meetings of the Community Development Committee of City Council, and I made a statement at that time that if there is a special meeting needed, we could call a special meeting at any time, but not have two scheduled meetings per month. So, that’s what we will do if a meeting is needed, then we will have to call a special meeting, and I’ll have the Clerk reach out to all of the Committee members to see who is available and see what time we can have it that’s not going to conflict with another meeting, and that’s what we will do from now on if that time comes up and arises.

Then, I left this to last, but it’s the second on the agenda, is the Rental Registration Ordinance. There was a lot of information that was given by our Planning Director. When they said they were going to have the pilot program in the Eastside, I had a problem with it because
of the fact that I heard about it at the Community Development Committee meeting. That’s the first I had heard of it and when I go in my community, and as I mentioned to them, I get beat up in my community. They aren’t in my community. I’m not knocking anyone on the Planning Commission, but this is what’s happening because they figure that every time something like this happens, it’s always coming in the African American community and wiping them out. This is what it is. Affordability is not there as it used to be. It has changed in the Eastside a lot, but we know with this type of ordinance that’s coming now, they’re not going to be able to afford it when they have someone come in and look at the house that they are renting, and they have to do all of these repairs. They’re not going be able to afford to do it, to bring it up to that type of standard, and that is going to wipe out more which is happening now anyway. So, I had a problem with it, and I told them at the meeting I would not support it in the frame that it is now. Doing the registration, I don’t have a problem with doing the registration. I would vote right now if this was the registration part of it that all of the landlords had to do registration. I attended all of my neighborhood meetings, even Elliotborough-Cannonborough. They were asking for this years ago since I’ve been on Council, years ago, that they wanted something like this to come forward. With the registration part of it, I believe they would even buy into the registration part of it, but with all of those other things that they have in that ordinance, no, no. I’m not going to support it the way it stands, but we voted at the Committee just to send it to Council, and that’s the only thing that we approved was to send it to Council, so they’re going to have deliberation on it and see where it goes from there. So, that’s the only thing I need to have approved is sending it to Council from Community Development. That’s my report, that’s the motion.”

Councilmember Waring said, “Second.”

Mayor Tecklenburg said, “Thank you. We have a motion and a second. Actually, the first reading of the Rental Registration Ordinance would require a vote of Council. Do you all want to include that as part of the report or vote on that separately?”

Councilmember Mitchell said, “Separate.”

Mayor Tecklenburg said, “Yes. Alright. Well, other than the ordinance, let’s accept the report from Community Development. Any discussion about the other items?”

No one asked to speak.

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

**a. New Business:**

(i). Increasing Affordable Rental Units for Households Experiencing Homelessness in the City of Charleston - Presentation by Heather Dillashaw, Senior Manager, Housing and Community Development, ICF

(iii). Discussion regarding frequency of meetings for the Community Development Committee of City Council

Mayor Tecklenburg said, “Now, for discussion purposes, could I go ahead and entertain a motion to approve the Rental Registration Ordinance?”
Councilmember Seekings said, “As it’s drafted?”

Mayor Tecklenburg said, “As it’s presented to us. Yes, sir, but you could go ahead and amend it as part of your motion.”

Councilmember Mitchell said, “Well, I would amend the motion that we amend it that we just go on and go with the registration part of it, and all of the other things that they have in there we just put that aside for right now, and let’s just go with the registration and also look at Elliotborough-Cannonborough. I think they can really look at it and give you a lot of different information with all of the landlords and everything that’s in that particular area. They can pull it up in Elliotborough-Cannonborough because they are the ones that were asking for this for a long time. The Eastside they say is a smaller version so that’s why they are starting in the Eastside first. I told them I have a problem with it, and I still have a problem with that going to the Eastside, but with the registration part of it, if we just go with the registration, and let’s see what that does in the pilot program, I wouldn’t have a problem with that. That’s my motion is to just go with the registration, and that’s it for right now.”

Mayor Tecklenburg said, “Do I have a second?”

Councilmember Seekings said, “I’ll second that.”

Mayor Tecklenburg said, “Okay. Discussion?”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Thank you, Mr. Mayor. So, I wasn’t going to talk about this tonight, but I’d like to just make a few comments. Back in 2012 and 2013, we had drafted and moved or tried to move forward for a rental registration log. It’s been called on for a long time. It was revenue neutral. All it was was to register landlords who live within 30 miles of the property that they owned in the City of Charleston, so we could find them to discuss with them any issues that came up, and along with Councilmember Gregorie and Dan Riccio, we scored a great victory. We got it to a committee for consideration, and it went nowhere. It couldn’t get out of the committee. You know why? Because people thought it was a back-door way of raising taxes and raising revenue for the City, and it wasn’t revenue neutral, so it never went anywhere although we all knew we needed it on the Peninsula, and we do. Fast forward to 2022 now what we’ve got that came through Community Development is and with all due respect to our Legal staff who has worked really hard on this and has shared all of their thoughts on it with me included and I appreciate that, but what we’ve got now is from a 1-page Rental Registration Ordinance in 2013 we couldn’t get out of committee to a 10-page single-spaced Ordinance that creates a whole new bureaucracy and includes in it a reference to the International Property Maintenance Code. Okay, raise your hands around this table if you’ve ever read the International Property Maintenance Code.”

Councilmember Gregg raised his hand.

There was laughter in the Chamber.

Councilmember Seekings said, “Alright. Councilmember Gregg is now the official member of this Committee or knows if we’ve even adopted that in the City of Charleston. Have we? Okay. Have we ever enforced it? Where is Dan? I mean, I’m sitting here reading it, and it is a very comprehensive and sweeping code that puts upon municipalities an obligation, I guess,
so we adopt it to enforce certain issues on private landlords. Rental registration is absolutely needed in the City. We’ve got to have it. We’ve needed it and I think, Councilmember Gregorie, at least will agree with me, we’ve needed it since we tried to get it out of a committee nine years ago, but I don’t think this is the answer because one of the problems is it can’t be revenue neutral in any way, shape, or form because I talked to Dan today, and I said, ‘If we adopt this pilot program, how many people do you need just to enforce it as a pilot on the Eastside?’ and he told me three people.”

Dan Riccio said, “Two more. We’ve got one.”

Councilmember Seekings continued, “Two more. You’ve got one, right? So, more people, hiring more people, and as we know, that’s a challenge for us already. This is a worthy effort. We need a Rental Registration Ordinance. I agree with Councilmember Mitchell, and I seconded it, but we need to put something on the books sooner rather than later to get it done. A way to reach landlords and let them know that we’re going to hold them responsible for their properties in the City of Charleston, and if they’re not responsible landlords, there will be consequences. But what we have here is a pilot on the Eastside that references things that I don’t think too many of us were fully familiar with and creates a whole new bureaucracy. It’s probably a step too far. So, I seconded the motion with Councilmember Mitchell, but I’d just like to ask a question on it, and that is this. Does your motion include asking our staff to go back and have a Rental Registry Ordinance proper, or is there a portion of this that you want to adopt?”

Councilmember Mitchell said, “No, I just want the rental registration done, so we need to go back and just do the rental registration. That’s what I want right now. Re-write it.”

Councilmember Seekings said, “I think that’s the way to go, Mr. Mayor, and I seconded it for a reason. I will see what my colleagues have to say about that, but that’s the way to go, and I do also think, I mean, we’ve got a neighborhood that has come here and asked to be part of this pilot program. Let’s give it to them if we can, and I guess the Eastside has asked not to be, so I don’t know. I mean, I think all of the downtown neighborhoods would like to have this on the books as a Registration Ordinance. I agree with the comments that were made during public comment. This goes a little bit further than that, so let’s give it to them. I don’t know if we can do it as a pilot across the Peninsula, but so it’s not such a sweeping document that’s probably the way to go, anyway.”

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmembers Shahid, Appel, and Mitchell.

Councilmember Shealy said, “Just to be clear on what’s on the floor, this motion eliminates the inspection portion of this. Is that correct? The inspection piece would be out?”

Councilmember Mitchell said, “Yes.”

Councilmember Shealy said, “Okay. I just wanted to be clear.”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “So, the gentleman who came up and said he read this thing about four or five times and was confused, I agree. I’ve read this thing four or five times, and I’m so confused about what we’re trying to accomplish with this thing as written. So either we excise out of this draft specific sections so we’re all very clear of what we want out, or we
just defer this and ask staff to come back with a very clear, probably 1-page ordinance that accomplishes that because I think what we’re doing here, as is written, is going to be even more confusing unless we just have a clean copy of what we’re trying to accomplish. We want the registration period, and I agree 100% with that. I remember the discussions that Council had before I was on Council about this, and this has been batted around, and I never understood. I thank you for the explanation, but I never understood why this was so complicated in getting it done. This seems like a very simple solution to just register these folks and be done with it. So, whatever is easiest to do, either defer it or be very specific on what we’re taking out of this draft.”

Mayor Tecklenburg said, “The way I understand it, the key thing that has been requested to be removed has to do with the inspections and the building codes.”

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden said, “I was just going to make a motion to defer. I just don’t want to be in the business of amending this on the fly and not knowing what I’m voting on. So, I think it would just make a lot more sense to come back at our next meeting with the registry portion of this stripped out which seems like we’ve got pretty broad agreement on.”

Councilmember Gregorie said, “Second.”

Mayor Tecklenburg said, “We’ve got a motion to defer and a second. I do want to call on Councilmember Appel because he had raised his hand before the motion.”

Councilmember Appel said, “Yes. I’m in full agreement that having a registration program makes sense. You know, I voiced this comment at the Community Development Committee meeting. You know prior to this item being discussed, we had a presentation from an individual who is an expert in homelessness and the regulatory barriers that local governments have that stand in the way of attainable housing for folks. And we talked all about how there was this big unintended set of consequences you can have with very well-meaning regulation, and the next thing we talked about on the agenda was, a new regulation that was going to have adverse impacts to affordable housing. I’m not trying to beat up this process. I think we’re all in wide agreement. This is a very well-drafted ordinance that took a lot of staff time and resources. I want to give credit to our staff for putting this together, but I mean I have to say, if you sat around and tried to come up with a way to just accelerate gentrification and eliminate affordable housing on the Eastside, this is what you would do. You would require all landlords to come into compliance with these Code requirements which sound very good on a very abstract level. Of course, I want everything to be Code compliant and everything to be incredible, but you’re hiring contractors, you’re going to have to spend hundreds of thousands of dollars. People are going to take this rental inventory off the market. Very well-intentioned, but I think somewhere along the line we kind of lost our way a little bit. Let’s require folks that are renting their properties on the Peninsula, especially in neighborhoods that want it registered with us, tell us you who are, if you’re an LLC, your registered agent can’t be a CT corp, it’s got to be a human with a first name and last name and a pulse that we can contact if, you know, your college tenants are throwing a rager at 3:00 in the morning. That’s what this is about. So, I think we can get there, I think we need to kind of rein it in a little bit, I think we can do it, but it’s just I find ourselves in this situation a lot where there’s just these unintended consequences, very well-meaning measures. What I would suggest is maybe before we spend the time and energy and staff resources on this, this is very well-written, let’s kind of have this reality check a little sooner rather than later, so we don’t have to get so far afield to have to rein it all in because, you know, it’s a shame that,
I mean, I’m someone who likes ordinances and the way it all fits together. This is a very nice piece of work, it’s just unfortunate that we’re, you know what I’m getting at, so let’s defer it, let’s re-study it, and come up with something a little bit more simple.”

Mayor Tecklenburg said, “Well, if I may make a comment, and honestly, I wouldn’t mind us voting and giving it first reading with the removal of the inspection part. That seems to be the most bothersome to folks, but whether we do that tonight or at the next meeting, I do want to make the case to you all that we should leave the accountability portion in the ordinance. I mean, the whole intent of this ordinance is to protect the livability of our neighborhoods and to provide for public safety in some cases, so having that part of the ordinance that provides some accountability to the landlord in the event there is an irresponsible tenant who is violating various City ordinances and requirements, I think is an important thing to have. It’s really not meant at all to be punitive to a landlord. It’s just really an avenue for our Livability Department to have a very meaningful conversation with the landlord about what’s going on at the property. So, I think that’s important for neighborhoods, for Livability, and if you all don’t mind, could we ask Dan Riccio just to comment on a few aspects of this because I know he would like to share with us. Could I do that first, Councilmember Mitchell, and then come back to you, or do you want to go first?”

Councilmember Mitchell said, “Just with what Councilmember Appel said, even if we do the registration and you want to keep the fines, I don’t have a problem with the fines, the first fine, the second fine with the landlords. I don’t have problems with that, so if they want to include that part of it along with the registration, that’s alright, but the rest of those things, I mean, when a person has to do an inspection, you know, they have to go.”

