

CITY COUNCIL VIRTUAL MEETING

Regular Meeting

August 18, 2020

The one-hundred and second meeting of the City Council of Charleston was held this date convening at 5:07 p.m. over video conference call (Zoom).

A notice of this meeting and an agenda were made available on the City’s website August 13, 2020 and appeared in the Post and Courier on August 17, 2020.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Delcioppo	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 Griffin	District 10
Councilmember Brady	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Jackson	District 12

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

The Clerk called the roll.

Mayor Tecklenburg said, “Thank you, and if everyone would like to join us, Councilmember Mitchell will lead us in a prayer.”

Councilmember Mitchell opened the meeting with an invocation.

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

Mayor Tecklenburg said, “Well, thank you, Councilmembers, and those who have joined us. Speaking of flags, I have the distinct honor to introduce to you a friend and a leader in our State, Tom Mullikin. Tom served, by the way, as the Chairman of the Governor’s Flood Water Commission, which produced this amazing document of recommendations for our State and raised awareness for State Government and for our citizens of the need for us to address stormwater, flood water, and sea level rise. I thank him for his leadership on that Commission, and work will continue as he may share with us briefly. Tom is also, I would say, a naturalist, an environmentalist, and an explorer, just an amazing individual. So, speaking of flags, when I first got elected and sworn in as Mayor, there was a gentleman who had been given a flag by Mayor Riley when he was headed down to Antarctica, and he brought back this flag that I keep here in my office. It’s a City of Charleston flag that went to the South Pole. So, when I reconnected with Tom a couple of years ago, when he became Chair of the Flood Water Commission, he said, ‘Well, I’m getting ready to head off to hike to the top of Mt. Everest’, the highest point on the earth,

of course. When I got back to my office, I sent him yet another City of Charleston flag and asked him if he would take it to Mt. Everest for us. Just a couple of weeks ago, when Tom was in Charleston, he presented this flag back to us, the City of Charleston flag, that Tom Mullikin took to Mt. Everest. So, without further ado with that introduction, Tom, I'd like to call on you to maybe share a few remarks not only about the Flood Water Commission, but about your environmental work in the State of South Carolina."

Tom Mullikin said, "Good afternoon, Mr. Mayor, and thank you for having us. Let me first say thank you for that beautiful prayer and offering to remember all of those that are suffering today. So, we're genuinely grateful for your words, and I've known the Mayor for a long time. I've had the pleasure and honor of working for Charleston's own Senator Fritz Hollings for about a dozen years on and off. We go way back when the Mayor had dark hair and I had some hair. That was a long time ago.

I would say, to me, the significance of the flag, for what it's worth, is when we raise that flag, I think we were the first in history to have climbed all seven summits and have dives in all of the five oceans. So, we brought that flag with us and back us just as an indication that South Carolinians can do whatever South Carolinians put their mind to. We get teased a lot. I'm here with my son, who is really a world class climber. We've had the good fortune of spending a lot of time around the world. We just finished the first South Carolina Seven where we hiked from the mountains to the sea and had our Finish Line Reception at the Charleston Aquarium. They were just up today here in Camden where we plan many more events and look forward to collaborating. I won't take up any of your time. I know you have a lot of important business, but just let me say that for a poor country lawyer from Camden being recognized, the key to the City of Charleston that we love as our own Holy City, just thank you so much. We love you, Mr. Mayor, and we love all of you with all you're dealing with in Charleston, and we wish you the very best."

Mayor Tecklenburg said, "Alright. Thank you, Tom. Appreciate it very much."

Mr. Mullikin said, "Thank you."

Mayor Tecklenburg said, "A remarkable flag collection. So, if anybody is planning on flying over to the North Pole, Tom, if you ever head up that way, let me know. We need to continue building our collection of City of Charleston flags."

Mr. Mullikin said, "We'll get you one from the Arctic, too, Mr. Mayor. You just gave me a mission."

There was laughter.

Mayor Tecklenburg said, "Alright. So, next I would like to recognize, I do believe they're on the call, members of the City of Charleston Hurricane Task Force, who have been led by Dan Flessas. Mike Tito, in the Mayor's Office, serves on the Task Force, along with Matt Alltop from our Public Service Department, Captain Tony Cretella with the Police Department, and Assistant Chief Kenny Jenkins with the Fire Department. Their work for the last few months, really ever since the beginning of the year, was really notable and came together just a week before last when we had a scare that we might have impacts from Hurricane Isaias. So, they're ready for the season. They've been working on this for months. They've been closely working with Shannon Scaff, our Emergency Management Director, but to tell you the truth, and you all know this, the whole team of Charleston comes together whenever we're dealing with the prospect of a hurricane coming to town. This was just a little different structure this year of having this Task

Force come together and work on it earlier in the year rather than waiting for hurricane season to be upon us. So, I wanted to commend them and shout-out to them, and Dan, I'll give you the opportunity if you would like to share any words, as Chair of the Hurricane Task Force, to our City Council."

Dan Flessas said, "Just very proud of Chief Jenkins, Captain Cretella, Matt Alltop, Mike Tito, lots of hard work. We asked a lot of questions. Once we answered them, we would ask more questions to try to fill in gaps, and this was in addition to their regular duties. So, just very proud of these gentlemen, and it's an honor for all of us to serve. Thank you."

Mayor Tecklenburg said, "God bless. Does anybody have any questions of Dan or our Hurricane Task Force?"

No one asked to speak.

Mayor Tecklenburg said, "Thank you all for your work and your service. Now, if Council will allow me, a couple of other matters came up that I would like to recognize that are not on the agenda. One is the 100th Year Anniversary of the 19th Amendment passage. The other is the passing of a dedicated public servant of Charleston, Floyd Breeland. So, without objection, I would like to share with Council a Resolution about the 19th Amendment. You all know it was ratified a hundred years ago granting women the right to vote and marking the largest expansion of democracy in U.S. history. This milestone was achieved thanks to unrelenting courage and determination of women who marched, advocated, and organized for the right to cast a vote in the United States. You probably saw an article in the paper this morning about local Charlestonians who were involved in the effort and the 19th Amendment states, by the way, exactly: 'The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.'"

Mayor Tecklenburg read the resolution.

---INSERT RESOLUTION---

Mayor Tecklenburg said, "So, there were a couple of other historical facts that I thought I would share. It was ratified on this date in 1920. The actual passage of the amendment was on June 3, 1919. Of course, it required all of the States to accept, to ratify or reject, the 19th Amendment. I do think it's notable to share that on January 28, 1920 South Carolina was one of the States that voted to reject the 19th Amendment. Then, in order to maybe make amends for lost time, on July 1, 1969 South Carolina officially ratified the 19th Amendment. So, we were a little late to the table. I would also share that, of course, the ability to vote also opened up the ability, in most parts, to run and hold office. Since the City of Charleston was incorporated back in 1783, only 13 women have held the office of Alderman, or City Council as we know today, in our 237-year history as an incorporated body. That cumulative service now totals 144 years of service by the 13 women who have served on City Council including Councilmember Jackson and Councilmember Delcioppo with us today, but also included, and I'm going to shout their names out if you don't mind, Kathleen Wilson, Deb Morinelli, Anne Frances Bleecker, Yvonne Evans, my Mom, Esther Tecklenburg, Mary Ader, Brenda Scott, Hilda Hutchinson-Jefferson, Mary Utsey from 1960 to 1967, Belizant Moorer from 1924 to 1927, and the first woman serving on City Council, Clelia Peronneau McGowan also from 1924 to 1927. We'll note that her portrait hangs in the City Council Chamber. So, congratulations. Would the women on Council like to make any comments?"

Councilwoman Delcioppo said, "No, thank you. I appreciate being recognized."

Mayor Tecklenburg said, "Hearing none, I do also want to note for Council, you probably saw that Floyd Breeland, here is a picture of Floyd, he passed away. His funeral service was today. I won't read the whole thing. You might have seen his obituary. I'll present this to the family, but I will point out that he was an educator for 38 years. When he retired from being a teacher, he ran for public office serving in the Statehouse, District #111 which incorporates, I think it's almost entirely in the City of Charleston. He served from November 1992 until 2008. He was a member of Mother Emanuel Church, like Councilmember Gregorie, and a member of the choir. He had this huge, booming, beautiful singing voice, and he has a lovely wife, and his son is grown now and lives out of town. He lived on Moultrie Street, right there across from Hampton Park, but he was an outstanding citizen of our City and served our City and our Country, rather. He served in the Armed Forces, as well. So, here's a memory to Floyd Breeland and his service to our City, State, and Country."

Mayor Tecklenburg recognized Councilmember Shahid followed by Councilmember Sakran.

Councilmember Shahid said, "Mr. Mayor, thank you. I just want to go back to our commemoration of the Women's Suffrage and make a couple of points. For us to understand the impact of the passage of that amendment, we may forget that the folks who serve on juries throughout the Country, that those jurors were selected from the voting rolls. So, if you were not a registered voter, you could not serve on a jury, which meant that women were excluded from serving on both criminal and civil juries. That is a major improvement over time as to what that means for folks having a fair trial in our civil and criminal justice system. It's a fact that we should not gloss over or ignore, but we need to celebrate this milestone, as to the number of women that have served our Country, our State, and have served our community with such passion and that have brought so much more to our governance. You mentioned those women who have served on City Council. There are several women who served on County Council, in the Statehouse, who are from the Charleston area, and they were trailblazers in this community. We commemorated, last year, the Medical University workers' strike. That strike to bring a fair wage to workers was started by women, and we don't celebrate this enough. We don't pound our fists on the podium loud enough to express our appreciation for those brave women who have led us in our community from time to time. God bless them. They are unsung heroes throughout, and this is a milestone we need to recognize and appreciate. A quick shout-out to Scott Watson, the Charleston 350th Commission has been working to try to put together some type of a more formal presentation and recognition as part of our history with this. He's been working with the Post and Courier and our partners with Trio, but I just wanted to make that comment that I appreciate your work on having this proclamation presented to us tonight. This is a significant time in our history, a significant time in our community, and it resonates in 2020. Thank you for the opportunity to make those brief comments, Mr. Mayor."

Mayor Tecklenburg said, "Great. Thank you."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. I'll keep it brief. My wife would be upset if I didn't mention that as a new Councilmember, not only do I think the folks that you had mentioned that came before us are important, but I'm looking forward and no offense to you, Mayor, I don't think you're going to be as Mayor for a bunch more years, and I'm looking forward to our first female Mayor and first African American Mayor that we have in the City of Charleston

and, hopefully, it's during my time on Council. So, I just wanted to mention that and say that it's nice to know that all of those folks were trailblazers, but looking towards the future. Hopefully, I'm on Council when we see those days come to fruition."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I do have one thing to put forward. I'm not sure that we will be bringing it to City Council, but tomorrow the Women's Commission will meet as we normally do once a month. We're going to discuss making a recommendation to our U.S. Senator Lindsey Graham, who is the Chairman of the Judiciary Committee of the Senate. Right now, the ERA has been voted on for ratification by the required 38 states across the nation, and the only thing that's stopping it from being ratified and put into law is the fact that when it was put forward to the States for ratification back in the late '70s, it had a timeout, which is a very unusual way of doing a constitutional amendment. So, we are joining across the Country, and the World actually, to ask the Senate to eliminate the deadline for having that ratification be recognized because we have the number of States, and we have the number of people, that want the ERA to finally go into effect. So, I hope that individually we can each support that. We might be bringing that to Council, but I don't think we want to take another series of meetings to do that. So, I think we will probably send it directly as a letter of request and recommendation to Senator Graham. Thank you."

Mayor Tecklenburg said, "Sure. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I want to thank you for adding those two items to the agenda today, Mr. Mayor. I also wanted to comment a little bit again on former representative Breeland. Everything you said was spot on, but he was a stakeholder in the community that helped kids from a young age all the way, as you said, went up to the Statehouse. But even after fulfilling a career at the Statehouse, he came back to the College of Charleston, and he headed up the 'Call Me Mister Program'. For those unfamiliar with that program, the 'Call Me Mister Program' attempts to recruit African American males who want to major in education, so they can go in our public school system. He has enhanced that program to the point to where the College of Charleston has put a scholarship in his name to help it continue. So, he's one of those guys that's just a yeoman worker in the community, and as you said, he was a talented singer. I know Councilmember Mitchell sang with him on numerous occasions, but he also had a wonderful sense of humor and was just a great family man. So, thank you for that recognition. I would hope, maybe at our next Council meeting, we could recognize Anita Zucker and the InterTech Group for the wonderful series that's been put in the newspaper, in the Post and Courier, recognizing women and their talent across the local community. It's just been wonderful to see some of the people, most of which we all know, being recognized and the articles that's been covered, even in today's paper, about the 19th Amendment. So, hopefully, we can put that on the next Council agenda. Thank you."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, just really quick, Mr. Mayor. What Councilmember Waring stated about Floyd Breeland, he was a good friend of mine. We talked all of the time, and we sang together at different concerts and things like that. Also, in 1969 with the Amendment, even with the women marching out there, Councilmember Waring's father and I and Councilmember Gregorie, we marched out there with them during the initial strike. I was involved in the initial strike during that time and trying to make a difference with what was going on with the nurses during that time, the African American nurses. We had the strike, a curfew, and a whole lot of stuff going on at that time when we had the nurses' strike. So, I can remember those things like it was yesterday, and we marched around and did a whole lot of things. So, I was involved in the movements from a young age. I remember those things wholeheartedly. Mr. Floyd Breeland was a good friend, and he wanted me to run for that State seat, but I was still working at the time, so I couldn't do it. That's the reason I didn't go through to the House of Representatives. I spoke to Congressman Clyburn, and all of them came to me, and I said, 'No, I'm working. I can't take off of my job and go to Columbia.' That's why I didn't run for the seat at that time."

Mayor Tecklenburg said, "So, you told Floyd, 'You do it.'"

There was laughter.

Councilmember Mitchell said, "No, I couldn't do it."

Councilmember Waring said, "Mr. Mayor, one last thing if you will."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Waring said, "Councilmember Mitchell talked about the nurses' strike and the march, but remember when, well, we don't remember this, but we know of the Cigar Factory strike."

Councilmember Mitchell said, "That's exactly right."

Councilmember Waring continued, "That was led by women, and I know everybody on this call in this meeting is familiar with the song, 'We Shall Overcome' from the Civil Rights Movement. That was penned and originated right here in Charleston, South Carolina during the Cigar Factory strike. There's a very strong history for women's rights in this town. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Absolutely. You all keep it up. We would love to recognize you. Alright. Next, we go to our public hearings. We have nine of them this evening, and I think people have signed up in advance to be able to speak. Mr. Morgan, if I may call on you to begin presentation of number one."

The Clerk said, "Mayor."

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

The Clerk said, "What are we going to do about the people who want to speak who sent in messages and that sort of thing? Are we going to do that after that?"

Mayor Tecklenburg said, "If it was particular to a public hearing matter."

The Clerk said, "Well, we have those, but we also have the people that just wanted to leave a comment which comes before that."

Mayor Tecklenburg said, "We're going to do public participation after the public hearings. I prefer to do them as we do each item. Do you have them pegged as to which item they're for?"

The Clerk said, "Yes."

Mayor Tecklenburg said, "Okay. Well, I'd like to do the public hearings now. That's what's on the agenda. Then, as Mr. Morgan calls out an item, if you've got somebody's comment, please just let me know. That would be great."

The Clerk said, "I will."

Mayor Tecklenburg said, "Alright. Christopher."

Mr. Morgan said, "Yes, sir. We're going to the public hearings. Here is the first one, which is on Lochaven Drive, West Ashley, approximately three acres, TMS #306-00-00-090. It's a rezoning from General Office classification to Business Park (BP) classification. Here you see the property. It's off of Glenn McConnell Parkway. It is between an apartment complex that's back here. I believe it's the Palms and a condo complex that fronts on Glenn McConnell Parkway over here to the southeast. It is a vacant piece of property. The request is for Business Park, so that a cellular phone tower can be erected on the site because that is not allowed in General Office. Here it is in the Century V Plan. It shows as a Job Center, so Business Park would be appropriate for the Job Center recommendation. You can see where the property is located here. It is adjacent to some land that the City owns that's on the other side of Glenn McConnell Parkway that is part of our West Ashley Park, but it's just a preserved green space area there. So, it is fairly centrally located for the cellular purposes. Here is an aerial view of it. There are also overhead transmission lines in the area so, again, it's served as kind of a utility function already. So, we were very comfortable with this being a request in this area. Here you see an oblique image of the property. Again, the apartments there, the Palms, and then some other condominiums are down Egret Crest Lane here. Again, staff and Planning Commission are recommending approval of this. It was at the July 2020 meeting and recommended for approval, 8 to 0."

Mayor Tecklenburg said, "Alright. Did we have anyone that wanted to be heard on this?"

The Assistant Clerk said, "This is Jennifer. James Wilson had signed up to speak, but the number that he registered with is not on the call. Brian Hellman, Jonathan Yates, and Keith Powell are on the line, in case Councilmembers have any questions. They did not sign up to speak, but they are available if Council has questions."

Mayor Tecklenburg said, "They represent the owner, I take it?"

The Assistant Clerk said, "I believe so. Yes."

Mayor Tecklenburg said, "Alright. The matter comes to Council."

Councilmember Waring said, "Move for approval."

Councilwoman Jackson said, "Second."

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

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilwoman Jackson, 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 property located on Lochaven Drive (West Ashley) (approximately 3.0 acres) (TMS #306-00-00-090) (Council District 2), be rezoned from General Office (GO) classification to Business Park (BP) classification. The property is owned by the Whitfield Company.

Mayor Tecklenburg said, "Thank you. Mr. Morgan, number two."

Mr. Morgan said, "This is an item that was advertised for a public hearing, and our staff inadvertently did not send the PUD document to Councilmembers and weren't included in the agenda packages. We just had this coversheet. So, we are going to ask that tonight, if you feel comfortable to just give a first reading. Then, we will re-do the public hearing in September, but this is a very, very simple PUD in this location on King Street. It's Upper King Street between the ramps that are an entrance way and exit from I-26 as it's coming across the Peninsula and heading into the Septima P. Clark Parkway. This is kind of an orphaned piece of property up until now. What you may be seeing going up here is a new office building that's on the portion of the property here. That's a new five-story office building that's under construction already. That property was actually also entitled for an Accommodations use. What this PUD would do is we would transfer that Accommodations use to the rear portion of the property where there are a number of older Single-Family houses and duplexes that have fallen into disrepair. They've been rentals and were in tough shape. The City has been trying to get improvements made to those properties, and what this PUD would do would be allow for those properties to be used for up to 30 Accommodations units.

Of course, the property was in the zone they could have had 50 Accommodations units, but they kept it to just 30 Accommodations units. But, there may also be the ability to move one or more of the houses that are in this area to a lot that is at the corner of Fishburne and Coming Street and use them for affordable housing. That is something we are also pursuing, and you're going to see a zoning tonight for that property, as well. But, again, this is on Upper King. It's already being used for this office use here. It was recommended at Planning Commission with an 8 to 0 vote. The Planning Commission did not put conditions on it, but they just made a couple of comments, such as considering the addition of green space or open space. The PUD is such a small PUD that that was not part of it. It's not a requirement, and the applicants can speak to it a little bit of how it's a very tight site. I'll show you some images there. Then, they also reference adding calculation to increase affordable housing provided at maximum build-out. Again, the applicants are working with us on some affordable housing ideas in the surrounding area.

This is in our Urban and Urban Core area in the Century V Plan. Here is an aerial image. It is immediately adjacent to the Coming Street shaft for our Spring/Cannon drainage improvements that are finishing up. In fact, this area finished up recently. It's also going to involve this upper part of the Saint Philip Street right-of-way, which would be deactivated from the State system and made part of this development. This is the parcel that has the new office building under construction. In fact, the owners have leased land adjacent to the interstate in these areas here that are public right-

of-way for additional parking for that office building, as well. Here is an aerial image of some of the structures on the site and some of these structures. I believe this structure and this structure are actually from the 1990s, but the other structures are much older. The one structure you see here in the middle is not a part of the PUD. It is the one parcel in this kind of two-block area that is not a part of the PUD. Then, here are some other structures that would be renovated as part of this. You can see that some of these are in pretty dilapidated shape and could definitely benefit from some renovation. Here are some street views of these structures in the area and the upper part of Saint Philip Street. This is just a description of the PUD that, again, was inadvertently left out of your packages. We apologize for that. Then, here is the overall PUD plan which involves Mixed-Use to the front where the office building is and its associated parking. Then, the Accommodations area that would be to the rear with the cluster of small houses converted into Accommodations uses. Here's a plat of the property and everything that is included there, so you can see the overall area. Again, the Planning Commission recommended approval, as does staff, for this PUD."

