

COUNCIL CHAMBER

Regular Meeting

March 8, 2016

The sixth meeting of the City Council of Charleston was held this date convening at 5:00 p.m. at the City Hall.

A notice of this meeting and an agenda were mailed to the news media March 2, 2016 and appeared in The Post and Courier March 6, 2016 and are made available on the City's website.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Williams	District 2	Councilmember Seekings	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Riegel	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Wilson	District 12

Mayor Tecklenburg called the meeting to order at 5:04 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "I would like to call on Councilmember Wilson to please give us an invocation and Pledge of Allegiance."

Councilmember Wilson opened the meeting with an invocation.

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

Mayor Tecklenburg said, "If I could ask Cordelia Conner to join me, please. Cordelia represents, let's see if I can get the pronunciation right, the Renal Medullary Carcinoma Foundation. Did I get it right?"

Cordelia Conner said, "Medullary."

Mayor Tecklenburg said, "Thank you very much. Can I say renal cancer?"

Ms. Conner said, "Yes."

Councilmember Riegel was excused from the Chamber at 5:06 p.m.

Mayor Tecklenburg said, "Okay. That's a little easier, flows off the tongue better. So, we have a proclamation regarding renal cancer this evening."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "Thank you very much."

Ms. Connor said, "Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "I think we have a proclamation for you, but my Clerk just left the room, so we'll get it to you in just a little bit. Thank you. I do have some very sad news this evening. The Girl Scouts are experiencing a little flu, and they are not with us this evening, so no Girl Scout cookies tonight. We will be deferring our proclamation regarding Girl Scout Week until our next Council meeting. We have also no public hearings tonight, so we won't be acting on any of those. I would ask for a motion to approve our last City Council minutes."

Councilmember Mitchell said, "Move for approval."

Councilmember Waring said, "Second".

On a motion by Councilmember Mitchell, seconded by Councilmember Waring, City Council voted to approve the minutes of the February 23, 2016 City Council meeting. Councilmember Riegel was not present for the vote.

Mayor Tecklenburg said, "Excuse me one minute. Cordelia, now, I have your proclamation. Thank you so much. So, next would be the Citizens Participation Period. May I ask how many people wish to be heard this evening? We've got a pretty good crowd. How many wish to be heard regarding the Gathering Place matter that will be before Council? That's most of you. With the permission of Council, not that we're looking to change anybody's mind or defray any input at all, but just for a matter of clarification as to what the committee that's been working on this has come up with, I would like to ask, if Council approves, to have our Planning Director, Jacob Lindsey, go ahead and make a brief presentation to you about what the committee has proposed."

Councilmember Mitchell moved to approve. Councilmember Riegel seconded the motion.

Mayor Tecklenburg said, "May I go further and announce to Council, and to the public who wants to speak on this matter, that this is a very kind of unique presentation in our City agenda tonight where we have an either/or. We can either take up the matter of what's being presented to us, or we can ask for, in essence, a deferral and an extension of a moratorium that's been in place for a couple of months already. I want to go ahead and share and suggest to you that we should, in fact, take the 'or' and vote tonight on an extension of that moratorium for a couple of reasons. Although we had three Councilmembers on this committee, nine were not on it. This is the first notification you all have had of this study and these recommendations, and I think we should take a little time and study them. In addition, as you know, we have a workshop planned for March 18th, and it's one of the things that I felt like, as a group, without taking any vote on it even on the 18th, that we would have the opportunity to really fully discuss these plans that are proposed this evening."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Thank you, Mr. Mayor. I appreciate that. May I ask who the members, in addition to the three Councilmembers, are who make up this committee reviewing this? It was several of my colleagues' impressions that it was just, (Councilmember) Dudley Gregorie, as Chairman, who does a marvelous job, and two other Councilmembers. I've also been given information, or some of us understand that there are also some developers on this committee. If we could just clarify that, who is the committee?"

Mayor Tecklenburg said, "Well, we could share the names, and the committee was formed before I became Mayor. One of the developers, owns one of the properties that's on Maybank Highway is a member of the committee, and we valued his input, as well, but there were citizens from the nearby neighborhoods and Councilmembers Gregorie, Wilson and Moody were on the committee, as well. Jacob could tell you the others, specifically, if you would like to know."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "One, I was not the Chairman of the committee. Two, I like your idea. However, just in terms of process, I do think that it's appropriate for the ordinance to go before the Community Development Committee for further vetting simply because one, there are more City Council members there, and they represent a much broader area. So, for me, I think it's worthy for it come to the Community Development Committee if we decide to defer and extend the moratorium. Instead of it going before the committee of the whole, because I think on the 18th, that would still be the committee of the whole, it goes to the appropriate committee, which has been an issue that I've been pushing now since I've been on Council. I think it's appropriate that this ordinance go to the Community Development Committee for further vetting."

Mayor Tecklenburg said, "Thank you, sir. Alright. Again, at the pleasure of Council, a brief presentation by Planning Director, Jacob Lindsey."

Jacob Lindsey said, "Thank you, Mayor. So, as you all are aware, the previous administration asked us as staff to convene an advisory committee."

Councilmember Waring said, "Mr. Mayor, just a point of order. Excuse me, Mr. Lindsey. I thought we had a motion on the floor to vote to get this on the floor."

Mayor Tecklenburg said, "Oh, I see. I guess we did."

Councilmember Waring said, "Councilmember Mitchell moved, and I think Councilmember Riegel seconded."

Councilmember Riegel said, "You were going to share with us the members of the committee."

Councilmember Waring said, "To have that discussion."

Mayor Tecklenburg said, "That's correct."

On a motion by Councilmember Mitchell, seconded by Councilmember Riegel, City Council voted unanimously to allow Jacob Lindsey, Planning Director, to give a presentation regarding Gathering Place recommendations.

Mayor Tecklenburg said, "You're on."

Mr. Lindsey continued, "Thank you, and to Councilmember Riegel's request, the members of the committee are Mary Beth Berry, former Town of James Island Councilperson; Bill Eubanks, who is a landscape architect; Hollis Mayes, who is the President of the Lakeside Neighborhood Association and also a recipient of the Harold Koon Award; Katherine Zimmer, who is the Cross Creek Neighborhood President, and, as you all know, led the protests and picket onsite against the original Gathering Place; Judy Johnson, who is a representative of the neighborhood across the street from the Maybank Gathering Place; Amanda Barton, who is a longtime Riverland Terrace resident and also a landscape architect; Katie Zimmerman of the Coastal Conservation League; Heather Foley of the Urban Land Institute; Mike Short, who is the developer of The Standard with his experience in the Gathering Place; John Graham, the developer of Core Properties, and his involvement was critically important because we don't believe that a viable ordinance can come out of this process unless the developer has an understanding of how the ordinance works, and, of course, Councilmembers Moody, Gregorie and Wilson. Thank you all for your work over seven meetings to create a draft and the ordinance that we have as a result of that committee's process and staff recommendation, did that answer the question, Councilmember Riegel?"

Councilmember Riegel said, "I just wanted to know who they were."

Mr. Lindsey continued, "If you can do this, this is hard for me to do, if you can for a moment put aside in your mind the controversy surrounding Maybank Highway. Just put it aside and look at the ordinance that has come out of this committee's work, for a moment. This is a brief overview that compares it to the previous Gathering Place ordinance, and we can do a further in-depth review at Council's request and dig deep into the details. This is an ordinance which is fundamentally different. It is not a Gathering Place ordinance, and, in fact, it is in the family of the MU or Mixed Use ordinances. So it's an MU ordinance, functionally, coming out of the end. To go through a few details very briefly, the previous ordinance you will see in this column existing zoning Gathering Place here, and this is the proposed draft coming out of this committee. The previous ordinance had unlimited density. The density now has a cap. If Council doesn't like this density, as with everything, these are all up for discussion, of course. The previous ordinance had a maximum of six stories. It now has five, or the prevailing height of trees per the Design Review Board. Previously, there was no requirement for a mix of uses, and now there is. Previously, there was no requirement for how the open space was to be used, and now there is a requirement. It says it must be usable, open and inviting to the public. Previously, there were street design requirements that locked-in the project. They couldn't be modified, and now they can be changed by the Design Review Board. Setbacks before were the same, locked-in, not flexible, and now they are. The purpose was unclear of the Gathering Places, and now it's been refined. The two most important are the last two. There is a required development plan, just like a PUD. This is the only other ordinance in the books which requires a development plan like a PUD. That would have alleviated the vast majority of the problems at Maybank Highway, if we had just required a development plan to begin with. Finally, there is a mandatory Design Review Board review, for any site in the new Mixed Use-3 category. This is the most progressive zoning ordinance that we've ever drafted and a very versatile and useful tool for us to have in our quiver. So, we really think that something like this is highly versatile, and this is the ordinance that is currently being worked coming out of this committee. Now, it does have some incentives, like our Upper Peninsula Zoning Ordinance with which you are all familiar, that go above and beyond the requirements. This is why I say it's the most versatile zoning ordinance that we've ever seen. A developer can work with unaffiliated owners to create a bigger development plan. They can provide workforce housing. They can add their own transit service or create a car share program, increase open space, increase the mix of uses, add community spaces, connect to adjacent commercial or provide sidewalks offsite, and then go above and beyond the stormwater management principles to create

something really excellent. All of these incentives get the developer additional density up to the cap. So, this is, in short, a highly versatile Swiss Army knife of ordinances, not the weapon of mass destruction that the old Gathering Places were. We think it has tremendous utility throughout the City. Again, this is a brief overview, and we can go into further depth at Council's request at any time."

Mayor Tecklenburg said, "Are there any questions for Mr. Lindsey at this time?"

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Thank you, Mayor. Mr. Lindsey, is there any reason that we couldn't just put this on the shelf as a Zoning category like a PUD, since it has all these things? Then you're not designated a Gathering Place or an MU-3, and just say, 'it's on the shelf. It's one of the tools that the Planning Department has.' That way, if I'm a property owner, I can come to you and say, 'I want to have an MU-3 development. I've got all this acreage.' Then, as a single property owner or maybe a couple property owners, we can have all that connectivity. I think that's what's wrong with the Maybank, and, again, just set it out. Eighty percent, 90 percent of it is already developed, part of the 80 acres, if you will, so there wasn't a lot of connectivity. I would be in favor of this and not have two places as Gathering Places, but just have them General Business for now, but if somebody wanted to come in and develop an MU-3 development just like they could do a PUD, they would come in and make an application to do this and get their incentives and maybe get their density up. You may have mentioned this, because the way this thing works now, we have to approve something, and then we're told what the density is as opposed to them telling us what the density is, when we approve it, which seems a little bit like the tail wagging of the dog to me."

Mr. Lindsey said, "To answer your first question, the answer is yes, and we would love to have this on the books to apply in the right places and the right situations. The second, this would come to you, first of all, if the existing Gathering Places were to be amended, this would replace those places in Cainhoy and West Ashley, but any additional use would need Council approval. It would come to you with the development plan so you would, like a PUD, know what you're getting. There wouldn't be anything unknown. You would see the development plan in hand. You would understand what the density is, and you would see the animal and vote on that."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. A couple of things, will this require a site plan?"

Mr. Lindsey said, "It does require a site plan as a part of the development plan."

Councilmember Waring said, "Okay. You put down stormwater as an incentive. Stormwater management should be a requirement."

Mr. Lindsey said, "It is a requirement, and it's required in the previous ordinance and in this one."

Councilmember Waring said, "But why is this an incentive?"

Mr. Lindsey said, "Good question. It's a little different, and we actually, in the previous ordinance, stormwater management onsite in ponds is allowed. In the new one, there is a lot more

in this edited for time. In the new one, stormwater management in ponds is allowed, but with the addition of an aquatic shelf, which, basically, filters the water better, so it's actually a more sophisticated version of stormwater that is built into this. Now, the additional stormwater items that are the incentive elements are really something that are above and beyond, like expanding the riparian buffers, creating additional bioswales. That's above and beyond our requirements, which, as you already know, are stringent and we hold all of our sites to it. So, the answer is, yes, there are requirements. They're the same as every other zoning ordinance. These are actually better than the previous Gathering Place requirements because we require the aquatic shelf in ponds, but you can go above and beyond even that."

Councilmember Waring said, "In exchange for that, what are they getting?"

Mr. Lindsey said, "I don't know, and that's a good question. This is in draft form. So, each one of these is allocated a certain amount of density per thing. They're weighted, so, if you do this, you get this additional density. The weighting of that is something that is yet to be done in its final form, but you get some additional bonus density for doing each one of those."

Councilmember Waring said, "One of the things that you made mention, you said you would like to have it on the books to apply in the right situation at the right time like a PUD. One thing about a PUD is, before Planning (Commission) votes on it, before Council votes on it, the public gets to see known densities prior to the public hearing being held. Somehow in this, it still seems a little slippery that after the vote is taken, the number of units can actually change."

Mr. Lindsey said, "No, sir. That could not happen. This would be the exactly the same way. This would go to a public hearing and the Planning Commission. It would come here a public hearing. It would be baking the cake. There would be no changing of the density after the awarding of the zoning ordinance."

Councilmember Waring said, "So, if they decide to go with more incentives than were presented at the public hearing, would that change density?"

Councilmember Wilson said, "Yes, exactly."

