

COMMITTEE ON WAYS AND MEANS

September 22, 2020

A meeting of the Committee on Ways and Means was held this date beginning at 4:32 p.m.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Delcioppo	District 1	Councilmember Waring	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Sakran	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Griffin	District 10
Councilmember Brady	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Jackson	District 12

1. INVOCATION:

The meeting was opened with an invocation provided by Councilwoman Jackson.

2. APPROVAL OF MINUTES:

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to approve the minutes of the July 28, 2020 Committee on Ways and Means meeting.

3. BUDGET FINANCE AND REVENUE COLLECTIONS: AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF CHARLESTON PUBLIC FACILITIES CORPORATION INSTALLMENT PURCHASE REVENUE BONDS (CITY OF CHARLESTON PROJECT), SERIES 2020; AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ISSUANCE AND SALE OF THE AFORESAID BONDS, EACH BETWEEN THE CITY OF CHARLESTON, SOUTH CAROLINA AND CITY OF CHARLESTON PUBLIC FACILITIES CORPORATION, A BOND PURCHASE AGREEMENT AMONG THE CITY, CITY OF CHARLESTON PUBLIC FACILITIES CORPORATION AND THE UNDERWRITER, AND A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; AND OTHER MATTERS RELATING THERETO.

On a motion of Councilmember Mitchell, seconded by Councilmember Shealy, the Committee on Way and Means voted unanimously to recommend giving first reading to the following bill:

An ordinance authorizing the issuance of City of Charleston Public Facilities Corporation Installment Purchase Revenue Bonds (City of Charleston Project), Series 2020; authorizing the execution and delivery of certain instruments relating to the issuance and sale of the aforesaid bonds, each between the City of Charleston, South Carolina and City of Charleston Public Facilities Corporation, a Bond Purchase Agreement among the City, City of Charleston Public Facilities Corporation and the underwriter, and a preliminary official statement and an official statement; and other matters relating thereto.

4. POLICE DEPARTMENT: APPROVAL TO ACCEPT THE 2020 VOCA GRANT IN THE AMOUNT OF \$74,826 FOR THE SALARIES AND FRINGE BENEFITS OF (1) ELDER ADVOCATE AND (1) RESOURCE SPECIALIST THAT REPORTS TO THE CPD FAMILY VIOLENCE UNIT. A CASH MATCH OF \$18,707 IS REQUESTED TO BE BUDGETED.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve to accept the 2020 VOCA grant in the amount of \$74,826 for the salaries and fringe benefits of (1) Elder Advocate and (1) Resource Specialist that reports to the CPD Family Violence Unit.

5. POLICE DEPARTMENT: APPROVAL TO ACCEPT THE 2020 PORT SECURITY GRANT IN THE AMOUNT OF \$274,766 FOR THE MUNSON RETROFIT AND THE NIGHT VISION AND LASER DESIGNATOR FOR HARBOR PATROL AND SWAT. A CASH MATCH OF \$91,589 IS REQUESTED TO BE BUDGETED FOR 2021.

On a motion of Councilmember Shahid, seconded by Councilmember Griffin, the Committee on Ways and Means voted unanimously to approve to accept the 2020 Port Security Grant in the amount of \$274,766 for the Munson Retrofit and the Night Vision and Laser Designator for Harbor Patrol and SWAT.

6. PARKS-CAPITAL PROJECTS: APPROVAL OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE CHARLESTON COUNTY SCHOOL DISTRICT FOR COST SHARE OF THE CONSTRUCTION OF A TRACK AROUND STONEY FIELD BY GULFSTREAM CONSTRUCTION. WORK WILL INCLUDE A SURCHARGE PROGRAM, BUILDING A RETAINING WALL ALONG THE MARSH, CUT OF WALL AT EACH STADIUM FACE, PERIMETER FENCING AND THE BASE AND ASPHALT SURFACE COURSE. THE CITY'S SHARE OF THIS WILL BE \$460,895 (50% OF THE BID PRICE OF \$921,790). APPROVAL OF THIS MOU WILL OBLIGATE \$460,895 OF THE \$3,018,480.50 PROJECT BUDGET. FUNDING SOURCES FOR THIS PROJECT ARE: 2005 GO BOND (\$399,048), 2018 GO BOND (\$2,600,000) AND CAPITAL CONTRIBUTION (\$19,432.50).