Mayor Tecklenburg said, “We’re hearing you loud and clear. Yes, sir. Dan.”

Dan Riccio said, “Thank you. Yes, the draft ordinance is written very well thanks to Ms. Magalie Creech over here. I’ve been communicating quite regularly for the last month-and-a-half with Josh Dix who is the Director of the Board of Governors for the Realtors’ Association for Charleston, a very big organization that covers a lot of area and a lot of realtors. He is in support of this. He sent an e-mail today to all of you and to me. He’s not supportive of the inspection component which is evident here with the concerns on Council, but he is very supportive of the punitive part of for landlords. He agrees it’s not invasive, it’s fair, and believes that the low percentage of these landlords that are not doing the right thing need to be held accountable. He asks for first reading. He asked that I meet with them at one of their large meetings on Thursday to iron it out. It says in here, ‘We want the first reading. I’ll be coming to their meeting to discuss, and they can iron out the differences before the second reading.’ His words. So, deferring this, we’ve been working on it a long time, it’s only going to delay it a little bit more, I hear you. As far as doing this Citywide right up front, I don’t want to set this up for failure. It’s got to be done in smaller components to make it work and be effective, so a smaller area, that’s why the Eastside was picked for a couple of reasons. The data showed that the percentage of calls in relation to the percentage of rental properties there were very high. These are disturbance calls, nuisance calls, loud parties, and things of that nature, plus it’s a small piece of community that we can digest rather than take on the whole plate. So, that’s why we’re asking for that portion of the City not because of situations that have happened in 2021 and 2022, but strictly based on the data that showed in doing our research as staff, so they’re supportive. If they’re supportive, they’re the ones that were not supportive when we went in 2013 the first time with this. They basically ran me out of their office. It was not fun. So, I’m glad to have the director of this whole association on our side and an ally. I’ve been very transparent with him. I’ve gone line by line
and, again, he and his fellow realtors did not like the inspection component either, but the other registry and the punitive or to hold them accountable.”

Mayor Tecklenburg said, “Accountability.”

Mr. Riccio said, “Accountability, sorry, he was all in favor for. So, if you give this first reading, we’ll iron it out for next Council meeting, so we can get on and get this done sooner than later.”

Mayor Tecklenburg said, “Alright. Thank you, Dan.”

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, “Thank you, Mayor. I mean, based on what I’m hearing from folks on Council, I don’t think we’re far off. I think we’re probably going to get to a place where we’re all in agreement. I think we all agree that we want the registry. I would like us to continue to have the conversation. I’m not going to support a deferral. Staff has worked hard on this, and I think we’re in this place because we’re not providing them specifics on what we’re asking for and what we need. I do think the accountability piece is important, and I do think the registry is important, and I think it’s clear from the folks on Council that none of us have the appetite for the inspection piece which I do believe, to Councilmember Appel’s point, it’s just we’re creating more bureaucracy than we need, and it’s creating more complexity that, frankly, we just don’t need. So, if we could entertain to continue to having the conversation tonight, that would be awesome to do. If we’re going to defer it, I’m not going to support a deferral. I think we just owe it to staff, and we owe it to folks that have come tonight to move this on to the next place. I think staff knows what we’re asking for. We just need to be clear about some of the specifics in the current ordinance.”

Mayor Tecklenburg said, “Alright.”

Mayor Tecklenburg recognized Councilmember Parker followed by Councilmember Waring.

Councilmember Parker said, “Thank you, Mr. Mayor. Mr. Riccio, where did this ordinance evolve from? Who requested the creation of this ordinance?”

Mr. Riccio said, “Well, it’s been evolving over the past, what, since 2013. It’s been a strong suggestion by all of the neighborhoods that are affected by these rental properties predominantly rented by college students throwing parties. Our biggest barrier are the LLCs. It’s not as easy as people think, reaching out and touching these people because we have had situations where one LLC would lead to another and then another who has the registered agent being the attorney that closed for that LLC, so it’s not as easy as people think, and we can’t resolve the problems as quickly as possible like people think when we can’t find the landlord. Do you think the tenant’s going to give us the information? No. So, it’s really, I would say, 95% pushed by the community, these neighborhood representatives that have been directly affected over the years. The college has been asking for it, the City has been asking for it, so it’s been a combination of different members of the community and the City wanting this to happen. It wasn’t a spur of the moment thing. You know, going the first time in 2013, it did not work, it wasn’t successful, and we’re plagued with the same problem, and I get all of the same complaints, ‘Why aren’t you getting this done faster?’ If we had this tool of being able to reach
out and touch someone much quicker than later, I’m telling you it’s going to be a very positive thing.”

Councilmember Parker said, “Okay, and because ultimately what you’re saying is whatever we have in place now doesn’t have the ability to solve the problem.”

Mayor Tecklenburg said, “We don’t have anything in place now.”

Mr. Riccio said, “It doesn’t exist.”

Mayor Tecklenburg said, “So, one of the things that prompted it, I mean, when I got elected, I had heard the war stories about 2013 and how this was opposed and all like that and, honestly, I attended a Municipal Association meeting here in Charleston, and the Columbia Police Department was doing a presentation about public safety and particularly around the university and Five Points. They talked about the fact that they had one of these ordinances in place and Meg and Business and Neighborhood Services had looked into it a couple of years ago when we were talking about vacant properties on King Street. So, anyway, after all of these requests from different places and then hearing how successful Columbia had been with it, I asked staff to come forward and bring it back to us.”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Actually, Councilmember Shealy had his hand up.”

Mayor Tecklenburg said, “Oh, okay.”

The Clerk said, “He’s already spoken.”

Councilmember Shealy said, “Oh, I have already spoken once.”

Councilmember Waring said, “Okay. Thank you. Mr. Riccio, with all due respect, you know we all love you—”

Mr. Riccio said, “Oh, here it comes.”

Councilmember Waring said, “You know that ‘but’ was coming.”

Mr. Riccio said, “Yes.”

Councilmember Waring said, “I got an e-mail from Mr. Dix at 9:39 this morning, and I responded back to him at 9:57 a.m. 16 minutes later, and I asked him to explain to me why this isn’t infringement on property owner rights. I have yet to hear from Mr. Dix on that.”

Mr. Riccio said, “He’s in New York. That’s why he couldn’t be here tonight.”

Councilmember Waring said, “They don’t have e-mail in New York?”

Mr. Riccio said, “Did everybody else check e-mails? I checked my e-mail.”

Councilmember Waring said, “You and I don’t need to get in a back and forth on that.”
Mr. Riccio said, “I checked mine.”

Councilmember Waring said, “That was my initial reaction when I read this. I think it’s a huge infringement of property owner rights. Something needs to be done, I agree with you, Councilmember, but this isn’t it, and I think we’re making sausage on the floor. That’s what we’re doing right now, and we do not do good work, all 13 of us, we do not do good work when we do sausage work on the floor. We’ve done it before. I’ve been a part of it. I’m ashamed of that kind of work. We can do better. It’s not much more to go. I agree with you, Councilmember Sakran. Let’s send it back to Committee. Councilmember Ross Appel, I can’t tell you how much I appreciate you, how this would accelerate gentrification on the Eastside. It took bravery to do that. He’s right. Councilmember Mitchell actually told me that off the record. You should have said it into the microphone. Frankly, we have a colleague sometimes when we don’t come forward, somebody else does. In this case, you did, and I commend you on that. We can do better. We send it back to Committee, but at the end of the day answer this question for me, Mr. Riccio, and you’re right about the finding and trying to track down ownership from one LLC to another, only to find a brick wall with an attorney being an agent. When we come up with some sort of registry, and I believe we do, how is that going to be satisfied doing it that way? How would a registry help you navigate through the maze of LLCs?”

Mr. Riccio said, “It cuts out all of that time consuming--”

Councilmember Waring said, “So, how do you find the human being that owns it?”

Mr. Riccio said, “How do we find a human being? We do. It’s not all rental properties. These are a majority of the absentee landlords, specifically in the downtown areas that surround the College of Charleston and those neighborhoods. That is the problem. The ones that live out of State, even the ones that are local tend to be, even though we can get in touch with them, tend to be challenging, continuous Livability Court visits. It’s not complicated to find some. It’s just this increases the tools to be able to expedite any complaints we get in a timely manner.”

Councilmember Waring said, “I understand when you find a human being, but back to the question of the LLC from one LLC to another, because I know you’re running into that.”

Mr. Riccio said, “Oh, yes.”

Councilmember Waring said, “When we come back, what can we do that will help you with that problem?”

Mayor Tecklenburg said, “That’s in here now.”

Mr. Riccio said, “Yes, it’s in here now. It’s support this ordinance--”

Councilmember Waring said, “No, no, listen. How do you find that human being, not the LLC, not the corporation.”

Mr. Riccio said, “It’s going to be required through this registry that the owner of this property must designate a responsible person that lives within 30 miles of Charleston to be able to be contacted in a timely manner. That’s the biggest tool here. Someone, even though they live in New York, or wherever, they have to designate somebody within 30 miles of the City of Charleston to respond and be able to communicate with us in a timely manner. That’s what the biggest bonus of this ordinance is.”
Councilmember Waring said, “Alright. I'm going to support the deferral to make it better. Thank you.”

Mayor Tecklenburg said, “Yes, I understand. Just from a process point of view though, could I request that--I think we have pretty good consensus here amongst us. I mean, we all agree with Councilmember Mitchell. Can we just bring it back to the body as a whole, rather than going back to a committee? Because I think we know to pare this thing down. We've been listening to comments of Committee. It's been to Committee once before and got approval, actually, to come to this body. It would just save us another month. I don't want this to die in the Committee like it did in 2013.”

Councilmember Gregorie said, “Mayor.”

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmembers Gregorie and Shahid.

Councilmember Gregorie said, "I think it's Gregorie."

Mayor Tecklenburg said, “Gregorie hadn’t been heard yet.”

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, “With all due respect, Mayor, I really think that we should send this to the appropriate committee and take all of the information that we’ve gotten, because we’ve gotten comments, I’ve gotten extensive comments on how we can change it, and make it better. I don’t think that I should discuss that here. I’d like to have some discussion in the committee. I'd like to share that with Legal. I just don't think this is the way to do it. I think we should defer this and send it back to Committee and then Committee sends something that everyone is satisfied with to the body of the whole. That's my position, Mayor.”

Mayor Tecklenburg said, “The motion on the floor is to defer.”

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, “I'm good.”

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden said, “So, my intention was to defer and then bring the very simple registry piece, with the enforcement, certainly, back to us at our next meeting. Then, I think those other policy pieces that are in here can be worked on separately. I think that it should go back to the Committee and be worked in separately. Clearly, these are probably ideas that have kind of been floating around staff for some time, and this, I think, that's the proper way to do it, but there's clear agreement on certain things. I just don't want to vote on something that I haven't seen.”

Mayor Tecklenburg said, “Absolutely.”

Councilmember Bowden continued, “I do think that small piece should come straight back to us.”
Mayor Tecklenburg said, “We understand.”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Just briefly, I mean, if the deferral goes, I agree. I mean, I think one of the things that this ordinance as drafted does, it has two components to it. It’s got the registration component to it, and it’s got the permitting component to it, and we can handle that. I mean, we want registration, we’ve heard it. We want registration that’s got teeth to it that mandates that a person can be contactable. That’s going to be tough to do, but we can work through that, there’s a punitive aspect to it. The permitting side we have a way to do that, and that’s to require business licenses. I mean, we don’t need to go through that whole thing. So, if we can get a simple registry, and we’ve got one on the books, we’ve drafted this already. We’ve got it out there. We’ve brought it to this body before with a measure in there that gives us some ability to have some teeth to it, that, I think, is what I think this Council is asking to be brought back, and we need to bring it back quickly, and I get the fact that you don’t want to do it City-wide because of resources, but if we pare this down to just a registry, we could do it as a pilot, but everyone else is going to be screaming for it. I mean, there is going to be a consortium meeting tomorrow night. When we report this back to them, they’re all going to be like ‘we want this,’ so we need to put something in place, that’s manageable, that’s understandable, that’s simple, that gets the registration in place, and then we can talk later about this whole permitting, which is, again, it’s effectively business license, that’s what it is. The Business License Ordinance in place gives us lots of teeth, lots of them. We then can control all sorts of things. So, I’m going to support the deferral. I do think, with all due respect, Councilmember Gregorie, although we should be patient, we’ve been here since 2013. A simple ordinance that comes back to the Council, I think, is something that we should be able to handle.”