Mr. Lindsey said, "Yes, exactly. So, the answer is, should a developer, for example, not be able to achieve one of these points, like they can't do it, they can't provide my transit service, I don't get my points, or I want more density, you've got to go back through the process, developer, and another public hearing at Planning Commission, another public hearing right here on the floor. There are no tricks in this thing. It is all open and built in."

Councilmember Waring said, "So, you're admitting that tricks were in the first one?"

Mr. Lindsey said, "No, sir."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "What's occurring right now is exactly what, I think, is kind of inappropriate, because we're really now having a discussion without it going through the appropriate committee. I still think that the committee is in place for a specific purpose, and we could have this kind of discussion within the committee. The second thing is, as we look at the incentives, I think some of the incentives should be requirements, not incentives. Again, I don't want to really get into the discussion before the body of the whole. I think we should pull this back

to the appropriate committee, have us vet it, have us discuss it, and make a recommendation to the body of the whole. What we're doing right now is short-circuiting the process. That has been occurring for years in this body, and I have been the one person, since I have been here, advocating that we follow the legislative process and discontinue bringing things before the body of the whole, without it going through the committee for appropriate vetting, and then a recommendation to the body of the whole."

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

Councilmember Wilson said, "My question is following up on Councilmember Gregorie. Are we going to Citizens Participation?"

Mayor Tecklenburg said, "We are. We are."

Councilmember Wilson said, "And then, any further discussion, because we seem to be launching into this."

Mayor Tecklenburg said, "Correct. We can come back, of course, after Citizens Participation."

Councilmember Riegel said, "You have your light on, Marvin (Councilmember Wagner)? Marvin had his light on, and I thought maybe. Yes, if you would bring the slide back up wherever it went. There, under incentives, much like Councilmember Waring, and I do agree with you, Dudley (Councilmember Gregorie), by the way, I think as for the process, we need to be involved in that, but under mobility and transportation, transit service, car share program is kind of beyond me and maybe that's why the process is not complete. How the developer is going to impact transit service? I mean, are they going to have some role with CARTA? Councilmember Mike Seekings is working with CARTA trying to get service. They're underfunded. I just don't know what that means. We desperately need more transit service, but how is that going to mitigate itself, sir? Thank you."

Mr. Lindsey said, "Good question. So, the requirement here, or the incentive, I should say in this case, actually, can be met in a number of ways. The developer can provide their own transit service. They can run their own bus, or they can work with an existing transit service to guarantee peak hour arrivals on the correct interval, and we'll monitor it to make sure it happens."

Mayor Tecklenburg said, "So, as Councilmember Wilson pointed out, we can come back to this discussion as a Council. If you all are okay, we'll move on now to Citizens Participation. Based upon the number of hands I saw up a few minutes ago, I would like to set 90 seconds, a minute and a half for public comment. The floor is open. Please come forward. Ninety seconds. Mr. Hamilton."

1. Mr. William Hamilton said, "Tonight in Tent City, there is chaos, fear and terror. Today, two police officers from your Police Department went through that population of degraded, humiliated and frightened people and told them that some of them, based on a criteria no one can articulate and a list nobody has, will need to be gone in 48 hours, a threat, which apparently extends to every homeless person under every bridge in every lot and on every piece of private land that isn't appropriately zoned for camping in your entire City. Yesterday, I was in your Mayor's office with Jerry Todus, the leader of Tent City, and no one brought anything like this up. On Thursday at 2:00 p.m., we're supposed to be meeting with your staff to discuss the possibility of building tiny house villages. I cannot reconcile a meeting yesterday and a proposed meeting

Thursday with a decision to force hundreds of people who have nothing but fear, mental illness and need around them onto the streets of your City and into the streets of other communities. I have asked for a written copy of the policy. I have not yet received one. If someone wanted to do something like this, it would not have been difficult to have stepped up to me yesterday in the Mayor's office and go, 'Oh, by the way, Mr. Hamilton, while we're talking about building homes for the homeless like a decent City would do, we propose to force hundreds of people onto the sidewalks and into possible arrests and fines on 48 hours notice.' That, at least, would have given us another 12 hours. What I need to know tonight is, is this what the City of Charleston is, or not? I can assure you, as of this date, I am no longer embarrassed to be a citizen of the Town of Mt. Pleasant because I cannot imagine our town doing this and I cannot imagine the town . . ."

The Clerk called time.

Mr. Hamilton continued, "I lived in for 13 years doing this."

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

2. Matt Doszkocs said, "Hi, Matt Doszkocs, 36 Moultrie Street. I want to just talk about, address, the Committee on Community Development is going to be talking about short-term rentals and forming a task force later on. I just wanted to ask and request that a timeframe kind of be added to that sort of, in conjunction with, and similar to, the discussion about the hotels and expanding and the moratorium, etcetera, because they're kind of interrelated, especially in light of the fact that hotels are a fairly recent development in Charleston. If you look at the timeline of this existence of the City, it's estimated by some scholars at mid-19th century that between a third and a half of all of the City urban dwellers in America lived in boarding houses or operated in a boarding house. This is really a return to our roots, this new technology that is allowing people to rent out their homes on a short-term basis. It was Citywide, Countrywide and Worldwide, so we have the wide capacity to do this already, and we have historical precedence. I've talked to other citizens. I have a petition going so far with about 500 names, all districts, because I want you to understand that 95 percent of the people I approach are in favor of this. There are a few vocal opponents against it and, if you talk to Zoning, they'll tell you that really there aren't noise complaints. There aren't parking complaints."

The Clerk called time.

Mr. Doszkocs continued, "It's just people complaining they don't like seeing strangers, and that's not right. Thank you."

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

3. Brian Hammett said, "Mayor Tecklenburg and members of Council, I'm Brian Hammett, 105 Broad Street. When I last spoke to you about my client, Core Property Capital, it was the night that the moratorium was passed. I said that Core felt that it was inappropriate for the moratorium to be passed, but would be supportive. John Graham, who is of Core Property, has been a part of the committee and worked very diligently to come up with the best possible solution through the committee for an amendment to the Gathering Place ordinance. Tonight, I'm here to say that we believe that Mayor Tecklenburg is right. The ordinance still needs some vetting from Council, and the moratorium should continue. We hope tonight that the ordinance is deferred and that the moratorium is continued for some period of time. Thank you."

Mayor Tecklenburg said, "Thank you, sir. Councilmember Qualey, County Council, welcome to our Chamber."

4. Joe Qualey said, "Joe Qualey, County Council. 740 Clearview (Drive), James Island. The impact that this development has had on James Island and Johns Island has been immense. The impact that it's had on people's personalities and their passion has been immense. My wife and I were going to go have dinner down over by the Terrace Theatre, and we turned the corner and, literally, there was nothing there. It was like this. It was like a bowling ball. There wasn't a tree. There wasn't a shrub. There was absolutely nothing there. People don't go by there anymore because of this development. That being said, everybody knows that that's where we are. This new ordinance is exactly like the old one, which is, 'hey, this is very cool. We can do this. We are going to work with this. It's going to expand possibilities'. Well, look what the old one did. I think that the PUD aspect is the best thing because it gives certainty. When you start giving incentives when you work on these things, it's too slick. You don't need it. It shouldn't be part of the arsenal at all. Gathering Places shouldn't be in suburban places either, just urban. So, I think that you need to abandon this new ordinance. I think you need to keep this moratorium in. I think you need to address what is going to happen with the density at the Core location now."

The Clerk called time.

Mr. Qualey continued, "May I have 30 seconds, please?"

Mayor Tecklenburg said, "Yes, sir."

Mr. Qualey continued, "I wrote and I asked was the Core property vested. I asked Charlton DeSaussure, and I asked Frances Cantwell. I asked them both, and I sent it out to all the Council. I didn't get a response from anyone, so nothing should be done with that density until there is a written legal opinion from the City of Charleston as to whether it's vested. The only person who actually gave a professional opinion was Christopher Morgan. He was like, 'Yeah, yeah, yeah, it's vested', which is the same person who told me on Broad Street, as we're out front, he goes, 'We're going to get all those units over there on the Gathering Place'. That's what he told me on Broad Street."

The Clerk called time.

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

5. Mohammed Idris said, "Mayor Tecklenburg, City Council, Mohammed Idris. I think you all should read this book "Why We Want You to be Rich" by Donald Trump, and a whole lot of this confusion would be solved. The question at one of the City Council meetings was asked, but not answered, and that question was where did the 75 Rule come from that governed the City. Well, the 75 Rule came from Mayor Joseph P. Riley, and it came in 1975. That's when it came. Before that, we didn't have that rule. No one in the history has seen a Planning Board have more power than the elected officials. That is not right, but Joe Riley was doing this for 40 years. I saw him do it for 20 years as I sat back there in that seat. Councilmember Lewis would always ask him, 'Why do you bring us 300 and something paper information to the Board on the day before were supposed to vote. We had not had a chance to study this.' So, Mayor Joe Riley is the one who brought in the 75 Rule. Thank you."

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

6. Garrett Milliken said, "Thank you very much, Mr. Mayor, members of Council. My name is Garrett Milliken, and I'm a Councilman from the Town of James Island. I'm speaking to you tonight as a private citizen, though. Before I was elected to Council, I was a member of the Planning Commission, and actually chaired the Planning Commission on the Town of James Island, so I'm quite familiar with developing comprehensive land use plans, overlay districts, and other types of similar development schemes. I'm here tonight because I reviewed the draft of the ordinance to amend Chapter 54, Part 12 regarding the Gathering Place to what will now be Mixed-Use 3-Centers. I would ask you not to ratify the changes and send it back to committee for revision and extend the moratorium until a revision is ratified as acceptable. According to the new draft of the ordinance, the purpose of the district is 'to preserve the character and quality of the existing residential neighborhoods and to accommodate responsible growth and redevelopment through the use of incentives designed to promote and protect the built and natural environments.' Our natural environment is to be protected. Once a high density population center is built, urban sprawl is magnetically attracted in the form of fast food restaurants, dry cleaners, etcetera. I would like to see an actual commitment to greenspace preservation written into this ordinance where an MU-3/C developer purchases a concomitant amount of acreage, and that acreage be zoned Conservation. The only way to preserve greenspace is through the creation of parks. This is how you limit urban sprawl and protect greenspace. Thank you."

Mayor Tecklenburg said, "Thank you so much. Yes, ma'am."

7. Natalie Olson said, "Good evening. My name is Natalie Olson. I'm with the Coastal Conservation League. My colleague, Katie Zimmerman, is on the committee to revise the Gathering Place ordinance, and, unfortunately, she is unable to be here tonight. There is no way I can read her letter in a minute and a half, so I'm going to start at the end because that's always the most important. 'The League asks that you approve the first reading of the newly-revised ordinance, which will still have the opportunity for further review, both at Planning Commission and back at City Council, and coordinate with the developer from Core Properties to achieve a better product at the Maybank site. There are two separate but parallel issues at stake here. The first is that the majority of the Maybank Gathering Place parcels are not subject to the ordinance revisions. These are projects that were entitled before City Council passed the moratorium. The Legal staff has explained those entitlements, and, therefore, voting against the Gathering Place ordinance will not address any of the concerns that citizens or Councilmembers have with the Core's proposal. The only way to remedy those objections to the project is to work with the developer to change the design in a way that's more in line with what James Islanders envision and still benefits the surrounding community. The second issue is that the previous iteration of the ordinance simply has not achieved the intended vision. Unfortunately, the test case for that version of the ordinance took place at the Maybank site. While it's difficult to set aside this site because it is the existing example of the shortcomings of the original ordinance, it is important to do so because Gathering Places can be located in West Ashley and other parts of the City, so we can't tailor the ordinance only to James Island'."

The Clerk called time.

Ms. Olson continued, "I have my comments for the record."

Mayor Tecklenburg said, "Great. We'll distribute to our Council. Thank you very much. Yes, ma'am."

8. Margaret Fabri said, "Mr. Mayor, my name is Margaret Fabri. I live at 770 Clearview Drive. I am a City resident, and I would like to yield my time to Chris Inglese, who is a spokesman for several of us on James Island, if that would be appropriate."

Mayor Tecklenburg said, "We'll allow him an extra 30 seconds as we did with Councilmember Qualey. Thank you."

9. Norie Bregman said, "Good evening. My name is Norie Bregman. I live in Riverland Terrace at 2170 Wappoo Hall Road, and I, too, would like to sieve my time to Christopher Inglese."

Mayor Tecklenburg said, "Not cumulative, but we'll allow Mr. Inglese a little extra time."

10. Christopher Inglese said, "Thank you, Mayor. Good evening. My name is Christopher Inglese. I have the honor of representing a group of citizens that has organized as a result of this issue. They're calling themselves Citizens for Sensible Planning. They are organized, and they will continue to push this agenda. Despite the representations of staff, there is a problem with the process. There is a major problem with the process. It seems to be a closed-door process. Until we heard tonight, we had a hard time finding out who is on this committee, what the committee is doing, what kinds of conflicts of interest might exist there. The fact of the matter is there has been no public participation. There needs to be public participation. These are the people being impacted by this. This is the same staff that pushed this many years ago, the same staff that wrote and created the problem. It just seems ironic that now they have been tasked with fixing the problem. My suggestion is to take it out of staff's hands. Staff created this thing that was going to be presented tonight, which is a fox in sheep's cloaks, right? It's the same thing. It gets the developer to the same place that they wanted to be before, and that's because there is no public participation in the process. The developer is driving this process, and that is wrong. We need an independent, objective consultant that can engage public participation, gather that information, provide analysis to City Council. Staff is entirely inept to handle this. They can't do it. I don't come here to criticize them. I've been in their shoes. It's a tough job, but what they produced tonight is evidence of their inability to listen to James Islanders and to get the job done. So, the process needs to be changed. In the interest of time, I won't go through the issues with the ordinance itself as it's been presented. It has numerous problems. The fact of the matter is the infrastructure and transportation impact have not been planned for. There hasn't been a single bit of transportation planning involved in this, and we're here..."

