

CITY COUNCIL MEETING

Regular Meeting

March 8, 2022

The one hundred nineteenth meeting of the City Council of Charleston was held this date convening at 5:00 p.m. at City Hall and over video conference call (Zoom).

A notice of this meeting and an agenda were made available on the City's website March 3, 2022 and appeared in the Post and Courier on March 7, 2022.

PRESENT (12)

The Honorable John J. Tecklenburg, Mayor

Councilmember Gregg	District 1	Councilmember Waring	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Sakran	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Bowden	District 10
Councilmember Brady (<i>absent</i>)	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Parker	District 12

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

The Clerk called the roll.

Mayor Tecklenburg said, "Now if you would like to join us, Councilmember Seekings will lead us in an [invocation](#) and the [Pledge of Allegiance](#)."

Councilmember Seekings opened the meeting with an invocation.

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

Mayor Tecklenburg said, "So, I think everybody knows, but just in case, if the very unlikely event were to occur that we need to evacuate the building, you've got these two doors here and one door over there. Don't use the elevator in that case, but please use the stairs going down and the one set of stairs out the front. That's basically the only way out, but just so everybody is situationally aware of this. I already commented, we have new microphones for our Councilmembers and myself. We still need to turn them on when we speak, and we may have to adjust how close they are, too, but I hope the sound quality is better. Thank you all for putting them in and getting them installed for us.

So, first up, I'd like to share a [Resolution supporting the citizens and the government of Ukraine](#), and I'm going to ask one of our local U.S. citizens, but a native of Ukraine, and a friend of mine, Roman Pekar, and his wife to please come forward and join me on the stand. I had also

invited Alex Pavlichenko, but I don't see him here, yet. You all, please come forward and join me up here. So, we've all been horrified by the terrible tragedy, the evil, Putin has put upon the citizens and the government of Ukraine. I must tell you though that I've been uplifted by the spirit of small, but dedicated local citizens who are natives of Ukraine, including Mr. and Mrs. Pekar behind me. Roman, by the way, is a musician and plays with the Charleston Symphony, and he's also a jazz player, so I got to know him years ago playing some music.

When this happened week before last, the illegal invasion of Ukraine, he contacted me and they were having a little gathering at Euro Foods, which is also owned by Alex and his wife. They are originally from Ukraine, but U.S. citizens now and small business owners here in Charleston, and they had a gathering that Friday morning, Friday a week ago, and it surprised me how many people were there. Then, I saw some people I knew, and they started telling me their stories. I didn't even know that they had ancestry from Ukraine right here in Charleston, and then we gathered here last Tuesday on the front steps of City Hall and lit up the building and we had a terrific, spirited unity rally of support for Ukraine. I was at the U.S. Conference of Mayors meeting for two days last week, and we had a live video address from both the Ambassador to the United States from Ukraine, but also from the Mayor of Kyiv. So, with that background, let me read this Resolution from the City and all of us."

Mayor Tecklenburg read the Resolution.

---INSERT RESOLUTION---

Mayor Tecklenburg said, "And I want to present that to you, Roman, and his wife and ask, Roman if you would like to share a few words."

Roman Pekar said, "Thank you."

Mayor Tecklenburg said, "Yes, absolutely."

Mr. Pekar said, "Good evening. I will read. I'm sorry, I'm not a public speaker at all. Councilmembers of City Council and Mr. Mayor, my name is Roman Pekar. I am a resident of Charleston, South Carolina since February 2001. Right next to me is my wife, Katya Pekar. We both represent both sides. I am a native of Ukraine, and Katya is a native of Russia. We have relatives in both countries, and this war is right here in our family. As of now, to date, there are three of our boys having miscellaneous activities after school. Tennis tournament, hockey practice, robotics club, theatre/play volunteering, and the eldest son is helping us tonight with the logistics due to us being here at the Charleston City Hall. Otherwise, he will be practicing and preparing for his upcoming concert with the College of Charleston Orchestra at the Sottile Theatre in a couple of weeks for his graduation performance exam at the College of Charleston in April. For 13 days, since the war started, our kids are now well aware of what makes them different, being safe to live their lives.

I'll read a few quotes that I'm getting over the telephone from my friends overseas. 'My son wakes me up at 5:00 a.m. and said, 'Mom, there's a war started. We looked outside and saw our neighbors packing and leaving. A neighbor of the neighbor, they were loading their cars and leaving, and I panicked because I had work to do. At 10:00 a.m., I had the rehearsal in the opera theatre where I'm working. Now, I'll now go where? Why? My only son cannot fight, but he cannot leave the country either. There is a military law in Ukraine now. I'm not ready to start my life all over again and be a refugee. I don't know if my theatre, where I worked all my life, survived and what will happen after the war is over.' 'The witness worked in Kharkiv Opera Theatre orchestra

as a musician.' 'Last night, I hosted 18 migrants from the east in their journey to the west, the safety of their journey to the west. Today there were 14. Who knows how many will be tonight? I'll do my best to help everyone.' The witness is a real estate business man, whose ethnicities are half Armenian and half Ukrainian. 'My parents are not going. My wife's family is not going. How am I going? By the way, I'll be well. Don't worry,' a dual citizen of Israel and Ukraine. 'Scary times. My eyes are blinding from non-stop reading the news. From each good news, tears of hope. From each bad news, tears of hate to the enemy. It is impossible to work. Who needs flowers now? But I decided to open the store because the flowers are the beauty, and the beauty will save us,' a flower estate owner. All above are the statements from the Boarding Class School of 1991 string players that I was sitting with at the time.

My eyes are blinding, too, for the exact same reason, reading the news, and from crying. For 13 days, my days are 20 hours, and my sleep time is sometimes a little bit more than four hours, normally. It's three hours of sleep because of me being unable to do anything. Then I would like to tell my story. I'm sorry I'm taking time. The story started with Nazi Germany trying to denunciate the Jewish race back in the '30s. That's the exact message that Vladamir Putin has to Ukrainians today. We all know what happened with the Jews in the '30s and '40s, Holocaust. My own aunt perished in the ghetto being four years old. Sorry. I'm sorry."

