

COUNCIL CHAMBER

Regular Meeting

November 10, 2016

The twenty-first meeting of the City Council of Charleston was held this date convening at 5:02 p.m. at the City Hall.

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

PRESENT (11)

The Honorable John J. Tecklenburg, Mayor

Councilmember White (<i>absent</i>)	District 1	Councilmember Waring	District 7
Councilmember Williams	District 2	Councilmember Seekings (<i>excused at 5:50 p.m.</i>)	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Riegel (<i>absent</i>)	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Wilson	District 12

Mayor Tecklenburg called the meeting to order at 5:02 p.m.

Mayor Tecklenburg said, "May I please call on Councilmember Rodney Williams to lead us in the invocation and the Pledge."

Mayor Tecklenburg said, "First, we've got to take the roll. I'm sorry. Madam Clerk."

The Clerk called the roll.

Mayor Tecklenburg said, "May I add that since we had moved the meeting from our normal Tuesday to Thursday, Councilmember White immediately let us know that he had a long-standing appointment for this evening that he was not able to break, and that is why he is not with us this evening. Now, may I call on Councilmember Williams to lead us in an invocation prayer and Pledge of Allegiance."

Councilmember Williams opened the meeting with an invocation.

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

Mayor Tecklenburg said, "With the Pledge of Allegiance in mind, I know everyone knows that Friday is Veterans Day. The City of Charleston will be closed Friday in honor of our men and women of the military who have served our Country both in the past and given their lives,

but also who serve today. So, I ask everyone in joining us this Friday and this week in honoring the veterans of this great Country. I do want to also announce that if there happened to be an emergency while we are in this meeting, these two doors are exit doors, other than in that room, there is an exit door over there. Do not use the elevator if an emergency were to occur. There are the two stairs going down to the one stair in front. Again, if there were any kind of event, we would gather afterwards together in Washington Park right over to my right. So, no public hearings this evening, and next on the agenda is approval of our October 25, 2016 meeting minutes.”

Councilmember Mitchell said, “Move for approval.”

Councilmember Williams said, “Second.”

Mayor Tecklenburg said, “There is a motion and a second. Are there any additions or comments?”

On a motion of Councilmember Mitchell, seconded by Councilmember Williams, City Council voted unanimously to approve the minutes of the October 25, 2016 City Council meeting.

Mayor Tecklenburg said, “Next, is our Citizens Participation Period. How many would like to be heard this evening? If I could have a show of hands. Alright. We will allow three minutes tonight. We don’t have a very big crowd. Who would like to go first? Yes, sir. Please come forward, state your name and address.”

1. Warrick Jones said, “Warrick Jones, 71 Anson Street. In the last year or so, a pall has fallen over the nation’s law enforcement. This is both sad and bad. It is sad in that it is not justified. It springs from isolated incidents. They fan agitation, rioting, and distorted media reporting. Readership and ratings might have been boosted, but they came with a price, the demonization of our nation’s police force. It is bad because the effectiveness of the force is reduced. Police pull back when enforcement is justified. They fear criticism. Crime has risen in the wake of police timidity. Look at Chicago and Baltimore. For morale of the forces made mostly of dedicated and hardworking people, they are suffering. Recruiting has become more difficult. Who wants the slurs who suffer the slurs of often violent, irrational critics or put your life on the line and be vilified? So, why I do I say these things; because I think we, the public, and the silent majority take our own police force for granted. We don’t acknowledge the good job it does or the difficulty it faces. Only a few weeks ago, Council approved the purchase of heavy body armor, armor that’s usually exclusively used by the military. The purchase is much about the perils in front of their police force. Councilmembers, I know, are proud of their force, but I think the efforts of the force need wider acknowledgment. I’m only one of a 100,000 more of citizens in this City, but I’m sure I speak for the majority when I say to Chief Mullen and to the force, thank you for what you do. Keep on catching the bad guys. Don’t yield to vocal minority groups. Their amends may be well meaning, but they threaten the efficacy of your force and possibly the safety of the City. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Would anyone else like to be heard? Mr. Idris.”

2. Mohammed Idris said, “Evening. Mohammed Idris. I think about a year ago I told you all to read this book, that all Councilmembers should read this book. It is about Donald Trump and Mr. Kiyosaki and why we want to be rich. This book was an introduction to show

where our Country was and is going. We have now a President in Donald Trump that tells it like it is, and he has shown us, and he shows you in this book, that the way we run government is a cause of the corruption that we have in our society. So, I say again to you all who are leaders, you all should read this book here, and I believe that you would be better Council people and better leaders for our City. Thank you.”

Mayor Tecklenburg said, “Thank you very much. Would anyone else like to be heard?”

No one else asked to be heard.

Mayor Tecklenburg said, “If not, that is the end of our Citizens Participation Period. Under Petitions and Communications, I just wanted to give Council a brief update on our boards and commissions and folks that are signing up to be members of some openings that we have. Then, we have two gentlemen to approve to the Board of Zoning and Appeals. Admittedly, between budget and election, I have been a little busy, I must admit. So, we are just getting ready to bring to Council our first commission. We have a number of vacancies this December 31, 2016. So, what I would suggest to you is that we use this Tourism Commission as kind of a learning process and, not a guinea pig, but, it is not that we are making it up as we go or anything like that. This is the first time we are going through a new process where it has been on our website that people have been able to apply for these positions. We have about eight applications for example for the Tourism Commission. So, next week I plan to share with you those applications that we’ve received and get any input from Council to let us know back if you have any particular recommendation one way or the other about any of the applicants. At the next meeting after that, will have a recommendation by which Council could act upon. So, if that goes well and any comments or suggestions you have about the process with this one commission, we can adjust “how we do business” going forward, but I want it to be open and transparent and certainly is in terms of people being able to apply for positions because it is online, and they can see what positions are available, and then have it transparent. You can see everybody that has applied and are able to give any input that you would like to on the folks that have applied, and then, we will bring for an official recommendation to Council to vote on at the meeting thereafter. So, once we get past the budget, I expect to bring a number of other committees and applications to you to take a look at. If that sounds like a reasonable approach, we will send you that next week. Yes, sir.”

Councilmember Gregorie said, “What would also be helpful, if somehow we could get a cheat sheet and by cheat sheet, I know that everything is online, but if at least we could get periodically where those vacancies are so that we could then have more of an opportunity to make recommendations to you on other folks for consideration.”