Mayor Tecklenburg said, “Alright. I want to call the question to defer the matter. Any other questions or comments before we do that?”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “I just have a question for Legal, if I could ask the Legal Department. So, when an LLC is created, they have an agent. When somebody incorporates in the State of South Carolina, they have an agent. They designate an agent for service, but that person may or may not live within the 30-mile radius. So, if we designate somebody who is ‘a responsible person,’ that has no legal impact whatsoever. They could theoretically name a tenant to be the responsible person, right? I mean, I’m just, I want you to walk with me through this process a little bit. So, the idea that Dan is talking about as having the teeth behind this registration, is to be able to reach out and touch somebody physically and say, ‘Hey, we’ve got a problem, and you’ve got to be the responsible person to solve the problem.’ That’s what we’re trying to accomplish here, correct? So, the responsible person has got to be somebody who’s got an accountability issue. That person faces a liability. So, it just can’t be at the whim of the landlord, or the owner of the property, it has to have somebody who has legal teeth so that when we go after the landlord, we’re going after a person, and I think, that we’re missing this very important component of all of this. So, when we go back to re-draft this, that person, that human being has got to be somebody who is a part of the LLC. I don’t know if you all are following my thought on this thing, but you can’t just designate somebody as the responsible party without that person having some connection to the LLC. We’re talking about legal liability here.”
Mr. Riccio said, “I can provide an answer for that. If you go on the Secretary of State, the records, and you find that LLC, every time we call the registered agent, the responsible person, they’re like ‘Nope, don’t want anything to do with it. I’m just the attorney.’”

Councilmember Shahid said, “Right. That’s exactly the point I’m trying to make here. You can be a property owner registered in the State of New York, or State of Connecticut, or the State of Georgia, and you’ve got a registered agent. Unless that person is verified by us as a responsible party, then all of this is just an exercise in futility, because the responsible party has got to be somebody who has got a connection to the legal entity who owns this land, and that’s what you’ve got to figure out.”

Mayor Tecklenburg said, “Alright. Well, Councilmember Shahid I think the accountability part really lies elsewhere in the ordinance.”

Magalie Creech said, “And, I did want to clarify that as part of the requirement for the application process the applicant, whether it’s the landlord or an agent, which can be property management company, has to designate this local responsible representative. So, we could certainly modify it to make that person, if it is a corporate entity, be a member of that entity, but right now, as it stands, it could be a family member. They’re not required to be an owner of the property. We’re just looking for contact information for somebody here who can respond to these calls.”

Councilmember Shahid said, “I think you all are missing what I’m trying to say here. You can designate somebody to be a responsible party, but when you go to that responsible party, you want to have the ability to make that responsible party do something to correct the problem. If you just have somebody in name only, they’re just a straw responsible party. I’ve seen this happen. I’ve sued, you’ve got to make sure that that person has got some skin in the game. If you don’t have that person have skin in the game so when you say to them, ‘Hey, there’s a noise problem, there’s a debris problem, there’s something else going on,’ that person has got to be able to be called forward to say, ‘You’ve got to fix it now.’ Otherwise, you’re just blowing into the wind.”

Mayor Tecklenburg said, “Well, again, I think the accountability part of this ordinance lies elsewhere and beyond the designation of the party.”

Councilmember Shahid said, “That’s right.”

Mayor Tecklenburg said, “So, this is going to come back to us, we’ll have opportunity to straighten these things out. Right now, the motion on the floor is to defer. Any other comments on the deferral?”

No one else asked to speak.

On a motion of Councilmember Bowden, seconded by Councilmember Gregorie, City Council voted to defer Item 1a(ii) of the Committee on Community Development Report:

(ii). Rental Registration Program Ordinance - Robert Summerfield, Director, Planning Preservation and Sustainability and Dan Riccio, Director, Livability

The vote was not unanimous. Councilmember Sakran and Mayor Tecklenburg voted nay. The motion passed 11 to 2.
Mayor Tecklenburg said, “It will come back to us shortly. We’ve heard you loud and clear.”

The Clerk said, “Mr. Mayor, just for the record, the nays I had were Councilmember Sakran and Mayor Tecklenburg.”

Mayor Tecklenburg said, “Right.”

The Clerk said, “Alright. Thank you.”

Councilmember Mitchell said, “Mr. Mayor.”

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, “It’s going to be referred back to the Committee or back to...”

Councilmember Gregorie said, “Yes. Community Development.”

Mayor Tecklenburg said, “The intent as expressed by the maker of the motion was that the matter would come back to City Council as a whole.”

Councilmember Mitchell said, “So it comes back to City Council.”

Mayor Tecklenburg said, “It will come back to City Council. I tell you what. We’ll give you all a head’s up on the pared-down version of it and be glad to hear all of your recommendations, Councilmember Gregorie, and anyone else. Okay. So, next up is our Committee on Human Resources, Councilmember Gregorie.”

Councilmember Gregg was excused from the Chamber at 7:22 p.m.

Councilmember Gregorie said, “And we’ll make this quick. Hopefully, I won’t say anything controversial. The Committee on Human Resources met on August 3, 2022, and our first discussion was on the medical plans, and it was preliminary because, as most of you know, we are, in fact, self-insured. We’re now in the process of trying to find out who will be administering that program for us, of which we will be dealing with later on, I think, next week, so that we can make a recommendation to the body of the whole. We did have extensive discussion on our vacancies. Very similar to the presentation that the Human Resources Department had given to the body of the whole, nothing changed. We did also talk a bit about job reclassifications, however, our Human Resources Division did come up with a way of, perhaps, eliminating, I think, it’s 6, and collapsing 6 and 7. That’s how we’re able to get to the recommendations that were approved by Council in Ways and Means, with respect to using the salary savings in order to do a mid-course correction with regard to giving the $15 minimum to those folks at that level. We also, again, talked about pay discussions, just in general, and, of course, again, we voted on making sure that there is, in fact, a bonus, I think, of $1,250 across the board. We already approved the recommendation with regard to the bonus, as well as the salary raises, and that was passed unanimously by the Committee. I’ll go into Licensing, Mr Mayor, which is the next committee?”
Mayor Tecklenburg said, “I think we should approve the report from Human Resources first, if that’s okay with you all.”

Councilmember Gregorie said, “Okay.”

Councilmember Gregg returned to the Chamber at 7:25 p.m.

Councilmember Shealy, said, “Move for approval.”

Councilmember Shahid said, “Second.”

Mayor Tecklenburg said, “Any discussion?”

No one asked to speak.

Mayor Tecklenburg said, “I just want to thank the Committee for your work because it did lead to those approvals tonight at Ways and Means.”

On a motion of Councilmember Shealy, seconded by Councilmember Shahid, City Council voted unanimously to adopt the Committee on Human Resources Report as presented:

- **a. Old Business**
  - (i). Preliminary Discussion on Medical Plans

- **b. New Business**
  - (i). Update on Job Vacancies
  - (ii). Discussion Regarding Job Reclassifications
  - (iii). Employee Pay Discussion

Mayor Tecklenburg said, “Now the License Committee Report.”

Councilmember Gregorie said, “Okay. The License Committee had one issue, and that was to repeal and replace Chapter 17-Licenses and Permits. That was voted on unanimously by the License Committee, and now it’s brought before this body to recommend approval, and it needs a second.”

Councilmember Mitchell said, “Second.”

Mayor Tecklenburg said, “Alright. Any discussion on this ordinance, on the late night establishments?”

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, “Yes. Thank you, Mr. Mayor. So, you’re moving to pass this tonight, first reading?”

Councilmember Gregorie said, “Yes.”

Councilmember Parker said, “I apologize. I didn’t watch the Committee meeting on this, but I did, obviously, I’ve received some calls and e-mails regarding this. Are we not going to
have a presentation or anything regarding this new ordinance? Because I do think that there are some items in this ordinance that should maybe be re-visited.”

Councilmember Gregorie said, “We can if we have some specific questions.”

Mayor Tecklenburg said, “Absolutely.”

Councilmember Parker said, “Sure. So, what I hear from some folks is kind of a two strikes you’re out system, and a Mayor-appointed position to sort of, I mean, I don’t want to say police it, but, I mean, I don’t know what else to say.”

Mayor Tecklenburg said, “Adjudicate.”

Councilmember Parker said, “Right. I certainly take issue with those two items. I understand, and I had a great conversation with Deputy Chief today. I understand this is something we need downtown, but these two items are certainly something that I think should be re-visited and, definitely, specify what these two strikes are. They’re very broad. I don’t know if you read through it, but they’re very broad, so these two strikes, you’re out, can eliminate someone from that two-hour window of business from something as little as, I think, a door being open and noise violation, to someone selling drugs, you know, that’s the same strike as someone selling drugs inside. I think that maybe some of those items need to be tweaked. So, if we’re giving first reading, is there going to be time to tweak this and re-visit a couple of those items?”

Councilmember Gregorie said, “Between first and second.”

Councilmember Parker said, “Right. I guess I’m just curious if any other Councilmembers are in favor. It’s not going to come back to the Committee before second reading. So, do I just need to speak--”

Councilmember Gregorie said, “Yes. I think that if you have issues and concerns--”

Mayor Tecklenburg said, “And, Councilmember Parker, excuse me, what was the first issue you raised or noted?”

Councilmember Parker said, “Well, I’m probably putting it a little bluntly, but two strikes, you’re out, I mean, there’s a fining system, or a system where if you violate this, you’re here, if you violate that, you’re there. This is, obviously, the first that I’m seeing this, so I had to wrap my head around it pretty quickly to understand. I think you’ve gone to some of the discussions. This is another thing where, I think, obviously, there’s clearly middle ground where everyone is happy and satisfied, but I certainly, I just don’t want to put a continued undue pressure on these business owners. Let’s clarify what those strikes are, what those violations are. Is there going to be two separate processes for the strikes? Are there major violations, minor violations? So, it’s not two strikes, you’re out, we’re pulling your permit, you can’t operate from 12:00 a.m. to 2:00 a.m.

Second, I certainly, you know, I think we just talked about it with DRB, all of these different things, I don’t think the City needs to operate in the gray area. We need specific guidelines to say for the two strikes, you’re out, but also to the Mayor-appointed position. I think we need to be careful here when we continue to give the Mayor the power to appoint this position rather than possibly a group of people or a few members to then police this permit. I
don’t want there to ever be discussion of, ‘Well, he did this, but I did this, and he got that, or I got that,’ so I think there needs to be a fair exchange of who appoints that person and/or people and go from there.”

Mayor Tecklenburg said, “Alright.”

Mayor Tecklenburg recognized Councilmember Gregorie followed by Councilmembers Bowden, Sakran, and Seekings.

Councilmember Gregorie said, “I think that your concerns are legitimate, because what you’re really talking about is the degree of the violation, as opposed to any two violations would do x, y, or z, as opposed to the examples that you used, somebody selling dope on the premises versus a noise. I think those are legitimate concerns of which I think can be discussed, and I think if there are any recommendations that you might have to clarify it, we can work along with the Legal Department to come up with some language accordingly, because I think that those are legitimate questions, Councilmember Parker.”

Mayor Tecklenburg said, “Thank you.”

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden said, “Thank you, and I expressed a similar idea to some of the staff at one of these kind of feedback sessions they had with restaurant owners. It surprises me that I’m about to say it, but there’s kind of an interesting tension here between the tools that especially law enforcement and staff have suggested that they need to rein in the problems that they’re seeing with the enforcement side. I’m actually comfortable at the balance that they’ve struck, even though this is written in a maximalist way. They were very clear with the owners who were at that meeting and, frankly, the owners who were at that meeting are probably the best actors in that community, and certainly not the ones that are causing problems, but they expressed that they need these tools. They haven’t had them in the past, and they’ve written it in a way that the business owners essentially get to police themselves, as long as they are not causing problems. I think that was the right way to do it. It seemed like it was the product of a ton of discussion back and forth. When I was in the room, people seemed happy with the product that was in front of them. I totally agree with the problems that Councilmember Parker raised. I think there are a lot of issues with those around the table and some workshopping will need to be done prior to second reading, but I just think this is phenomenal work to get to a place where everybody who needs these tools on the City side is happy, and the folks who these rules are going to be enforced against are mostly happy. I mean, this is a complicated thing. There is a lot of money on the line for a lot of people, and this is not something we should take lightly, but to have gotten to this point where we are, I don’t know, 90% of the way, I think is just really, really great work.”

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, “Thank you, Mayor. I’ve had several conversations with business owners up and down King Street throughout Charleston over the past, well, it’s been six months, because originally these meetings were a year ago, so let’s just remember that.”