Mrs. Pekar said, "Hello, everyone. Thank you very much for the time and attention. Roman and I, my name is Katya Pekar. We try to be in the center of this because we represent both sides, both countries, and I'm very thankful to the message that I get from media. They usually try to separate Russia and Putin, but it's still not always this way. I have friends in Russia. I have relatives in Russia. Most of them are completely shocked. I have one friend that keeps going to the streets to protest. I check on her every day because I fear for her. Most of them try not to do it because they see no reason, which will not change anything, they will be just imprisoned for it, and there are lots of people that are just blatantly brainwashed. I just want to say that this war is not on the other half of the globe. It's here because there are so many people, we're constantly on the phone trying to organize escape for their relatives both in Russia and Ukraine because, believe me, lots of Russians tried to escape now. Our friend and her nephew managed to escape, and his wife didn't, so they are like on both sides of what is going to be probably an iron curtain now. I am an educator. I mostly taught music most of my life. I still have a couple of piano students. I work full-time with MUSC now.

I have a few points that I would like to make about what we can do really to protect our children and our future. First of all, Russian language doesn't specify the country of origin or political position. Many people came here before Putin, or because of Putin, or even from countries that have nothing to do with Putin, but they still speak Russian. That's what unites us with them. I know that people are getting confused and just plain angry. We've heard about some attacks on Russian businesses in New York. I have a little friend here. She is a 7th grader in one of the elite, public schools. She was called a Russian terrorist a few days ago. I think educators and businesses should do the first step to protect the Russian speaking community from attacks, because most of us have nothing to do with it and do not support this war. A couple more minutes. Thank you for your time.

I have two more, I think, critical elements that I would like to address. I think that we need to think about protection of our own freedom and democracy, because we saw how quickly it's deteriorated in Russia. It started in 2014 with the annexation of Crimea. People started unfriending each other on social media and in real life, families were torn apart, lifelong friendships were torn apart, and society was divided into two separate pieces with two absolutely separate information zones. Now, people are waking up and trying to reach to each other and talk sense to each other,

but it seems to be too late, and that's what I hear from my friends in Russia. That's what I experienced myself. I have a cousin in Moscow that quotes government TV. I have a friend here, who is trying not to break with her mom and brother, who are saying, 'You're a Russian woman, how can you support Ukraine?' I, maybe surprisingly, see this, we all see it here, because we've all lost tears, right? As a teacher, I see it in the culture of teaching the debate, because we, basically, teach to win, to prove that we are right, instead of teaching how to understand each other. We do not teach the culture of dialogue of listening intelligently, which is the culture of peace, not the culture of war. I think we need to think how to do that. The last thing I would like to address is there was an article yesterday in the New York Times called, 'Fighting Disinformation Can Feel Like a Lost Cause.' It isn't, and there are programs at schools in Europe that actually teach children and give them the tools of how to spot the propaganda in media. Yesterday, we had our oldest son stop by, and we gave him the biggest Russian propagandist to listen to, and he said, 'Wow, that's really good, that's very convincing, he really knows what he is doing.' I think our children are in danger of that, too. That happened in Russia, but it can happen anywhere, and we need to teach our children how to recognize propaganda. Thank you very much."

There was a standing ovation in the Chamber.

Councilmember Shahid said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Before they leave, the café Euro Foods is in my district off of Old Towne Road, and it's a deli café and a shop combined into one. We visited it several times. We actually get some Lebanese ingredients out of that store. I made them a sign that says, 'If you're on a diet, you're in the wrong place.' You and I were present Saturday at the Sumar Street site, and the best of Charleston came out, again, with the folks who came to organize a relief package effort, and an 18-wheeler truck was loaded in no time."

Mayor Tecklenburg said, "It was well organized."

Councilmember Shahid said, "And I'm not sure how much time they had to do this, but it was well organized. They had folks out there to separate the clothing items. There were even military items that they took, and we saw some bullets and other items loaded on there. I just want to express our unity and our support for our friends. These are our neighbors, these are our citizens in the City of Charleston, and in our State. I was watching the 60 Minutes special they had, I hope I say this properly, but the rallying cry is 'Slava Ukraini'. Is that correct? Which means 'Glory to Ukraine.'"

Mr. Pekar said, "Glory to Ukraine."

Councilmember Shahid continued, "Glory to Ukraine, Slava Ukraini, and we're here to stand in solidarity with you all and your families. Thank you for being here."

Mayor Tecklenburg said, "Thank you for that moving personal message. It's unprecedented, well, at least since World War II, events in the world happening. We can't imagine how personally horrific it is for you, but it is for all people that enjoy freedom and democracy in the world because who's next, you know? If you don't appreciate America, this country at this point, wake up. We are very blessed here, and I feel conflicted that there is all of this protocol that Ukraine isn't a member of NATO. There's only so much we can do and should do. All of that discussion is going on in the world, but we are with you 1,000% and the freedom of Ukraine. We

will do all that we can, as we have been doing this week. That was, as I mentioned, an uplifting event in West Ashley, Saturday and Sunday, of people coming together and helping in any way they can. For anybody listening, there are, I know you see it on whatever news program you watch, different agencies that you can donate to help, including the UNICEF fund, including the International Committee of the Red Cross, Doctors without Borders. There are many other organizations that are now doing humanitarian and military relief for Ukraine. So, I ask everyone if you're able to, I know there are many causes out there, but please help our brothers and sisters in Ukraine at this time. Right now, it's a time that it's needed. So, thank you, again, Roman and Mrs. Pekar for being with us.

Next, I'd like to share a Proclamation recognizing both [Women's History Month and International Women's Day](#). If I could ask Councilmember Parker to come forward and the Chair of our Commission on Women, Jennet Alterman. If you all would please join me, and I will read the Proclamation and then ask if both of you would like to say a few comments regarding this occasion."

Mayor Tecklenburg read the Proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "So, for comments, Councilmember Parker and our Chairman Alterman of the Commission on Women. Councilmember."

Councilmember Parker said, "Thank you, Mr. Mayor. Thank you so much for acknowledging this important day during Women's History Month. I will be brief. First, I just want to recognize all of the amazing women in our Clerk's Office. I just have to say thank you."

There was applause in the Chamber.