Mayor Tecklenburg said, "I see you, Councilmember Mitchell, but let me ask Jennifer and Vanessa if they have anyone from the public that has registered."

The Clerk said, "For E-2, I have James Wilson."

Mayor Tecklenburg said, "Yes, Mr. Wilson. Please share your comments with us."

Mr. Wilson said, "Great. Very good. Thank you, Mr. Mayor and, of course, Council. I'll be brief because, as you know, Mr. Morgan has done an excellent job describing this PUD. The property, as you've seen, is basically a Peninsula property located in the middle of the Septima Clark Parkway where the ramps come down from I-26. So, it's not an ideal place actually for family homes. The existing homes have been empty for a couple of years and were previously used for student apartments. As Mr. Morgan described, we have some historic structures in here that are in need of some real renovation. The property is currently zoned as General Business. One small piece is Limited Business, but the proposed PUD basically keeps the same uses of General Business. As Mr. Morgan described, it really is just removing the allowed Accommodations use from King Street and shrinking it and permitting it on the back piece of property instead. There are really two components. There is that front piece, which has the office building going up right now with some surface parking behind it, and then the rear piece, which is basically the historic structures which will be renovated and put into use for Accommodations use. It does not change any Height Districts. Then, we've tried to get out and talk to most folks. We've either talked or met with representatives from, I'm sorry, I should say we're not technically within a neighborhood. We're sort of right in between Cannonborough-Elliottborough and Westside. We have been in touch with representatives of both neighborhoods. We've met with the Historic Charleston Foundation, the Preservation Society, and, of course, spent a lot of time working with the Planning Department. That's been great. The one piece of this that's really not part of the PUD but, together with the PUD, we've been working with the Planning staff, as well as with Geona Shaw Johnson, on trying to accomplish some affordable housing across the street there. We've been involved with that, and my client has agreed to donate the two more recent homes that are not historic to move over there. So far, we've got good reception at DOT, and that's in the approval process."

The Clerk said, "Mayor. Excuse me. Mayor, are we going to time people?"

Mayor Tecklenburg said, "We should be, yes. Mr. Wilson, can you wrap up quickly?"

Mr. Wilson said, "Fair enough, of course. So, we think this is a small project, but that has real substantial impact in terms of restoring some historic structures, creating new office space right

on King Street, reducing Accommodations and moving off King Street, and, hopefully, creating some great new affordable housing. So, with that, of course we are available to answer any questions. Thank you for your consideration.”

Mayor Tecklenburg said, “Thank you.”

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, “Yes, Mr. Mayor and Councilmembers, I have spoken with Mr. Wilson on two occasions. I looked at the property and went around and looked at what he is doing. I advised him to contact both Neighborhood Associations, although it’s not in a Neighborhood Association perimeter, but that it’s closer to it. He is doing that, so he is doing everything that I asked him to do. So, I don’t really have a problem with it. I can vote to have it approved. This is the first reading. So, if anything else comes up, we can always go through that, but right now everything is moving smoothly.”

Mayor Tecklenburg said, “Alright. Can I entertain a motion to approve?”

Councilmember Shahid said, “So moved.”

Councilmember Shealy said, “Second.”

Mayor Tecklenburg said, “We’ve got a motion and a second. Is there any further discussion?”

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Shealy, 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 property located on Sheppard Street (Peninsula) (approximately 1.386 acres) (TMS #460-04-04-074, 460-04-04-078, 460-04-04-080 and 460-04-04-086) (Council District 4), be rezoned from General Business (GB) classification and Limited Business (LB) classification to Planned Unit Development (PUD) classification (Sheppard Street PUD) and removed from the Accommodations Overlay Zone (a) classification. The property is owned by King and Sheppard Partners, LLC; Sheppard Parking LLC; and Lowcountry Marketing Group, LLC.

Mayor Tecklenburg said, “Thank you very much, Mr. Wilson. So, next is number three. It’s not a zoning matter, but kind of a zoning matter to help affordable housing, Mr. Morgan.”

Mr. Morgan said, “Mr. Lindsey is going to kind of guide you all through these amendments here.”

Mayor Tecklenburg said, “Okay. Mr. Lindsey.”

Jacob Lindsey said, “Thank you, Mr. Mayor and Mr. Morgan. Ordinance Amendment #E-3 which is ‘An Ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance)’ and what this does is it incorporates provisions to allow the subdivision and development of single affordable housing as a conditional use within multiple base zoning districts. This was recommended, 6 to 1, by the Planning Commission at the July meeting. Now, just a very brief

introduction. What you see here on this map are a series of blue stars. Those are individual locations of houses that our department analyzed, along with Ms. Geona Shaw Johnson. We looked at 16 different case studies of affordable housing that the City of Charleston had built over the years. We looked at the BZA variances that were required to build each of them. The recommendations that are before you tonight are the ones that prove to be a barrier or a challenge for these projects that we analyzed in each case. The third bullet point here is that the 'Conditional use standards were also reviewed to determine the impact on the neighborhood character.' So, we did look at the individual neighborhoods and how they were impacted.

So, we'll go to the next slide, Christopher, if you don't mind. Thank you. So, what this ordinance does is it applies Citywide. There is an important condition on that which I'll get to at the end of this presentation. It makes the standards more flexible only for affordable housing projects, not for all housing, just affordable. It make the standards apply for Single-Family detached dwellings in SR-1, SR-2, and SR-6 and then provides flexible standards for one-family detached and attached dwellings in STR, DR-1, DR-1F, DR-2, and DR-2F. So, most of the neighborhoods in the City are in one of the zoning categories. If you have a Single-Family affordable detached home, it provides more flexibility, avoiding a trip to the BZA, and it delivers affordable housing in a faster manner. What the ordinance does not do is it doesn't change the standards for all new housing, and it does not change subdivision standards for market rate development. That's very important. So, go to the next slide, Christopher. Thank you. A couple of revisions that have happened in this ordinance in the CD Committee, but as well as in front of the Planning Commission. The first is that there are no parking reductions, so the parking standards are the same. That would apply to any residential project anywhere in the City. The frontage requirements for SR-2 remain at 40' with the exception, this is what I mentioned before, of properties that are in Ashleyville/Maryville. If you're in Ashleyville/Maryville, the 50' frontage still applies and the provisions that have been added for Single-Family attached dwelling units or townhomes. That was not in the original, so townhomes do apply for this benefit if they are affordable. We also added a provision for the 'Charleston Court' within DR-2 and DR-2F. These are small infill projects that you would have on the Peninsula. We'll go to the next slide. This has the text of the ordinance which we can get into if you want to see the reference to any specific line. If we can go to the end of this, Christopher, it's just in a lot table here. We can just go through that. If any of you would like to go to a specific text in the ordinance, we have it here for your reference. So, with that I'll conclude this presentation and leave it to Council for discussion."

Mayor Tecklenburg said, "Alright. First let's ask if anybody from the public wanted to be heard on this matter?"

No one asked to speak.

Mayor Tecklenburg said, "Vanessa or Jennifer?"

The Clerk said, "I was about to say I have one item for E-3, and this is coming from Marsha Higgins. Jennifer, do you have a Marsha Higgins?"

The Assistant Clerk said, "I do and I have sent a request to unmute her."

1. Marsha Higgins said, "I am unmuted."

Mayor Tecklenburg said, "There you go. Is that Mrs. Higgins?"

Mrs. Higgins said, "Yes."

Mayor Tecklenburg said, "Please share with us your comments about this matter. Thank you for being with us."

Mrs. Higgins said, "Okay. Thank you. Good evening, Mayor Tecklenburg and City Councilmembers. I agree, and think that all of us agree, that the City of Charleston needs more affordable housing. However, this zoning ordinance takes away the protection of zoning requirements from neighborhoods. The Maryville/Ashleyville community has been speaking up and fighting for years to protect the character of our historic community and to also present changes in the zoning requirements from having a negative impact on Maryville/Ashleyville. These things we have fought for and won are being taken away in the name of affordable housing and in this zoning ordinance. Yes, there is an exception statement in one place to have a minimum lot frontage of 50', but this ordinance takes away what we already have and what we fought for, to keep a minimum. We're talking about only a minimum lot size of 50' x 100' we fought for and to keep Single-Family detached houses only. This ordinance calls for apartments, condominiums, and attached dwellings. The last battle we won was the requirement for averaging surrounding lot frontage shall apply. That's based on the zoning law 54-824-CL. Now, we won this through an appeal because incorrect information was provided by Mr. Lee Batchelder and Councilmember Keith Waring. They did not give the correct information about the variance of his property. That's Mr. Waring's property located on Tripe and Main Streets in Ashleyville. Now, this is being taken away, that the requirement for averaging surrounding lot frontage shall not apply, and we feel that it should apply. These three things, really, if it's added to the exception statement for Maryville/Ashleyville would be great and would give us the protection we would like to have. In addition, it is requested that Councilman Keith Waring recuse himself from discussion and voting on this ordinance because he has a conflict of interest. Councilman Keith Waring will receive a personal financial benefit from his discussion and vote on this ordinance. This is based on the fact that he owns property located in Ashleyville that has not yet been subdivided and would be, and this ordinance would apply to. If you would please consider Councilman Keith Waring recusing himself. Thank you, and please consider those who already live in the neighborhoods this ordinance would affect. We ask you to please vote 'no'. Do not approve this ordinance. Thank you very much."

Mayor Tecklenburg said, "Thank you, Mrs. Higgins. Was there anyone else, Vanessa or Jennifer?"

The Clerk said, "I have two names on the sheet. It says that there are four people in support of amending Chapter 54 of the Code of the City of Charleston Part 16 of Article 2 for the Planning Commission to remove cluster overlay conservation development from base zoning districts on Johns Island and James Island. The other request says 13 people are asking for support in decreasing the required lot size for affordable housing in the Charleston area with the exception to the Ashleyville and Maryville neighborhoods. Those are the only two, in addition to the one that we just heard."

Mayor Tecklenburg said, "Right. I don't know that the first one was applicable to this matter, but the second one sounds like it was but it was close, the first one."

The Clerk said, "Yes."

Mayor Tecklenburg said, "Alright. So, hearing no others, it comes to Council. Would anyone like to make a motion or be heard?"

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "I appreciate, and I've heard Mrs. Higgins many times. Actually, I need to provide her with an apology because I listened in on the Planning Commission meeting in July when this issue came before the Planning Commission. She had very bad communication audio, so it was very hard for anyone on the call to understand her. I would like a clarification of the ordinance as it is in front of us, compared to her comments to us tonight, because it was my understanding that every street named in the ordinance is an exception to the entire ordinance, not just the 50' width, right? I mean, none of the descriptions of the ordinance, as we're going to vote on it in support of affordable housing in other parts of the City, are going to apply to any of those three addresses in Maryville/Ashleyville. Is that correct?"

Mayor Tecklenburg said, "Mr. Lindsey."

Mr. Lindsey said, "Councilmember, my interpretation is that the streets that are listed that are within Ashleyville/Maryville are not eligible to receive the automatic exception for the lot frontage. So, what it does is it preserves the 50' lot frontage throughout Ashleyville/Maryville, which is the thing that we heard from the community after meeting with them that was so important to the character of Ashleyville/Maryville was that 50' lot frontage. The other provisions would still apply. However, the 50' lot frontage is intact in Ashleyville/Maryville."

Councilwoman Jackson said, "The fact that they are objecting to the changes from a Single-Family use only to townhouses, that would not be protected unless we made a change in this ordinance as an amendment on behalf of Maryville/Ashleyville, right?"

Mr. Lindsey said, "That is correct. It's only lot frontage, but to be clear, that means that you would have to have a 50' wide townhouse, which would be a very unusual thing to have if that makes sense, Councilmember."

Councilwoman Jackson said, "Because you can only put one townhome on a lot?"

Mr. Lindsey said, "Correct. Single-Family fee simple townhome, you would have to have a 50' wide townhome. So, that's not a likely outcome, and it does not apply to condominiums or Multi-Family in any way."

Councilwoman Jackson said, "This is a second reading, right? So, we really need to get this straightened out."

Mr. Lindsey said, "That is correct."

Councilwoman Jackson said, "With this hearing."

Mayor Tecklenburg said, "So, you're clear on your questioning, right? Okay."

Mayor Tecklenburg recognized Councilmember Sakran, followed by Councilmember Gregorie.

Councilmember Sakran said, "Thank you, Mayor. I have a very similar question as Councilmember Jackson, and I think some of this pre-dates my time on Council, but it's my understanding, I'm not sure if Ms. Hamilton is on, that a lot of this was vetted through the Neighborhood Association and discussions have been had there. I'm not sure if Councilmember Waring or Councilmember Shahid wants to weigh in just to remind us. I do believe a lot of this

certainly was weighed through the Neighborhood Association, and Diane Hamilton has weighed in in favor of this ordinance. Is that correct?"

Councilmember Waring said, "I can give more history on it but, anyway, go ahead."

Councilmember Seekings said, "Is there a motion pending yet?"

Councilmember Gregorie said, "Not yet."

Mayor Tecklenburg said, "There is not a motion pending yet."

Councilmember Seekings said, "So moved."

Councilmember Appel said, "I'll second."

Mayor Tecklenburg said, "We have a motion to approve and a second and, Councilmember Sakran, I'm sorry, who were you asking that question of?"

Councilmember Sakran said, "I guess I'm asking a similar question as Councilmember Jackson, but I would also like some background on some of the conversations that were had at the Ashleyville/Maryville Neighborhood Association meetings that I've attended. I've heard concerns, but I believe based on my understanding, Ms. Hamilton who is the President, supports this ordinance change or supports the change, and I just want to make sure that is confirmed, and I guess some background from Councilmember Waring or Councilmember Shahid."

Mayor Tecklenburg said, "Okay. So, I think Councilmember Gregorie had his hand up next, and then I'll come to Councilmember Waring."

The Clerk said, "He did."

Councilmember Gregorie said, "I have a question for Jacob. If we did nothing, we didn't change it, will that restrict the availability of affordable units going into that area?"

Mr. Lindsey said, "If we did nothing, the affordable units could still be built in Ashleyville/Maryville. They can still be built throughout the City. However, they'll have to go to the Board of Zoning Appeals for a variance if they need one for the lot coverage setback or any of these other issues, but you can still build affordable housing in Ashleyville/Maryville and the rest of the City. It just isn't going to be as streamlined, it's going to add cost, and it's going to add time. That's what this ordinance does. It reduces cost, and it reduces time."

Councilmember Gregorie said, "As a follow up, and I hate talking around because Councilmember Waring is right here. Given the current lot sizes, couldn't that property accommodate many more units? Currently, will that lot have the opportunity to even build more units, and by doing what we're doing, aren't we providing fewer 'affordable units' in that area?"

Mr. Lindsey said, "So, to take those one at a time. First of all, are you speaking specifically about the Multi-Family or about the townhouse project that Councilmember Waring is working on in Ashleyville/Maryville?"

Councilmember Gregorie said, "Yes."

Mr. Lindsey said, "First of all, I don't know, or I'm not prepared to answer how many units he can build there. Perhaps he would know that about those. I don't know. However, I will tell you this. That property is zoned DR (Diverse Residential). It is not zoned SR like the rest of Ashleyville/Maryville. So, it's got a zoning category on it where you can build townhomes by default, whereas most of Ashleyville/Maryville is zoned SR-2 where townhomes cannot be built by that zoning, so it's exceptional in that way. I mean, you can build townhomes legally on that site, so I can tell you that. I don't know the maximum density off the top of my head. That's to the first part of that, and the second part of your question, could you clarify that a little bit more in terms of what you would like me to answer?"

Councilmember Gregorie said, "I guess what I'm saying is if you go up on the lot size, if you go to 50', that then means that the owner will not have the ability to build as many units?"

Mr. Lindsey said, "That is correct."

Councilmember Gregorie said, "Okay. So, that in itself is perhaps, given what I hear from Mrs. Higgins, a good thing for them. However, if the owner decides right now to do what he can do, which is townhouses, am I correct, many more units can go on that site as townhouses?"

Mr. Lindsey said, "I don't know the answer to that question, Councilmember. I just don't know how many. I don't know the density. I'd have to go look at that site specifically, and I can do that probably during the course of this meeting. I will tell you this just to respond to your question. You are correct that by limiting the lot to 50' you would have fewer affordable units than if you could subdivide it down by right. However, one more thing about this, this does not prevent the property owner from requesting a subdivision to a smaller lot. They can still do it. They just have to go through the formal process with the public hearing."

Councilmember Gregorie said, "I mean we're talking around it. The vote might be affected, but I think if the property owner is here, the property owner should be allowed to clarify some things for us. I definitely would like to hear from Councilmember Waring or Ms. Johnson."

Mayor Tecklenburg said, "I'm going to get to him next, but Councilmember Waring, if I may have executive privilege just to ask a question that I think clarifies a little bit of who all this applies to. What we're basically doing with this ordinance is trying to make it easier for affordable housing, but it has to be a bonafide affordable housing product. So, any property owner out there in the City of Charleston won't be able if he had a lot big enough to subdivide just to willy-nilly utilize this unless he is willing to commit that this be an affordable housing product. So, I want to ask a question just for clarification. What would you have to do to be able to get these kinds of passes for these exceptions? Who would this apply to?"

Councilmember Waring said, "Are you asking me?"

Mayor Tecklenburg said, "No, I'm asking it to either Jacob or Geona."

Mr. Lindsey said, "So, Mayor, I'd like to let Geona weigh in if you don't mind. I will say that it is spelled out in the ordinance, and in effect, Geona has to say, in fact, that it is affordable. It has to meet the criteria, and she may want to speak to that specifically."

Geona Shaw Johnson said, "Mayor, as with any other project, Mayor and Council, we would qualify the project at the onset, and then we would have recordations either through an MOU or restrictive covenants that say that if it is the for sale unit, it goes up to persons who earn

120 percent of the area median income, and if it's a rental property, based on the funding sources, then it would qualify as a rental, which means it would likely qualify persons who earn 60 percent and below the area median income. There are sometimes when we go up as far as 80 percent until the rental provisions, but we do actually legally record those documents to ensure that the affordable criteria is met."

Mayor Tecklenburg said, "I just wanted to firm that point up here at Council and with our citizens that this isn't going to make some broad impact on neighborhoods. This is basically going to be a tool of those entities, most of them are non-profits, the City itself, who are in the business of creating bonafide affordable housing product in our City. So, with all of that, Councilmember Waring."

Councilmember Waring said, "Thank you, Mr. Mayor. This is an issue that came before the Maryville/Ashleyville neighborhood in 2014. As a matter of fact, I'll be happy to send out news articles on it. The property is up for rezoning, and I had a drawing done and showed the neighborhood that I'd like to put six affordable housing units. I went to the Neighborhood Association, they approved it, and they supported it at the Planning Commission. I mean, it is zoned for townhouses, and I told the community at that time, I would not put out townhouses. I wanted to put six affordable units. It's been from 2014 until 2020 that it has taken to get the right to put six affordable housing units. The property is, do the math right quick, it's 309' across the front, and it's 100' deep. If you divided that by five lots, that comes to 61.8'. If you divide it by six, it comes to 51.5'. The reason she brought up Mr. Batchelder, there is an ordinance on the books that says you have to adhere to the average lot size. Well, over time, some people in Ashleyville, everybody didn't buy a 50' x 100' lot. Some people bought two lots, and they built a house on it, and they abandoned the lot line. So, instead of having an average of 50' all around you, some people may have a 50' lot, some people may have a 100' lot. If you go back to the original drawings, you saw where it was two 50' x 100' lots, and the dividing line was abandoned. That threw off that average. The initial hearing in front of the BZA was a unanimous vote in favor. Mrs. Higgins did appeal it, and it's a personal difference between Mrs. Higgins and myself. She is certainly entitled to her opinion, but she's not entitled to her own facts. The average lot size came to be because of an ordinance that we have in place where you had to have 52'. As I said, the average came to be 51.5'. It basically to about a 16-inch variance. The reason I wasn't at that meeting was we had a City Council meeting here at the same time down at Bees Landing, and that's when the International African American Museum was on the agenda, and you all remember that meeting was a big turnout and certainly a big vote to move forward with the building of the International African American Museum. The appeal was heard without me being present or even my attorney being present, and what the BZA voted for was to have another hearing. If you call that a victory, I guess it is, but the facts still remain. I didn't apply for another hearing because I realized why on earth to build an affordable house should we have to go in front of the BZA to get an exception for 16 inches on a lot front. Any one of you all I'll challenge you and even you, Mrs. Higgins, can you ride along the street and look at one lot from the front to another and say that one lot is 16 inches smaller than the other and the whole issue in Ashleyville was 50' x 100'? This lot is and, again, if you took 309' divided by six, you're going to get 51.5'. So, the property has not been subdivided. I have kept my word for six years, and have not built townhouses, and I still maintain that I'd still like to build six affordable units. This shows you the magnitude of why this type of ordinance needs to be passed because people will take exception to deprive a family of being able to buy an affordable house. Please tell me, five houses versus six, if we built five, and one family didn't have the opportunity to buy an affordable house because there could have been a sixth, why celebrate that? Why not create that? And we're talking about older occupants. I wasn't going to speak as much as I have on this one, but obviously, Mrs. Higgins just made it personal, and it's not because this ordinance applies to an entire city."

