

COUNCIL CHAMBER

Regular Meeting

May 10, 2016

The eleventh 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 May 4, 2016 and appeared in The Post and Courier May 8, 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	(arrived 6:45 p.m.)	
Councilmember Gregorie	District 6	Councilmember Moody	District 11
		Councilmember Wilson	District 12

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

The Clerk called the roll.

Mayor Tecklenburg said, "I'm honored to call upon a dear friend and a very special person, Reverend Rob Dewey, to say the invocation for us and to lead into the Pledge of Allegiance. Reverend Dewey."

Reverend Dewey opened the meeting with an invocation.

Reverend Dewey led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, "Thank you very much. First, are a few presentations and recognitions. I would like to recognize, and they're mostly in the balcony, the ninth grade history class of First Baptist High School, who is here with its teacher, Mr. Graham Haley. Mr. Haley is right there with all of the class members in the ninth grade of First Baptist School. Thank you. Pay close attention. You will be down here one day leading all of us so keep at it. Thank you.

Next, I would like to call on Steve Bailey and some students from Burke High School who are with us today, and their teacher, Ms. LouAnn Brown. Please come forward. As they come forward, I would like to share with you a couple of things about the Burke High School newspaper which is called "The Parvenue". It has recently been resurrected after 30 years with the help of LouAnn Brown and Steve Bailey. The new Parvenue is a project of about 15

students in Ms. Brown's newspaper production class and Ms. Ziegler's graphic design class and Steve Bailey, who volunteers twice a week as their newspaper advisor. The mission is to inform, educate and motivate the thoughts of faculty, staff and students. The newspaper has a long and proud history like Burke itself. It was first published in 1935 as "Spotlight" and then renamed in 1941 as "The Parvenue". It was a guide to ideas and ideals with views on politics, social issues and other things, maybe even a little gossip. Rudy Pyatt who wrote for the newspaper, I'm told, in the 1950s became the first African American reporter at the News and Courier and went on to become a business reporter and columnist for the Washington Post. Our own City Councilmember Dudley Gregorie was the editor of "The Parvenue" in the 1970s, so part of the history is right here. While it is traditionally a printed newspaper, it has been brought back online in this modern age, and it covers stories about athletics, clubs, honor roll members and general student life at Burke High School. Mr. Cannon, the Principal at Burke High School, is also with us this evening. Thank you, Mr. Cannon, for being with us and if either you, Mr. Bailey, or Ms. Brown want to share a few words about your efforts, I would welcome that at this time."

Ms. LouAnn Brown said, "Well, it is certainly an honor to be here and as far as the efforts and work that's been done, I couldn't have done it without my students at Burke High School who did a lot of the paperwork, and with partnering with Mr. Bailey who has been serving us as a very good guide as far as the editing part is concerned. We really appreciate everything he has done."

Mayor Tecklenburg said, "Great. Thank you. Are there any other comments you would like to make? Thank you. Keep up the good journalism."

There was applause in the Chamber.

Mr. Bailey said, "This is Angel and Mr. Cannon."

Mayor Tecklenburg said, "Angel, how are you? Mayor Tecklenburg said, "Mr. Cannon, so glad to have you with us."

Principal Maurice Cannon said, "I do want to take the opportunity just to affirm again Ms. Brown and also Mr. Bailey along with our students but in particular, Mr. Bailey, who is volunteering his time to come to Burke. He sought us out to give back to this downtown community and, sir, I salute you and thank you. Please look forward to many more editions coming your way and thank you for this time."

Mayor Tecklenburg said, "Thank you very much. Thank you for all you do."

Mayor Tecklenburg said, "So, next, I would like to call again on my dear friend, Chaplain Rob Dewey, to join me up here and a couple of new chaplains who Rob wants to introduce to us. I just want to share with you, I think Council knows, but if those of you in the Chamber don't, the primary mission of the Coastal Crisis Chaplaincy is to provide pastoral care and counseling for employees and families of our first responders, as well as to the general public, particularly when they've lost a family member in an unexpected manner. Also, the Chaplaincy assists our Mobile Crisis Unit and SWAT teams actually in hostage negotiations or in suicide attempts when those occur and other emergency situations. They provide follow-up visitation in the home and hospitals for victims of crimes and their families. It's a Judeo-Christian organization that works closely with all law enforcement, and this community owes a great deal to the dedication,

service, and love that these gentlemen and women provide our police and firefighters and provide the general public, our community, at large. My hat and heart goes out to them.”

There was applause in the Chamber.

Mayor Tecklenburg recognized Reverend Dewey.

Reverend Dewey said, “Thank you, Mr. Mayor, Council. Just very quickly to introduce my Exec.-Officer, my Chief Chaplain next door to me, Rich Robinson, who had a lot to do with the Police Officer Appreciation Service that was held recently. Shane Bowers just came to us from Hospice after four years there and is also a full-time chaplain, and the part-time chaplain is Robbie Robinson, better known as Augustus Robinson, and he is the Pastor Emeritus of Mt. Moriah Baptist Church.”

Reverend Dewey said, “Okay, you’re still on the roll there, referring to the Clerk. So, we were able to hire these two folks because of a grant given to us last year, actually by one of our Board members. The grant is going to be a two-year grant, so we’re excited that we can continue to expand and just the support that we get from all of you all and from Police, Fire and EMS. Before you today, Council, I left one of our newsletters and the last one we did was concerning the Emanuel tragedy, so reflected there is the Emanuel Church. Thank you all for letting us come, and we just wanted to introduce the new folks to you. Thank you all.”

There was applause in the Chamber.

Mayor Tecklenburg said, “Thank you. We appreciate you.”

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, “Mayor Tecklenburg, I would be remiss if I just didn’t simply say thanks. You know what it means.”

Mayor Tecklenburg said, “We all give you our thanks and, by the way, in case you didn’t know it, Rich Robinson, is a very good drummer. They did such a terrific job, you all, at the service that we had honoring our police officers, not just in the City of Charleston, but our region last Wednesday morning. Councilmember Shahid set up the event at the Cathedral of St. John the Baptist and it was just a thank you feast, well-deserved to our police officers and department, and I just want to thank you again and again for that service and for all you do for our men in blue. Next, I would like to invite Steve Coe with Rosenblum Coe Architects to join us.”

Councilmember Shahid said, “He has not yet arrived.”

Mayor Tecklenburg said, “Oh, he has not yet arrived. Okay, well, maybe we’ll recognize him when he comes, but just to let you know, the firm was recently awarded the American Institute of Architects South Carolina Design Merit Award for their design of the City of Charleston Fire Station Headquarters #9 at Heriot and King Street Extension. It has won a national award, so we wanted to recognize Steve for his fine work and his firm in the design of that station, but we’ll see him when he gets here.

So, next, we have no public hearings tonight, so that saves us a good bit of time. The next order of business is to approve our City Council minutes. We have a motion and a second.”

Councilmember Moody said, "So moved."

Councilmember Lewis said, "Second."

On a motion of Councilmember Moody, seconded by Councilmember Lewis, City Council voted unanimously to approve the minutes for the April 26, 2016 City Council Meeting.

Mayor Tecklenburg said, "Next, we're going to move right on to our Citizens Participation Period, and we normally take about 30 minutes. Could I see a show of hands of how many people would like to be heard this evening? Please don't be shy. If you want to speak, let me know. We don't have many so a full three minutes will be fine per person. Whoever would like to lead off. Reverend Middleton, would you like to lead?"

1. Reverend Kylon Middleton said, "Thank you very much, Mayor Tecklenburg and the members of City Council. The members of Mt. Zion Church, who are present here today, if you would just stand along with me where you are. On short notice, because I was supposed to be out of town, they decided that we would make this City Council meeting tonight because there is a very important matter to us that the Council is studying at this time, but we figured that we wanted to interject our voice because it impacts us tremendously and detrimentally. The City's Transportation and Legal Departments are conducting a 90-day study of the residential parking regulations, especially those for downtown neighborhoods. This is particularly of interest to us because our church is situated downtown on 5 Glebe Street. We did note that Councilman Seekings, who is the Chairperson of that committee, is examining along with the committee, the rules in the ten special parking districts and a total number of spaces available in order to clarify the law on changing the hours of special residential parking restrictions. We have also ridden around the entire City of Charleston. I did call Councilman Seekings and texted him on Saturday in order to try to mitigate this matter even before today. I do thank Councilman Waring and Councilman Mitchell for taking my call and helping us try to navigate through the maze of this situation. When we look at residential parking, especially those entities within residential neighborhoods that are not houses or residential dwelling places, we become sort of the collateral damage of some of these ordinances that are enacted upon. I do recognize that the neighborhoods of Cannonborough, Elliotborough and Radcliffeborough have asked for a zoning, so that we might be able to examine this issue because of bars and clubs that may be in their areas. But, there are also churches in those areas and to change those particular zoning areas to one hour for individuals to be able to park there, whereas, many of our members do not live in the City of Charleston, so they drive into the City, and our worship services last longer than that. Even when you look at church school time and the time that individuals are remaining to count monies after church, they elapse the time period given. For several churches, the unintended consequences of this become, people decide that they're just not coming to church because it becomes too much of a hassle and they decide that they will bypass the City of Charleston altogether. There are several churches, Francis Brown AME Church, being one of them, Macedonia AME Church, and Shiloh AME Church that are all looking to move outside of the City. Zion Olivet Presbyterian Church has already moved. Plymouth Congregational Church has been leveled to the ground. They are gone, and Progressive AME Church is leaving. So, many churches, as a result of restrictive ordinances and such practices that are being kind of enacted upon us, have opted for their own survival to leave the City of Charleston. Mt. Zion has been here. We're the daughter church of Mother Emanuel. Members from Mt. Zion, along with the Pastor, came and established that church from Mother Emanuel in 1887. We refuse to leave the City of Charleston, so we prayerfully ask your consideration that when you assemble the Task Force to study and examine this issue, please allow us a voice at that table. So, we came tonight just to ask you that as you are

examining and studying this issue over your 90-day period, invite us to be a part of that study so we might be able to provide you with the real life consequences of such ordinances. Thank you.”

Mayor Tecklenburg said, “Thank you so much, Reverend Middleton. We appreciate you being here.”

Mayor Tecklenburg recognized Mohammad Idris.

2. Mohammad Idris said, “Mohammad Idris. Mayor, City Council, ladies and gentlemen. I have here a picture that we hardly see anymore, and this is a picture of Atlas. He said he had the world on his shoulders, but I think it got too heavy for him, so they don't show it anymore. In Greek mythology, the Titan Atlas was responsible for bearing the weight of the heavens on his shoulder. A burden given to him as punishment by Zeus, the father of many stars and protagonists and one of Hercules' famous neighbors, disjoined of a God, gave his name to a huge mountain range in northern Africa, the great Atlantic Ocean and any large collection of maps and God. You do not see this picture anymore, and that is a good sign. Also, the Constitution of our great Country is saying to the Greek community all of us are created equal and it is us, not I, and the vowels of A, E, I, O, U and sometimes Y is the question of who made you the boss. Mayor Riley was like Atlas, and he had to get that weight off his shoulders after 40 years. Now, the City Council is telling the Board of Architectural Review that the City Council represents the people, and they are in charge of making the final decision that governs the zoning of this City. I did not know how much power the Greek community had in this City until I started working on a project at 35 America Street. This work of mine led me to find out that the Board of Architectural Review was designed by the Greeks and that the gentlemen of the Battery who said that the system can govern this body of government is corrupt without the Greek community supporting them. We pray that Mayor Tecklenburg does not try to erect and reinvent Mayor Riley's ways of running this City and condemn what he cannot control. The Greek community and the Jewish community are in a battle at this time in our history in the City of Charleston. That is why we are hearing the talk about directing building, or more building West of the Ashley. While they join of community are battling more of the spoils of the former Mayor and administration, the poor are left at the wayside and not that the poor are not trying to get into the battle, that is not the case. It is because these liars the community is constantly placing all kinds of red tape in our paths to impede our effort. An example of them working to block the poor is a project that I am working on at 35 America Street, which was approved more than 14 years ago, but these giants are forcing us to take on the mindset of David, the prophet, to get this work completed. That is one of the reasons that I'm here this evening. I'm looking to you, the Council, the Mayor, to do your civic duty in an honorable manner since you have said that it is your responsibility. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Yes, sir. Please come forward.”