Councilmember Parker continued, "I just wanted to start there. You literally keep this Council running, and you make it look so easy. I have no idea how you do this. You all have also shown me a tremendous amount of patience and grace as I took on this new role. Jennifer Cook, Velvett Simmons, Vanessa Ellington, Wanda Stepp, Andrea Derungs, Marcy Grant, and Philip and Patrick, we acknowledge you, as well, but thank you. Thank you, all. We really appreciate you."

In the 200-plus year history of the City of Charleston, Aldermen and Councilmembers, only 14 women have sat in these Chambers as elected officials. To say I feel humbled and honored to be on Council would be an understatement. Thank you, Clelia Peronneau McGowan, Ward 1, and Belizant A. Moorer, Ward 11, for blazing the trail as the first women elected to Council in 1924. We didn't see another female Councilmember until 1960 with Mary Utsey. Hilda Hutchinson Jefferson, District #4, and Brenda Scott, District #6, were the first African American women elected in 1975 to hold Council seats in these Chambers for 13 years. To all of the women of Charleston, the women who work for the City of Charleston and to the Commission on Women for the City of Charleston, this Proclamation is for you and for all of the women that have served before. I have only been with the Commission on Women for a short time, but reading previous reports and listening to what you all have accomplished while you have been together is truly inspiring. Mrs. Jennet Alterman, the Chair of the Commission, will have more to report in a few moments. I will let her share their accomplishments and hopes for the future. Jennifer Brown, Julie Moore, Monique Hill, Lydia Cotton, Amanda Comen, Patrice Witherspoon, Carolyn Wright, Denise Fugo, Trischia Khouri, Claire Gibbons, Tina Singleton, and Hilda Gadsden. Our staff Brittany Pinckney,

Mindy Sturm, Jamie Roper, Patrice Smalls, and Dustin Thompson. Thank you all for being on the Commission for Women. The many organizations that you work for, represent, and dedicate your day-to-day lives is a sentiment to the true nature of the women of our City. It takes a village. Unfortunately, some people don't have a village and to many, you are that village. I can't wait to see what we can accomplish together, and I know I speak for myself and the citizens of our beautiful City. We are grateful for your community service, and we thank you for dedicating your time to help serve the women of Charleston."

There was applause in the Chamber.

Jennet Robinson Alterman said, "I couldn't say it any better. You will be hearing from me in a few minutes. I will try to keep it modestly short, shall we say, but thank you, Councilmember Parker, for jumping in with both feet into serving on the Commission on Women. If I may be allowed a point of personal privilege, I'd like to honor the women and children of Ukraine, many of whom have left their country and are desperately seeking solace. To the women and children of Ukraine, thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Would you like a copy of the Proclamation? Do you want to get our picture taken? So, I was just on a leisurely walk, as I sometimes do to catch a breath of fresh air, and if you go to St. Michael's Alley, just on the other side of St. Michael's Church, and take a left and go a short distance. You'll find a plaque which is a terrific story about our very first women Councilmember, whose portrait hangs above us here in the Chambers. Her name was Clelia McGowan, and she was quite the suffragette and activist. Councilmember McGowan helped create the Charleston County Library System among many other accomplishments. It's worth one day just walking over there and reading up about Councilmember McGowan. I'll also share our other portrait here of Septima P. Clark, who our Septima P. Clark Parkway is named after. She was an amazing Civil Rights leader and sometimes known as the 'mother of the movement' because she actually taught Reverend Doctor Martin Luther King a thing or two about voter registration and engaging with the community from Charleston, South Carolina. We have many women to be proud of right here in this City. You didn't quite go down the whole list of the 14 Councilmembers."

Councilmember Parker said, "No, I'm sorry."

Mayor Tecklenburg continued, "But one was my mom, Esther, who proudly served with Brenda Scott and Hilda Jefferson when she got elected here. So, anyway, thank you all, and we look forward to your report in just a few minutes. So, moving along, next up, we have our [approval of City Council minutes](#) already."

Councilmember Mitchell said, "So moved."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Any additions, changes, deletions?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shealy, City Council voted unanimously to approve the minutes for the regular February 9, 2022 City Council meeting and the February 15, 2022 City Council workshop.

Mayor Tecklenburg said, "We're already at our [Citizens Participation Period](#). We've got just a few folks signed up, but we'll allow two minutes each and look forward to your comments."

The Clerk said, "Anthony Bryant."

Mayor Tecklenburg said, "Please state your name and address when you come forward. Thank you."

1. Anthony Bryant said, according to Luke Rankin, his public comment on the redistricting in the State of South Carolina Congressional Districts \$0 to \$12,000, 44% of the State didn't pay State income taxes. He said they needed a rebate with gas prices going up so high. It had to be a referral to the criminal division in Atlanta in the 5th Circuit, so he would be suing in Atlanta. In a FOIA request, there were so many 'Anthony Bryants', so he wanted to make sure he cleared that up. In protest, he sued Bryant v. Administrative Office of the United States Courts, because 130 Federal Judges did not fully disclose their trades on the Stock Exchange, which many in the country were too poor to pay \$400 for a fee to even be heard. He said they hoped that the Senate, with Tim Scott and others, would either ask them to resign for not paying and showing their trades on the Stock Market while the country was suffering. This was the kind of work he did. He liked being unpopular. He quoted Ken Burns who said, 'It was a happy day when the first unhappy slave landed on these shores.' He said they were very unhappy, but they were thought of as because they sang whatever people wanted to hear. He said they were definitely in struggle. He said he was unpopular, and he liked being unpopular. As long as there was one Black man in the country to be wrongfully accused of a crime he didn't commit, in 2021 and 2022, he would remain unpopular. He said the Black men in the State were definitely not free, and when Black people referred other Black people to the Feds, Mark Keel and others in the Senate, who referred his name to other agencies because of hate speech. It was not hate speech. It was his free speech given to him by the first slave that came across those shores.

The Clerk said, "Time."

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Mohammed Idris."

2. Mohammed Idris said they were about to start a newspaper called, 'Clear Vision Journal'. Their prime subjects would be City Council, because they believed they had been coming there for 20 years, and they knew how their City operated. He said, there were 12 people there that they would be telling the people, in general, how they voted when they got elected and letting the people know that the City Council worked for them, and they paid the City Council. He said anything they wanted in their neighborhoods that was lawful, that they should have a representative to get that for them. If they didn't, they should get rid of them.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "William Hamilton."