Mrs. Higgins said, "I hope Mrs. Higgins will have another opportunity to speak."

Councilmember Waring said, "Mr. Mayor, is the public hearing session over, and we're now debating this on Council?"

Mayor Tecklenburg said, "That is correct. Yes, sir."

Councilmember Waring said, "Thank you. I was quiet when Mrs. Higgins spoke because she has the right to say what she wants, and I support her right to say it, but as I said, she's not entitled to her own facts. Any person on Council that owns real estate anywhere in the City of Charleston where this ordinance could apply if that's the case, all real estate holders in the City on Council, I guess need to abstain from voting, but I don't agree with that. The second thing is, Mr. Mayor and the members of Council who were on Council in 2019 when this came forward to City Council and the issue of Ashleyville came up, Councilmember Sakran, you weren't there then. I'm sure it's on tape someplace, that recommended that it go back to the Planning Commission and have our Planning Department work a carve-out for the historic area. I think staff has done a wonderful job with that carve-out excepting the historic Maryville/Ashleyville neighborhood from not having to comply with a lot that is 49' wide versus 50' wide. So, that carve-out, has been a year-and-a-half working on that, and in the meantime instead of creating incentives for the private sector and other locations all across the City to help, and you only get this. You're right, Mr. Mayor, if you build affordable housing under the guidelines for the City of Charleston, if you don't do that, you don't get it. It's a premise that's worked very well for a hundred years on the Peninsula, and I pointed out, and Councilmember Seekings may remember, Councilmember Seekings and Councilmember Mitchell currently reside on small lots on the Peninsula. That advantage has not been afforded to areas of West Ashley, James Island, and Johns Island. So, the staff has done a wonderful job, they've put a lot of work into this, and it has taken the better part of two years to bring it back for final approval. So, that's it, the story there. Mrs. Higgins was not a part of the Neighborhood Association at the time, and she has since come in, and again, came up with another thought, and it's certainly been discussed and vetted about, but the average lot frontage if I did everything evenly, when divided by six, it comes to 51.5'. Thank you."

Mayor Tecklenburg said, "Thank you, Councilmember Waring."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor, and maybe Mr. Lindsey can shed a little more light on this for us, and I appreciate Councilmember Waring's comments on this because I do recollect that we have gone around with this thing for it seems like since my first day on Council. I know that the folks in Maryville/Ashleyville had a lot of concerns about this. Mr. Lindsey, we have incorporated to Councilmember Sakran's initial question with all of this, we have incorporated those concerns and changes that Ms. Hamilton and the Neighborhood Association for Maryville/Ashleyville wanted to incorporate, right? Am I right on that?"

Mr. Lindsey said, "Councilmember, we met with the Neighborhood Association representatives a number of times, and what we have incorporated is the 50' lot frontage request from them. So, there have been a lot of things discussed, but we have collectively heard that the 50' lot frontage is the most important aspect to the character of Ashleyville/Maryville, and that has been incorporated. Now, we've had a lot of discussion about incorporating other components to

it, but that is the part that we have met with them about, discussed, and incorporated, and it's the 50' lot frontage."

Councilmember Shahid said, "I think that they have thrown their support behind this, as amended."

Mr. Lindsey said, "I don't believe that the Neighborhood Association is specifically opposed or spoken in support."

Councilmember Shahid said, "The other question, and I think you've answered this before, maybe in the past, but this is deemed to create for lack of a better word, a loophole with creation of short term rental units throughout the City, particularly in West Ashley?"

Mr. Lindsey said, "That is correct, Councilmember. This does nothing to create a loophole for short term rentals."

Councilmember Shahid said, "So, what we are talking about are these detached units, and I think the roughly square footage of these detached units would be about 800 square feet or so? Is that right, as well?"

Mr. Lindsey said, "Could you say that once more, Councilmember?"

Councilmember Shahid said, "This chart I'm looking at, I was just trying to figure out the size of these units to be as big as the existing house on there?"

Mr. Lindsey said, "Well, Councilmember, let's make sure we're talking about the right thing here wherein this is not about the accessory dwelling unit ordinance. You may be one step ahead of us here."

Councilmember Shahid said, "Okay. That's right. I think I may be."

Mr. Lindsey said, "We're talking about the first of these. The one we're talking about now doesn't say anything about the size of the house that's built."

Councilmember Shahid said, "That's right. Thanks for the clarification, and I do think that we have incorporated, and Mrs. Higgins has been very vocal about the objections that she's had with this as she's talked with me, she's talked with Councilmember Sakran and Councilmember Waring quite a bit about all of this, but I do think overall that this is incorporating major changes that that neighborhood is looking to incorporate."

Mr. Lindsey said, "And one other thing, Councilmember, to respond to you in full, we did also remove, we incorporated their request regarding the parking, as well."

Councilmember Shahid said, "That's right, and for those of you who have not been around this neighborhood, those concerns are genuine concerns, and I think we've all been very sensitive to the Maryville/Ashleyville area. It is a unique neighborhood. The streets are narrow, and the houses are in some places very close together. So, I think that this is trying to respect and maintain the character of those neighborhoods. Thank you, Mr. Lindsey, and getting me straight on the right ordinance, as well. I appreciate the comment on that."

Mayor Tecklenburg recognized Councilwoman Jackson, followed by Councilmember Appel.

Councilwoman Jackson said, "Thank you. Mr. Lindsey said what I was going to ask because what I remember hearing from Ms. Hamilton and the HOA as they came out to the different Planning Commission hearings in particular was about the parking. So, between the 50' wide lot frontage and the parking, those were the two major changes that I think this ordinance achieves on behalf of the neighborhood, and I think maybe it would help Ms. Higgins, and if there is anyone else in the neighborhood that has lingering concerns after we take a vote, it would be very helpful sometimes to play out the 'what if' scenarios. Maybe someone from the Planning staff could sit down and literally 'if this happens, then what would this look like', and sometimes that just sort of eliminates some of the hard-to-understand concepts or the envisioning of changes to a piece of property when you're not really that acclimated to the whole process of zoning. But this is all about lot sizes, and if we're going to restrict the types of uses knowing that you can't put two townhouses side by side unless you've got a reason to build a townhouse or permission to build a townhouse, I think that should also answer a lot of the objections that I heard as indistinctly as it was hard to hear the Planning Commission. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. I distinctly remember this matter coming before the BZA. In fact, it may have been the first time I had the privilege and honor of hearing from one Councilmember Keith Waring, who I've really come to enjoy working with over the last several months. Affordable housing is difficult to bring to the market in the City of Charleston in most places around the country. Arguably, this is by design. Zoning has had a discriminatory negative impact on poor people and especially African American people in this country since the day it was invented. We have to decide as a City whether we are going to make affordable housing a priority. There is a lot of talk about it, but this is when we have to be about it. This is about removing impairments, barriers, obstacles, costly opportunities for neighbors to come in and interject and complicate and kill deals at these hearings. I'm not accusing Ms. Higgins or anybody else of doing this with any particular development in Ashleyville/Maryville, but I've seen it time and time again. People will come in, and they will use pretextual matters to shoot down affordable housing projects because they don't want certain people living in their neighborhoods, period. That's the reality of it, and I've seen it time and time again. We need to de-politicize affordable housing. We need to make affordable housing easier, which means quicker, less expensive, less risky, to get these units to market. Because I've got news for the folks in Ashleyville/Maryville, they are the next frontier of gentrification, and just a reality if we don't do anything about it. This is a measure that will actually help prevent gentrification and in government and in policy, we have to decide on priorities. What's more important? Keeping Ashleyville/Maryville non-gentrified or historic minimum lot widths. Really? I mean, we've got to get real about this, and that's the reality of it. I am thrilled to see this ordinance pass. We need to do much more like this. Frankly, I think it's a bit of a tempest in a teapot, and I think my colleagues on the BZA would love to have their agendas shortened by not having to hear affordable housing dimensional requests, which this ordinance avoids the need for. So, I'm in full support of this measure. I think staff has done a tremendous job, and I look forward to voting for this tonight."

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

No one else asked to speak.

On a motion of Councilmember Seekings, one (1) bill (Item E-3) received second reading. It passed second reading on motion by Councilmember Appel and third reading on motion of Councilmember Griffin. On further motion of Councilwoman Delcioppo, the rules were suspended, and the bill was immediately ratified as:

2020 - 097 - AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO INCORPORATE PROVISIONS TO ALLOW SUBDIVISION AND DEVELOPMENT OF SINGLE FAMILY AFFORDABLE HOUSING AS A CONDITIONAL USE WITHIN MULTIPLE BASE ZONING DISTRICTS **(AS AMENDED)**

Mayor Tecklenburg said, "Thank you for that discussion, and thank you, Ms. Higgins, for your participation as well. Back to Mr. Lindsey, I think, with number four."

Mr. Lindsey said, "Thank you, Mr. Mayor. This is an amendment to Chapter 54 of the Zoning Ordinance to allow for accessory dwelling units in the City of Charleston and a brief introduction here just to give you all a quick overview. The first thing is that cities across the United States have allowed accessory dwelling units. This helps homeowners by providing them with a source of rental income that they can use to supplement to pay their mortgage, repair their homes, send a kid to college, whatever they want to do. This also provides diverse housing opportunities for the people who would rent the ADUs when they are built. Everybody else in the Lowcountry has already adopted accessory dwelling units. They are legal in the County, the City of North Charleston, Mount Pleasant, and they're actually already legal in portions of the City. Daniel Island has had ADUs since the 1990s. A lot of our PUDs allow them, and there are existing and grandfathered ADUs throughout the City, especially in some of our old neighborhoods like Wagener Terrace and Byrnes Downs. There are quite a few.

Also, just in a brief introduction, this is something that, in my personal estimation, I don't think it's going to fundamentally change the City, but a lot of the population of our City live in neighborhoods that have covenants and restrictions in place that would prevent ADUs from being built. If you live in a modern subdivision, for example, a lot of those already have private restrictions. If you live in a Multi-Family property, obviously, you can't build one of these. Anything that's zoned DR or STR in the City can already build second units if you have space on the lot. So, this really applies to SR zones where you can't already build a second unit or an ADU. This just helps the few people who can take advantage of it. It's also recommended in the Housing Authority of Charleston Report, the Chamber of Commerce, the Downtown Plan, and the list goes on.

So, that's just a brief introduction, and it did go to the Planning Commission. They recommended approval, 7 to 0, and they had a couple of modifications. They requested to remove the affordability requirement and add language to incentivize affordable ADUs through an optional financial assistance program. They also had an additional comment to the staff for us to look into ways that the Planning Department can make the development of ADUs as affordable as possible. We worked on both of those items.

So, Mr. Morgan, if you will go to our next slide here, we'll just briefly walk through this table. Now, you've kind of got to squint at this one to see all of this. This is a chart that compares Mount Pleasant's ordinance to Charleston County's ordinance with ours. To just hit the highlights here for all of you, about half way down there is an item that says 'Maximum number of occupants

in each ADU.’ In Mount Pleasant, you can have three. In Charleston County, there is no maximum, and in the City of Charleston the proposal calls for two adults as the maximum number of people who could live in one of these ADUs, two adults. You have to meet your parking requirement. You have to have at least one car for the ADU, just like a short term rental, and the owner has to occupy the property. The owner can live in the ADU, or the owner can live in the main house, but in any case the owner has to reside on the property. So, this is not something where you can build an ADU and condo out and sell both units or any of that kind of thing. This is to benefit homeownership and neighborhood stability in the City of Charleston. That’s what this does.

If you can go, Christopher, to our next slide. This is just the second half of this. This does require that the builder and owner of the ADU provide us a statement that says that there are no private covenants in their neighborhood that would prevent this. It also states that the owner is going to use it for an ADU and that they’re going to abide by all of the rules. That is a covenant that goes with the deed of the property. Lastly, there are two things here. As in the Planning Commission’s request, this says that you can do an 80 percent AMI affordability requirement if you are receiving assistance through grant funds from the Housing and Community Development Department from the City. So, it doesn’t require affordability, but it incentivizes affordability in this draft. The last thing, but the most important thing, an ADU can never be an STR and vice versa. A short term rental cannot be an accessory dwelling unit, and an accessory dwelling unit cannot be a short term rental. This is not a back-door short term rental provision. So, that’s my somewhat lengthy introduction. My apologies for some of the detail, and then we just have the language of the ordinance that we can go through that has a difference. The blue text will show the Planning Commission’s amendments. With that said, I can go ahead and open this up for public comment and questions. I’ll turn it back over to you, Mr. Mayor.”

Mayor Tecklenburg said, “Great. Vanessa and Jennifer, were there any public comments?”

The Clerk said, “I don’t have any for number four.”

Councilmember Griffin said, “Move for approval.”

Mayor Tecklenburg said, “It comes to Council, and we have a motion to approve.”

Councilmember Mitchell said, “Second.”

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

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Thank you, Mr. Mayor. I think the Planning Commission approved removing the affordable housing aspect to it. Going back to Councilmember Mitchell, Councilwoman Jackson, and all of us at the Community Development meeting, that was one of the reasons we pushed the ADU through, to try to help advance affordable housing in other parts of the Peninsula, in particular. So, when the Planning Commission voted for approval and extracted that portion, they didn’t have the benefit of, obviously, the discussion that took place at the Community Development meeting certainly or City Council. So, I’m in favor of it, but I would hope we would put that back up. I put forth an amendment that we would add back the affordable provision to it.”

Councilmember Gregorie said, "Second."

Councilmember Waring continued, "Even if we need to circle back and go through Community Development again, but the affordable part, without doing the ADU, without the affordable part, I think, would be a failing on our part."

Mayor Tecklenburg said, "Alright. We have an amendment that's been seconded. Is that okay with you Councilmember Griffin to amend?"

Councilmember Griffin said, "I'll amend my motion to accept that."

Mayor Tecklenburg said, "Alright. You will accept that."

Councilmember Waring said, "Thank you."

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

Councilmember Seekings said, "Can I ask a question, Mr. Mayor?"

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Jacob, based on this amendment, what do you think, and I know you will have to think on your feet on this one, what will be the plethora effect of adding that affordable housing requirement component to the actual building of these accessory dwelling units?"

Mr. Lindsey said, "Well, what I can do, Councilmember Seekings, I'm not going to give you my personal opinions, but I will give you a couple of the arguments that I've heard in both directions. The CD Committee rightly said the ADUs need to help affordability in the City, and the CD Committee said that we want them to be affordable and to put an affordability requirement in for ADUs. That's the baseline opinion of the CD Committee, is it needs to be affordable to help affordability. The Planning Commission touched on a couple of points that you all may want to consider. They said, first of all, that the ADU itself, the income from the ADU, makes homeownership more affordable. So, if you restrict the rent level of the ADU, then the homeowner gets less money, therefore, homeownership does not help as much if you make the ADU affordable. That was one of the things that they hit on. They also said that they like the idea of ADUs being affordable if people wanted to get a financial incentive from the City. So, they said, 'Yes, you can do affordability if the City helps you out financially.' Geona and her great staff, and my staff, are looking into how we can do that through grant funds. So, they viewed it that way. There was one other item that the Planning Commission also discussed, which is the red tape aspect to certifying affordability to do an affordable, certified home just like a short term rental. Every year, the owner would apply to the City of Charleston to signify that their unit is, in fact, affordable. That would be an annual renewal of their ADU license. They said that might discourage a homeowner from even building one. That is the basis, I think, of the Planning Commission's thoughts and their amendments. So, I'll leave it at that and let Council discuss."

Mayor Tecklenburg said, "So, thank you for those clarifications. Could I ask Ms. Johnson to address and remind me, we were at 80 percent if it was a rental 80 percent AMI, and did you do any playing with the numbers as to how much rent that would afford someone? Then, I just

want everybody to keep in mind that these aren't big houses. These are like tiny houses or just up to a maximum of 800 square feet. So, relatively, not that expensive to construct compared to building a regular home."

Ms. Shaw Johnson said, "Correct, Mayor. Under the ADU, we were looking at 80 percent AMI. That's a one-person household earning about \$45,000 a year. If you looked at 30 percent of that, that's the kind of rents we're talking about here. So, my petition, or my comments, to the Planning Commission was such that if you had an option to rent to an 80-percent person or a 150-percent person, naturally you're going to go for the higher percentage. If we actually, in fact, use this as a tool for affordable housing, then naturally the 80 percent is the fair market rents that HUD applies to our particular formula and the persons that we assist under a rental provision. So, that is what we discussed in CD Committee and thought was appropriate before Planning Commission made their comments."

Mayor Tecklenburg said, "So, based on your scenario, you said \$40,000 a year, right?"

Ms. Shaw Johnson said, "Yes, sir."

Mayor Tecklenburg said, "So, you can charge 30 percent of the income, that's \$12,000 a year, or \$1,000 a month, rental for a tiny home. I mean that doesn't seem like such a bad deal to me. Admittedly, there is no restriction if someone wanted to build an ADU for a family unit. So, if you have a family member, a mother-in-law suite, you would be able to build one on your property, correct?"

Ms. Shaw Johnson said, "Yes, sir. That's correct."

Mayor Tecklenburg said, "So, I would favor us keeping the affordable provision in there, and let's see how it goes. If, after a year, nobody is building one, we could adjust the percentage or even go back to the thinking of the Planning Commission later, but I think to get started with the affordable, it's harder to add it later than it is to take it away, if you know what I mean. I would prefer to keep it in place now, and let's give it a go and see how it works."

Councilmember Seekings said, "Mayor, I think you bring up a pretty good point there, from a private sector getting into the affordable housing game. It would probably be good if we pass this to keep a track of it yearly to see what is actually going on out there in the market because it will give us a pretty good insight into how that's working in the private sector, which we're going to need some help from anyway."

Mayor Tecklenburg said, "That's a great idea. Can we do that, Mr. Lindsey?"

Councilmember Seekings said, "I'll apologize to him tomorrow, but I do think it will be helpful for us to keep those statistics."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I appreciate Councilmember Waring choosing to re-amend, or put back the amendment or the parts of this ordinance that the Planning Commission, in its wisdom, recommended that we eliminate. I heard their conversation about it, and I do feel like they had good points to make in looking at it from the standpoint, I think in particular they were talking about properties on the Peninsula, as we know values are pushing people out of their longstanding neighborhoods. So, the idea that the Planning Commission, I

think, really latched onto was the proposition that if we move the requirement to make the unit affordable, that a homeowner that's lived in a house on the Peninsula and is feeling the pinch of a fixed income or rising values from property taxes or whatever, would be able to borrow to get a unit in place that would then be a source of revenue, for their own purposes as a longstanding homeowner. I do think that argument has a lot of merit. I've thought about that, assuming that maybe we would be putting that version of the ordinance into play. Frankly, I think that that's a risky proposition to start out with away from the Peninsula, because we know that we have a much bigger challenge of enforcing no short term rentals in places where our neighborhoods are stretched out and our enforcement officers are not necessarily catching onto the short term rental scene that's on the Peninsula. I just feel like I was going to have to vote against this whole ordinance if we put it forward without the affordability clause and made it applicable to the whole City. So, I'm going to support the amendment that puts affordability back, but I really do think we need to watch it. If we don't have any new units being created, then we need to go a different direction, but I appreciate the opportunity to discuss it. Thank you."

Mayor Tecklenburg said, "Sure. Terrific. Councilmember Mitchell, did I see your hand up a minute ago?"

Councilmember Mitchell said, "I think Councilmember Sakran had his hand up."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. Jacob, can you speak to, I'm looking through the ordinance, trying to read some of it, and nothing really stood out in terms of existing units that are in someone's backyard and what they would have to go through to get them converted."