The Clerk called time.

Mr. Inglese continued, "Citizens for Sensible Planning is prepared to be involved. I'm available. You all know how to reach me. We need to do better than this, and we ask for an independent consultant."

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

11. Jim Morrisette said, "My name is Jim Morrisette. I live at 2184 Wappoo Drive in Riverland Terrace, and I, too, would like to comment on the proposed Gathering Place replacement ordinance. Basically, for members of my community and the Riverland Terrace

Neighborhood Association and by a 10-1 margin, no one wants the allowed density that this new ordinance will enable a developer to get to without any problem. He can get to 45 units per acre. That is simply too dense for the area around The Standard. So, in regards to the ordinance itself, as it's applied to other locations around the City, as others have noted, it does have flaws. As Mr. Gregorie noted, some of the incentives really need to be mandates. There is simply no reason. When you get a chance, look at the incentives. If you just look at them individually, they are the characteristics of a good development. How can you allow a developer to pick which ones he wants to adhere to or pick which ones he wants to choose to enable his density to go up? Basically, you're putting too much power in terms of the developer. He's going to pick those that are economically feasible to him without regard to the inherent benefits..."

The Clerk called time.

Mr. Morrisette continued, "... that the community would get from the others. Thank you."

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

12. Darren Mullinax said, "Good evening, Mayor, Council. I'm glad to be here this evening, and thank you for affording me some time this evening. My name is Darren Mullinax. I am a member of James Island Town Council. I reside at 1153 Cottage Road on James Island. I authored a resolution, as you may remember, from James Island, requesting the last moratorium on this development. I would like to just say tonight that I would appreciate if you could defer and extend the present moratorium because I feel zoning needs to be looked into more. Various other issues need to be looked into more. We look at 300 more units in such an already congested area especially at the drawbridge and for its other issues to be taken into consideration. So anyway, again, that's what I would like, if you could just please extend the present moratorium. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

13. Mary Beth Berry said, "I'm Mary Beth Berry, 1104 Harbor View on James Island, not a resident of the City. What you're hearing tonight, I think, is pretty predictable, a lot of emotion. This is a highly intense issue. I mainly would like to say right now that I appreciate so much the opportunity to be a part of that committee not as a resident. I urge you, if such an opportunity arises again to talk about an issue that is before the public, please consider doing this again, not me, necessarily, but include people who are not in the City limits. Every decision the City of Charleston makes affects a lot of people who don't live in the City, and that is part of what we're dealing with right now, the crunch, the conflicts that you hear. As far as this ordinance is concerned, a lot of work went into this, and I think it's a step in the right direction. As someone just said, I'm sorry, I didn't know who the gentleman was, 'What you've got here is what you want a good development to be.' What we talked about at the beginning of our process was if you know where you want to go, you will figure out how to get there. There are so many things to consider that sometimes it's hard to remember where you want to go, but the purpose that's listed right here is clear. I might interpret my sense of the purpose was to create livable..."

The Clerk called time.

Ms. Berry continued, "dynamic . . . did she say 'time'?"

Mayor Tecklenburg said, "Please finish."

Ms. Berry continued, "I'm sorry, livable, dynamic, sustainable, beautiful communities for the people that live there. That's what our purpose is, and we're moving in that direction. It's not right, it's not done, it's not perfect, and it needs more work. Public input is always a good thing. It's just that you sometimes have to sift through public input to find out where the truth lies. Everyone has their own perspective on the truth, and I just wanted to mainly say thank you."

Mayor Tecklenburg said, "Thank you for your service on the committee as well."

Ms. Berry continued, "And we will keep working on it, I hope."

Mayor Tecklenburg said, "Thank you. Yes, ma'am. Thank you for your service. Yes, sir."

14. Kenny Brinkman said, "Hello, my name is Kenny Brinkman, and I live at 356 Woodland Shores."

The Clerk said, "I'm sorry, what was your name?"

Mr. Brinkman continued, "Kenny Brinkman."

The Clerk said, "Thank you."

Mr. Brinkman continued, "Absolutely. I'm here to speak to you for three reasons. The first is that I ask that you extend the moratorium so that Planning staff can better educate the public as to the recent amendments. Also, that you impress upon the Planning staff to further consider the studies of density and traffic to the area. Finally, that each of you consider the impact that this type of ordinance will have on those who live in this area. Under the purpose of this newly revised ordinance, it says 'the purpose is to preserve the character and quality of the existing residential neighborhoods'. With Woodland Shores being the second oldest and Riverland Terrace being the oldest neighborhood on James Island, this kind of development simply does not match that character. My wife and I consider ourselves to be involved citizens. However, we felt as though the developer has not done a sufficient job of reaching out and educating the public as to the meaning and implications of the newly-revised plan. Though the incentive-based system seems like a step in the right direction, it actually appears to be a back-door method to maintain the inappropriate high density. It is my opinion that proposed density is both careless and irresponsible. The current infrastructure is conducive to the quality of life, and the life for all of the residents in the area is pretty miserable, to be quite honest. I live just around the corner with a current 'F' rating for the infrastructure. The gentleman in charge of Planning asked you guys to cast the controversy off to the side for a moment. To cast the controversy off to the side is to cast aside all the lives of those who are affected by this development. Thank you very much."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am."

15. Lindsay Hamrick said, "Hi, my name is Lindsay Hamrick. I live on James Island. Just to throw out a couple of numbers, because I did have the privilege of getting a little bit of a preview, when we first came here, we came to talk about density. The unlimited density allowance posed too much of a threat to our quality of life and our environment. The first

disaster was The Standard, which ended up at 59½ units per acre. Now, somehow, Core was conveniently able to apply for permitting the day before the moratorium began even with an incomplete application, like in the traffic study. So, Core, with 10½ acres total and at least 8 high land acres, wants to build 314 units, or 39 units per acre. Wasn't that convenient? Although the new zoning will only allow for 13.2 units per acre on the face of it, there is the potential of 32 more per acre for a total of 45. Mind you, the number was 39, and 45 just by completing all of these bonus density options. A lot of which, as Councilmember Gregorie said, should really just be included. So, how is allowing a potential 640 units really limiting or reducing the density when you take all the other parcels into account? Is that your idea of really reducing the density, because I don't think that's what over 1200 people who signed that petition really intended. Mr. Mayor, you said at the State of the City address, and this is a quote, 'The fourth focus of our Quality of Life Plan is making the City government itself better and more responsive to our citizens.'

The Clerk called time.

Ms. Hamrick continued, "If I may have 10 seconds."

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

Ms. Hamrick continued, "You know you spoke about a performance review, and we haven't really seen any of those things of how to make this more efficient to get the City involved. I'm here today to ask for the extension because to allow it to expire and allow any developer to immediately proceed under the new rules is unfair. It directly ignores the request of your citizens who have asked many times for this density to be reduced, really reduced, and to be more involved. So, while we've asked that you preserve the quality of life of the citizens who live here, it seems you've opened the flood gates to more out-of-town developers to come manipulate the system and build apartment complexes with the highest density possible as long as they're more affordable. Thank you."

Mayor Tecklenburg said, "Thank you very much. Yes, ma'am. Welcome."

16. Cathryn Zommer said, "Hi, my name is Cathryn Zommer and I live at 38 Cross Creek. I'm also the President of the Cross Creek Civic Club, and I sat on this steering committee. A lot of our neighbors from Wappoo Cut, Riverland Terrace, Lakeside and Cross Creek all participated alongside developers, City Planners, the Coastal Conservation League, and the Urban Land Institute. It was a lot of hours and a lot of time, and we came together, and we worked very hard to envision what is a way to honor Maybank Forest and to rewrite and reimagine this zoning ordinance, which was an inappropriate ordinance at this location from the beginning when it was designated in 2005. We are now working to try and realize something that is more community-friendly and has stronger protection for the environment. We are giving up a large amount of trees and a lot of ecosystem there. We did not have a place at the table for The Standard, and look at what has happened. It is a building that is not well-integrated into the neighborhood, and it has very little supporting infrastructure. That has been a serious challenge, as I watch my neighbors walk on the two lanes of Fleming Road, a seven-year old and a four-year old holding hands on the road with no sidewalks. The infrastructure is not there. This new zoning ordinance is a step in the right direction. It does have incentives that I would, of course, prefer to be mandates, but I also know that door doesn't always fly here. In absence of moving these forward mandated, this incentive-based ordinance is in the best interest. So, I do support moving forward. I do look forward to actually workshopping it. I understand that will happen on March 18th and some more input, but the community was involved in this. I would

like to advocate for a stronger communication channel because the neighborhoods do not have a way to communicate and let others know in the neighborhood what's happening and get feedback. I implore you to envision a new, better, and stronger communications network. Thank you for your time."

Mayor Tecklenburg said, "Yes, ma'am. Thank you for your service on the committee. I appreciate it. Yes, ma'am."

17. Hollis Mays said, "My name is Hollis Mays. I'm with the Lakeside community."

The Clerk said, "Your name is Hollis Mays?"

Ms. Mays continued, "Hollis Mays."

The Clerk said, "Thank you."

Mayor Tecklenburg said, "Thank you, Ms. Mays."

Ms. Mays continued, "I served on the steering committee, as well. Our neighborhood is Lakeside. We are contingent with the development on Maybank under the old Gathering Place zoning. I agree with Cathryn that we've worked very hard to move this in the right direction. I've lived in that neighborhood 33 years. I've seen a lot of projects entertained for that site. I think that this ordinance that's coming before you to be considered is a step in the right direction. My voice isn't going to hold out for anymore. Thank you."

Mayor Tecklenburg said, "Thank you very much, and thank you for your service on the committee as well. Thank you. Yes, sir."

17. Bill Eubanks said, "Good evening. Bill Eubanks, 39 Yeadon Avenue. I'm also the Creative Director of the Urban Edge Studio, and I served on the Gathering Place Advisory Committee. The Gathering Place district was well-intentioned, but flawed. It's hard to codify quality of life, but when you try that, you can sometimes end up with an ordinance that is overly prescriptive. That kind of ordinance can strip the designer of creativity and strip the community of flexibility. MU-3/C is an ordinance built around incentives much like the Upper Peninsula ordinance that you recently approved. These incentives can provide better places for our community, increasing our quality of life, while also creating real places that are meaningful and memorable. Right now, the existing ordinance affects very few parcels. It's my hope the developers with key parcels, especially in West Ashley, will choose to rezone to this new district to increase the flexibility of their plans and ensure a better overall product. It's a win-win for both the developer and the community. Please think of this ordinance in a holistic, long-term way with the vitality and livability of our City in mind and also honor the hard work of the staff and the citizens that have given many hours to this effort. Just in closing, I would like to say one of our kind of ongoing jokes in the office is that there are two things that everybody hates, density and sprawl, but you have to pick one. You have to pick a path."

Councilmember Wilson was excused from the Chamber at 5:57 p.m.

Mayor Tecklenburg said, "Thank you very much, and thank you for your service on the committee, as well. Yes, sir, Mr. Knapp."

19. Marc Knapp said, "Marc Knapp, 2258 Pristine View. Here we go. Traffic study again. This is number four or five. I'm not sure. I know it's probably the third one for Downtown. If we had people that actually knew how to do traffic and transportation in that department, maybe we wouldn't need these huge studies. One thing I notice that is grossly missing from this one is Maybank Highway. Now, let me tell you, I've been doing a lot of work on Johns Island. Most of the people here complaining tonight probably fought I-526, and I'm going to tell you right now, they're going to regret it the rest of their lives. Now, here we are probably going to lose I-526 completion, and you haven't even seen the catastrophe that's going to happen when Johns Island really starts developing even faster than what it is already. So, to make a long story short, here we are throwing away money again on traffic studies that are probably are going to say nothing more than what the original four or five did and the six or seven or eight million dollars we've already spent. So I just want you guys to know that money could be going elsewhere, but I'm really concerned that you're missing Maybank Highway. That is really going to turn into a catastrophe. I've been out there early in the morning and seen the traffic back up. I've been out there late in the afternoon going in there."

The Clerk called time.

Mr. Knapp continued, "You are going to have a catastrophe. Thank you."

Mayor Tecklenburg said, "Thank you, sir. Would anyone else like to be heard? If not, that will be the end of our Citizens Participation Period."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Mr. Mayor, if I may impose on you and this wonderful body, Counselor Hamilton made some pretty strong accusations about the Charleston Police Department and their actions. I would like to hear, since the press is here and the media is here, it's going to be reported, to get ahead of it in some kind of response, sir. I don't see the Chief, but maybe the Deputy Chief is here. I would like to understand a little more about what happened."

