

## COUNCIL CHAMBER

Regular Meeting

September 18, 2018 (*rescheduled from September 11, 2018*)

The fifty-ninth meeting of the City Council of Charleston was held this date convening at 5:48 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media September 5, 2018 and appeared in The Post and Courier September 9, 2018 and are made available on the City's website. A notice of the rescheduled meeting was electronically mailed to the news media on September 13, 2018 and made available on the City's website.

### PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

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

Mayor Tecklenburg called the meeting to order at 5:48 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "If you would like to join us, Councilmember Waring, would you please lead us in prayer and the Pledge of Allegiance."

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

Councilmember Waring opened the meeting with an invocation.

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

Mayor Tecklenburg said, "Thank you very much. A short announcement for those who have not been here before. In the very unlikely event that we needed to exit the building, we've got these two exits right here and one exit from the room to my right. Do not use the elevator if we have to evacuate the building, but use the two stairways going down and then the single stairway going out the front from the first floor.

So, first, we have a couple of proclamations. We want to recognize an incredible organization that is celebrating its 40<sup>th</sup> Anniversary. I'd like to ask Carol Linville, the Pet Helpers

founder and Alan Berger, who is their Executive Director, to please join me up here on the dais, and I would like to make this proclamation to you.”

Carol Linville said, “Thank you so much.”

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, “Congratulations!”

There was applause in the Chamber.

Ms. Linville said, “I’m never one to miss an opportunity when I have an audience. It’s been a long walk. Actually, I feel like 100, but some of you in here that have walked, and made change in the world understand that. We have a lot more to do, and when you talk about how blessed we are, by the way, today or from this past week, we are reaching out to help others Upstate and in North Carolina because we have thousands of animals in trouble. Those are the humans that go with them because many risked their lives to save their animals. So, we are continuing to do our work, not only in the Lowcountry, but here in Charleston. We are so proud to be the only shelter in the City of Charleston, Mr. Mayor. I do want to mention, we have a 40<sup>th</sup> Anniversary Fur Ball Gala at the Francis Marion Hotel, November 10<sup>th</sup>, 6:30 p.m. It’s going to be an awesome event. I invite everyone here. Tickets are \$300 a couple, but it’s music, entertainment, dancing, open bar, a lot of other things to raise over \$150,000 for Pet Helpers. We’re inviting Mayor Tecklenburg to come play the piano, and I’ve got him on the spot now, so while I have this opportunity, Mayor, November 10<sup>th</sup>.”

Mayor Tecklenburg said, “I’ll check the calendar.”

Ms. Linville said, “No pressure. Thank you so very much, and come visit us. We’re open seven days a week on James Island.”

Mayor Tecklenburg said, “You all want to have a picture together real quick?”

Ms. Linville said, “Yes, I’d love one.”

Alan Berger said, “Sure.”

Mayor Tecklenburg said, “Thank you.”

Ms. Linville said, “Thank you, and spay and neuter your pets.”

Mayor Tecklenburg said, “Next, we have a proclamation recognizing a remarkable woman, Lynz Piper-Loomis. She is the 2018 Elizabeth Dole Caregiver Fellow. I would like to invite Lynz and her husband, Jeremy, and her children Whitney and Cheyenne to join me. Please come forward.”

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, “Let’s give her a round of applause.”

There was applause in the Chamber.

Mayor Tecklenburg said, "Would you like to say a few words to us, Lynz?"

Lynz Piper-Loomis said, "I just want to say that this City is incredible, a huge support for our military and veterans. I couldn't be more honored or privileged to represent Charleston and South Carolina. So, thank you to you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Congratulations and thanks for being with us. Next, I want to take a general opportunity to thank the many people and organizations who offered their support and were instrumental in the City's Hurricane Florence preparation over the last couple of weeks. It's really been a remarkable effort by our staff and by so many community partners. It was all hands on deck.

While Charleston was fortunately spared that direct hit, there were countless people, groups, and organizations that answered the call and lent their support, that we would be prepared for whatever came our way. Many are here tonight to be recognized and thanked for their tremendous support in person. Some were unable to attend, as their focus has now shifted to helping our neighbors in North Carolina recover from a much harder hit. We plan to follow tonight's recognition with a formal Resolution, in the next few weeks, thanking those who stood by our City and helped us prepare for what could have been worse. So, I'm going to call out some names and organizations, and I'm going to apologize in advance if someone is here, but I haven't gotten your name. Maybe I'll ask you to just identify yourself, but I'm going to start with the National Guard. We have representatives here I believe, Lieutenant Colonel Snow and Sergeant Major Guess. I'm going to ask everybody to wait for any applause, just remain standing, and do you have some other folks with you?"

Lieutenant Colonel Snow said, "Yes. Sergeant McCullough."

Mayor Tecklenburg said, "Welcome, that's the National Guard. Captain Jason Burns with the Salvation Army. Welcome, and thank you for those delightful meals you supplied our City staff down at the MEOC over the last week. We really appreciate it. Amanda Baldwin and Brittany Rubin with the Red Cross. The Red Cross, once again, did a terrific job in our Tri-county region and throughout the affected area running shelters. Councilmember Seekings with CARTA, please stand. Oscar Douglas with the Charleston County School District. Thank you for being with us tonight, Oscar. Jana Swenson, who is our interpreter for those that needed a little help with interpretation. She was there for all of the press conferences we gave. Doug Warner and the folks at the Convention Visitor's Bureau. They helped in many ways, including helping us identify and provide some lodging for our Public Service Parks and Recreation employees who were positioned and ready to help. Stacy Denaux is with us tonight from One80 Place, and that's a whole story in itself. When folks came back to the City after the Red Cross closed their shelters, somehow we got a lot more back than we sent up, so to speak. Stacy and One80 Place and Marie Elena really stepped up to the occasion. Marie Elena, you're next on my list. We've already introduced her earlier with Military Community Connections. Francis Hylton with Blue Cross/Blue Shield offered free Telehealth visits to their members. Thank you so much for that and, in a similar fashion, Shawn Valenta, with MUSC, is the Administrator of their Telehealth. They offered free Telehealth visits to their members and to folks that were in the Red Cross shelters, correct?"

Shawn Valenta said, "Yes."

Mayor Tecklenburg continued, "Tony Carter and Matt Paulus with Sanders Brothers Construction. Are you all with us? Thank you for being with us. They helped to provide the pumps and the storm drain cleaning ahead of the storm, so we had those positioned in places. Unable to attend, but involved with these preparations, included Fred Warner, Joseph Hatton, Matthew Floyd, Anthony Shumpert, Michelle Herndon, Tony Coleman, Gavin Fletcher, Louis Howell, Curt Becht. Those are all folks with Sanders Brothers, correct?"

Someone said, "Yes, sir."

Mayor Tecklenburg said, "Wow! What a team! Murray Sand, Arthur DeHay and Erwin Huseman, are you all with us? Thank you for being with us. It was over the weekend that we first came up with, 'Oh, we need some sand'. They really responded, off hours, to the call and did whatever we needed to do to bring some sand in to help our citizens have those available. Kelli Barnhart and Matt Holley with Hampton Inn, Daniel Island, where are you all? Are you all here? Well, we'll thank them. Kristi Tolley with Citadel Mall, they offered their facilities as a staging area, in case we needed high ground West Ashley. Tyler Stott with Planet Fitness, are you here? Thank you for providing showers for our Charleston Police Officers who were working during the storm. Now, who have I missed? Please stand up and identify yourself, if you are here."

A gentleman said, "Sheriff's Office, Charleston County."

Mayor Tecklenburg said, "Charleston County is here, the Sheriff's Department."

The Clerk said, "They were the first here."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Yes."

Chief Deputy Willis Beatty said, "I'm Chief Deputy Willis Beatty."

Major Cavin Harley said, "And Major Cavin Harley."

Mayor Tecklenburg said, "They, among others over the weekend and over the hurricane, were willing to open up the warming shelter for us when we needed that this past Saturday night. Unable to attend, but should still be recognized, Kevin Leshowitz with Call 2 Haul Trucking. They donated four loads of sand at Sumar Street. They are unable to attend because they already have their trucks up in North Carolina helping people up there. B & C Land Development Company also helped provide some of the pumps that we prepositioned in places around the City. Dorean Petersen and Megan Jakes with Chick-fil-a West Ashley gave 100 sandwiches to our first responders and evacuees. The owner, Megan, coordinated the effort. She is unable to be with us because she just had a baby, so congratulations to Megan. So, can we all give just a huge round of applause for all of these partners?"

There was a standing ovation in the Chamber.

Mayor Tecklenburg said, "I would be remiss if I didn't also, and I'll separately mention the incredible, incredible team work and work of our City of Charleston staff."

There was a standing ovation in the Chamber.

Mayor Tecklenburg continued, "So, Shannon Scaff is our new Emergency Director. Where is Shannon? Are you here this evening? He's over here. Boy, brand new on the job, he passed the audition."

There was laughter in the Chamber.

Mayor Tecklenburg continued, "City staff mentioned that he passed the audition and then both of our Chiefs, Chief Reynolds and Chief Curia both, of course in our Incident Command System, served as Incident Commanders. I don't see the Chiefs here tonight. Oh, Chief Curia is back there, I think. Chief Reynolds has a Police Advisory Committee meeting. So, it was kind of interesting that three of our key leaders are all brand new to the City, but I tell you, they did a remarkable job. The teamwork of all of the departments, and I want to share with everyone that a lot of times, when an emergency comes along, you do think primarily of our Police and Fire Department. They did an incredible job. I mean they really did, but sometimes lost in the shuffle are those other City employees, the folks that trim trees and work in Parks, our Stormwater drivers, our Heavy Equipment drivers, and folks like that. They really are there when we call them, and they're on duty, on call. Their morale was great. The preparations, the work was incredible, and they were ready for whatever came, they really were. So, if I may ask, one more time, let's give our City employees a round of applause, they did a great job."

There was applause in the Chamber.

Mayor Tecklenburg continued, "The last thing I'll mention about the storm is that today area Lowcountry Mayors, along with myself, announced a partnership with the Coastal Community Foundation for our community to be able to raise some local dollars to help those who were really impacted by the storm in other parts of South Carolina and in North Carolina. So, you can go to [coastalcommunityfund.org](http://coastalcommunityfund.org), and there is a link there to be able to give to storm relief, Florence relief. 100 percent of all of the donations will go directly to storm relief, and the Coastal Community Foundation will be working with similar foundations, both in the Myrtle Beach area and in North Carolina to make sure the funds go where they are most needed. Then, in addition to that, our City has been in touch with the City of Wilmington, among others, and there is a little formal process going on of a request for specific help. We do plan, as a City, to send resources, both people and materials, to help with the recovery effort in Wilmington. I've been in touch with Mayors in other cities, including New Bern, North Carolina, Myrtle Beach, and Georgetown to assist them as well. Anyway, we're definitely working to pay it forward. Next, is our Public Hearings and we have none, so we'll have some of those next week. We have our approval of City Council minutes from August 21, 2018."

Councilmember Mitchell said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "I've got a motion to approve and a second. Are there any deletions or additions?"

On a motion of Councilmember Mitchell, seconded by Councilmember Shealy, City Council voted unanimously to approve the minutes of the August 21, 2018 City Council meeting.

Mayor Tecklenburg said, "Next, is our Citizens Participation Period. Did we have a sign-up sheet, Jennifer? So, we have four folks that have signed up. I would ask that you keep your remarks to two minutes, since there are just a few here. I'll call them out. Mohammed Idris is first. Mohammed. Marc Knapp is on deck."