Mr. Lindsey said, "Thank you, Councilmember. I think my connection is back here. In regards to the conversion of existing ADUs, this provision, generally speaking, that's not an issue. The reason is that if you already have an existing ADU that's permitted, then it will remain grandfathered. So, this doesn't really speak to that. This is about someone who is unable to build that unit today and wants to come in, build one, where it wouldn't otherwise be allowed. If you already have one there, it's permitted. If you already have an ADU, you're grandfathered in. This is not going to affect you."

Mr. Lindsey said, "I don't know what's going on here."

Mayor Tecklenburg said, "Would anyone else like to be heard, or ask a question?"

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

Councilmember Mitchell said, "No. I'm good. My question was already answered."

Mayor Tecklenburg said, "Okay."

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

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to amend the definitions for half story, accessory building, and accessory dwelling unit, and incorporate provisions to permit accessory dwelling units within all base

zoning districts in the City of Charleston (Planning Commission recommended affordability requirements be stricken.) (AS AMENDED)

Mayor Tecklenburg said, "Thank you very much. I think both of those measures have been good for affordable housing in the City of Charleston. Okay. Number five. I bet this is going to go back to Mr. Morgan."

Mr. Morgan said, "Yes, sir. Can you all hear me?"

Mayor Tecklenburg said, "Yes, sir."

Mr. Morgan said, "This is E-5. It's 416 Riverland Drive on James Island. It's a quarter acre lot that was recently annexed. This would be zoning SR-1 from the R-4 in Charleston County. SR-1 is very typical for Riverland Terrace when we bring properties into the City. The Planning Commission recommended 7 to 0 for the SR-1 for this property."

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

The Clerk said, "I don't have anyone on my list."

Councilmember Griffin said, "Move for approval."

Councilmember Shahid said, "Second."

On a motion of Councilmember Griffin, 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 416 Riverland Drive (James Island) (approximately 0.26 acre) (TMS #343-10-00-002) (Council District 11), annexed into the City of Charleston June 23, 2020 (#2020-078), be zoned Single-Family Residential (SR-1) classification. The property is owned by W. Coleman and Christina M. Lawrimore.

Mayor Tecklenburg said, "Number six."

Mr. Morgan said, "Another one in Riverland Terrace. 450 Riverland Drive. This is a half-acre lot. Again, R-4 in Charleston County coming into the City as an SR-1, and the Planning Commission recommended 7 to 0 in favor of the SR-1."

Mayor Tecklenburg said, "Looks like they have a nice view of the golf course there. Vanessa, Jennifer, anyone on this one?"

The Clerk said, "I don't have anyone on this one."

Councilmember Griffin said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Any discussion?"

No one asked to speak.

On motion of Councilmember Griffin, seconded by Councilmember Shealy, 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 450 Riverland Drive (James Island) (approximately 0.5 acre) (TMS #343-10-00-019) (Council District 11), annexed into the City of Charleston June 23, 2020 (#2020-079), be zoned Single-Family Residential (SR-1) classification. The property is owned by Whitney and Alexander Pasquini.

Mayor Tecklenburg said, "Number 7."

Mr. Morgan said, "This is at the front of the Carolina Bay subdivision on Savannah Highway. It's a 6.6 acre tract, TMS #307-05-00-015. It would come into the City as General Business. It is adjacent to other General Business property. It as R-4 in Charleston County, however, it has never been developed. It is at a signalized intersection. So, it's one of the few signalized intersections in this area of Savannah Highway. Planning Commission did recommend 7 to 0 for General Business on the site. Here you see an image. There's an adjoining apartment complex, some townhouses to the rear. Again, you can see the signalized intersection. This is also where the connections to the West Ashley Greenway cross. In our opinion, this is a very appropriate place for commercial development."

The Clerk said, "Christopher, this is number 7. We have to hold it for the annexation. It's a second reading."

Mr. Morgan said, "Correct. In other words, if we were to have final readings tonight, we should have final reading on the annexation, as well."

The Clerk said, "Yes, but you have to do the annexation first. I'm saying we have to come back to it."

Mayor Tecklenburg said, "Right."

Councilmember Griffin said, "I make a motion that we defer this until after we annex this property and take a vote on the annexation."

Mayor Tecklenburg said, "Yes."

Councilmember Brady said, "Second."

Mayor Tecklenburg said, "Well, I don't know that we need to technically defer it. We'll just hold it until we vote on the annexation. So, we'll come back to it. So, number eight. Christopher, move forward."

Mr. Morgan said, "Was anyone speaking on the public hearing? No one signed up to speak?"

Mr. Watkins said, "My name is Edmond Watkins. I'm here to speak. Can you all hear me?"

Mayor Tecklenburg said, "We can. Which item are you wanting to speak to?"

Mr. Watkins said, "I'm representing for number seven."

Mayor Tecklenburg said, "Number seven. Yes, sir. We'll give you a couple of minutes. Please go ahead and share your comments."

1. Edmund Watkins said he supported the zoning to General Business and made himself available to answer questions.

Mr. Watkins said, "When will the annexation conversation occur?"

Mayor Tecklenburg said, "In just a little while. It's in a later part of our agenda."

Councilmember Griffin said, "I think it's under second reading, or first reading, one of the two."

Mayor Tecklenburg said, "We should get to it tonight. It's under second readings on our agenda."

Mr. Watkins said, "Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg said, "Alright. Back to number eight."

Mr. Morgan said, "This is an old street right-of-way, several streets right of way, in the Summerville Avenue area of the Peninsula. It's about 1.4 acres in size. It now has a tax map number, 464-02-00-107. The request would be for General Business for the property. It is now used as a parking and maneuvering area for the lumber yard, office redevelopment, and these older warehouses here. Planning Commission recommended approval of this, 6 to 0. Here's an aerial image. Again, you see the renovated warehouses here. This is an old right of way that would become a parking area in the surrounding area. It's in our job center, too, so it works together with the Comprehensive Plan."

Mayor Tecklenburg said, "Alright. Did anyone from the public want to be heard on this, Vanessa or Jennifer?"

The Clerk said, "Not on my list, I don't have anyone for number eight. Jennifer, did you have anyone?"

The Assistant Clerk said, "I don't have anyone."

Councilmember Griffin said, "I'll move for approval."

Councilmember Shealy said "Second."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "I want to make sure that they contact Ms. Button in that area and let her know about this, up in Rosemont. Just make sure that she's aware of this

because, otherwise, they are going to say they weren't aware of it, and it will come back to me and the City, too."

Mayor Tecklenburg said, "Okay. This is on the other side of I-26."

Councilmember Mitchell said, "Summerville Avenue goes around it. There is so much development and construction going on around there. They usually use Summerville Avenue. I want to make sure that Ms. Button is aware of it, that this is taking place, because that's still a part of that area."

Mayor Tecklenburg said, "Yes, but you'd have to go all the way around. You wouldn't go from here to there."

There was laughter.

Councilmember Shahid said, "You can't go from there to here."

Councilmember Mitchell said, "Mr. Mayor, you know the area. You know what I'm talking about."

Mayor Tecklenburg said, "We'll make sure Ms. Button knows."

Councilmember Mitchell said, "That's what I'm saying."

Mayor Tecklenburg said, "Any further discussion from Council or questions?"

No one asked to speak.

On a motion of Councilmember Griffin, one (1) bill (Item E-8) received second reading. It passed second reading on motion by Councilmember Shealy, and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shealy, the rules were suspended, and the bill was immediately ratified as:

2020-098 An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a portion of previously unzoned former Summerville Avenue Right-of-Way (Peninsula Neck) (approximately 1.40 acres) (TMS #464-02-00-107) (Council District 4), be zoned General Business (GB) classification. The property is owned by 1834 Summerville Ave LLC.

Mayor Tecklenburg said, "Now our last public hearing matter, number nine."

Mr. Morgan said, "This is the corner of Fishburne Street and Coming Street in the Westside neighborhood. It's presently SCDOT right-of-way. We discussed this in the context of the Shepard Street PUD because this has been identified as land that could potentially house the houses moved from the Sheppard Street PUD area for affordable housing in this location. Staff, when we reviewed this, we were going to give it the MU-1/ Workforce Housing, the same kind of zoning that we have at the nearby Engle Street. However, at the Planning Commission meeting, there were a number of folks that came out and said they would prefer it rezoned the same way as the surrounding neighborhood, which is DR-1F. It might mean that the lots here have to have a variance or two, but Planning Commission felt that was more appropriate than the MU-1/

Workforce Housing. The application read MU-1/Workforce Housing, however Planning Commission recommended DR-1F. I'll show you the aerial. You can see it's been used as a green space until now. However, with housing units here, it will help make Fishburne more of a traditional street on this end again. Again, putting affordable housing in this location is not unique to this site because, again, it's similar work in the Engel Street area where I'm pointing to up here to the northeastern property. So, it's trying to fit as many opportunities as we can for affordable housing in this area of town. This is a street level view. There is a nice tree in the corner. We've got some fencing up here, and it is being worked on for a dedication from the DOT to the City and to affordable housing providers. Staff is supportive of either of these districts, the original that we recommended, MU-1/Workforce Housing, or what Planning Commission recommended and the neighborhood asked for, DR-1F."

Mayor Tecklenburg said, "Vanessa or Jennifer, did anyone from the public sign up on this one?"

The Clerk said, "Yes. I do. I have Ms. Drolet."

Mayor Tecklenburg said, "Ms. Drolet, are you there?"

The Clerk said, "Cashion Drolet."

1. Cashion Drolet, Historic Charleston Foundation, was excited to support the zoning request in regards to new affordable housing coming to the City. The Charleston Redevelopment Corporation worked with developers on the Sheppard Street PUD for the relocation of two structures to this property and rehabilitate them as affordable housing that would remain as such in perpetuity. She urged Council to support the zoning request.

Mayor Tecklenburg said, "Anyone else?"

The Clerk said, "That's all I have, Mayor."

Mayor Tecklenburg said, "Well, it comes to Council."

Councilmember Mitchell said, "Move for approval."

Councilwoman Jackson said, "I'll second."

Mayor Tecklenburg said, "I did have one question, Mr. Morgan. Do you know if they converted those two houses over there? Are they going to face Fishburne Street? Do they have Fishburne Street addresses or Coming Street?"

Mr. Morgan said, "Yes, sir. The idea is that they will face Fishburne Street, because Coming Street would be too difficult with driveways, things like that, and right turns off of the Crosstown. So, it would face Fishburne and be more traditional Fishburne facing houses."

Councilmember Gregorie said, "Septima Clark Parkway."

Mr. Morgan said, "Septima Clark Parkway, yes, sir."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. Yes, I support this. I do think that maybe we should take the Planning Commission and the neighborhood's recommendation, and change our vote to the DR-1F. I listened to the Planning Commission discussion about this. This is the property that would potentially be the repository for the houses for the Sheppard Street PUD that we just gave first reading to tonight. The CRC is hoping to take the liberty of the land and the contractor/owner that would move the houses. The sad fact is that one of them might not be able to make the move in the timeframe that the PUD owner needs it to happen. DOT won't even make their decision about transferring this property until the middle of September, and the memo of agreement that CRC is going to sign with the PUD developer would require that the houses be moved by that timeframe. One of the houses is not historic and not in very good shape. We're hoping that we can move at least one that would be most historic and have a better lot to be a little more flexible to be a new construction lot next to it. I would recommend that DR-1F, unless Ms. Shaw Johnson has reason to advise us that MU-1/WH really needs to be the answer."

Mayor Tecklenburg said, "Well, what's the Planning Commission recommendation, of DR-1F, if the motion to approve would include that zoning, correct?"

Councilmember Mitchell said, "Yes."

Mayor Tecklenburg said, "I think, we'll stand with the Planning Commission."

Ms. Shaw Johnson said, "Yes, that's correct, Mayor."

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

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Could Mr. Morgan or Mr. Lindsey touch on the differences between MU and what the Planning Commission recommended, DR-1F, or whatever it was?"

Mr. Morgan said, "Again, DR-1F is what the surrounding neighborhood is zoned, it could be that there might be a variance needed based on the size of the houses that may be moved onto the site. We don't know until they're fully engineered to go there. We've heard from the neighbors that they'd be supportive of a variance process if that had to happen. They were nervous about the MU aspect because, even though the City was going to be involved in these transfers, they didn't like the fact that there was a commercial aspect of allowance under MU, even though the Engel Street redevelopment, for example, were all MU. Technically, yes, you can have some commercial in there, but they are all deed restricted affordable houses. It made the neighborhood nervous, and we wanted them to feel comfortable with things."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "Alright, any other questions?"

No one asked to speak.

On motion of Councilmember Mitchell, seconded by Councilwoman Jackson, 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 a portion of right-of-way located at the southeast corner of Fishburne Street & Coming Street (Peninsula) (approximately 0.14 acre) (TMS # to be assigned) (Council District 4), be zoned Mixed-Use Workforce Housing (MU-1/WH) classification. The property is owned by SCOOT.

Mayor Tecklenburg said, "That mostly concludes our public hearings. We'll come back to number seven. So, next we have Citizen's Participation Period."

Councilmember Mitchell said, "Move for approval of the Council minutes."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Yes. We have our minutes from July 28th. I was about to skip over them. Any additions, deletions, corrections?"

No one asked to speak.

On motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to approve the minutes of the July 28, 2020 City Council meeting.

Mayor Tecklenburg said, "Now, we have our Citizens Participation Period."

The Clerk said, "I have five Citizen Participation comments. The first says, ten people are in support of the Charleston Coalition for Wireless Safety Standards. The next one indicates one person asked the City to be active in closing down or limiting tourists to the City and events, such as closing restaurants and bars for the first week of August to help businesses get ready for the fall. The next one is from a person who would like someone to trim the palm trees at 207 and 215 Fishburne Street and said a hole in the sidewalk on the corner of Line Street and President Street needs to be repaired."

Councilmember Gregorie said, "Taken care of."

The Clerk said, "Another citizen opposes the noise ordinance. Finally, the last one is two people in support of the Comprehensive Citizen Carriage Safety Ordinance. They said it is a step in the right direction of making tourism practices safe and sustainable.

I think City Councilmembers were also sent something from Kristopher King, which I believe goes along with this Carriage Safety Ordinance. Did Council receive anything from Kristopher King?"

Councilmember Shealy said, "Yes."

Councilmember Waring said, "Yes."

Councilwoman Delcioppo said, "I did, yes."

The Clerk said, "Thank you. So, that's all I have, Mayor."

Mayor Tecklenburg said, "Great. Did we have anyone sign up to actually speak to us directly tonight? Do you know?"

The Clerk said, "We do. Tonight, we have eight people that have signed up for Citizen's Participation, and Amy McLeod is the first person, to be followed by Allison Price."

Mayor Tecklenburg said, "Alright, Ms. Amy."

The Clerk said, "How many minutes, Mayor?"

Mayor Tecklenburg said, "We're going to have a two minute period each. We look forward to hearing your comments. Amy do you want to proceed first?"

1. Amy McLeod said the City's response to the Freedom of Information Act requests that the City, despite the plain language of Ordinance 2008-114, failed to require Crown Capital to secure liability insurance. The City had also failed to require other site developers or telecom providers to secure liability insurance for wireless facilities that were being installed. In regards to the small cell application, the City had not required the applicant to file with the City the 'required original certificates of insurance' with endorsements. She said the 1996 Telecommunications Act made clear that any wireless facility lower than 200 feet in height was unregulated by the FCC. The FCC did not test radiation levels of the facilities. Local government, such as City Council and County, had the power to regulate the placement of wireless facilities, as stated in the Telecommunications Act. The City of Charleston was the only line of defense against radiation levels. The FCC's standards from 1996 were challenged in Federal Court as not protective of public health.
2. Allison Price voiced concerns in regards to the 5G wireless coming to the City. She said it would cause health defects, of which she had personally been diagnosed with medical conditions that were either aggravated or caused by radio frequency radiation. In the last year of her diagnosis, she worked hard with her family to heal or remove radio frequency devices from her home. They moved to completely safe wired technology, including hard wire internet cords for internet instead of wireless. She had done a lot of work to lower her exposure. The installation of a cell tower or any small infrastructure anywhere near her home would involuntarily expose her to very high powered radiation. She urged City Council to carefully consider 5G placement and protect schools and residential areas. 5G radiation could be transferred through hard wire cabling, which ran between wireless towers and throughout buildings. Alternative technologies' cost, were comparable and much safer to use.
3. Rita Kazirskis said there was a group of men that went to the Battery on the weekends to wave their Confederate flag. There was a video from July 5, 2020 that showed a member of the group breaking the flag pole upon the back of a young counter protester. The existing Code of the City prohibited conduct that caused injury and allowed refusals of future permits if groups violated their permits. The group had a permit to return to the park this upcoming Saturday, and she asked City Council to revoke and disallow the issuance of permits to groups who violated safety rules. She suggested the Greenville Ordinance be adopted to prohibit flag poles at demonstrations, forbid flags over 4x6 ft., as a presumed threat of safety. The weekly displays at the Battery included a truck with an estimated 20 ft. fabricated steel pole assembly and a flag that was about 12x18 ft. The same group was now making threats to act out their demonstrations in other places throughout the City. Ms. Kazirskis asked City Council to adjust the safety hazards before the pole fell, the oversized flag hurt

- someone or caused a traffic accident. Due to COVID-19, the Council had many Emergency Ordinances dedicated to public health. Permits that were being issued included statements such as, 'all participants must wear face coverings.' Ms. Kazirkis said someone revised the permit and excused the mask requirement by adding, 'individuals with an exemption must maintain a six foot distance.' In the interest of public health, the exemption should be removed, and masks should be required for all permitted activities, exercise the existing park classification, and ban disruptive displays. The purpose of the Park was for everyone to feel welcome.
4. Elizabeth Fort, representative for the Charlestowne Neighborhood Association, clarified their position regarding regulation of carriage operations in the City and in the neighborhood. The Association supported the efforts to establish and maintain reasonable, effective regulation to ensure the health and safety of citizens, passengers, and the working animals. They endorsed the Comprehensive Carriage Safety Ordinance proposed by the horse advocates and did not believe the proposed amendment, which only focused on unhitching the wagons, went far enough. The Association felt the minimal safeguards included in the Comprehensive Carriage Safety Ordinance were necessary, given the increased congestion on both sidewalks and streets, coupled with the effects of trucks, bikes, and construction traffic. Brake and brake ware equipment on all carriages, drug testing, criminal checks of drivers, and child restraints needed to be enacted for the safety of all the citizens and visitors.
 5. Franny Henty said some members of Council were present at Dr. Emmerman's webinar. Dr. Emmerman was a highly educated stormwater scientist, and he shared that some regulations of the 2013 Stormwater Manual were missed during the permeating process of the Central Park Cluster. He gave testimony at the James Island Drainage Council. She looked forward to working with the City and the County in partnership for a Resolution. The County's ground-truthing could use sharpening in the area. It was inaccurate, and a surveyor had challenged the issue when she had drainage work done near her home. Ms. Henty was hopeful that successful projects would be accomplished legally to approve the Central Park Cluster, which was in violation of the 2013 Stormwater regulations.
 6. Ted Corvey was an attorney for the Charleston Carriage Horse Advocates, which was a local nonprofit whose mission was to improve the conditions of Charleston's working animals, and improve the overall safety of the carriage industry in Charleston, in terms of voicing community concerns regarding Charleston's carriage industry. There was a proposed ordinance coming before Council as a first reading tonight. The ordinance focused on the hitching of carriage horses and carriage animals in the wake of the tragic incident that happened in July 2020. The ordinance reflected a common sense safety measure that should absolutely be enforced by the City, as it was noticeable and supported. It included several key points of agreement between the different sides of the issue. Despite the agreements, he didn't feel they were enough. There were a significant amount of safety issues that had endangered the lives of tourists, residents, and business owners of the community. In 2016, there had been over 90 documented carriage industry safety incidents or accidents. Specifically, 12 runaway carriages, 20 incidents causing bodily injuries, 25 working animals had fallen or were injured, 32 incidents involving motor vehicles, 9 related to equipment failure, 20 incidents where working animals had been spooked, and 28 incidents involving property damage in the City. The frequency of the safety incidents called for the urgent need for Council to consider a complete review of the existing ordinances regulating the carriage

industry. In 2015, there was an incident regarding a horse named Blondie, in which the Tourism Commission and Livability Director, Dan Riccio, reviewed and made a number of recommendations that were aligned with safety proposals that would be presented to the Tourism Commission and Council at a later date.