Councilmember Waring said he received the agreement about two hours ago, and he asked for the item to be deferred. He said that staff and the City had done a wonderful job with the renovation projects at Stoney Field to date. There had been some proposals to knock the stadium down to create some greenspace. Stoney Field had been a part of the history of the City in excess of 50 years. It used to have a gravel track that people used to run on, and this amendment was for an asphalt track. He said he started running on the asphalt track at the old Middleton High School in 1967. Anyone who was an avid runner knew that when they ran on asphalt track, they developed shin splits. The initial proposal was for a NCAA track, and while they didn't need that, they could get a better surface than asphalt. The track would be used with a high degree of regularity just by community runners. He thought that CCSD's settlement in 2011 was for \$2.4 million. As they moved into 2020, they would not have the same purchasing power. He didn't think this passed the 50 year test. West Ashley High School, which was almost 20 years old did not have an asphalt surface. The new track in North Charleston did not have an asphalt track, and Wando did not have an asphalt track either. He thought this cut the community short. Councilmember Waring made a motion to defer.

Councilmember Shealy seconded the motion.

Councilmember Sakran said he would be recusing himself from the vote.

Mayor Tecklenburg said he supported putting in the best surface that they could. He said the real time crunch was getting the surcharge program done. The surface of the track came last. He asked if they could handle the surface as a change order. CCSD had already agreed to split the cost with the City 50/50. His concern was time sensitive in trying to move forward with the infrastructure and layout. He said they could defer it and negotiate this aspect of the contract or proceed and handle it as a change order.

Councilmember Shahid said he had fond memories of Stoney Field, and his impression was that the type of surface had an effect on runners. He asked what the Recreation Department felt about this as a result of the delay it might cause if they deferred for an indefinite period of time. He didn't object to deferring it for a couple of weeks, but wanted to know how long the deferral would be. Chairman Gregorie said Jason Kronsberg and Laurie Yarbrough were aware of their interest in having the best track that they could afford, something other than asphalt. They were aware of certain costs associated with the City's initial effort, which would have been substantial, but that was not what they were talking about.

Ms. Yarbrough said one of the main things was having the football stadium available next fall. Burke High School was not playing home games this year, and that was of interest to Burke High School. She wanted to get the best track they could get, as well.

Mr. Kronsberg said with regards to the timeline, it was really about getting the surcharge and retaining walls in place because most of the dirt sat there for six to ten months with no action. He thought it was a reasonable request to go back to the school district and negotiate a change order to see if they could get the upgraded surface, but hopefully they could get the surcharge contract ready. CCSD was ready to issue a notice to proceed, but they would not do that without this agreement.

Chairman Gregorie asked if the amendment the Mayor proposed was to moved forward with the approval, but when they concluded what the cost differential would be, that they include a change order. Mayor Tecklenburg said he was proposing that they move forward with the contract with the stipulation that they would come to the Committee with a change order to improve the surface of the track. This would allow them to get the infrastructure going. Councilwoman Jackson said if the motion to defer was withdrawn, she would amend her motion to add the condition of the change order to update the surface of the track once they got to that negotiation with the County. She restated that her motion was to approve the request, and she would amend it to approve it with the condition that they would have a change order to upgrade the surface.

Councilwoman Delcioppo asked what the difference was in the timeline of deferring the item compared to approving the item with the condition of a change order. Mr. Kronsberg said if the item was deferred, they would have to go back to CCSD, and they would have to update the drawings. He said he would have to defer to the school district because he did not know how much time it would take on their end to get that work in place. She asked if they approved the contract tonight with the condition of a change order if work would immediately commence, and Mr. Kronsberg confirmed. She said she was trying to be sensitive of the timeline issue. Mr. Kronsberg said they would have a

lot of time to negotiate the change order. There was a lot of time and effort that had gone into getting the permitting for the infrastructure.

Councilmember Waring said it was not his intent to stop the surcharging. He was not sure why they could not just rebid the surface as opposed to doing a change order. He asked if the City or school district bid out the project. Mr. Kronsberg said it was the school district's project. Councilmember Waring said he had no problem with withdrawing his motion to defer, so they could move forward with the surcharge, but not the asphalt surface.