Mayor Tecklenburg said, “Well, that’s a good point because I took the time to look through them myself because it’s a new system and all, and I recommend you do that. I think that’s a good thing to do from time to time because even with it being open to the public and online, sometimes people may not apply, and we may have to think, ‘Oh, gee, who would be good to serve on that board’, urge them to apply, and that’s what we did with one of our applicants tonight. We wanted to go ahead and fill a position on the Board of Zoning Appeals-Zoning that was vacant, and it had led to in the last couple of meetings cause concern as to whether the Board was going to have a quorum with enough members present. So, we want to fill that position and Ross Appel, a fine young attorney, applied for that position. He would make a wonderful member of that Board, and in addition to that, we are really blessed that Lenny Krawcheck has agreed to reapply for a reappointment. He has been there many years, as you know, but he has been the Chair Emeritus of our Board of Zoning Appeals. I don’t know if you

all have been present when he has conducted those meetings. I have been to a number of them over the years, and I can't think of a gentleman or lady who could more fairly and with such fine conduct of the meeting. He lets everyone have their say. He is just a terrific public servant, really, serving as Chairman of that committee. So, I would ask Council to approve both the reappointment of Lenny Krawcheck and the appointment of Ross Appel to the Board of Zoning Appeals. Is there any discussion?"

Councilmember Seekings said, "So moved."

Councilmember Williams said, "Second."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Thank you, Mr. Mayor. I want to go right back to what Councilmember Gregorie was talking about. Actually, I think Mr. Appel lives in my district, and I know him a little bit, not much, but he reached out to me, and I want to be sure that we're not jumping around the process that we're starting to set up, to be charged with not being transparent and all that kind of stuff. I think he would be a great member. I've heard some really good things about him from some of our staff and a couple of people have complained, but when I ran for this office, actually some people did vote against me."

Councilmember Seekings said, "I can't believe that."

There was laughter in the Chamber.

Councilmember Moody continued, "So, I understand how, and what were they thinking? So, I understand that process, but it goes back really to what Councilmember Gregorie said, and I knew he was applying. I didn't really go out and look for anybody else, and I don't know that anybody else around this table had. I guess I don't want to really pick too much on Mr. Appel, but that's the process. I've got a little bit of uneasiness with that."

Mayor Tecklenburg said, "Well, to distinguish what I just mentioned about the Tourism Commission, those seats are available as of the end of the year, and this position is vacant now. So, really it's fine to bring an appointment to Council whenever there is an open vacancy."

Councilmember Moody said, "I think, he may have sent an application to you. I was thinking that I had sent his on down, and as I hear somebody is interested. To be honest with you, I didn't know what he was applying for. I just forwarded it. So, I guess the point is, did you go back out and try to find out if there was anybody else out there that was interested in this job or was he the only one that applied? Was there any effort because I think we need to do what I think Mr. Gregorie was referring to."

Mayor Tecklenburg said, "Yes, people can apply. Well, that's kind of a different question. I don't believe there were any other applicants on this one. Were there, Robin?"

Robin Griffith said, "No."

Mayor Tecklenburg said, "No. I believe Ross was the only applicant. Oh, over here."

Jacob Lindsey said, "I'm parked over here. You can't see me."

Mayor Tecklenburg said, "Okay."

Mr. Lindsey said, "Could I just briefly address that, sir?"

Mayor Tecklenburg said, "Yes, please."

Continuing, Mr. Lindsey said, "Both Lee Batchelder and myself were obviously aware of this vacancy because we were worried about getting a quorum for our very important BZA. As we always do, we do discuss potential applicants, and we reached out to other folks. I don't know exactly who Lee spoke to, but I do know that there was an effort to talk to potentially eligible people in the community. So, it wasn't as if it was done with no preparation whatsoever, but Mr. Appel expressed incredible enthusiasm and took it upon his own initiative to enter his information in. I think he's going to be an outstanding candidate."

Councilmember Gregorie said, "We're still not quite getting my point because while it may have been on the website for everybody to see, if Councilmembers knew, perhaps you would have gotten more nominations. That's all I'm saying, that somehow, if there was some kind of cheat sheet that said 'Hey, guys, these vacancies are coming up. If you have any nominations, let us know' or at least inform the people that you think may be interested, so that they can apply formally."

Mayor Tecklenburg said, "Right, and I hear you loud and clear. I would say that with so many openings coming up by the end of the year, and people can still apply prior to us taking up any of these appointments, that you go ahead and go online, and look at all of them, because there are a bunch of them out there, but when we have a specific one come along, that's a great idea."

Mayor Tecklenburg recognized Councilmember Wilson.

Councilmember Wilson said, "Thank you. My question revolves around the large number of boards and commissions that we have in the City. Are we going to make this an annual process? As a Council, do we need to know that in late December or January, whenever it's established, we're going to be reviewing boards and commissions to take nominations for people to apply, and then this is going to be a yearly process for every board and commission in the City in which there is a vacancy. It's still a little opaque as to how this is actually going to unfold."

Mayor Tecklenburg said, "Well, I think once we get caught up, that you will see terms and vacancies will occur throughout the year, but since we have this new system, and there were a lot of reappointments over the years where terms had expired, and we've got a bunch of them to deal with this coming December 31, 2016. I would venture to say that probably more terms end on December 31st than March 31st, or some other date during the year, but it shouldn't be as much as big a volume, so to speak, in future years as it will be this year."

Councilmember Wilson said, "Will you be, for example, take ABC Commission, whatever Commission it might be, and we have ten applicants, are you going to whittle those down and present with the top half dozen, or do we get all ten names submitted to us to do a little vetting as a Council?"

Mayor Tecklenburg said, "My thought was to give you everybody."

Councilmember Wilson said, "Okay."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Along those lines, Mr. Mayor, when we are going to vote, I think the Tourism Commission is going to be the first one we're going to go through a practice run first. Do we have just a brief, small paragraph description as to the function of that particular board or commission? Do we have an idea of, I mean, we could all look it up obviously, but if we're going to do this efficiently, it may be of some benefit that we have an idea of the composition of the board, its mission, and the number of vacancies that we're filling for and then the rotation of when those other vacancies may be applied."

The Clerk said, "I've given him that."

Councilmember Shahid said, "The Clerk is looking at me."

The Clerk said, "No, I have given you that, but I know exactly what you are saying. I think that is important because some of the boards do have specific requirements, and the Tourism Commission is a board that has specific requirements."

Councilmember Shahid said, "I'm not interested in reading everybody's two-page resume, but specifically, if someone is applying, and the mission of what that board is, I want to make sure that the important qualifications that person has will satisfy the mission of the board."

Mayor Tecklenburg said, "That's right. Well, yes, we have those brief descriptions, again, online, but when we send out a package, it would be easy for us to print that out and include it with the package. As Vanessa says, there are some, not all, but some of the committees and commissions have specific requirements as in being an attorney or an architect or something like that, and when that's the case, we would include that information for you to know, as well."