Mayor Tecklenburg said, "Thank you, sir. We appreciate that. Did we have any other citizen communications of any kind?"

The Clerk said, "Not on my list, Mayor."

Mayor Tecklenburg said, "Okay, well that ends our public Citizens' Participation Period. Thank you to all who participated and shared your comments with us tonight."

Mayor Tecklenburg said, "So next, we'll go to our Petitions and Communications. We have an update on the City's response to COVID-19. I'm going to ask Tracy McKee to start out with an update. I'll just briefly say that the numbers are headed in a better direction than they have been over the last month and six weeks. Hospitalizations are down. She'll give you the details, but I can't stress strongly enough that, even if our numbers start going down and go down a lot, it's not a time for us to be complacent until a cure or vaccine is available. This is a new normal. We're all going to have to continue to wear, and preach wearing a mask, washing your hands, watching your distance, and the 3 'w's'. So that's my little soap box. I'm going to turn it over to Tracy McKee, Tracy."

Ms. McKee said, "Thank you, Mayor. Good evening, members of Council. I don't want to keep everybody too long. Just to reiterate what the Mayor already mentioned, our numbers are definitely going down. I guess the caveat with that is that a lot of our metrics are based on testing results. Testing is also down. Our positivity rate has dropped. The positivity rate is just the number of positive tests out of the total number of tests performed. That is dropping, but it's still a little on the high side, so we still have some work to do there. I think the Mayor said it best, now is not the time to take our foot off the gas. We have to keep doing the things that we are doing. There are some important things that are coming up that could impact the progress that we're making. We've got Labor Day around the corner, and schools opening in various capacities. So, lots of things are happening in the next few weeks that could be an impact that we need to be very vigilant of. I'm happy to answer any specific questions that folks may have about our numbers."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes. Where are we in terms of the positivity rate? Are we still in the teens?"

Ms. McKee said, "We are. At the county level, Charleston County, we're at about fifteen percent. I did see today the state level took a little jump. However, volatility from day to day is high. The rate at the state level was closer to nineteen percent today. That was reported on this afternoon just before we got started here tonight. Yes, we're still a little on the high side. According to the experts, we really want to be at least under ten and, ideally, around five percent."

Councilmember Gregorie said, "Thank you."

Ms. McKee said, "You're welcome."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Tracy, I should have kept up with all of this, but when are the students of the College of Charleston returning? I believe the freshman class has already come into the Citadel. Am I right?"

Ms. McKee said, "I believe that is correct with the Citadel. I am not fully up to speed on the schools. We have had a team that's been meeting with the schools on a regular basis to talk about their plans and make sure that we're all coordinated and communicating. I do think the Citadel has some students back on campus. They are restricting them to the Citadel."

Councilmember Shahid said, "They have the ability to do that, don't they?"

Ms. McKee said, "They do. So, we should not see any cadets running around the City at all is what my understanding is of the situation there. College of Charleston did push back their starting date. I believe it's around September 15th. Please don't take that as Gospel, but they did push it back. I understand that we do have students that are already moving back into the City, so I wouldn't be surprised if we start to see some shift in our numbers in the next few weeks."

Councilmember Shahid said, "I was just going to say that I think when the Colleges come back into full swing, it would be interesting to monitor how these numbers are modified. We all know the University of North Carolina had to go and switch to all online based upon their numbers going through the roof. We were working very hard, very closely, with President Hsu, and he was instrumental in getting this passed, the face covering ordinance, concerned for his students. Something that we need to keep our eye on the ball is with how those numbers may or may not change."

Ms. McKee said, "Absolutely, we couldn't agree more."

Mayor Tecklenburg said, "If I may add a couple more numbers. I thought it was really fascinating last week that DHEC did a statewide study of jurisdictions, towns, cities, and counties that had passed a mask ordinance compared to those who had not. Apparently, almost half of the state population now is within a jurisdiction that has a mask ordinance. So, there was a decrease in the jurisdictions that had the ordinances a drop on average of about 30 percent. Tracy shared with me that the City of Charleston, in all zip codes, that over a 14-day period, our numbers actually improved by 60 percent. We've helped with that average, but the jurisdictions in the state of South Carolina that did not have a mask ordinance, actually saw an increase in COVID-19 cases in the same period of 15 percent. So there was a pretty wide swing, so to speak, between the jurisdictions that had mask ordinances compared to those that did not. Tracy, did you have anything else or did you want to call on Shannon?"

Ms. McKee said, "I think Shannon was available for questions, but he didn't have anything specific to share tonight. I know he's watching something that's potentially brewing, but that's a little ways out."

Mayor Tecklenburg said, "Any questions for either Tracy or Shannon regarding COVID-19 or hurricanes?"

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "I've actually got a question. Thank you, Mr. Mayor. What's the situation at Roper and MUSC? Do we know?"

Ms. McKee said, "Yes. So, we're getting reports from pretty much all the hospitals that they're seeing a decrease in their number of COVID-19 patients. So, that's consistent across all of the hospital systems in the region."

Mayor Tecklenburg said, "Their hospitalizations at MUSC are roughly a third of what they were a month ago. I think Roper is similar, maybe 40 percent. So, good improvements there. Without further ado, could I call on Susan Herdina to explain to us where we are with our ordinances regarding COVID-19?"

Ms. Herdina said, "Good evening, Mayor, City Council members. We've got three matters tonight, items I-2, I-3, and I-4. I-2 is, again, continuing our local Declaration of State Emergency. As everyone is probably aware, the state has an ongoing, continuing state of emergency. We are continuing the local Declaration of the State of Emergency and extending it to September 25th, which would be to include the second meeting in September of City Council to consider it at that point again. That's I-2.

I-3 is, again, an extension of the emergency ordinances that have continued to be relevant to City Council. We are continuing all of them, asking you to continue them until September 25th, with the exception of one of them. The ordinances this emergency ordinance is addressing, they are outlined in Section 2. We're continuing those until September 25th. Section 3 requests a continuation of the Emergency Ordinance on new or additional outdoor dining for 60 days. It would expire on 61 days or October 17th. We have been asked to continue that one. So, we're extending that as far out as we could under an emergency ordinance which is 60 days. That's item I-3.

Item I-4 is an amendment to the emergency ordinance that's been passed previously. There's one amendment that appears in Section 5, and that is striking the language that a person has to first be warned to put on a mask before they're found in violation of the mask ordinance. That was a request that had come from our Livability Court Officers, as well as Police Department. Those are the matters that are up for consideration this evening, Mayor."

Mayor Tecklenburg said, "If I may go ahead and take the liberty to ask Dan Riccio with Livability to give some explanation as to that last matter, Dan."

Mr. Riccio said, "Yes, sir. Let me turn this up a little bit. Thank you, Mayor. Let me begin by saying we are nearly two months in since the ordinance was adopted. We provided an education and warning phase for the first three weeks before we issued any summons. I feel the City has been very diligent with notifying the community and the visitors about the importance of the ordinance and that it is a mandatory requirement. We're continuing to do this through press releases, more than adequate signage posted throughout the City, electronic message boards into the City, and a message that reflects that the City has a mandatory mask requirement. We're also engaged with the Charleston Business Bureau and notifying all visitors to our City who are occupying hotels, tourists' attractions and venues, of our important message.

I can tell you that it is evident that residents and visitors alike are getting this message because, out of approximately 95 percent of people we encounter without a mask on, they have a mask with them, but often crumpled in their hand, folded in their pockets or purses, or simply dangling around their necks. Our view is not because they are not aware of this ordinance, but probably because it is an inconvenience to some to simply wear the mask at all times while in public. I do want everyone to rest assured that every person my officers encounter will not receive a summons. My officers will continue to use discretion with each and every encounter. By

removing the exception for providing a first warning to each individual would not only be beneficial with consistent compliance, but in my view, would definitely be instrumental in contributing to the slowing of the spread of COVID-19.”

Councilmember Shahid said, “Move for approval.”

Mayor Tecklenburg said, “Is that for all three of those items, may I ask?”

Councilmember Shahid said, “Yes, sir.”

Mayor Tecklenburg said, “We have a motion to approve items I-2, I-3, and I-4 as amended. Do I hear a second?”

Councilmember Appel said, “I’ll second.”

Mayor Tecklenburg recognized Councilmember Griffin, followed by Councilmember Mitchell.

Councilmember Griffin said, “Yes, sir. I have a couple of points I’d like to make about I-4. My first is a question, Mr. Mayor, for you, and then I have a couple of comments I’d like to make. I was wondering if you had had any thoughts or discussions about potentially getting rid of the 9:00 p.m. curfew on the music because I’ve had several business owners and restaurants reach out to me and also to Meg Thompson and others asking how long the City plans on doing that. I was just wondering if you had any thoughts on that or whether or not you had thought about that at all.”

Mayor Tecklenburg said, “Believe it or not, no one has brought that to me. I’m glad for Council to discuss that, but no one had raised an objection as of recent, as of late, to me.”

Councilmember Griffin said, “Well, hopefully that will be coming to you soon because I know it’s been brought up to me and a couple of other Councilmembers, as well. Some information has been asked of Meg Thompson, as well, on that matter. So, hopefully she will get that to you. I know that I have had multiple businesses call me and see if we had any discussion about that subject or what our timeline was as the number of cases continue to go down.

Moving back to the mask ordinance for a second, I went down on King Street on Sunday and had lunch. I will support Mr. Riccio in saying that many people had masks in their hands or on their bodies, but did not wear them correctly. In fact, I would imagine that the majority of people wear their mask under the bridge of their nose, which makes no sense what so ever. With breathing, you’re going to breathe in air, and you have to cover your nose or it just doesn’t work. I’m wondering whether or not we need to be more diligent, as a City, to put more signage out so that people know when they’re outside and not doing a physical activity, they have to be wearing a mask. Ever since we made that change, I haven’t seen the behavior change all that much. I’m wondering whether or not people understand that we require you to wear a mask when you’re walking to and from an establishment, walking to a place of business, not just while you’re inside. I know we’ve provided great signage to our local businesses, and they are posted. I’m proud every time I see them on the door as you go in saying, ‘the City of Charleston mandates the masks’. I know we’ve got some traffic signals set up around the City that say masks are required. I’m wondering if we could maybe put some on some park benches or some other public parks or public areas just to remind people that while you’re leisurely outside, you should have your mask on, as well.”

Mayor Tecklenburg said, "That's a good suggestion."

Councilmember Griffin said, "In terms of getting rid of the warning, I'm really, really nervous about this. When I say that, I can understand that it's hard to enforce anything. We've had this ordinance that is basically trial and error. There's no right answer, no wrong answer, right now. Times are difficult. We're unsure of what the future looks like, and we have to continue to adjust and adapt to ever changing society, but there have been some incidences that I've heard, some occurrences that have happened, that I kind of had an idea or feeling this was coming. I do understand that there have been a couple incidences where individuals, especially in the tourism industry, have questioned the authority of Livability Officers a little bit and wanted to know why they weren't written a warning first, or said that they required a warning. I'm just wondering or not, as a City, we think it's a good idea because we've had a couple of instances where people may just have a really negative response to authority. Should we really get rid of the opportunity to warn people, and not attack their pocket when we're all struggling financially? A \$100 ticket is not a cheap fine. A parking ticket in Charleston is only \$14. This is \$100. I know a lot of people that make \$100 a day. So you're talking about a complete day's wage out of their pocket, and you don't have to give any warning whatsoever. If we're going to do that, we might as well tell our traffic officers that they don't need to write warnings if someone is going 6 miles an hour over the speed limit. We've got to have some common sense here. I think that by taking away the warnings, we're doing a sad injustice to our citizens and the visitors who come to Charleston. Let's be honest, when you travel from one area to another, do you look up that local town's or municipality's code of ordinances, and read through their ordinances and see what's on the books? I don't. I don't go to the Bahamas and look up what their laws necessarily are. We can't expect people to come here and just know that and then be hit with a \$100, \$200, \$500 ticket right off the bat."

Mr. Riccio said, "Can I respond to that, Mayor?"

Councilmember Griffin said, "I'm still speaking, Mr. Riccio."

Mayor Tecklenburg said, "Just a minute."

Councilmember Griffin said, "I think that we're creating a totalitarian system with our Livability Department by doing that. I don't think one department should have that sort of authority in the City. I think we should have some common decency and some courtesy to not allow a couple of bad situations, one or two occurrences, to dictate what we do as an entire City. I'm really worried because if I got hit with a \$100 ticket because I stepped out of my car, because for 25 years out of my life I haven't had to wear a mask, and I stepped out of my car for the first time and forgotten it, maybe walked up near the door of an establishment, and see the sign that says you have to have a mask on. Then, it hits me and I say 'oh okay, common sense. Let me go back to my car and get my mask.' In between then, I could get a \$100 ticket without any warning whatsoever, and that makes no sense. So, I'm not going to vote for this, and I'm not going to support that."

Mr. Riccio said, "I'd like to respond."

Mayor Tecklenburg said, "Yes. If you don't mind, Dan, please. As Dan mentioned a minute ago, his office uses courtesy and good discretion, and they continue to try to educate. Dan, if you would please share the difficulty, the impracticality of effectively trying to enforce this ordinance, as Council asked us to do at our last meeting. It's not like a person walking down the street has

a license tag on their car that you can track a week later as to whether you gave them a warning or not. So any way, Dan, if you'd address that."

Mr. Riccio said, "Yes, sir. Thank you. I will tell you that with our local industry, with our tourism industry, I personally have issued several summons because of the lack of compliance from individuals that are representing the tourism industry in the community based on complaints that I have received, I can tell you that I have communicated this message to local businesses, local tourism industry, and everybody is on the same page. They realize the importance. The majority realizes the importance of the safety that we have to go through with this ordinance. There are some that want to defy authority, and that's fine. We will deal with that on an individual basis. However, these individuals that have been cited were given warnings prior. It's much harder to issue a warning to a visitor and follow up because you may never see them again, and there's no way of knowing that this certain individual had received a warning. I can tell you that with my communication through my office, there is no abuse of authority whatsoever. We have communicated to all entities of the business community, retailers, tourism, all the above. They all say the same thing, 'you're picking on me'. Then, the tourists or other individuals say, 'you're picking on me.' We have to set a precedence here. People are dying. If this is what it takes to get the message across, this is what we have to do. So, I am moving forward with whatever I am directed to do for the safety of everyone involved."

Mayor Tecklenburg said, "Thank you, Dan."

Mayor Tecklenburg recognized Councilmember Sakran followed by Councilmember Shahid and Councilmember Mitchell.

Councilmember Shahid said, "Councilmember Mitchell had his hand up before I did, and so did Councilmember Gregorie, Mr. Mayor."

The Clerk said, "I was about to say, yes, Councilmember Gregorie is next."

Councilmember Sakran said, "I'm happy to defer to Councilmember Gregorie or Mitchell because I think they had their hands up first."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mr. Mayor and Council, I listened intently to Councilman Griffin about 9:00 p.m. I think we should leave things the way they are, given the fact that things may be getting better. Now's not the time for us to change up. As for masks, I don't think the warnings are necessary. I think we need to enforce the mask ordinance. It saves lives. It's just that simple. I'm not going to get on that mask train to make it political because that's what it sounds like it's getting to. I don't think that's necessary, especially when we're talking about saving lives. Also, this virus is killing certain populations much more than others. This virus is having an unbelievable effect on black and brown people. So, everything that we can do, as a City, not just to protect black and brown people but to protect ourselves because, to me, when we're talking about strengthening our economy over time, it's about wearing the mask. It's about creating a more healthy community so that we can thrive economically. They go together.

So, I'm not discounting what you're saying, Councilman Griffin, but I think that we need to be a little more thoughtful in terms of the actions that our Council has directed staff to do. If we don't, then people are not going to take us seriously. I think it's very important that we enforce the rules accordingly because I think as we do that, we're saving lives. To me, that's the bottom line.

I understand, when I was your age, around 25 years old, some of your thoughts are probably similar to how mine might have been. So, take it from an old man. I think that what we're doing as a City right now is very, very good for us in the long run, economically. If we start lightening up on any of this stuff, and our numbers start changing, what will we affect? In addition to people dying, we'll also be affecting our economy. So, I think that we need to make sure that, in protecting our lives, we clearly understand that we're boosting the potential of our economy over time. They go together. They're not separate. Thanks, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, Mr. Mayor and Councilmembers. Right before we got onto Ways and Means, about 4:20 p.m., my home phone rang, and I ran out and answered the phone. It was a young lady on the phone telling me, 'Councilman Mitchell, I live in your district. I hope you don't vote for that mask ordinance again. You need to throw it away because it's nothing but propaganda, and if you support that, we're going to make sure that you don't win any more elections again.' So, I told her, 'Do what you want to do. I'm not worried about elections. I'm here now,' and I said I'm going to support the ordinance.' Then, she mentioned, 'Well, we'll come to your house.' Mr. Mayor, I'm a nice person, but if they come by my house, they'll have a little problem. I just let them know that. That's just the way I am. This is private. So, she hung up. She didn't leave a message. She called on a private line.

So, I'm saying, people are looking at this thing, but it's very, very serious. I've already seen seven deaths so far with COVID-19. Some of them were my family. Some were at my church, members of the church I belong to. This thing is very serious, and people are taking it lightly. So, we really need to push the issue. At the last Council meeting, we made the motion, and I think Councilman Griffin spoke about it, too, saying, 'We need to start putting fines on people if they're not going to really adhere to it.' So, we have to be vigilant about this, and we have to do what we have to do. This is a very serious matter. If we don't get this done now, tomorrow's going to be too late. We want our community, the restaurants, the businesses to start flourishing again. We've got kids going back to school, but if we don't do something now to keep this going, to curb it, we're going to be in trouble pretty soon. The flu season's going to be coming up. We've got so many other things coming too, so we've got to be trying to put a curb on it before all this takes place. We're trying to do the right thing, and I think if people listened to the prayer that I made, about the nation, and really think about it seriously, they'd understand what is going on. That's all I have to say, Mayor."

Mayor Tecklenburg said, "Thank you, Councilmember Mitchell."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thanks, Mayor. I certainly understand where Councilman Griffin is coming from. I've received the same calls and understand those business owners' concerns. I'm fully supportive of the ordinance. I, personally, would like to see us enforce it. Forget about the warning. Just make sure we enforce it. I've been saying that. Business owners have been saying that. A different perspective, from a business owner, is I have folks that come from out of town, tourists, locals. When they don't see others wearing a mask, they come into my restaurant and give my staff trouble and hassle then because they basically say, 'we weren't aware.' So, I think it's disingenuous. Councilmember Griffin is not on, but I will say that to suggest that if you come to Charleston, and you're not aware of a mask ordinance, if you're living in the United States, at this point you realize that this is common practice. Having said that, as we begin to see numbers decrease, I will ask that we look at the 9 p.m. music ordinance and make sure

that is one of the things that we start to relax from the get-go. I don't think business owners are saying anything about the 50% capacity, the social distancing. I think those are things that we all support, business owners support, but as we start to loosen up restrictions, I will ask that the 9:00 p.m. live music piece be one of the things we really consider relaxing. Business owners are hurting, and we realize that, but they are bending over backward to stay within the restrictions we've imposed on them. So, with that, I just want to say that I fully support the ordinance. Dan, I know it's a tough job. I get calls and emails from my constituents all the time that basically say, 'I walk down King Street. I see folks out not wearing a mask. Police officers are a block away, not doing anything.' I just think we need to make some examples of folks. I know it's difficult to enforce, but I hear time and time again, from business owners and constituents, 'let's enforce what we have on the books.' I think business owners will welcome that. It will set the tone for folks that come into restaurants expecting not to wear a mask."