1. Mohammed Idris thanked Councilmember Seekings for verifying something he said 12 years ago that money talked, and everything else walked. He had a seizure the other day and blacked out. He ended up in the bar at Charleston Place and he came out with the price list of beer, wine, and whiskey. They knew that alcohol destroyed a great deal of people in the City and around the world. He would be working on that now. He thanked Councilmember White for recognizing that he came to all City Council meetings, even when the Councilmembers weren't there sometimes.
2. Marc Knapp said he told everyone that Hurricane Florence wasn't coming to Charleston, as he didn't have the Hurricane Hugo feeling, but everyone thought their weathermen got paid six figures, so they could be wrong 90 percent of the time. He said he was bothered that there were two investigations, one by the FBI and SLED, but he hoped that everyone knew about it. Also, he had talked to a man who owned a church on Bees Ferry who was concerned the City wasn't moving in the right direction solving the problem of flooding. The City kept throwing money at engineers, but he already had two plans that would probably solve the problems. He also had a serious problem with the Police Department. A young lady, a 22-year veteran, was fired because she told someone he needed to go get an attorney. He thought the Public Safety staff needed to look at it.
3. Keith Anderson, Flood Defense Group, said they had stockpiles of flood defense barriers all over America which included a huge stockpile in the City. He protected 12 homes in the City during Hurricane Florence, as well as a number of homes outside of Charleston, North Carolina, and Virginia. He had projects all over the path of the hurricane and the theme he found, particularly in the City, was their homes were investments, and the homeowners were extremely scared. They were flooding over and over, their home values were going down, and they were losing their investment. They did not want to wait years to get a solution to combat flooding. He said he wrote-up multiple flood defense options for the City. As a provider of flood barriers, he had the ability to raise all 6.2 miles of the Battery in one or two days with a temporary flood defense barrier that was removable and 100 percent reusable roughly at a cost of \$3.1 million, plus the support of a water truck from the City.
4. Susan Lyons of Groundswell said she echoed what Keith Anderson said. It had been a horrible week in the City but nothing compared to what was going on 200 miles north. Her concern was that nothing had changed in the City since last year that would have protected families who lived here and the homes they were trying to save. A lot of people were scared to death that the kind of storm that hit North Carolina almost hit the City. Had that happened, all of the good work of the people they mentioned would have been for naught because they would have been drowning. They needed an interim protection plan for the City to protect the people who lived there until they got the permanent infrastructure that would make the City safe. She beseeched the Council and the Mayor to start working on it now in the middle of the season, so that they do not face another season terrified. They did not have the protection that they felt they deserved, and it was hard for a lot of them to understand why that was not happening.

Mayor Tecklenburg said, "Thank you, ma'am. I understand we're going to defer our presentation for the Forest Acres Drainage Improvement Award until next week."

The Clerk said, "For the week after next. One of the speakers is ill."

Mayor Tecklenburg said, "Okay. Maybe the next two meetings. We're deferring that, regardless. So, Jacob Lindsey, are you prepared to make a little report on the Short Term Rentals Ordinance?"

Jacob Lindsey said, "Yes, sir. Thank you, Mr. Mayor. So, this is our report to Council in regards to short term rentals and the requested variances from the short term rental process that we heard from City Councilmembers some time ago. First of all, I'm going to give a brief recap and talk about the folks who have worked on this, about where we are, and then, what we recommend. The first thing is that we received requests from a number of Councilmembers for variances or considerations for different types of STRs that aren't allowed in the current ordinance, and we heard you. I just want to let you know we have looked into them. We heard about requests for short term rentals to operate on places like King Street, Upper and Lower, on Savannah Highway, folks on James Island, and even folks downtown, who want to be able to operate a short term rental, but aren't allowed to by the current ordinance. So, we heard those requests. We heard requests for parking to be accommodated, parking decks, and many other things and we've looked into all of those.

Now, first of all, I want to talk a little bit about all of the folks who are working on this, and the Planning Department, of course, helped to create the ordinances. We are sort of shepherding the many staff who are working on this as we go through the process, but this is also being done with tremendous input from, of course, Livability and Dan Riccio, as well as Legal. Chip McQueeney and Stirling Halversen have done a lot of work on this and also the Departments of Building Inspections, Fire, IT, Process Improvement, and BFRC, all of whom are meeting weekly. We have a major weekly meeting of everybody to roll this thing out. The new ordinance has been launched and we have just begun the process. It's working, and we're off to a pretty good start. There are two sorts of reports back from this. The first is for Zoning, from my department, and the second is Livability, from Dan's (Riccio) department. The first thing from our standpoint, just to give some numbers to you all, in terms of what we've done so far, there were already existing 181 legally entitled short term rentals in the City before we came through with a new system. They were either B&Bs or Commercial STRs, and there were 54 B&B units and 127 existing Commercial STR units. We've gone through all of those, and we've certified that they're existing. They're from the old system and they're grandfathered in. We've contacted all of those folks and let them know that.

We've received 102 applications for the new ordinance for new short term rentals under this new system. The staff have been working through these, and it takes a couple of months in order for this to happen. Now, it's the first time through. We think we can get that permit time down so this is our first time doing it, of course, new forms, new computer system, and all of that. So far, of those, nine have been denied. They weren't eligible for one reason or another. Three of them have been fully issued, totally operational, and three of them are pending, meaning the owners just need to come in and pay their final fee and get the BLCO, their Business License and Certificate of Occupancy. Now, in general, it's about a two-month time to approval. Not bad, but we know we can improve that. So, that's what we've seen from the zoning standpoint, and from then, we have some really great numbers. They've got their software up and running, which is their enforcement software. They're doing a phenomenal job with their additional staff that you all approved. Dan sends you his 'thanks' for approving those additional staff, by the way, because he put them to work. The software that they are using, in addition to staff, has identified 1,669 short term rental listings. That's what we see online."

Councilmember Seekings said, "How many listings?"

Mr. Lindsey said, "1,669. Of those, 1,297 are under review for validation. They're in the queue, staff sees them, and they are validating. They're working through them. We have confirmed 353 properties, meaning they have taken the software, and they've matched it with an address, and they know it's real and it's out there. Of those, 58 are compliant, meaning that they are approved and permitted. They're okay within the City system. They're good to go, 185 of those are not compliant. Of those, 87 letters have been sent out. Of those, 13 summons have been issued, and they will appear in Livability Court in October. Forty listings, so far, have been removed. They have been removed off of the online sites. The owners have said, 'Okay, we're going to take down our listing. We're going to comply. We're not going to operate for now'. During that same period of time, we received 18 complaints from neighbors, all of which have been logged. So, we're just really beginning the process of intaking and enforcing, but it's working, and we're off to a really great start.

With that said, what we would like to ask of you is for you to consider giving all of the staff a little more time to continue to roll this process out. What that's going to give us is more quantitative data, more numbers, but also more qualitative data because we are interacting with these folks. Some of them will come before the Board of Zoning Appeals. They talk to us, and they talk to staff. We will understand their needs, their situation, in addition to having more data to work with. We would recommend that we wait to make any modifications to the ordinance, if you would bear with us, as we roll this system out that seems to be working well so far, and gain more information and more understanding. We can brief you so that you also share that understanding when we have the additional information. Now with that said, if you do seek to do things right now to the ordinance, we do think, after much discussion among Legal and my staff and all of the folks involved, there are two routes we think can work. One is to create a floating zone where you could actually create a zone that could be applied to a property, not unlike our Accommodations Overlay Zone, which would enable short term rentals, and that would be a rezone. That would go through Planning Commission and to you, as well. So, that's one way to do this, and another way to enable the things that you all have requested is simply to modify the ordinance. The reason that you have requested variances from it is because the ordinance doesn't allow these things to happen. The other thing that can be done is you can modify it, but the staff's recommendation is not to do that at this time. We would like to continue to work and gather more data. So, with that said, the system is working. We are working on bringing people in, and we are working on enforcement for those that we have received complaints about. With that said, I'm here, I can answer as many questions as possible. I also have Legal and Livability. Short term rentals, as you all know, is among the most, if not the most, complex issue that we are facing in our Planning Department in general, but we're happy that this thing is off to a good start so far."

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmembers Wagner, Mitchell, and Councilwoman Jackson.

Councilmember Shealy said, "Thank you. Of the 87 letters that have gone out, are they in certain areas? Are they spread out all over? Where are those properties?"

Mr. Lindsey said, "This is the point when Mr. Riccio is going to have to come to the microphone to answer that question for you."

Dan Riccio said, "What we're finding and what Jacob was explaining, the software is going through this data for us and the online advertisements, and they're validating. From validation, it comes to us. Once it's validated that they are illegally operating, our first line of approach is issuing a warning letter throughout the entire City. It's not focused downtown, West Ashley. It's all over. We are finding more so that most people want to comply. Today, we had

several more that dropped their listing. An interesting note is July 10<sup>th</sup> was the first day that the applications were being received by Zoning. July 9<sup>th</sup> we already had data input with our company, our contractor, and 150 people dropped their listings right away. So, we're going to have this kind of balance of people that want to do the right thing and the people that want to just get away with it. So, so far, my guys have really been working hard. They're interacting with the public that aren't so happy, but we're dealing with that. We are seeing that most want to come into compliance. The other good thing about having this software, Charleston County has it as well, so we're able to communicate with them. We have a lot of people with six percent properties that aren't living there, that are rated at four percent, so they're getting away with not paying their proper property taxes. We're identifying those individuals and sending that information to the County, as well. So, it's really strengthened our communication with the County. We're able to give them information to, in turn, have the individual with the property tax records up to date. So, it's going well. It's all over the board, Daniel Island, James Island, Johns Island, West Ashley, Downtown, so it's going quite well."

Councilmember Wagner said, "I appreciated all of those numbers, but it would be helpful if you would give them to us where we could read them. I can't remember that much. That's the first thing. The second part of it is, 'We're working on it, but we need you to do something to the ordinance'. What, and how long is it going to take? That's the next question I would ask of Jacob, and just give us what you just told us. That way we could digest it, and I'm ready to go next week. We're going to be back here, and just give me something specific, and I can live with it, specifically what you want us to do."

Mayor Tecklenburg said, "I think he's requesting that you give him a little more time to experience the new system and the kinds of requests that are coming in. If only I could qualify by having this in place or that they're asking for a little more time."

Councilmember Wagner said, "Yes, but are we looking at 30 days, 60 days, two years? That's kind of what I'm looking for."

Mr. Lindsey said, "When we rolled this ordinance out, I think that we collectively said we would do this thing for nine months and do a formal report back. It's been about two months now working under this system, and we have effectively certified six properties. So, with that said, I think we need enough case studies to be able to say we understand how this works, Outer West Ashley, Inner West Ashley, James Island, Johns Island, Upper Downtown, Lower Downtown, and Daniel Island. I want to be able, as your Planning Director, to tell you that we understand the conditions around short term rentals in each of those different areas of the City because, each one is radically different. They have different parking needs, the houses are different in parts of the City, they're spaced apart differently. I can't tell you that I fully understand how that works right now, so I would like enough data to be able to tell you this is what we see in the different parts of the City. With that said, at that pace, we need a few more months in order for me to be able to advise you, realistically, about how this thing is behaving and how it's working. I honestly don't know the effect of the new system on the different parts of the City until we get some more information back and until we talk to more of the people who want to operate. We're not inflexible or closed off to the idea of modifying the ordinance. With the Task Force and even with our own staff, we've always said there are things that we can do to modify this as it goes forward that could improve it. We've always been open to that, but we intentionally drafted it tight in order to be able to test it then. Then, we can open it up later, because once you give away property rights that ride with the property, you can't get them back. Getting the genie back in the bottle with short term rentals is going to be very, very hard. So, I would like a few more months. I'm reluctant to put an exact date on that and, in fact, maybe

Dan or Legal could help to inform that, too, but we need at least a couple more before I can realistically tell you how this thing is behaving.”