Mayor Tecklenburg said, “That’s right. Yes, sir.”
Councilmember Sakran said, “Meg, great job. Every business owner I’ve spoken with has said that Meg’s been responsive and communicative and transparent about the process, but it does not mean that the end result is something that they like. Me personally, when I think about this ordinance and the irony of us talking earlier this evening about the unexpected additional revenue that we got as a City that helped pay for the bonuses and shore-up some of our hourly workers, that was on the backs of these restaurants, it was on the backs of these businesses. So, the A-Tax, the Hospitality Tax, and all of the revenue that we’ve generated, and it’s been a great year, many of the business owners have said this has been their best year in a long time, so here we are talking about helping them in some capacity, or trying to solve, what I still don’t understand, is it a crime issue? And if it’s a crime issue, no one in the City has come to Council and showed me the data. Is it violent crime? Is it alcohol abuse? What is it? So, if this is all-around crime, I want to make sure that we have a discussion in Council, and that data is shared with us because I still have not seen the data that would support the rationale for the ordinance, that’s number one.

Number two is I’ve done some research, and I thought we can’t be the only city that is going through this, so I looked at similar sized cities. Arlington, Virginia is a great example. Burgeoning nightlife, burgeoning entertainment district, but they’re a little behind where we were. They were experiencing these issues in 2015. What they did is they grabbed a vast diverse group of people in the community. It wasn't just business owners, and they worked in partnership with the business owners and restaurant groups, and didn’t vilify them in a way that I think this ordinance does in terms of its punitiveness. Having one infraction, and then you meet with somebody, that's great. The second infraction is a year suspension? To Councilmember Parker's point, Section 17-130 Violation 2(b), there's a whole list of offenses. I can tell you right now that 90% of the restaurants and food and bev places in Charleston would not meet all of those requirements today. So, if you want to be nitpicky and go into restaurants, you’re going to find something, including mine. We need to be specific about what we’re holding them accountable for.

I think that list is too broad. I think having one person to be the arbitrator and adjudicator of a case is not due process, it is not fair, that needs to be represented, and the restaurant community needs to be at the table. If it’s going to be a committee and a commission, they need to be at the table appointing those folks in partnership with the City. I just don’t think we’ve done a great job. I think it comes from a good place, but I do not think we've done a great job of working in partnership with the folks that essentially have generated the revenue to give our staff the bonuses. The last piece for me is, we know that the folks that come to those meetings are the good actors, right? They care, for the most part. We know that there are a few small places on King Street that are creating the majority of these problems. My question is simply, we already have the mechanisms and tools in place to get in there. Why are we not setting an example to those places? That's ultimately my question. I have heard over, and over, and over from business owners, the ones that do it well, they come to those meetings, they follow the rules, it’s the ones that aren’t doing it well. They’re not even at the meetings. We need to do a better job, or at least we should be able to articulate why we’re not going into those businesses with a heavy hand, instituting the fines, and setting them as an example, and the business community would support that. I think maybe there’s a disconnect that we go in heavy handed to those places that somehow this administration or our City is going to look as anti-business. I will tell you, that’s not going to be the case. They will look at that as weeding out the bad actors and supporting the good folks that are doing the best they can to generate the revenues that we need, so I think that ordinance needs to come back.
I would recommend a deferral for this evening. I think you’ll hear from other Councilmembers about where their concerns are, but I would recommend a deferral. I would like to, to Councilmember Parker’s point, and this is my last point, I would like a presentation. These decisions critically impact business owners. There are business owners that have moved their families to Charleston, and here we are, I won’t say willy-nilly, but what I mean is we put these things together, and we don’t realize that there’s a direct impact on people’s lives, their livelihood, and their families. If someone told me I had to be out of business for a year, that would impact my family, that would impact my income, it would be detrimental, devastating, so I’m just asking us to re-think and revise, maybe soften some of the things. My last piece again, I’ve said this three times ago, my last piece is the fact that we’re even having a discussion around punitive disciplinary. There are cities that don’t even include that in this policy. They spend most of the resources and energy on compliance, and maybe that’s something we should think about. It’s like, what do we do to make this more compliant? I think business owners will swallow the pill if we’re going to have a disciplinary, but I just want us to be clear about what we’re holding them accountable for. Because I will say, 90% of the businesses now you go down that list, there’s going to be an infraction, and if we have a change of administration or it it’s five years from now, we have a new Mayor, a new administration, this could be used in a negative way, and I know that’s not your intent, Mayor and City, so those are my comments. Thank you.”

Mayor Tecklenburg said, “So, this matter did come before the License Committee. We had a presentation there, and I’m happy upon request to have a full presentation of the matter to the full Council if that’s what you all would like before we give final approval to this. I would like to just address the issue, the need for this, and I think it’s a public safety issue. It is a matter somewhat of, I don’t know if you would say convenience, but the current protocol for going after the bad actors isn’t as easy as most people think. What we came to the conclusion was, after repeated offenses, that we would approach it through the business license and put an establishment on notice that their business license was at risk, that they were a public nuisance. I’ve written a couple of those letters, and the establishments did better. I mean, it helped to send that letter, but that truly risked their business in general.

This ordinance just addresses the period from midnight to 2:00 in the morning. It wouldn’t put someone out of business, it would just disallow them from that late night service, which most of them say that’s their best hours, right, so I get it. It means a lot to them, but it’s not putting them out of business. So, honestly, it’s a little more responsive, a little more effective for us to deal with any bad actor issues than going the business license route. That’s one of the key reasons we’ve got this before you tonight. I’m not saying we don’t mind doing hard stuff, but it’s not really effective that way going through the business license route. This is more effective, and I guess you get back to the premise, is it a right or a privilege to serve alcohol in the City after 12:00 at night? You know, I was around when we didn’t have any restrictions at all, and there were bars open all night long, 24 hours a day, and there were some real problems, particularly on the block of King Street between Calhoun and George Street. You all remember? It was real bad, and we’ve kind of knocked it back over time, and then it went to 4:00 a.m. We put that in place when I was working for Mayor Riley, and then they went back with the late night ordinance it went to 2:00 a.m. The whole premise, though, it shouldn’t be a given right of folks to serve alcohol after midnight, and this accentuates that and gives the City some authority, in a convenient fashion, if you will, to be able to enforce ordinances, and if there are bad actors to be able to restrict them. Not putting them out of business, but just saying ‘okay, you’ve pushed the limit, from 12:00 a.m. to 2:00 a.m., you can’t serve anymore,’ so, anyway, I just wanted to share that.”
Mayor Tecklenburg recognized Councilmember Seekings followed by Councilmembers Appel and Gregorie.

Councilmember Seekings said, “Thank you, Mr. Mayor. Let me just premise my comments by, I’m prepared to give this first reading, but I do have some specific comments that are consistent with, I think, what’s been around here and then an observation if I might. One is, I think that the number of violations at two needs to be three. I think the degree of the violations is something we need to think about, and as I read through this, I mean, certainly looking at it from a lawyer’s lens, the standard for the violation on most of them is knowingly or reckless. Right, if you knowingly or recklessly give false information in the application, knowingly or recklessly allow possession of drugs. So, knowingly and recklessly, I think we need to go think a little bit about that, and then that goes back to the adjudication process. The single member, appointed by the License Committee through the Mayor’s Office, I think is problematic. I think we need to have a process, and it might even be the License Committee itself, but it’s got to be a body that is empowered somehow through the City and also where there is going to be a record of that hearing. Because if you then go to Section 3, 17-130 Violations, ‘If there is found to be a violation, an appeal is had, that violation stands,’ and a lot of places in the law if you appeal something, there are processes by which you can go forward and allow the activity to continue. I give you example A, the Dewberry, right? Okay, so, I don’t want to get into all of that tonight.”

There was laughter in the Chamber.

Councilmember Seekings continued, “But I guess I just did, I opened up a can of worms. But, again, I think that the adjudication process and who the adjudicating body is, we need to re-think, and I think we need to work on that.”

Mayor Tecklenburg said, “I want to let you all know I’m fine with that. I don’t have a problem.”

Councilmember Seekings said, “Okay. A couple more things, the next is the annual registration. People invest a huge amount of money to be in this business, and we like that. I think matching that up with their alcohol re-upping every other year is probably a better thing than every year. Mr. Neal brought that up and it’s something we talked about, and I talked about that to Chief Thompson today.

Then, finally, as a matter of policy, this needs to be something that’s cooperative, and it has been. I mean, it’s been amazing how cooperative this process has been. I see Ms. Thompson back there nodding her head. She’s put many hours in this. Mayor, you led a meeting where just about everybody subject to this ordinance was there. By the way, just as a matter of sort of trivia, the number of businesses that avail themselves of and are subject to this late night ordinance is about 30. It’s not a huge universe that we’re talking about, so listening to them is a good thing, and we need to work with them, and the one thing that came up tonight that I think is really intelligent and we, as a body, need to think about and that is what Mr. Neal showed us tonight and that is that I.D. software that allows the bars and the late night entertainment establishments to identify fake I.D.’s, right? If you go and walk the street, late night or any night, you can pretty much tell the places that are strict, that aren’t strict, by the length of the line outside. If it’s a short line, they’re strict. If it’s a longer line, you might very well be getting in. If there is a way that we can get it into the hands of all people that are licensed the ability to use the same software, that would be a really good thing, and I think the amount of revenue that we take in at the City, we should partner with them to somehow kick in. I mean, between Mothers Against Drunk Driving, I’m sure there’s some grant monies out there available,
the CUD, the City, the Hospitality Association, all of that. If we can get everybody in their hands for a six-month trial program all having that same I.D. check, I think that levels the playing field and accomplishes a lot of what we’re trying to do, which is make it safer for everybody out there. So, I’m going to give this first reading with the caveat that I would like for us to re-visit those and then think about a way that we, as a City, can promote and help get in the hands of those establishments that software that they can use to the benefit of everybody, so those are my comments. Thank you.”

Mayor Tecklenburg said, “Thank you.”

Councilmember Shealy was excused from the Chamber at 7:47 p.m.

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “Thank you, Mr. Mayor, and I agree with a lot that has been said so far this evening. I’m going to try not to re-tread that ground. We’ve got a very robust nightlife scene on Upper King Street if you’ve been out lately. It’s a lot different than it was when I was in college in my younger years.”

There was laughter in the Chamber.

Councilmember Appel said, “For sure. I mean, I thought it was pretty fun back then, but it’s a whole different animal right now, but guess what, to Councilmember Sakran’s point, that’s great. I mean, this is a vibrant, dynamic business environment. They’re producing a lot of revenue for the City. But, at the same time, there are legitimate problems, and I think we all know what they are, and they run the gamut from the little stuff to some of the big stuff, if you know what I mean, and you’re aware of kind of what goes on down there. We currently have a late night establishment ordinance. It already exists. You currently don’t have the right to sell alcohol between 12:00 a.m. and 2:00 a.m. If Jason and I were to partner up and lease a space on Upper King Street, we don’t automatically have that right. We have to go to the BZA for that special entitlement, and I remember seeing a lot of these requests come before me when I was at the BZA. So, the City already sort of has this regulatory framework in place to regulate those special two hours, which, to the Mayor’s point, this is where a tremendous amount of activity takes place for obvious reasons, and it’s very important to these businesses’ bottom lines. The current problem with the ordinance today is that when these operators are found to violate a Code, and Livability goes out there, and we issue a ticket, or our CPD issues a ticket, these establishments don’t care. It doesn’t matter. It’s a small fine that could probably be offset by a very aggressive round of shots like that, okay. It’s just a cost of doing business, it’s not a big deal. It goes to Municipal Court, they get a lawyer, they play games with continuances, they demand a jury trial, so we’re sort of stuck in this program. So, I’m sympathetic to making some tweaks to this ordinance to make it effective, right? But to Councilmember Seekings’ point, Councilmember Parker’s point, and several others, I do think we need to make it three strikes. I think we need to graduate it up the scale. I think we need to send these matters to the Business License Committee. I think that will instill a lot more confidence in the folks that we’re regulating here, and also, I think that this idea of re-upping the plans maybe bi-annually, just to sort of make sure that these 30 special permit holders on Upper King Street realize that safety and management is sort of an ongoing responsibility. It’s not something they just have to do when they go before the BZA when they get an initial permit. All of that kind of stuff makes sense, but I think we do need to do it in a way that’s not overly draconian and has support from the community.
The other thing I would point out, and this is just not to be left unsaid is, when I talk to the businesses on Upper King Street and some of the other stakeholders, there are a lot of very first-class operations on Upper King Street. Roy, I don’t mean to embarrass you and put you on the spot, he is a great operator. There are several others up there, as well, but by the same token there are some bad operators on Upper King Street. I’m not going to put them on blast for the folks watching on Zoom. We ought to know who they are. Our law enforcement knows who they are. We have authority today to revoke someone’s business license if they have engaged in unlawful activity or nuisance related to the business, Section 17-30(f). We ought to aggressively go after the worst of the worst, repeat violators, and that’s going to have a very corrective effect on the larger economic climate up on Upper King Street. We don’t have to necessarily cast this super wide net with overly draconian regulations. We need to set the expectation that if you continue to flaunt the City’s rules, you continue to run your business in a negative, unlawful way, you allow drugs to be sold at your establishment, you are routinely turning a blind eye to underage drinking, and things of that nature, we’re going to shut you down. We’re not the first City in the Country that has proactively and aggressively gone after bad actors, and that’s the kind of targeted enforcement action we can do to help set a better climate on King Street so that our law enforcement officers, who do such a tremendous job managing the situation on Upper King Street, don’t have to be asked to do the impossible which is to regulate just a totally out-of-control situation where no good law enforcement options exist. So, I think that there is a lot of wisdom here. I think the staff has done a great job putting this program together, but let’s make the tweaks that we’ve all been talking about today, but let’s not also lose sight of some of the other tools at our disposal to go after the worst of the worst and reward, create this incentive structure, where the more you cooperate, the more you run a professional business on the up and up, the more you invest in technology, you know, you don’t have anything to worry about. It’s the bad offenders that are the ones that have something to worry about, but we can go after them in a very fair, targeted way, so I think we ought to do that. Thank you.”