3. Matthew Doszkocs said, “Hi, Matthew Doszkocs, 36 Moultrie Street. I'm back again to talk about the short-term rental issue. Denver, Colorado just passed some new regulations. Again, another City allowing owner-occupied primary resident-like bed and breakfast style virtually unrestricted. They are, like many cities, prohibiting non-owner occupied rentals. Again, this needs to be looked at, but what I wanted to say is think about it like this. Right now, we have a situation where all of these short-term rentals, owner occupied, non-owner occupied, Airbnb-type rentals are being prohibited. Now, if I were to ask you or anyone in the City of Charleston, you have the choice of allowing college students to live next to you or not, you have the choice, you pull the lever, you say yea or nay. Many people, I think, would

say nay resoundingly, like right off the bat, I don't want college kids next to me, but we can't do that because by definition that's discrimination. We have a Livability Court that deals with noise problems, parties, parking, whatever issues. We already have some, we were the first in the country to do that. We have a great system in place for dealing with problems. These college students are fined \$750 for having a loud party which, whatever you think about that, it's pretty serious business. So, to prohibit people from doing something that's traditional, that we've been doing for thousands of years all over the world, for hundreds of years in Charleston you rented out rooms in your home to earn a little extra money. In the 1800s when a woman's husband died or got sick, how was she going to make income, she rented out rooms in her home, and there wasn't a 30-day limit. We need to be able to do this on a flexible basis, and we have legislation, we have ordinances in place in deal with problems. I just want you all to think in terms of that because right now we're not being treated even like college students. We're not being given basic property rights and basic civil rights of being given a fair chance to operate. I know the process is underway, and I also wanted to ask you all to just briefly comment if you could. I hope you all have chosen your, selected your representative on the Task Force and the Mayor. I just wanted to find out what's going on with that process and where we are with that if you've selected your six and just kind of where we're at, and I thank you for your time."

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

4. Beatrice said, "I just would like to comment you on the Airbnb. I do, well, for one thing, I feel very it's important to have a study of hotels, a study of the Airbnb. In creating a bed and breakfast and other things happening, this should be looked at in a comprehensive manner. This all factors in basically with short-term rentals. I think we will gain to look about the platform of where, what, how and what it does to not only just downtown Peninsula, but West Ashley and also other parts of the City. So, I think that, I feel that these all need to be brought together. As far as the Airbnb or any form of short-term, it could be bed and breakfast as well as, there is a displaced amount of people that all used them while they work. I know someone right now who works for the hotel industry. The hotel industry doesn't provide parking for its workers and might do it minimal for people who can afford it. Some workers choose to rent something outside of the Peninsula pretty far away, but then have no transportation because they can't afford a car; or some sleep in their car and not at residence so they go to Airbnb for a couple of weeks. These persons rent an Airbnb a couple of days or three days because they can sleep in a bed, shower and other things. So, what's happening with Airbnb. They're displacing people so, and I think it will be nice to have Airbnb in this community. That church is still there, but people are not here as they come before."

The Clerk called time.

Beatrice continued, "People are displaced so I think it will be nice to look comprehensively at this."

Mayor Tecklenburg said, "Merci. Your name, please."

Beatrice said, "Beatrice."

Mayor Tecklenburg said, "Beatrice. Okay, thank you so much. Merci. Would anyone else like to be heard? So, Reverend Middleton, I did want to share with you that we do not have a separate Task Force, but we have our Council Committee on Traffic and Transportation that recently took up this matter and has asked our Transportation Department to do a little study. Then, when that comes back to the committee, they will take up this issue of the uniformity of

our parking districts and any potential changes. I'm sure Councilmember Seekings, who is the Chairman, would be most happy to have you attend that committee meeting when he does that."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Councilmember Moody had his hand up first."

Mayor Tecklenburg said, "Oh, I'm sorry, Councilmember Moody."

Councilmember Moody said, "I just wanted to add, you stay after church counting the money, I hope that they're there until 4:00 or 5:00 that there's so much."

There was laughter in the Chamber.

Councilmember Moody continued, "But the other issue there is that people have funerals in the downtown churches in the middle of the day, the afternoon and the evenings."

Continuing Councilmember Moody said, "Yes, that's another issue that we've got to look at. I'm part of that committee, and we are aware of the problem."

Councilmember Seekings said, "Thank you, Mr. Mayor. I want to thank Reverend Middleton and his parishioners for coming here. I was actually on Glebe Street today. I don't know if you saw me over there, so it's right in the middle of all this. We're thinking hard about it. You will definitely be part of the conversation. We understand that there is an issue surrounding those who are coming to worship in and around the City. Glebe Street, believe it or not, is sort of a really good place to look because it's got some good, some bad and some indifferent on it. So, we'll engage you and make sure that as we go forward with whatever recommendations come back to Council you hear from us. We got it."

Mayor Tecklenburg said, "Right. We got it."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I actually think part of this is going to involve, and, Mr. Lindsey, if you would come to the microphone, I would be appreciative, a broader change in the religious zoning for religious organizations. I'll give you a couple of reasons; if the church, for example, has a vacant piece of land adjacent to its sanctuary, in some cases, they have to come for a zoning change to use it for parking. They have to come in front of the City for the zoning change for parking. In some cases, neighborhoods come out against that. That shouldn't be allowed, it should be approved at the staff level for buffering and for landscaping. A church should not have to get a zoning change on a piece of property that the church already owns, simply to be able to park on it. I think it should be an allowed use under the religious zoning category. A handicap space, all churches don't have parking meters right down the street. On Glebe Street, they have parking meters all the way down even in front of the church. I think, where physically capable, every church should have a handicap or two parking spaces right in front of the sanctuaries."

There was applause in the Chamber.

Continuing Councilmember Waring said, "We don't allow that, referring to the applause,

but thank you. Now, some churches have those spaces, but I think it's part of an ordinance, that right in front of a church, where physically possible, a handicap space can be put instead of the meters. It certainly makes sense to have those on Sundays and religious services, and also for the hearse, believe it or not, to be able to park right in front of the church. Speaking with Councilmember Mitchell today, our parking garages, a lot of times they are empty on Sunday morning. Every church isn't close to a parking garage, but a lot of churches have shuttles. Councilmember Mitchell told me this today, a great idea. The churches can shuttle people back and forth from the sanctuary during the religious hours on Sunday morning so our garages are to be made available hopefully for congregants. They may be, but a lot of churches really don't know this. They really don't know. Preference ought to be given to those in our religious community. We just saw the chaplains up there. We know the importance of every time there is a hardship. Obviously, with the Mother Emanuel tragedy, Hurricanes Hugo and Floyd, our religious communities are always there for us. I'm talking in the broader sense. Doesn't it make sense for a minister or chaplain, a man or woman of the cloth, to be able to go in and out of our garages without being assessed. So, that's one for consideration, as well. There are some other ones, but when it comes to an ordinance that will help, and as the T&T Committee has to deliberate this issue, in particular, vacant land, for example, that may be zoned single-family that is adjacent to a sanctuary that they own; they should be able to park on that property without having a battle with the neighborhood. But anyway. I just wanted to put those bullet points out there for additional thoughts. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you, Councilmember Waring. So, Councilmember Seekings, you were taking good notes. You got those suggestions for your next meeting. Alright."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, Mayor, what I want to say is most of the churches that you will find that are having a problem are African American churches and most of those churches are in the district I represent. One of them has already left, and about to leave is Shiloh AME Church. They never had a problem on that street for years, and that church was rebuilt back in 1990 after Hugo, but now they have to move out of that area to go somewhere else because of what's happening. People are calling and putting tickets on their cars all day long. They can't even go to church in peace. We have the church on Ashe Street that was here last Council meeting with 30 or 40 parishioners. They're having a problem there. They never had a problem before because I grew up right there on Beauregard Street. They never had a problem, but then we have an influx of people moving in, they forgot that the church was there when they moved in. They met those churches there so the community themselves need to come out and work with the churches. They do call the police and they call the code enforcement officers on the people, the parishioners. The church is not open 24 hours a day. That's the problem I have. That's why when they come to this Council, and they might not like it, but I vote against them. They are doing something against the church and the church was there. These churches have been there over a hundred and something years, and these particular individuals are not even looking at the churches. They could care less, so I don't know if it's education or what, but they need to look at things very carefully when they move in these communities. They know these things are there. These churches were there and not just moved there lately. So we have to come up with something, and we have to meet with them also. I have a problem with running churches out of the communities. That's the big problem I have, and my colleagues on Council know how I am. My belief is in God and that's the way it is. It's my belief when you're dealing with churches and running them out, and the parishioners, I have a problem with that. I will vote against those efforts. That's not the way to serve the

people in the community. I've turned it over to my colleague, Councilmember Seekings, but we need to look at this very, very carefully. If we come to this Council with something different than that, it's not working with the churches. I will vote against it, period. This is who I am."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, let me say this. I love neighborhood organizations. They serve us very well, but I think sometimes this Council or your staff gives neighborhood organizations just a little too much power. In this case, I've been hearing since March that Elliotborough and Cannonborough wanted to make some changes. I think I spoke to every member of the Traffic and Transportation Committee back in March and Su Griffin had a meeting with Robbie Somerville with the President of Elliotborough, Cannonborough and Radcliffeborough and invited Councilmembers Gregorie, Mitchell and myself. I told them that I didn't agree with what they want to do, so I said you all need to take this to the Traffic and Transportation Committee. Three days later, a restaurant owner on Beauregard Street called me and said well what they said in the meeting wasn't right with the changes they were going to make in his neighborhood. So, I thought about it and I called Robbie and he said yes, the gentleman called him also so I told Robbie, I'll tell you what you do. I said you take it to the Traffic and Transportation Committee and don't put the signs up because they wanted the signs up by June. I said don't put the signs up. If anyone asked you who told you not to put the signs up, I'll take the responsibility, so he took it to Traffic and Transportation. During that course, one of the business owner's attorney called me, I had him to call Frances (Cantwell), and I asked Frances to take a look at the ordinance to see where the ordinance stands and what powers do these neighborhood organizations have over City Council. When you're making changes that are very difficult, it affects the entire neighborhoods, and it's going to affect the churches, and the elderly especially. I had a lady come up to me in Bi-Lo and she said, 'Mr. Lewis, I've been living on Bogard Street for 30 years', and she said, 'I'm constantly getting tickets for parking in front of my door.' I told her to go see Mr. Somerville because she didn't have a residential parking permit district. We have these neighborhood meetings, and they make these decisions and sometimes some of these people, these elderly people are not able to get to these neighborhood meetings. So, we need to be very careful, and I want staff to listen to me. Be very careful of what decisions you make with these neighborhood organizations when it's going to affect an entire neighborhood. If there's a committee or Council that can handle those situations, it needs to be sent to that committee before any votes are taken. Thank you."

Mayor Tecklenburg said, "Thank you. Mr. Waring, did you have another comment?"

Councilmember Waring said, "I've already shared with T&T."

Mayor Tecklenburg said, "Okay, terrific. Thank you very much. I also wanted to respond to Matt's question, if I may call you by your first name. The Councilmembers have all now, with two exceptions, been waiting to give me their recommendation for the Short-Term Rental Task Force."

Councilmember Moody said, "I had to withdraw mine, but I'm going to give you another one sometime this week."

Mayor Tecklenburg said, "Okay, so, with a little vetting, we hope to appoint the Task Force this month. We have a Request for Qualifications for an outside facilitator to help with the process so we're finally about ready to get started. We've been following the developments from other cities across the country like Denver and what they've been doing, so it will be a very

thoughtful study of short-term rentals. Now, I would just like to call briefly on Mr. Coe who is now with us. Steve Coe of Coe, Rosenblum Architects and I've already spilled the beans that you won a national award for outstanding Fire Station #9."

Steve Coe said, "Well, Mr. Mayor, members of City Council, the City has had a long history of design excellence. I'm just proud that our firm was able to design not only an award winning design, but also, it won a sustainability award and is LEED-certified. I believe it's the first LEED-certified fire station in the City, so I'd like to present this to the City."

There was applause in the Chamber.

Mayor Tecklenburg said, "Great. Thank you. Terrific. Thank you. Come up here. We'll get a little picture. I don't know if anybody's taking a picture, but they got us in the great video over there."

Mr. Coe said, "Thank you."

Mayor Tecklenburg said, "Alright. Next, I would like to ask for Council's consent for the appointment of Terry Seabrook to our Planning Commission."