Chairman Gregorie asked for confirmation that if they asked for a change order that it would not affect the infrastructure issues, and Mr. Kronsberg confirmed that he did not think it would affect the end schedule. If they got the infrastructure in place, they would have many months to negotiate with the school district, and they could update pricing from their contractor on the alternate surfacing.

Councilmember Waring said he did not have a problem with withdrawing his motion to defer and amending it to move forward except for the track surface.

Councilmember Mitchell seconded the motion.

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, the Committee on Ways and Means voted to approve an Amendment to the Memorandum of Understanding with the Charleston County School District for cost share of the construction of a track around Stoney Field by Gulfstream Construction, as amended to remove the track surfacing portion of the agreement.

Councilmember Sakran recused.

7. PARKS-CAPITAL PROJECTS: APPROVAL OF THE ASHLEY RIVER PEDESTRIAN BRIDGE PROFESSIONAL SERVICES CONTRACT WITH HDR ENGINEERING, INC. OF CHARLESTON IN THE AMOUNT OF \$2,009,112.81 FOR DESIGN BUILD CONTRACT SUPPORT, CONTINGENT UPON FHWA APPROVAL OF PRE-AWARD COSTS. WORK PERFORMED UNDER THIS CONTRACT IS NECESSARY TO BID THE DESIGN BUILD CONTRACT BY NEXT FALL IN ORDER TO OBLIGATE THE FHWA BUILD GRANT FUNDING. THE CITY HAS BEEN WORKING UNDER THE DIRECTION OF FHWA WITH ASSISTANCE FROM SCDOT TO NEGOTIATE THE CONTRACT WITH HDR THAT IS IN COMPLIANCE WITH FEDERAL GUIDELINES. APPROVAL OF THIS PROFESSIONAL SERVICES CONTRACT WILL OBLIGATE \$2,009,112.81 OF THE \$22,749,750 PROJECT BUDGET. FUNDING SOURCES FOR THIS PROJECT ARE: BUILD GRANT, CHARLESTON COUNTY, GENERAL FUND RESERVES AND MUSC. NOTICE TO PROCEED WILL NOT BE GIVEN TO CONTRACTOR UNTIL CITY HAS RECEIVED APPROVAL AWARD LETTER FROM FHWA AND SUBSEQUENT FUNDING FROM CHARLESTON COUNTY.

On a motion of Councilwoman Jackson, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve the Ashley River Pedestrian Bridge Professional Services Contract with HDR Engineering, Inc. of Charleston in the amount of \$2,009,112.81 for design build contract support, contingent upon FHWA approval of pre-award costs.

8. PARKS-CAPITAL PROJECTS: APPROVAL OF INTERNATIONAL AFRICAN AMERICAN MUSEUM GMP CHANGE ORDER #5 WITH TURNER CONSTRUCTION COMPANY IN THE

AMOUNT OF \$229,150 FOR CHANGES TO INCLUDE LOW VOLTAGE AND REVISION TO TRACK LIGHTING AS COORDINATED WITH EXHIBITRY. APPROVAL OF CHANGE ORDER #5 WILL INCREASE THE GUARANTEE MAXIMUM PRICE (GMP) CONTRACT BY \$229,150 (FROM \$58,892,872 TO \$59,122,022). THIS CHANGE ORDER IS FULLY FUNDED BY THE IAAM. FUNDING SOURCES FOR THIS PROJECT ARE: ACCOMMODATIONS TAX (\$13,200,000), CHARLESTON COUNTY ACCOMMODATIONS TAX (\$12,500,000), STATE FUNDING (\$14,000,000), IAAM CONTRIBUTIONS (\$53,000,000).

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve International African American Museum GMP Change Order #5 with Turner Construction Company in the amount of \$229,150 for changes to include low voltage and revision to track lighting as coordinated with exhibitry.

9. STORMWATER MANAGEMENT: APPROVAL OF THE JOHNS ISLAND RESTORATION PLAN TO IMPROVE FLOOD RESILIENCY PROFESSIONAL SERVICES CONTRACT WITH THE WATER INSTITUTE OF THE GULF IN THE AMOUNT OF \$42,255 FOR MASTERPLAN SERVICES AS PART OF THE JOHN'S ISLAND RESTORATION PLAN TO IMPROVE FLOOD RESILIENCY. THE PROFESSIONAL SERVICES CONTRACT WILL OBLIGATE \$42,255 OF THE PROJECT BUDGET. FUNDING FOR THIS PROJECT IS COMING FROM A NATIONAL FISH & WILDLIFE GRANT (\$117,500) AND DRAINAGE FUND (\$117,500).