Mayor Tecklenburg said, “Thank you.”

Councilmember Shealy returned to the Chamber at 7:50 p.m.

Mayor Tecklenburg recognized Councilmember Gregorie followed by Councilmember Shahid.

Councilmember Gregorie said, “No one would argue against anything that’s been put on the table thus far, but I think we must give staff credit, and more importantly, our law enforcement, who wants this, who needs this kind of tool in order for them to be a bit more effective. However, I do think that perhaps we should go through first reading and much of the recommendations that have been put on the table. Let’s put it in writing, because I think Councilmember Parker starting the conversation was quite appropriate. Some of the concerns that were articulated are concerns that I do have myself, but again, I think that we should just whatever recommendations mark up, let’s do it, because our law enforcement folks need these tools. They know the bad actors better than we do, and we’ve had some of this discussion in our Community Development meeting. As for having conversations, Councilmember Sakran, throughout the business community, I think that Meg gave us data on all of the various businesses that she did outreach to and had conversations with. I think it’s very important that, when we look at staff work, that we look at the totality of the circumstances, because they do, in fact, I think, do a really, really great job for us, and we should not assume that they have not done their homework when they put something before us. Thank you, Mr. Mayor.”
Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. I'm going to support giving approval for first reading. I think I heard Councilmember Sakran mention a workshop."

Councilmember Sakran said, "No."

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

Councilmember Shahid said, "I thought I heard that word workshop, which I'm not opposed to doing that, but I think that would be, I just don't want to add any more to the conversation we've had over here, but I do see the Chief is behind your head, Mayor, and I do want to see what input he had on this."

Mayor Tecklenburg said, "I don't know if he wanted to be called on. I think we've had a lot of good suggestions here this evening. Chief, you want to add anything?"

Chief Reynolds said, "I appreciate the leadership of Chief Thompson and all of the people, Meg, and everybody that's been part of this. I agree with everything that's been said. I would just add my support, in particular, I think Councilmember Appel articulated that we have, and it's interesting, it's the business community that came to us, to the Mayor, to some of the Councilmembers. Councilmember Seekings has been to some of the meetings, myself, others, and of course, Roy Neal, who's there, one of the business owners at the majority of these meetings and said, 'Hey, we need help.' We had significant violence, we had fire code violations, occupancy permit violations, alcohol service underage, everything that's been mentioned. We want to be effective in supporting the good business owners which is 95% of the business owners who are going way out of their way. They're spending extra money and additional resources to run a good business. This is not designed to cause additional bureaucracy or barriers or costs to those businesses. There's been a lot of really good questions that have been raised tonight, and I know Chief Thompson has gotten a lot of those questions and had to vet the information because there's a lot of misinformation out there. This probably needs to be continued to be communicated a little bit more effectively as we narrow down what the final version of this will be, but I will tell you we need this tool.

As the Mayor said in the beginning, the existing process, the existing laws are not adequate, and we know that we can do better. Some of those businesses that intentionally thumb their nose at the rules, and we hear from the neighborhoods, we hear from neighboring businesses, our police officers deal with it on a regular basis, they attract the bad crowds. That's where the guns and the violence are coming from. The drugs and a whole variety of other problems that are, again, isolated to just a couple of different businesses that choose to not follow the rules, so we just want tools for those. I think, again, these will be fairly rare circumstances to make sure that we can do our jobs and not just the police, but the fire marshals, and as a City, effectively make sure, really it's protecting the good businesses which is like 95% of our business owners. Thank you."

Mayor Tecklenburg said, "Thank you, Chief."

Councilmember Mitchell was excused from the Chamber at 7:58 p.m.

Councilmember Shahid said, "Just one more quick question."
Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “And maybe Legal can answer this if there are a number of complaints for people who have a liquor license, and Councilmember Appel brought this up, that if you get ticket and you play this game of asking for a jury trial and get the Municipal Court delayed and not having a conviction, even though there are a number of complaints, the ABC takes that and reviews that and can deny your license, as well.”

Councilmember Appel said, “Correct.”

Councilmember Shahid said, “That’s exactly right. So, I mean, regardless of what we may do here, the ultimate penalty is the ABC denying that person a renewal of their license.”

Councilmember Appel said, “It needs to be coordinated with this.”

Councilmember Shahid said, “It needs to be coordinated with that. Yes.”

Mayor Tecklenburg said, “Alright. The first reading is on the floor still. Any further discussion?”

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Waring said, “I just have a question.”

Mayor Tecklenburg said, “Yes, sir.”

Councilmember Waring said, “Because I’m going to vote for the first reading, but all of these great suggestions, what’s going to be the process of incorporating those? Are they going back to the Committee or what?”

Mayor Tecklenburg said, “I’d like to bring it back to Council to be honest with you because I think, once again, I hear a pretty good consensus that the recommendations I think are reasonable, and we can bring it back to you next meeting.”

Councilmember Waring said, “Well, let me ask, we’ve got three weeks before the next meeting, certainly Business License can take this in, and then we’ll all have something to read that would incorporate that as opposed to bringing it back to the meeting, then incorporating that, voting on it, and then reading it after the fact. I think we’ve got time to go to Committee especially after having heard what’s been said tonight, and by the second week in September, still achieve your goal of bringing it at the next meeting.”

Mayor Tecklenburg said, “Right. We’ll get it back to the next meeting. I mean, we can send it to you in advance and have you review it and make sure that the things that have been recommended were incorporated in it if that’s what you want to double-check.”

Councilmember Waring said, “How does it hurt that it goes back to Committee?”

Mayor Tecklenburg said, “If the Committee Chairman wants to call another Committee meeting, Councilmember Gregorie, I’m glad to send it to you if we can do it before the next meeting. Is that fair enough?”
Councilmember Gregorie said, “Yes, that’s fair enough because I think that people discussed it, they’ve got it, and they’re ready to move forward.”

Mayor Tecklenburg said, “We’ll bring it back to you. Councilmember Sakran, did you have one more comment?”

Councilmember Sakran said, “Yes, just one last comment. I just want to make sure I’m on record that I understand the challenges on Upper King and the tremendous frustrating part of the job for our men and women in blue to be up there. I know that the business owners reached out and wanted this. I get some of that. I just want to make sure that Chief knows that I support you all, I get it. I just think that there is a way, and based on tonight’s conversation, I feel like we’re getting there, so I’m happy to support a first reading. It sounds like we’re getting more flexible on the two strikes, maybe it’s a three strikes thing. One recommendation I would have which ironically was in the other ordinance we talked about tonight is maybe it’s a point system because a violation that is minor should not be counted as a one-violation goes towards your potential closing. So, I think we need to weight some of those violations and those infractions which still gets us to what we need. You know, selling drugs in an establishment is completely different than some of the other violations that are in there, so just some thoughts, but I’m happy to support first reading if can just massage some of the language.”

Mayor Tecklenburg said, “It’s actually a good thought.”

The Clerk said, “Mr. Mayor, just for the record, we had Councilmember Gregorie as making the motion and Councilmember Mitchell as the second.”

Councilmember Gregorie confirmed.

The Clerk said, “Thank you.”

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

Mayor Tecklenburg said, “And Councilmember Mitchell is coming back in right now, I think. There he is. Alright. We were holding the vote for you, Councilmember. Alright.”

On a motion of Councilmember Gregorie, seconded by Councilmember Mitchell, City Council voted to adopt the License Committee report as presented and give first reading to the following bill:

An ordinance authorizing the Mayor to repeal and replace Chapter 17-Licenses, Permits and Miscellaneous Business Regulations; Article VIII-Late Night Entertainment Establishments; Sections 17-124 through 17-135.

Councilmember Brady was not present for the vote.

Councilmember Waring was excused from the Chamber at 8:05 p.m.

Councilmember Gregorie was excused from the meeting at 8:05 p.m.

Mayor Tecklenburg said, “Next up is our Committee on Traffic and Transportation.”

The Clerk said, “Mr. Mayor, just for the record, Councilmember Brady, how did you vote on that item?”
No one asked to speak.

The Clerk said, “Councilmember Brady.”

No one asked to speak.

The Clerk said, “Alright. I don’t think he voted.”

Mayor Tecklenburg said, “Alright. Councilmember Seekings will take his report.”

Councilmember Seekings said, “Thank you, Mr. Mayor. The Committee on Traffic and Transportation has actually met twice since we last met. The first meeting was on August 9, 2022, and despite my promise to Councilmember Brady 30 minutes before the meeting started that I would be there to handle it for him, I missed it. It’s kind of hard to believe, but it was a public hearing for the lowering of the speed limit. My understanding is there were no actual comments that came along, so that I think is good to go. We can actually make the City safer by lowering a speed limit.

We then met yesterday, and we had a number of things that came up. We had a presentation from Lime who is our new vendor of the Bike Share Program. A little different than our old Bike Share Program in that the bikes don’t lock to corrals, and they’re battery electric, so they’re a little zipier, and we’ve had some examples of that that are fairly dramatic since they’ve been out there. But one of the issues that’s come up is repositioning the bikes and making sure they’re put back in corrals and not left in all sorts of crazy places. You might have seen pictures of three bikes on the top of the Ravenel Bridge in the lanes of traffic, not on the bike/ped path. Anyway, they’re a technology company, they’re working through it. They actually have now hired someone who is going to be here on the ground doing and running operations and specifically looking at making sure bikes are in the right place at the right time and position. The Mayor asks for a secret code so he could reposition bikes, and they agreed to give him one, so if you’re wanting to get on the repositioning team with the Mayor, he can share the secret code with you, but I think it’s going to get better as we go along and so far so good. One of the things they did share with us is the number of discreet rides from when they started until now has gone up about 35%, and that’s interesting because it’s during the summer, it’s hot, and college is not here, so I think in the fall we’re going to see a whole bunch more. There were some questions about service in West Ashley. We’re working on that. I think there was a question about service on James Island. I think they are willing and we, as a City, are willing to put bikes anywhere that’s appropriate and safe, safety being one of the issues out there, so we’ll work with them pretty good.

We had a presentation. You might have seen something about this online or may have spoken to the creator of this on the E-Carriages, more to come on that. We granted an extension to Mr. Somerville and his team to get the valet parking bids in place. That was going to expire. We gave a six-month extension. We’re going to get back to the valet parking business post COVID. There is a demand for it. We had a discussion of Section 19-206 which is the City section on the reduction of speed limits which is why we had a meeting on August 9th to have a public hearing. Believe it or not, if we want to reduce speed limits to make our streets more safe in the City of Charleston, we have to go through an entire process, including a public hearing. We asked our Legal staff to go back and sort of see if we could short-cut some of that, in fact, just give the discretion back to the director to lower speed limits. We learned that we can’t do
that, but there are some things that we can do, and so we’re going to get an ordinance back to sort of clean that up and make it more streamlined to make our streets safer, a good thing.

We had a discussion about Pedicab decals. You’ve heard a lot about that. We, as a Committee and as a Council, approved, we now allow for 30 decals out there at a time at prime time in the evenings. We approved, but have not granted, an extra six. Since that time, we’ve had our issues with King Street, we’re looking at Tourism Management, we’re looking at the Peninsula Study, so the Committee as a matter of policy voted to bring back to you all that we would like to put those six decals on hold for a period of six months and go back and re-visit whenever we need to put them back out to bid.