Councilmember Williams said, "So moved."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "It's been moved and then seconded. Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Yes, first of all, I want to endorse Ms. Seabrook. She will be a great addition to the Planning Commission, but I think in our appointment process, we need to decide which seat she's going to be in, and I know there are two vacancies. When I went down to the Planning Commission the first time to appear before them, I felt like I was maybe the applicant or representing Council because of this issue with regard to the 75 percent and 60 percent. I saw something that was very disturbing. One of the members of our Planning Commission, whose term and actually everybody's term down there has expired, and they're serving until we appoint someone new, but this particular person is on the payroll of one of our preservation groups. Another member of the organization that's on the same payroll came down and spoke against us, and there was no attempt to recuse or say anything about what was going on. I found that very disturbing. To me, it's like, if I was a very minority owner of a piece of property and I had two employees, one of my employees was on the Planning Commission and I had this piece of property to be rezoned or some change made to it. Then my other employee went down and spoke to have it rezoned and then that person voted on it, they should recuse themselves. This person didn't do it. It seems to me like this is a pattern and, quite frankly, I'm torn tonight whether I ought to file an ethics complaint or I ought to ask that Ms. Seabrook be appointed to the term of Ms. Perry who is on the Planning Commission. We've got a lot of people that, I could give you two names or three names tonight that would fill those vacancies, but I'm willing to wait until we get through your planning process. I would amend this motion not only to appoint Ms. Seabrook but to appoint her to Valerie Perry's seat. I would make a motion that we amend the motion to do that, whatever term is left on that seat."

Councilmember Lewis said, "I second the motion."

Mayor Tecklenburg said, "Is there any other discussion or comments?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. I just had some comments I was going to make before Councilmember Moody's statements. I think one of the things that's clear in what's happened in this Chamber in the last year is how important the Planning Commission is. We, as a Council, need to understand every step of the process of the Planning Commission, including the appointment of members of the Planning Commission. It has traditionally been, and you have stepped in and done the same, that an appointment has come to us in our packet late Wednesday night. We don't probably even see it until Thursday, and we have a Tuesday meeting. For such an important position, I believe it would be prudent if we, as Councilmembers, got a little bit more lead time on these appointees so that we can independently vet them if we feel like we need to. Then, make sure that, as we appoint people into the Planning Commission, we understand who they are so when we get things back from the Planning Commission we've got a pretty good understanding of not only how it works technically, but who is doing the work. I think that would be a little bit more Council involvement to the extent there are members of this Council who would like to be involved in the appointment process. Really, I'm concerned getting a name on Thursday, and coming on Tuesday. I was in Chicago all weekend, for instance, not that Ms. Seabrook isn't qualified, she is. I'm going to vote for her, but I think giving us a little lead time would perhaps save us some angst in this Chamber somewhere down the road, so just a recommendation. My understanding is that the appointment here is for a vacant spot and I'm going to vote for that. Firing someone from the Planning Commission is a little bit different matter, which I think is maybe what that motion is. I think that's something we should have some debate over."

Mayor Tecklenburg said, "Well, that's a very good recommendation and just to let, some Councilmembers know, I may have shared this, but not all, and I don't think I had a specific timeframe when I spoke to Councilmembers Moody and Waring about this the other day. We've been working on a new database for all of our City-elected Boards and Commissions that will share the information not only internally, but it will be available online, so that the public will know what Boards and Commissions we have, who serves on them, when their term started, when their term ends. It will have the ability for the public, if they were interested in serving on the Planning Commission, for example, to literally click a button and to be able to file an application with the City indicating they would be interested in serving on such and such a Commission. Our projected rollout date for that website, which will be linked to our existing website, of course, will be June 15th. We're just about a month away from a more comprehensive way of keeping track of our Board and Commission members and making those appointments. I would most respectfully ask you tonight to give us a little more time to get that system in place before we start replacing existing Board members other than the ones who have resigned. I wanted to also thank Susan Legare for her many years of dedicated service on the Planning Commission. She really served our City well. She resigned, maybe it's been over a month ago now. So, this appointment that I bring to you tonight is really to fill her seat. There is one other Planning Commission member who has recently resigned, and that's our Chairperson Frank McCann, and our plan is to come to you shortly with another recommendation. I'll be glad to give you a little more time to consternate on those recommendations. We'll have this new system in place. We'll begin to methodically look at folks' terms and appropriateness of new appointees to all Boards and Commissions. I ask that you consent to Terry Seabrook in lieu of Susan Legare's place this evening. Yes, sir."

Councilmember Waring said, "Thanks, Mr. Mayor, for your explanation on your new system. I commend you on that. I'm looking forward to it, but in speaking to the conflict of interest, that's a different animal. As a person again who has served on the Planning Commission for almost 18 years, when I or anyone else on the Planning Commission had a conflict of interest, not only did we not participate in the conversation, we actually left the room. There have been a number of existing Commissioners that would respect that. I think one of the worst things amongst us all who have to fill out ethics reports, if you have to ask the question, do I have a conflict, you probably do. One of the worst things you can have is a person who has a conflict that continues to serve through that conflict because it exposes us as a City. Now, if I work for an employer and that employer comes and presents a position in front of me, and I vote in accordance with my employer's wishes, that's a conflict. So, if this issue came up, what I call your system of more disclosure, more openness, there's no doubt about it, more transparency. If a person, even through that process, serves with a conflict, and doesn't recuse themselves, what do we do? Do we just look the other way, because that's what we're doing now. We have been looking the other way for a long time, so it's not like this employer comes up once in a while and says, 'well, there's a conflict once in a while.' That employer comes up almost every meeting. So, did she recuse herself, no. It's the way of doing business and that's wrong. My father served in this same seat right here. There was a special meeting called. We had a partnership interest in the Caballero Restaurant and anyway we wanted to sell, and it's the Honda dealership now. There was an effort to extend the historical district to include the Caballero in West Ashley. My father sat and did not participate in the discussion and did not vote in the discussion. There was a special meeting called at 11:00 in the morning on a Wednesday to extend that district, and he could not vote because he had an ownership interest in the Caballero. There was a monetary benefit, if you will, to that vote. Well, if I'm getting compensated from my employer that comes virtually every month, is that not a conflict? So, it is not about replacing a person, it is about replacing a person who consistently votes who has a conflict of interest. Also, if that happens to any new member that should get appointed through the system of new transparency, then we have to act, and that's why I'm going to support Councilmember Moody's motion seconded by Councilmember Lewis. It is the conflict of interest. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Councilmember Shahid had his hand up."

Councilmember Shahid said, "I have a couple of questions this wonderful afternoon."

Frances Cantwell said, "It just keeps getting better."

Councilmember Shahid said, "A couple of questions. I am presuming that anybody in any level of government who serves on a public body, Commission or Board, a Committee is bound by the same rules and regulations of all elected officials on ethics concerns. Is that correct?"

Ms. Cantwell said, "That's right."

Councilmember Shahid said, "So, if there was a conflict of interest as a result of the examples that we just heard this evening, that person is bound by those rules."

Ms. Cantwell said, "Correct."

Councilmember Shahid said, "So, there is a process for filing a complaint or disciplinary

matters concerning a possible ethics violation? Have we received or have we pursued anything along those lines? Any recent committee member or board member or commission member along those lines?"

Ms. Cantwell said, "No, sir, and I don't pretend to know the State Ethics Act inside and out or the process, but I believe that the process would be outside of the City. It would go through the State Ethics Commission and, frankly, for some period of time at least, those complaints are confidential and then at some point and time they become public. I'm not prepared to give you the ins and outs of that tonight, but yes, you're right, there is a procedure and there is a process for filing under the State Ethics Commission."

Councilmember Shahid said, "Also, the City does not have its own parallel code of ethics along those lines."

Ms. Cantwell said, "Well, we are all bound as public employees. Obviously, not to run afoul of any ethics laws, which would include the State Ethics Act, but do we have a code of conduct that is part of our laws? No, but certainly we're all aware of it in everything we do. Every interaction we have with the public and in our own private lives."

Councilmember Shahid said, "Thank you. The second question I have is, as the Mayor pointed out, there is going to be a vetting process or audit or some re-evaluation of members who are on boards now and looking at the terms to expire. Is there a process that is written into any of our ordinances that calls for the removal of somebody whose term has expired?"

Ms. Cantwell said, "This is the law. The law is, if you are serving a term and it expires, you remain in that seat as a de facto member until your successor is qualified and appointed, so it would be up to City Council as the Mayor brought forward tonight. He had a vacancy and he brought forward a name for Council to consider. That's been the process that's been in place, and it's consistent with the law."

Councilmember Shahid said, "What I'm concerned about is that the motion on the floor, as I understand it, it was first to appoint Ms. Seabrook but the amended motion to appoint Ms. Seabrook to replace a person who is sitting on the Board."

Ms. Cantwell said, "Correct."

Councilmember Shahid continued, "That position has not been declared a vacancy?"

Ms. Cantwell said, "Her position, as are most of the positions on the Planning Commission, they are holdovers or holding those spots, so the Mayor and Council can replace or refill those spots with the same people or different people at your leisure."

Councilmember Shahid said, "So, the person whose seat has expired stays on sort of like a holdover tenant on a lease."

Ms. Cantwell said, "Right. Exactly. So, you don't have to necessarily have the 30-day notice."

Councilmember Shahid said, "Right, but that position stays on until removed."

Ms. Cantwell said, "Just until another appointment is made."

Councilmember Shahid said, "But it's not vacant. That seat is not vacant?"

Ms. Cantwell said, "No, it's not vacant."

Councilmember Shahid said, "Thank you. The concern I have, Mr. Mayor, is that these are serious allegations. I've taken with a great deal to heart the allegations that have been raised regarding someone having a conflict of interest and not excusing themselves from that. While we don't have the jurisdiction to review that or to respond to that, what we're asking to do is replacing somebody because of a conflict of interest. That seat is not vacant as I understand it. It is expired, but the person who is holding over on that seat, we've been asked initially to fill a vacancy with Ms. Seabrook filling in that vacancy. I'm concerned about sort of doing a hit and run I guess, for lack of a better word, of trying to remove somebody for what may have been something improper. If that's happened, that's a serious thing, a person not recusing themselves from a conflict of interest. They need to recuse themselves, and I think that the Chairman of that Board or that Commission, whatever the case may be, has that responsibility to call on that to make sure that the rules are followed and that person has recused. Short of that, I have a deep concern as to whether or not we're following the proper procedure in removing somebody whose seat is not vacant. A vacancy versus an expired seat are two different things, and now we're seeking to have that person removed and maybe they need to be removed. I'm not questioning the merit of that. I am questioning the process of having that done, so I would urge Council not to support the amended motion. I know Ms. Seabrook, and I think Ms. Seabrook would be an excellent appointment to this Board, this Commission, and let's just appoint Ms. Seabrook to the Board on a vacancy. Let's address this other issue at some other point as the Mayor had suggested. Thank you."

Mayor Tecklenburg said, "Councilmember Gregorie, I think, was next."

Councilmember Gregorie said, "For me, I think, there are a lot of allegations. There's no legal determination at this point by Corporation Counsel that a member of that committee has broken any ethics laws or conflict of interest. That's not to say that didn't happen, and I'm leaning toward the rationale coming from Councilmember Shahid. I think that we should fill the vacancy in agreement with the Mayor, as well. If there is a conflict, while it might be obvious, there should be a process to make that determination and to remove that person accordingly. I'm uncomfortable, as a Councilman, at this point, to start making suggestive legal determinations as to whether or not there is an ethics violation. So, there has been no legal determination that an ethics violation has occurred."

Ms. Cantwell said, "I have not weighed into it. I've not spoken with the individual involved. I knew this was on the minds of Councilmembers Moody and Waring because they brought it up to me. I don't know whether this was inadvertent, if it's a pattern, I don't know anything about that, but I have not weighed in on it, no."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "Before us tonight is to appoint Terry Seabrook to a vacancy, and we all are entitled to our own opinion, but without all of the facts, I agree with both my colleagues, this is not the proper place to take this issue up. This is an appointment of a vacant seat, and we should follow the prescribed rule. I think it would be safe to do that. Thank you."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Yes, sir. Listening to the conversations, I know that we have a responsibility of appointing to boards and commissions. I have seen around this table there is some sense that the appointment or the recommendation that you want, had no intent that you had wanted to replace a particular person. We know that the entire Commission's terms are up, so you actually are wanting to take them one by one. The Councilmember made the motion, and I seconded the motion. I withdraw my second, hoping that at the next meeting that he will bring his recommendation for another person's name to you to replace the person that he wants to see replaced. Under the rules of Council, her term is up, and she doesn't have to be reappointed. So, Councilmember Moody, I will withdraw my motion, hoping that at the next meeting you will be able to give a name or two names to the Mayor, and I hope that he will accept one of those names to replace Ms. Perry. I think I and the rest of this Council probably still will support you because the entire Commission needs to be replaced. I withdraw my motion."