The Clerk said, "Mayor, I think what they are asking also is that all of the boards and commissions that are online are still open so that people can apply."

Mayor Tecklenburg said, "That's right."

The Clerk said, "So, I think you need to take a look at that."

Mayor Tecklenburg said, "I'm asking you to look online, Councilmember Gregorie, but I think we can produce a list of all the current vacancies and send it to everybody. We will be happy to do that."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. I would just like to speak as to the two appointment I-2 and I-3, both the appointment of Mr. Appel and the reappointment of Mr. Krawcheck. Actually Mr. Appel is here. I want to speak enthusiastically as to the appointment and reappointment of both and point out to Mr. Appel that if you get through this process tonight. I hope and I think you will, you are going to have a rare opportunity to serve on, what I think is, if not the most, one of the most important boards and commissions that we have, and you are going to get a chance to serve with the Dean of, really, the City of Charleston

now. Lenny Krawcheck has served longer than any other elected official, staff member, I think this is true, or appointed member of a commission or board than anybody else in the City. He is a rare find, an incredible Charlestonian. Someone who has done it all, and really, you will learn. Sit, watch, you will learn a lot, and you will be a great servant to the City, as Mr. Krawcheck has been for a long time, and I hope this Council will approve both of these very worthy appointments. Thank you.”

Mayor Tecklenburg announced the order of speakers as Councilmember Wagner, followed by Councilmember Lewis.

Councilmember Wagner said, “I’m listening to my colleagues here, and I’m going to try and sum up with one question I have. I thought back a couple months ago without just looking online, I thought that we were going to get a list of, we have 10, 12 commissions. ‘Here are the term limits.’ ‘This is what they serve for,’ and I’m not seeing that. In other words, the BAR back in the ‘70s, ‘80s, I have friends on there, and ‘my ten-year term is up; I can’t run anymore.’ I’m referring to Charles Steinert, who you also know. So, it would really be helpful, and I think that’s kind of where Mr. Gregorie was going and kind of where Mr. Shahid was going, too. Give us the whole story like, ‘we don’t have a term limit’; ‘we do have a term limit.’ ‘It’s a two-year term.’ We do half, every six, every other year, whatever that is, just like how we serve. In two years, half of us come up, the next two years, the other half come up. That’s kind of what I was looking for here. I don’t know either one of the gentlemen, and I will definitely go with your recommendations. I’m thinking of the process, I know I don’t totally understand it, and I would love to totally understand it.”

Mayor Tecklenburg said, “Well, I think it does vary from one board and commission to another. Some Commissions have term limits, but many do not, and so when we send you a summary of information along with the resumes, we will do our best to include the particular information for that committee or commission.”

Councilmember Wagner said, “You may have a board one day for former old men Councilmembers after we’re long gone, and we may want to apply.”

Mayor Tecklenburg said, “So, for example, on the Tourism Commission they have term limits, and that’s why we have so many openings this December 31st because frankly many of the members were still serving, and in fact their term limits were over, but I guess we just hadn’t kept up with it quite like we might have.”

Mayor Tecklenburg recognized Councilmember Lewis.

Councilmember Lewis said, “I would just like to concur with what Councilmember Seekings said about Mr. Krawcheck. I’ve been sitting up here about 20 years, and normally when things come up in my neighborhood, usually the neighborhood presidents and other people go, but this year for some reason I’ve been before the board to a hearing twice, and I have never seen a man that presides over a meeting as great as he does. He knows the City, he knows the City ordinances, he takes his time, and he explains to people. I think we are very blessed to have a presence like him chairing that Board, and I just wanted to say that.”

Mayor Tecklenburg said, “Absolutely. Yes, sir.”

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Let me just ask one question here. As far as Mr. Krawcheck and Mr. Appel, do we know their terms, are they being reappointed for a specific, for example, Mr. Krawcheck, is he going for a three-year term, or is there one year left on his term, and Mr. Appel, is he filling a vacancy that only has one year left on it or something?"

Mayor Tecklenburg said, "We do know that. I must admit to you I don't know on the top of my head. I see Counsel Cantwell coming forward who might shed some light on that question."

Frances Cantwell said, "Councilmember Moody, the answer to your question is I don't know yet either. I was working today on an ordinance that I hope to bring to Council in December that would say that appointments made between January and February next year, that we get all the boards staggered. Some of them already are, but this ordinance would, let's say you have to appoint five members, so three of them you would say would serve for three years, two would serve for two years. Thereafter, everybody serves for three years, and so you get them staggered. That's the goal of what we're trying to do with this first round, and it's going to be a lot because there are a lot of holdovers on many of these boards and commissions. So, to answer your specific question, Mr. Krawcheck is holding over his current term. I would like for him to continue to holdover until January, be reappointed again by the Mayor and City Council, and then you all can say he gets the three-year term or the two-year term or the one-year term, and then you won't have as many coming forward after that. We're trying to get everybody staggered."

Councilmember Moody said, "Well, that was my concern, but I do feel that we've got to be careful here as we appoint people, and maybe we can do that in a two-step process in January. We don't want people rolling off where you have a board of five or six and four or five of them."

Ms. Cantwell said, "I'm trying to patch that with this ordinance."

Councilmember Moody said, "I'm going to support both of these, but I really think it's more about how we are going to do this, how are we going to make it transparent, and how are we going to make this happen? Quite frankly, one of the things I always found in my business was everything was done at the end of the year because that was the fiscal year. I turned around and said okay, we're going to take all of our bonuses in June and move it to where we did something like this where you had a lot of activity going on. Move it to June, and let the June be the year on these boards or something. Just a consideration, we've got budgets and a lot of stuff coming up here in December, and I just thought it would be an easier way. Thank you."

Mayor Tecklenburg said, "Thank you. Is there any other discussion?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I just would be remiss if I didn't just talk about Mr. Krawcheck and Mr. Appel. I've been on the losing end of Mr. Krawcheck's board several times, and I'm still endorsing him because he is just such a fine gentleman and a wonderful leader for the City. Mr. Appel, I've known his grandfather and his mother and father for many, many years and I know him, and I think he is going to do an excellent job for the City. I endorse his request to be appointed 110 percent."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I'm going to support both of them. I just want to echo what the colleagues said about Mr. Krawcheck and Mr. Appel. Councilmember Seekings is right that you can learn the template from Mr. Krawcheck. Please not only learn it, but let us know, too. He is such a gentleman. It's been mentioned he's such a wonderful volunteer. If there is ever an award named, and I think we should for people who volunteer on our boards and commissions, and we've had a great many of them, I couldn't think of a better person to name that award after than Mr. Lenny Krawcheck. He's still serving, but I mean, and Councilmember Shahid is right, when he turns you down, you still feel good. I know because I've been turned down."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Thank you very much. Is there any further discussion or comments?"