On a motion of Councilmember Brady, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve of the Johns Island Restoration Plan to improve flood resiliency professional services contract with The Water Institute of the Gulf in the amount of \$42,255 for Masterplan Services as part of the John's Island Restoration Plan to improve flood resiliency.

10. STORMWATER MANAGEMENT: APPROVAL OF BARBERRY WOODS IMPROVEMENTS FEE AMENDMENT #1 WITH WK DICKSON & CO., INC. IN THE AMOUNT OF \$192,745 FOR ADDITIONAL ENGINEERING AND DESIGN SERVICES FOR DRAINAGE IMPROVEMENTS IN THE BARBERRY WOODS AREA OF JOHNS ISLAND. THIS FEE AMENDMENT WILL ADD AN ADDITIONAL 60 CALENDAR DAYS TO THE CONTRACT. APPROVAL OF FEE AMENDMENT #1 WILL INCREASE THE PROFESSIONAL SERVICES CONTRACT BY \$192,745 (FROM \$498,050 TO \$690,795). FUNDING FOR THIS FEE AMENDMENT IS COMING FROM A NATIONAL FISH & WILDLIFE GRANT (\$117,500) AND DRAINAGE FUND (\$117,500).

On a motion of Councilmember Brady, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve of Barberry Woods Improvements Fee Amendment #1 with WK Dickson & Co., Inc. in the amount of \$192,745 for additional engineering and design services for drainage improvements in the Barberry Woods area of Johns Island.

11. HOUSING AND COMMUNITY DEVELOPMENT: MAYOR AND CITY COUNCIL ARE ASKED TO APPROVE THE COORDINATED AGENCY SYSTEM AGREEMENT THAT ALLOWS STAFF TO PARTICIPATE WITH CHARLESTON COUNTY AND SERVICE PROVIDERS ACROSS THE TRI-COUNTY AREA TO ADDRESS A CONTINUUM OF CARE FOR PERSONS WHO ARE FREQUENTLY IN CONTACT WITH THE CRIMINAL JUSTICE SYSTEM. THE HOMELESSNESS COORDINATOR IS THE INDIVIDUAL FROM THE DEPARTMENT OF HOUSING AND

COMMUNITY DEVELOPMENT THAT PARTICIPATES IN THESE DISCUSSIONS AND RECOMMENDATIONS.

On a motion of Councilmember Mitchell, seconded by Councilmember Griffin, the Committee on Ways and Means voted unanimously to approve the Coordinated Agency System Agreement that allows staff to participate with Charleston County and Service Providers across the Tri-County area to address a continuum of care for persons who are frequently in contact with the criminal justice system.

12. PLANNING, PRESERVATION, AND SUSTAINABILITY (BUSINESS AND NEIGHBORHOOD SERVICES): APPROVAL TO SUBMIT A GRANT APPLICATION TO MUNICIPAL ASSOCIATION OF SOUTH CAROLINA IN THE AMOUNT OF \$25,000 FOR THE IMPLEMENTATION OF NEW WAYFINDING SIGNAGE IN THE CENTRAL BUSINESS DISTRICT. BNS PLANS TO SUBMIT THE APPLICATION BY SEPTEMBER 25, 2020. THERE IS A 15% MATCH. THE CITY MATCH WILL BE IN-KIND BY ACCOUNTING FOR BUSINESS AND NEIGHBORHOOD SERVICES STAFF TIME AND FRINGE BENEFITS.

On a motion of Councilmember Mitchell, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve to submit a grant application to Municipal Association of South Carolina in the amount of \$25,000 for the implementation of new wayfinding signage in the Central Business District.

13. DISCUSSION OF REPORT FROM BENNETT PRESERVATION ENGINEERING

Mayor Tecklenburg asked if staff could make a presentation regarding what they had learned since the last meeting relating to the St. Julian Devine Smokestacks.