Mayor Tecklenburg said, "Well, I agree, and I think this little amendment just makes it much more practical for our Livability and Police Officers to be able to do that enforcement."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. We're about to enter into a different phase, and the reason I asked Ms. McKee about the College of Charleston is because we know that colleges are cranking back up. We also know that schools are going to be cranking back up. Students are coming back to school, so we're going to see an increase in these numbers. Councilmember Gregorie, Councilmember Mitchell, your comments about this is touching home to all of us as to what this virus is affecting and what portions of our population are being greatly impacted by this. We need to be cognizant of that and fully aware of the impact it's having on our citizens in our community. My office is on Broad Street, and when I walk out of here, and I walk down towards King Street or towards Meeting Street, this is what I see. Yesterday, a large bus of tourists drove up and stopped right in front of my office. About 25-30 folks, young men, got out of the bus. The driver was wearing a mask. Nobody else was wearing a mask, and they all just came out of the bus at the same time. I have seen carriage tours going by Broad and Meeting Streets, and the driver of the carriage has got his mask down like a chin strap. I've seen that happen on numerous occasions. People are flaunting this. Ignorance of the law is no excuse, zero excuse. If you don't know what the law is, I'm sorry. Educate yourself. You have an obligation to educate yourself as to what the ordinance says. When you come into the City, you have an obligation to find out. It's just common sense. We know this debate has been going on for months now. Mayor, as you just pointed out, I think that study that he had published, I read the same report, the number of municipalities and counties that have face covering ordinances, those numbers are much more manageable, much more down, compared to those areas that don't have a mandatory face covering ordinance. Those are the numbers. We're about to go into, as I said earlier, this new phase, and we know our numbers are going to go up. We can't relax. We can't take solace in the fact that these numbers are steady or declining to a more reasonable level. We have to keep our foot on that accelerator. Dan has one of the toughest jobs, if not the toughest job, in the City right now. We need to put as many tools in his toolbox and make this more effective and helpful for him. Let's not change horses in midstream. Let's keep this thing going. Let's make this mask requirement without warning. I know they will do what they have to do, as far as using some discretion on folks if someone forgot their mask and left it in their car. I'm sure they'll give them a break on those sorts of things. So, let's keep up the work that we've done, that we're doing. We've been trailblazers in this, and I want to make sure that we keep that momentum going. Thank you."

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Gregorie said, "Councilwoman Delcioppo has had her hand up for some time now."

Councilmember Brady said, "I'll defer to Councilwoman Delcioppo in honor of the 100th anniversary of the 19th Amendment."

Councilwoman Delcioppo said, "Thanks. This time only, in other words. I just had one quick question. I think some confusion is coming in, as far as where you can naturally socially distance and still needing to wear a mask then. So, if maybe there can be, if there's an educational opportunity there or some language to be built out just to provide some clarity. That's been one of the biggest pieces of feedback that I've received, especially given that a lot of my district, you can naturally be far apart from one another. It's not the same as being downtown on the Peninsula. So, going more along those CDC guidelines of, 'we have plenty of space between us.' So, if we need to somehow build that out a little bit more and provide some more clarity, I think that might be helpful."

Mayor Tecklenburg said, "I agree, and I do hear Councilmember Griffin's observation that the signage we have is really well covered in the stores and in our parks, but we could do some more yard signs. We can use those same signs we use in parks and get some more of them out and put them out into public spaces, so people know when they're walking down the sidewalk and are in public, that the mask ordinance is in effect, unless you're exercising. That's the exception."

Mr. Riccio said, "Mayor, if I could just chime in real quickly, Jacob Lindsey and Planning is approving signage for King Street, or throughout the City, I should say, that is more permanent signage to bring awareness throughout the City of Charleston. I don't know if he's still on, but he's about to approve it, and Traffic and Transportation was going to manufacture the signs and install them. So, that is already in process."

Mayor Tecklenburg said, "That's in process. Terrific."

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Thank you, Mr. Mayor. I just wanted to touch on one thing. I think Charlestonians kind of understand hurricanes. So, when a hurricane is coming directly at you, not just scraping up the coast, and you board up your house, when a hurricane comes ashore, and you have one of the worst parts of the storm, you get to the eye, and there's a calm. It's not the time to go outside and start taking boards down off of your house, because there's still another portion of the storm coming. That's exactly how I kind of view the mask ordinance. We're through one side of the storm, and we don't want to have to weather another side of it. So, it's not the time to let up. That being said, it's very much like a speeding ticket in terms of how we're changing it. Instead of just being a mandatory warning, it's now more of a discretionary warning. Law enforcement officers do have that ability, in a myriad of situations, to use their discretion because not everything goes with a fine and a penalty at all times. I think this gives the Livability officers and Law Enforcement officers the capability to use their discretion. For the flaunting of the ordinance, this gives them the tool in their toolbox to issue a significant fine if they find that appropriate in that given situation. But, it gives them the discretion that they can warn when they need to, but also write a meaningful ticket without it having to be a mandatory warning. So, I'll be voting in favor of that. I want to encourage my colleagues to, as well."

Mayor Tecklenburg said, "Any other comments or questions?"

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "If we do the signage, could we make sure the signage says that it's against the law not to wear a mask? We say, 'wear your mask.' I've seen all the signs all over the place, but somewhere we need to say, 'it's against the law.' Let's make it clear."

Mayor Tecklenburg said, "Alright. This is to approve I-2, I-3, and I-4, as amended."

On a motion of Councilmember Shahid, seconded by Councilmember Appel, City Council voted to approve the Executive Order continuing the Declaration of State of Emergency in response to the COVID-19 virus outbreak and to ratify the following Emergency Ordinances:

18-August-20 EXECUTIVE ORDER CONTINUING THE DECLARATION OF STATE OF EMERGENCY IN RESPONSE TO COVID-19 VIRUS OUTBREAK (I-2)

2020-099 EMERGENCY ORDINANCE EXTENDING CERTAIN EMERGENCY ORDINANCES RELATED TO COVID-19 (I-3)

2020-100 EMERGENCY ORDINANCE AMENDING EMERGENCY ORDINANCE 2020-090 BY DELETING LANGUAGE IN SECTION 5 REQUIRING WARNING BEFORE PERSON FOUND IN VIOLATION OF ORDINANCE FOR NOT WEARING FACE COVERING OR MASK (I-4)

The vote was not unanimous. Councilmember Griffin voted nay on Item I-4.

Mayor Tecklenburg said, "Thank you for all that discussion. That was very helpful. Next is our Council Committee reports. First up is Councilmember Shahid with the Committee on Public Safety."

Councilmember Shahid said, "Thank you, Mr. Mayor. The Committee on Public Safety met on August 11th. We received an update first on Fire Stations #8 and #11. Fire Station #8 is on Huger Street and had some serious roof problems that were discovered from structural issues that have come along. Chief Curia and Jason Kronsberg gave us an update as to the repairs and the options that are available to moving that Fire Station to the Medical University of South Carolina site while the repairs are being done. It looks like Fire Station #8, in the immediate future, maybe a candidate for an upgrade like we're doing for the other fire station on Cannon Street. So, the Fire Department and Mr. Kronsberg's department are working together to locate, on a temporary basis, and get them back into that station as soon as possible. We're not finished with Fire Station #11, but progress is moving along rather rapidly. So, we're hoping we'll be into that station in a short period of time. We will have liquidated damages because we are renting that space, and we'll be covering those in the near future. But, hopefully, we'll be getting into that.

We did not have anybody to give us an update on hurricane preparedness, but I will tell you that I did speak with Shannon after the meeting, and he did appear at my monthly constituent meeting, coffee, and conversation. I'll just share this with you to discuss. In light of COVID-19, because this has come up quite frequently, on evacuations, there are, I think, a total of six sites qualified in the greater Charleston community. I may have that number wrong, but because of spacing and limited availability, I think we're only equipped, throughout the County, to accommodate 600 residents. So, if the evacuation order is given, we're not going to have a lot of spaces locally. Those evacuation sites are located in the north area. So, our citizens are going to

be left out, and we're going to have to get the word out that, in the event of a storm or evacuation, to evacuate early because of that.

The next item of business was on the face covering compliance. We just heard from Dan. I don't think I need to repeat anything. I think the total number of warrants issued was 18. But, he has given us a pretty good report already as to the enforcement of face coverings. We have Wendy Stiver. I think she was on. Wendy, are you still with us?"

Ms. Stiver said, "Yes, I'm here."

Councilmember Shahid said, 'So, we got an update on the Racial Bias Audit and the Illumination Project. Wendy was hired. We stole her from that foreign country called Ohio. She's been doing a wonderful job. In my communications with her, she's been very receptive and informative for me as to how we're doing with the Racial Bias Audit and what we've learned from that as they transition from the Illumination Project into the Racial Bias Audit compliance. With that introduction, Wendy, did you just want to give us a little quick Reader's Digest version of where we stand with compliance with the audit and how we're transitioning from the Illumination Project?

Ms. Stiver said, "Yes. Thank you very much. I'd like to give a shout out to Bob Kale at the College of Charleston, who's done a great job of helping to bring both the ideas from the Illumination Project and Racial Bias Audit and wrap them up into a five year strategic plan. That plan has been rolled out internally, and we're doing as much as we can to make it as accessible, digestible, to everybody in the agency. The next stage is to get out and do some community meetings with Chief Reynolds to show how that transition happened, and how we wrapped both the Illumination Project and the Racial Bias Audit into a road map for the next five years for implementation. As far as the audit itself goes, we're making really good progress. We've implemented some things as recommended by the audit, but I think it's also really important to point out that we're going to go back and test those and evaluate them, as well, to make sure that we're not just checking boxes and what we're doing is taking root, and it's working."

Councilmember Shahid said, "So, if anybody has any specific questions for Wendy, this is a good time to ask. We'll continue to get updates on specific programs."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Wendy, will you be able to let us know what are the structural changes, especially policy changes, that we will be making? I think a five year plan is great, but I also think that we need to be very clear that we have to deconstruct something that has caused us to have the kinds of findings that we did have. That would include some major, major policy changes. You don't have to do it now, but at some point, I'd like for you to connect with the Commission because the Commission also will be looking, in conjunction with our Public Safety Committee, at the implementation of the Racial Bias Audit of the Police Department. But, we'll be looking for structural changes and policy changes, so that we won't have to slip back into the same kind of abyss."

Ms. Stiver said, "Absolutely. Some of those policy changes have already been made. So, it's a matter of really beefing up our analytical capacity, so that we can dive into the numbers and see if they really have the effect we want. I think both are very, very important. A lot of the organizational work was done by Chief Reynolds and his team before I got here, and so they've really been working very hard to make progress on that."

Mayor Tecklenburg said, "We'll do that, Councilmember Gregorie, when the Commission is up and running, which will be very soon, I know."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I'm just going to reserve my comments. I just wanted to compliment the Chief and Ms. Stiver, and obviously, you and the staff, who are following through on the findings to make the improvement. I know it's not seamless. I know it's tough, but we're making progress, and we're making progress without having been forced to do so because of a traumatic event. So, thank you for what you're doing, and I look forward to the updates."

Ms. Stiver said, "Thank you, sir."

Councilmember Shahid said, "Wendy, maybe we can send out the Powerpoint presentation that you demonstrated at our Public Safety meeting to all Councilmembers, so they have that for reference?"

Ms. Stiver said, "Absolutely. I'll get that out to you."

Mayor Tecklenburg said, "So, I don't think any action needs to be taken, Councilmember Shahid, on your Committee?"

Councilmember Shahid said, "No. The last thing on our agenda, Mayor, was an ordinance to make it illegal to jump off of bridges which was, I thought, a rite of passage for young people to do in the Lowcountry. By a vote of 3-2, it was disapproved."

Mayor Tecklenburg said, "So, no action is needed on any of these items. It's all for information. Next, we'll go to our Committee on Public Works. Councilmember Waring."

Councilmember Waring said, "Thank you, Mr. Mayor. The Committee on Public Works met yesterday. As you see on your agenda, Item a (i), 'Request authorization for the Mayor to execute a Memorandum of Understanding and Temporary Access and Construction Easement for 835 Savannah Highway between the City and Owner.' A lot of you all may know this as the thrift store, or the old Rodenberg's location in Avondale over there. So, some nice things are beginning to happen there. It passed unanimously in the Committee, but as part of that discussion, Councilmember Appel has been really involved and engaged on this one. This is in his district. Part of that conversation was a possibility of a wall or some sort of barrier on the part of the easement that the City will be taking over. So, if it's okay, Mr. Mayor, I'm going to ask Councilman Appel to address that, because it's in his district, prior to voting."

Councilmember Appel said, "Thank you very much, Mr. Chairman. This is a very important and exciting commercial rehabilitation in the heart of Avondale. The neighborhood is very excited about that. A lot of the hard work and heavy lifting predates my time on Council. It's my understanding that the developer has worked closely with the City, Byrnes Down Neighborhood Association, and specific neighbors that live along Craven that back up against this area. The neighborhood association and the neighbors that are impacted are in favor of the proposal that we looked at yesterday, that would be voted on tonight. I would just like to see, from the City's standpoint, if we can continue to look at potential, efficient, and reasonable mitigation efforts to kind of shield some of this commercial activity from some of the homes that back up against this area by way of screening, landscaping, fencing, things of that nature."

To that end, I've reached out to Jason Kronsberg and Keith Benjamin about exploring some of these options. I don't think it's necessary that we oppose this right now at this time. I think a lot of this cake has been baked already and has gone through TRC. I don't want to interfere with this moving forward. I just wanted to keep that issue alive to see if that's something our staff could look at a little bit closer, just to make sure that we strike the right balance here. But, the net effect of this is to rehabilitate an important part of Alicia Alley, which is a City-owned right of way. We're going to increase and improve the traffic flows in the area. The developer is actually going to provide the City with an easement to allow the public to traverse private property to improve and enhance traffic circulation in the area. So, this is a win-win-win all the way around. I just hope that, as the process moves forward, we can continue to look for creative ways to improve some of the livability issues for the neighbors. So, thank you again very much."

Councilmember Waring said, "Thank you, Councilman. So, I move for approval of that MOA."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Any further discussion?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, City Council voted unanimously to approve Item a(i) of the Committee on Public Works and Utilities report:

a. Public Service Department Update:

- (i) Request authorization for the Mayor to execute a Memorandum of Agreement (MOA) and Temporary Access and Construction Easement with 835 Savannah Highway, LLC (Owner), under which the City will grant Owner an easement to construct certain improvements within a one-way alley maintained by the City and dedicate the improvements, along with a portion of the Owner's property to the City. Upon completion and acceptance, the City agrees to take the necessary steps to close, abandon and quitclaim a portion of the alley to Owner for parking and traffic-related improvements.

Councilmember Waring said, "The remainder of the Committee is pretty much going to be handled by Mr. Fountain. But, I ask all Councilmembers to listen up, in particular for the drainage projects going on in their individual districts. The members of the Public Works Committee get a pretty much in-depth explanation, but obviously, those drainage projects are taking place all over the City. This is your opportunity, you all who are not on the Committee, to have a little Q&A with Mr. Fountain on projects in your area. So, Mr. Fountain."

Mr. Fountain said, "Thank you, Councilmember Waring. The first item in the Stormwater section was the change order approved previously in Ways and Means for the Low Battery Project. That was a change order to install some additional sewer force main at the Coast Guard Station. It was requested by CWS and paid for completely by CWS as part of their contract for utility relocation work. We did then move onto an update on the National Fish and Wildlife Foundation Johns Island Grant. That is kind of a series of different National Fish and Wildlife Foundation grants and a series of different projects they've been doing on Johns Island lately.

So, we were just kind of providing some clarification because this work's likely to come to Council next month for review and approval. The Johns Island grant is the first phase of the grant. It's approximately a \$235,000 grant that is 50% City and 50% National Fish and Wildlife Foundation. This is looking at, similar to the Dutch Dialogues, how do you sort of segment and identify drainage pathways on Johns Island that are both currently existing and can be preserved, as well as pathways that could be restored that have been impacted similar to what we're doing in Barberry Woods. The third item was an update on Dupont/Wappoo. This is where we're coordinating with the County. We wanted to confirm that this was still moving forward as kind of the small project allocation as we continue to work on the 75/25, City/County, respectively, cost split for the first four priority projects identified in that basin. We had an update on some ditch obstructions. We're working with the property owner to remove some fencing so that we can go ahead and maintain a ditch and improve drainage in the area of south Sherwood.

Then, we went through our major project updates, which I can do very briefly. So, please let me know if you do have any questions. Spring/Fishburne, the US/17 Septima Clark Parkway drainage improvement project, Phase 3 of the underground tunnels, that project is now complete other than growing some grass on a few of our project sites. It did come in under budget, so that's a good project to be done and closing the books on. Of course, that brings us to Phase Four, which is what we're currently working on, the outfall between the Ashley River bridges. Excavation work is continuing in the wet wall and the outfall coffer dams. It's about 40,000 tons of material that has to be excavated and removed in order to build that wet wall and outfall. We're about two-thirds of the way through that. That work will be continuing for at least a few more weeks. Spring/Fishburne Phase Five, we're working right now to finalize our scope with Davis & Floyd for advanced pump procurement. The pumps that will go into the pump station in Phase Five need somewhere between 12-18 months, depending on the pump vendor, for procurement and purchase time for manufacturing pumps. So, we'll be basically bringing those in advance of the remainder of the design and construction contract for that project.

The Ehrhardt Tunnel Extension, it's the Medical District section of tunnel potential, which is basically at just over 90% complete. We're finalizing some bid documents, and the easements are currently being reviewed by MUSC for granting to basically be able to add that tunnel extension. The Low Battery project, the vertical wall, and the sidewalk platform concrete work is completed. If you go out there now, it looks like there is a legitimate wall and platform with concrete. We're basically starting the hardscaping work and preparing to reconstruct the road section on the southern side of the Battery, so we can move over and start working on the northern side of the roadway. We're also into design or into sort of final construction drawings for Phase Two of the Low Battery Project so we can prepare to qualify bidders for that work, as well.

For the King/Huger project, we have our final preparation for bid phase drawings for that. Bid documents for that project are in progress, as well. We look to bid that for construction this fall. That's the surface collection improvements, so it will basically help improve the pipes and intakes on the intersection of King/Huger and extending out in the north/south/east/west directions in preparation for the Phase Two project, which we'll be bringing the scope for Phase Two, which is the pump station, design and permitting, to Council for consideration next month, as well. Forest Acres, we're continuing to work with AT&T. AT&T's been making steady progress with DOT on their encroachment permit for their utility relocation. We should have more information on their schedule, hopefully as soon as they get that DOT encroachment permit.

Market Street Project, we now have full City TRC approval. We're bringing it to Public Works and Utilities in the next month, a request to take over maintenance of non-standard DOT items in the road intersections, things like the granite curb and sidewalk. At that point, all the

permits will be in hand. We'll just be coordinating with Dominion for undergrounding on the project, and then that will be ready to go to bid, as well. Central Park Drainage, we presented a general overview of our completed conceptual drainage improvement recommendations at the James Island Intergovernmental Drainage Commission meeting. We're currently scheduling some smaller neighborhood discussions collaboratively with the County, and we're finalizing plans with the County and City on how we'll move forward to do design and permitting on those projects.

The Cooper Jackson Eastside drainage evaluations, we've completed our first round of field survey work. Based on the initial field survey, we've identified areas that were kind of high priorities for short-term maintenance and also maintenance that needed to be done in order to build the survey work to complete the drainage model. We are planning to, starting probably end of this week, beginning of next week, clean most of the drainage infrastructure starting from Stewart in the north and extending south all the way to about Cooper Street. So, we should actually see some really significant short-term drainage improvements in that area, but of course, we'll need the model and construction to figure out the capital infrastructure improvements still. Barberry Woods, the preliminary survey work is underway. It was briefly discussed during the Johns Island Fish and Wildlife Grant a minute ago. Those items will be coming to Public Works and Utilities next month, likely for scope and official grant acceptance, as well.

The Windermere drainage improvements, the conceptual engineering scope has been finalized with our consultant, and we'll be bringing that to Public Works and Utilities for consideration next month. The Church Creek storage project, we have a selection committee reviewing our consultant qualification packages right now. We're going to meet this month to continue that process in selecting a firm and move into the interview process. The Broad/Lockwood Sunny Day Flooding Concept Review, we have our final draft report in hand from our consultant, and we're just doing our final City review at this point. We'll be able to discuss those findings. The Waterfront Hotel Drainage Improvements, this is where the Waterfront Hotel basically relocated and upsized the drainage outfall in the area of the hotel, and we're now working to connect the existing drainage system into that outfall system. We've seen some real potential for significant improvements for drainage in that area.

Weims Court, permits have been completed now for Weims Court all the way down King Street, basically. So, everything from the intersection of Weims and King south should be draining well into the brick arch system and out through the Battery. Sherwood project, fence, and tree removal are completed. Field ops have made progress grading out swales and installing new pipes. We're just coordinating some tree work with the Planning Department. The South Anderson Check Valve Installation is the collaborative project with the Town of James Island, where the Town provided the majority of the funding for the project, and the City provided the expertise and experience on check valve installation. This has now been installed just north of Camp Road. We did observe it through some of the recent high tides, and it does seem to be significantly reducing some of the tidal issues we were having on properties south of Camp Road. It should also help with when we get a continuous rainfall and high tide event in that area, as well.