On a motion of Councilmember Seekings, seconded by Councilmember Williams, City Council voted unanimously to appoint Leonard Krawcheck and Ross A. Appel to the Board of Zoning Appeals-Zoning.

---INSERT APPOINTMENT MEMO---

Mayor Tecklenburg said, "Thank you, Mr. Appel, for your willingness to serve, and we will let Mr. Krawcheck know, of course, as well. Next, we will have our Council Committee Reports, and first up is our Committee on Traffic and Transportation. Chairman Seekings."

Councilmember Seekings said, "Thank you, Mr. Mayor. The Committee on Traffic and Transportation met on Monday. We took up three things that were up for a vote. I would like to separate out the first one, the Bike Share Contract, from the second two, and take the second two up first, which are just amendments to the City Code. One was an amendment to Chapter 31, Section 31-212, which is an ordinance we put in place a couple years ago about "no pick-up zones" on King Street on certain days of the week. I think it's, Chief, Thursday, Friday, and Saturday?"

Chief Greg Mullen said, "Through Sunday."

Councilmember Seekings said, "Yes, through Sunday. What we didn't include in that ordinance was certain days where there seems to be a lot of traffic and revelry in the areas where there is the "no pick-up zone", which includes Labor Day, New Year's Eve, Fourth of July, Halloween, and Saint Patrick's Day. So, the Committee on Traffic and Transportation on the recommendation of our legal counsel and Chief Mullen and his staff have amended that ordinance to include those days, so that we will have cohesiveness on the busiest days. The second amendment to the Code that we took up was amending Chapter 19, 399(e), and that is all about non-consensual towing in the City of Charleston, meaning if you are towed from a private lot, we have had a series of complaints in the City that have made it back to the Traffic and Transportation Committee about non-consensual tows and the manner in which cars are then made available after they're towed. Some, not just anecdotal, but direct stories about people who are towed on a Friday afternoon and couldn't get their car back until maybe Monday

afternoon. Not only were they without their vehicle for the weekend, they were charged a storage fee over the course of the weekend for not being able to pick up their car. So, admittedly if people are parked in places that are appropriately signed and are towed, that is proper and allowable in the City, but we thought it was incumbent on us as members of the Traffic and Transportation Committee to recommend a change to the Code that if you are towed in a non-consensual situation from a private lot, that you must be able to retrieve your car once it's gone within 45 minutes. That is actually 15 minutes longer than we allow at the City level for the people that we hire to do City tows. So, that is the amendment to that section. It is 45 minutes to return the vehicle, seven days a week if you are towed. So, I would move for adoption of those two ordinance amendments."

Councilmember Williams said, "Second."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, I just want to ask a question because normally with the tows that we have through the City, it is required that all of the towing facilities have 24-hour availability so that people can get their cars 24 hours. So, maybe they didn't look at that to make sure that it included the non-consensual tows the same way."

Councilmember Seekings said, "Well, we're effectively doing that because we're making it a non-consensual situation. You have to make that car available within 45 minutes. So, if you tow someone at 3:00 in the morning, you better be open at 3:45 a.m. If not, by the way, one of the questions this Council may have, and the public that's listening may have, is what is the penalty for not complying with that? That would be a regular ordinance violation which is subject to a fine up to and including \$1,092.00 and it would go before City Court."

Councilmember Moody said, "Forty-five minutes from the time you call?"

Councilmember Seekings said, "From the time you call, right. You just have to know you have to be available. So, it effectively is a 24-hour a day requirement, Councilmember, because if that tow is at that time of the day, you have to be available."

Mayor Tecklenburg said, "Alright. Is there any other discussion?"

Councilmember Seekings said, "Both those ordinances, by the way, were recommended unanimously by the Committee."

Mayor Tecklenburg said, "Absolutely. Is there any other discussion?"

No one else asked to be heard.

On a motion of Councilmember Seekings, seconded by Councilmember Williams, City Council voted unanimously to adopt Items J-1 (ii) and (iii) of the report of the Committee on Traffic and Transportation as presented:

---INSERT COMMITTEE ON TRAFFIC AND TRANSPORTATION REPORT---

- (ii) To amend the Code of the City of Charleston, South Carolina Chapter 31, Section 31-212 to extend the restrictions for the "no pick-up zones" to include the holidays of Memorial Day, Labor Day, New Year's Eve, Fourth of July, Halloween, and

Saint Patrick's Day and during special concerts or promotions that take place within the Late Night Entertainment District.

- (iii) To amend the Code of the City of Charleston, South Carolina, Chapter 19, 399 (e) to require that towing business that perform nonconsensual tows be required to return vehicles to their owners 24 hours a day.

The following bills were given first reading:

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 31, Section 31-212 to extend the restrictions for the "no pick-up zones" to include the holidays of Memorial Day, Labor Day, New Year's Eve, Fourth of July, Halloween, and Saint Patrick's Day and during special concerts or promotions that take place within the Late Night Entertainment District.

An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, 399 (e) to require that towing business that perform nonconsensual tows be required to return vehicles to their owners 24 hours a day.

Councilmember Seekings said, "The next item that was taken up by the Committee on Traffic and Transportation on Monday was at long last a Bike Share Agreement with a local vendor named GOTCHA, and I'm going to ask Mr. Lindsey just to introduce it. Then I'm going to make some comments about it and tell you sort of how we came to where we are, and I would like to both thank Mr. Lindsey for his hard work and for him jumping in just for a second to give us an overview on the Bike Share Agreement."

Jacob Lindsey said, "Thank you, Councilmember. I'll start by just saying thanks to everyone who has served on the selection committee for this, Councilmember Williams, Councilmember Seekings, the many staff, Legal, Police, Parks, Traffic and Transportation, who have worked to get this to this decision this evening. The Bike Share service is going to be something that is going to reduce traffic. It's going to give people an extra way to get around Downtown. We think it's going to be a great thing for the City. It comes at no cost to the City of Charleston. It costs us nothing. It's something that is paid for entirely by corporate sponsors and user fees. As I said to the Traffic and Transportation Committee, this is not like the thing that we did in the 1990s where we put a bunch of yellow bikes in Marion Square and then they disappeared. This is not like that. This is a very high-tech, cutting edge Bike Share System that has learned from the best systems in D.C. and New York. This is the best in class, and it is run by a locally located company which we think is great. Now, they provide services to other cities and campuses across the Country, but they're here in Charleston. So, we selected them in part because if we have a problem, we can call them up, and they are here.