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, “My comment is a little different, I think Jacob knows where I’m coming from with this. I think you know where I’m coming from. It’s on the King Street Corridor, and I have mentioned it before, any apartments over a store, a business, are not going to take away housing stock. People with a family are not going to live on top of a bar or a store along the King Street Corridor. That’s the only thing I was going to talk about, not any housing in the community, not in the residential area. I was only speaking about the apartments over a store on the King Street Corridor, just along King Street, and as long as they meet the parking requirements. That’s what I advised Jacob about. Then, if they have to modify it, we’ll modify it and include that in there because this is what I’ve wanted to see for a long time. We’ve been talking about this for a long time, to modify and include those stores. They will be six percent because they are over a store and yet, on the King Street Corridor, you’ll find out you don’t have that many of them to deal with. So, that’s what I want to include in the short term rentals. That’s what I mentioned before when we talked about it, I would like to be able to modify that and include that in this ordinance.”

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Lewis.

Councilwoman Jackson said, “Yes, I was curious about, the first number I think that you gave us, Mr. Lindsey, of the ones that had come in to apply to be made eligible. That number was like a little over a 100, and you’ve done maybe six or seven of those, so what’s happening to the other 80? How fast do you think you will be able to do them, the honor of processing?”

Mr. Lindsey said, “It seems to be taking about two months right now. During that time, some of the certifying departments have been under an extraordinary workload, and we think that’s going to come off a little bit as we go into the fall. So, we may be able to shorten the time that it takes to get through the approval process down to a month and a half, or even less, which is relatively low for obtaining a permit of any type, but that means a review by Building Inspections, Fire. They have to go through, well, first of all, Zoning, of course, then Building Inspections and Fire, and they have to submit a site plan so that we understand they can park a car there, and people can get out in the event of a fire. All the reviews of those plans take a little bit of time. With that said, we received 102. We’ve worked through a total of 15 of those, and if we can speed it up, staff is getting better at this, hopefully we can get through a few 100 before the end of the year and really understand the thing a little bit better.”

Councilwoman Jackson said, “So, are those people getting your feedback along the way? It’s one thing to turn in an application and then just sort of it have it go into a quiet zone. So, what are you doing to encourage the people?”

Mr. Lindsey said, “We do not refund fees. If someone comes in, and they give us an application that ultimately is denied, their fee is not refunded to them. With that said though, there are, and I’m not the expert in fees, multiple types of fees for an application and for this one, as well. I think there are three different types.”

Councilwoman Jackson said, “I’m sorry, I said feedback. So, are you in communication with the people as you’re processing their applications, so they know that at least they’re making progress through your process?”

Mr. Lindsey said, "Yes, my zoning staff are in communication with the applicants as they go through the process. Yes, they are."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, a question and a comment. Let's say a person lives in Ashleyville, and they live two blocks from the house they want to put in as a short term rental. They meet all of the qualifications, but they're not living on the property, but they live two blocks from the property. They won't be able to qualify."

Mr. Lindsey said, "If the property is a six percent property, meaning that it's a second, it's not their primary residence, then they would not be able to qualify under this existing ordinance. That is correct. The new ordinance is for four percent properties only. The owner has to reside on that property. That is correct."

Councilmember Lewis said, "Mr. Riccio."

Mr. Riccio said, "Yes, sir."

Councilmember Lewis said, "Your people are on the job. I called about a certain house, and this person has two citations and is going to court next week. It's working, your staff is."

Mr. Riccio said, "Thank you."

Mayor Tecklenburg said, "Councilmember Moody, did you have your hand up?"

Councilmember Moody said, "Yes, I did."

Mayor Tecklenburg recognized Councilmember Moody followed by Councilmembers Griffin and Gregorie.

Councilmember Moody said, "I know that I've talked with Mr. Lindsey about this thing, and I think what we're doing is probably right, the way we're going about it. I think I'm familiar with the property that Councilmember Lewis was talking about. Was that on James Island?"

Councilmember Lewis said, "No, this is in Ashleyville."

Councilmember Moody said, "Well, I think there is one on James Island, and I know there are some properties out there that maybe meet all of the criteria, but let's say they don't have on-street parking, but there's a parking deck within 100 feet or maybe even 50 feet. So, they could meet it, but for those little exceptions. I think that was really when we started through this thing. I asked that some exceptions be allowed, and what you responded to me is, it's going to be very difficult, but if there is a way that those kind of properties, that we think might be that, we could put them kind of at the end. You said you wanted more time, let those people go ahead and do what they're trying to do, but for those exceptions. I don't know if we can even legally do that, but it seems like we shut them completely down and we're not getting the information that we need to maybe monitor it or change the ordinance to allow it. If you tell them 'no', then we don't know about it. Maybe that's what we want, but it just seemed to me like, but for those little exceptions, that if we could allow them to maybe go ahead until we get some definitive stuff done here. I don't know whether that would even be legal."

Mr. Lindsey said, "Well, thank you, Councilmember. The staff are going to enforce the ordinance that's on the books. That's what they're going to do. They've got to do what you all

have passed. With that said, we're tracking the information on each individual case, and I think that we could look at any kind of criteria related to all of the cases we have reviewed and bring that forward. For example, staff can say, 'let's look at all of the cases where they had parking within 50 or 100 feet, and let's see how many negatively impact the neighborhood. What would be the effect of allowing those?' We can look at those cases and pull those out or whatever the issue may be. So, we've got a ton of information on both of those that are being certified and those that are being turned down right now. We can cull all of that information and really look at how the thing is working, so we're getting all of that information as we go. We're not just turning them away, and then the case is closed. We've got all of the information about why they pass the ordinance or why they don't, and we can even do case studies on individuals and look at why they were able to qualify or why they weren't able to qualify and get good information back and inform you all, so you can make decisions. That's what we're hoping to be able to do."

Councilmember Moody said, "Yes, well, if I owned a building downtown and it was outside of Cannonborough-Elliotborough or whatever, how would you get the information to me? If I looked at the ordinance and said, 'well, I don't have off-street parking, I'm just not going to apply'?"

Mr. Lindsey said, "Well, the first thing you would do is go to our website. We have all of the information on there. We have a great checklist that you can get from the website. You can go through that and look and see. Most people can determine, just by looking at the checklist, whether they can qualify or not. If that doesn't work, all you've got to do is call the Permit Center, just like any other permit, and they will put you in touch with the correct person. Eventually, you will probably get to one of my Zoning staff, and they can look at your individual case, and they will talk to you about whether they think you will qualify or not. If you do, you come in, and they give you the official forms, and they will go through it with you. I think, so far, we've had pretty good response from folks. Even some of the folks that weren't able to qualify have told us the system worked well, and we were able to get good responses from people, so it's pretty clear whether you qualify or not."

Councilmember Moody said, "Well, yes, I don't remember the lady's name. She was on James Island."

Councilwoman Jackson said, "Ms. Grant, Rashonda Grant."

Councilmember Moody said, "No, that wasn't her. It was another lady. She has a condominium over there or some kind of thing, but she called me, and she gave me the criteria. I said, 'Well, you're not going to qualify', and I told her if she keeps advertising, 'You're going to get a letter from Mr. Riccio'. I think it was the next day when she got a letter. She took a picture of it and sent it to me and said, 'Yes, you're right, he just wrote me.' So, she is just kind of dropping out of the system. In talking with her, I guess her feeling was that there was probably a lot of people in that complex that might want to do short term rentals. So, the question becomes that might be a viable place to have them, but because we're just not allowing that, they're just kind of falling off the radar. They're just not eligible, and we wouldn't ever know that maybe we need an exception for that. I'm just trying to figure out what the right way to do all of this stuff is, and I know you guys are struggling with it and I am too, so anyway, I'll work with you."

Mr. Lindsey said, "Thank you."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I've got a couple of questions, but I want to make sure I've got these numbers right. The 353 confirmed, that is 353 are confirmed that they are allowed to do a short term rental, but that doesn't mean that they've come in for a permit."

Mr. Lindsey said, "No, Councilmember. What that means is that the software has identified them by looking out on the internet. They see an advertisement, and then staff have verified that that advertisement exists. So, we know that they are out there. They're operating a short term rental, or at least advertising one, and the staff have verified that that is the case. It doesn't mean that they're legal."

Councilmember Griffin said, "It doesn't mean that they're an illegal one?"

Mr. Lindsey said, "It doesn't mean that they're legal or illegal. It just means that we know they're out there, and we haven't managed to match them up yet."

Councilmember Griffin said, "Well, the one thing about all of these numbers that sticks out to me is that 102 applications in the last two months seems kind of low, so I was thinking maybe we could do some more community outreach because, believe it or not, a lot of people don't come to our meetings or listen to our meetings. So, there are people that are probably still doing it that would maybe come in and follow the rules. You saw what happened when we changed the parking meters. They came four months later to argue it after the budget had already been passed. So, maybe we can put it out through our civic notes and through the other outreach things that we do to say, 'Hey, if you have a short term rental, and you want to do it legally, please come and apply.' I'd like to see us do some outreach while you get your extension. Hopefully you get it. My other question is, have we talked to any of these listing sites since we started our software? Do we have any relationship with them at all? We're just going to pretty much operate without them helping us, right?"

Mr. Lindsey said, "We have not. My Zoning Department has not been in communication with the platforms. I don't know if you've been in outreach to them."

Mr. Riccio said, "Not the sites themselves. They don't like us too much."

Councilmember Griffin said, "So, they haven't said they're willing to work with us to get these listings down? We're just going to have to go after these people?"

Mr. Riccio said, "No, our partner is STR Program, which is the enforcement software that digs this information up. So, we're not even communicating with those companies that advertise the properties themselves."

Councilmember Griffin said, "Yes, sir."

Mr. Riccio said, "To answer your other question briefly, when my guys are encountering the public and making a case and they want help, we offer that help. We work with them, and put them in touch with Zoning to see if they want to go further. So, we are reaching out, if you will. That seems to be working, as well. If you noticed the first couple of weeks, I think, it was like 44 applicants, but once we started talking to people it jumped up to 100. So, just educating them has been helping."

Mayor Tecklenburg recognized Councilmember Gregorie followed by Councilmember Waring.

Councilmember Gregorie said, "Just a couple of questions, 1,669 listings?"

Mr. Lindsey said, "Right."

Councilmember Gregorie continued, "Of that, 1,029 are currently under review? Am I correct?"

Mr. Lindsey said, "That's right."

Councilmember Griffin said, "1,297."

Councilmember Gregorie said, "1,297, I had 1,299. We said that we have 181 legal, am I correct? Either B&B or STR."

Mr. Lindsey said, "So, they were pre-existing."

Councilmember Gregorie said, "Understand."

Mr. Lindsey said, "That's right."

Councilmember Gregorie said, "Okay, and, of the 1,027 under review, 350 was what? I wasn't sure what you said."

Mr. Riccio said, "The 353 have gone through the validation process with the company, with the STR helper, so they know they are advertising illegally. That's our first batch, if you will, so we're working on that batch now."

Councilmember Gregorie said, "Okay, let me just follow up. If I subtract the 181, that are legal, from the 1,669, that are listed, that gives me those that are operating illegally. Am I correct? They don't have a permit. They're not under the old system. They're just operating. Am I correct?"

Mr. Riccio said, "Yes, if I'm understanding you."

Mr. Lindsey said, "There's going to be a little bit of play in that, though, and here's why. Some of those 181 are historic bed and breakfasts, who do not use online listing platforms. They have their own website, or some of them are just families that have a house and you call them. They don't use the online system, so the numbers aren't going to exactly add up when you factor in the old pre-existing B&B's."