Mayor Tecklenburg said, "Well, if I may share what I know, and that's getting back to the original initiative that I announced some weeks ago, a 10-point plan, regarding helping the homeless in Tent City to get more permanent housing. That's exactly what we're trying to do, but part of solving the existing population, if you will, to help them find other housing is to not let it grow bigger than what it was to start with. So, we made it very clear. In fact, we started on the east side of Meeting Street where there were just a couple of small encampments, and we gave them about a week's time. We helped some of them relocate to the shelter, and a few were able to get to other housing. We allowed them, we were, I guess you would say, consolidating. A few of those folks moved to Tent City, the main encampment, I guess you would say. After that initial relocation occurred, we tried to make it clear that we were not going to allow additional folks to move into Tent City and have it grow, as opposed to shrink, in helping those people that were already located there. So, what has happened, as I think appropriate throughout the City where folks are settling on either public property or private property without permission, is that they need to move along in 48 hours unless they have the permission of the property owner. So, the folks that were given notice by the Police Department were folks that just in the last few days moved into Tent City, and so that's contrary to our trying to solve the main issue in helping those folks get new housing."

Councilmember Wilson returned to the Chamber at 6:01 p.m.

Councilmember Riegel said, "Thank you, Mr. Mayor, and that seems very prudent. I just had some angst with the characterization that attorney William Hamilton characterized to us as a body. Thank you, sir."

Mayor Tecklenburg said, "Even the new attendees or new folks coming in were given notification of the shelter and other service providers that could help them find employment, but we don't want the situation to grow, as opposed to resolving and helping folks get housing, and we've been very successful. We started with over 100 tents that were occupied. Many of the tents now, I understand, are for storage, but, as of our last count, we were down in the 60s of occupied tents. I will share with you, Council and the public, that we did come to an agreement this week with Sheriff Cannon and Charleston County, so that when we do get to the point where we think it's appropriate with the remaining folks, we will have shelter, and we will offer a roof over everyone's head when it's time, after we've done as well as we can to find permanent housing for people that live there."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Mayor, I would ask that Council and the body here join me. Our colleague, Kathleen Wilson, just learned her father passed, so would you join me in a prayer to lift her up and her family."

Mayor Tecklenburg said, "God bless. Please."

Councilmember Moody said, "Just take a moment of silence. Lord, we pray for your comfort. We lift the Greene family up, and we ask you to be with them as they face these days ahead and just comfort them and be with them. Thank you, sir."

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

Councilmember Wilson said, "Mayor, he actually died while I was reading the Beatitudes."

Mayor Tecklenburg said, "Wow. That is beautiful. That's a sign of grace. Amen. God bless."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I certainly applaud you for trying to work and help the people in Tent City. I keep hearing the word, they're talking with you about 'Tiny Houses'. The City of Charleston is not the place to build those Tiny Houses. I hope you are not considering building any Tiny Houses in the City. If they want to build Tiny Houses, they can take it to Mt. Pleasant, and build it, but I just don't think we should build it Downtown. Thank you."

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

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Mayor, can I just suggest that we go out of order and take up bill L-1 for two reasons. First, everyone in this Chamber has come to speak about it tonight. Councilmember Wilson, in her moment of absolute need, I think, would want to be here

for L-1, and then we need to let her get on her way. So, if we could take up L-1 as our first matter tonight, I would appreciate that. Thank you.”

On a motion by Councilmember Seekings, seconded by Councilmember Moody, City Council voted unanimously to consider Item L-1 on the agenda.

Mayor Tecklenburg said, “We have before you L-1, which is, as I stated earlier, a very unique item on our agenda that allows us to either consider the ordinance to amend the Gathering Place zoning designation or to amend an ordinance that had created a moratorium on applications, for Gathering Place applications.”

The Clerk said, “Mayor, Councilmember Wilson can speak first, followed by Councilmember Gregorie.”

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, “Thank you, Mr. Mayor. The Gathering Place ordinance is one that I’ve been concerned about for several years, and my worst fears were realized with this development. Without reiterating what many of my colleagues have said, some of the items in the revised ordinance, and let me just start by saying as I’ve said before, and you’ve heard me say this, we’ve got two issues. We’ve got the Gathering Place ordinance as it moves forward into the future what might be applicable in other areas of the City, and then we have the Maybank property which is a very, very different animal. What I have seen is a revised ordinance that did make some progress, and some things were changed that are definitely for the better. However, it’s still a flawed ordinance, and there are items, as Councilmember Gregorie alluded to, that are now incentivized, which were requirements. Then, there were other elements where I think they still need some tweaking. They still need a good looking at, such as the merits of the car share program for four units density per acre, four parking spaces. It is completely unproven. We have major infrastructure problems, and we truly need the traffic studies upfront going into this, so we can render some good decisions and determine how best to move forward with improving infrastructure. We’re in a little bit of a conundrum because right now these big apartment complexes are what is in vogue. We see this happen with planning. We see this happen with construction. The pendulum has swung to apartments, office, and retail, and those sorts of things are not quite as trendy. So, we have these big, massive complexes wrapped around parking garages. I don’t think it is James and Johns Islanders’ burden to bear, but that is what is in fashion right now. That is what a developer is able to gain financing for, and we’ve already got one of those. Must we have a second that is anywhere from 33 to 50 percent even larger? Again, like everyone else, I avoided Maybank Highway because I couldn’t drive down there and see everything absolutely obliterated, and that’s what happened at that parcel. Again, we can’t be futuristic in our thinking when we talk about public transportation, ‘let’s go ahead and build this, and then we’ll get CARTA to come on in.’ I don’t think we can risk behaving that way. We have got to think concurrently, or we’ve got to be out in front of this as to how we are going to create if there are transit opportunities, how those are going to be created upfront, and not just think ‘well, there will be a lot of density here, so, of course, CARTA will provide a bus, and we’ll ask them to bring one in and maybe throw it some money’, that sort of thing. One of the big items that always disturbed me, and I’ve brought this up at virtually every meeting, and I couldn’t seem to get anyone to listen to me, is differentiating between greenspace and open space. Greenspace and open space are not the same thing. My concern is with the big donut wraparound apartment complex and the parking garage. The open space requirement was actually lowered. Now, we’re incentivizing developers, five percent at a time, with ‘X’ number of additional units to go ahead and fill with cement that hole in

the donut, put a swimming pool, a nice pool deck, some porch furniture, and a grill and say, 'there is open space'. That's not open space. I don't mean to be glib. We want something green to walk on in the development more than just a bush and tree. We want tangible open space, maybe some remnant of what was there at some point thinned down a little bit, but clusters of trees that still stand. I'm not going to reiterate a lot of what has been said but I'm extremely uncomfortable giving first reading to an ordinance before I see facts and figures, which is what we're being asked to do tonight, if we choose not to, 'A', defer this ordinance for further refinement. I would like more Councilmembers' hands on this ordinance. I think that's a very good thing for the Mayor and this Council to look at it and talk among ourselves. Secondly, extend the moratorium, so that we satisfy the Island, so that they know that we continue to work on this. We're trying our best to create a project that is palatable in some regard. I don't know what the answer is as far as infrastructure. I can't give a specific number. What is the proper number of units? Anything below that is good. Anything above that is bad. I haven't found that number. It's a subjective number. It differs with every single person. However, this needs some more work, and we need to put our collective and creative minds together and see what we come up with."

Mayor Tecklenburg said, "Would you like to make a motion?"

Councilmember Wilson said, "I'd like to make a motion that we defer first reading, and that we extend the moratorium for another 30 days."

Councilmember Gregorie said, "More than that."

Councilmember Wilson said, "Okay, go ahead."

Councilmember Gregorie said, "First of all, my deepest sympathy, Councilmember. There were three Councilmembers on the committee, and none of those members voted to move this to this body. I think the record needs to reflect that, and I think because of that, that sort of lets you know there is something here. The Community Development Committee is the appropriate committee for this to come to. One, it is public, so the public would have an opportunity to be a part of it. My recommendation would be to extend the moratorium, defer this ordinance, and refer this ordinance to the appropriate committees, because, not only should it come to the Community Development Committee, but because of the transportation portions, perhaps, the Traffic and Transportation Committee should also have an opportunity to vet and review it. So, my recommendation is extend the moratorium, defer and send the ordinance to the appropriate committee for further vetting before it comes back to the body of the whole."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "I know that a lot of the discussion around Gathering Place, obviously, has been really surrounding the Maybank site. However, through this process, and I should preface by saying I'll support the deferral, as well, but, I think, through the process, we need to be mindful that there are two other locations within the City that currently are zoned Gathering Place, West Ashley and then Daniel Island, or Clements Ferry Road. The reason why I mention that, and I don't know, and I haven't heard that the property owners of those other sites have been involved in this discussion, which they certainly need to be. I haven't heard that there are any specific developments that are on the table for those sites, but I still think as property owners that will be impacted, they need to be involved. The reason why I'm pretty confident they haven't been involved is because page 2 of the ordinance as written, or the refined ordinance, states that the locations of Gathering Places must meet the following criteria,

and it lists four things, one of which is 'located within a quarter-mile of an existing public access transit stop.' Clements Ferry Road and Daniel Island are in Berkeley County. CARTA does not come to Berkeley County. There is no public transportation, so I'm pretty confident they haven't been involved in discussion. So, my point in saying all this is, I know that a lot of this conversation is surrounding just Maybank, which is obviously the real hot button issue right now, but we certainly need to be mindful there are two other tracts of land that will be impacted by whatever decisions are made in this process. Thank you."

Mayor Tecklenburg said, "My understanding is that even if we come up with this new MU-3 zoning designation, we would have to go back to those other properties and request the rezoning for them, which would go through the normal planning and rezoning process". Councilmember White said, "Having them, obviously, involved from the get-go will clearly make that process even more streamlined. Thank you."

Mayor Tecklenburg said, "Yes, sir. Did I see Councilmember Williams' hand a moment ago?"

Councilmember Williams said, "Yes. The Gathering Place, which is connected to my City Council District, I would say the developers who have interest are not interested in the Gathering Place. Some of the things they are talking about would not fit a Gathering Place, but that would be determined. In some of the discussion, I think that the balance of this committee, and even hearing a couple comments, I think we're sort of on the right track. We're really on the right track, and we need to stay on the right track. So, I would support the deferment, but I think it was good to hear, encouraging to hear people that have been on the committee and working. It seems that you're here, and then this will be vetted at some time with the committee as a whole. I think we're on the right track, and I'm just a big thing for stalling. I just don't like this idea just to keep stalling, but I want to share something. I had an opportunity with a colleague from Gary, Indiana, and we had conversation. Could you imagine 6,276 abandoned houses? They had one hotel in Gary, Indiana, 80,000 population. They tore down the Sheraton. Fifty-four people were murdered as we were there. Can you imagine having that problem and having the blessings of this problem that we have? We can solve this problem. If you look at a town that was so hurt, to kind of explain what we have, and to have a town just devastated, the steel plant left. I said, 'how do you do it?'. I'm so grateful that we have this opportunity. We can solve this problem, and one thing about it is, we can solve this without throwing each other under the bus. So, I am for the deferment, and I think we've got a good problem, but we can solve it with patience and humility, working with each other. This seems to be a good core committee that is really working, and with a little bit more tweaking, a little bit more ideas, I think we can get there. Thank you."

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "I have listened very intently to everybody here tonight. True it's predominantly what's happening over on the Maybank side of the world, and the Gathering Place that we have, for the lack of a better term, 'the horse has left the barn.' Now, how far does that horse run before we can get him corralled? I'm more worried about the one West Ashley. It actually hits three districts. Councilmember Williams, mine and Councilmember Riegel's. Now, absolutely nothing has happened out there. Well, we have a Walmart, but it's been there for years. My question would be, if we've had nothing occur in Cainhoy, we've had very little-to-nothing happen West Ashley. Why don't we say, 'no Gathering Place. Let's look at other options.' There's nothing occurred. Why can't that happen, and let's go with the PUD concept. That way, we get to see everything that's going on before it happens.

Councilmember Dean Riegel and I stood out there alongside Bees Ferry Road, I believe it was December 9th of 2014, and came very close to freezing to death because it was the coldest morning of the year. We opened up and cut the ribbon on Bees Ferry Road Extension Widening Project. Man, was that a great day because suddenly traffic could move again. Now, let's move something like the Maybank Forest Project, a Gathering Place, over there, so now we've got to do the widening project at least twice more to just handle that little bit of traffic. I'm a little bit excited, personally, about Maybank Highway and the traffic because those folks that I represent on Johns Island, they've only got two ways to get to town. One of them is Maybank Highway and through the Folly Road intersection, so they actually have a third one if they go around and go across the Connector. The other way is coming up Highway 17, and, by the way, they've lost a traffic lane on the bridge right now. So, I think maybe, if we could just get rid of the two that nothing's happened with, and let's call it something different, it would work a whole lot better. Then, we could concert our efforts, all the planning efforts, all the study efforts, on Maybank, which is where the horse is already out the barn. I mean, that's just my thought on the whole general concept. At some point, I'll talk to Planning, and we'll see what, offline, and we'll just figure out can this be done, and my two colleagues who are also part, around the West Ashley Circle area. Hopefully, we will not repeat the problem that we're discussing."