The initial vote which you are looking at does two things. First of all, it authorizes them to operate, and it defines the terms around which they can operate. The City is not liable for anything that happens on the bikes. They have full liability. The overall terms of how the system functions are laid out in this draft agreement which is very simple. The review process goes through a very rigorous review. Each station is located by the, first of all, your enabling vote, then by the Design Review Committee which is the staff of the Directors of Parks, Public Service, and Traffic and Transportation, myself, so, all of the eyes on each station, a very rigorous and thorough review. Subsequent stations also go to the Recreation Committee or the Public Service Department, as applicable. There are a lot of eyes on each one of these stations in making sure they are located in the right place and that they work. The Bike Share stations

themselves aren't affixed to the ground. They sit there. They are heavy, but the good part is that if we need to move them for anything, we can call GOTCHA. They are required to respond within a very short period of time. I forgot the exact amount, but they have to come and get those things out of there. So, they're not bolted down to anything. This system has been worked out so that it can work in the special City of Charleston. I think it's going to be a good thing. This initial vote has seven locations, two of which are on City-owned property, the remainder of which are on City rights-of-way. The stations which may be on private property are not within our regulation. We know there will be some at the Medical University of South Carolina and hopefully at the College of Charleston on their own properties. So, the enabling initial vote is the Operating Agreement in these seven locations, all of which I might add, the seven locations which are in your package still have to go through final approval by the Design Review Committee. So, nothing is finalized. We've got to get them in exactly the right place so they do work, and that's an overview."

Councilmember Seekings said, "Thank you. If I can just add a few more things, Mr. Mayor, a couple of things. One is, you all recall that we adopted unanimously the Tourism Management Plan. It's been a year now since we did that, and one of the priorities in the Tourism Management Plan was to get Bike Share on the streets. Now, ironically, even though this came to us through the Tourism Management Plan as a priority recommendation, we believe that this Bike Share Program will actually serve residents more than it will tourists, residents, students and the like, although it will be an amenity available to tourists. The other thing that is important to know is because of the system and the way it's set up and the manner in which the bikes are tracked, which is a GPS-based system, all of the information from the GPS that includes who's using the bikes, where they're going and the like is going to be shared with the City. So, effectively, at no cost to us, we're going to have an amenity on the streets that the people of Charleston want, tourists will use, that will provide us our own traffic study for bike patterns, which is fantastic at no cost. I think, all of us know we need to do some traffic studying around here. This is a pretty good way to start doing it. The other thing I think is important to know is that we're not the first city to do this, so we've taken in from a lot of other people. We've been at this. We've gone through two RFPs. We've been at this for almost three years now, so this didn't just happen overnight. We've thought a whole lot about it, and I just want to recognize both Mr. Lindsey, Aaron Holly, I know who's here, Philip Overcash, Janie Borden back there, who had to negotiate the contract that's in front of you. That contract was very much a negotiated contract. This is not boilerplate by any stretch of the imagination. Mr. Somerville, who is here, has gone through all of this and Heath King from the Police Department, all of them participated over the course of many years to get this program up and running. The committee undertook it on Monday and voted unanimously in favor of this contract, which is an initial three-year period, and the other thing that is important for this Council to know is that it's revenue neutral to the City. It's not free to put one of these out there. GOTCHA has already in place an agreement with a major partner, which is a partner of the City, and that's MUSC. So, MUSC is going to be part of this, and we suspect there will be others that come along. So, unless there are any questions, I would recommend and move that we adopt the recommendations of the Traffic and Transportation Committee to let the Bike Share Contract."

Councilmember Moody said, "Second."

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

Councilmember Williams said, "I just wanted to say the only thing we didn't do is name one of the stations after Mike Seekings. He has done a tremendous, just a tremendous job."

Councilmember Seekings said, "Wow, that's tough."

There was laughter in the Chamber.

Councilmember Williams continued, "We had companies coming from all over the Country, and you were the one who led the charge to with all of your knowledge base of biking to ensure that we did this. I just want to thank you for that."

Councilmember Seekings said, "Thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Mr. Mayor, that's not the only thing we didn't do. In addition to this being a transportation issue, it's also a Recreation issue, and it did not come through the Recreation Committee. However, while I will support this, I think it's very, very important that we send things through the appropriate standing committee. So, in addition to Transportation, this is also Recreation, and we should have had an opportunity before it comes to the committee of the whole to discuss it and make recommendations accordingly just for the record."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I have a question to ask. So, when someone pulls up and gets one of these bicycles, and they use a credit card and then the bike leaves and they go riding off, are they restricted to take the bike back to another station, or are they allowed to just ride wherever they want to ride, over to Mt. Pleasant, over to West Ashley? Is it restricted to just within the station?"

Mr. Lindsey said, "Good question. So, the old generation of bike share systems like they used to have in New York or do have in New York, you've got to take it from a station, and then it goes back into a station. These, when you take it out of the station, it can go anywhere, and it can be locked up temporarily anywhere in the City. That means that if I'm at work, for example, and I need to run to the grocery store, I can grab it, I can lock it up outside of the grocery store. I can head back to the office, but when you're done with the bike, it has to go back into a designated station. Not the same one it came from, but a designated station, and that worked with what the manufacturers, the contractors call a GO fence where the thing knows where it is, and there is a fence drawn around the station, and in order for you to be off the hook for your rent, you have to put it back in a station. So, at the end of evening when everybody is done, the bikes aren't floating around out in the City. They all go back to their home."

Councilmember Shahid said, "It could be any one of the stations that are set up which could be any one of the many stations?"

Mr. Lindsey said, "Right, that is correct."

Councilmember Shahid said, "There is no limitation as to how far they can travel on that bicycle?"

Mr. Lindsey said, "That is correct."

Councilmember Shahid said, "Thank you."

Mayor Tecklenburg said, "Is there any other discussion? Councilmember Seekings."

Councilmember Seekings said, "Councilmember Waring just asked a question and said in terms of time limitations and stuff, all of that will be part and parcel of when you take out the bike, it will be for a certain period of time rather than for a certain distance. So, if the bike just sits there and sits there for a long enough period of time, they will shut it down and come get it, and you will be charged appropriately. The nice thing is because they can keep track of them in real time, all of the time, they're going to know where those bikes are all of the time. So, hence, Mr. Lindsey's observation that the old method of putting some bikes out on the street and then never finding them again, that's not going to happen. It's a great program. This is a program that the City is endorsing, but it's revenue neutral, and we're going to learn quickly whether it's going to work or not."