Councilmember Gregorie said, "I understand, but we get pretty close."

Mr. Lindsey said, "Yes, it will be close. That's right."

Councilmember Gregorie said, "What I'm getting at is after we've done that total listing, we've got 1,027 that are under review by your staff? Am I correct?"

Mr. Riccio said, "The 1,297 are still with the company digging the information up for us. The lower number of 353 is what we have in our lap. It's going through the process. They're out there, they're checking them, they validate them, they send them to us. We follow up with warning letters, and background. They visit every site, they knock on doors, they get as much information as they can to build the case, and they go forward with that."

Councilmember Gregorie said, "How much, in dollars, did we collect?"

Mr. Riccio said, "Zero."

Councilmember Gregorie said, "That's because?"

Mr. Riccio said, "On an enforcement level. We haven't been to court yet."

Councilmember Gregorie said, "Yes, that's what I'm getting at."

Mr. Riccio said, "Yes, we have not been to court yet."

Councilmember Gregorie said, "Because, to me, there's potentially a lot of money out here."

Mr. Riccio said, "Yes."

Councilmember Gregorie said, "On the enforcement side, and I'm just trying to figure out, at what point do we get to that so that it helps pay you, your staff, and everybody else?"

Mr. Riccio said, "Well, at the rate we're going, I don't think it's going to take that long, to be honest with you. At your all's request or some Councilmembers' request, we have contracted with an attorney that's going to be our sole prosecutor, so that's going to help us with the cases that we do have. Now, take into account, with due process, you're still going to have those people saying, 'I want a jury trial. I want a continuance', so we're held at bay with that. A jury trial throws things into 'Never, Neverland' sometimes, and it just takes time to get caught up. So, once we start building the cases, we will be able to give you more numbers, but at this point, we can't give you any because we haven't even prosecuted any of them yet."

Councilmember Gregorie said, "Okay, and then the last question is this floating zone idea. It could be interesting to see if that works but, in the case of Elliotborough and Cannonborough, to simplify it, all we have to do is extend the Overlay. It's my understanding that the neighborhood wants that. Extend their Overlay to areas that are currently not in their Overlay Zone, but they're connected. I think beyond President Street or somewhere up in there, and I wasn't sure, as we start thinking about making any change to the ordinance, whether or not that came up because those two neighborhoods are pretty together in terms of wanting to allow others to participate. Of course, at six percent, but to extend the Overlay."

Mr. Lindsey said, "So, we have discussed at length, I feel like, every aspect of this thing. One of them is the issue of expanding or changing the extent of the existing STR Overlay Zone, and that is an option that is before you. It is nuanced though, in terms of how it works legally. Even I don't understand all of the contours of that, and you need a brief from Legal, but I do know that I've heard from the neighborhood, and there are a couple of cases where folks have sought to extend the zone, and some of them I've heard support and others I've heard opposition, so I think it depends on exactly where we're talking about. Like all things short term rental related, it's complex, it's not simple. Ultimately though, it is one of those things that would be an option. I don't know if I can advise you if it's good or bad, but it's an option that's out there like the floating zone to modify the extent of that boundary."

Councilmember Gregorie said, "Thank you, Mr. Lindsey."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Some of this is going to be a repeat. We spoke about some of these changes, Mr. Lindsey, at least four months ago. We did that prior to when we voted to pass what's in place now. We had four or five bullet points to amend the ordinance, and we're still talking about those same four or five bullet points. For

example, if a person rents out an owner-occupied house, you have to be there. That should have been changed by now. No one is going to be more concerned about the property than the person who has it as their primary residence. We did this back in April, at most May, and that's still not part of the ordinance. The Planning Commission had that idea, which was a very good idea, but the Task Force didn't pick up on it, the part about having dedicated parking and not being able to move cars around in a driveway. Right now, there are places that qualify, but for having to move cars around in a driveway. We spoke about that back in April or May. That has not made itself into the ordinance today. So, when you go out and you try to get your numbers, your numbers are going to be faulty. If those two things were in place, you would have people that would be eligible today that could apply for a permit on a legal basis. If we put in bad numbers, we're going to get bad numbers.

The part about being in a Commercial District, in close proximity to a parking garage, that's what Councilmember Moody was talking about. That's not hard to write into the ordinance. That's not taking any houses off of owner-occupancy status. In a Commercial District, in close proximity to a parking garage, you would think we would want people to park in a parking garage. We had this conversation back in April or May. I've had the conversation very recently with Legal, and maybe you can address that. You only had a week or so to look at it, but my point is there are certain things right now, that we have chosen winners and losers, and that's not fair. We passed an ordinance four or five months ago thinking some of those items. When I voted, I was thinking some of those changes would be made before it went live. Now, we're talking about asking for more time. This is going to be a work in progress. Listen, if I had a house with a Historic District designation on it, I'm one of the winners. By the same token, this lady, who has almost three-quarters of an acre with a house passed down through the family that can park off-street, is one of the losers. That's not right. So, when it comes, Mr. McQueeney, I didn't want to call you, Mr. Chip."

There was laughter in the Chamber.

Councilmember Waring continued, "If you can come to the microphone, how long is it going to take to get into ordinance form some of these things I'm repeating again, and I had a discussion with you. It shouldn't take three, four months or the end of the year to get the ordinance changed to do that."

Assistant Corporation Counsel Chip McQueeney said, "Yes, sir. We met Thursday."

Councilmember Waring said, "Monday, a week ago, I believe. I appreciate the meeting."

Mr. McQueeney said, "Yes, sir. I can make those changes. I know they're not on the agenda for the next meeting, but I could certainly make the updates to the ordinance that you requested. I wrote them down again and have them ready for an agenda item in October."

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

Mr. McQueeney said, "Yes, sir."

Councilmember Waring said, "One last item, and I will yield the balance of my time on this."

Councilmember Seekings said, "Thank you. What is that balance, Councilmember Waring?"

There was laughter in the Chamber.

Councilmember Waring said, "I just love my colleagues on this Council, love them. On the revenue portion, we had a good discussion, but we're supposed to be working on this, and this is new revenue. The revenue from the business license fees and net of enforcement court costs, and all of that would be dedicated towards affordable housing. If some of these units are going to take rentable units off of the market, then obviously, hopefully, if we could develop a stream of income off of this revenue, we can help to create affordable housing. We spoke in terms of that four or five months ago. How long does it take to get that incorporated into the business license fee ordinance?"

Mr. McQueeney said, "That would be probably longer from my end because I haven't really worked on business license ordinances before, but I'll certainly talk to other Legal staff, and we'll see if we can do that in the same timeframe."

Councilmember Waring said, "I think we already have a three percent fee that goes towards affordable housing now. It's just that when these new dollars get caught up in the General Fund, we all know that's the black hole. It doesn't re-emerge. So, while this revenue is just in the early beginnings to create affordable housing, we need to develop streams of repeatable income. So, that's why I would ask for an ordinance to come forward. Thank you so much for listening to this, probably for the third time. Thank you."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. I'll be brief. One of the things that we knew going into this when we adopted this ordinance was there was a balancing act between what we allowed and what was going on out there. I think there were a number of people around this table that, once we put this ordinance in place, that were interested to see whether or not Dan and his team could actually deliver on what they said they could do, which has come up with a way to go. Combat that with what we knew in our minds to be illegal short term rentals, but to match that up with some hard evidence that could move forward and bring back to us. The numbers that you've given us tonight show that we do, once we have this ordinance in place, have the ability to identify, with certainty, who's out there operating legally and illegally and move forward. I remember in my mind, when we first saw the numbers from the Convention and Visitor's Bureau, it was about 870 we felt were illegal on the Peninsula. Then, it expanded to a number that was almost twice that in the City of Charleston and in a short period of time since you all have been up and running, I think you've started at least some formative enforcement action against 87, so that's either a letter or a summons, somewhere between five and ten percent of the stock, of the legal that we knew to be out there in a very short period of time. On the enforcement side, I feel comfortable that you all were right and I was probably, if not the chief skeptic, there were a few others down at the end of the table here, one of the chief skeptics. So, to me, the software and the staff working on it seem to be working. I will just say, I know that there's going to be some talk about tweaking, but I will just tell you, from my perspective and from my constituency, and I don't know if all of you have had different experiences, the adoption, implementation, and now enforcement on this ordinance is very popular. I can't think of any complaints, but people like the fact that we're out there doing something about it, so we'll see where this all goes. I know that there is some call for some adjustments, but I think just the grand big picture, those of you that didn't think we could enforce this ordinance, we can."

Mr. Riccio said, "Just to add, this is right at a month of work, so we're just starting."

Councilmember Seekings said, "I'm sure you're going to report back to us on how we do on the prosecutions and Livability Court and all of that."

Mr. Riccio said, "Yes."

Councilmember Seekings said, "So, great. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Two questions. Where will you be 30 days from now on this?"

Mayor Tecklenburg said, "On enforcement or on--"

Councilmember Shahid said, "Where will you be in 30 days from now? You've given us these numbers, and you've broken all of this down. Where do you think you will be 30 days from now? How will these numbers flush out in 30 days?"

Mr. Lindsey said, "What do you think, a month out?"

Mr. Riccio said, "With enforcement?"

Councilmember Shahid said, "No, with just all that you're doing. You've gone through these numbers, 353 have been confirmed, you're processing applications, you're verifying information. How are these numbers going to change in 30 days?"

Mr. Riccio said, "If not doubled, more than doubled."

Councilmember Shahid said, "We'll have a better feel in 30 days?"

Mr. Riccio said, "Yes, you're talking one month."

Councilmember Shahid said, "In one month."

Mr. Riccio said, "I mean with what we have now and getting up and running."

Councilmember Shahid said, "That's what I mean."

Mr. Riccio said, "So, within another month, at the rate we're going, having three full-time enforcement officers working on this five days a week, sometimes six, then I would say double, if not more."

Councilmember Shahid said, "So, if you come back at our second October meeting, we're going--"

Mr. Riccio said, "I'll have more stats."

Councilmember Shahid said, "More stats. The second question I have, and this is for Legal and goes back to what Dan mentioned earlier. The problem with enforcement is that we made this into a criminal act, and because it's a criminal act, certain constitutional rights kick in, the right to a jury trial, for instance. Because it's in Municipal Court, that is the last court to have any priority over other courts. So, the continuances are afforded to lawyers and litigants because it's on the bottom level of that. What options do we have of taking this out of the criminal proportion to make this a civil fine instead, which will help speed the process of the

enforcement and collection part of all of this? Can we do that?"

Mr. McQueeney said, "I don't believe we can do a civil fine, and I've just never dealt with that. Keep in mind, I'm new to this side of government, relatively speaking, but I handled the 4 Atlantic Street case, for instance, and you can get an injunction. The problem for me with an injunction from a Circuit Court is that you not only have to prove that they violated and get the injunction to enforce the ordinance, then you have to prove they violated the injunction, and then you get to your contempt damages or whatever you're going to get for contempt, so that's kind of from my experience on the civil side."

Councilmember Shahid said, "You can get a TRO pretty easily."

Mr. McQueeney said, "Right. You get the TRO, but you have to prove it."

Councilmember Shahid said, "Then, you have to put up a bond to do that."

Mr. McQueeney said, "Correct, and then you have to show that they violated the TRO in order to get any contempt or damages or call back. In that case, they settled out, and they agreed that in the future, we would have the ability to call back any revenues that they obtained. Honestly, if you get a TRO, typically they're not going to put the punishment in the TRO. They're going to wait until there is a contempt hearing and then tell you what you're going to get, based on the contempt hearing."

Councilmember Shahid said, "The fines could be higher. We're capped out at \$1,000, whatever, on criminal fines."

Mr. McQueeney said, "Per violation."