We had an update, lastly, on the Ashley River Pedestrian Bridge Intergovernmental Agreement, and we actually authorized the Mayor to enter into that agreement with the DOT. That’s important because entering into that agreement then allows us to get our final grant agreement put together which then allows us to put our final design team in place and actually go out and design and build the Ashley River Pedestrian Bridge. That’s going to need a vote of this Council. That passed on a vote of 3 to 1. So, that’s my report. I would move for adoption of that report including, but not limited to, authorizing the Mayor to enter into the Intergovernmental Agreement on the Ashley River Bridge. Thank you."

Councilmember Waring returned to the Chamber at 8:07 p.m.

Councilmember Sakran was excused from the Chamber at 8:07 p.m. and returned at 8:07 p.m.

Councilmember Mitchell said, “Second.”

Mayor Tecklenburg said, “Any discussion or comments?”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “Just a question, not about the bridge, but Councilmember Seekings, when we talk about reducing the speed limit, which streets does this impact?”

Councilmember Seekings said, “Well, it’s streets that are in the City, and one of the questions that I asked and our Legal team is here is, is there a distinction in our ability to lower speed limits or do other things in our streets between streets that we actually have taken back and own or streets that we don’t own, but are in the City, and the answer, I believe, if I’m right about this, great Legal team, is no. We still have to go through that process. It doesn’t matter whether it’s a City-owned street or a County- or State-owned street. It’s the passage across the streets that then subject us to State law and having to go through a certain process. Am I right about that?”

Julia Copeland said, “You are correct.”

Councilmember Seekings said, “Great. Yes. So, it’s kind of interesting. We don’t get a whole lot of benefit from taking our streets back. We get to do some things, but not one of them is lowering the speed limit which is mind-numbing, right?”
Councilmember Shahid said, “So, just to my point, if there is an effort to lower the speed limit on a State road, would this ordinance address that, or do we have to go to the Department of Transportation and State to get approval for that?”

Councilmember Seekings said, “No, we are asking our Legal team to put together an ordinance that fits within State law but is a little bit more streamlined. That’s the objective.”

Councilmember Shahid said, “Okay. I just wanted to make sure I was clear on that because I’m going to bring some of those to your Committee.”

Councilmember Seekings said, “Great. We’re looking forward to having them.”

Mayor Tecklenburg said, “Well, my understanding is that even if we’re able to streamline it, if it’s a State road, we’d still need SCDOT approval to lower the speed limit.”

Councilmember Seekings said, “That is correct.”

Mayor Tecklenburg said, “Yes. Okay. Alright.”

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, “Sorry. Thank you, Mr. Mayor, but I do want to say, Mr. Chairman, Councilmember Seekings, thank you for bringing that discussion up because the public hearing in question was in my district and that individual and that community, it was a lengthy process. I think this started, you know, maybe last fall, and this was a very lengthy process. So, I think if there’s any way to streamline it through the City for our residents whether it’s speed limits, lowering the speed limit, I thank you. I know that’s great for our citizens.”

Councilmember Seekings said, “Right, and if you talk to a State legislator, the more they give us control of our own streets to make them safer which is what we’re doing, it would be really great, but we’re still within the confines of State law, and we’re doing the best we can.”

Mayor Tecklenburg said, “That’s right. Any other questions or comments?”

No one else asked to speak.

Councilmember Seekings said, “That concludes my report.”

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

a. August 9, 2022:

(i). Public Hearing on a request to lower the speed limit from 25 miles per hour to 20 miles per hour on Wayfarer Lane, a public street located within the Bayview Farms Neighborhood on James Island within the City of Charleston

(ii). Committee action on request to lower the speed limit from 25 miles per hour to 20 miles per hour on Wayfarer Lane, a public street located within the Bayview Farms Neighborhood on James Island within the City of Charleston"
Committee voted in favor of lowering the speed limit from 25 miles per hour to 20 miles per hour on Wayfarer Lane.)

b. August 15, 2022:

   (i). Lime - Charleston Bike Share Program Presentation

   (ii). E-Carriage Presentation

   (iii). Valet Parking – 6 month contract extension

   (iv). Discussion of Ord. Sec. 19-206, reduction of the speed limit in residential neighborhoods

   (v). Pedicab decals

   (vi). Ashley River Pedestrian Bridge Intergovernmental Agreement

   (vii). Discussion

Mayor Tecklenburg said, “Next up, our Committee on Public Works, Councilmember Waring.”

Councilmember Waring said, “Thank you, Mr. Mayor. The actual items that you see on your agenda we had a hardy discussion and all passed unanimously, and I move for the adoption of the report.”

Councilmember Shahid said, “Second.”

Mayor Tecklenburg said, “Alright. Any discussion? I think everything was on Ways and Means earlier.”

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, “Yes. Thank you, Mr. Mayor. I’m sorry. I know you’re jumping through it.”

Mayor Tecklenburg said, “No problem.”

Councilmember Parker said, “But, I believe, I hate to bring up trash again, but I know we obviously have a great department working hard. I know we’re working hard at it and the pay increase and all of that, but I have to bring it up again tonight out of everything that we discuss. I mean, we are, I understand from Department Heads, I think the number was 90% completed that they presented. I am still getting inundated with calls and messages. I don’t know if the 90% is y’all, and the 10% is me. I don’t know, but I just need to bring it up again tonight. I know that we’ve teamed up. We have some private partnership going on, and I know that it’s very expensive, and I’d love to see that money kept in-house for our employees that are out there working their days off to get this City cleaned up. It’s a small department in a big City. Twice as much trash, but I still, I don’t know if we’re there yet. I respect the Department Heads saying, you know, we’re about 90% through the routes, but when you hear from constituents I’m certain, this is my first rodeo, but if this is the basis of what I’m hearing every week, then I need to bring
attention to it and just we really need to, you know, if there’s something that we can do in any other way and maybe you could clarify for me, as well, because I do believe, not just the pay increase, but have additional trucks been bought? I know we were looking at something possibly for this year as well as next budget year. I didn’t hear any discussion on it. I kind of cut in and out of that Committee meeting, so I wasn’t sure if we have purchased, are going to purchase, because I know that my biggest issue is, for everyone, is the bulk, right? Is that what we call it, bulk? And a big issue is that truck that we use, I’ll keep it short, but the claw and the boom, and all of that. Our current truck is one operator getting in and out of this big giant truck, so are we purchasing new equipment to help resolve this? This year? Next year? Just wanted that clarification.”

Mayor Tecklenburg said, “It was on Ways and Means on the Bids and Purchases number 3(h). We did go ahead and buy the Brush Hawg Grapple Loader for $227,000, which is a little more expensive than we normally pay for these trucks, but this one was the one that you and I both tried out where the driver doesn’t have to climb down from the cab and then back up in order to operate the grapple. He can just literally swing around in his driver’s seat and then operate the pick-up, put the trash into the truck, and spin around, and he’s back driving off again. It really should save a lot of time, and I hope that we’re able to transition to this kind of truck. It’s safer for the driver, it keeps him out of the weather, less wear and tear on his knees climbing up and down the thing, so, yes, we bought one tonight. The question did come up as a report, you know, last night Mr. O’Brien responded to it. That’s where you picked up the 90%, which was an improvement over where we’ve been. Matt and Mr. O’Brien both feel that this week and next week we will be approaching 100%. It’s mostly because we had four drivers that were out on medical/family leave, and they’re back or either coming back this week. We’re going to keep on subbing with the private contractors until we’re a few weeks into 100%, and we feel like we’re comfortably caught up. The other factor, as you all know, earlier this year people are putting out a heck of a lot more trash than they ever have. I mean, we literally had a million more pounds of debris to pick up in the first five months of this year than we did last year with less employees to pick them up, so it’s been challenging. I appreciate your dealing with those calls, and I know it almost sounds like we’ve all been making excuses, but we have been making progress, and we should be back to somewhat normal in the next week or two.”

Councilmember Parker said, “Great, and then is this truck, are we getting this, I mean, we’re buying it tonight, is it coming in this year?”

Mayor Tecklenburg said, “Yes, and the guy has it in stock. We should have this truck onsite within a week or two I would guess. It’s sitting on the floor so to speak. Let’s see how fast we can turn that around.”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Thank you for the question. I think we are all experiencing their pain, and we all are doing it together. I commend the team trying to do the best they can with the people that we have. One other piece that I want to bring up, the pay raise, Mr. Mayor.”

Mayor Tecklenburg said, “Yes, sir.”

Councilmember Waring continued, “I voted for it, but if we find out, in particular, this $15 an hour doesn’t enable Mr. Fountain to fill some of those positions and Mr. O’Brien to fill positions, let’s not have a lag time before we revisit it again. I think we have the ability to increase it maybe with some of the surplus that we have. I know we’re working on the 2023
budget, but I think Councilmember Brady said it in one of the meetings, and I agree with him, he said, ‘$15 an hour, you can make more than that working at McDonald’s.’ So, we get a good feeling patting ourselves on the back, we brought them up to $15. My fear is that that’s not enough, but if we find out that’s not doing it, let’s don’t take three months to come back to Council to try to appropriate more dollars to help you out with that with those people.”

Mayor Tecklenburg said, “Thank you.”

Councilmember Waring said, “Thank you. So, I call for the question.”

Mayor Tecklenburg said, “Alright. Call for the question. Any other comments or questions?”

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted unanimously to adopt the Committee on Public Works and Utilities Report as presented:

a. Acceptance and Dedication of Rights-of-Way and Easements:

(i). Hopewell Residential, Phase 1. Authorization for the acceptance and dedication of those certain rights-of-ways designated as- Matisse Street (50’ R/W, 1019 LF), Pop Pop Lane (20’ R/W, 285 LF), Roost Lane (20’ R/W, 308 LF), Havana Street (50’ R/W, 611 LF), Gumbo Alley 20’ R/W, 1383 LF), Sanders House Street (R/W Varies, 1684 LF), Bold Reason Street (50’ R/W, 435 LF), Generals Street (50’ R/W, 900 LF), a portion of Hopewell Drive (57’ R/W, 10 LF).
   -- Title to Real Estate
   -- Affidavit for Taxable or Exempt Transfers
   -- Exclusive Stormwater Drainage Easement Agreement
   -- Plat
   This subdivision consists of 63 lots.

(ii). Twin Lakes, Phase 2 A. Authorization for the acceptance and dedication of those certain rights-of-ways designated as- Twin Lakes Avenue (22’ R/W, 440 LF), Bluegill Lane (22’ R/W, 703 LF), Soundcrest Road 22’ R/W, 145 LF), Blue Bayou Blvd. (50’ R/W, 1,110 LF), Crystal Springs Road (50’ R/W, 1,114 LF).
   -- Title to Real Estate
   -- Affidavit for Taxable or Exempt Transfers
   -- Exclusive Stormwater Drainage Easement Agreement
   -- Plat
   This subdivision consists of 61 lots.

(iii). Westedge, Phase 1. Authorization for the acceptance and dedication of those certain rights-of-ways designated as- Westedge Street (R/W, LF), Horizon Street (R/W LF), and District Drive (R/W, LF).
   - Title to Real Estate
   - Affidavit for Taxable or Exempt Transfers
   - Exclusive Stormwater Drainage Agreement
   - Plat
(iv). Authorization to notify SCDOT that the City intends to accept maintenance of 22 LF of granite curb and 58 LF of concrete sidewalk on Ashley Avenue (S-10-103) in conjunction with the project at 14 Cannon Street.

(v). Authorization to notify SCDOT that the City will accept maintenance of the proposed 72" Check Valve and associated trash rack and junction boxes at the western outfall of Calhoun St with the following conditions
   a. City staff approves the final design
   b. Installation meets City requirements and passes City inspection
   c. The Check Valve is manufactured by WaStop

b. Stormwater Management Department Updates:

(i). Barberry Woods Drainage Improvements – Recommend approval to submit an application to the SC Office of Resilience Revolving Loan Fund in the amount of $3,000,000 to support construction of Barberry Woods Drainage Improvements project on Johns Island. No match is required for the loan. The pay-back period is 10 years with an interest rate no higher than 40% of the market rate. Loan program provides potential for 25% of the loan to be converted to a no-match grant.

(ii). Long Branch Creek – Recommend approval to submit an application to the NOAA Transformational Habitat Restoration & Coastal Resilience grant to support the design and permitting of the Long Branch Creek Drainage Improvements in West Ashley. Grant funding request is $1,500,000 with a 50/50 City Match of $1,500,000 that is currently available from the allocated Drainage Fund for the project.