Mayor Tecklenburg said, "So, if I may add, number one, I like the price, no cost to the City. That's excellent. In addition to being a local company, GOTCHA makes the bicycles here. So, we wish them a lot of success in their business in other cities because they are employing folks in the City of Charleston to put these bicycles together. They certainly seem to be a quality product, and one of the reasons why I think it will be beneficial to residents in many ways more so than tourists is, in addition to billing by the hour, they will allow you to buy an annual license or use fee that a local person can use at a much lesser rate than a visitor who might just rent it for three hours and they're done. Are there any other comments or questions?"

On a motion of Councilmember Seekings, seconded by Councilmember Moody, City Council voted unanimously to adopt Item J-1 (i) of the report of the Committee on Traffic and Transportation as presented:

---INSERT COMMITTEE ON TRAFFIC AND TRANSPORTATION REPORT---

- (i) Bike Share Contract

Mayor Tecklenburg said, "Next, is the Committee on Community Development. Chairman Mitchell."

Councilmember Mitchell said, "Move for approval. What I mentioned in Ways and Means is the same."

Councilmember Gregorie said, "Second."

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

No one asked to speak.

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

- (i) Approval of a Resolution regarding Charleston Citywide Local Development Corporation and Urban Development Action Grant funds

- (ii) Recommendation to the Committee on Real Estate to sell the former International African American Museum property
- (iii) Recommendation to approve the Department of Housing and Community Development relinquishing access to the Neighborhood Initiative Program (NIP) from the State (INFORMATION ONLY)
- (iv) Recommendation to approve the City of Charleston maintaining the property that is purchased under the NIP Program with City funds (INFORMATION ONLY)

First reading was given to the following Resolution:

Resolution regarding Charleston Citywide Local Development Corporation and Urban Development Action Grant funds

---INSERT RESOLUTION---

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

Councilmember Waring said, "All items on the agenda shown were approved unanimously by the Committee, and I move so at this time for approval."

Councilmember Shahid said, "Second."

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

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

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

- (i) Acceptance of an Exclusive Storm Water Drainage and Access Easement for Trophy Lake (TMS 313-00-00-048 and TMS 313-00-00-242) to allow access for repair and maintenance of outfall structure.
- (ii) Abandonment of existing and acceptance of a new Exclusive Storm Water Drainage Easement at Coastal Laundries at 956 Wappoo Road.

Mayor Tecklenburg said, "Next, Committee on Recreation. Chairman Gregorie."

Councilmember Gregorie said, "Our meeting occurred yesterday at 4:00 p.m. It was probably the longest Recreation Committee meeting we've ever had. In fact, it went about an hour and a half. While Item (i) is for information only, and we had a healthy discussion on that, on Item iv (ii), the Committee did vote to recommend support of the Low Line as it moves to the Community Development Committee. So, it does not require a vote at this time from the body as a whole. As for Parks, we did have extensive discussions on Stoney Field. We talked about Bender Park and others, and there was a recommendation and vote with regard to Bender Park where there is a building, and based upon staff's recommendation, the building is in such a state of disrepair that it should be demolished. The Recreation Committee voted unanimously to support staff's recommendation, and I think that would be an item that needs to go before the Committee as a whole before they can move forward."

Mayor Tecklenburg said, "Before the Council?"

Councilmember Gregorie said, "Before Council."

Mayor Tecklenburg said, "I apologize. I told you at the end of the meeting that I would try to call Councilmember Lewis today, and I did not. It's in his district. So, I apologize I didn't get to you about that. Jason Kronsberg is here and could maybe give a brief report if you don't mind, Jason, since the Council needs to consider that at this point."

Jason Kronsberg said, "I'd be happy to."

Mayor Tecklenburg said, "Councilmember Seekings is going to be excused."

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

Councilmember Seekings was excused from the meeting at 5:50 p.m.

Councilmember Waring said, "Mr. Mayor, before Mr. Kronsberg speaks, I would like to second that motion, but I would like to offer an amendment after Mr. Kronsberg speaks."

Mayor Tecklenburg said, "Okay."

Mr. Kronsberg said, "We had a structural analysis done of the existing building on the site, and the recommendations came back that the building is standing, but if we ever wanted to do anything with it, there were a couple different budget items associated with improvements that the building would need. Simply to make the building a seismically stable structure would be \$400,000. That's just to make the walls to Code for any sort of municipal use that we would propose for it. Then on top of that, we went through an exercise of cost estimating to bring the building up to a level that we could use as a community-type facility, and going through the required bathrooms, elevators, repairing the roof and aesthetic improvements, parking facilities, the end of the cost assessment was \$1.68 million to make it a municipal structure that could be used by the public. We do have to adhere to different codes versus residential codes, and we're finding that the fire protection requirements, and just the code requirements, make it cost prohibitive really to renovate that structure. Right now we're funded for \$1.5 million to make the park improvements and now that we've gotten over the structural evaluation, we will be sending out letters to Council to start a selection committee, advertising for design services to include engagement with the public to get feedback on park improvements. So, I will say one more thing that we just got notification from the Lowcountry Open Land Trust that they're going to prepare a quit-claim deed because there is a property line issue where the land was filled into the marsh which is owned by the Land Trust. Nonetheless, we're on the road, and we're excited about the project."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Was that building ever completed? Was that house ever completed or did somebody ever live in it? It looks to me like it was just built and windows weren't put in."

Mr. Kronsberg said, "Yes, I think it was used. I don't know how long ago it was, but it was used for residential purposes."

Mayor Tecklenburg said, "I know when I looked in the structure, there were some personal belongings in the residence, so I presumed someone had lived there."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Obviously, I agree with the building being torn down, but if the building is torn down I think this Council, I would hope, would commit to putting a community building back, and I'll tell you why. Prior to your tenure, Mr. Mayor, this Council voted \$645,000 to buy that property. Subsequently, we got into a dispute, and we voted unanimously eminent domain. Through that process, the City got the property because of that property line dispute that was less property than previously advertised. I don't know, 2.6 acres became .94 of an acre. They wanted the same amount of money. Anyway, in the court system, we ended up getting the property for \$300,000. So, the \$645,000 that this Council appropriated to purchase the land was reduced to \$300,000. So, there's \$345,000 that was allocated for purchase that was not used for that. I would not like to see those dollars lost into the General Fund, but still assign it if we're going to tear the building down. This is across from the birthplace of South Carolina, it actually has the best view, other than being on the ship at any other distance of the replica of the Adventure. The ship that sailed and founded Charles Towne Landing. So, I can see where that property could be used, weddings could be held there. Obviously, we would need, as all of our parks do, I hope we would have restroom facilities. Water and sewage is to the property line. So, anyway, the ability to put a building back, a community building with these funds, and I think it should be about \$345,000 left over. I may be off \$3,000 or \$4,000, but not by much. To build a building there hopefully for that community that could be used right now and they do hold meetings. They meet at a church and the church has been graceful in letting that community meet there for years, but it certainly would be good to have a community building there to meet at Bender Street Park. Also, if the park is utilized for weddings and the like and special occasions, rental opportunities are enterprise opportunities for the City of Charleston. Thank you."