Councilmember Shahid said, "Per violation, and I'm not sure if a Judge is going to stack that into maybe another constitutional issue regarding that but, if we looked a little bit harder at the civil aspect of this, it may be able to increase the fines. Once you get a TRO, they've got to stop. They are temporarily restrained from operating under a civil mechanism as opposed to, even if they're charged criminally, they can still operate technically."

Mr. Riccio said, "But they get caught again."

Councilmember Shahid said, "If they get caught again, they're taking that risk. I understand that, that they're taking that risk."

Mr. Riccio said, "We've already issued one person two summons for different violations for continuing to rent their property after being given a summons for doing so and taking their advertisement off the--"

Mayor Tecklenburg said, "Can I suggest we take the legal discussion off bar?"

Councilmember Shahid said, "Yes, I just wanted to bring it on the floor for something for them to be chewing on."

Mayor Tecklenburg said, "Yes, get some professors from the Law School involved."

Susan Herdina said, "We can look at those options. I think there might also be an administrative option if we want to go the civil route, too, but if we could look at all of those options and come back and report sometime, maybe the second meeting in October."

Mayor Tecklenburg said, "Sure."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Mr. Riccio is right. His Code Enforcement Officers advised this gentleman. They told him they took the site down. On Tuesday, he said he took it down. On Sunday, I got a picture of eight people moving in there with suitcases. So, if anybody goes by a site you think is illegal, just take a picture, and you'll get it."

Councilmember Griffin said, "Did they get a letter?"

Councilmember Lewis said, "They got two court dates."

Mr. Riccio said, "They got two citations."

Councilmember Griffin said, "Don't mess with Councilmember Lewis."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Alright. Thank you all. That was very good discussion. We're going to move forward with our Council Committee Reports. First, is our Committee on Recreation, Councilmember Gregorie."

Councilmember Mitchell said, "Mr. Mayor, before we go on further, Mr. Lindsey, when would I be able to modify to include those particular apartments over the stores that I mentioned along King Street Corridor? That's the thing we were mentioning when we first started the short term rentals. That's one of the things I brought up to Council. That was the only thing I brought up to Council about them."

Mr. Lindsey said, "Right."

Mayor Tecklenburg said, "We'll add that to Mr. McQueeney's list of things that he said he would write up ordinance changes for you."

Mr. Lindsey said, "I think that's the best thing to do."

Councilmember Mitchell said, "Okay."

Mayor Tecklenburg said, "We'll have to vote them up or down."

Councilmember Mitchell said, "Yes."

Mayor Tecklenburg said, "Absolutely. You got that one, Chip?"

Mr. McQueeney said, "Yes, sir."

Mayor Tecklenburg said, "Yes, sir. Okay. Councilmember Gregorie, Recreation Committee."

Councilmember Gregorie said, "Yes, Mr. Mayor. Mayor and Council, on September 10<sup>th</sup>, 2018 the Recreation Committee met and discussed amending the Code of the City of Charleston, South Carolina Chapter 21, Section 113 to appeal the process for public property or property open to the public trespass notice. Someone just asked me what that meant. If, for instance, someone is given a citation or a warning or a ticket for trespassing, and they want to

appeal it, normally they would have to go through the court system. What this will do is allow that appeal to come before the Recreation Standing Committee in order to make a determination. It was voted on unanimously by the Recreation Committee, and I recommend that this body do the same.”

Councilmember Shahid said, “Second.”

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

No one asked to speak.

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

---INSERT RECREATION REPORT---

- (i) An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 21, Section 113 to amend the appeal process for a public property or property open to the public trespass notice.

First reading was given to the following bill:

*An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 21, Section 113 to amend the appeal process for a public property or property open to the public trespass notice.*

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

Councilmember Waring said, “Thank you, Mr. Mayor. Everything on the agenda, as you see it, with the exception of the Ravenel Bridge Mitigation, was approved unanimously. I really would like to call out special attention to Ms. Laura Cabiness for the updating of the Drainage Manual, it’s a ton of work. She did, and her staff getting that done and in place and then on top of that she had a hurricane to worry about, so kudos to Ms. Cabiness and her staff. Beyond that, deferral on the information with the Ravenel Mitigation, which will be carried forward to the next meeting. Everything passed unanimously, and I so move.”

Councilmember Griffin said, “Second.”

Mayor Tecklenburg said, “We’ve got a motion to approve and a second.”

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, “Yes, a couple of things. Number one, I agree with you on Ms. Cabiness and her staff. They really went after these ditches, they were out there cleaning them out, and I hate to even mention this, but that effort was herculean, but it didn’t get them all done. I mean, if we could stay that focused, and we had the money to do that, I would really love to see us get some of that done. I noticed one of the items that was on here is not part of your report, but it’s news to your Committee. It is the new drainage outfall in South Windemere, and I know that kind of came up.”

Councilmember Waring said, "Yes, we had a presentation on it."

Councilmember Moody said, "Yes, and I would sure like to see that, and any comments that you or any members of the Committee have and can share with us tonight would be helpful."

Councilmember Waring said, "Mr. Mayor, I'm sure you would agree with this for a slight fee from Councilmember Moody, and we'll take that money and apply it to cleaning ditches. We'll let you see that presentation."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Agreed."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Yes, thank you. I would just like to add to Councilmember Moody's comment about how great it is to have all of these ditches cleaned. I do think that we need to consider that the City is now taking on itself just to make the stormwater system work better, cleaning ditches that we don't really have to do for the County and for the State. So, we've really taken on a big responsibility, I think, in order to serve the citizens of the neighborhoods where we are operating."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I kind of want to reiterate what Councilmember Moody said only because, number one, we've got four more weeks of peak hurricane season, and we're never out of the woods with all of these storms in the Atlantic. We have to just keep pushing forward, and if we have to pretend that we have one coming at us just so we're all on high alert, we can all work together to push that, but I think this is another good time to bring up a point we've brought up a few times before that we need some sort of maintenance schedule or something, so we know what the priorities are. I know that there are ditches that take more priority than other ditches and some ditches are cleaned more regularly than others, but I know that when I reach out to the department. A lot of times when I put a request in, they go out there the same day and take care of it. So, I don't know what the schedule is, but I would like us to have some sort of continuity and transparency on that."

Mayor Tecklenburg said, "I think Ms. Cabiness will respond to that. We had a number of meetings recently about this issue, and there has been the schedule. It's been neighborhood by neighborhood. I think with the number of staff we have doing those regularly scheduled things, when we have those 'emergency on call' things that can mess up the regular schedule. One thing that we are moving forward on is our GIS Department that has really been doing all kind of great stuff. In fact, I really want to put a spotlight on the work that the GIS folks did with all of our hurricane preparedness. There's more to come on that, but they are putting together GIS tracking of our ditch maintenance system and whose ditch is whose and one of these things that when it's developed and I think it will take a long time, but when it's developed, even our citizens will be able to pull it up online. It's been transparent and information that the public will see."

Laura Cabiness said, "The Mayor didn't need me, so he covered it all."

There was laughter in the Chamber.

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. I also wanted to mention and thank Ms. Cabiness, and also Mr. Kronsberg, for the care they took with Lake Dotterer in draining that. If we had had a substantial storm, it may have saved some flooding issues along that Lake Dotterer area, and they work well together. Now, I know we've got some more work and some things that I'm going to ask for Lake Dotterer down the road, but I wanted to thank Ms. Cabiness and Mr. Kronsberg. There are a lot of constituents out there that were very happy with the way you responded to that, so thank you."

Mayor Tecklenburg said, "Great. Thank you. I went by Colonial Lake the other day. You could smell the difference, right, and I thought they were all oyster shells, but they're actually like mussels. I don't know the species."

Councilmember Seekings said, "Just quickly, on top of what Councilmember Shealy said, the lowering of the lakes was great, Colonial Lake being one of them. I did see Mr. Kronsberg out there as we were trying to get the water back in the lake. The valve there is hand-cranked, and he told me how many turns it took to get that thing back in place. It was like 247 turns of the crank to get it back in place to open so the waters could come back into the lake. Mr. Kronsberg did it alone the other day. I saw him out there at Colonial Lake cranking away. He's looking fit back there, Mr. Mayor, really good."

There was laughter in the Chamber.

Mayor Tecklenburg said, "We'll look at getting a motor for that. I don't think we voted yet on the acceptance of the Public Works Committee report. Is there any other discussion on that?"

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

---INSERT PUBLIC WORKS AND UTILITIES REPORT---

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

- (ii) Carolina Bay, Phase 15- Acceptance and Dedication of Merriams Drive (42'R/W, 838 LF), there are 26 lots. All infrastructure with the exception of sidewalks has been completed. The sidewalks have been bonded.
  - Title to Real Estate
  - Affidavit for Taxable or Exempt Transfers
  - Exclusive Stormwater Drainage Easements
  - Plat
  
- (iii) Essex Village, - Dedication and Acceptance of Watch Tower Lane (42' R/W, 1,091 LF), there are 41 lots. All infrastructure with the exception of sidewalks has been completed. The sidewalks have been bonded.
  - Title to Real Estate
  - Affidavit for Taxable or Exempt Transfers'
  - Exclusive Stormwater Drainage Easements

- Plat

(iv) Woodbury Park, Phase 2- Dedication and Acceptance of Hamrick Lane (50' R/W, 488 LF) Sunrose Lane (50' R/W, 1314 LF), there are 38 lots. All infrastructure with the exception of sidewalks and final layer of asphalt has been completed. The sidewalks and final layer of asphalt have been bonded.

- Title to Real Estate

- Affidavit for Taxable or Exempt Transfers

- Exclusive Stormwater Drainage Easements.

- Plat

(v) Granite Curb for project at 456 Meeting Street. Approval to notify SCDOT that the City intends to accept maintenance responsibility for 43 LF of granite curb to be constructed on Columbus Street in conjunction with the project at 456 Meeting Street within the SCDOT rights-of-way (S-10-887)

- Letter

- Map

**b. Miscellaneous or Other New Business  
(Action may or may not be taken)**

(vi) Church Creek Drainage Basin

(vii) FEMA Buyout Status

(viii) Replacement of the manual flood gate in Lake Dotterer

(ix) New Drainage outfall in South Windermere

(x) The Pointe at Rhodes Crossing

(xi) The Ravenel Mitigation Agreement (**DEFERRED**)

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

Councilmember Lewis said, "Move for approval."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "We've got a motion to approve the Committee on Ways and Means. Is there any discussion?"

No one asked to speak.

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

---INSERT WAYS AND MEANS REPORT---

(Bids and Purchases

(Budget Finance and Revenue Collections: Approval to submit a grant application to Electronic Theatre Controls, Inc. in the amount of \$10,000 to purchase an ETC Ion XE light board for the Dock Street Theatre. No cash match is required.