Councilmember Seekings asked procedurally how they would be moving forward on Items #14 and #15. He asked if the items would be deferred. Mayor Tecklenburg said that was correct unless Council wanted to move forward with what had been recommended. He said Edmund Most contacted the engineer, and he had given the City information on a more exact estimate on what the preservation of the smokestacks would cost to keep them at their current height. Shannon Scaff would also explain to the Committee the process for notifying property owners in the immediate vicinity in the unlikely event an evacuation would be called for of the area.

Edmund Most said he had just received the cost estimate. The engineer had requested three weeks, but the City asked for two. They did the best they could, and they felt comfortable sharing the numbers. The engineer went out for a second opinion with a contractor and talked about how they could do a long term preservation for both of the structures. They would build an interior steel frame going up vertically, and they would have rings that would be bolted together. This would happen after the liner of bricks was removed from both smokestacks. It was a complicated effort as there were different types of work involved. All of it would have to be done by scaffolding and initially by a crane because they could not put anybody inside of the structures. The finalized number was around \$2.8 million, including a couple of costs that might drive the price up a little, but they felt comfortable sharing this number. If the City were to go through the process of retaining Bennett Engineering to complete the work under the emergency procurement method, it would take them approximately four months to create the design drawings and submit them for permitting and about

a month to get a construction contract to Council for approval. It would take about seven months for the construction to be mobilized for both smokestacks. If this process began November 1st, they would finish November 1, 2021.

Mayor Tecklenburg said regardless of whether they had proceeded with the proposal last time to take the smokestacks half-way down and preserve them that way, there was a time lag even with that plan. It was not as long as a year, but whether they went one course or the other, they had to be prepared for the event of gale force winds and a small scale evacuation around the perimeter of the smokestacks. Mayor Tecklenburg asked Shannon Scaff to give a brief report regarding those plans.

Shannon Scaff, Director of Emergency Management, stated the threshold for the smokestacks cited by the engineer were winds of 74 miles an hour or a seismic event in the area. In both cases, residents would have to remain away from the hazard area until an inspection had deemed the area safe. The expected turn-around time of an inspection was five days. GIS identified 34 parcels within 225 feet, which included 60 addresses, 41 being residential. Sixteen parcels within 135 feet, there were 26 addresses with 20 that were residential. In the event of an evacuation, the City of Charleston would likely have to close Drake Street between Cooper and Blake Streets, Cooper Street between East Bay and America Streets, and potentially a portion of Blake Street. The outreach plan was a four-pronged approach. Initial meetings were held with leadership of addresses in the hazard zone, followed by a press release, a mailer, and a door-to-door visit by the Fire Marshal and Emergency Management. The sheltering plan was to provide hotel rooms for residents only until the structures were inspected and deemed safe. They would not know how many citizens they would need to provide shelters for until the Fire Marshals conducted a thorough outreach program and contacted every resident in the hazard area. Mr. Scaff said that would be ongoing fairly quickly. CARTA and the City's Recreation Department would assist in transportation efforts for those that did not have the ability. When he thought about when they would make something like this happen, obviously if they had a low-grade hurricane, it would not be likely to see an evacuation in the area, however, it would meet the threshold for those living in the area. He would work with other City leaders to communicate a couple of days in advance what their intentions were, have people prepare to evacuate, and then they would march down their timeline in terms of when they would evacuate for a hurricane in terms of 12, 24, 36, and 48 hours. They would begin those discussions in advance of that event, and that would be just for an event of 74 mph winds or greater. He was still looking for clarity regarding a seismic event and what would constitute a seismic event in terms of the registered magnitude. They also had to consider the aftershocks that could occur. Mr. Scaff then shared a map with the Committee of the affected block. He said the two stars signified the smokestacks themselves. The inner ring was 135 feet, and the outer ring was 225 feet. The red areas were parcels that would be in question.

Mayor Tecklenburg said that in terms of cost deferential, he estimated at their last meeting that it would be about \$3 million to preserve the stacks at their current height. They now thought the cost would be around \$2.8 million. They also discussed at the last meeting taking the smokestacks down halfway, which would be about \$750,000, which was about a \$2 million difference. They did not have \$2 million available in the General Fund. The only possibility he thought of was to recast the allocations they had made to the Cooper River TIF District. The smokestacks were in the TIF district and were eligible for funding. They had, through their Community Development Committee, an agreement by Council where they issued a bond that was almost \$12 million that was allocated to

affordable housing and sidewalk, parking, and flooding improvements. They would have to take away from some of those other priorities if that was the will of Council. He said he would like to hear from Council and asked if they would like to recast the TIF District funding to include the full preservation of the smokestacks to the detriment of other projects, or if they would like to preserve the smokestacks by reducing the height.