Mayor Tecklenburg said, "Thank you, sir. Are there any other comments or questions? So, I think we have a motion and a second to proceed with the demolition of the residential structure and then proceed with the design of the park with public input as to what should be there."

Councilmember Waring said, "Well, I meant it about with the caveat of putting a building back. Tearing it down is one thing, but I don't want it forgotten on the intellectual knowledge and history of the City not to put a building back."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Lewis said, "Well, then you need to amend your motion, so we could amend the motion, that we will put a building back there. I'll make that motion that we amend the motion that we put a building back there, but since we have approximately \$345,000 that was budgeted through the purchase of that, and if it has to come back through the Real Estate Committee, then the Real Estate Committee needs to look at it."

Councilmember Gregorie said, "It won't come back through us, right."

Councilmember Lewis said, "Thank you."

Mayor Tecklenburg said, "Alright. Has a motion been amended? Let me just be clear."

The Clerk said, "Who seconded?"

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Okay."

The Clerk said, "The motion would be to demolish and replace with a building."

Mayor Tecklenburg said, "With a building. Yes."

Councilmember Gregorie said, "Correct."

Mayor Tecklenburg recognized Councilmember Williams.

Councilmember Williams said, "I'm not good with math. You're saying that when we amend this, we are being held to build another building at \$345,000?"

Mayor Tecklenburg said, "Not necessarily."

Councilmember Williams said, "How does it work?"

Mayor Tecklenburg said, "Not necessarily. We still have a million and a half budget for the park. I believe the motion is saying that we will proceed with the demolition with the definitive plan of replacing that building at the park."

Councilmember Gregorie said, "Correct."

Councilmember Waring said, "Yes, Councilman, I was just illustrating that when we bought the property, it ended up costing us actually less than 50 percent than we allocated last year to buy it, so we actually had surplus monies left."

Mayor Tecklenburg said, "To be honest with you, I don't know if that approximately \$345,000 went into the million and a half budget for the park. You might know that. I just wasn't here. I can ask Amy. We can figure that out later."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I just want to remind Councilmember Waring, well, not remind, you but just inform you, that part of our discussion yesterday on going through this was the sensitivity of this building and whether or not it had any kind of historical context to the community. So, the one thing I was concerned about was making sure that whatever we put back there was something that was going to fit into the overall character of the community, something the community would be proud of and would take ownership of this building. I think we all recognize and the three of us, you, Councilmember Lewis, and I all have a very vested interest in this neighborhood, and we're all part of it in our districts. So, we want to do right by it, and I echo your concerns about replacement that it fits into that neighborhood."

Councilmember Waring said, "Thank you, Councilman."

Mayor Tecklenburg said, "This may be just a personal observation, but whoever owned or built that structure was a very creative mason, and so, perhaps a masonry building with some unique features would be appropriate to go back to."

There was laughter in the Chamber.

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

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

---INSERT COMMITTEE ON RECREATION REPORT---

(i) Festival Consolidation Discussion (INFORMATION ONLY)

(ii) Lowline Presentation (INFORMATION ONLY)

(iii) Update on Parks (INFORMATION ONLY)

(a) Demolish and replace the building at Bender Park

Mayor Tecklenburg said, "Chairman Gregorie, is that the end of your report?"

Councilmember Gregorie said, "That's the end of the report. Thank you, Mayor."

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

Councilmember Moody said, "Move for approval."

Councilmember Mitchell said, "Second."

Councilmember Moody said, "And abstentions to the Gaillard Management Corporation."

Mayor Tecklenburg said, "Noted that the abstention applies to Councilmember Waring and to Mayor Tecklenburg, as well. Is there any other discussion?"

On a motion of Councilmember Moody, seconded by Councilmember Mitchell, City Council voted unanimously to adopt the report of the Committee on Ways and Means as presented. Mayor Tecklenburg, Councilmember Waring, and Councilmember Moody abstained from voting on Item 15(b). They completed Conflict of Interest forms, and they are on file in the Office of the Clerk of Council.

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

(Bids and Purchases

(Police Department: Approval to accept the FY16 Victims of Crime Act grant award for an Elder Advocate salary and supplies for \$60,882. A cash match of \$15,221 is required. This will be budgeted in 2017.

(Police Department: Approval to request to the Law Enforcement Support Office (LESO) to acquire 2 Military surplus vehicles through the DLA Disposition Services 1033 Program. No City match is required. Law enforcement agencies

- are responsible for retrofitting vehicles prior to use. Costs are based on individual vehicle needs.
- (Police Department: Approval to accept the FY16 Violence Against Women Act award for DNA detection and collection training and equipment for \$66,891. A cash match of \$16,723 is required. This will be budgeted in 2017.
 - (Public Service: Approval for B&C Land Development to perform emergency repairs/pipe lining of several failing pipes at White Chapel Circle/Key Court in the amount of \$71,717. The work was performed as an emergency repair due to the need to repair the failed pipe.
 - (Police Department: Approval of a Mutual Aid Agreement with the Charleston County Sheriff's Department. The mutual aid agreement statute was amended in June, 2016. New agreements have been drafted to ensure compliance with the amended statute. The new agreements are replacing the old agreements.
 - (Police Department: Approval of a Mutual Aid Agreement with the City of Goose Creek Police Department.
 - (Police Department: Approval of a Mutual Aid Agreement with the Town of Summerville Police Department.
 - (Police Department: Approval of a Mutual Aid Agreement with the City of Mount Pleasant Police Department.
 - (Police Department: Approval of a Mutual Aid Agreement with the City of Hanahan Police Department.
 - (Police Department: Approval of a Mutual Aid Agreement with the City of Greenville Police Department.
 - (Approval of a Resolution regarding Charleston Citywide Local Development Corporation and Urban Development Action Grant funds
 - (Recommendation to the Committee on Real Estate to sell the former International African American Museum property
 - (Recommendation to approve the Department of Housing and Community Development relinquishing access to the Neighborhood Initiative Program (NIP) from the State (INFORMATION ONLY)
 - (Recommendation to approve the City of Charleston maintaining the property that is purchased under the NIP Program with City funds (INFORMATION ONLY)
 - (Approve a Second Amendment to a Memorandum of Understanding between the City of Charleston and the Episcopal Diocese of South Carolina Community Housing Development Organization ("EDCHDO") requiring the EDCHDO to return to the City 4 properties as listed while retaining 2 properties, 83 Hanover and 32 Nassau, for redevelopment (87 Cooper Street, 26 Reid Street, 4 Grants Court, 4 Nunan Street) The owner of this property is EDCHDO.
 - (Request authorization from the Mayor to execute the attached lease agreement between the City and the Gaillard Management Corporation (2 George Street; TMS: 458-01-01-001). The owner of this property is the City of Charleston. [Ordinance] **Mayor Tecklenburg, Councilmember Waring, and Councilmember Moody abstained from voting on this item. They completed Conflict of Interest forms, and they are on file in the Office of the Clerk of Council.**
 - (Request authorization of the Mayor to execute the attached license agreement between the City and the United States Coast Guard for the City's temporary use of their property (196 Tradd Street; TMS: 457-07-03-001) The owner of this property is the U.S. Coast Guard.