Mueller Drive, we have a field surveyor that's become non-responsive, so we actually had to move onto another surveyor, but we are continuing to move forward on that project as expeditiously as we can. We did complete some pipe rehab as well on President Street from Moultrie to Congress. We actually had reports from this afternoon's heavy rain event that it seems to be really working, and residents reported no flooding in that area, despite the local intersections that had flooding outside of that street. We did complete some pipe rehab in the Piedmont Maple area, as well, in kind of the northern area of Wagner Terrace. Then, finally, the Concord Street pump station, we're working on beginning our design evaluation for the upfit of that pump station.

For the Floodplain projects, we do have two additional properties scheduled for demolition following recent acquisitions. We did get notification that FEMA has approved the Charleston County the new Flood maps. So, we're working with the County and with our staff to prepare the Council actions in order to adopt the new Charleston County portion of the City flood maps, similar to what we did with Berkeley County last year. That brings rapid fire, round two, to a close."

Councilmember Waring said, "You do a very good job with that reference. Councilman Mitchell had his hand up."

Councilmember Mitchell said, "Yes, I just want to ask a quick question. Mr. Fountain, did anybody get an opportunity to check up on Aiken Street, on the Eastside, where it floods so bad between Columbus going on down, where that church is on the corner of Aiken and Line?"

Mr. Fountain said, "We did. I'm going to pull up the, off the top of my head. I know we've looked at the Aiken/Line area. It's within that Cooper Jackson section. Yes, we're looking at it. Most of the survey work we've done so far is on the northern side, kind of going from Stewart down through Cooper. So, I think we're going to see more of a long-term potential for improvements following that, but I think we have had some short-term. We've at least spoken with the church and done some investigation in that area. I can get back with you, Councilman, on the exact findings. I'll have to double check."

Councilmember Mitchell said, "Okay, that's fine."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, a couple of questions. Were we able to get with Food Lion in any way to try to deal with their major, major drainage and flooding issues?"

Mr. Fountain said, "So, we did go through and clean all of the surrounding infrastructure, all the public road infrastructure that surrounds that parking lot, and it did seem to help some. But, we have not, at this point, talked with the actual parking facility, or the shopping plaza owners, to try to see if there's anything we can do to require that. We've had some similar issues in some of the other Councilmembers' districts and with shopping centers that don't necessarily clean out their internal drains. It is challenging. The way we write our current requirements, we put, basically, deed restrictions in for anything that's a component of stormwater maintenance on a facility, where there is a mechanism for the City to be able to go in and do maintenance if required and back bill to the property owners, or at least go to court and have the judge order them to do maintenance. There's a series of different options, and those run with the property. But, the older facilities don't generally have that type of approach, so it does become more of a private property challenge, but I agree, that's one that I think it's worth continuing to push with that property owner to see if there's anything we can do."

Councilmember Gregorie said, "Okay, and just a couple of others, Matt. Piedmont, Gordon, Simmons, Moultrie, and I could name a few others. Are we making any progress, especially Piedmont and Moultrie, Peachtree, and Gordon? These are parts of the Peninsula, some of which we know are on creek beds, but are there any maintenance types of things we can do for public safety, especially in those areas I just mentioned?"

Mr. Fountain said, "Yes, Councilman, there are. So, we've kind of had a list of flood concerns in sort of Wagener Terrace to the north and Hampton Park Terrace to the south, that

region of the Peninsula. We had been working through the list. So, the two I mentioned, President from Moultrie to Congress, and then the section to the north, which was Maple, Hester, Alberta, those were the first two that were on that list. I'd have to double check the exact next one that is on the list, but Piedmont is on there, as well. San Souci is on there. Simmons and Rutledge, we did do a significant amount of pipe cleaning in the DOT Right of Way there earlier in the year. It does not seem to have helped the flooding at this point, but I expect that the DOT system is continuing to be clogged much further downstream, as well. So, we do have it on the list there, as well, to go back there and see if we can look at some additional downstream improvements, but we are working our way kind of one by one through the items we've identified. I can get you the list. We've been working with Councilmember Sakran in that area. I can get you the list of the ones that are on there and make sure there's not any that we're missing that you're aware of, as well."

Councilmember Gregorie said, "Okay, thank you."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. Thank you, Councilmember Gregorie, for bringing that up, Food Lion and some of those other locations. Matt, you've been doing a great job communicating with a lot of my constituents, and I think me and Councilmember Gregorie probably share a lot of the constituents, a lot of the same streets. Councilman Gregorie, I just forwarded you the email spread that Matt is on. He's been very responsive. I guess my question really is for Chairperson Waring. What's the best way to kind of take a deep dive into some of these issues that we're having? Certainly, there's flooding everywhere, but I feel like some of the issues are maintenance issues. Some of them are just regular flooding issues. How do we take a deeper dive into the Committee, where I could have a full report out to my constituents and some of Councilman Gregorie's constituents that have these concerns?"

Councilmember Waring said, "I'm sure Mr. Fountain could address some of that. But, I tell you what, some of that would be good and certainly welcomed to patch in on the Public Works Committee meeting. That's really where the nuts and bolts discussion takes place at. Councilwoman Jackson joins quite often, and Councilman Shealy does from time to time, as well. So, you don't have to chime in every time at every meeting, but certainly, you're invited to the next meeting, and you'll be given a front and center opportunity to be addressed."

Councilmember Sakran said, "Thank you."

Mayor Tecklenburg said, "Great. Any other questions for Mr. Fountain? I think we've got one more item."

Councilmember Waring said, "One more item, well, I think that was for information only. That was from Councilman Griffin, for the committee to be established in his district."

Councilmember Griffin said, "Yes, that was information only. That will come up at the next meeting."

Councilmember Waring said, "That's right, on the Church Creek TIF Committee. So, that was just for information only, Mr. Mayor. That's really the extent of the report."

Mayor Tecklenburg said, "Alright. I think we voted on the only thing that needed Council approval. The rest was for information. So, thank you, Mr. Chairman, and thank you, Matt, for that

thorough report. We can all tell that he's got an amazing ability to juggle a lot of projects at the same time because he's got a lot going on, so thank you all for that. Next up is our Audit Committee, Councilmember Appel."

Councilmember Appel said, "Thank you, Mr. Mayor. We had the annual meeting of the Audit Committee earlier today. We received a report of our external audit from Mauldin & Jenkins, LLC. Mr. Miller Edwards gave us a briefing, and we're pleased to report that we've got a clean audit. Everything looks great, and this is what you want to see when you're a municipal government subject to these external audits. His job would not have been possible without the excellent work of our City staff. Amy Wharton and her team do a wonderful job for the City. We reviewed the Certified Annual Financial Statement, the CAFR. Our CAFR has actually won awards, if you can believe it or not. I forgot to ask whether it comes with a monetary prize. That would be great right about now. We'll have to follow up on that. The City really has a lot to be proud of when it comes to its finances. There's a lot of talk about certain types of cities being fiscally irresponsible. That's certainly not the case for the City of Charleston. We have a stellar financial track record, and I encourage anybody interested in such things to watch that YouTube video from earlier today. After that, we received our internal audit report from outgoing internal auditor, Robert Majernik. He has done a tremendous job making sure that all of our internal controls are in place and approved. There's nothing really too out of the ordinary, some minor employee issues that we've all handled and addressed appropriately. That is about it. So, everything is looking good on the financial front. We did have a discussion about, obviously, the elephant in the room, COVID, and budget related impacts. We are in a position to weather this storm a little bit better than some of our other municipal colleagues around the State. That's because we've been so financially responsible over the years by stashing away money for a rainy day. We've been able to go into that fund to, for example, prevent police and fire furloughs that we had discussed as a potential option earlier this year. So, we're well positioned to weather the storms. It's not going to be easy. It doesn't mean we're not going to have serious discussions in the second half of the year in the Budget Ad-Hoc to make sure we stay on sound financial footing, but it's a whole lot better to be in the position we're in, having acted responsibly in the past. That is about it. This is the first meeting I ever chaired, and we're all still standing to live and talk about it. So, that is great, and I will conclude my report."

The Clerk said, "Councilmember Appel, I'm sure you want to ask that we make a motion that we received the report, the audit report."

Councilmember Appel said, "That is correct. We didn't take any action on the external audit, but we did take a vote on the internal audit. We unanimously approved it in Committee, and I'd like to entertain a motion to approve it."

Councilmember Shealy said, "Move for approval."

Councilwoman Jackson said, "Second."

On a motion of Councilmember Shealy, seconded by Councilwoman Jackson, City Council voted unanimously to approve the Audit Committee report as presented:

- External Auditor's Report (*Information Only*)
- Internal Auditor's Report

Mayor Tecklenburg said, "Thank you, Mr. Chairman. You did well. I did mean to ask, although most of you were at the Audit Committee, if anybody had any questions before we move on."

No one asked to speak.

Mayor Tecklenburg said, "Next is our Committee on Ways and Means."

Councilmember Shahid said, "Move for approval."

Councilmember Brady said, "Second."

Councilmember Gregorie said, "Mr. Mayor, move for approval, as amended."

Mayor Tecklenburg said, "Yes, there was one item on the Bids and Purchases that was withdrawn. Any further discussion?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Brady, City Council voted unanimously to adopt the Ways and Means report as presented:

- (Bids and Purchases, as amended
- (Budget Finance and Revenue Collections: Approval to accept the grant award from the Economic Development Administration in the amount of \$935,000 for a Revolving Loan Fund. \$870,926.80 will be used to provide loans to Small Businesses. The remaining \$64,073.20 will be used to cover the costs of administering the loans. No City match is required.
- (Police Department: Approval to submit an application for the 2020 Firehouse Subs Public Safety Foundation Grant for \$15,210 to fund the purchase of a UTV to be used by the Harbor Patrol Unit for rescue and response. This grant is due on August 19th. There is no match required for this grant.
- (Police Department: Approval to submit an application for the 2020 Justice Assistance Grant for \$27,875 to fund overtime costs for the CIU and training related to police-mental health collaboration. This grant is due on August 19th. There is no match required for this grant.
- (Police Department: Approval of the Fourth Amendment renewing the agreement between CDMHC and CPD in the amount of \$20,000 wherein CDMHC provides CPD with a full time mental health professional who provides services to children and families in domestic violence cases.
- (Office of Cultural Affairs: Approval to accept a grant in the amount of \$31,620 from SC Arts Commission for general operating support (7/1/2020 to 6/30/2021). A 3:1 City match is required. Matching funds will come from FY20 budget appropriation.
- (Office of Cultural Affairs: Approval to accept a grant in the amount of \$10,000 from SC Arts Commission for a sub-granting program (7/1/2020 to 6/30/2021). This is the renewal of an annual award to fund the Lowcountry for Quarterly Arts Program administered by the Office of Cultural Affairs. A 1:1 City match is required. Matching funds will come from budgeted FY20 CASAT grant and private donations.

- (Office of Cultural Affairs: Approval to accept a grant in the amount of \$5,415 from SCPRT's TAG program for Festival advertising (7/1/2020 to 6/30/2021). A 2:1 City match is required. Matching funds will come from corporate sponsorship and private donations.
- (Office of Cultural Affairs: Approval to accept a grant in the amount of \$1,750 from South Arts to support fees for visiting artists for Free Verse Festival in October 2020. A 1:1 City match is required. Matching funds will come from private donation.
- (Office of Cultural Affairs: Approval to apply for a grant in the amount of \$20,000 from the National Endowment for the Arts to support centralized promotion of the arts in Charleston (7/1/2021 to 6/30/2022). A 1:1 City match is required. Funds will come from corporate sponsorship and private donations.
- (Office of Cultural Affairs: Approval to apply for a grant from South Arts to support resilience in the arts in Charleston for the twelve-month period of September 2020 to August 2021.
- (Office of Cultural Affairs: Approval to apply for a grant from the Gaylord and Dorothy Donnelley Foundation to support Piccolo Spoleto, MOJA Arts Festival, and Free Verse Festival in 2021 and 2022.
- (Resiliency: Approval to accept the 2021 SC DHEC Solid Waste Reduction & Recycling grant in the amount of \$12,500 to support a pilot program and community outreach to recycle mattresses. No City match is required.
- (Parks-Capital Projects/Stormwater Management: Approval of Low Battery Seawall Repairs – Phase I Change Order #3 in the amount of \$99,997.68 with Gulf Stream Construction Company for additional sewer force main install and abandonment at Tradd St. This change order is covered by an additional contribution from the Commissioners of Public Works. Approval of Change Order #3 will increase the construction contract by \$99,997.68 (from \$11,191,012.40 to \$11,291,010.08). The funding sources for this project are: Hospitality Funds (\$15,087,957.53), Municipal Accommodations Tax Funds (\$15,548,816), CPW Contribution (\$5,071,997.68), and Charleston County Accommodations Tax Fees (\$400,000).
- (Parks-Capital Projects: Approval of the 2020 Tennis and Basketball Courts Resurfacing Construction Contract in the amount of \$88,050 with Court Makers, Inc., for crack repair and resurfacing of 12 tennis courts at the Charleston Tennis Center, 3 tennis courts at Jack Adams, 1 basketball court at Freddie Whaley, and 1 tennis court at Hazel Parker. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council Approved Budget. The Construction Contract will obligate \$88,050 of the \$100,000 project budget. The funding source for this work is the Capital Projects-Structural Repairs line-item in the 2020 General Fund Budget.
- (External Auditor's Report (*Information only*))
- (Internal Auditor's Report
- (Request approval of a Right of Way and Utility Easement granting the Commissioners of Public Works (CPW) a 15 ft. water line easement for the installation and maintenance of a new water line. (TMS: 271-00-00-006; 165 Fairbanks Dr., Charleston, SC – Daniel Island Recreation Center)
- (Request approval to accept the donation of a clock from the Friends of the Muni for placement at the starting tee box at the Charleston Municipal Golf Course as part of the current renovation project (2110 Maybank Highway, Charleston, South Carolina 29412)

(Consider the following annexations:

- 2229 Weepoolow Trail (TMS# 353-12-00-017) 0.32 acre, West Ashley (District 2). The property is owned by John Everett McInnis.
- 2444 Quail Hollow Court (TMS# 355-16-00-069) 0.09 acre, West Ashley (District 2). The property is owned by Douglas R. Wurster.
- 1551 N. Pinebark Lane (TMS# 353-15-00-037) 0.22 acre, West Ashley (District 7). The property is owned by Roscoe L. Bolton, III and Joy L. Bolton.
- 772 Yaupon Drive (TMS# 263-00-04-038) 2.3 acre, Cainhoy (District 1). The property is owned by Beverley D. and James P. Rardin.
- 3338 Maybank Highway (TMS# 279-00-00-035) 1.1 acre, Johns Island (District 5). The property is owned by Consultants, LLC.
- 3328 Maybank Highway (TMS# 279-00-00-031) 4.588 acre, Johns Island (District 5). The property is owned by Kulick Properties, LLC.
- 3320 Maybank Highway (TMS# 279-00-00-029) 2.278 acre, Johns Island (District 5). The property is owned by 1108 St Gregory St, LLC.
- Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code for the discussion of negotiations incident to proposed contractual arrangements related to the Daniel Island Tennis Center. City Council may or may not take action after returning to open session

First reading was given to the following bills from Ways and Means:

An ordinance to provide for the annexation of property known as 2229 Weepoolow Trail (approx. 0.32 acre) (TMS# 353-12-00-017), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by John Everett McInnis.

An ordinance to provide for the annexation of property known as 2444 Quail Hollow Court (approx. 0.09 acre) (TMS# 355-16-00-069), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by Douglas R. Wurster.

An ordinance to provide for the annexation of property known as 1551 N Pinebark Lane (approx. 0.22 acre) (TMS# 353-15-00-037), 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 Roscoe L. Bolton, III and Joy I. Bolton.

An ordinance to provide for the annexation of property known as 772 Yaupon Drive (approx. 2.3 acre) (TMS# 263-00-04-038), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. The property is owned by Beverley D. and James P. Rardin.

An ordinance to provide for the annexation of property known as 3338 Maybank Highway (approx. 1.1 acre) (TMS# 279-00-00-035), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Consultants, LLC.

An ordinance to provide for the annexation of property known as 3328 Maybank Highway (approx. 4.588 acre) (TMS# 279-00-00-031), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Kulick Properties, LLC.

An ordinance to provide for the annexation of property known as 3320 Maybank Highway (approx. 2.278 acre) (TMS# 279-00-00-029), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by 1108 St Gregory St, LLC.

Mayor Tecklenburg said, "So, next is bills up for second reading. We have thirteen items, I believe, on the agenda."

Councilmember Griffin said, "Move to take one through thirteen together."

Councilmember Mitchell said, "Second."

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

No one asked to speak.

On a motion of Councilmember Griffin, thirteen (13) bills (Item L-1-L-13) received second reading. They passed second reading on motion by Councilmember Mitchell and third reading on motion by Councilmember Griffin. On further motion of Councilmember Mitchell, the rules were suspended, and the bills were immediately ratified as:

- 2020-101 -** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS PROPERTY ON SAVANNAH HIGHWAY (APPROX. 6.68 ACRES) (TMS# 307-05-00-015), 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 JOHN MCLEOD BRADHAM ET AL.
- 2020-102 -** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES ON MAYBANK HIGHWAY (3.5 ACRES) (TMS# 313-00-00-034; 313-00-00-035), JOHNS ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 5. THE PROPERTIES ARE OWNED BY WILLIAM STEPHEN HARRIS.
- 2020-103 -** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY ON MAYBANK HIGHWAY (2.05 ACRE) (TMS# 313-00-00-306), JOHNS ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 5. THE PROPERTY IS OWNED BY LMC, LLC.
- 2020-104 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 295 CALHOUN STREET (PENINSULA) (APPROXIMATELY 2.1 ACRES) (TMS #457-02-02-001) (COUNCIL DISTRICT 8), BE REZONED FROM 85/30 OLD CITY HEIGHT DISTRICT CLASSIFICATION TO 7 STORY OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTY IS OWNED BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA (MUSC).

- 2020-105 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1144 FOLLY ROAD (JAMES ISLAND) (APPROXIMATELY 0.38 ACRE) (TMS #425-13-00-031) (COUNCIL DISTRICT 12), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO RESIDENTIAL OFFICE (RO) AND FOLLY ROAD OVERLAY (FRO) CLASSIFICATION. THE PROPERTY IS OWNED BY LINDA M. AYDLETTE, TRUST.
- 2020-106 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES LOCATED ON MAYBANK HIGHWAY (JOHNS ISLAND) (APPROXIMATELY 16.85 ACRES) (TMS #313-00-00-043, 031 AND 307) (COUNCIL DISTRICT 5), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-6) AND GENERAL BUSINESS (GB) CLASSIFICATION TO PLANNED UNIT DEVELOPMENT (SOUTH STATION) (PUD) CLASSIFICATION. THE PROPERTIES ARE OWNED BY POMONA/MAYBANK, LLC AND BANK OF WALTERBORO.
- 2020-107-** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES LOCATED IN MAYBANK HIGHWAY (JOHNS ISLAND) (APPROXIMATELY 5.52 ACRES) (TMS #313-00-00-306, 034 AND 035) (COUNCIL DISTRICT 5), TO BE ANNEXED INTO THE CITY OF CHARLESTON AUGUST 18, 2020, BE ZONED PLANNED UNIT DEVELOPMENT (SOUTH STATION) (PUD) CLASSIFICATION. THE PROPERTIES ARE OWNED BY LMC, LLC AND WILLIAM STEPHEN HARRIS, JR.
- 2020-108 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 340 AND 342 WOODLAND SHORES ROAD (JAMES ISLAND) (APPROXIMATELY 0.7 ACRE) (TMS #343-11-00-111 AND 112) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON MARCH 10, 2020 (#2020-034), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTIES ARE OWNED BY JENNIFER FINGER KRAUSE.
- 2020-109 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 513 ARLINGTON DRIVE (WEST ASHLEY) (APPROXIMATELY 0.51 ACRE) (TMS #310-07-00-090) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON MARCH 10, 2020 (#2020-035), BE ZONED DIVERSE RESIDENTIAL (DR-1F) CLASSIFICATION. THE PROPERTY IS OWNED BY VAUGHN LOEFFLER AND SYLVIA DE JONG.
- 2020-110 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1384 JOY AVENUE (WEST ASHLEY) (APPROXIMATELY 0.45 ACRE) (TMS #352-10-00-015) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON MARCH 10, 2020 (#2020-036), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY GARY H SEEL AND HOPE E SEEL.