Councilmember Mitchell said he had fought hard to maintain the money in the TIF for affordable housing and drainage in that area. He did not see himself voting to take money out of the TIF for the smokestacks. When it came between bricks and mortar and human beings, he looked at human beings. They needed affordable housing so people could stay on the Peninsula. He had lived in the area for a long time. He had recommended to the Mayor reducing the height of the smokestacks, so that their presence would still be there as a compromise where they would still be there at a safe level. They would still be taller than the St. Julian Devine Community Center. If something happened, he did not want it on his conscience. He could not take money out of the TIF that was designated for drainage in areas that had flooded for a long time and that needed affordable housing.

Mayor Tecklenburg said the TIF district was doing well. They had gotten their numbers back from the County, and they believed in another year or so, they would be able to afford another bond coming from the district. They would still be able to do the other things, but they might have to be pushed down the road.

Councilwoman Jackson said she appreciated that staff had worked hard with Bennett Engineering to be able to make the report two weeks to the day when they deferred the decision to hear a preservation study. She said she was mindful of the people that were appealing to them two weeks ago. Everyone assured the constituents who were the most concerned about what they were going to do that they would be deferring any vote. She thanked Shannon Scaff for coming back to Council with a plan that was workable, whether it was a year or seven months. She was surprised the neighborhood felt so strongly about the smokestacks knowing their history. She was living in a community that was diverse, growing, and changing, and they needed to be sensitive to what they were being asked. She could not see voting on a \$3 million expense if they did not have the total cooperation and help from the community. She was glad to know they could potentially have a bond for additional money, but she did not want to make a decision tonight based on a report they had not seen. She asked that they keep the items deferred.

Councilmember Shahid said his opinion had changed. They were smokestacks, and they were built on the Eastside of Charleston as industrial pollutants. They were polluting the air of the local residents. Why would they want to keep them as a reminder that the neighbors were polluted in that community? It was a \$3 million project, and they were a hazard to the community. He proposed that they should be torn down. The fire tower was something to be preserved and had a different story altogether. They were not talking about a pleasant history with the smokestacks. He wanted to remove them as they were a real danger to the community.

Councilmember Mitchell said he represented the district, and he was hearing from people in the district that wanted the smokestacks torn down. Some people wanted them preserved, and that was why he proposed bringing the smokestacks down halfway. Many people who had lived there wanted the smokestacks removed as opposed to people who had moved here recently that wanted them to remain.

Chairman Gregorie said there was a motion on the floor to defer the items, but there wasn't a second. He asked Councilmember Mitchell if he was making a motion. Mayor Tecklenburg said there was nothing to defer as the items were already deferred. Mayor Tecklenburg said they were deferred unless Council took emergency action to put them back on the agenda, which would require a two-thirds vote. He was hoping to get a consensus as to whether Council wanted the administration to bring back a new contract with Mr. Bennett to proceed with the full preservation, or leave it as it is, and next time consider the two items that were deferred on the agenda.

Councilmember Waring said he agreed with Councilmembers Shahid. He was ready to vote for the compromise that Councilmember Mitchell had proposed. They were still in the middle of hurricane season, and it had been over 30 years since they had a major hurricane. They had been very fortunate this year that the major hurricane events had occurred in the Gulf of Mexico. He said it would be interesting to know how many of those who wanted the smokestacks preserved lived in the shadow of what might fall down during the next wind event. They were potentially talking about waiting until next year which would take them through another hurricane season. Out of deference towards safety, he asked that the compromise be placed on the agenda. If one person was effected by leaving the smokestacks up, they all would regret that because they got caught up in conversation instead of putting people's health first. With COVID, they had to make unpopular decisions in deference to science trying to help keep people safe. With this issue, people could be hurt, or even die.