Mayor Tecklenburg said, "Thank you. That's correct. We hope not."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. A motion has been made, and I would like to second that motion with the caveat, because I do agree with it going to Community Development and Traffic and Transportation. It's certainly going to involve a lot of Councilmembers. It's all those committees when they meet. The public is certainly welcome and invited, and it's advertised quite frankly. As far as the timeframe to report back, actually, it would flow through the normal committee process, Community Development, Traffic and Transportation, and both those committees would eventually report back to Council. So, if you accept that as part of your motion, Councilmember Gregorie, we're discussing it, I'd like to have a motion on the floor, and we can continue the discussion, but I wanted to second that motion."

Mayor Tecklenburg said, "So, we have a motion and a second, but you added the caveat that it also go to Traffic and Transportation."

Councilmember Waring said, "That was part of his motion, but my caveat was that, as far as the timeframe, it would be pulled up through the normal committee process, so, however long it takes the various committees to bring it to the floor."

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

The Clerk said, "I'll read the motion."

Mayor Tecklenburg said, "Okay."

Councilmember Waring said, "Mine was just a timeframe. The rest was his."

The Clerk said, "I'll read the motion."

Mayor Tecklenburg said, "Okay. Alright."

The Clerk said, "The original motion was to defer and extend the moratorium and send it to the appropriate committee with Traffic and Transportation."

Councilmember Gregorie said "Committees."

The Clerk said, "Committees?"

Councilmember Gregorie said, "Committees."

The Clerk said, "Okay. Which would be Traffic and Transportation and Community Development."

Mayor Tecklenburg said, "But, let me clarify. We're really deferring one ordinance, which was to amend the Gathering Place designation, and then we're extending the moratorium, which is a separate ordinance?"

The Clerk said, "Right."

Mayor Tecklenburg said, "Okay. Just making that clear."

The Clerk said, "We should say that it amends Ordinance number 2016-20."

Mayor Tecklenburg said, "Correct. We have a motion, and we have a second. Do we have any further discussion?"

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, Mr. Mayor, I think that it is the right thing to do to extend the moratorium. We have asked citizens to take their time and to sit on these committees. They came back with some recommendations. Staff came up with some recommendations, but we have to have a responsibility to listen to both. Now, we're going to send it to the committees. The other citizens can be involved with public hearing. I certainly hope that we really advertise this. When we set the Community Development Committee meeting, the people know it is a public hearing. Anyone who lives in the City has a right to come and be listened to."

Mayor Tecklenburg said, "Absolutely. Yes, sir. Would anyone else like to be heard or make a comment?"

The Clerk said, "Mr. Mayor, we need to ensure that we have parameters on the moratorium. There needs to be a timeframe."

Mayor Tecklenburg said, "Well, correct. We're asking to extend the moratorium. We would like to have a limit on that. Yes, sir."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "I think, if I understood what Councilmember Waring was saying, we were sort of sidebarring about it here, is that the timeframe would be once it came

out of Community Development and Traffic and Transportation. That would bring it forward. So, I don't know that we know for sure what time limit that is going to be."

The Clerk said, "What is the specific deadline of the moratorium in terms of days, months?"

Frances Cantwell said, "There's nothing usual and customary about this, but under a normal circumstance, you would have a reasonable period of time to consider a measure. Normally, a moratorium has a sunset date because it's not just in fairness to the public to let them air out their grievances and to bring you their positive thoughts, but also, as Councilmember White pointed out, there are other property owners out there that are totally in limbo right now and can't do anything even if they wanted to, even if it was something that this body thought was good because the moratorium is in place. So, my recommendation to the Mayor this morning, or whenever we had talked about this, was to try to set a reasonable timeframe in which it should come back to you all for an up or a down, and send it to the Planning Commission one way or the other. I heard your motion or your comments, Councilmember Waring, which I think are good. The normal committee process, I'm not sure what that means. I know that Traffic and Transportation meets regularly. Councilmember Mitchell or Gregorie, whoever is on Community Development, I don't know how often your committee meets, but, in fairness, it needs to meet soon. This matter is going to be before your committee, it's going to be before T&T, it's going to be before the whole Council for discussion, no action obviously at a workshop in a couple of weeks. I think in fairness to everybody, we should kind of put ourselves under some reasonable period of time to get it back, understanding that if it slips, we can extend it again. Your motion initially for 30 days may not be enough time, but I don't think that's unreasonable if you need 45. I think just to extend it without any end date, we will be here talking about this in December."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Well, this is a little bit hybrid. Can we do it 30 days following the next Community Development meeting, which we'll schedule, because that, as you know, is the hardest meeting to schedule. So, we can go 30 days after the next regularly advertised Community Development meeting. T&T will get in there in that timeframe, no problem."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "My problem is that it may not get done in one meeting."

Councilmember Seekings said, "I think we can."

Councilmember Gregorie said, "Well, we can try, but again, 60 days?"

Ms. Cantwell said, "Sixty days. There's nothing to prevent you from having more than one meeting within the 30-day period that Councilmember Seekings asked for, but it's up to the pleasure of Council. I do think you need some time limit before it, for when it will come back."

Councilmember Gregorie said, "Sixty days or less."

Mayor Tecklenburg said, "Councilmember Gregorie..."

Councilmember Gregorie said, "I'll amend it. Sixty days or less."

Mayor Tecklenburg said, "An amendment of 60 days. We have a motion that's been amended."

The Clerk said, "Yes."

Mayor Tecklenburg said, "Are there any other further questions or discussion? Councilmember Mitchell."

Councilmember Mitchell said, "I would say 60 days would probably be better because I'm going to have to check to see who all can come to the meeting to make sure that we have everyone at the meeting. We've got to make sure there's no other meeting going on at the same time when I schedule that particular meeting."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Mitchell said, "I would go to 60 days or less. Where are we going to have this meeting? With it being publicized, we don't know how many people are going to be here. So, all of this has to be taken into consideration, too."

Mayor Tecklenburg said, "We always advertise the Council meetings."

Councilmember Mitchell said, "A lot of people are going to be here, and we are going to have a meeting that's going to last awhile. Normally, my meetings last an hour, so I'm going to have to change that, too."

Mayor Tecklenburg said, "Is there any other discussion? I would like to add a few comments, if I could also, and that is to take us back one more time because this issue has been brewing, in a way, since 2005, over 10 years ago when this Gathering Place zoning was put in place on this property on Maybank Highway and, at that time, eight or nine other properties around the City. As I think I've stated here before, I haven't found a single person, since I became Mayor, that liked the Gathering Place and the provisions thereof. So, it was absolutely correct that we redefine it. The proposal before you, or that will be before you later, after much more discussion, does away with that name, and gives it a new name which is very appropriate. I really want to thank the committee members, the ones that were here tonight, and the ones that weren't, for their hard work, because I do feel like they made a really good faith effort to improve what everyone agreed wasn't a very good situation. Now, as Councilmember Wilson pointed out initially in this discussion, what we really have before us are two issues and one is whether a zoning ordinance like MU-3 makes sense in our City. That's why tonight, even at the early part of the meeting, rather than asking you to vote on this tonight, I wanted staff to share with you what the committee had come up with because I knew we needed more discussion and more discernment on this issue. I'm very glad that it's going to the committee structures as you all have recommended. At the same time, we've had this other issue of density on this particular property on Maybank Highway that has been inextricably intertwined with this Gathering Place issue. I feel like what we really need to try to do over the next month is try to separate the two issues. I was so glad to have the representative of the owner here tonight supporting the furtherance, the extension of the moratorium because I feel like, in good faith, that they are working on a different plan that they can bring back to us that will be more specific. Part of the difficulty of all this is the unknown. In either the Gathering Place or the MU-3, you have a situation where, until you see the plan that the developer wants

to bring forward and with all these add-ons that you can have for density, it seems like the sky is the limit, right? That's a real challenge because we all realize with the building of The Standard that too much density was allowed under the old Gathering Place designation. I think we all agree it was a mistake. We're trying to unravel two issues here, and I believe we can successfully do that by the course Council has set this evening, by giving us the time to discern and come up with an appropriate MU-3 zoning designation. If you even want to have one going forward or not, it doesn't matter. I think there are some positive attributes to it for our City for other locations, not for the Maybank Highway location. Until we get a proposal from the developer that's specific as to what he really intends to do there, I see that as the way to unravel these two issues. We'll work hard over the next month to do that, and I will support the motion as amended. Are there any other further comments?"

On a motion by Councilmember Gregorie, seconded by Councilmember Waring, City Council voted unanimously to extend the moratorium to 60 days or less, and to defer the ordinance amending the Gathering Place designation and to send it to the Committees on Traffic and Transportation and Community Development.

An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 12 – Gathering Place to change district name and specific details within, by amending Article 2, Part 3, Table of Permitted Uses to change district name, by amending Sec. 54-301, Table 3.1: Height, Area and Setback Regulations adding a new row, by amending Sec. 54-201, Base Zoning Districts to change district name, by amending Article 2, Part 11, Sec. 54-268 designation of Design Review District, Review Authority, Scope of Authority and Exemptions to change district name, by amending Article 3, Part 8, Sec. 54-347 landscape buffer requirements to change district name. (DEFERRED)

First reading was given to the following bill:

An ordinance to amend Ordinance No. 2016-020 regarding the expiration of the moratorium on processing development applications and issuing permits for properties zoned Gathering Place (GP). (AS AMENDED)

Councilmember Seekings said, "Mayor, can we take a two-minute recess?"

Mayor Tecklenburg said, "We can take a three-minute recess."

The City Council meeting went into recess at 6:34 p.m.

Councilmember Wilson was excused from the meeting at 6:34 p.m.

City Council reconvened at 6:41 p.m.

Mayor Tecklenburg said, "Next under Petitions, we have a Resolution in support of Senator Kimpson's bill, which has been filed with the South Carolina State Senate regarding removal of the Confederate Flag from Chapels of Institutions of Higher Learning. Do I hear a motion?"

Councilmember Shahid made a motion to approve the Resolution.

Councilmember Lewis seconded the motion.

Mayor Tecklenburg said, "There is a motion and a second to approve this Resolution. Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Thank you, Mr. Mayor. I don't agree with the motion that's presented, and there are several reasons. I don't know exactly where it's coming from and why it's being done, but it feels to me like I'm being asked to vote on something that I can't win. There's no way for me to win. Whichever way I vote, I'm going to lose, and I think this Council is going to be in the same position. The Citadel's Board of Trustees passed a motion back in June of 2015, and I'll read the motion that they passed by vote of 9-3. It said that, 'the Board of Visitors, in conjunction with the administration, has agreed the Confederate Naval Jack should be moved from Summerall Chapel. Further, the Board of Visitors authorized the Chair of the Board of Visitors and the President to engage appropriate members of the Legislation to obtain authority to explore options of relocating the Confederate Naval Jack from Summerall Chapel to an appropriate campus location.' So, The Citadel is already dealing with this. My amendment to this motion would be that we go on record, if we're going to take this issue up, that we basically agree to support Lieutenant General Rosa and the Board of Visitors in what they're trying to do. You start getting into all of this saying about the Naval (Jack), I don't know how many of you have been in the Chapel, but the Chapel has 50 flags plus the Christian flag, plus the US flag. It also has, over in the left hand corner, this Naval Jack. This thing is kind of couched, and it says that 'from Chapels and other structures having religious purposes located on property of these institutions.' I mean, quite frankly, if you're going to separate Church and State, and I've heard that comment, you want them to take all the State flags out of the Chapel? It happens to be that one of those flags is the flag of the State of Mississippi, a sovereign State that also has the Confederate Battle Flag, or whatever the appropriate name of it is, as part of its flag. So, I mean we get on this slippery slope, and we start passing these things. If The Citadel thinks this is a problem on their campus, which obviously they do because they've addressed it, and they've asked the General Assembly to remove this one particular flag from the rules of the Heritage Law, so they can take it and put it in the museum over there, and I support that. So, my motion would be to amend this Resolution to basically support The Citadel Trustees and General Rosa in their efforts."

Councilmember Riegel said, "I second that motion, Mr. Mayor."

Mayor Tecklenburg said, "It would have to be accepted by the person that made the motion, which would be Councilmember Shahid."

Councilmember Shahid said, "I think in all due respect to Councilmember Moody and Councilmember Riegel, that that's exactly what this Resolution calls for. This Resolution calls for supporting what The Citadel has asked to take place. As Councilmember Moody has pointed out, The Citadel Board of Visitors has voted 9-3 to remove this particular flag. They can't. By law, they're prohibited from doing so because it's a statute on the books in the State of South Carolina that has protected this flag under the Heritage Act. Because that flag is protected under the Heritage Act, there is a bill pending in the South Carolina General Assembly to amend to allow The Citadel to do exactly what Councilmember Moody and Councilmember Riegel have pointed out, and that is to give them the legal authorization to remove the flag at their discretion upon proper vote. So, what this resolution calls for is simply that. It's simply for us to take notice, number one, that there's an issue that The Citadel is grappling with; number two, to show our support for The Citadel for doing this, and three, to send a message to our

Charleston delegation that we support The Citadel publically on their efforts to have this thing removed from their grounds. I did not write Senator Kimpson's Bill. I've read it. It's very straight forward and clear. I think this is something we should take a stand on publically, to support it publically, so that we are in support of The Citadel and their efforts to have this removed."