First reading was given to the following bill:

An ordinance authorizing the Mayor to execute on behalf of the City a Lease Agreement with the Gaillard Management Corporation pertaining to Suite 2200 in the Gaillard Center.

Mayor Tecklenburg said, "Next, we have bills up for second reading."

Councilmember Mitchell said, "Move for approval of Items K-1 through K-13."

Councilmember Lewis said, "Second."

Mayor Tecklenburg said, "I believe they are all rezonings K-1 through K-13. We had public hearings on these at the last meeting. Is there any discussion on these items?"

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

2016-136 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 53 BOGARD STREET (PENINSULA - CANNONBOROUGH/ELLIOTTBOROUGH) (0.118 ACRE) (TMS #460-08-03-105) (COUNCIL DISTRICT 4), BE REZONED FROM DIVERSE RESIDENTIAL (DR-2F) CLASSIFICATION TO COMMERCIAL TRANSITIONAL (CT) CLASSIFICATION. THE PROPERTY IS OWNED BY 53 BOGARD STREET LLC.

2016-137 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 718 RILEY ROAD (JAMES ISLAND) (APPROXIMATELY 2.35 ACRES) (A PORTION OF TMS# 340-07-00-009) (COUNCIL DISTRICT 6), BE REZONED FROM SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION TO CONSERVATION (C) CLASSIFICATION. THE PROPERTY IS OWNED BY DEREK AND KATHLYN WADE.

2016-138 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 3 & 4 MAPLE STREET AND ADJACENT VACANT LOT (PENINSULA) (APPROXIMATELY 0.15 ACRE) (TMS #463-12-02-013, 014 AND 084) (COUNCIL DISTRICT 4), BE REZONED FROM DIVERSE RESIDENTIAL (DR-1F) CLASSIFICATION TO LIMITED BUSINESS (LB) CLASSIFICATION. THE PROPERTY IS OWNED BY JJR DEVELOPMENT AND SCDOT.

2016-139 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 4 FOREST CREEK COURT (SHADOWMOSS - WEST ASHLEY) (0.34 ACRE) (TMS #358-07-00-034) (COUNCIL DISTRICT 10), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 13, 2016 (#2016-108), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JAMES AND HANNAH LYNCH.

- 2016-140** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 303 STINSON DRIVE (WEST ASHLEY) (0.35 ACRE) (TMS #350-09-00-100) (COUNCIL DISTRICT 5), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 13, 2016 (#2016-109), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY RICHARD BENSON.
- 2016-141** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2027 WOODCLIFF STREET (WEST ASHLEY) (0.23 ACRE) (TMS #355-15-00-060) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 27, 2016 (#2016-114), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY NICHOLAS AND ELAINE BOYER.
- 2016-142** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 614 STONEBORO COURT (JAMES ISLAND) (0.23 ACRE) (TMS #343-15-00-099) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 27, 2016 (#2016-113), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY ERIN HITCHINSON.
- 2016-143** 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 GRIMBALL ROAD EXTENSION (JAMES ISLAND) (0.79 ACRE) (TMS #427-00-00-086) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 27, 2016 (#2016-116), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY JOHNNY TROUTMAN AND EUNICE TROUTMAN.
- 2016-144** 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 SECESSIONVILLE ROAD (JAMES ISLAND) (2.14 ACRES) (TMS #427-00-00-006, 116, 117, 250 AND 251) (COUNCIL DISTRICT 6), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 27, 2016 (#2016-115), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY ION VENTURE LLC.
- 2016-145** AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-343 TO CHANGE ZONING REGULATIONS FOR PERIMETER LANDSCAPING REQUIREMENTS FOR SURFACE PARKING LOTS, SERVICE AREAS OR OTHER VEHICULAR USE AREAS.
- 2016-146** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A GOVERNMENT PARKING LEASE AGREEMENT WITH THE MEDICAL UNIVERSITY OF SOUTH CAROLINA PERTAINING TO THE CITY PARKING GARAGE LOCATED AT 99 WESTEDGE STREET.

- 2016-147** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED ON MAGNOLIA ROAD AND SYCAMORE AVENUE (0.125 ACRE) (TMS# 418-10-00-005), WEST ASHLEY, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 9. THE PROPERTY IS OWNED BY WILLIAM G. NIEMEYER.
- 2016-148** AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, TO ADD A DIVISION 9 TO CREATE A CITY OF CHARLESTON HEALTH AND WELLNESS ADVISORY COMMITTEE.

Mayor Tecklenburg said, "We have no bills up for first reading, and I will be able to sign these while we are in Executive Session, right?"

The Clerk said, "Yes."

Mayor Tecklenburg said, "So, next I would like to call for an Executive Session to advise Council on a legal matter. I will let the public know that we do not intend to have any action or motions based on this Executive Session when we come out. It is simply an update of a legal matter that we have before the City. So, when we reconvene after the Executive Session, the only thing we plan to do is to adjourn our meeting. So, with that in mind I was thinking we would stay here for our Executive Session and ask the public if you would kindly vacate while we have our Executive Session. You are welcome to come back and hear us adjourn if you like when we are done, but that is all we are going to be doing. We will take a two-minute break just to allow people to relocate and so forth."

City Council recessed at 6:02 p.m.

City Council reconvened at 6:09 p.m.

On a motion of Councilmember Shahid, seconded by Councilmember Moody, City Council voted unanimously to enter into Executive Session at 6:09 p.m.

On a motion of Councilmember Moody, seconded by Councilmember Mitchell, City Council voted unanimously to come out of Executive Session at 6:48 p.m.

No action was taken.

There being no further business, the meeting was adjourned at 6:48 p.m.

Vanessa Turner Maybank
Clerk of Council