Councilmember Seekings asked if they could bring Mr. Bennett back, so that they could ask him questions, and he would like to see the numbers from the TIF. There had been a lot of surmising as to what the public would have to say, and he thought it should be given two weeks' time. Mr. Scaff had put together a safety plan, and he agreed about seeing both sides. Next time, he would like to hear from Mr. Bennett and the public on a matter that was not shown as deferred.

Councilmember Mitchell asked if the City had spoken with the Historic Charleston Foundation and the Preservation Society of Charleston to see if they could come up with any money if they wanted the smokestacks preserved. Mayor Tecklenburg said the only offer had been for a second opinion with the understanding that might be \$20,000 to \$30,000. He did not feel like that was necessary as Mr. Bennett was working with the International Chimney Company. They had given their expert opinion about how to preserve the chimneys if the City chose to do so. Councilmember Mitchell said that in two weeks, he was going to bring up the item to be voted on.

Councilwoman Delcioppo said that was what she wanted to understand. She agreed with Councilmember Seekings about looking at the TIF. She said she was not going to take money away from flooding and affordable housing for smokestacks. She also wanted to see the numbers and if there were organizations who could come up with the money to preserve them. She wondered if they could get a better understanding of that in two weeks and have a presentation at that time with a better understanding about the TIF, feedback from the community, and feedback from the preservation groups. She did not like to defer things and would want for them to move things forward.

Mayor Tecklenburg said they knew how the TIF performed last year, and they would be happy to share that with everyone. He suggested having a community meeting with the assistance of Councilmember Mitchell and said that was something they could certainly do. They would be calling

a meeting of the property owners that would be affected by the smokestacks, and they would ask for their opinion, as well.

Councilmember Waring asked if the information that had been provided by Mr. Bennett could be disseminated to Council, and Mayor Tecklenburg agreed. Councilmember Shahid asked that the proposal include the option of full demolition, as well.

14. and 15. (DEFERRED)

16. THE COMMITTEE ON REAL ESTATE (MEETING WAS HELD ON MONDAY, SEPTEMBER 21, 2020 AT 3:00 P.M.)

- a. Request authorization for the Mayor to execute a change order to the Agreement for Voluntary Cleanup Contract Services (Revision 1) Housing Parcel (VCC 17-6523-NRP) (the “VCC”) from S&ME, Inc., relating to that certain parcel, containing 0.71 acres, more or less, located at the southern terminus of F Street (Charleston County TMS No. 4600404118) pursuant to the attached “Change to Agreement for Services” with S&ME, Inc. The change order would increase the scope of services S&ME proposes to perform on the site, as required under the VCC, to include additional soil quality assessment and to prepare a corrective measures (“CMP”) and media management plan (“MMP”). SCDHEC will require these additional measures under the VCC. The change order will increase the total contract price from \$76,945.00 to \$86,110.00, for a total increase of \$9,165.00.
- b. Authorize the Mayor to execute an MOU with Enough Pie for the installation of an artistic mural on the I-26 bridge columns between Cypress and Romney Streets near the Vivian Moultrie Playground. (41 Ashley Avenue – Vivian Anderson Moultrie Park)
- c. Approve an Agreement to Buy and Sell Real Estate between the City and Shade Tree Holdings, LLC, a South Carolina limited liability company, for the sale of approximately 3.329 acres located on Wildst Battery Dr. (at the intersection of Maybank Hwy. and Wildst Battery Dr. on Johns Island), to the City for the purchase price of \$800,000. (TMS: 313-00-00-337)
- d. Consider the following annexation:
 - (i) 1858 Christian Road (TMS# 353-14-00-095) 0.22 acre, West Ashley (District 7). The property is owned by William J. and Elizabeth K. Trull.

Councilmember Shahid, Chair of the Real Estate Committee, reported that all items were approved on the agenda.

On a motion of Councilmember Shahid, seconded by Councilmember Waring, the Committee on Ways and Means voted unanimously to approve the Committee on Real Estate Report as presented and recommended giving first reading to the following bill:

An ordinance to provide for the annexation of property known as 1858 Christian Rd (0.22 acre) (TMS# 353-14-00-095), West Ashley, Charleston County, to the City of Charleston,

*shown within the area annexed upon a map attached hereto and make it part of District 7.
The property is owned by William J and Elizabeth K Trull.*

There being no further business presented, the Committee on Ways and Means adjourned at 5:29 p.m.

Jennifer Cook
Interim Clerk of Council