3. William Hamilton spoke on behalf of Best Friends of the Lowcountry Transit, and they wanted to advise the Council of what their transit goals were for the year. Their goals were to secure another year of bus service to the beach, which CARTA had apparently already approved, to double ridership, to increase CARTA ridership by 30%, to get more middle school aged students on public transit, to push the Lowcountry Rapid Transit Lines terminus back to Summerville where it belonged and after that, to work on getting it back to downtown Charleston. A transit system which starts at the Fairgrounds and ends at Reynolds Avenue in North Charleston would not do what the City needed done, and to obtain ten more lighted bus stops on CARTA, two on the Sea Islands, two in Summerville, and, finally, to make sure that nothing was done to build or enlarge I-526 until the Rapid Transit System the voters of Charleston voted to build and had been taxed to bill, was constructed. He said they would be back next month with a more substantial and, hopefully, more interesting demonstration than him. These were important issues because Federal funding to build affordable housing and transit was in D.C. now, and it would not stay there long. If the region and elected representatives in Congress and the Senate didn't bring that money to Charleston and to the Lowcountry, it would go somewhere else before the mid-term elections. He asked Council to get with their Senators and Congressmen, who didn't seem to be very motivated, and explain to them that money was needed to finish the transit system and to build affordable housing, or the tourism and medical industries were not going to function well.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Neita Wiese."

4. Neita Wiese said Happy International Women's Day. They awarded their International Women of the Year last year to Mayor Aki-Sawyers, who had sent an e-mail, which read, 'I hope this finds you well. Please know that many thanks for your e-mail and the attached letter. We truly appreciate the solidarity of the City of Charleston as Freetown celebrates 230 years. This letter will be read out by Melbourne Gardner at the Interfaith Service here in Freetown on the 11th of March.' She said that was the week-long celebration with their Sister City in Freetown, Sierra Leone, the 7th through the 13th.

Mayor Tecklenburg said, "Thank you very much."

The Clerk said, "And, Roman, did you want to speak? We had you on the list."

Mr. Pekar said, "No."

The Clerk said, "Okay. Tony Daniell."

5. Tony Daniell said the people who were going to help Ukraine would be the military, of which he spent 30 years defending and going wherever sent, the four corners of the world, three deployments. While he was gone, it was his assumption that Council would be taking care of his family, which was the unwritten deal they had, but that deal fell through. He participated in a Traffic and Transportation meeting a month ago, and in the meeting, he agreed with Mr. McQueeney on every point there was. First, they agreed that the 1976 Order was legal. He never said the 1976 Order was illegal, but that called for temporary barricades. He said the Mayor made a point that it was a long time ago. How long was a temporary barricade supposed to stay in place, and was a group of trees planted in the road a barricade? He would say 'no'. When the police cordoned off an area

and put up a barricade, they didn't plant trees, they put up a barricade. He said the roads were not to be closed without an order, and no order existed, and without an order, closing the roads was illegal. He said one of the opposition individuals was Mr. Finnegan, and he represented only 43 people out of 93 in the neighborhood. He had said that 95 percent of the neighborhood agreed with it, but that fact was not borne out by the evidence. When Mr. Finnegan wrote to City Council, he only got 38 families to write that they wanted the closed roads to remain closed. He reminded Council the roads could only be closed by an order from City Council or a Court Order, and none of those existed. He asked why he was still there. He went before Traffic and Transportation, everything he had said was borne out, the City's Council, not his Council, agreed that the roads could only be closed without an order, and barricades were temporary as no order existed for the closing of the road. He said it was unfair.

The Clerk said, "Time. Then, we did receive two comments. One person said that closing a road without a Court Order or an Order from Council was illegal. Another person stated that roads were authorized as temporary barricades, not closed roads, and 45 years was not temporary. Those were the only comments we received."

Mayor Tecklenburg said, "Anyone else?"

No one else asked to speak.

Mayor Tecklenburg said, "Okay. So, next up is our [Petitions and Communications](#). We have a number of appointments, mostly to our Planning Department Boards and Commissions that help so much in our community with our design and approvals."

Councilmember Gregorie said, "Can we take them all together, Mr. Mayor?"

Mayor Tecklenburg said, "We can take them all together, a through f."

Councilmember Mitchell said, "Move for approval a through f."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Alright. We have a second. Any discussion?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shealy, City Council voted unanimously to approve the following appointments to the Board of Architectural Review – Large (BAR-L), Board of Architectural Review – Small (BAR-S), Design Review Board, Planning Commission, Board of Zoning Appeals – Zoning, and Board of Zoning Appeals – Site Design:

Appointments:

1. Board of Architectural Review – Large (BAR-L):
 - Seaton Brown (Layperson seat) – New Appointment
2. Board of Architectural Review – Small (BAR-S):
 - Laura Altman (Alternate) – New Appointment
3. Design Review Board:
 - J. Lucas Boyd – Alternate seat
 - Jeff Johnston – Alternate seat
4. Planning Commission:
 - McKenna Joyce (Attorney seat) – New appointment
 - Charles Karesh (Citizen seat) – Reappointment
 - Donna Jacobs (Citizen seat) – Reappointment
 - Sunday Lempesis (Development seat) – Reappointment
 - Jimmy Bailey (Citizen seat) – Reappointment
 - Erika Harrison (Citizen seat) – Reappointment
 - Angie Johnson (Real Estate seat) – Reappointment
5. Board of Zoning Appeals – Zoning:
 - William Goodwin (New appointment)
 - Jeff Tibbals (New appointment)
 - Robben Richards (Reappointment)
 - Howell Morrison (Reappointment)
6. Board of Zoning Appeals – Site Design:
 - Joel Adrian (Citizen seat) – Reappointment
 - Amanda Barton (Landscape Architect seat) – Reappointment

Mayor Tecklenburg said, “Now, we would like to call Chair Alterman back up.”

Councilmember Seekings said, “Mr. Mayor.”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Just very quickly, I don’t know if there are any others that we just appointed to these very important Commissions and Boards, but there is one who is actually in the Chamber that I think we should recognize. Mr. Seaton Brown is in the back, who has just been appointed by this Council as a member of the Board of Architectural Review – Large, which is no small job. It is no small job. It is a large job, so thank you in advance for your service. He will be a really terrific member. I can assure you that. So, thank you for being here, and thank you in advance for your hard work.”