Mayor Tecklenburg said, "You withdraw your second to the motion."

Councilmember Lewis said, "Yes."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I'll second it for discussion purposes."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Two or three things, number one, I don't think it's up to the Mayor or the Chairman of any committee to police the ethics of the members. That's an individual member's responsibility. I don't think you know or anybody else knows what my conflicts may be, and for the Chairman to be charged with that responsibility, I don't think, under the rules of ethics, that the Chairman is responsible for that in direct comment. I think you're wrong there, in my limited legal opinion, because you don't know what my conflicts might be. Anyway, I'm actually prepared tonight to put two more names on the list if you want to consider them. There are a lot of people out there that are willing to serve. I know that Councilmember Waring has a lawyer that he would like to appoint to the seat that's being vacated by Frank McCann. I have somebody that lives on James Island that I was going to appoint to replace Susan Legare who now lives over in Bishop Gadsden in the James Island area.

Ms. Seabrook's name came up by the Mayor, and I have no problem with Ms. Seabrook. She's a very loyal community worker, I'm fine with her. In my opinion, what I saw down there at the Planning Commission meeting, to have someone sitting in that seat that didn't have any more presence of mind on something that I felt was completely against the ethics and rulings, that's more dangerous to me than a vacant seat. I rather have a vacant seat. As a matter of fact, that seat has been vacant a couple of months. So, to me, this happened to be Councilmember Waring and I went down there to explain what we were trying to do with this 75 and 60 percent. If we've got people coming through, and I know if you all have had any dealings with the public and some of these contractors and architects that bring things before the Planning Commission, they don't want to make waves. They call you to help them get stuff done because they don't want to make waves. They don't want to be beaten up the next time they go to the meetings by bringing up ethics charges or by criticizing the Planning boards and some of the other folks, but that's just the process. I get that, but for somebody to blatantly do

that, I just thought it was egregious. If you all want to leave her down there, that's fine with me. I think that leaves me with one choice, to file ethics charges against her. I think it was that clear to me, and I'm willing to do that, but that's why, to me, the vacant seat is less problematic than having somebody down there exposing the City to that kind of liability because it could be a developer that comes through, and if she did that, we could get sued. So, I stand by my motion, and if you want to fill the other two seats and this one, we can give you the names but, anyway, that's all I have to say. Thank you, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Thank you, Councilmember Moody, you're a great man. I agree with you that it needs to be done, and we have the authority to do it, but appointments are being made now. I would suggest that you give your recommendations to the Mayor. I hope that he will consider them, and at the next City Council meeting, we have a person to replace that particular person that you are talking about. There is no doubt in my mind, in any organization, there is some corruption going on, and the things that you are talking about, I'm very well aware of. So, I certainly will support the appointment that you bring if recommended by the Mayor at the next City Council meeting."

Mayor Tecklenburg said, "If I may, Councilmember Waring, make a couple of points. One is when we institute our new little system of folks applying for Boards and Commissions, I've already seen part of the format for the application, and it includes disclosure of Boards and Commissions and financial interests that an applicant may have for you to be able to consider that as part of your vetting and approval. No one wants for our City government to be more transparent and open than me, and ethical. In fact, two weeks from today, we have scheduled for a senior member of the Ethics Commission to come to the City and have a seminar, if you will, with senior staff with all our department and division heads, just to share with our own City administration ethics law and make sure that everyone is transparent and onboard. Let me just say that you're kind of asking us to be judge and jury here tonight without a charge ever being brought against Ms. Perry. She's been on the Planning Commission, I don't know how many years, a long time, and she's had this position with the Historic Foundation for a long time, I presume. The opportunity was there for years for the Chairman of the Planning Commission to speak with her about it and for the City administration to have spoken with her about it. She must clearly not feel that she has a conflict of interest on any vote that the Foundation weighs in on, or we would have known about it by now. I just, respectfully, think that it's inappropriate for us to serve as judge and jury by way of replacing her with this appointment here tonight.

I'm certainly open to the pleasure of Council for recommendations for future replacements. In fact, the recommendation that Councilmember Waring made to me just the other day. I spoke with Mr. (Ravi) Sanyal this morning and asked him whether he would consider serving or not. Also to let you know, we have a little process at least to talk with prospective Commission members to let them know what obligations they would have to fulfill in serving on the Planning Commission or any other Board or Commission. I asked our staff to call Mr. Sanyal, as I did with Ms. Seabrook, and just make sure that they're up to the task of serving on whatever it is we might ask them to serve on and make sure they can dedicate the kind of time and energy that we really need for them to give to that position. Once again, I would most respectfully ask you to remove the amendment and let us move forward with appointing Ms. Seabrook tonight in lieu of Ms. Legare."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I think that I've got a way out of this one."

Mayor Tecklenburg said, "Okay."

Councilmember Waring said, "Just to be clear, because I think some people may not know, when Ms. Perry came onto the Planning Commission, I happened to be on the Planning Commission. She did not work for Historic Charleston. Sometime further in her tenure that occurred, but therein lies the conflict. We all know how often Historic Charleston comes and presents, not only at City Council, but at the Planning Commission. What I would I would ask my good friend and colleague, I happen to agree with Councilmember Lewis, if you would be kind enough to withdraw your amendment, I think the City could withstand this conflict because I'm sure our Counsel will probably inform Ms. Perry of her possible conflict and certainly this discussion this afternoon. That will allow the time for the discussion of some of the Mayor's conversation that he just said for possible replacements, and we get that done in two weeks."

Councilmember Moody said, "I will withdraw my amendment because I don't want to in any way tarnish Ms. Seabrook. I'm sitting here saying now 'how am I going to vote,' because I don't want to vote against Ms. Seabrook, because I think she's very qualified and will be serving. Anyway, I'll withdraw my motion."

The Clerk said, "I think that you're withdrawing your second, Councilmember?"

Councilmember Waring said, "I'm following my good friend's lead."

The Clerk said, "You have withdrawn."

Mayor Tecklenburg said, "So, can I hear a motion that we appoint Terry Seabrook in lieu of Susan Legare?"

The Clerk said, "We had a motion."

Mayor Tecklenburg said, "We have a motion and a second."

The Clerk said, "Prior to that, we had a motion from Councilmember Williams and Councilmember Gregorie for the appointment of Ms. Seabrook."

Mayor Tecklenburg said, "Okay, in lieu of Ms. Legare, correct?"

The Clerk said, "We didn't state that, but you have stated it now, in lieu of Ms. Legare."

Mayor Tecklenburg said, "Okay. Is there any further discussion or questions?"

Councilmember Waring said, "Only one please, not on that, but you said that earlier that Ms. Legare, and certainly Mr. McCann, we have to find some way to properly recognize them for their decades of service to this City, really, really good service. So, I don't know how we do that, but I'm sure our Clerk of Council will come up with something. We need to come and have them recognized in front of us for all the work. We shouldn't leave it on this note."

On a motion of Councilmember Williams seconded by Councilmember Gregorie, City Council voted unanimously to appoint Terry Seabrook to the Planning Commission.

--INSERT APPOINTMENT MEMO--

Councilmember Seekings said, "For those following at home, still on page one."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Next, we have the appointments of Stephen Manite and John Rhodes to be Code Enforcement Officers. Are there any questions or discussion?"

Councilmember Williams said, "So moved."

Councilmember Seekings said, "Second."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "What will be the responsibility of these Code Enforcement Officers? Where will they be working? You've heard me for years. I'm for code enforcement. Dan Riccio is doing a good job, but he knows he hears from me a whole lot because I see things that they don't see. Things that they should see, some of them don't see, but I see. So, where will they be working? Are they working for you?"

Chief Karen Brack said, "Yes, sir."

Councilmember Lewis said, "So, these are for the Fire Department?"

Chief Brack said, "They're Fire Code Enforcement Officials. Yes, sir."

Mayor Tecklenburg said, "Fire Code Enforcement."

Councilmember Lewis said, "Fire Code Enforcement."

Mayor Tecklenburg said, "Yes, sir. Are there any other questions?"

On a motion of Councilmember Williams, seconded by Councilmember Seekings, City Council voted unanimously to appoint Stephen Manite and John Rhodes to be Code Enforcement Officers.

--INSERT APPOINTMENT MEMO--

Mayor Tecklenburg said, "Next, I would like your consideration for an ordinance whereby we would be able to appoint a Poet Laureate for the City of Charleston."

Councilmember Gregorie said, "So moved."

Mayor Tecklenburg said, "Do we have a second?"

The Clerk said, "Is there a second?"

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Okay, thank you."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "Thank you. I had a comment. I'm certainly not opposed to this, however, I do question the need for any sort of honorarium in this position. I would like to move that we strike any reference to a salary or honorarium."

Councilmember White said, "Second."

Mayor Tecklenburg said, "That would be at Section 3C, and it did not specify. It just said he would be eligible for one if Council were to approve one."

Councilmember Moody said, "I think we're saying that we don't want to approve one."

Mayor Tecklenburg said, "Okay."

The Clerk said, "They're asking that the salary portion be struck from that portion of the ordinance, so that there would be none."

Mayor Tecklenburg said, "Okay, so, we have an amendment to approve the ordinance less Section 3C. Are there any other comments, questions, or amendments?"

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

An ordinance amending Title 2 of the Code of the City of Charleston by creating a new Article XIII, Sections 2-397-2-401 to establish the position of Poet Laureate for the City of Charleston. (AS AMENDED)

Mayor Tecklenburg said, "Next, we'll go to our Council Committee Reports. First, is the Committee on Public Works."

Councilmember Waring said, "Mr. Chair, I was going to defer to my Vice-Chair who was happily presiding over that meeting in an excellent fashion today."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "We met and we had some acceptances of the dedication of right-of-ways. All were approved and each abandoned property I moved for approval."

Councilmember White said, "Second."

On a motion of Councilmember Williams, seconded by Councilmember White, 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--

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

- i. Daniel Island Parcel Q5 Phase 2** - Acceptance and dedication of a portion of Central Island Street (90-foot right-of-way) and a portion of Fairchild Street (variable width right-of-way). All improvements complete.

 - a. Title to Real Estate
 - b. Affidavit for Taxable or Exempt Transfers
 - c. Plat
 - d. Exclusive Storm Water Drainage Easement

- ii. Daniel Island Parcel CC Phase 4** – Acceptance and dedication of Frissel Street (50-foot right-of-way) and a portion of Bellona Street (50-foot right-of-way). All improvements complete.

 - a. Title to Real Estate
 - b. Affidavit of Title
 - c. Plat
 - d. Exclusive Storm Water Drainage Easement

- iii.** Abandonment of a 20-foot drainage easement on lot 5, 410 Tanner Trail, Belle Terre Subdivision, TMS #452-06-00-144 and lot 7, 615 Parrot Point Drive, Belle Terre Subdivision, TMS 452-06-00130. Acceptance and dedication of a new 20-foot stormwater drainage easement on Lot 5, 410 Tanner Trail, Belle Terre Subdivision, TMS #452-06-00-144.

 - a. Abandonment of Easement (2)
 - b. Exclusive Storm Water Drainage Easement
 - c. Plat

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

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

--INSERT WAYS AND MEANS COMMITTEE REPORT --

(Bids and Purchases

(Budget Finance and Revenue Collections: Approval of Year 2015 Amendment to General Fund & Enterprise Funds Expenditure Budget [Ordinance]

(Budget Finance and Revenue Collections: Approval of Year 2015 Amendment to General Fund & Enterprise Funds Revenue Budget [Ordinance]

(Budget Finance and Revenue Collections: Approval of a 2015 Budget Transfer to Fund Settlement of Firefighter Lawsuit. The total cost is \$912,690 settling with the firefighters that were parties to the lawsuit. 2015 unspent salary and fringe benefit funding in the Fire Department of \$510,931 covers part of the cost, with the remaining costs transferred from Healthcare savings (\$401,759) in various divisions in the General Fund.