(iii). Concord St Pump Station Upfit – Recommend approval to submit an application to the SCRIA ARPA-SC Infrastructure Investment Program to support the construction of the Concord St Pump Station Upfit project. Grant funding request is $10,000,000 with a 25/75 City Match of $3,333,333 that is currently available from the allocated Drainage Fund for the project.

(iv). Central Park Drainage Improvements – Recommend approval of Work Authorization #9 with AECOM for a professional services contract to design and permit the Central Park Drainage Improvement Project Areas 1 & 2 in the Central Park/Wambaw Watershed on James Island for $433,992.00. Funds are available in the currently allocated Drainage Fund for the project.

(v). Cooper/Jackson Drainage Improvements – Recommend approval of Work Authorization #10 with AECOM for a professional services contract to design and permit the Cooper/Jackson Drainage Improvement Projects Phase 1 through 3 in the East Side of the Peninsula for $667,156.00. Funds are available in the currently allocated Cooper River Bridge TIF for the project.

(vi). Lee St Emergency Repair – Recommend approval of Emergency Repair work completed to repair a 42" collapsed reinforced concrete pipe at Lee St and America St adjacent to the SC State Extension Service building by B&C Land Development Inc for $62,009.00
Mayor Tecklenburg said, “Councilmember Gregorie had to excuse himself. Who would like to--”

Councilmember Seekings said, “Move for adoption of the report.”

Councilmember Shahid said, “Wait a minute. We skipped Public Safety.”

Mayor Tecklenburg said, “Oh, I’m sorry. Committee on Public Safety.”

Councilmember Shahid said, “Yes, we only met for two hours this afternoon.”

Councilmember Seekings said, “Move for adoption of the report.”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “A couple of things before we move on to adopt the report since we did spend two hours on it. We need approval for items (c) and (d), and we move that we approve (c) and (d).”

Councilmember Seekings said, “Second.”

Councilmember Shahid said, “The other thing is that we had a very good discussion about re-instituting the Board of Fire Masters, not to re-institute it in a way that was initially designed under Chapter 13 of our Code. We'll be moving forward with that, but a very good discussion on both Fire Chief Curia and Police Chief Reynolds on personnel salary and retention issues. The comment that came from Councilmember Seekings, I think, was heard very loud and clear is to reconstitute their salary on a salary basis, not on an hourly basis, and the retention issue amazingly enough is a lot lower than Citywide. It’s either around 10% to 11% of the Fire Department and the Police Department, but still it is a lot higher on a national level or a Statewide level where that number is around 5% or 5.6%. But the key issue for the Fire Department is those employees who have been employed less than four years, so that is one of the main focuses is trying to capture those and adjust the salary to make sure we keep those employees who were just recently hired within the four-year period. One of the biggest recommendations that Chief Curia recommended, and I think Chief Reynolds would concur on is an annual evaluation of all employees. So, no action needed on that, but it was a good information gathering, and I appreciate the hard work that both Chief Curia and Chief Reynolds contributed to those reports and those updates regarding pay and the need to get us up to a certain level, particularly for our first hires. Thank you, Mr. Mayor.”

Mayor Tecklenburg said, “Alright. Any questions or discussions?”

No one asked to speak.

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

a. Fire Department- Re-institution of Board of Fire Masters

b. Fire Department- Discussion on personnel salary and retention issues
c. Police Department- Approval of a Mutual Aid MOU with the Charleston County Sheriff’s Office and other local agencies to support multi-agency marine public safety units responding to Homeland Security issues.

d. Police Department – Approval of a MOU renewal between the City of Charleston Police Department and the Federal Bureau of Investigation Lowcountry Violent Crimes Task Force for overtime reimbursement.

e. Police Department- Discussion on personnel salary and retention issues

f. Police Department- Discussion on street flooding closure procedures

Councilmember Seekings said, “Now, I move for adoption of Ways and Means.”

Councilmember Mitchell said, “Second.”

The Clerk said, “As amended.”

Councilmember Mitchell said, “Adopted, as amended. Second.”

Mayor Tecklenburg said, “Adoption of Ways and Means, as amended. Any discussion?”

The Clerk said, “And that includes the deferral of the Morrison Drive item.”

Mayor Tecklenburg said, “Correct.”

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

(Bids and Purchases

(Housing and Community Development: Mayor and City Council approval is requested to execute a B133 Contract, in a form to be approved by Corporation Counsel, between the City of Charleston and LS3P for the donation of design services for the Hope Center. The donated services are valued at $192,000. The City of Charleston will be required to repay ninety (90%) percent of the completed work only if the City of Charleston determines it will not use the services of LS3P at any point. The contract includes a fee of $22,000.00 for Forsberg Engineering. LS3P is also working within their professional networks to procure services for the Center at minimal or no cost. The $22,000.00 is paid by the H2H campaign (non-city funds).

(Legal Department: Authorization for the Mayor to execute an Intergovernmental Agreement between SCDOT and City of Charleston regarding the construction and maintenance of the Ashley River Pedestrian Bridge.

(Stormwater Management: Approval to submit an application to the SC Office of Resilience Revolving Loan Fund in the amount of $3,000,000.00 to support the construction phase of the Barberry Woods Drainage Improvements project on Johns Island. No match is required for the loan. The pay-back period of the loan is 10 years with an interest rate no higher than 40% of the market interest rate (estimated around 1%). Loan program provides a potential for up to 25% of the loan to be converted to a no-match grant. Loan program applications are done on a rolling basis. Funding for the loan payback and interest will come from the Drainage Fund.
(Stormwater Management: Approval of Central Park Drainage Improvements Work Authorization #9 in the amount of $433,992.00 with AECOM to provide engineering, design, and permitting services for new stormwater infrastructure in Project Areas 1 & 2 in the Central Park Watershed. Proposed improvements include pipe diameter increases, drainage channel geometry modifications, increasing the capacity of permanent stormwater best management practices, and installation of check-valves. The funding source for this project is the Drainage Fund.

(Stormwater Management: Approval of Cooper-Jackson Drainage Improvements Work Authorization #10 in the amount of $667,156.00 with AECOM to provide design and permitting services for new stormwater infrastructure in the Cooper-Jackson Watershed. This includes design of stormwater infrastructure improvements and obtaining the necessary permits to construct the improvements. The funding source for this project is the Cooper River Bridge TIF.

(Stormwater Management: Approval to submit an application to the NOAA Transformational Habitat Restoration & Coastal Resilience grant to support the design and permitting of the Longbranch Creek Drainage Improvements in West Ashley. Grant Funds-$1,500,000.00, City match- $1,500,000.00. Application deadline of September 6, 2022. No match is required for this grant however providing a match amount is taken into consideration during the grant application evaluation process. Matching funds are coming from the Drainage Fund.

(Stormwater Management: Approval to submit an application to the SCRIA ARPA-SC Infrastructure Investment Program to support the construction of the Concord St. Pump Station Upfit project. Grant Funds-$10,000,000.00, City Match-$3,333,333.00. Application deadline of September 12, 2022. Match amount required by the grant is 25%. Match amount is funded from the Drainage Fund.

(Parks-Capital Projects: Approval of International African American Museum GMP Change Order #17 in the amount of $190,816.00 with Turner Construction Company for alterations in the decking material for the wood walkway from 2x4 Black Locust to the 5/4" IPE. Funding for this will come from the IAAM. Approval of Change Order #17 will increase the GMP contract by $190,816.00 (from $61,894,000.00 to $62,084,816.00). Funding sources for this project are: Accommodations Tax ($13,200,000.00), Charleston County Accommodations Tax ($12,500,000.00), State Funding ($14,000,000.00), and IAAM Contributions ($53,000,000.00).

(Parks-Capital Projects: Approval of International African American Museum GMP Change Order #18 in the amount of $107,605.00 with Turner Construction Company for modifications to the bus stop, installation of steam condensate pumps, and a credit from one of the subcontractors for grout materials used in the installation of the granite at the main entrance. Funding for this will come from the IAAM. Approval of Change Order #18 will increase the GMP contract by $107,605.00 (from $62,084,816.00 to $62,192,421.00). Funding sources for this project are: Accommodations Tax ($13,200,000.00), Charleston County Accommodations Tax ($12,500,000.00), State Funding ($14,000,000.00), and IAAM Contributions ($53,000,000.00).

(Parks-Capital Projects: Approval of International African American Museum GMP Change Order #19 in the amount of $40,320.00 with Turner Construction Company for modifications to the fountain equipment to reduce maintenance costs and additional plant material in the landscape. Funding for this will come from the IAAM. Approval of Change Order #19 will increase the GMP contract by $40,320.00 (from $62,192,421.00 to $62,232,741.00). Funding sources for this project are: Accommodations Tax ($13,200,000.00), Charleston County Accommodations Tax
Recreation Department: Approval of the Memorandum of Agreement between the City of Charleston and WINGS for Kids to allow WINGS to manage an afterschool program for community children at the Arthur W. Christopher Community Center during the school year from 2:30-6pm.

Police Department: Approval of an MOU renewal between the City of Charleston Police Department and the Federal Bureau of Investigation Lowcountry Violent Crimes Task Force for overtime reimbursement.

Police Department: Approval of a Mutual Aid MOU with the Charleston County Sheriff’s Office and other local agencies to support multi-agency marine public safety units responding to Homeland Security Issues.

Office of Cultural Affairs: Approval to accept $9,324 from Charleston County Local Accommodations Tax Funding, to support the 2023 Piccolo Spoleto Festival. The project period is 5/26/2023-6/19/2023. No City match is required.

Office of Cultural Affairs: Approval to accept $8,584 from Charleston County Local Accommodations Tax Funding, to support the 2022 MOJA Arts Festival. The project period is 9/15/2022-11/15/2022. No City match is required.

Office of Cultural Affairs: Approval to accept $4,669 from Charleston County Local Accommodations Tax Funding, to support the 2022 Free Verse Poetry Festival. The project period is 10/15/2022-11/15/2022. No City match is required.

Office of Cultural Affairs: Approval to accept $6,078 from Charleston County Local Accommodations Tax Funding, to support the 2022 Holiday Magic in Historic Charleston. The project period is 12/1/2022-12/31/2022. No City match is required.

BFRC: Approval of $3,400,000 in ARPA funds to provide a bonus to all City employees. Full time employees will receive $1,250 and part-time employees will receive $625. By approving this item, Council is approving the use of ARPA funds to fund this expense. We previously allocated $3.7 million in ARPA funds to rescind the property tax increase budgeted in 2021. We do not have to utilize this funding as our 2021 revenues were much higher than anticipated. We can reallocate this funding to employee bonuses.

BFRC: Approval to increase the City’s starting pay rate to all City Pay Plans (Sworn and Un/sworn). The cost will be $428,939. By approving this, Council approves the ongoing costs into the 2023 Budget. These costs will be included in the City’s base budget. In addition, Council commits to the additional funding that will be needed in the 2023 budget to address the compression issues this pay increase will create. Funding for the cost of the adjustment will come from salary savings.

Planning, Preservation & Sustainability: Resolution Approving the Assessment Roll for the King Street BID.

Approval for the rental of Festival Hall for the MOJA Arts Festival on October 7, 8, 9, 2022. (56 Beaufain St., Charleston, SC 29401)

Approval for the rental of Festival Hall for the MOJA Arts Festival on November 11, 12, 13, 2022. (56 Beaufain St., Charleston, SC 29401)

Authorization for the Mayor to execute on behalf of the City a Second Amendment to the Management and Operating Agreement with the Charleston Area Convention & Visitors Bureau. [Ordinance]

Ordinance authorizing Mayor to execute a First Amendment to Lease Agreement between City of Charleston and South Carolina Aquarium. (Charleston Maritime Center – 10 Wharfside Street)

Authorization for the Mayor to accept on behalf of the City of Charleston as Grantee, irrevocable deed restrictions in favor of the City in and to 838 Morrison Drive, from
Morrison Yard Owner, LLC, in connection with Grantor’s request for Quality Outdoor Public Space incentive points and height/density bonuses under the Upper Peninsula District Zoning Ordinance. (TMS# 459-07-00-010) *(DEFERRED)*

(Ordinance authorizing Mayor to execute on behalf of the City a utility easement approved as to form by the Office of Corporation Counsel, to Dominion Energy South Carolina, Inc., encumbering a portion of the City’s real property designated as Charleston County TMS No. 277-00-00-003, within the Right of Way shown on reference Drawing D-78456, to permit installation of overhead electric line to the soccer field and lacrosse field on Daniel Island.