Mayor Tecklenburg said, “Thank you. That’s right.”

Councilmember Seekings said, “And if you need any advice, by the way, here is your guy right here. He’s spent lots of time on Boards and Commissions right here, Councilmember Waring.”

Mayor Tecklenburg said, "And I would just add, you all, to remember that all of these Boards and Commissions are volunteer positions and many of them, like the BAR – Large, the time commitment is not a little one, it's a meaningful time contribution. So, these Board members are really contributing to the fabric of this City, not only in what it looks like, but by your service. So, thank you, Mr. Brown, and please pass that along to your fellow Board members. Remember that when you see these folks and give them a thanks. Alright. Next up is our [report from the Commission on Women](#). Chair Alterman is with us, back with us."

Ms. Alterman said, "Thank you, Mayor. Thank you, all of you. It has been an incredible honor for me to serve as the Chair of this Commission, and for those of you who might not know this, Mayor Tecklenburg resuscitated this communication. It had been in a box somewhere, that's all I can say, since the '70s, and we are still the only Municipal Commission on Women in the State of South Carolina. There is also not even a State Commission on Women. So, I'm delighted to be here, and I want to give you just a quick update on what we've been doing for the last five years.

You know, our mission is to advise you on matters pertaining to the quality of life for women and their families here in the City of Charleston. We operate under two basic principles that we adopted early on, which are to take care and/or take charge, specifically, around representing women and children who have no voice. To that end, this Council, a little history lesson here, has adopted resolutions in support of the U.N. Convention to eliminate discrimination against women, and you have also unanimously adopted a Resolution to support the passage of the Equal Rights Amendment in the South Carolina Legislature. Thank you. You're ahead of a lot of other cities, believe me.

You have agreed to implement two very powerful and critical benefits for City employees, including paying for all City employees to have short-term disability insurance, which covers a percentage of maternity leave and extended illness. In January of 2020, you adopted a 12-week paid Family Leave Program for City employees and now, with COVID-19 hopefully behind us, will fund that in 2023. The Commission has sent letters of support to the South Carolina Legislature as they move toward a Family Leave Policy for State employees. Benefits, as you know, of this type go a long way in building employee loyalty and lowering attrition rates.

Now, we rarely do anything on our own, and we're particularly proud of the collaborative projects that we have participated in over the last five years. In particular, I would like to highlight the Commission's work with the Charleston Police Department, which might not immediately seem like an obvious alliance, but it very much has been so. Chief Reynolds made no secret of his commitment to community policing, and we've worked alongside Deputy Chief Thompson, Lieutenant Mitchell, and Victims Services Coordinator Patrice Smalls to create community resource centers in both the Gadsden Green, and the Robert Mills Manor communities. With the cooperation of the City Housing Authority, these centers have become a reality, and the plan is to have one in each of the Public Housing Projects to provide support for the folks who live there, again, who are primarily women and their children. Deputy Chief Thompson has taken the lead on developing very important protocols for both human trafficking and domestic violence, and planning for a Family Justice Center is well underway. We have a true partner in the Mayor's Office of Children, Youth and Families. Mindy Sturm and Jamie Roper are regular attendees at our meetings, and when they have a need for specific resources, we do everything we can to get them for them. Our members represent over a dozen non-profit organizations, and our combined networks can only be described as awesome. As Councilmember Parker's Proclamation put it, women are catalysts for the good, and we're going to do our best to live up to that. Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Great. Thank you. Thank you for your service."

Councilmember Shahid said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Just a quick question, Madam Chair Lady, what is the status of Equal Rights Amendment in the State of South Carolina?"

Ms. Alterman said, "It has not been ratified in the State of South Carolina."

Councilmember Shahid said, "But, I understand we just need one more vote by a state."

Ms. Alterman said, "Well, there is a discussion about that because they changed the deadline for it. Technically, we need one more state, but it's not looking good because there is discussion about which are the true deadlines, but we're not going to give up."

Councilmember Shahid said, "Thank you."

Ms. Alterman said, "Sure."

Mayor Tecklenburg said, "Great. Thank you, again, for your service and being with us tonight. So, next up is a report on our [Resilience and Sustainability Advisory Committee](#) from Katie McKain."

Katie McKain said, "Thank you, Mayor Tecklenburg and members of City Council. The Resilience and Sustainability Advisory Committee met last month on February 17th, and there were 11 of the 13 members present. Mayor Tecklenburg welcomed our new members. We're excited to have, Councilmember Shealy, back for some continuity Councilmember Seekings, we're excited to have you back on the Committee; and Councilmember Bowden, we're really excited for you to join as a new appointment. The first item on the agenda was our new Compost Program. I took some time to explain we have a new Food Scrap Drop-off Program where we have a couple of sites around the City where residents can bring their food scraps to have them composted. It's going really well. Since then, we have our February data in, and we have over 700 participants, which is really exciting. We composted over four tons of food scraps just in February. So, we're going to track that data and analyze it, and we'll have more reports for you as we move forward. Then, Christopher Morgan, our Planning Manager, talked about the Comprehensive Plan and how it relates to water. He presented information that you are all very familiar with. Finally, Dale Morris, our Chief Resilience Officer, talked about the Army Corps of Engineers Flood Mitigation Project and how that relates to a much needed Rosemont Resilience Plan and also the Water Plan, which you all are very familiar with that, too, from his workshop last month, and that's all."

Mayor Tecklenburg said, "Any questions for Ms. McKain?"

No one asked to speak.

Mayor Tecklenburg said, "We welcome our new City Councilmembers who are now, we've rotated, and who are on the Committee, Councilmembers Shealy, Bowden, and Seekings. So, thank you all for agreeing to serve."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "I apologize. Ms. Gadsden is on the Women's Commission. I didn't see her. I didn't know that she was on Zoom. I'm so sorry."

The Clerk said, "Yes. She is a member of the Women's Commission, and she's joining by Zoom."

Councilmember Parker said, "Okay."

Mayor Tecklenburg said, "Great. Terrific. Thank you, Katie."