Mayor Tecklenburg said, "As background, if I may add, I met with General Rosa a few weeks ago, and we discussed this issue. He confirmed to me, as you all know, that the Board of Visitors had voted to remove the flag, and that they were constrained by State law, the Heritage Act, from carrying out the Board's wishes. It was maybe coincidental, but I met with Councilmember Shahid shortly thereafter, and he brought up the same issue. I saw Senator Kimpson, and he shared with me that he had filed this bill that would amend the Heritage Act to allow the Board of Visitors to do exactly what they voted last summer to do. So, again, I guess, I affirmed Councilmember Shahid's remarks that the purpose, the intent, is clearly to do, Councilmember Moody, what you have maybe reinforced with a proposed amendment that we simply support The Citadel in their vote and their desire to control their own destiny and to be able to remove the flag. By the way, General Rosa shared with me, in addition, that their Alumni Association has also voted in favor of support of the Board of Visitors' action. So, this is just our way of saying, 'Hoorah, and we support you'."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I think we're trying to say the same thing, but if you look at the 'whereas,' it says, and this is our Resolution, 'whereas this Bill, if approved, would authorize the board of directors of public institutions.' It doesn't say anything about the Citadel at this point, 'of higher learning, to remove those flags of the War Between the States including the Confederate Battle Flag'. It doesn't say this 'Naval Jack in the Summerall Chapel.' It says, any State institution, any flags, so I can read that to say, 'well, you want to remove Mississippi's flag,' and I'm not getting into that battle. The Board of Visitors has made a specific request to the General Assembly, and I'm supporting that. That's all I'm saying. When you start putting all this other language in there, 'including Confederate Battle Flag from chapels and other structures having a religious purpose', all of a sudden, it looks to me like you're trying to cloud this thing some way, maybe there's something else here. I was going to be very specific. I'm supporting the Trustees, I'm supporting the President, and I'll support the alumni, and I'm in support of one of those alumni that's doing that. I don't need all the rest of this higher education and higher learning."

Councilmember Riegel said, "Was I next?"

Mayor Tecklenburg said, "First, can we handle the matter of the amendment. Should we do that first?"

The Clerk said, "That's exactly right."

Mayor Tecklenburg said, "So, that comes back to Councilmember Shahid, as to whether you would allow the acceptance of this amendment."

Councilmember Shahid said, "As a point of clarification, Mr. Mayor, that whereas clause is taken, I believe, directly from Bill 1071. That is the language that was traced in preparing this resolution that came out of Bill 1071. So, what this resolution does, it just repeats what the Bill has offered that's pending."

Mayor Tecklenburg said, "I believe that's correct."

Councilmember Riegel said, "Can I speak?"

Mayor Tecklenburg said, "Councilmember Riegel, then Councilmember Williams, then Councilmember Waring."

Councilmember Riegel said, "I absolutely support and applaud Senator Marlon Kimpson's Senate Bill 1071. It shows great leadership and great courage. I'm disappointed that our Resolution, for whatever reason, singles out The Citadel and Summerall Chapel. The 'whereas' notes The Citadel and the Summerall Chapel at least six times by my count. I'm also additionally and severally disappointed in a State Assembly delegation that they do not have the courage and leadership to support Senator Kimpson on this issue. It's just mind-boggling to me. The South Carolina Heritage Act should be amended, 1071 should be passed, and there are no questions. My disappointment with the State Assembly goes on, and I'll make that short. They can't get the roads, the infrastructure. They took a side road with this DOT thing, didn't increase the gas tax, and we don't want to get into that. I-526, we're now at a huge precipice. You, Mr. Mayor, and I talked about the other night at Real Estate, how do you fund I-526, which is a dire need? So, all I think Bill (Councilmember Moody) and I are asking is, let's not single out The Citadel, and maybe take the 'whereas' out of the bill and just focus on a chapel or anything in the State. I've taught at The Citadel. I've attended classes at The Citadel. I do work for The Citadel. I can't support this. I probably have to recuse myself. I do support Bill's amendment. Thank you."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "Briefly, about five years ago, County Councilman Henry Darby actually brought this issue up. He brought it up before County Council, to no avail. The Citadel does not have the authority to take it down. It includes the Summerall Chapel because that's where the action took place, and that incident that happened, unfortunately, made that flag in that chapel a national symbol. So, it was already on the national radar. With all due respect to alumni of The Citadel and Board of Trustees of The Citadel, I find it hard to believe they couldn't get a unanimous vote in 1992. But, the question is, we are a leader, as a City, and symbols, whether you like it or not, they have meaning, and when they're taken out of context like that incident, it made this a national issue. So, in that effect, I think what our great Senator, who has shown a lot of leadership and courage in the Senate is saying, is 'let's move forward.' This Resolution is only saying to the State Legislature that this City Council and this City, which is a leading City in the nation and the world, we look at this as something that needs to be taken down. The real action of this that caused this to be a national issue was the incident, but remember Henry Darby brought this issue up five years ago. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I just wanted to support Councilmember Moody's motion. I'll tell you why. In mentioning The Citadel, they are trying to do the right thing over there. The General needs some help, and, obviously, you have other community leaders that can pitch in and help them with that issue over there, but as far as State law, the State law can't be Citadel specific because State law can't apply to one portion of the

State and not apply to the other portions of the State. So, that's why you see the piece about other chapels on colleges and universities. I think his amendment coincides with what the good Senator is trying to accomplish in getting this bill passed into law that would apply to chapels on colleges and universities on State-supported campuses. I support your move. I think everyone here feels the same way. We want to try to progress on this issue, as the vast majority of the Board of Trustees at The Citadel, as the General does, as the Alumni do, and, guess what, we, as a community, do as well. So, I support your amendment."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "In going somewhat on the same lines, I would be in support of something that's very specific to the issue. I think the issue at hand is that supporting the law or the bill that is at State level is a broad brush for this issue that we're talking about very specifically. As we know in Council, there are many things that we do that we legislate that have unintended consequences that, quite frankly, I haven't had the time to be able to actually go study what the State is reviewing, to be able to understand what are all of those potential unintended consequences, things or actions that could be taken out of context with this law being passed. So, if the issue itself is specific, it seems to me that our resolution should, in fact, be specific. If that's the case, again, to Councilmember Moody's comments and Councilmember Waring, it would make sense that we make it very specific we're supporting the college more so than just a State law that we really all haven't, I personally haven't, had enough time to go study to understand there are unintended consequences to it or not. Thank you."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I think Senator Kimpson wrote a good bill, and he wants to write, and if we want to support him, we support him. We want to find out all kinds of reasons not to support him, we just don't support him. It's just a Resolution, and I think we ought to support it, and I will support it. I'm not going to try to find an excuse not to support it. It's just a bill coming from one of the good Senators of this State to represent Charleston County. It's not going to affect any other states. He represents the people of South Carolina, no other state, but the State of South Carolina."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "I was thinking, if we feel that we can't support this the way Senator Kimpson had it, then, probably, we need to find out, and I would say do it at the next meeting, and get with him to find out exactly how we feel about it, or how some of the Councilmembers feel about the different wording, the whereas, or whatever the case may be, to see exactly what they're talking about. I'm saying, this is going to make us look pretty bad one way we vote or not, especially me, for the community, for what I've been involved in all my life in this community. So, I would rather make sure I get it right and make sure that the wording is right, and see where he's coming from. Since The Citadel and the Board of Directors and the Alumni voted to remove it, and they couldn't do it, Senator Kimpson is trying to help them get it so they can be able to remove the flag, so let's put it down what we have, not the 'whereas'. Let's get with him and say, 'look, Council had a little problem with it. We need to change some wording, change this,' and see if he can come up with that and get it done. I'm saying if I don't vote for this, then I get crucified. If I vote for it, I don't know about the crucifixion, I can handle that part of it, but it's just that this is very important, and so far as this is concerned, it's

important to me, very important to me one way or the other. I know about the changes. I know what happened. I know about the struggle. I've been out there with it. So, I would feel more comfortable in doing it if I make sure that I get back to him and say 'look, Council had a little problem with it, let's make the wording right,' or whatever the case may be and go with him that way."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "First of all, this is our Resolution, and I do agree with Councilmembers White, Moody, and Waring that we should make the amendments accordingly. There are a couple of typos, perhaps. You have two Reverends that are not given that designation, Reverend Sharonda Singleton and Reverend Myra Thompson. We should make those edits."

Councilmember Riegel said, "That's important. We need to have it right."

Mayor Tecklenburg said, "May I suggest?"

Councilmember Riegel said, "Frances is going to give us her interpretation. She has read the bill, if I could ask her to do that, sir?"

Mayor Tecklenburg said, "Who is that?"

Councilmember Riegel said, "Frances Cantwell."

Mayor Tecklenburg said, "Yes, sir. She has, but could I make a suggestion? I think we're in agreement here. We want to support The Citadel, and from Councilmember Moody's comments, it would appear to me that the fifth 'whereas' is the whereas that gives a little bit of heartburn where we're talking about institutions of higher learning in that paragraph. Am I correct on that?"

Councilmember Moody said, "I haven't counted down whether it's five or not."

Mayor Tecklenburg read, "'Whereas, this Bill, if approved would authorize the board of directors of public institutions'."

Councilmember Moody said, "Yes. That's really the one, and then it goes, the next whereas, I mean it's talking about the specific flag, 'the Naval Jack displayed in the Summerall Chapel'. There is only one of those."

Mayor Tecklenburg said, "Right, and that's okay with you?"

Councilmember Moody said, "That's what they wanted to take out, and their motion was to take it out, so, that one is okay. 'The Alumni have organized', that's okay. 'Have publicly voted 9-3', that's a fact."

Mayor Tecklenburg said, "So, could I suggest or recommend, Councilmember Shahid, with your approval, that we remove that one 'whereas' and make the corrections that

Councilmember Gregorie has indicated, and add one 'whereas' as a general support as Councilmember Moody initially said of General Rosa--"

Councilmember Moody said, "And the Board of Visitors."

Mayor Tecklenburg repeated, "And the Board of Visitors in their --"

Councilmember Moody said, "In their efforts."

Mayor Tecklenburg continued, "In their efforts and decision to remove the flag. Would that be acceptable?"

Councilmember Shahid said, "Sounds good to me."

Mayor Tecklenburg said, "Yes, sir. So, we have a motion as amended. Is there any further discussion?"

There was no further discussion.

On a motion by Councilmember Shahid, seconded by Councilmember Lewis, City Council voted unanimously to approve the Resolution as amended.

---INSERT RESOLUTION---

Mayor Tecklenburg said, "We will next go to a Memorandum of Understanding between the City of Charleston and CARTA."

Councilmember Lewis moved for approval.

Councilmember Mitchell seconded the motion.

Mayor Tecklenburg said, "Is there any discussion?"

Councilmember Seekings said, "Just very briefly, Mr. Mayor. This was actually brought forward by Dan Riccio, who has recently been promoted to institute, among other things, the Tourism Plan. This was something that is in conjunction with the big picture of looking at our plan that we've adopted unanimously in trying to help with some traffic congestion Downtown. So, this is going to get buses out of the way of Downtown. I think it's a great idea. I would highly recommend it to all of the Council. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "I reiterate, thanks to Dan Riccio, and I would also like to thank Councilmember Lewis and Councilmember Seekings for their service on the CARTA Board and note that Councilmember Seekings is their Chair. Is there any further discussion?"

On a motion by Councilmember Lewis, seconded by Councilmember Mitchell, City Council voted unanimously to approve a Memorandum of Understanding between the City of Charleston and CARTA for the use of certain CARTA bus stops by large buses for the purpose of loading and offloading passengers.

Mayor Tecklenburg said, "Next will be our Council Committee Reports beginning with Community Development (CD), which is going to be a much busier Committee, I understand."

There was laughter in the Chamber.

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "I agree with that. The Community Development Committee met on February 25th at 4:30p.m. We had four items on the agenda, but I'm going to get to the first three first. The first one was to create a Short-Term Rental Task Force consisting of six members appointed by the Mayor, one appointed by each Councilmember, and also the hiring of a facilitator or consultant to lead the Task Force and develop the recommendations. The second one, the CD Committee approved the 2016-2017 Federal Budget awarded to the Department Housing and Community Development. We also asked that the Housing Director, Ms. (Geona) Shaw Johnson revisit the award recommendation made by the CD Advisory Committee to determine if we could increase the amount of funding to the homeless providers. Ms. Johnson will report at the next Council meeting on March 22, 2016 the outcome of her recommendation. The last one, we had a request from Homestead Partners, and, I think, if you remember, Homestead Partners was the Developer that was dealing with the St. Andrews Garden Apartments in West Ashley. He wanted a reduced interest rate that was denied by the Committee. However, the Committee agreed to forgive three months of interest based on the timeframe related to the developer delay because he had delays on this project. So, we gave him a delay of three months, a waiver, if you may, for three months, and then we'll start the interest rate, which is four percent, and proceeding on it. Those are the three things, and all of them were approved by the Community Development Committee. I make a motion that we approve it also."

Councilmember White said, "Second."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. Just a few questions, and I want to apologize to my fellow Committee members. I was not at the meeting because I was out of town. Just a couple of quick questions, on the 2016-2017 Program Budgets, I heard you say they were going to revisit the providers. Is One80 Place one of those?"

Ms. Shaw Johnson said, "Yes."

Councilmember Mitchell said, "Yes, One80 Place is one of those."