(Authorization for the Mayor to execute a Right of Purchase on behalf of the City of Charleston, to purchase 56 Nunan Street from Freedom Mortgage for an amount of $135,000.00. The Right of Purchase will only be exercised if the homeowner is unable to secure funding from SC Housing to repay the arrearages that exist. Staff has been advised that the assistance is approved and the arrearages will be addressed. Awaiting final notification and documentation related to this approval. (TMS# 460-07-01-025)

(Authorization for the Mayor to execute, on behalf of the City of Charleston, an Amendment to the Development Agreement between the City and JJR Development, LLC, dated May 25, 2022, for the construction of 6 houses on 67 America Street. The Amendment requests: (i) approval to accept an increase in the construction budget from $1,765,821 to $1,936,278, (ii) an increase in the homebuyer subsidy from $500,000 to $738,000, (iii) an extension in Substantial Completion to October 1, 2023, and (iv) identification of each of the 6 lots by its designated TMS number. (TMS# 459-09-02-132)

(Authorization for the Mayor to execute, on behalf of the City of Charleston, the Second Amendment to the Transfer Agreement between the City and JJR Development, LLC, to include the properties located at 67 America Street (TMS# 459-09-02-132), 3 Father Grants Court (TMS# 459-09-02-184), and 11 Father Grants Court (TMS# 459-09-02-185) 15 Father Grants Court (TMS# 459-09-02-190) and 19 Father Grants Court (TMS# 459-09-02-191) as part of the transaction and to permit closing to occur on or before September 30, 2022. [Ordinance]

(Authorization for the Mayor to execute on behalf of the City an Escrow Agreement between Long Savannah Land Company and HPH Properties regarding the acquisition of land for Long Savannah Parkway.

(Authorization for the Mayor to execute necessary documents to transfer to the Commissioner of Public Works of the City of Charleston certain utilities constructed by the City during renovations to Credit One Stadium.

(Please consider the following annexations:

- 29 Avondale Avenue (0.35 acre) (TMS# 418-14-00-030), West Ashley, (District 9). The property is owned by Julia and Jay Langston.
- 309 Cessna Avenue (0.18 acre) (TMS# 350-09-00-028), West Ashley, (District 5). The property is owned by Fiona R. Sanderson and Marshall D. Sanderson.
- 827 Trent Street (0.31 acre) (TMS# 310-02-00-155), West Ashley, (District 7). The property is owned by Taylor B. Green.
- 2157 Wappoo Drive (0.22 acre) (TMS# 343-06-00-174), James Island, (District 11). The property is owned by John and Maggie Guerry.

(Executive session pursuant to S.C. Code Ann. 30-4-70(a)(2) for update and discussion regarding lease negotiations with Childrens Museum of Charleston.

(Executive session pursuant to S.C. Code Ann. Sec. 30-4-70(a)(2): Discussion and consideration of proposed contractual arrangements for purchase of property.
First reading was given to the following bills:

An ordinance authorizing the Mayor to execute on behalf of the City a Second Amendment to the Management and Operating Agreement with the Charleston Area Visitors Bureau.

An ordinance authorizing Mayor to execute a First Amendment to Lease Agreement between City of Charleston and South Carolina Aquarium.

An ordinance amending Ordinance Nos. 2020-007, as amended by Ordinance No. 2021-086, by authorizing the Mayor to execute, on behalf of the City of Charleston (“City”), the Second Amendment to the Transfer Agreement between the City and JJR Development, LLC, to include the properties located at 67 America Street, also known as 1 Father Grants Court (TMS no. 459-09-02-132), D Father Grants Court (TMS No. 459-09-02-183), 5 Father Grants Court (TMS No. 459-09-02-184), and 7 Father Grants Court (TMS No. 459-09-02-185) as part of the transaction and to permit closing to occur on or before September 30, 2022 as further amended.

An ordinance to provide for the annexation of property known as 309 Cessna Avenue (.18 acre) (TMS# 350-09-00-028), 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 Fiona R. Sanderson and Marshall D. Sanderson.

An ordinance to provide for the annexation of property known as 2157 Wappoo Drive (.22 acre) (TMS# 343-06-00-174), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by John and Maggie Guerry.

An ordinance to provide for the annexation of property known as 29 Avondale Avenue (.35 acre) (TMS# 418-14-00-030), 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 Julia and Jay Langston.

An ordinance to provide for the annexation of property known as 827 Trent Street (.31 acre) (TMS# 310-02-00-155), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by Taylor B Green.

Mayor Tecklenburg said, “Next, bills up for second reading. We’ve got 12 of them on the agenda. Were any deferred since--”

The Clerk said, “No.”

Councilmember Seekings said, “So moved.”

Councilmember Waring said, “Second.”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “Just to note for the record briefly, I have to recuse for 5 and 6, under second reading and third, I guess.”
Mayor Tecklenburg said, “Okay. Numbers 5 and 6, Councilmember Appel has recused. Was there one for you or that was a different matter? That was first reading earlier. Never mind. Alright. Any discussion on any of those 1 through 12?”

No one else asked to speak.

On a motion of Councilmember Seekings, twelve (12) bills (Items L-1 through L-12) received second reading. They passed second reading on motion by Councilmember Waring and third reading on motion of Councilmember Seekings. On further motion of Councilmember Mitchell, the rules were suspended, and the bills were immediately ratified as:

2022-100 - AN ORDNANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 24 MARKET ST (DOWNTOWN- PENINSULA) (APPROXIMATELY .67 ACRE) (TMS #458-05-04-023, 031 AND 029) (COUNCIL DISTRICT 1), BE REZONED FROM 3 STORY AND WP OLD CITY HEIGHT DISTRICT CLASSIFICATION TO 4 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTIES ARE OWNED BY CARROLL BUILDING LLC.

2022-101 - AN ORDNANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES ON TRAVIS LANE (HONEY HILL- CAINHOY PENINSULA) (APPROXIMATELY 11.4 ACRES) (TMS #268-00-00-005 AND 039) (COUNCIL DISTRICT 1), BE REZONED FROM SINGLE FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO DIVERSE RESIDENTIAL (DR-9) CLASSIFICATION. THE PROPERTIES ARE OWNED BY COLES EMILY BARNES.

2022-102 - AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING THE PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AND DEVELOPMENT GUIDELINES (BARRE/HALSEY PUD – HARLESTON VILLAGE) BY REZONING THE PROPERTY LOCATED AT 65 BARRE STREET (APPROXIMATELY 0.19 ACRE) (TMS# 457-02-04-025) FROM SINGLE-FAMILY RESIDENTIAL (SR-2) TO PUD AND BY INCREASING THE MAXIMUM NUMBER OF DWELLING UNITS ALLOWED IN THE PUD.

2022-103 - AN ORDNANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2157 FORT PEMBERTON DRIVE (RIVERLAND TERRACE- JAMES ISLAND) (APPROXIMATELY 0.23 ACRE) (TMS #343-01-00-104) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON MAY 24, 2022 (#2022-076), BE ZONED SINGLE FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JENNIFER MOGGENBERG AND JACK NARUSEVICH.

2022-104 - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1989 MAYBANK HIGHWAY (1.52 ACRE) (TMS# 343-03-00-208), JAMES ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY MAYWOOD, LLC.
2022-105 - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1978 MAYBANK HIGHWAY (.38 ACRE) (TMS# 343-03-00-198), JAMES ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY BRIAN TANNER AND GEORGE VASILOS.

2022-106 - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 22 OAKDALE PLACE (.24 ACRE) (TMS# 418-10-00-104), 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 KAYLEY SEAWRIGHT.

2022-107 - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 5 OAKDALE PLACE (0.22 ACRE) (TMS# 418-15-00-042), 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 3. THE PROPERTY IS OWNED BY ALLISON AND JAMES LUTZ.

2022-108 - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 31 AVONDALE AVENUE (0.35 ACRE) (TMS# 418-14-00-029), 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 JAMES AND ASHLEY MACKINTOSH.

2022-109 - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 4 TOVEY ROAD (0.17 ACRE) (TMS# 418-10-00-109), 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 JOHN BOUVETTE.

2022-110 - AN ORDINANCE TO AMEND CHAPTER 29, ARTICLE V., SECTION 29-212 OF THE CITY OF CHARLESTON CODE OF ORDINANCES AMENDING A SECTION 29-212 (G) (8), SETTING FORTH THE ADDRESS OF THE CITY OF CHARLESTON’S DESIGNATED THERMOMETERS.

2022-111 - AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT CLEMENTS FERRY ROAD (JACK PRIMUS - CAINHOY PENINSULA) (APPROXIMATELY 105.11 ACRES) (A PORTION OF TMS# 268-00-00-133) (COUNCIL DISTRICT 1), BE REZONED FROM LIGHT INDUSTRIAL (LI) CLASSIFICATION TO SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY MCALISTER TOGRANT CLEMENTS LLC ETAL.

Councilmember Appel recused himself from voting on Items L-5 and L-6 and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, “Next is bills up for first reading. Does anybody want to cover what Item number 1 was? Mr. Summerfield.”
Robert Summerfield said, “Thank you, Mr. Mayor. So, originally this item was on here so that we could get first reading for a pending ordinance doctrine on this and then begin a public hearing process. However, in speaking with our Legal Department, there is a question in one of the provisions that we need to do some additional research on. So, with that, staff is going to ask for a deferral on this. I will point out, just for transparency, there is an element of this ordinance that is not related to increased height for merit and kind of the outstanding question. So, at Planning Commission in September, there will be an ordinance for their consideration to make a recommendation to Council, and I’ll be talking about this more at the CD Committee on Thursday, that addresses new construction height allowances relative to new construction in flood zones. We’ve taken care of that and addressed it in the Code previously for raising an existing home, but not, apparently there is a little discrepancy when it comes to building a new house in the flood area and addressing height relative to that raised structure. So, that will be something that we will carve out of the ordinance that is M-1 tonight and take as a separate item to Planning Commission in September to address that. There are a couple of items that the Planning Commission is looking at that need that fix to move forward. So, with that, staff would ask for a deferral on this, a 30-day deferral. We believe that we can address the situation within the next 30 days. Additionally, per conversation with multiple members of Council, there’s no reason at this point, this is now published, not to have a much broader conversation with the community about this proposed change relative specifically to the merit element of the height adjustment. We’ve actually been working on this almost nine months, but those conversations have been smaller, mainly with the architectural community, and some of the preservation groups, as well, so, now, we can be more broad in that outreach. So, we ask for a 30-day deferral.”

Mayor Tecklenburg said, “Alright.”

Councilmember Shahid said, “So moved.”

Councilmember Mitchell said, “I second it.”

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

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmember Parker.

Councilmember Waring said, “I really want to thank Mr. Summerfield for the deferral and taking it to Planning and CD that you talked about. I think that was the right way to do it. Thank you.”

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, “Thank you, Mr. Mayor. So, hearing from, you know, during public comment, will this allow some folks to sort of rush as they said to sort of get these certain ones through, you know, I think their mission was sort of first reading. I understand there’s work to be done, but, you know, from some of the public comment that you heard is that a concern?”

Mr. Summerfield said, “Yes, ma’am. So, the deferral would not attach the pending ordinance doctrine which means that if any projects were out there that were ready for submittal and was a complete submittal, my department would have to accept that, and it could then be evaluated for merit. Whereas, if this were given first reading, my understanding of the way that works here in South Carolina, is you have that pending ordinance doctrine so that would in
effect stay submittals of those types of applications until the issue resolved itself through the ordinance process. However, I want to be clear this process would be, as I hopefully communicated in an e-mail earlier this week, that the process would still follow all of the necessary steps for an ordinance to come forward. So, while we would have it here tonight for first reading for pending ordinance, it still has to go to Planning Commission. Planning Commission still has to hold a public hearing, they have to provide this body with a recommendation, this body has to hold a public hearing because, again, it’s an amendment to the Zoning Code. Additionally, with our more recent processes of then trying to take those Planning-related items to the CD Committee for some additional discussion, then it would come back for Council action based on that discussion, so all of that process still needs to happen regardless of a deferral or first reading tonight. A deferral, like I said, if we wait 30 days, we’ll get a jumpstart, if you would, on some of the public outreach that we can have related to this that we would have been doing after a first reading.”

Mayor Tecklenburg said, “Alright. Any other questions or comments?”

No one else asked to speak.

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

An ordinance to amend Article 3, Part 2 (Old City Height Districts and View Corridor Protection), Sections 54-306 through 54-306.i. of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend the standards related to height adjustments.

Mayor Tecklenburg said, “Our next meeting will be September 13th, 5:00 p.m., right here. If no further business, we are adjourned. Thank you.”

There being no further business, the meeting was adjourned at 8:27 p.m.