Ms. McKain said, "You're welcome."

Mayor Tecklenburg said, "Next up is the update on the [City's response to COVID-19](#). Tracy McKee, I think, has just a very brief few comments. We're blessed that the number of cases is way, way, down and continues that trend. The last couple of days have been in single digits in Charleston County, which is terrific. I'm still concerned of the number of deaths that I see in the State of South Carolina, though I must tell you. I think it was Monday, there were almost 100 deaths reported of COVID-19, in the State of South Carolina. So maybe this is just the folks who caught it some time ago, and it's catching up with them, but there is still a concern about that."

Mayor Tecklenburg recognized Tracy McKee.

Tracy McKee said, "Yes, deaths tend to lag, so we're still seeing the impacts from the latest surge. So, thank you, Mayor, and good evening, Councilmembers. Next slide, please. So the number of cases do continue to decline. Over the last two weeks, Charleston County has seen another 70 percent decrease. Berkeley County has gone down another 91 percent over for the past two weeks. Percent positives have also decreased, as well. You can see just a couple of months ago in Charleston County, percent positive was up 32 percent, so we're down to 4.1 percent. That's a significant improvement. Berkeley County, just at the end of January, was over 41 percent for percent positive in testing, and they are currently at 7.4 percent. Hospital admissions are down 27 percent in the past seven days, and that is for both Charleston and Berkeley Counties. Bearer of good news, finally. This is really exciting."

Mayor Tecklenburg said, "Zeros!"

Tracy McKee said, "A big goose egg. I'm not sure if I've ever been able to report at Council a big goose egg. Well, maybe we did at some point. I don't remember, but we currently have zero active cases, and actually zero who are waiting for test results right now."

Mayor Tecklenburg said, "I think this is the first time since we started."

Tracy McKee said, "I think it is. I don't recall another time. Since the beginning of the pandemic, we have had 731 employee cases. A significant number of those, I can't remember the exact percentage, but a significant number of those were with the Omicron surge. So, as you all have probably heard, there is some new guidance that has come out from the CDC. This guidance

is really based upon the number of new hospitalizations as well as the number of kinds of the strain on the healthcare system. And currently, both Charleston and Berkeley Counties are classified as medium, and so, really, what that means is basically all of the prevention strategies are really geared towards those that are at higher risk for severe disease or death. That is kind of the big takeaway for us at the moment with that medium classification. In light of that new guidance, we've paused the testing and masking requirements for employees that received an accommodation. Of course, we'll continue to adapt as things may change, as we have since day one. Watch the data, and implement any evidence-based strategies that are recommended by medical professionals. I also did want to point out CDC, MUSC, and DHEC still advise that vaccines are highly protective against severe disease and really remain the most potent and durable way to protect yourself from COVID-19. And, of course, you can still use a DHEC VAX Locator to find a provider to get vaccinated or to get your booster. I'm happy to try and answer any questions you all might have."

Mayor Tecklenburg said, "Great. Alright. Any questions for Tracy?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, we'll go on to the [Council Communications](#). First up is the discussion of COVID-19 employee vaccine and mask mandate and testing procedures requested by Councilmember Parker."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Yes, thank you, Mr. Mayor. Hey you all, here I go. Alright, the latest update that I have received is HR has suspended all mandatory testing as we heard from Ms. McKee for unvaccinated employees as of yesterday. I honestly don't believe this means we move on and forget about it. I think we need to move forward and be sure that we know how to handle these situations and what the process will be in the future. These two years have certainly brought unforeseen challenges to our City staff, Mayor, Council, and citizens. The City has reacted and pivoted as it felt it needed to during that time. I do want you all to know that my main reason for bringing this before Council tonight, is not to debate CDC, DHEC, or MUSC data, it is to just clarify the process in which we handle these mandates for both our citizens attending meetings and for our employees moving forward. As a City, we already have huge staffing challenges, mainly pay. Competing with the private sector is very difficult during a time when higher paying jobs are available, and the cost of living continues to rise. I feel that a vaccine mandate will further push out potential hires and don't think it's necessary with the information that continues to reveal itself for COVID-19. I'll quote a few things Joe Biden said in his State of the Union, 'stop looking at COVID-19 as a partisan dividing line, and see it for what it is. A god-awful disease. Let's stop seeing each other as enemies and start seeing each other for what we are, fellow Americans.' Mayor Tecklenburg said in his State of the City address, 'City Hall has for more than two centuries been Charleston's home of 'We the People'. We saw during a time not long ago, a month ago or so, for many it was not available, if you did not have a vaccine card or a negative COVID test.' Mr. Mayor said, 'trusting our fate as we always have to the grace of a loving God and the common-sense and collective wisdom of our fellow citizens, let's trust that we the people, our fellow citizens are moving forward with common-sense and making choices that help protect themselves and those around them.' Mr. Mayor said, 'we can still hear the voice of the common-sense majority. Our job is to improve our citizens' quality of life.'

I ran on a similar platform. Municipal government should use common-sense and operate solely to provide more government services to the tax paying citizens, and not play partisan

politics. These mandates have largely been made into a political weapon, and I say, we as Council for the City of Charleston say no to mandates, or at the very least vote on them. So I ask, are masks, vaccine passports, and vaccine mandates on our employees and citizens an emergency measure or routine day-to-day decisions? We all know that we are not in the State of Emergency anymore, and both our Supreme Court and OSHA have ruled on vaccine mandates. I think both the Mayor and Council need to come to a conclusion on what the Mayor's powers should be in the future in the event of on-going measures being implemented. I think we all understand the form of government that we have, but I don't think our citizens do. I think it's a good idea to clarify what the Mayor's role is in these instances and what Council's role is. The Mayor's office and Human Resources take advice from local health officials and make decisions without a Council vote, and in some instances, Council isn't even aware of certain procedures, as was made clear in the last Council meeting. If the Mayor can decide to implement these mandates, what is the point of having we, an elected Council, as the voice for the constituents? I'll reiterate some of my comments from previous meetings.