Councilmember Seekings said, "Then, secondly, on the request for the interest rate reduction and the decision to waive the three months of interest, was there any discussion about placing that interest on the back end of that loan, so at some point when they get back on their feet they can catch up, rather than just flat out forgiving the interest?"

Councilmember Mitchell said, "Well, we talked about that. We had a long discussion on it. We decided he wanted an interest rate reduction period, so, we denied that completely. We weren't going to do that. So, instead of doing that, we gave him the three months because, in the three months, he had a delay in his project because he had to wait for certain things, so we just kind of waived those three months, and then just start the four percent. Otherwise, we're going to have to wait a long time on that money anyway, so that's why they approved that."

Ms. Geona Johnson said, "Mayor, may I also comment? I worked with Donna Emerson, who's our Finance Director for the City of Charleston, and she recommended doing it at the very beginning, which was November, which was the start date when he executed the note. So, based on her recommendation, that would be the timeframe that we would look at forgiving that interest."

Councilmember Mitchell said, "What I'm adding that we discussed, the Committee members, we were looking over the Community Development Block Grant (CDBG) money, the HOME funds, the HOPWA funds that have been decreased every year. If you look at what we're receiving from the Department of Housing and Urban Development (HUD), the money is going down, down, down. So, we are looking at \$400,000, the money you see that was placed in the Community Development Block Grant money that we're receiving, that's being decreased, We don't know what's going to happen next year, or what's going to happen in the years to come. So, the Committee is looking at that. Maybe we need to look at it very seriously, that we need to add this money into our General Fund Budget every year so that we can have this money in case this happens. We are looking really at doing a lot of home repairs, rehabilitation, roof repairs, but, pretty soon, there's not going to be that money coming from HUD. HUD is really decreasing. So, if we want to continue doing this for the community, then we're going to have to find a way to have this money in our budget to keep doing what we're doing for the community. So, this is one of the things that the Committee was discussing at the last meeting that we had. I don't know how we're going to come up with it, how we're going to do it. We might have to take a look at it and see if it can come back to a meeting, to see how we can get this done and not looking for HUD to do it all, if we could have this money there in our budget to keep it going."

Councilmember Gregorie said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Just to further clarify, if we're getting around \$900,000 from CDBG, and we take \$400,000 of it for staffing, what we're suggesting is that we find that \$400,000, perhaps, from our General Fund, and the City will then put more money into affordable housing. The \$400,000 that generally goes for staffing, would then go for building or adding to our affordable housing toolbox."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "One of the things that we also talked about too, Mr. Mayor, is Parcel B. We've spent a lot of money out of Parcel B. Parcel B is money that was set aside for housing. We want to make sure that those monies that have been spent, especially down in the area where we had to buy the property for the African American History Museum, and we sold the property that we originally were going to build the Museum on, that that money comes back and goes into the Community Development Block Grant money. We took some of the money out of Parcel B, but we spent it around the Angel Oak tree. We need to stop spending money that we have for housing, and use other monies for the things that need to be done. So, that is something we need to look at."

Mayor Tecklenburg said, "Thank you, sir, and I'll be coming back to Council sometime soon to sell a property and asset that we have, so that we can return those funds. That's my plan."

Councilmember Mitchell said, "That's what I was going to say also, Mr. Mayor. There's a lot of property that we were selling. We were promised to get the money back and put it back in affordable housing, and that hasn't happened yet. So, we have a property, even the old Piggly Wiggly on Broad Street, a lot of these properties."

Mayor Tecklenburg said, "That's the one I was referring to, actually."

Councilmember Mitchell said, "It's a couple of properties that we have, and there's money."

Councilmember Lewis said, "Don't mention that name."

Mayor Tecklenburg said, "That's the one I'm referring to."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I think there may be a second property you want to refer to, as well. The initial site for the African American Museum on Calhoun Street, next to the garage, and we already discussed it in Real Estate."

Mayor Tecklenburg said, "That's the other one. You're stealing my thunder."

There was laughter in the Chamber.

Councilmember Waring said, "I don't want to do that, so, I'll put a pin in that, but to make this a little bit more digestible, \$400,000 that Councilmember Mitchell and Councilmember Gregorie are talking about, as I understand it, the employees' fringe benefits already come out of General Funds. So, it wouldn't be a total of \$400,000 coming out of General Funds because 25 percent basically already comes out for fringe benefits, retirement, medical, disability, life, etcetera. It already comes out of General Funds."

Mayor Tecklenburg said, "For the record, I wrote a letter today to all the members of our Congressional delegation in Washington because the reduction of CDBG Funds over the last couple of years has been precipitous. There's been a 25 percent reduction just in the last two years, and our Federal government needs to be mindful of the needs of cities. Yes, sir."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Mr. Mayor, I know Steve's going to get up, and I don't want Steve to have an attack, but we're going to see how we can do it, and I know it can be done."

Stephen Bedard said, "Sir, we've got this. We'll look at it. It's going to have to be part of the 2017 Budget. We have a 2016 Budget, so, they kind of cross over because they're not in the same budget year. The General Fund right now is paying \$263,000, but CDBG is paying \$360,000. So, we'll take a look at it and we'll see what we can do."

Councilmember Mitchell said, "That's all we ask."

Mr. Bedard said, "After I discuss it with the Mayor, then we'll see what we're going to do."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Yes, sir. Is there any further discussion?"

On a motion of Councilmember Lewis, seconded by Councilmember Mitchell, City Council voted unanimously to adopt the report of the Committee on Community Development as presented:

---INSERT COMMITTEE ON COMMUNITY DEVELOPMENT REPORT---

- (i) Short Term Rental Task Force Recommendations
- (ii) Review of the 2016-2017 Program Year Budgets
- (iii) Request for an Interest Rate Reduction: Palmilla Apartments

Mayor Tecklenburg said, "I don't want this to be a damper on things, but we are just getting past page one of our agenda."

There was laughter in the Chamber.

Councilmember Seekings said, "We're actually not quite there yet. We're still on page one."

Mayor Tecklenburg continued, "But I believe the rest of it will go a lot faster, just to let everyone know. The last thing on page one is the Committee on Public Safety. Our Vice Chair is Councilmember Lewis, I believe."

Councilmember Mitchell said, "Mr. Mayor, before we go on, I just want to make sure and let everyone know that the task force will be taking up, and you will be dealing with that. Each Councilmember will be selecting a person and the facilitator or whomever we get that is going to be doing that, and you'll get back with us and let us know exactly when it's going to start, so we can put it out to the public and let them know that the ball is rolling. We're starting to do something with that."

Mayor Tecklenburg said, "That's right. So, please, as soon as you find someone that you'd like to recommend to that task force, please recommend them to us. Next, is the Committee on Public Safety. Councilmember Wilson is not with us this evening, but Councilmember Lewis, can I call upon you?"

Councilmember Gregorie said, "Move for approval."

Councilmember Lewis said, "Move for approval."

There was laughter in the Chamber.

Councilmember Lewis said, "That was my first meeting and all of a sudden I thought Councilmember Wilson was coming over to say something to me. She looked at me and said,

'I'm leaving'. We just got some updates from the Fire Department, Police Department, Emergency Management, just letting us know their input. There wasn't anything that we needed to bring before Council or anything like that."

Mayor Tecklenburg said, "I think they were all updates and nothing formal."

Councilmember Riegel said, "I do want to bring to full Council's attention something we discussed. During the October floods, unfortunately, the City of Charleston Fire Department's brand new ladder truck that we dedicated out of Bees Ferry, I don't know what that was, a year ago, was stalled in the floodwaters. It was allowed to remain there. We couldn't get it towed out. As a result, the salt has basically turned a \$1,000,000 piece of equipment into junk metal. So, it's something that we're going to have to address. Now, I know the Chief is working hard, or somebody, with the insurance carriers. My Chrysler 300 went through saltwater and it was totaled. I made a couple of grand on it, as a matter of fact."

There was laughter in the Chamber.

Councilmember Moody said, "That's taxable income."

Councilmember Riegel said, "I showed my tax return bill. It's on my tax return. I want to bring that to our attention, before we put a new ladder truck out at Cainhoy or anywhere else because what we have out there is a substitute that's not in the best of shape."

Councilmember Moody said, "A \$1,000,000 anchor."

Councilmember Riegel continued, "Yes, we have a \$1,000,000 anchor. Chief, if you want to correct me on any of that, I wish you would because it's unfortunate, but I think this Council needs to know about that, ma'am."

Chief Brack said, "It was very unfortunate, and the firefighters were on their way to rescue people. This was during the worst of the storm, and during that time period, they actually rescued about 88 people. They had been through that same exact area just a little bit earlier, and gotten through with no problem, and it just was a very unfortunate event. We're still working with the insurance companies, and we're still working with FEMA to see what we're going to do about the reimbursement or what we're going to do about replacing that truck. Colleen Carducci has been intimate with insurance companies on what's going to happen next. So, as soon as we get some clarity from those folks, we'll move on, and either repair the truck, which seems to be a possibility, or we will replace it."

Mayor Tecklenburg said, "It needs a new engine, that's for sure."

Chief Brack said, "Engine, transmission, rear differential."

There was laughter in the Chamber.

Councilmember Riegel said, "As Bill (Councilmember Moody) said, it's basically an anchor."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "On a little bit higher note, not dealing with the Fire Department, Chief, but dealing with the Police Department. I think we see some very good news about the significant decrease in the number of citizen complaints against the police officers in general and also, the number of decreases of inner police complaints themselves. I think that's a true testament to our Chief and to the fine work that his leadership has demonstrated for the past several years. I just want to make sure everyone was aware of the good work the Chief is doing in that area."

Mayor Tecklenburg said, "Absolutely. Are there any further comments or questions? None being said, we have a motion just to receive as information and a second."

Councilmember Waring said, "Are we still on Councilmember Lewis's report?"

The Clerk said, "Yes."

Mayor Tecklenburg said, "We are."

Councilmember Waring said, "Just one last thing, the Illumination Project was one thing that the Chief brought up. The Illumination Project is now going out to the community, solicit participation, and whatever we can do as a Councilmembers to encourage the public to come in and participate in those listening sessions, what they are calling it. I hope we would engage that and do that."

Councilmember Lewis said, "They have a meeting right around the corner from my house tonight, and I'm still stuck here. On Race Street."

Mayor Tecklenburg said, "That's right. Right on Race Street. They're there tonight. I bet that's where Chief Mullen is tonight, but there will be more around the City. So, absolutely, please encourage our citizens to attend and give their input."

On a motion of Councilmember Lewis, seconded by Councilmember White, City Council voted unanimously to adopt the report of the Committee on Public Safety as presented:

---INSERT COMMITTEE ON PUBLIC SAFETY REPORT---

(i) Updates:

Police Department
Fire Department
Emergency Management

Mayor Tecklenburg said, "Next, the Committee on Public Works, Councilmember Waring."

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

---INSERT COMMITTEE ON PUBLIC WORKS AND UTILITIES REPORT---

(a) Acceptance and Dedication of Rights-of-Way and Easements

i. Heritage Oaks Phase 1 – acceptance and dedication of stormwater drainage easements. All infrastructure improvements are completed, inspected, and accepted.

- a. Plat
- b. Exclusive Stormwater Drainage Easements (2)

ii. Carolina Bay Phase 20 – acceptance and dedication of Corvina Drive (50-foot right-of-way) and a portion of Conservancy Lane (50-foot right-of-way). All infrastructure improvements with the exception of sidewalks and first lift of asphalt are completed, inspected, and accepted.

- a. Title to Real Estate and Affidavit
- b. Plat
- c. Exclusive Stormwater Drainage Easement
- d. Exclusive Stormwater Drainage Easements

Mayor Tecklenburg said, “Next, is the Committee on Ways and Means.”

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

---INSERT COMMITTEE ON WAYS AND MEANS REPORT---

(Bids and Purchases

(Budget, Finance and Revenue Collections: Approval of the 2016 Master Lease Purchase Financing Agreement in the amount of \$5,381,996 with Bank of America, Richmond, Virginia, in the amount of \$5,381,996; Solicitation Number 16-B005C [Ordinance]

(Fire Department: Approval to apply for a SLED grant in the amount of \$7,500 for the Low Country Regional Collapse Search & Rescue Team-Charleston. Funds will be used for the 2016 Operational Readiness Exercise. No City match is required.

(Fire Department: Approval to apply for a SLED grant in the amount of \$78,500 for the Low Country Regional Collapse Search & Rescue Team-Charleston. Funds will be used for replacement of equipment and required training. No City match is required. This is an after-the-fact approval.

(Fire Department: Approval to apply for a SLED grant in the amount of \$66,000 for the Charleston Fire Department’s Hazardous Materials Team. Funds will be used for the replacement of a True Defender (chemical identifier). No City match is required. This is an after-the-fact approval.

(Police Department: Approval to submit the 2016 State Homeland Security Program grant application in the amount of \$14,719 for the CPD Dive Team rigging and recovery equipment. No City match is required.

(Office of Cultural Affairs: Approval to submit a grant application in the amount of \$1,000 to AgSouth Farm Credit, ACA to design and print rack cards to promote our local Farmers Market. No City match is required.

(Office of Cultural Affairs: Approval to submit a grant application to the SC Arts Commission in the amount of \$10,000 for the Lowcountry Quarterly Arts Grants Program. A City match of \$10,000 is required. The grant period is 7/1/16 through 6/30/17. The matching funds will be included in the 2017 budget if the grant is awarded.