(Police Department: Approval to submit the SC Department of Public Safety FY16 VOCA application for an Elder Advocate salary and supplies for \$79,163. A cash match of \$15,833 is required. This will be budgeted for in 2017.

- (Police Department: Approval to submit the Office of Justice Program Bulletproof Vest Partnership Grant application in the amount of \$67,854 to purchase 172 ballistic vests. A local cash-match of \$67,854 is required (\$135,775.07 total). This will be budgeted for in 2017.
- (Police Department: Approval to submit the SC Department of Public Safety FY16 VAWA application for DNA detection and collection training and equipment for \$50,168. A cash match of \$16,723 is required (\$66,891 total). This will be budgeted for in 2017.
- (Office of Cultural Affairs: Approval to submit a grant application to the Federal USDA Agricultural Marketing Service (AMS) Farmers Market Promotion Program for a multi-year funding request of \$250,000. The funds would be used for both the Marion Square and West Ashley Farmers' Markets. No City match is required.
- (Recreation: Approval of a contract between the City of Charleston and Charleston County School District in the amount of \$85,995 for the Summer Feeding Program. The effective dates of this agreement are June 6th through July 29, 2016. The cost will be covered by USDA grant. No City match is required.
- (Recreation: Approval to apply for the Summer Feeding Program from S.C. Department of Education. This will allow the City to offer the USDA Summer Feeding Service Program. The effective dates are June 6th through July 29, 2016. No City match is required.
- (Parks-Capital Projects: Acceptance of PARD Grant #2016061 from the South Carolina Department of Parks, Recreation, and Tourism for parking lot improvements at the Bayview Soccer Complex. This grant will provide \$6,038.23 in funding, requiring a \$1,509.56 match (\$7,547.79 total). Grant funds will be used for parking improvements adjacent to the Bayview Soccer Complex restroom/concessions building including concrete curbing, accessible parking, and sidewalks. The approval of the grant award will institute a \$7,547.79 project budget. The funding source for the project is: 2016 PARD Grant Funding (\$6,038.23) and 2016 Capital Projects – Structural Repairs (\$1,509.56).
- (Public Service: Approval for B&C to provide emergency pipe and road repairs in the amount of \$103,269 due to collapse of a storm drain pipe in three locations along St. Margaret Street in Wagener Terrace.
- (Public Service: Approval of Spring/Fishburne US17 Drainage & Transportation Improvements Division III Fed Match (Phase 2) Change Order #1 from Crowder Construction Co. for Value Engineering of the drop shaft carrier pipe. Wall thickness of the drop shaft carrier pipe has been reduced, as approved by the design team, to reduce the cost of the pipe and the cost of installation. There will be a credit of \$61,896.24.
- (Public Service: Approval of Spring/Fishburne US17 Drainage & Transportation Improvements Division III Fed Match (Phase 2) Change Order #2 from Crowder Construction Co. for the maintenance of the approaches to the Ashley River Bridges due to settling for \$56,603.80.
- (Public Service: Approval of Spring/Fishburne US17 Drainage Improvements – Division 1 (Phase 3) Tunnels & Shafts budget and construction contract with Jay Dee Contractors, Inc. in the amount of \$37,013,075 for the tunneling and access shafts associated with the subject project. With approval of the budget, which includes 10% contingency, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the

Council Approved budget. This is the third phase of a five phase project to alleviate drainage issues on the Septima Clark Parkway.

(Public Service: Approval of Spring/Fishburne Drainage Improvement Project Design Contract Amendment #13 to the original design contract with Davis & Floyd in the amount of \$5,101,147 for Construction Engineering and Inspection services for Phase 3 – Tunnels & Shafts of the US/17 Spring/Fishburne Drainage Improvement Project. Included in the scope of this amendment are Document Management, Contractor Pay Requests and Estimate Generation, Dispute Management, Change Order Generation, Project Documentation, Progress & Coordination Meetings, Project Schedule, Contractor Submittal Review & Approval, Traffic Control Coordination, Resource Agency Coordination, Utility Coordination, and Project Closeout.

(Housing and Community Development: Mayor and City Council approval is requested for an amendment to the HOME Investment Partnerships Program budget. The Department of Housing and Urban Development (HUD), announced a small increase to the HOME budget the week of April 25, 2016, in the amount of \$2,167. The funding was reallocated to line items on the attached spreadsheet and is as follows: City of Charleston HOME Program Administration \$48,502 previous: \$47,941. Downpayment Assistance; \$11,625.60, previously \$10,000. CHDO Reservation Allocation \$72,754, previously \$72,428.55. The amount awarded to PASTORS from the CHDO allocation of \$72,754; changed to \$10,403.60 from \$10,078.55 (Scattered Site Implementation). The Amendment to the Annual Action Plan is due to HUD as soon as possible.

(Approve the use of a soccer field in the amount of \$150.00 for Piccolo Spoleto Festival on May 31, 2016 (4060 West Wildcat Blvd., West Ashley High School)
Councilmember Wilson abstained from voting on this item. A signed Conflict of Interest is on file in the Clerk of Council's office.

(Approve the use of a soccer field in the amount of \$150.00 for Piccolo Spoleto Festival on June 5, 2016 (4060 West Wildcat Blvd., West Ashley High School)
Councilmember Wilson abstained from voting on this item. A signed Conflict of Interest is on file in the Clerk of Council's office.

(Approve the rental of 196 Concord St. in the amount of \$2,490 for Piccolo Spoleto Sunset Serenade on Friday, May 27, 2016
Councilmember Wilson abstained from voting on this item. A signed Conflict of Interest is on file in the Clerk of Council's office.

(Request authorization to extend lease expiration of 1023 Wappoo Road to May 31, 2017 (TMS: 351-15-00-007; 1023 Wappoo Road, Suites A-14, A-15, and B-48)

(Request authorization of the Mayor to execute the attached Second Amendment to Commercial Agreement whereby the City continues to lease office space at 475 East Bay Street from Mazyck Holdings, LLC.(TMS: 459-13-04-023; 475 East Bay Street, Unit A)

(Consider the following annexations:

--1715 West Avalon Circle (TMS# 352-13-00-116) 0.48 acre, West Ashley (District 9)

-- 1897 Sam Rittenberg Boulevard (TMS# 351-14-00-078) 0.33 acre, West Ashley (District 7)

First reading was given to the following bills:

An ordinance to make additional appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2015.

An ordinance to recognize the usage of additional funds to meet additional appropriations authorized by Ordinance 2015-_____ for the fiscal year ending December 31, 2015.

An ordinance to provide for the annexation of property known as 1715 West Avalon Circle (0.48 acre) (TMS# 352-13-00-116), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9.

An ordinance to provide for the annexation of property known as 1897 Sam Rittenberg Boulevard (0.33 acre) (TMS# 351-14-00-078), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7.

Councilmember Wilson abstained from voting on Items 20(a) through 20(c) of the Committee on Ways and Means Report. A signed Conflict of Interest Form is on file in the Office of the Clerk of Council.

The Clerk said, "Mayor, I think it's important, especially today, for me to mention that Councilmember Wilson, upon her arrival, completed a Conflict of Interest Form for both Ways and Means and City Council as it relates to the Piccolo Spoleto items on Ways and Means."

Mayor Tecklenburg said, "Thank you very much. That's what you get for playing that harp."

There was laughter in the Chamber.

Councilmember Seekings said, "That's about all she gets."

Mayor Tecklenburg said, "I am playing for a Piccolo Spoleto event, but I am not taking payment, just to let you know."

There was laughter in the Chamber.

Mayor Tecklenburg continued, "I am donating my services to the festival."

Mayor Tecklenburg said, "Note that Councilmember Wilson did not vote. Now, we have bills up for second reading."

Councilmember Mitchell said, "K-1 through K-10."

Councilmember Gregorie said, "So moved."

Mayor Tecklenburg said, "K-1 through K-10 we're taking together for second reading. Is there any discussion?"

Councilmember Wilson said, "Yes."

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

Councilmember Wilson continued, "Item K-9 regarding the West Ashley Revitalization Commission, in the first reading, I noticed it didn't say anything regarding the Chair of that Commission. It states in the ordinance that 'the Mayor shall appoint the Chair.' I would like to make a motion to amend this, so that the majority of those present nominate and approve the Chair for the West Ashley Revitalization Commission."

Councilmember Moody said, "I'll second that."

Mayor Tecklenburg said, "I misunderstood you before, I guess, when you mentioned it. I thought you wanted to make an amendment that the Chairman would be from the Council. You're amending this to say that this says?"

Councilmember Wilson said, "Of those appointed to sit on the Commission."

Mayor Tecklenburg said, "Okay, of the Councilmembers appointed to the Commission . . ."

Councilmember Waring said, "Would vote on the Chair."

Councilmember Wilson said, "Would vote on the Chairmanship for the West Ashley Revitalization Commission."

Mayor Tecklenburg said, "Okay."

Councilmember Williams said, "Question."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Williams said, "The Chairman will be nominated by the Mayor and appointed by Council, is that what you're saying?"

Councilmember Wilson said, "Yes, but that the ultimate vote will come from Council."

Councilmember Williams said, "Each of us has been asked for two appointments."

Councilmember Wilson said, "That's not what I'm saying."

Councilmember Williams asked, "What are you saying?"

Councilmember Wilson said, "I'm saying that the Chair for that Commission will be appointed, or will be voted upon, by this body."

Councilmember Williams said, "Nominated by the Mayor."

Councilmember Wilson said, "Nominated by the members of the Commission."

Councilmember Lewis said, "And sent to the Mayor and sent to City Council for approval."

Councilmember Wilson said, "Right."

The Clerk said, "Just so that I'm clear on the motion, the amendment is that Councilmembers will appoint a person to serve on the Commission, and of the appointed

members on the Commission, once a recommendation is made by the members of the said Commission, it would then come before Council for a vote. Is that what's being said?"

Councilmember Wilson said, "That is correct."

Councilmember Waring said, "The Mayor makes an appointment, doesn't he?"

The Clerk said, "Yes, everybody. The Mayor's a member of Council, as well."

Mayor Tecklenburg said, "If I remember it correctly, and I don't have it before me, the Mayor and three Councilmembers serve on the Commission, along with 14 other individuals that will be appointed, correct? So, the way it was written, as it was presented to you before, was that the Mayor would appoint the Chairman."

Councilmember Williams said, "Right."

Mayor Tecklenburg said, "So, you're recommending that the Commission be formed, have their first meeting, vote to elect a Chairman, and then it would come back to City Council for Council's approval?"

Councilmember Wilson said, "Yes, that's what Councilmember Waring and I were trying to tell you."

Mayor Tecklenburg asked, "Am I understanding?"

The Clerk said, "That's what I'm understanding. After the first meeting, you would recommend the name of a proposed Chairperson that would then come to the full body of Council for a vote."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "I will respectfully not support that. I think it breaks up the continuity. What we voted on before was consistent that the Mayor would appoint the Chairman and two other people, and each of us would have two appointees."

Councilmember Wilson said, "I don't get any appointee. I'm not a West Ashley Councilmember."

Councilmember Williams said, "I will not support that."

Councilmember Waring said, "I'm confused. I thought each Councilmember gets to appoint a person."

The Clerk said, "That's what I stated."

Councilmember Waring said, "No, I thought each Councilmember gets to appoint to the Committee."

Mayor Tecklenburg said, "No, I don't think so."

Councilmember Waring said, "We all are responsible for the City. I had the pleasure of serving on the Tourism Management Task Force Committee from West Ashley. Some of the views that Mike (Councilmember Seekings) or Councilmember White may have, they have one or two good things over there on Daniel Island. They may be able to bring one or two of those

ideas to West Ashley to help improve the revitalization of West Ashley. I did not realize it was only going to be the West Ashley representatives appointed to this Committee because, collectively, we're all responsible for the City of Charleston, Mr. Mayor."

Councilmember Wilson said, "May we have a copy of the ordinance?"

The Clerk said, "Yes."

Mayor Tecklenburg said, "I've got one in my office."

Councilmember Williams said, "The downtown revitalization of 30 years ago was all appointed by downtown representatives."

Councilmember Waring said, "I'm disagreeing with that, Councilmember Williams. I think we all have the responsibility of the entire City. Look at how much we work we're putting into Sergeant Jasper. Well, we put a lot of work into it, because we all have a vested interest, because it's important to the entire City."