These statements are from employees and citizens that I find concerning. 'I don't find it easy being an unvaccinated member of this department. We are expected to participate in weekly testing on our day off and on our dime at times. The first two strikes are suspensions without pay. The third strike is termination. It is worth noting that if you are vaccinated and require a test for work, you are allowed to use City insurance. If you are not vaccinated, you are not allowed to use your insurance. To an unvaccinated worker this not only feels discriminatory, but resembles a punishment. In fact, the department has even proclaimed that if the mandate was outlawed by the State, the City of Charleston will still implement it. They'd rather inconvenience us, than look forward to a resolution. It's pitted people against each other and has created an agitated, stressful environment for the unvaccinated. The mandate is affecting our quality of life. We should not be forced to wear a mask at work while our vaccinated peers do not have to. Most importantly, we shouldn't have to fear for our jobs and face daily discrimination. I'll be there tonight outside since they won't get in, and I will never get in as long as there are mandates. We're losing all confidence in the government. We should have the ability to decide what is best for our own body.' Those are just comments received via email or phone. So, I wanted to share that with you and thank you for your time."

Mayor Tecklenburg said, "Thank you very much."

Councilmember Parker said, "Any discussion?"

Mayor Tecklenburg said, "Would anybody like to be heard?"

No one asked to speak.

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Yes, do our vaccinated people not to have to have to wear a mask, and the ones who haven't been vaccinated have to wear a mask?"

Mayor Tecklenburg said, "Not anymore."

Councilmember Waring said, "Not anymore, ok."

Mayor Tecklenburg said, "Based on the latest trends, we've adjusted our policy as we have throughout this unprecedented healthcare crisis over the last past couple of years. So, as the

numbers come have down, we, I think, in fact, just this week, are no longer requiring anyone to wear a mask. It's still recommended to people who are, as the CDC says have some health exposure and a few other conditions, but there are no requirements anymore. We also have just recently suspended our testing requirements for those who were unvaccinated. And, just to let you know, when they filed for their exemption not to be vaccinated, they agreed that they would comply with the testing protocol that we have put forward in the policy at that time, which we took, we set that policy really in conjunction with both the County of Charleston and the City of North Charleston, we were kind of in this together, the three jurisdictions, and we were challenged in court over this matter, and it went to Judge Norton, who upheld the County and both Cities' policies, that under the circumstance they were appropriate things."

Councilmember Waring said, "Thank you."

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

No one asked to speak.

Mayor Tecklenburg said, "Councilmember Parker, back to you."

Councilmember Parker said, "Sure, yes. Just to follow-up, on that particular court case, it was on the injunction, not the legality of it. I have lawyers in the room, can you help me there?"

Councilmember Shahid said, "I think that's incorrect. I read the judge's opinion, and he denied the injunction, and then he ruled subsequently to that, as well. So, it is the law of the case."

Mayor Tecklenburg said, "Right."

Councilmember Parker said, "But not the legality of it."

Councilmember Shahid said, "He ruled on the legality of it. It is legal. It is the law of the case."

Mayor Tecklenburg recognized Councilmember Bowden.

Councilmember Bowden, "I mean, not that this may be a pedantic point, but to issue a temporary restraining order or an injunction, the judge has to evaluate whether the plaintiffs have a likelihood of success on the merits. And so they will go through an analysis of whether the plaintiff's claim is likely to succeed, and if so, whether they are going to experience irreparable harm that can only prevented by an injunction. So, they do actually go through that analysis. I don't know about the particular posture of that case, but in denying an injunction, they would say it was the basis because there was no likelihood of success on the merits."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Thank you, Mr. Mayor. Again, I'm hoping to discuss the process. Okay, the process. This policy, while it has been lifted as of yesterday, our unvaccinated employees are no longer required to test weekly or wear a mask. But, as our HR department said, our policy remains in effect. So they can bring this back, and when I say they, I mean, really, the Mayor holds that power, because that's how it's happened in the past. There's no vote on Council for these policies. So, this policy remains in effect, and it can be brought back. Also, you know, we still do have a vaccine mandate for any new hires. I just, I certainly don't want to be the tip of

the iceberg here and push out any new hires and the already tight job market we have. There's a great job market, but the City is really struggling to get and keep employees to help provide those core government services. So, again I would like to discuss moving forward."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Alright, since we're talking about the law here, I'll just add some thoughts to this. You know, under South Carolina law municipalities have various option in the ways they want to be formed. City of Charleston is as you know has for a long, long time been a strong Mayor form of government. And that means the Mayor essentially serves as the CEO of the City of Charleston. He's the Executive Branch. He's also, you know essentially in charge of the legislative process. So in a sense, he is the President and the Speaker of the House, and the ombudsman, and he can play the piano pretty well. So, I mean my point."

Councilmen Seekings said, "You might have given him more power."

There was laughter.

Mayor Tecklenburg said, "Okay, Order, Order."

Councilmember Appel said, "Okay, my whole point of this is the Mayor runs the various departments and the staff."

Councilmember Parker said, "I know this."

Councilmember Appel said, "So, sure, so for the people that are watching on YouTube, I mean, that's the rule. I mean, the Mayor has a lot of power under our form of government. He's aloud to set certain policies for the City. That's what he's done. I think that, you know, at various points in time there's, like on a lot of issues, there's disagreement and differences of opinions, but that's how the City of Charleston is set up. There are various ways the City could be set up, but that's the system that we've got. And, I suppose that at any point in this process if there is an overwhelming feeling on Council that something ought to have been done differently or curtailed, it would take seven of us, you know, to get together to push an ordinance forward, and I guess that's how things would operate in moving forward. But, that's I guess some thoughts on the process."

Mayor Tecklenburg recognized Councilman Gregorie.

Councilmember Gregorie said, "I see it a little differently. There's a provision and the rules that clearly says 'All power lies in Council.' 'All power lies in Council.' The Mayor is also a member of this Council with one vote. As for the Mayor's role and administering the policy of this body, yes, there are some administrative things the Mayor can do. That may be procedural in nature, but when it comes to a policy issue, that policy has to be voted on by this body and carried out by the Mayor, based on my interpretation of the rules."

Mayor Tecklenburg said, "Well you certainly legislate, and if you, I head the Executive branch."

Councilmember Gregorie said, "Yes."