- (Budget Finance and Revenue Collections: Approval of an additional \$10,000 for the Natatorium study as requested by the Recreation Committee at its meeting on August 13, 2018. Committee asked that the request be included on the September 11<sup>th</sup> Ways and Means agenda for approval. As there is no appropriated funds for this expenditure, the additional cost will be included in a future budget amendment when funds can be identified.
- (Budget Finance and Revenue Collections: Approval of monthly support for September through December for The HOP. The total amount requested through the end of the year is \$121,800. \$41,800 of the amount requested will come from the remaining project budget for the construction of the temporary park and ride location. The remaining \$80,000 will come from additional revenues earned to date due to the increase in parking meter rates and the extension of the meter hours. Amount will be included in a future budget amendment.
- (Legal Department: Approval of a request from the South Carolina Emergency Management Division that all municipalities, counties, and other participating entities enter into a statewide mutual aid agreement to allow public agencies across the state to work together before, during and after an emergency or disaster. *(Approved at the Emergency City Council Conference Call held on September 9, 2018)*
- (Police Department: Approval of the FY18 VOCA Continuation award for the positions of Elder Advocate and Resource Specialist with the Family Violence Unit. This grant funds \$110,490 and requires a 20% match of \$27,630.
- (Police Department: Approval of the FY16 HMGP award for the amount of \$111,900 for an Urban Flood Detection and Alert System. This grant funds \$111,900 and requires a 20% match of \$37,300.
- (Parks Department: Approval of the deposit of the 2018 Lowe's Community Partnership Grant for the amount of \$18,000 for use in the development of Charleston Parks Conservancy's Community Garden at Corrine Jones Playground and Park. No City match is required.
- (Mayor's Office for Children Youth and Families: Approval to apply for the YouthBuild Grant in the amount of \$950,000 to provide workforce readiness training for disengaged youth ages 16-24. Carolina Youth Development will contribute one half of the required match. The total City match will be \$118,750, or approximately \$39,584 per year for three years.
- (Mayor's Office for Children Youth and Families: Approval to accept an award of \$6,000 from Youth Service America as the GYSD Lead Agency. With this grant, we will engage 1000 youth in service to their community on 3 designated days, 9/11 Day of Service, MLK Day of Service and Global Youth Service Day (in April). There is no fiscal impact to the City.
- (Office of Cultural Affairs: Approval to apply for \$10,000 from the Volvo Cars Community Investment Grant Program of the Coastal Community Foundation. Funds will be used to support arts education outreach programming of the 2019 Piccolo Spoleto Festival. Due to time constraints, this grant application was submitted on September 7, 2018. This is an after-the-fact approval. No City match is required.
- (Office of Cultural Affairs: Approval to accept a grant award in the amount of \$30,080 from the South Carolina Arts Commission for general operating support. The project period is 7/1/2018 through 6/30/2019. A 3:1 City match is required. Matching funds will come from private donations and earned revenues.
- (Office of Cultural Affairs: Approval to accept a grant award in the amount of \$9,491 from the South Carolina Arts Commission in support of the Lowcountry Quarterly Arts Grants Program. The grant period is 7/1/2018 through 6/30/2019. A 1:1 City match is required. Matching funds will come from Community Assistance appropriations.

- (Police Department: Renew Agreement and Addendum with the State of South Carolina regarding transfer of excess Department of Defense property for use by the Police Department approved by Council in 2016.
- (Police Department: Approval of the Agreement between the Charleston CPD and DEA regarding CPD's participation in the Charleston, SC Resident Office Task Force on narcotics trafficking and dangerous drugs.
- (Police Department: Approval of a Memorandum of Agreement between CPD and Berkeley County School District regarding School Resource Officers for the 2018-2019 school year.
- (Police Department: Approval of a Memorandum of Agreement between CPD and James Island Charter High School regarding School Resource Officers for the 2018-2019 school year.
- (Parks-Capital Projects: Approval to accept Federal funding in the amount of \$75,923 for the West Ashley Generator for Police Safe Harbor Project [FEMA-DR-4286SC Hazard Mitigation Grant Program Project F0012 (S087)] with a City Match of \$25,307 for the purchase and installation of one stationary generator for the mitigation of future hazards at the CPD Team 4 Office (3545 Mary Ader Ave.) This includes design and permitting, modifications to the existing electrical systems, Automatic Transfer Systems and compliance with flood elevations. The approval of this grant award will institute a \$101,230 project budget. The funding sources for this project are: FEMA Hazard Mitigation Grant Funds (\$75,923) and a City Match (\$25,307) that will be budgeted in 2019.
- (Public Service: Approval of a construction contract with S.J. Hamill Construction Company, LLC in the amount of \$935,506 to restore the rip-rap apron on the High Battery that was washed away during Hurricane Irma. The rip-rap field extends along the length of the High Battery (1,400 ft.) and will extend 40 ft. out from the wall. Approximately \$701,629.50 is expected to be reimbursed from FEMA.
- (Public Service: Approval to adjust the total construction contract of the Smith Street Brick Arch Repairs with Palmetto Gunite in the amount of \$1,857 due to a clerical error on the original contract amount. The original contract amount approved by Council was \$76,107 on June 19, 2018. Two Change Orders (\$173,102 and \$25,369) have since been approved by Council, however, the two Change Orders listed the original contract amount as \$74,250 in error. This set the total approval at \$272,721 when the actual contract total should be \$274,578. The additional \$1,857 will be paid from the Drainage Fund.
- (Parks-Capital Projects: Approval of the International African American Museum Construction Manager at Risk Services contract with Turner Construction Company in the amount of \$115,000 for pre-construction services of the development of the Guaranteed Maximum Price (GMP) for construction of the International African American Museum. The approved GMP will be amended to this contract for approval as the Contract for Construction of the project. Approval of the contract will obligate \$115,000 of the \$12.5 million design and engineering phase of the project funded by City Council's previously approved accommodations tax bonds.
- (Approval of the rental of the pavilion lawn at Magnolia Plantation and Gardens for the MOJA Tribute Luncheon in the amount of \$500.00 (refundable) on Oct. 6, 2018 (3550 Ashley River Rd.)
- (Approval of the rental of Trinity United Methodist Church in the amount of \$300.00 by MOJA for the gospel event on Sunday, September 30, 2018 (273 Meeting St.)
- (Approval of the rental of Memminger Auditorium in the amount of \$1,750 for the Free Verse program on October 20, 2018 (56 Beaufain St.)

- (Request authorization to terminate the License Agreement, dated May 24, 2018, between the City and We Are Family (529 Meeting Street; TMS: 459-05-01-011)
- (Request authorization to execute the License Agreement whereby allowing Military Community Connections of South Carolina to provide support services for persons experiencing homelessness or those at risk of homelessness at 529 Meeting Street. The property is owned by KQC Investors, LLC. (529 Meeting Street; TMS: 459-05-01-011)
- (Request approval of the Resolution authorizing the Mayor to consent to the assignment of both the City Marina Lease and the related Parking Management Agreement (both as previously amended and assigned) from the current tenant, The City Marina Company, to Safe Harbor Marinas, LLC. Such consent to be on a form drafted and approved by Corporation Counsel. (TMS: a portion of 460-14-00-001)
- (Request authorization to facilitate the relocation of both Flagship I and Flagship II offices in order to allow the Landlord to redevelop the current Flagship properties (bound by East Bay, Calhoun, Alexander and Charlotte Streets), we request authorization for the Mayor to execute the following agreements, **as amended**:
- (i) 475 and 485 East Bay, Amendment and Termination of Lease;
  - (ii) 385 Meeting Street, Office Lease Agreement
  - (iii) 385 Meeting Street, Sublease Agreement with Charleston Digital Corridor (TMS: 459-13-04-022, 459-13-04-023, 459-09-03-117)
- The properties are owned by 1776 Development LLC and 385 Meeting Street LLC.
- (Consider the following annexation:  
- 6 Tovey Road (TMS# 418-10-00-020) 0.17 acre, West Ashley (District 9). The property is owned by Julia Harlow.
- (Executive session in accordance with S.C. Code Section 30-4-70(a)(2) to discuss contractual negotiations related to equine sanitation services. Upon returning to open session, Council may take action on matters discussed in Executive Session. **The Committee voted to cancel the outstanding solicitation for equine sanitation services and authorize the Mayor and staff to provide a contract for a short term emergency contract.**

First reading was given to the following resolution and bill:

*Resolution authorizing the Mayor to consent to the assignment of both the City Marina Lease and the related Parking Management Agreement (both as previously amended and assigned) from the current tenant, The City Marina Company, to Safe Harbor Marinas, LLC.*

*An ordinance to provide for the annexation of property known as 6 Tovey Road (0.17 acre) (TMS# 418-10-00-020), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9. The property is owned by Julia Harlow.*

Mayor Tecklenburg said, "Next, is our bills up for second reading."

The Clerk said, "We have Items K-1 through K-20."

Mayor Tecklenburg said, "We have Items K-1 through K-20. Is there any of those somebody wants to carve out and have some discussion about?"

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Well, the first five were on our agenda before, and they deal with this Upper Peninsula zoning and also with this Height District classification, and then K-6 was added. I'm not sure it was not on the last agenda. All of them have to do with that Upper Peninsula, and I had some concerns about that Upper Peninsula. Basically, I think Councilmember Mitchell, that's his district that some of this is in, and I thought we were going to have some kind of an update or a briefing or something on that Upper Peninsula because to me, it hadn't been completely aired. Now I see it back on the agenda. We deferred it because Councilmember Mitchell was not here at the last meeting, but it's back on, and I haven't gotten any update. I was concerned about the affordable housing and some of the trade-offs that we were giving that, to me, didn't make a lot of sense. The one that I would mention right off was that if you had some kind of secured bicycle rack that you got some additional height or something and to me, the fact that you have the storage capacity, that doesn't make a lot of sense. What you should say is that if you have a car, you ought to have to have a parking space or you shouldn't have parking spaces in that property, period. You could maybe get some height restriction or some additional capacity. So, I just wasn't sure where all of this was going. I was confused."

Mayor Tecklenburg said, "I think these items are actually to rezone specific properties, but not change the UP zoning. Is that correct?"

Mr. Lindsey said, "Mayor, that's exactly correct, and we have been discussing amendments to the UP zoning that came first to you, and then it went to the Community Development Committee. We are set to brief the CD Committee because it's a matter that relates primarily to affordable housing. That effort to amend the UP ordinance is now with the CD Committee and is a totally separate matter from these rezonings. Yes, they are using the UP category, but this is a property rezoning. The amendment would not apply to these properties until that amendment, if you all see fit, is done. So, that's at CD Committee to amend. That's a separate issue from these rezonings that are coming to you tonight, if that makes sense."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilmember Moody said, "That didn't really help, I'm still confused."

Councilwoman Jackson said, "I think that's true. These five items are literally going to put these properties into the existing UP category, and we won't have the benefit of any changes to the affordable housing requirement."

Councilmember Moody said, "Exactly, that's what I was trying to say."

Councilwoman Jackson said, "So, I think the concern is how much do we want the affordable housing component that is going to be radically improved if we go forward with the changes to the Upper Peninsula zoning, that we've now essentially deferred. We didn't have it on the CD agenda this past time, so I don't know when we're bringing it back and, if we are bringing it back, what are we going to do at the CD Committee that we can't do at the Council? I agree with you. I think that there are properties now that are reading about the changes proposed in the Upper Peninsula zoning and are hurrying up to get grandfathered into the existing one that they think they can work with better. So, I am concerned about having all of these items now grandfathered out of any changes we would make for UP."

Mayor Tecklenburg said, "Do you want to respond at all, Mr. Lindsey?"

Mr. Lindsey said, "Councilmember, that will come back at the next meeting of the CD Committee. It didn't come to the last one because we actually moved it up in order to accommodate the LIHTC deadline for the other matter that we were reviewing. That will come back at the next meeting of the Community Development Committee."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmember Seekings.

Councilmember Waring said, "Thank you, Mr. Mayor. When we voted, at that time we deferred the Upper Peninsula changes for better affordable housing initiatives, and when these properties came forward. Councilmembers Lewis and Mitchell were not at the last meeting, we deferred this. The property on King Street Extension, that's by the body shop."

Mayor Tecklenburg said, "It is the body shop, I believe."

Councilmember Waring said, "Yes, and then there's one right next door to it. That's right, Singleton's Body Shop. That's close to the Silver Hill area over there. You put an eight-story building over there, you're changing that community drastically. Right now under UP, if I'm correct, these people can eventually put, potentially anyway, an eight-story apartment complex or whatever can go up eight stories. I think we need to really think about doing that on that end of town right there. There is a really vulnerable low to moderate community, and I call it Silver Hill. Am I calling it right, Councilmember Mitchell?"