Councilmember Wilson said, "Vanessa, we've got it right here."

Councilmember Moody said, "It's L-1. It's actually from the previous meeting, but it says 'the Commission shall consist of 18 voting members, one of whom shall be the Mayor, three members of City Council who represent a district or a portion thereof in West Ashley appointed by the Mayor, one member who shall be a representative of the St. Andrew's Public Service District appointed by the Mayor, and the remaining members who shall be representatives from West Ashley appointed by the Mayor, all subject to approval by City Council'."

Mayor Tecklenburg said, "So, you all must approve the whole kit and caboodle."

Councilmember Moody said, "My understanding was because I had already given you the name of somebody that I wanted on the commission, I thought we were all giving you names, because, if Councilmember Seekings has somebody West Ashley, you want somebody that's going to be involved in West Ashley. Somebody downtown or somebody on Daniel Island is probably not going to be all that interested in spending a lot of time working on West Ashley."

Councilmember White said, "For the record, I know people in West Ashley."

There was laughter in the Chamber.

Councilmember Moody said, "My understanding was that we would give the Mayor names, and the Mayor would pick the ones that are on the Commission. What we have asked now is for City Council to approve the Chairman of that body, and not just the Mayor."

Councilmember Gregorie said, "I'm not clear on who appoints."

Councilmember Moody said, "The Mayor appoints basically everybody."

Councilmember Gregorie said, "Correct."

Mayor Tecklenburg said, "I've asked for recommendations."

Councilmember Moody said, "The Commission shall consist of 18 voting members, one of whom shall be the Mayor, three members of City Council who represent a district or a portion thereof in West Ashley appointed by the Mayor, one member shall be a representative from St.

Andrew's Public Service District, appointed by the Mayor, and the remaining members who shall be representatives from West Ashley, appointed by the Mayor, all subject to approval by City Council.' Then, it also says 'the Mayor shall appoint the Chairperson of the Commission.' What Councilmember Wilson has asked is that the Chairman be approved or appointed by this body."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. To the extent this is going to come around in the conversation as to whether or not every member of this Council has some input in this, I think we should. We all sit around this table and in this body and consider things that affect every corner of this City. To suggest that simply because someone lives on Daniel Island or downtown, that we don't care about West Ashley, we care about it, want to be involved in it, just like people from West Ashley want to be involved in downtown. So, I think we should all have input into it. I agree with Councilmember Waring that this is a City of a whole, a body of a whole, and we need to make sure that we continue on that way. I don't know where this is all ending up, but I do think if there is going to be input from this Council on the make-up of the Committee, there should be equal input from everybody, not weighted input. I just wanted to put that out there."

Mayor Tecklenburg said, "I am open to suggestions from all of you."

Councilmember Seekings said, "Perhaps, Mayor, you could call on each of us to give a recommendation to you for an appointment, and then we can all be a part of that process. I would suggest that."

Mayor Tecklenburg said, "That would be fine."

Councilmember Moody said, "That's the way it is right now."

Councilmember Williams said, "That's right. You can send your two names in."

Councilmember Gregorie said, "That's not what that says."

Councilmember Waring said, "Two names is 24 people."

Councilmember Williams said, "I got a memo requesting me to send two names."

Councilmember Gregorie said, "I'm saying that's not what that rule says, though. That rule says that the Mayor will do the appointing."

Councilmember Williams said, "That's the same rule we voted on unanimously two weeks ago."

Mayor Tecklenburg said, "Councilmember Williams, were you finished? Councilmember Gregorie?"

Councilmember Gregorie said, "I'm sorry. Yes, I am. Thank you."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I think you can send the Mayor five names if you want to. If you've got five people that you think ought to be on it, send as many as you want. The Mayor's got to go through them and pick out, what did I say, however many it is."

Councilmember Shahid said, "Eighteen total voting members."

The Clerk said, "Eighteen voting members."

Councilmember Moody said, "I'm talking about the remaining members shall be, so we've got the Mayor, three Councilmembers, that would be four, and St. Andrew's would be five, so we've got 13 other people. So, you could send him ten names if you want to. He's got to go through them, but if you've got people that are qualified, send them. It's not limited to two or one or anything else. If you don't have any, then don't send him any."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "But that's not what the rule says, Councilmember Moody. I think that the rule should be changed to give each Councilmember the opportunity to recommend someone for that Commission. We are one Charleston, and this continued separation and fragmentation of our City is extremely troubling to me. I really think that what we need to do is get a hold of that before it gets out of control."

Councilmember Williams said, "It's been working fine for 30, 40 years."

Councilmember Gregorie said, "It was, but this is another day. Another day."

Councilmember Lewis said, "Mayor."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "Councilmember Gregorie, if you want to make that motion that each Councilmember appoints one person, I'll second your motion."

Councilmember Gregorie said, "So moved."

Councilmember Lewis said, "Second."

Mayor Tecklenburg said, "There was a motion on the floor, though, about the Chairmanship. Did that ever get seconded?"

The Clerk said, "Yes, that was seconded."

Mayor Tecklenburg said, "So, we need to vote on that motion first, or either Councilmember Wilson will have to accept your addition as part of her amendment, right?"

Councilmember Wilson said, "It seems like it's shaping up to two different amendments."

Mayor Tecklenburg said, "It could be. Let's keep it separate, if you'd like."

Councilmember Lewis said, "It's shaping up from three to four people in West Ashley, to everybody being included, and then, still, the Chairman has to be appointed by the Mayor, or recommended by the Mayor, but you wanted City Council to vote on the Chair. I don't see a problem now."

Councilmember Seekings said, "Not to make things more procedurally complicated, Mayor and Madam Clerk, but I think we first need to move to take this separately from the other eight that we were going to take. I don't think we've done that yet, so let's take K-9 separately, and then take these two amendments in order. I would suggest Councilmember Wilson's first,

Councilmember Gregorie's second, and then we're procedurally clear when this perhaps comes back up again when we get second and third reading going. I don't know."

Mayor Tecklenburg said, "I think that's a good point of order. That would help clarify things. If Council is willing, we originally were going to group Items K-1 through K-10 together. Could we ask that we consider Items K-1 through K-8 together. Is there any discussion?"

The Clerk said, "K-1 through K-8, and K-10, Mayor, if you'd like."

Mayor Tecklenburg said, "Okay. I didn't know if anybody had anything on K-10. K-1 through K-8 and K-10 together. Are there any questions or discussion about any of those?"

On a motion of Councilmember Mitchell, nine (9) bills (Items K-1 through K-8 and K-10) received second reading. They passed second reading on motion by Councilmember Gregorie and third reading on motion of Councilmember Seekings. On further motion of Councilmember Mitchell, the rules were suspended, and the bills were immediately ratified as:

2016-055 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT A PORTION OF PROPERTY ON ASHLEY RIVER ROAD (WEST ASHLEY) (3.2 ACRES) (A PORTION OF TMS# 355-07-00-012) (COUNCIL DISTRICT 10) BE REZONED SO AS TO BE INCLUDED IN THE SCHOOL OVERLAY ZONE (S) CLASSIFICATION.

2016-056 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 975 KING STREET AND 6 CLEVELAND STREET (NORTH CENTRAL - PENINSULA) (0.132 ACRE) (TMS #463-15-04-084) (COUNCIL DISTRICT 3), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED USE/WORKFORCE HOUSING (MU-1/WH) CLASSIFICATION.

2016-057 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2482 FLAMINGO DRIVE (LONG BRANCH - WEST ASHLEY) (0.25 ACRE) (TMS #310-02-00-127) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON MARCH 22, 2016 (#2016-043), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

2016-058 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2476 FLAMINGO DRIVE (LONG BRANCH - WEST ASHLEY) (0.25 ACRE) (TMS #310-02-00-126) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON MARCH 22, 2016 (#2016-042), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

2016-059 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 115 CARRIAGE HILL PLACE (NELLIEFIELD - CAINHOY) (0.18 ACRE) (TMS #269-01-05-159) (COUNCIL DISTRICT 1), ANNEXED INTO THE CITY OF CHARLESTON MARCH 22, 2016 (#2016-041), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-6) CLASSIFICATION.

2016-060 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 COOPER JUDGE LANE (JAMES ISLAND) (3.74 ACRES) (TMS #427-00-00-078 AND 079) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON MARCH 22, 2016 (#2016-040), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION.

2016-061 AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-353 TO CHANGE THE DRIVEWAY REQUIREMENTS FOR ONE-FAMILY ATTACHED DWELLINGS.

2016-062 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY, AS A TRUSTEE OF THE PUBLIC TRUST CREATED UNDER THE WILL OF JAMES S. GIBBES, THE RESOLUTIONS OF PUBLIC TRUST AND A GROUND LEASE WITH THE CAROLINA ART ASSOCIATION OF SOUTH CAROLINA PERTAINING TO PROPERTY LOCATED AT 135 MEETING STREET, COMMONLY KNOWN AS THE GIBBES MUSEUM OF ART, SAID RESOLUTIONS BEING ATTACHED TO THIS ORDINANCE AS EXHIBITS A AND B, RESPECTIVELY.

2016-063 AN ORDINANCE TO AMEND ORDINANCE #2016-020 AS AMENDED BY ORDINANCE #2016-044 REGARDING THE EXPIRATION OF THE MORATORIUM ON PROCESSING DEVELOPMENT APPLICATIONS AND ISSUING PERMITS FOR PROPERTIES ZONED GATHERING PLACE (GP).

Mayor Tecklenburg said, "Now, back to Item K-9. We have the ordinance creating the West Ashley Revitalization Commission. We have an amendment on the floor that would ask for Council's, could we ask for Council's approval as Council already has the approval for all of the Commission members? Could we just add that all the members and the Chairperson that I would appoint would be approved by City Council? Is that what you're looking for? Is that close to it?"

Councilmember Gregorie said, "No, that wasn't my amendment."

Councilmember Shahid said, "Point of order, Mr. Mayor, since we're making an amendment after the first reading of this ordinance, could the Clerk take a break and pass out a copy of the ordinance as written, as we voted on at the first reading, so we're all reading from the same page? There seems to be some confusion as to what we're doing here."

Mayor Tecklenburg said, "I've got this one copy here. We'll be happy to do that."

Councilmember Gregorie said, "Mr. Mayor, could the Clerk of Council read back that second amendment that I made?"

Mayor Tecklenburg asked, "Could we do the first amendment first about the Chairmanship?"

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I think it could just be rewritten fairly easily while you all are getting a copy there. It says 'all the remaining members shall be representatives from West Ashley appointed by the Mayor.' So, we need to change that whole sentence and just basically

say 'the remaining thirteen (13) members appointed by members of Council, including the Mayor.' It's not West Ashley necessarily. It could be anywhere, and 'the Chairman,' well, we need to take out that approval by City Council. So that we can just say that each member has an appointment, and the Chairman will be selected however you want to do that, and all of those will be approved by Council. That's really what we're saying. It's just a little bit of reworking of the wording here."

The Clerk said, "That's correct."

Councilmember Moody asked, "Is that what you're trying to do?"

Councilmember Shahid said, "I think that, since we are essentially rewriting the ordinance on the composition of the membership, then also, we're rewriting the ordinance on the Mayor's selection of Chair, so, let's just make sure we're all on the same page. As you were reading this, I'm following what you're reading, but there are two different motions on the floor regarding, first, the composition of the membership; and second, the authority on the appointment of the Chair. Let's make sure we've got that ordinance down right before we do anything. I think the intent, as Councilmember Moody said earlier, was that the way that the ordinance is written now, any member of Council can make a recommendation. They can make 13 recommendations if they saw fit to do that. So, there's no restriction on the number of bodies that can be recommended to fulfill, I think it's 13, at large. I would make that sort of a general characterization. Besides the members of Council, besides the PSD (Public Service District), and besides the Mayor, that would leave 13 seats up, as long as they've got some kind of connection to West Ashley. That was the intent of the ordinance. So, if any of us wanted to make all thirteen nominations, we have the prerogative of doing that. What is being discussed is limiting us to one or two. Anybody, from any part of the City, any Councilmember, has the right in the Memorandum that Councilmember Williams mentioned as it relates to two, I think, from any member of Council. So, we're not restricted in the way the ordinance is written now. We're not restricted on who we want to serve, except that they have some kind of connection to West Ashley.