(Traffic and Transportation: Approve a Resolution for the widening and improvements to Clements Ferry Road by the South Carolina Department of

Transportation.

(Traffic and Transportation: Approve a Maintenance Agreement and Contract between the South Carolina Department of Transportation and the City of Charleston for the Clements Ferry Road Widening Project.

(Human Resources: Approval of the Workers Compensation Excess Insurance Renewal in the amount of \$296,656 with Safety National. The 2016 policy renewal premium is decreasing by 1%. This policy runs April 1, 2016 to April 1, 2017. Councilmember White, the HR Committee Chair, has been briefed on the recommendation and approved adding this item to the Ways and Means agenda.

(Mayor and City Council approval is requested to forgive three months of interest payments on the loan between the City of Charleston and Hampstead Partners. The forgiveness is granted due to the delays incurred at the project and the subsequent financial hardship the developer indicated occurred. The developer requested an interest rate reduction. However, the interest rate on the loan is four (4.00%) percent and the CD Committee and staff believed that the interest rate was satisfactory and therefore are granting a waiver of interest to assist in the financial viability of what is a very important development to the delivery of affordable rental housing. The interest applied to the loan beginning November 2014 through January 2015 will be forgiven and totals \$10,605.14. After which, interest will accrue as agreed. The City of Charleston funding is secured by a Note and Mortgage. Restrictive covenants are also recorded and exist for thirty years, which is ten years beyond the date of the Repayable Note and Mortgage.

(Request authorization of the Lease Agreement between Guy McSweeney or his assigns and the City of Charleston, whereby Mr. McSweeney will make certain improvements to build and lease to the City a fire station including a building with related parking, driveway access, and required utilities (TMS: portion of 263-00-01-062; Highway 98, Berkeley County)

(Request approval of the Resolution allowing adjustments be made by the Mayor in consult with Corporation Counsel, to allow more time to finalize the City's building plan review and approval process and adjust the closing date if such adjustments are deemed necessary to protect the City's interest (TMS: a portion of 460-00-00-013; 99 WestEdge, a portion of 180 Lockwood) **(Councilmember Lewis voted nay on this item.)**

(Request approval to transfer the sanitary sewer system located at Freedom Park to the Commissioners of Public Works of the City of Charleston in the amount of \$8,004.15 (TMS: 275-00-00-199; Freedom Park, Barfield Street)

(Consider the following annexations:

- Cooper Judge Lane (TMS# 427-00-00-078; 427-00-00-079) 3.74 acres, James Island (District 6)
- 115 Carriage Hill Place (TMS# 269-01-05-159) 0.18 acre, Cainhoy (District 1)
- 2476 Flamingo Drive (TMS# 310-02-00-126) 0.25 acre, West Ashley (District 2)
- 2482 Flamingo Drive (TMS# 310-02-00-127) 0.25 acre, West Ashley (District 2)

First reading was given to the following resolutions and bills:

An ordinance to authorize the execution and delivery of Lease/Purchase Agreements with Banc of America Public Capital Corp. in order to provide for the acquisition of certain Police, Fire, Environmental Services, Fleet, Stormwater, Information Technology, Golf Course and Parking Enforcement Equipment and Vehicles; to provide the terms and conditions of such Lease/Purchase Agreements; to provide for

the granting of a security interest to secure all obligations of Lessee under the Lease/Purchase Agreements; to authorize the execution and delivery of all documents necessary or appropriate to the consummation of such Lease/Purchase Agreements; and to provide for other matters related thereto.

Resolution for the widening and improvements to Clements Ferry Road by the South Carolina Department of Transportation.

Resolution allowing adjustments be made by the Mayor in consult with Corporation Counsel, to allow more time to finalize the City's building plan review and approval process and adjust the closing date if such adjustments are deemed necessary to protect the City's interest.

An ordinance to provide for the annexation of property known as Cooper Judge Lane (3.74 acres) (TMS# 427-00-00-078; 427-00-00-079), 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 6.

An ordinance to provide for the annexation of property known as 115 Carriage Hill Place (0.18 acre) (TMS# 269-01-05-159), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1.

An ordinance to provide for the annexation of property known as 2476 Flamingo Drive (0.25 acre) (TMS# 310-02-00-126), 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.

An ordinance to provide for the annexation of property known as 2482 Flamingo Drive (0.25 acre) (TMS# 310-02-00-127), 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 vote was not unanimous. Councilmember Lewis voted nay to Item '15-B' of the Ways and Means Report.

Mayor Tecklenburg said, "That brings us all the way up to bills up for second reading."

Councilmember Mitchell said, "Item K-1 through K-6."

Mayor Tecklenburg said, "K-1 through K-6."

Councilmember Waring said, "Second."

The Clerk said, "K-1 through K-6."

Mayor Tecklenburg said, "K-1 through K-6 can be taken together, it's been seconded."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Can we remove Item K-2.?"

Mayor Tecklenburg said, "Remove Item K-2. So, we'll vote on Items K-1, K-3, K-4, K-5 and K-6. Is there any discussion on those bills?"

On a motion of Councilmember Mitchell, five (5) bills (Items K-1 and K-3 through K-6) received second reading. They passed second reading on a motion of Councilmember Waring and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Riegel, the rules were suspended, and the bills were immediately ratified as:

- 2016-033** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 652 RUTLEDGE AVENUE (NORTH CENTRAL - PENINSULA) (0.0728 ACRE) (TMS #460-03-02-149) (COUNCIL DISTRICT 3), BE REZONED FROM DIVERSE RESIDENTIAL (DR-1F) CLASSIFICATION TO RESIDENTIAL OFFICE (RO) CLASSIFICATION.
- 2016-034** AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF WATERWORKS AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLESTON IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$135,000,000 AND OTHER MATTERS RELATING THERETO.
- 2016-035** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF APPROXIMATELY \$12,775,000 GENERAL OBLIGATION REFUNDING BONDS OF 2016 OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS OF THE SEVERAL SERIES OF BONDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO.
- 2016-036** AN ORDINANCE AUTHORIZING THE EXECUTION OF DOCUMENTS RELATING TO THE LEASE-PURCHASE FINANCING OF THE ACQUISITION OF 50 BROAD STREET, CHARLESTON, SOUTH CAROLINA, FOR THE CITY OF CHARLESTON, SOUTH CAROLINA IN AN AMOUNT NOT EXCEEDING \$600,000; AUTHORIZING THE EXECUTION OF A BASE LEASE AGREEMENT AND A PROJECT LEASE AGREEMENT IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO.
- 2016-037** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1827 MEPKIN ROAD (0.18 ACRE) (TMS# 353-14-00-183), 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.

Mayor Tecklenburg said, "Now, to bill K-2, the Business License change."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I just want a little better explanation. I'm not so opposed to this one, but I think Steve (Bedard) was going to be here to kind of address this. I called

Councilmember Gregorie about another issue with the business license with the hair stylists and barbers, but it turned out that one of those, upon further inspection, she had it all wrong. So, I called Councilmember Gregorie and told him that I lit a false fire. This thing was presented as being revenue neutral. I know this particular one is 15 percent. I guess my perception on this being revenue neutral was that each one was revenue neutral, not the whole City. It really is the whole City's licenses' revenue."

Mr. Bedard said, "This is exactly like a reassessment. It's revenue neutral, but any one property can go up or down. So, what happened is we went from seven categories to eight categories. I was prepared for your barber shops."

There was laughter in the Chamber.

Mr. Bedard continued, "On average they've gone down to 18 percent. So, it is not revenue neutral. The biggest non-revenue neutral part of it was the car dealers. Because we have a specific paragraph in the ordinance, we're able to make that adjustment, and that's what you're voting on, the amended ordinance. Now, the other categories are set under a model ordinance by the Municipal Association, which interestingly enough, they're negotiating with Representative Quinn on an ordinance State ide that would include that. So, we're exactly lined up with the categories the way they are represented by the Municipal Association, and we cannot take any one, say a grocery store, we can't take one grocery story out of a category and leave all the other grocery stores there because, quite frankly, we would be sued for that because it wouldn't be fair treatment. So, there are some winners and losers. We've looked at it, but you're exactly right, some people go up a little bit. I have a lot of lawyers here on this list that I have, most of them have gone down. Accountants and barber shops have gone down. So, you know they are some that have gone down, but there are some that have gone up. Basically the one that had gone up is what I would call the big box storage primarily, and they're not complaining. It's just a couple of grocery stores brought into that category also that have gone up a significant amount maybe by percentage, but the one grocery store that was in question is a \$2,000 increase. So, the actual fiscal increase isn't that much. It's just a little bit, but you have the correct idea."

Councilmember Moody said, "I'm better off now. I think the whole line with the Municipal Association is that we're going in that direction. It just seems like that explanation wasn't here."

Mr. Bedard said, "Actually, I was telling the Mayor the other day, the Municipal Association came down here asking us to support the law that they're trying to get the State Chamber on board with, and all, and it's going to require a portal that people will be able to come in in automated fashion and do their business license. There are only two locations in the State of South Carolina right now that can do that, the City of Charleston and Greenwood. So, we have our own. The Municipal Association is going to create one that others will use, but we are completely lined-up with the bill that they're proposing and hopefully will get passed by the State Legislature."

Councilmember Moody said, "Thank you."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Did we make an adjustment between first reading and now on the car dealers, because now the grocery stores are the ones that are out of whack?"

Mr. Bedard said, "The grocery stores are not out of whack. They're just in a category where they've gone up a little bit because we had seven categories. Now we have eight, and they moved up. So, the car dealers we specifically called out because there's that one little paragraph in there where we can make an adjustment. The whole thing was revenue neutral. With what we're doing with the car dealers, it's actually a little revenue negative right now because it's going to cost us a little bit more than what the old system would have brought in, but trust me when I tell you it is revenue neutral."

Councilmember Seekings said, "Thank you."

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

The Clerk said, "We need a motion for Item K-2."

Councilmember Williams said, "Move for approval."

Mayor Tecklenburg said, "We have a motion. Do I have a second?"

Councilmember Lewis said, "Second."

On a motion of Councilmember Williams, one (1) bill (Item K-2) received second reading. It passed second reading on a motion of Councilmember Lewis and third reading on motion of Councilmember Williams. On further motion of Councilmember Lewis, the rules were suspended and the bill was immediately ratified as:

2016-038 AN ORDINANCE TO AMEND THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON TO DECREASE THE CLASS RATE FROM \$1.55 PER THOUSAND TO \$1.10 PER THOUSAND FOR NAICS CODE NUMBERS 4411 AND 4412.

The Clerk said, "Mr. Mayor, on Item K-9 under second readings, we received a request from the attorney for the property owner at Gadsden Wharf. Councilmember White, I believe you received the same information that they'd like to have that item withdrawn."

Mayor Tecklenburg said, "We have a request from the applicant to withdraw bill K-9."

Councilmember White said, "I'll move to withdraw."

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

Councilmember Mitchell said, "Second."

On a motion of Councilmember White, seconded by Councilmember Mitchell, City Council voted unanimously to withdraw Item K-9 from the agenda.

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 Concord Street & Laurens Street (Gadsden Wharf - Peninsula) (approximately 7.87 acres) (TMS #458-01-02-027, 062, 063, & 066) (Council District 1), be rezoned from Mixed-Use (MU-2) classification to Planned Unit Development (PUD) classification. (WITHDRAWN)

Mayor Tecklenburg said, "We already covered bills up for first reading, L-1."

Councilmember Mitchell said, "First reading, L-2."

The Clerk said, "One more."

Mayor Tecklenburg said, "So, we now go to L-2."

Councilmember Moody said, "Move for approval."

Councilmember Shahid said, "Second."

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

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the zone map, which is a part thereof, so that 2116 Saint James Drive (Riverland Terrace – James Island) (0.24 acre) (TMS #343-02-00-073) (Council District 11), annexed into the City of Charleston January 26, 2016 (#2016-019), be zoned Single-Family Residential (SR-1) classification.

Mayor Tecklenburg said, "One more thing. We also have a request from the applicant for bill L-6, under bills for first reading, for a withdrawal."

The Clerk said, "That's correct."

Councilmember White said, "So moved."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg asked, "Is there any discussion?"

On a motion of Councilmember White, seconded by Councilmember Mitchell, City Council voted unanimously to withdraw Item L-6 from the agenda.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 76 Columbus Street (East Side - Peninsula) (approximately 0.229 acre) (TMS #459-05-04-093) (Council District 4), be rezoned from Diverse Residential (DR-2F) classification to General Business (GB) classification. (TO BE WITHDRAWN)

Mayor Tecklenburg said, "The next meeting, even though we will not be conducting any votes, will be a Council Workshop, which will be held on Friday, March 18th. So, don't drink too much green beer the night before, and that will be at 10:30 a.m. until 1:30 p.m. at the Bees Ferry Recreation Center. Then, the next regular meeting of City Council will be March 22nd at 5:00 p.m. at Charles Towne Landing, West of the Ashley. Please note that our next two meetings will be West of the Ashley. Is there any further business to come before Council tonight? If not, I move that we're adjourned."

There being no further business, the meeting was adjourned at 7:27 p.m.

Vanessa Turner Maybank
Clerk of Council