Mayor Tecklenburg said, "No, sir. Silver Hill is just beyond the auto business at 1553 King Street."

Councilmember Waring said, "What's the other area in between?"

Mayor Tecklenburg said, "The area right behind Joseph Floyd Manor."

Councilmember Mitchell said, "That's Montford Avenue and behind there, you have a small community. Excuse me, Mr. Mayor, you have a small community behind there that are Single-Family homes. That's all that's back there, so even with that tall building, if it's approved to go there, it's going to block that whole area from the entrance because you have the Joseph Floyd Manor on the corner. Then, you're going to have that there, and you're going to block them completely because that goes all the way to Rutledge Avenue from Montford Avenue. I know those people, they're going to complain like the devil if that happens back there. It's going to be a big fight with the people back there."

Councilmember Waring said, "I think we're doing the wrong thing if we do that. This is when we look out for the small people on this one."

Councilmember Mitchell said, "It's going to be a big fight. I mean a four story building, I don't know."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "No."

Mayor Tecklenburg said, "No comment?"

Councilmember Seekings said, "Not until this comes back."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Would it be better for us to wait until they have the Community Development meeting before we take these up?"

Councilmember Waring said, "We could vote them down."

Councilmember Griffin said, "Okay, we could do that, too."

Councilmember Waring said, "When the ordinance gets redone, if these people want to apply and bring it back then fine, but I do believe, I think you're right, Councilwoman Jackson, that some of these words are getting out, and there may be some other changes. Then, all of a sudden, we're getting a bevy of applications."

Mayor Tecklenburg said, "Councilmember Mitchell, this is in your district, correct?"

Councilmember Mitchell said, "Yes, I'm looking at it a little differently on Morrison Drive. Morrison Drive, with that height, that's the new area that's going to be higher height, but when they came to that little area there, I don't know exactly what was going to be built there. I don't know exactly how high it was going to be built. That is a problem. Now, if they're going to build that high there, I think that the community back there is going to have a problem. There's going to be a big fight, and there's going to be a big fight on me because the people that live in that particular area have nothing but Single-Family homes. There are a lot of homes back there on Montford Avenue behind there. The Burke Family daughters live back in there. They own houses back there, and they're not going to want a big tall building up there in front. It's going to block the whole view. It's going to change that image altogether, an eight-story building, if you may. I don't know if a four-story building would look better. I don't know, but an eight-story building would change that area drastically on that corner because around the corner would be the entrance that they turn to go in there, and they have another street, but I forgot the name of the other street. I don't think this is good."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Well, I think, in response to that, Councilmember Mitchell, maybe we should ask Mr. Lindsey to give us a little primer. Basically, these two items, in tandem, would be giving each of these properties the chance to go up to a 12-story height. If they earned all of the height credits that they needed under the existing ordinance, they could be there. So, I think that is the question of the evening. For me, it's about getting as much affordable housing and also fitting into the territory that you're describing. If we take these votes now, we have no options to control it. We're giving them the approval to maximize their height and not have to pay attention to a better plan for affordability."

Mayor Tecklenburg said, "Alright. Do I hear a motion?"

Councilmember Mitchell said, "I'll probably have to make a motion. I know we deferred it before, but I'm going to make a motion that we defer it again, until I can get out and speak with the people in that area and have them come and stand in front of this Council."

Councilmember Griffin said, "K-1 through K-6?"

The Clerk said, "That's what I'm going to ask. The numbers, is it K-1 through K-6, K-1 through K-5, which is it?"

Councilmember Mitchell said, "Let me see, that's King Street."

Councilmember Moody said, "I'll second his motion if it's K-1 through K-6."

Councilmember Mitchell said, "Let's do it K-1 through K-6 and just get it off. It's the same thing because I wasn't here, so let me make sure I get in touch with the people there, and let them come out because I don't need that problem. It's going to be a big problem there the way it's set up in that area. Morrison Drive, I don't have a problem with because that's what's going, but this is a different house, a different color going down King Street now."

Mayor Tecklenburg said, "Alright. Chip wants to add something to the discussion."

Mr. McQueeney said, "I just need to ask Mr. Lindsey, K-5, 400-00-00-001 is asking for a rezoning to UP, and my understanding from the applicant is it's already zoned 4-12 Height District. Has that been approved and finalized? Because it doesn't really make sense that they would be zoned 4-12 without a UP zoning, just to point out to Council."

Mr. Lindsey said, "An arcane component that I probably would rather not go down this road, but with the 4-12 Height District, it only goes with the UP-Use District, and the two things need to go together in order to function. So, in order to have that property totally rezoned, it will need both its height designation and its rezoning to base use district, to its UP, in order for it to work. So, ideally, I'm sure that the landowner would prefer for both things to be acted upon."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Go ahead."

Councilmember Mitchell said, "One thing more, that K-5, I would change my motion to K-1 through K-4. K-5 is on Johnson Street. That's the one that had the charrette. They did the charrette, and that's when the Eastside community came out, and they approved it. The whole Eastside community came out."

Mayor Tecklenburg said, "That's the one when Mr. Bearden was here, and we were talking about a little park that he wants to try to put out on the river."

Councilmember Mitchell said, "Exactly, and they also got, I think Councilmember Waring asked him to have something in writing talking about this little dock going out, if they would be able to buy the property from the Port, and they did that, so he provided that. So, I would change my motion to K-1 through K-4, and take K-5 out."

The Clerk said, "K-1 through K-4 and K-6?"

Mayor Tecklenburg said, "No, just K-1 through K-4, I believe. K-5 and K-6 go together."

Councilmember Mitchell said, "K-5 and K-6 go together, just K-1 through K-4. I made a motion for K-1 through K-4."

Mayor Tecklenburg said, "Okay. We have a motion on the floor to defer K-1 through K-4. Do we have a second?"

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "Is there any discussion on the deferral?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very quickly, I hear Councilmember Mitchell wants to defer to talk to the neighborhoods in which these properties are located. Just as a matter of procedure, this is probably for our Legal team, the Upper Peninsula Zoning District is an opt-in district. When we actually drafted it up, we went and noticed all of those properties. You could opt-in, or you could take the base zoning. Those are the two choices you had, right, so all of these people opt-in. These are people now trying to get into an opt-in zoning district. Does the mere fact that they've got their application in, and we've already given these first reading, by the way, they're vested into the Old Upper Peninsula District or not?"

Mr. Lindsey said, "Chip, you want to take it or do you want me to take it?"

Mr. McQueeney said, "I would say, it's not a site specific development plan. It's a rezoning, so the fact that they're rezoning, it's sort of like if you rezone into SR-1, and they change SR-1. Subsequently, the new SR-1 would still apply. So, absent them obtaining a permit and obtaining a vested right, they would be bound by the new UP ordinance. I don't know if there's been a noticed public hearing on those changes, but if there has, then it would be a pending ordinance. So, the new zoning would apply, regardless of whether or not they received a vested right."

Councilmember Seekings said, "Alright."

Mr. Lindsey said, "Correct."

Mr. McQueeney said, "I apologize for sounding like a Law Professor."

Mayor Tecklenburg said, "I see outside counsel nodding his head in agreement over here."

Councilwoman Jackson said, "May I ask a question to clarify?"

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Does that also count then for K-5 that Councilmember Mitchell asked to take off? Because that's their request to go into UP without any other site plan designations, correct?"

Mayor Tecklenburg said, "Would the same logic apply to K-1 through K-4 that we have on the floor to defer?"

Councilwoman Jackson said, "K-5 and K-6."

Councilmember Mitchell said, "They're different."

The Clerk said, "K-5 and K-6 we just pulled out."

Councilwoman Jackson said, "I know, but I'm asking that, by pulling them out and potentially approving them tonight, are we also saying that when they get around to doing the rest of their vested work that if we have a new change to the UP then they would fall into the change category? Is that correct?"

Mr. Lindsey said, "So, the same idea applies, of course. However, I believe that the applicants have, in fact, submitted to our Technical Review Committee a site specific plan which would vest them at the previous, the existing, UP ordinance. So, unless they significantly modify their plan, they would be vested into the existing ordinance."

Councilwoman Jackson said, "Our only choice about that property then is to vote it up or down?"

Councilmember Seekings said, "And we did include affordable housing."

Mr. Lindsey said, "That's correct."

Councilwoman Jackson said, "Right. Okay."

Mayor Tecklenburg said, "Alright. So, the motion on the floor is to defer K-1 through K-4. Is there any other discussion?"

No one else asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Griffin, City Council voted unanimously to defer 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 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from Light Industrial (LI) classification to Upper Peninsula (UP) classification. The property is owned by Joe Singleton. (DEFERRED)*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Joe Singleton. (DEFERRED)*

*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 King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from Single-Family Residential (SR-1) classification to Upper Peninsula (UP) classification. The property is owned by Horace A. Rooke. (DEFERRED)*

*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 King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Horace A. Rooke. (DEFERRED)*

Mayor Tecklenburg said, "Do I have a motion--"

Councilmember Griffin said, "Move for approval of K-5 and K-6."

Councilmember Waring said, "Second."

Councilmember Mitchell said, "We can take all of them."

Councilmember Griffin said, "Oh, yes."

Mayor Tecklenburg said, "We have K-5 through K-20. Does anybody want to carve out any of those for any reason to discuss?"

The Clerk said, "Who was the second?"

Councilmember Waring said, "I'll second."

Mayor Tecklenburg said, "Okay. We have a motion to approve and give second reading to K-5 through K-20. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Griffin, sixteen (16) bills (Items K-5 through K-20) received second reading. They passed second reading on motion by Councilmember Waring and third reading on motion of Councilmember Seekings. On further motion of Councilmember Mitchell, the rules were suspended, and the bills were immediately ratified as:

**2018-107** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON MORRISON DRIVE AND JOHNSON STREET (PENINSULA) (APPROXIMATELY 0.80 ACRE) (A PORTION OF TMS #400-00-00-001) (COUNCIL DISTRICT 4), BE REZONED FROM HEAVY INDUSTRIAL (HI) AND LIGHT INDUSTRIAL (LI) CLASSIFICATIONS TO UPPER PENINSULA (UP) CLASSIFICATION. THE PROPERTY IS OWNED BY ODP MORRISON LLC.

**2018-108** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 838 MORRISON DRIVE AND TEN PARCELS ON MORRISON DRIVE AND JOHNSON STREET (PENINSULA) (9.14 ACRES) (TMS #459-07-00-010, 008, 009, 016, 017, 018, 024, 025 AND 459-02-00-001 AND 015 AND A PORTION OF 400-00-00-001) (COUNCIL DISTRICT 4), BE REZONED FROM 4 AND WP OLD CITY HEIGHT DISTRICT CLASSIFICATIONS TO 4-12 OLD CITY HEIGHT DISTRICT CLASSIFICATION. THE PROPERTY IS OWNED BY ODP MORRISON LLC.

**2018-109** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 529 & 537 MEETING STREET & PROPERTY ON WALNUT STREET (PENINSULA) (1.09 ACRES) (TMS #459-05-01-011, 459-05-01-018 AND 459-05-01-095) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY KQC INVESTORS LLC.

**2018-110** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 648-656 KING STREET (PENINSULA) (1.98 ACRES) (TMS #460-04-04-031) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) AND LIGHT INDUSTRIAL (LI) CLASSIFICATIONS TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY KING STREET HOLDINGS LLC.