The membership under Section II(b), 'the Commission shall consist of 18 voting members, the Mayor and three City members,' that's four already sort of preselected. It has to be members of City Council who have a portion of West Ashley in their district and someone from St. Andrews Public Service District. So, that takes five. Out of the 18, that means 13 left."

The Clerk said, "Correct."

Councilmember Shahid said, "So, we're not limiting ourselves to whom we can name to be on that Commission, as Councilmember Moody had said earlier. The way that the ordinance is written, there's no restrictions to that whatsoever."

Councilmember Lewis said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, "I think that the ordinance is so simple that if we wanted to change it, there are going to be 18 members. If each member of City Council gets to appoint one, that's 12 members, and the other six you appoint, that's 18. Then if it's the wish of Council that we confirm whoever's appointed as the Chairman, City Council has to approve it. That's just as simple as one, two, three. Twelve and six are eighteen. The Chairmanship comes back to

you for a recommendation from City Council. I don't see what we're making it so difficult. It's as simple as it could be."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "It's difficult because it will all be made up of West Ashley people. If we're now saying that issues pertaining to a certain area should be restricted by residents of that area, because this is what this is saying to me, we're setting a precedent. There are too many things going on in the Peninsula that all Councilmembers have been a part of. We were just talking about the short-term rentals, which will focus more on the Peninsula. Should all the members be from the Peninsula? I just think that we're sliding down a slippery slope when we start restricting memberships to a specific area. People from downtown can talk about West Ashley's revitalization. Members of Council represented West Ashley, some of us, at some point. I just think it's dangerous when we start restricting memberships this way when there are a whole cadre of people in other parts of the City that I think would be just as useful, perhaps, in sharing ideas from their neighborhoods or from their areas that might be beneficial to the revitalization of the West Ashley area. I just think when you put that restriction on there, that's problematic for me."

Mayor Tecklenburg asked, "Would anyone else like to make a comment?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I think the process you put in place for the short term rentals is actually working pretty good. I believe everybody got an appointment."

Mayor Tecklenburg said, "Other than the deadline was April 30th."

There was laughter in the Chamber.

Councilmember Waring said, "As a matter of fact, I make a motion that we fine every member that hasn't gotten you their nomination yet. I think that process worked very well. Councilmember Lewis is saying, Council gets one each, and then basically six come by way of the Mayor. Hopefully, we'll get the continuity that you'd like to see on that task force. So, I would offer a system that you put in place. I certainly hope that the West Ashley task force isn't going to be as hot button as short term rentals has proven to be."

Mayor Tecklenburg said, "Well, let me make a couple of points. One is that, I guess, there was an assumption that representatives from West Ashley would have the best interests of West Ashley at heart. I know that you as Councilmembers would not appoint anybody to the West Ashley Revitalization Commission who was not intent on that purpose, and you could even question how 'representatives from West Ashley' is defined. It could be someone who owned a business in West Ashley, but lived somewhere else, for that matter. There was some thought that went into this, I must share, that it wasn't so much thought. It was more taking the ordinance from the Downtown Revitalization Commission from 25 years ago and wordsmithing it a bit to become the West Ashley Revitalization Commission. So, that's where most of the logic of this came from, to be honest with you. I certainly appreciate the comment and the thought that anyone you appoint would have the best interests of West Ashley, and that we don't need to make a citizenship or residency requirement to it. I think that's a good idea. I would be happy if we go forward as you've proposed and have all of us, all 13 of us, appoint someone to

the Commission. I would most respectfully ask that you reserve me the right to appoint the Chairman.”

Councilmember Shahid said, “So moved.”

Councilmember Williams seconded the motion.

Mayor Tecklenburg said, “So, can I put those three thoughts together to reword this that we would have the remaining members who would be appointed by the 13 members of Council, including myself, the remaining 13. If you do it that way, do you all want to then approve each other’s appointment, or are you all going to be okay with each other’s appointment? Do we still need the provision for approval by City Council?”

Councilmember Waring said, “No.”

Mayor Tecklenburg said, “Okay. The remaining 13 members who would be representatives appointed by the 12 City Councilmembers and the Mayor.”

Councilmember Gregorie said, “Mr. Mayor, point of order.”

Mayor Tecklenburg said, “Yes.”

Councilmember Gregorie said, “I think there is a motion on the floor already, from Councilmember Wilson, with regard to the appointment, versus the appointment of the Chairman, versus that coming to Council, if I’m not stating it correctly, that Council then votes on who that Chairman should be, based upon the recommendation from the Commission, that was your amendment?”

Councilmember Wilson said, “It was, yes.”

Mayor Tecklenburg said, “We had her motion, and then we had your motion, and then we stepped back and voted on the other measures. So, I guess after this discussion, I was trying to maybe vacate the prior motions and lump it all together, but we can certainly go back individually, if that’s Council’s preference.”

Councilmember Gregorie said, “Thank you, Mr. Mayor. That’s procedure.”

Councilmember Waring said, “Let me go back to the Clerk. What did we vote on?”

The Clerk said, “We voted on the remaining bills that we ratified. You voted on K-1 through K-8 and K-10. We still have Councilmember Wilson’s motion, which dealt specifically with the Chairperson, and that the Chairperson be voted on by the full Council. So, that one is still out there.”

Mayor Tecklenburg said, “If I remember correctly, it was after the Commission gathered and elected a Chairman, and then Council would then approve it. I would respectfully say that’s a little complicated.”

The Clerk said, “Yes, it was after the Committee would be formed, and the members would be appointed. Then, from that body of appointees, they would come back to Council, and Council would vote on the Chairperson.”

Mayor Tecklenburg asked, "Councilmember Wilson, would you like to have your motion stand?"

Councilmember Wilson said, "I'll hear out my colleagues."

Councilmember Seekings asked, "Can I just give a shot at this for a second? Councilmember Wilson, if in fact we're going to go and make up this Commission by having an appointee from each Councilmember, three Councilmembers on it, the Mayor on it, a PSD representative, from that group, I think you would be satisfied that any one of those would be qualified to be the Chair. If we leave it to the Mayor to appoint the Chair based on the fact that, really, this Commission is going to be made up of appointees of Council, that may be a good balance. I don't know if that allays some of the fears you had about a Chairman sort of coming out of left field, as opposed to someone who's been vetted by the entire Council and appointed by us. I don't know if that satisfies you, but that seems to me, perhaps, to be a way to go."

Councilmember Waring said, "Mr. Mayor, with one exception, I can tell you if the representative from the PSD were to be Chair, you'd have a big problem with that one. Anyway, I think the way we should hopefully, Council lady, maybe do it, is maybe you recommend the Chair, and then obviously, we all vote on that Chair."

Councilmember Gregorie said, "That was her initial motion."

Councilmember Waring asked, "That's your motion?"

Councilmember Lewis said, "That's her motion."

Councilmember Waring said, "Oh, fine."

There was laughter in the Chamber.

Mayor Tecklenburg asked, "Would you kindly restate your motion?"

Councilmember Wilson said, "I really didn't mean to cause all of this. The hockey game hasn't started yet. I'm still good. My motion was that the Chair of the West Ashley Revitalization Commission, that a recommendation be made by the Mayor to this body for voting on by this body."

Councilmember Seekings asked, "Mayor, can you live with that?"

Mayor Tecklenburg said, "With approval by City Council."

Councilmember Seekings said, "Right."

Mayor Tecklenburg said, "I see. Sure."

Councilmember Lewis said, "That's her amendment, and then Councilmember Gregorie's amendment is that each member of City Council appoint one person to the Commission."

Councilmember Williams said, "One or two."

Councilmember Lewis said, "One person, one. You've got an 18-member board. Twelve of us appoint one, and if the Mayor appoints six, you've got 18. Then, the Chairman comes out of the 18. Twelve and six is eighteen."

Councilmember Seekings said, "There are 18, and there are going to be three City Councilmembers."

Mayor Tecklenburg said, "That's right."

Councilmember Shahid said, "That's part of the 18."

Mayor Tecklenburg asked, "Are there any other questions or discussion? Do we have a second?"

The Clerk said, "Councilmember Moody had his hand up."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "I just have one little concern about this process. One of the things I remember when we did the Late Night Entertainment, was that somehow in the Mayor's appointment and us all appointing or nominating one person to be our representative, if you will, does that in some way mess up the diversity, or do we leave something out because we're not coordinating 12 members? I think when I read this thing, I said 'well, that kind of puts that onus on the Mayor for all of us to give him names.' Then, let him be sure that we have a little bit of a cross section of the community and not twelve people making nominations that are not coordinated in anyway. If there's a gap, we need to fill the gap."

Mayor Tecklenburg said, "Right."

Councilmember Moody said, "That's my only point. That was why I was fine with just changing the Chairman. I just want to throw that out there for us to think about for a minute. It's not going to burn in my heart or something I feel that strongly about, but that's the way I read it. That's why I thought it was a good motion if we gave you the names, that you could do that work, and be sure that we had somebody missing over here, and somebody appointed them, we could put them on the Commission, right?"

Mayor Tecklenburg said, "Case in point, if I may, with the Short-Term Rentals Task Force that we just did, I didn't have my six people locked in, like we're locking three members of Council, one member of PSD, so I'm locking in those other folks. The nice thing about my having the flexibility on the Short-Term Rentals Task Force is that, after I got your 12 folks, then I was able to balance it a little bit. I didn't want all pro or all con. I wanted some diversity, and so, I filled that in, or I will once I get your final two recommendations. I filled that in with my appointments, so it would balance it out. So, it's an excellent point."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "I'm sorry. Given that I've caused so much consternation this evening, I think the Mayor has a valid point. I think it is a better way to proceed than any of us had offered, able to nominate people to his office for these positions. Then, let him have the say in who gets those positions. Then, recommend a Chair, and bring it back to this body for voting on."

Mayor Tecklenburg said, "You all have to approve them anyway."

The Clerk said, "May I read the motion, so that we have something to put in the minutes?"

Councilmember Shahid said, "Please do, Madam Clerk."

The Clerk said, “The Commission shall consist of 18 voting members, one of whom shall be the Mayor, three members of City Council who represent a district or portion thereof of West Ashley appointed by the Mayor, one member who shall be a representative of the St. Andrews Public Service District appointed by the Mayor, and the remaining 13 members, who shall be representatives of the City of Charleston as the members of City Council’s designees, and the Mayor, all subject to the approval of Council. The Chairperson shall also be appointed by the Mayor and voted on by City Council.’ Is that correct?”

Mayor Tecklenburg said, “I think that’s where we are right now. Is there any further discussion?”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Say that again.”

Councilmember Gregorie said, “Yes.”

The Clerk said, “It said that the Mayor would appoint three members.”

Councilmember Gregorie said, “I got that part.”

The Clerk said, “Okay.”

Councilmember Gregorie said, “The part I’m not sure about is --.”

The Clerk said, “Initially, it said ‘representatives from West Ashley.’ It currently says representatives by the 13 Councilmembers.”

Councilmember Lewis said, “Twelve Councilmembers and the Mayor.”

Councilmember Gregorie said, “Is it West Ashley, Madam Clerk?”

The Clerk said, “Mayor, didn’t we take out ‘West Ashley’.”

Mayor Tecklenburg said, “We took out the West Ashley part.”

The Clerk said, “We took out ‘West Ashley.’ That’s simply what we did. There was the concern that it had to be representatives from West Ashley. It now says representatives from the City of Charleston, which is West Ashley, Downtown, Daniel Island, the City of Charleston. Isn’t that what we’re saying, Mayor?”

Mayor Tecklenburg said, “Yes, and appointed by the Mayor. That’s where we are.”