- 2020-111 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 230 YATES AVENUE (JAMES ISLAND) (APPROXIMATELY 0.24 ACRE) (TMS #343-05-00-042) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JUNE 9, 2020 (#2020-076), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY ELIZABETH LOVETT AND DAVID STICKEL.
- 2020-112 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1837 BENTGRASS COURT (JAMES ISLAND) (APPROXIMATELY 0.61 ACRE) (TMS #334-03-00-023) (COUNCIL DISTRICT 12), ANNEXED INTO THE CITY OF CHARLESTON JUNE 9, 2020 (#2020-077), BE ZONED RURAL RESIDENTIAL (RR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY DAVID W DUNN TRUST.
- 2020-113 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 334 FOLLY ROAD (JAMES ISLAND) (APPROXIMATELY 0.39 ACRE) (TMS #424-05-00-030) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JUNE 23, 2020 (#2020-080), BE ZONED GENERAL BUSINESS (GB) AND FOLLY ROAD OVERLAY (FRO) CLASSIFICATION. THE PROPERTY IS OWNED BY JOHN CLAIR AND ELLEN S CLAIR.

Mayor Tecklenburg said, "Now, we will go back to the Public Hearing matter."

Councilmember Griffin said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Now that the property has been annexed, we can zone it. Second reading to zone that property General Business. Any discussion?"

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Yes, Mr. Mayor. As Christopher had talked about, this is at the front portion to my neighborhood, though it's not included in the original PUD or anything since it's currently in the County. But, I have had the opportunity to sit down with the purchaser of that property, as well as what the vision is, and have involved the neighborhood in it. They're very much in approval, so I think it's going to be a good addition to that section of Savannah Highway, as well as having an amenity for the Carolina Bay area. So, I just urge approval."

Mayor Tecklenburg said, "Alright, any further discussions?"

No one else asked to speak.

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

2020-114 - AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON SAVANNAH HIGHWAY (WEST ASHLEY) (APPROXIMATELY 6.68 ACRES) (TMS #307-05-00-015) (COUNCIL DISTRICT 5), BE ZONED GENERAL BUSINESS (GB) CLASSIFICATION. THE PROPERTY IS OWNED BY JOHN MCLEOD BRADHAM ET AL.

Mayor Tecklenburg said, "So, that will bring us to bills up for first reading. I think we have four items up for first reading. If you all want to take these one at a time, we can."

Councilmember Shealy said, "One at a time, please."

Mayor Tecklenburg said, "Alright, so the first one is an ordinance to amend the zoning ordinance for 2421 Ashley River Road. It's proposed to be rezoned from General Business (GB) to Diverse Residential (DR-1F). The property is owned by Homes of Hope and is planned for affordable housing and development."

Councilmember Mitchell said, "Move for approval."

Councilwoman Jackson said, "I'll second."

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

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. A lot of you probably know Ashley River Road at Dogwood Road is where this property's close to. It's probably the worst traffic area we have in the City right now. You probably also know of Grand Oaks and the way Ashley River Road was laid out 200 years ago. There's very little opportunity where and we're very limited on any traffic solutions. A lot of you will remember when we were forming the West Ashley Revitalization Committee, and working through Plan West Ashley, that people in West Ashley came together for meetings, and hundreds of them took surveys. One of the biggest issues we had in West Ashley for this Plan West Ashley was traffic issues. We found, through this process of these surveys and meetings we had, that one of the reasons for the horrible traffic we've got in West Ashley is that 84% of the people who live in West Ashley work outside of West Ashley. They have to drive out of West Ashley to get to work every day every morning. With that information, we were tasked with trying to find ways for people to work, as well as live in West Ashley. Work, live, and play, I think, is what we had said, all in West Ashley.

So, with this property, we're taking a business' property, one of the few places people have worked in this area of West Ashley, and we're going to use this for a residential property now. Like I said, this is one of the very few properties where people weren't adding to the gridlock of our traffic and our horrible congestion that we've got on Ashley River Road. If anything, they were helping because people living in West Ashley were potentially working there, and now we're going to flip this over and make it residential. One of the other things that came out of Plan West Ashley was that people had an interest in bringing the standards to higher levels in our area of West Ashley. But, this ordinance, what it's going to do, is reduce the standards of construction and, to me, that's not revitalization. The property owner certainly has a right to build on this property, but I don't think we should lower our standards in West Ashley. I think it goes against

what our citizens stood for. They spent so much time helping us plan and coming to meetings to help us Plan West Ashley. So, I'm going to vote against this ordinance, and I'm going to ask my colleagues from Council to support me in my district. Thank you."

Mayor Tecklenburg said, "Thank you, Councilmember Shealy."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Mr. Mayor, I was hoping we could call on Ms. Shaw Johnson to give some background. I apologize to Councilmember Shealy. It really sounds like you have not been briefed thoroughly about the intent for this property. Yes, it is in the hands of a residential developer, a non-profit, who's going to do a really first-class, workforce housing, permanent, it'll be a community land trust venture. So, the land will be held in trust for being able to subsidize the cost of these homes for 99 years with a renewable 99 year land lease. But, I would like Ms. Johnson if she has something."

Mayor Tecklenburg said, "I'm fine with that. Ms. Johnson, would you like to chime in?"

Ms. Shaw Johnson said, "Absolutely, Mayor and Council. Thank you, Councilwoman Jackson, for the opportunity. I did contact Councilmember Shealy a couple of weeks ago regarding this site. So, yes, this is a site that was purchased by Homes of Hope. They are an affordable housing developer who has done a great deal of excellent styled housing in the upstate of South Carolina. This is one of the first developments that they are engaging in on the Peninsula, or in the City of Charleston, in the West Ashley community. The City of Charleston, through the Charleston Redevelopment Corporation, in fact, lent this developer \$1.3 million in a deferred, forgivable grant to help acquire this property. It was formally owned, a portion of it was owned by the Presbytere, where they had their offices for some time, and then the other portion that we accessed from the Dogwood side was just a vacant piece of land left undeveloped. As Councilmember Shealy indicated, this is General Business, so under this current zoning, they have the right to build exactly what they're forecasting to do, 75 townhomes that will be sold to first-time homebuyers.

The Palmetto Community Land Trust, which is a program of the CRC, is engaged in this process. They will own the land at the end of the construction, whereby these units will remain affordable for perpetuity. Under GB, as we all know, they can build a much larger number of units than what is being proposed, but this is the number that this developer is preparing to build. The goal in changing the zoning from GB to the Diverse Residential allows them to build to residential standards, not lesser standards, but residential standards versus commercial standards, which literally saves them about 20% for each one of those units. Now, if they don't get it, they can build GB, which simply means the units will be at a higher cost to that end buyer, but ultimately they will still move forward with getting it done because the need is great. This is what they're in the business of doing and, from all accounts in the information that we've received and been engaged in, know that this organization does a good job. They are working internally with TRC, our traffic folks, to build these houses, and literally following the letter with regard to that. That's the reason that they are seeking this particular zoning to reduce the overall cost, which ultimately reduces the cost to those end buyers. Thank you."

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

Mayor Tecklenburg recognized Councilmember Waring, followed by Councilmember Shahid.

Councilmember Waring said, "Obviously, this is a difficult one. Councilman Shealy is right about the traffic up in there, and Ms. Shaw Johnson is right that, with the zoning being GB, they could actually build more units than they currently request in the bill. The issue is really traffic, not so much, I mean Councilman Shealy can speak for himself, but I think he has a realization that something's going to go there. But, I think we need additional engagement, realizing it's going to be developed either under GB and unaffordable housing, if you will, or we grant this change, and we get the affordable housing development, but development's going to go there. What I'd like to do, and I would hope the City and all of us can engage with Councilman Shealy and, hopefully, our State Representative down there who is Lin Bennett right now. That area, from talking to Mr. Keith Benjamin, is currently rated an 'E' from a traffic standpoint, 'F' being the worst, 'A' being the best. There may be a way to get a turn lane in there, but it's going to have to have a lot of momentum behind it. It's going to have to have more than Councilman Shealy fighting for that because it's a State road. The politics on doing that, as we looked at it, there's not a lot of grand oak trees that will prevent a left-turn, maybe a center lane coming in there that would help, in particular, with rush-hour traffic headed home. A center lane would help. But, that's going to take work over time, and I'll be willing to be engaged in that.

Mr. Mayor, I don't know if you've had a chance to have that discussion with Councilman Shealy. This is just a conversation we had yesterday evening, probably around 8:00, conference call with Councilman Shealy and Mr. Benjamin. But, I know right now, it probably looks a little weak that we'll be able to get that turn lane, but if we don't ask, if we don't fight for it, we definitely won't get it, and then the property would be developed anyway. So, on this one, Mr. Shealy, I have to vote in favor of affordable housing, but we'll continue to work for a turn lane up in there that would help all concerns for the traffic situation that's already rated an 'E.' We just need to be engaged more. The Councilman doesn't need to be fighting that one by himself. We need to work on that, collectively, with our delegation as we go to Columbia to try to get that needed traffic change. But, the housing change, I'm going to have to vote for that."

Mayor Tecklenburg said, "Thank you, Councilmember. I'm glad to help in any way on that."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes. Thank you, Mr. Mayor. First, a question for Geona, and then a few comments. This organization, Homes of Hope, they sound familiar. Were they the ones who were trying to take over the Orleans Road area, that housing complex over there, to rehabilitate that?"

Ms. Shaw Johnson said, "No, sir. That's Atlantic Housing Foundation, a different organization."

Councilmember Shahid said, "Okay, it just sounded familiar. I wasn't sure if that was the same group or not. Thank you, ma'am. So, Councilmember Shealy is absolutely correct, by the way, folks, in the Plan West Ashley, he's telling you the right numbers. The number of people who live in West Ashley who travel into the City or elsewhere is right around 84%. That's why it was so exciting that the Medical University opened up its ambulatory surgery at Citadel Mall. The number of cars taken off the road just has a tremendous impact because of that surgery center being located there. The number of patients, doctors, nurses, medical support staff over there, has a huge impact, and it fits right into, what he said, live, work, and play in West Ashley. For

those of us who have the unfortunate mishap of getting caught in that traffic, either in the morning or late afternoon, on Hwy. 61, we know the frustration of his constituents who are traveling over there. But, we've been talking about affordable housing all night, and I'm with Councilmember Waring on this. This is a tough call because we are so compelled about affordable housing and, otherwise, I think I would support Councilmember Shealy on this because I feel for him, and I feel for his constituents on this. He's doing the right thing bringing this to our attention. We've got to do a better job of taking care of alleviating traffic on that. So, it's with a heavy heart, Councilmember Shealy, I can't support you on this one. If it wasn't for affordable housing, it would be a whole lot easier for us to raise more of a fuss on this one. But, we've got to address that. So, thank you for bringing that to our attention, and we've got to follow up on what Councilmember Waring's talked about with some easy alternatives, I think, to address and alleviate some of these traffic issues. Thank you."

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

The Clerk said, "Councilmember Gregorie, is your hand up?"

Councilmember Gregorie said, "Yes, Mr. Mayor."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Gregorie said, "This one's a little different for me, in terms of affordability because it's not affordability that will eventually go away. This is affordability that will be here for a long time. I wish we could put a dollar value on that because I think it's considerable when we can get that many units to be affordable for 90 years, as long as the life of the project. So, with that, I'm going to have to support it also because this is a rare opportunity."

Mayor Tecklenburg said, "Would anybody else like to be heard? Councilmember Shealy, we'll come back to you."

Councilmember Shealy said, "Thank you. I just want to tell you thank you for all your comments. I appreciate it. As Councilman Waring said, on an A-F scale on the traffic study, it's an 'E.' Without us doing anything on this, regardless of what we did on this, that traffic is going to become an 'F,' more than likely, because there's so much booming up 61 towards Summerville now up past the gardens. All of those people are going to be traveling to come in, or a lot of them. A large percentage will be traveling right down our road. I know we've got Glenn McConnell widening, but traffic is a horrible, horrible issue in that area. I appreciate the support, and I appreciate what Councilman Waring said about trying to get some help in that area for the traffic. So, thank you."

Mayor Tecklenburg said, "Thank you, Councilmember Shealy. I'm happy to circle up with you and Keith Benjamin on this, as well."

Councilmember Griffin said, "Mr. Mayor, I'm going to join Councilmember Shealy in voting against this. I know this is going to pass, but I think that if he and I both show why we voted 'no,' that it's because we're very, very concerned about this traffic. Hopefully, it will continue to be put to the forefront. I'm not necessarily criticizing our Traffic and Transportation Department. I think they do a fantastic job, but we still need the South Carolina Department of Transportation to work with us on Hwy. 61, because it is a hazard. It's dangerous, and it's only going to get worse before it gets better. Every house that we put near Hwy. 61 creates an overabundance of traffic. I'm going to stand with you, Councilmember Shealy, because we can't have affordable housing if we

don't have some traffic relief over there. If we can get some traffic relief over there, there could be a lot more opportunities for affordable housing."

Mayor Tecklenburg said, "Thank you, sir. Anyone else?"

No one else asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2421 Ashley River Road (West Ashley) (approximately 8.04 acres) (TMS #355-16-00-025, 026 & 027) (Council District 2), be rezoned from General Business (GB) classification to Diverse Residential (DR-1F) classification. The property is owned by Homes of Hope, Inc.

The vote was not unanimous. Councilmembers Shealy, Griffin, and Brady voted nay.

Councilmember Waring said, "Mr. Mayor, before we leave that one, can we certainly carve out an action step? I know we talked about trying to approach the State about a turn lane in there, but if we can follow up with an action step on that because that's, potentially, what's needed there."

Mayor Tecklenburg said, "Alright. Keith Benjamin, do you want to provide one for us?"

Councilmember Waring said, "I mean, after the meeting, I just didn't want to end that good conversation. We can ask for it, and see what they say."

Mr. Benjamin said, "Mr. Mayor, there is work that SCDOT is moving forward on with the traffic response system for both 61 and Glenn McConnell. We know that a conversation about widening on 61 would be a very resisted proposal by the community and even for myself in thinking about the context of that area. But, being able to bring new technology to the signal system in that area that currently doesn't exist, that can dictate peak hour, responding to the traffic there does bring some improvement and, obviously, the widening on Glenn McConnell, as well. But, I'm happy to have any and all discussions and be a good liaison with SCDOT as needed."

Councilmember Waring said, "Thank you, Mr. Benjamin."

Mayor Tecklenburg said, "Okay. The second item up for first reading, let's take two and three together because they're related to the address at 2 Race Street. One is to rezone from General Business to MU-1, and the other is to rezone from 2.5 Story Old Height District to 3."

Councilmember Waring said, "Move for approval, Mr. Mayor."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "Okay. This is for items two and three. We have a motion to approve. Any discussion?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Gregorie, 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 2 Race Street (Peninsula) (approximately 0.46 acre) (TMS #460-04-01-103) (Council District 3), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The property is owned by Charleston Local Development Corporation.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2 Race Street (Peninsula) (approximately 0.46 acre) (TMS #460-04-01-103) (Council District 3), be rezoned from 2.5 Story Old City Height District Classification to 3 Story Old City Height District classification. The property is owned by Charleston Local Development Corporation.

Mayor Tecklenburg said, "Then, lastly, we have an ordinance to amend, to set forth hitching requirements for carriage animals. This simple measure came up due to an incident about a month or six weeks ago, whereby a horse was unhitched, I would say, improperly according to this requirement. That led to the horse running loose with the carriage half-attached to him. So, it was specifically designed for this one safety protocol. Do I hear a motion to approve?"

Councilmember Shahid said, "So moved."

Councilmember Brady said, "Second."

Mayor Tecklenburg said, "Dan Riccio is on the line if we need him to explain further. I don't know that it's really that complicated. Dan, do you want to add any background to it?"

Mr. Riccio said, "Yes, sir. Just as a recommendation from our investigation, we felt it very necessary to implement these procedures. We've had overwhelming support from both the industry and the animal society with this ordinance, so we feel very confident that it is the right thing to do moving forward and an added safety measure to, obviously, reduce the risk of injuring an animal or, ultimately, a death of an animal as a result of hitching or unhitching that carriage from the animal during that process."

Councilmember Seekings said, "Mayor."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you. Just very briefly, I'm going to vote for this, for first reading after talking with Mr. Riccio at some length today and about this just generally, with the assurances from him that, so long as we're talking about safety, and that's the topic of conversation that's out there now that there will be, if anyone has any other ideas about safety, that there's a clearing house for that to be discussed and considered. That is the Tourism Commission. I know there are some people, when this came up, that had some other input and ideas about some things. I am not an expert, don't profess to be, but I think there should be an open conversation about this. To the extent that there is a single fix for the malady that was out there, great. If there's some other things out there, too, but I do think we should at least put it all out there in public. So, with the assurances from Mr. Riccio that that will happen going forward, I'm going to vote in favor of this, and I would encourage my fellow Councilmembers to channel

anything through Mr. Riccio and his office, to the extent there's any questions about these public safety issues in and around the industry. Thank you."

Mayor Tecklenburg said, "Thank you, Councilmember Seekings. I think we all concur. We always stand behind you with our ears open to improve safety for our citizens and for our horses."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. I would just like to echo what Councilmember Seekings said. I think the conversation over safety and reasonableness regarding the horse carriage industry, and really any industry we have in the City, is an ongoing conversation. We always want to get better and improve in every way that we can. I would just encourage these additional proposals to go before the Tourism Commission, get vetted, and who knows? Maybe there will be an opportunity to add some additional, common-sense, no brainers to this hitching ordinance on second reading if this work can be accomplished expeditiously. So, I would fully encourage that process to get underway for a Tourism Commission meeting to be held and for this process to continue to improve for the betterment of everybody. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I just want to second what Councilmen Seekings and Appel had to say on that one. I'm interested to see what the people in the industry have to say, as well, because, obviously, they don't want their horses getting hurt. So, I'm a country boy, and we had horses, so this hitching thing I just need to find more information about. But, I'll vote for it on the first time around."

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Mitchell.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I definitely associate myself with Councilmember's Appel, Seekings, and Waring. I do feel like this is the right thing to do, amend our ordinance with these particular improvements to the tragic, terrible situation that we all read about and have heard about from constituents and advocates from, really, around the country, I'm sure. But, I do feel like Councilmember Appel is onto something, in terms of asking the Tourism Commission to especially review the ordinance that has now been circulated to all of us in the last couple of weeks, that's coming from a pretty broad-based segment of our downtown community and our Historic Preservation Community. I do feel like that, in itself, is worthy of asking the Commission to study it as a holistic document. Should we be adopting a new ordinance, or should we incorporate a lot of what's in that ordinance? I'm no expert, but I do feel like, with that kind of cooperative effort from people who are being thoughtful, that we should give them the respect of studying it and considering a change or an inclusion."

Mayor Tecklenburg said, "Absolutely. Anybody else? Oh, I forgot to call on Councilmember Mitchell. I apologize."

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

An ordinance to amend Chapter 29, Article V., Section 29-212 of the City of Charleston Code of Ordinances adding new subsections to Section (b), definitions, and a new section, Section 29-212 (l), setting forth hitching requirements for carriage animals.

Councilmember Mitchell said, "No, I'm going to ask Dan a different question. You can carry that motion."

The Clerk said, "Mayor, he said to carry the motion. He wants to ask a different question."

Mayor Tecklenburg said, "Okay. The motion carries."

Councilmember Mitchell said, "I want to ask Dan a question. I had somebody just call me a few minutes ago and ask me about the masks. If they're asthmatic, and sometimes they have to take the mask on and off, if they get caught in the street when they're pulling it down at the same time, would they need to carry a medical paper around with them or something?"

Mr. Riccio said, "Again, Councilman, every person that we encounter, or every person we encounter will be discretionary. We just had court on Monday. We issued a summons to a young lady, and she brought documentation to court, and it showed that she was asthmatic. The case was dismissed. So, we still have that venue to show that they have a medical condition to exclude them from that ordinance. So, there is a process in place, and it is due process, so I think we're still moving in the right direction."

Councilmember Mitchell said, "Alright. I just wanted to ask and make sure. I can pass that on."

Mayor Tecklenburg said, "Alright. Any other business to come before us tonight? So, you all, congratulations. We've succeeded just having one meeting in August. It ran a little long because we had a lot of stuff on there. This is what one meeting a month looks like. Our next meeting will be September 8th, and we'll be back to two meetings a month in September. So, try to schedule a few days off, a little vacation time, if you can before the summer's over. With no further business before us, we hereby stand adjourned. Thank you, everybody."

There being no further business, City Council adjourned at 9:09 p.m.

Vanessa Turner Maybank
Clerk of Council