- 2018-111** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1046 FOLLY ROAD (JAMES ISLAND) (0.669 ACRE) (TMS #425-09-00-019) (COUNCIL DISTRICT 12), BE REZONED FROM RESIDENTIAL OFFICE (RO) CLASSIFICATION TO COMMERCIAL TRANSITIONAL (CT) CLASSIFICATION. THE PROPERTY IS OWNED BY THOMAS SHERIDAN.
- 2018-112** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 842 AND 844 MAGNOLIA ROAD (WEST ASHLEY) (0.45 ACRE) (TMS #418-09-00-117) (COUNCIL DISTRICT 9), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-3) CLASSIFICATION TO COMMERCIAL TRANSITIONAL (CT) CLASSIFICATION. THE PROPERTY IS OWNED BY 546 ELM LLC.
- 2018-113** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 21, ARTICLE X, SECTION 21-219, TO PROHIBIT FIREARM ENHANCEMENTS. **(AS AMENDED)**
- 2018-114** AN ORDINANCE REQUIRING A NON-EXCLUSIVE FRANCHISE AGREEMENT WITH THE CITY OF CHARLESTON TO INSTALL AND CONSTRUCT FIBER OPTICS WITHIN THE PUBLIC RIGHTS-OF-WAY. **(AS AMENDED)**
- 2018-115** AN ORDINANCE AMENDING SECTION 3.1 OF THE STORMWATER DESIGN STANDARDS MANUAL, STORMWATER MANAGEMENT SYSTEMS, SECTION 27-102 OF THE CODE OF THE CITY OF CHARLESTON, BY ADDING REQUIREMENTS TO SECTION 3.1.2.D., CHURCH CREEK BASIN REQUIREMENT, FOR STORMWATER SYSTEMS AND FACILITIES IN THE CHURCH CREEK BASIN. **(AS AMENDED)**
- 2018-116** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 19, TO ADD A NEW SECTION 93 TO PROHIBIT THE USE AND THE RENTAL OF MOTOR SCOOTERS ON THE PUBLIC RIGHT-OF-WAY AND TO PROVIDE AUTHORITY TO THE CHARLESTON POLICE DEPARTMENT TO REMOVE ANY UNATTENDED MOTOR SCOOTERS LEFT PHYSICALLY UNATTENDED ON PUBLIC PROPERTY.
- 2018-117** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY THE NECESSARY DOCUMENTS TO ENTER INTO THAT CERTAIN AGREEMENT BY AND BETWEEN THE CITY OF CHARLESTON AND THE CHARLESTON COUNTY SCHOOL DISTRICT FOR THE JOINT USE OF FACILITIES, SAID AGREEMENT BEING ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS EXHIBIT 1.
- 2018-118** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY THE ATTACHED OPTION AGREEMENT WITH HISTORIC MOTHER EMANUEL AMEC FOUNDATION ("PURCHASER"), UNDER WHICH PURCHASER WILL HAVE THE EXCLUSIVE OPTION TO PURCHASE FOR \$100.00 THE CITY'S PROPERTY LOCATED AT 113 CALHOUN STREET (CHARLESTON COUNTY TMS NO. 458-01-01-086), UPON EXPIRATION OF

THE CURRENT LEASE ON THE PROPERTY (AS SUCH LEASE MAY BE EXTENDED), WITH A RIGHT OF REVERTER TO THE CITY IN THE EVENT THE PROPERTY IS NOT USED SOLELY FOR THE PURPOSE OF MEMORIALIZING THE EMANUEL 9 AND OTHER HISTORICAL EVENTS OUTLINED IN THE RECITALS TO THE OPTION AGREEMENT.

- 2018-119** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1904 WOODLAND ROAD (0.49 ACRE) (TMS# 355-10-00-004), 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 ERIC VOGT AND STEPHANIE GRAY.
- 2018-120** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1716 HOUGHTON DRIVE (0.34 ACRE) (TMS# 424-09-00-059), JAMES ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY TERRI AIKEN.
- 2018-121** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 324 WOODLAND SHORES ROAD (0.52 ACRE) (TMS# 343-11-00-116), JAMES ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY EVAN DIAMENT.
- 2018-122** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 2, TO ADD A NEW SECTION 273 TO IMPLEMENT THE PROVISIONS OF THE FAIRNESS IN LODGING ACT.

Mayor Tecklenburg said, "Next, bills up for first reading, actually just to do a little housekeeping here. We have three items L-5, L-6, and L-7 that have requests, for various reasons, to be withdrawn."

Councilmember White said, "Move to withdraw."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion to withdraw L-5, L-6, and L-7, and a second. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember White, seconded by Councilmember Mitchell, City Council voted unanimously to withdraw the following bills from the agenda:

*An ordinance authorizing the Mayor to execute on behalf of the City a Lease between the City, as Landlord, and Emanuel African American M.E. Church of Charleston, as tenant, pertaining to property owned by the City located at 113 Calhoun Street*  
**(WITHDRAWN)**

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 3265 Maybank Highway (Johns Island) (1.40 acres) (TMS #279-00-00-205) (Council District 5), be rezoned from Commercial Transitional (CT) classification to General Office (GO) classification. The property is owned by George Gratzick. (WITHDRAWN)*

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that West Ashley Circle at Glenn McConnell Parkway (West Ashley) (approximately 21.76 acres) (a portion of TMS# 301-00-00-027) (Council District 5), be rezoned from Gathering Place (GP) classification to General Business (GB) classification. The property is owned by Whitfield Construction Company. (WITHDRAWN)*

Mayor Tecklenburg said, "Next, for Miscellaneous Business we have a request for approval of a Mediation Settlement Agreement."

Councilmember Seekings said, "So moved."

Mayor Tecklenburg said, "We have a motion to approve. Did we get a second?"

Councilwoman Jackson said, "I'll second."

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

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very briefly, Mr. Mayor. This is a piece of property that is in my district. It's on King Street. It's right on the corner, just south of the corner of King and Calhoun. If you look at this property from the street, you don't realize what's behind you, but it's a long building that is literally locked on every single side of that building. There is no way to get in and out of it other than to the front. There is no parking. There never could be any parking. It's a building that is, to say the least, in disrepair. We have been agonizing over what to do with this property for a long time. It changed hands. The current developer and owner want to upgrade it and add some units. It's perfect for student housing. It's right on the edge of the campus. What has slowed up this process dramatically and increased the cost to the owner of this building to get something going to put this property, I mean, it is in bad repair, and it needs to be in good repair, is a whole debate about whether or not we need to park that property, such to the point where it ended up in litigation. One of the things I'd ask Mr. Lindsey to look at, in the wake of the settlement of this matter, which went through the zoning process, they were not approved for their request. I think, Mr. Walker, there was a request to basically, other than the 60 grandfathered parking spaces, not ask for anymore. The resolution was 60, plus 13."

Mayor Tecklenburg said, "I'm sorry, Mr. Walker. Would you please come to the microphone so it will be in the record? Thank you."

Mr. Walker said, "Good evening, Council. My name is Trenholm Walker, and I represent the property owner. First, I want to thank Councilmember Seekings for shepherding us through this process, and this is about the third time it's been before you. But, anyway, the property is grandfathered for 60 spaces. It's on King Street. It's never had any parking and never will have any parking. It's actually three addresses that are assembled. The zoning request to the BZA was for a special exception for 34 more places. They granted eight, and we mediated a

settlement for a total of 21. That will make the project feasible, and now we're able to move forward."

Councilmember Seekings said, "Right. I wholeheartedly endorse this. When the City got together with the property owner, we did reach an agreement, but to Mr. Lindsey, I would just say we need to look at, in the Urban Core, in the dense parts of the City, and someday it's not going to be just all of downtown, we have to look at some form of Overlay for student housing or for something that allows people to build in the dense area without having these completely onerous parking requirements that put a burden on the community, as well as the owner of the building, because this building, if we don't approve this tonight, is going to eventually fall in. It is as bad as it gets on the Peninsula, and it's shameful, so we need to work on this. I'm sorry that this developer and owner had to go through this process because it was expensive, and it slowed things up. We're kind of there. This one I hope will get approved, but in the future, there are more properties like this out there, a good number of them."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Mr. Mayor, I'm happy to go along with your request, Councilmember Seekings, and vote 'yes' for this one. I would think that, going back to the challenges that we talked about though at the Transportation Committee earlier in the year, as the parking requirements were changing, and we were inundated with college students and their parents about where are they going to park their cars, this is truly a conundrum that we have. So, I do think we need to be very strategic about it before we would say 'no parking is required where student housing is going to be built', because then we'll be flooding our neighborhoods, and you will be hearing about that, too."

Councilmember Seekings said, "Agreed, and that's why we need an Overlay Zone that's going to take, amongst others, the cooperation of the College of Charleston who has had a bit of an epiphany lately with some things that have been going on and is looking for some cooperation from the City. The good news is, for this property, it's underparked, but right in front of it is a CARTA stop, and it's right on campus."

Councilwoman Jackson said, "Yes, it's ideal."

Councilmember Seekings said, "Yes. So, I would ask the support of my fellow Councilmembers of this."

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

No one else asked to speak.

On a motion of Councilmember Seekings, seconded by Councilwoman Jackson, City Council voted unanimously to approve the Mediation Settlement Agreement resolving Case No. 2018-CP-10-2271, 23 Bond Owner 363-369 King, LLC v. City of Charleston, et al., under which the owner of 363, 367, and 369 King Street (TMS Nos. 457-04-02-027, -028, and -029) would be given a special exception for 21 additional off-street parking spaces.

Mayor Tecklenburg said, "Our Counsel--"

The Clerk said, "Mayor, I think they want to clarify something."

Ms. Herdina said, "Mayor, could we go back and to Council, I apologize, but to go back to--"

The Clerk said, "Use the microphone, Susan."

Ms. Herdina said, "Mayor, this is K-12. I'm sorry, not K-12, K-13. There was an amendment to the Stormwater Design Manual for Church Creek that was sent to you all under separate cover. However, Laura and Steve had one minor change to make to that, which they laid on your desks tonight. I just wanted to make sure that that was the version that you were approving, and Steve is here, and he can explain the change if you need it. But, again, for the record, I wanted to make sure that what you were approving was the amendment that appeared on your desks tonight and not what was sent to you last week."

Mayor Tecklenburg said, "Everybody is shaking their heads in agreement."

Councilmember Seekings said, "Yes."

Ms. Herdina said, "You got it."

Mayor Tecklenburg said, "That's what we passed. Everybody got that?"

Several Councilmembers said, "Yes."

Ms. Herdina said, "Thank you."

Mayor Tecklenburg said, "Okay. We passed what was on your desks."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Very briefly, before we adjourn, Mr. Mayor, just for Councilmembers, on Thursday, at noon, there is going to be a public gathering and forum on the Blue Zones Project where the Blue Zones founder is actually going to be here. We unanimously voted to endorse this project, which is going to be privately funded if it all works right. There has been some press on it, some good, some bad, some accurate, some not. So, if you have any questions about it, Dan Buettner, who is a very interesting guy, by the way, and the founder of the Blue Zones is going to be here for an hour at Charles Towne Landing from 12:00 p.m. to 1:00 p.m. It will be an opportunity for anybody who's got any questions on Thursday."

Mayor Tecklenburg said, "This Thursday, 12:00 noon, Charles Towne Landing."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Did we set the date yet for our makeup for our workshop?"

Mayor Tecklenburg said, "We haven't yet. I think Madam Clerk was going to poll folks for dates, but we will do that. So, our next Regular Meeting is next Tuesday at 5:00 o'clock at Bishop Gadsden, right? We're not going to be here at City Hall, so we're going to be away from City Hall next week. Is there any further business to come before us this evening? Hearing none, we stand adjourned."

There being no further business, the meeting was adjourned at 7:36 p.m.

Vanessa Turner Maybank  
Clerk of Council