The Clerk said, “The Chairperson shall also be appointed by the Mayor, but it will come to Council for approval.”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Thank you, Mr. Mayor. I mean I agree with that, but somehow the piece that Councilmember Moody and Councilwoman Wilson recommended with you having the flexibility from our appointments. For example, I can see a lot of people getting nominated from the business community to help improve West Ashley. I can see people from the arts community being left out. How would the Peninsula have advanced to where it is today without people in the arts community? I’m saying that because the DuWap district is actually in

my district. Part of the revitalization of the DuWap district, believe it or not, is going to involve people from the arts community. So, somehow, if the Mayor has that deference, and he got commercial realtor after commercial realtor after commercial realtor, unbeknownst to the 12 of us, he would have the deference to say, 'I need a better mix here.' To revitalize West Ashley, we need commercial realtors, but we don't need to be dominated by them. Their voice needs to be around the table, certainly, but I wouldn't want something like art to be left out because that's going to help revitalize, quite frankly, some of the blighted areas in West Ashley."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Thank you, Mr. Mayor. I apologize for being late. I was driving back from Columbia, and that's a long trip. This may have been discussed already, but given the potential importance of the County of Charleston in possible funding or TIFs or whatever, and I might have missed this discussion, Mr. Mayor, I don't think I did, but what has the consideration been to appoint a representative from the County of Charleston? I probably recommend that it be a County Councilman from maybe West Ashley. What have been those discussions? How do we exclude the County from any representation in something as important as the West Ashley Revitalization? Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "This Commission is going to be, to my knowledge, the first time that a Commission's been dedicated to reviewing all of West Ashley. There were plans presented to the City back in, I think, maybe 2013, 2014, which centered on the revitalization of Citadel Mall. Most of us whose districts are all a portion of West Ashley have felt sort of the pinch. I'm looking at Councilmember Waring because he understands what I'm talking about. Councilmember Riegel, Williams, and others involved, Wagner, we have felt the pinch of the focus, rightfully so. I'm not disputing that. The pinch has been that the revitalization of the City of Charleston was focused on the Peninsula, and we created a gem of a City because of that. In the process of doing that, we have overlooked West Ashley. I know that when we knocked on doors, particularly in my district, people were angry and frustrated because they felt left out of the discussion, left out of the process. My understanding of this ordinance and my understanding of this Commission, is to marshal the resources of a variety of people who have the best interests of the City at heart, who have the best interests of West Ashley at heart. The way the ordinance was initially written, this is what Councilmember Moody and Councilmember Waring are talking about right now. We need to have a diverse group of people on this Commission. The one way that we make sure that we have a diverse group of people on this Commission is for us, as a Council, to make recommendations to the Mayor, and for the Mayor to receive those recommendations and make sure that the balance of financial people, real estate people, arts people, sole/single business people, people who don't have a career, the soccer moms, everybody has a voice and a part at the table of this thing to make sure that we are encompassing everything. Councilmember Waring's point needs to be emphasized even much stronger than what we're hearing. That is, we don't want to have a lopsided, one-focused sphere, and that is the danger. I understand what we're all saying, but if we all have the opportunity, as initially written, to make a recommendation to the Mayor, of who we would like to have on the Commission, to let the Mayor and his office vet to make sure we've got this balance on there, because I'm not going to know what Councilmember Riegel or Seekings, they'll tell me, but we're not going to be able to do that to make sure we've got this balance of folks on there. The danger, not to preclude anybody on Council from having a voice, but Council's got to be engaged in this. Council needs to take full ownership of this process because it's going to take all of our resources, all 13 of us, to bring this to fruition and what we need to do to get West Ashley revitalized. So, whatever amendment's out there, and I'm glad we got some clarity on

this, I would respectfully ask you to reconsider this. Let us have, as originally written, the opportunity for all of us to make a recommendation. We can amend it that we all have two persons that we can recommend, and make sure that the Mayor's had the opportunity to vet this out, so we make sure that we've got that balance that we need on this Commission. Otherwise, we're going to be lopsided one way or the other. It's going to be a ship that doesn't get out of port. Thank you."

Councilmember Waring said, "I know I already spoke, but I think there was an omission. Councilmember Riegel's right because if we've got somebody from the PSD there, we definitely need somebody from the County, and I'll tell you why. To help revitalize West Ashley, the County, financially, will need to help participate with the City."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Let me see, again, I'm just thinking about this thing, and I've thought about it a little bit. I think what we're trying to do is overcook this pie. I see these 18 members as kind of a steering committee, a kind of guiding, leadership group that really is responsible back to us, and I'm looking for people that have an open mind, that are good leaders and good planners. We've got nine different categories underneath this revitalization plan that you laid out. There were nine different stratas, right?"

Mayor Tecklenburg said, "Yes, sir."

Councilmember Moody said, "One of them was transportation and connectivity. I see the work of that segment being done by another committee of 18, or a group of people that are really focused on transportation, whether that be COG (Council of Governments) people, whether it be CARTA (Charleston Area Regional Transportation Authority) people. That's going to be the workforce of this group. Then, we're going to have a group, I think one was a TIF (Tax Increment Finance District), correct? One of the areas was to get the TIF and how that works. We're going to need people from the County. We don't need anybody from the PSD on that because they don't have any say-so in that. They don't have any money. We don't need someone from the PSD on that. All these different committees are going to really be the workforce, in my mind, of how this thing gets done. It is going to take some time. So, when I read this, my statement was, we can give the Mayor as many folks as we think are qualified to be in this leadership role, but if we don't use them on this 18, we'll have plenty of room for them to lead a charge to get something done, and to be available for maybe their expertise to serve. So, that's why I think we're cooking this thing too much. We're expecting too much out of this executive committee, if you want to call them that. Let the Mayor do that, bring it back to us for a recommendation of who we put on it as the total 18 and the Chairman, and then let that group go to work and get organized."

Councilmember Waring said, "But that County piece is important."

Councilmember Moody said, "No, I think it's got to be there, and if you want to add a County piece to it, then let the Mayor figure that out."

Mayor Tecklenburg asked, "Could I suggest that rather than having three members of City Council, because the whole thing reports back to City Council, that we just have two members of City Council, one representative of St. Andrews Public Service District, one representative from County Council?"

Councilmember Waring said, "A lot of us want to serve on that Committee, Mr. Mayor."

Councilmember Shahid said, "Mr. Mayor, make it 19."

Councilmember Waring said, "Make it 19."

Mayor Tecklenburg said, "Make it 19?"

Councilmember Waring said, "Make it 19, an odd number."

Councilmember Shahid said, "And add the County also."

Councilmember Gregorie said, "So, is there an amendment to make it 19? I don't understand."

Mayor Tecklenburg said, "Do we have a consensus that it's fine to add one more person and to make it a County Council person?"

The Clerk said, "It's good to have an odd number."

Councilmember Gregorie said, "I don't understand the procedures."

Mayor Tecklenburg said, "It's good to have an odd number, so we don't have a tie. That's right, unlikely to ever happen. So, in addition to the motion that's on the floor that never got amended that our Clerk has read out, we would also have an amendment, if our original motion maker would approve, to change the number to 19 and add a representative from County Council."

Councilmember Mitchell said, "We can vote now."

Councilmember Gregorie said, "I thought we were voting on my amendment. It's in there?"

Councilmember Lewis said, "We just added one more to your amendment."

Councilmember Gregorie said, "You're amending my amendment to 19, okay."

Mayor Tecklenburg asked, "Are we good? Is there any other discussion?"

On a motion of Councilmember Mitchell, one (1) bill (Item K-9) received second reading. It passed second reading on motion by Councilmember Gregorie and third reading on motion of Councilmember Riegel. On further motion of Councilmember White, the rules were suspended, and the bill was immediately ratified as:

2016-064 AN ORDINANCE TO AMEND CHAPTER 2, SECTION 2-184 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO CREATE DIVISION 8 WHICH SHALL BE ENTITLED THE WEST ASHLEY REVITALIZATION COMMISSION AND SECTION 2-184 WHICH SHALL SET FORTH THE DUTIES AND RESPONSIBILITIES OF THE WEST ASHLEY REVITALIZATION COMMISSION. **(AS AMENDED)**

Councilmember Riegel was excused from the Chamber at 7:13 p.m.

Mayor Tecklenburg said, "Now, before we leave this matter, there is some sense of urgency about my getting your recommendations."

Councilmember Gregorie said, "Appointments or recommendations?"

Mayor Tecklenburg said, "Appointments, I'm sorry, your appointments. We want this Commission to meet pretty soon because we want them to help guide the planning process for this West Ashley Plan. Can I ask that at the next Council meeting you have your appointment to me, and if you delay . . ."

Councilmember Seekings said, "If we delay, you get it. You have our pick."

Mayor Tecklenburg said, "Thank you. So, we have a bill up for first reading, L-1, in your package, to amend the Tourism Ordinance. Did I hear a motion?"

Councilmember White said, "So moved."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "If there are any questions, we'll refer those to our Madam Clerk or Adelaide Andrews."

Councilmember Waring was excused from the Chamber at 7:14 p.m.

Councilmember Moody said, "Excuse me, I wanted to ask a question about something. I can't remember reading it."

The Clerk said, "I can tell you what this is about. This is a tweaking of the ordinance that came before Council in December that divided up the duties between the Livability and Tourism Division and the Tourism Commission."

Councilmember Moody said, "Right."

The Clerk said, "What we've done is tweaked it, so that there were a few duties that were assigned to the Arts and History and Tourism Manager that should have been enforcement responsibilities."

Councilmember Moody said, "You just changed the name. That was not my question. My question was this thing refers to a large bus. Is that defined somewhere?"

The Clerk said, "Yes, a large bus is defined in the ordinance. Now, you know I know this, but this is Dan Riccio's area now."

Councilmember Seekings said, "He just walked out the door."

The Clerk said, "A large bus is a bus that's an over-the-road bus which comes in and is a motor coach. Motor coaches that come into the City require permits. So, there is a portion that deals with the fact that they're requesting that those buses get the necessary transportation permits, parking permits, and tour permits. They have been getting those permits, but there is concern about additional parking permits."

Councilmember Moody said, "When I was reading this, it just said a large bus. I said, 'is that a 20-passenger bus, is that a Greyhound bus?'"

The Clerk said, "No, that's a motor coach."

Mayor Tecklenburg said, "The Greyhound bus, the big bus."

Councilmember Moody said, "The big bus, it's not a 20-passenger bus. It's not a school bus."

The Clerk said, "It is not a school bus. If people come in in their school buses, they are not required to get those permits."

Councilmember Moody said, "As long as that's defined. That was my question."

The Clerk said, "Okay."

Councilmember Moody said, "Thank you, ma'am."

Mayor Tecklenburg asked, "Are there any other questions or comments?"

Councilmember Waring returned to the Chamber at 7:15 p.m.

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

An ordinance to amend Sections 29-33(7), 29-142, 29-143, 29-145(c)(6), 29-146, 29-148, 29-149, 29-203(d), 29-206(e) and 29-211(c) of the Code of the City of Charleston to provide that the Director of the Department of Livability and Tourism and the Manager of Arts and History/Tourism Commissions shall have certain duties and responsibilities as set forth in said sections; to amend Section 29-147(a) and (b) of the Code of the City of Charleston to delete said section therefrom and replace with Section 29-147 to transfer responsibilities to the Department of Livability and Tourism and require any large bus to obtain a parking permit from the Director of the Department of Livability and Tourism prior to parking in any approved area as set forth in said section; to amend Section 29-189(b) of the Code of the City of Charleston to provide that the Manager of Arts and History/Tourism Commissions, in consultation with the Director of the Department of Livability and Tourism, shall have certain duties and responsibilities as set forth in said section; to amend Section 29-212(b)(3) of the Code of the City of Charleston to delete said section therefrom and renumber Sections 29-212(b)(4) through Sections 29-212(b)(20) to Sections 29-212(b)(3) through Sections 29-212(b)(19) therein; to amend Section 29-2 of the Code of the City of Charleston to add the definition of Manager of Arts and History/Tourism Commission therein.

Mayor Tecklenburg said, "Item L-2 is a rezoning."

The Clerk said, "L-2 and L-3 are both rezonings."

Councilmember Mitchell said, "Move for approval, L-2 and L-3."

Councilmember Seekings said, "Second."

Mayor Tecklenburg asked, "Is there any discussion?"

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1715 West Avalon Circle (Orange Grove Estates - West Ashley) (0.48 acre) (TMS #352-13-00-116) (Council District 9), be zoned Single and Two Family Residential (STR) classification.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1897 Sam Rittenberg Boulevard (West Ashley) (0.33 acre) (TMS #351-14-00-078) (Council District 7), be zoned General Business (GB) classification.

Councilmember Riegel returned to the Chamber at 7:16 p.m.

Mayor Tecklenburg said, "The next regular meeting of City Council will be on May 24th. Note that we will be at Bishop Gadsden on James Island at 5:00 p.m. Is there any other business? If none, we stand adjourned."

There being no further business, the meeting adjourned at 7:16 p.m.

Vanessa Turner Maybank

Clerk of Council