Mayor Tecklenburg said, "So, I administer the laws that you all pass. You all want to pass an ordinance, a law, you could do it like Councilmember Appel just said. Seven of us get together and pass a new ordinance, I'm going to enforce it for you. That's my job. It's a microcosm of what happens on the national scene, where the President is the head of administration and carries out the laws of Congress, same kind of thing. You'll note from time to time, that the President will issue an Executive Order, and some people like them and some people don't, but until Congress comes along and passes a law that counteracts some Executive Order that's been ruled upon, you know it, it stands as part of the Administration. It's a similar situation on a much smaller, microcosm scale."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I agree with you, Mr. Mayor. I just have to comment that Councilman Appel gave you so much power. He didn't see it, but you actually caused the Mayor to blush."

There was laughter in the Chamber.

Councilmember Gregorie said, "Just for clarification on Councilmember Parker's position, just so I'm clear, you're advocating no mandates, period. Right? Without coming to Council?"

Councilmember Parker said, "Would you like me to answer that?"

Councilmember Gregorie said, "Yes."

Councilmember Parker said, "Yes, I mean, obviously that would be ideal, but again, like I said in my written speech, I mean I certainly think we should have a process moving forward because we don't have the laws. What's written right now are the administrative rules and how the Mayor can carry those out. You know, anything that he pushes to HR, it happens. These are much stricter implementing mandates and testing procedures. Moving forward, I think we need to have a process. I mean, you all have seen the past two years. Someone told me, you know, you're just flying by the seat of your pants. You don't know what you're doing, right? For two years, nobody did during the pandemic. I think that's what I'm saying, maybe moving forward, we have a process for these. I mean, again, I'm one vote."

Councilmember Gregorie said, "Just for clarity, I thought we did have a process in place, especially when it came to Emergency Orders, of which, we, Council, voted on the process. Now, I would also suggest though, maybe..."

Councilmember Waring said, "Explain that a little bit more."

Councilmember Parker said, "Yes, please."

Councilmember Waring said, "Explain that part."

Councilmember Gregorie said, "Every single action we took with respect to COVID-19 came through Council."

Councilmember Parker said, "Okay."

Councilmember Gregorie said, "Okay, for Council to say 'yay' or 'nay'. All of us didn't agree all the time either. But seven votes, normally we prevail, and once those votes prevailed, the Mayor has the responsibility as the Executor, Executive Branch to carry out the mandates of Council. Period. Administratively, I don't know whether or not the Mayor has that kind of power. I don't think he does. I think it still has to come to this body for a vote. Now maybe we are interpreting the rules differently, but that's how I interpreted it. And further, maybe what we need to do in terms of process, is I think you are correct. We should start referring these issues to the Human Resources Committee, not the Human Resources Department, but the Human Resources Committee, which is made up of councilmembers, who can then make a recommendation to the body as a whole, and I think that's the way it's supposed to be done anyway. I'm not disagreeing with you, just making sure we're clear. It should come through the Human Resources Committee."

Mayor Tecklenburg said, "If I may, and Councilmember Parker, with this body, over the last two years with this unprecedented health care crisis, I still would view the whole history of it being a crisis for our country and our world. You know, I made a point to listen, as I said before, to our health care professionals. I relied a lot on MUSC, but Roper St. Francis was there as well, and we always were attuned to what the Federal government was putting out through the CDC. I happened to for many, many meetings, I attended John Hopkins' professionals as well, and then we would consult with City staff and make recommendations to Council. I can't tell you how many extra meetings we had over the last two years. Wasn't that right, Madam Clerk? The number of meetings that this Council had, literally, I know it doubled if not tripled."

Councilmember Waring said, "It was 67, Mr. Mayor."

Mayor Tecklenburg continues, "We went over this issue upside and down. If I may say, I bet Council got a little tired of our COVID-19 updates. Every meeting for the last two years, including those special meetings, we would have COVID-19 updates. And, thank you to Tracy McKee, but other staff members, as well. Honestly, she did a tremendous job compiling all the information from MUSC and the others. And all these matters were discussed with Council along the way, both the emergency ordinances we had all through out and all the discussions about masking. It went on and on, so here we are today. I think we are blessed that the numbers we're seeing have come to where they are, but that's not to say, that you know, you could have another variant of this virus, come forward and have another spike. We've seen it now three or four times if you look at over the last four years, and I respectfully believe that we need to, even though there's almost nothing left of our current policy, that was upheld by a Federal judge, that we need to keep it in place, just in the event we need it again without having to recreate the wheel. So, a lot of thought and study and thoughtfulness went into this over the last couple of years, so I just wanted to share that with you."

Councilmember Parker said, "Okay. Thank you."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Sorry. Thank you, Mr. Mayor. So, yes, sorry, I lost my train of thought, Mr. Gregorie. Yes, so that's what I thought, as well. I thought that when a mandate, whether a mask and vaccine passport to enter City buildings or a vaccine mandate on our employees and weekly testing would go through a committee, and then to Council, but the way I understood it from HR, you know it comes from the Mayor. The Mayor decides this, you know, we're implementing this, put it on them, and that's what HR told me. I assumed it went through committee as well, and again, that's the only reason I'm bringing it up is because what is the process? And I think that our City employees deserve to know as well, because as a body, they

could just, are we just going to throw this back at them when the next variant comes out? Are they going back to weekly testing? I think City employees have a right to know what the process is in the future.”

Councilmember Gregorie said, “I don’t disagree with you at all, but I think that given the circumstances that we were working under, the Mayor just brought it to the body as a whole, instead of going through the committee, because if we’d gone through the committee, the process would have taken longer. So, the Mayor brought the policy to the body of the whole, and he can. If the body of the whole votes on it, it goes through. And it does appear when that happened that we missed a process by not going through Human Resources and then to Council. Plus, it was an emergency. So, things were a little different.”

Mayor Tecklenburg said, “We have some other Councilmembers who would like to be recognized.”

Mayor Tecklenburg recognized Councilmember Sakran, followed by Councilmembers Bowden and Appel.”

Councilmember Sakran said, “Thank you, Mayor. I just want to, for the record, say that Councilmember Parker, in my opinion, is one hundred percent accurate. I don’t remember voting on the vaccine mandate for staff.”

Mayor Tecklenburg said, “Right.”

Councilmember Sakran said, “That’s your question, right? I mean it’s about the inquiry, and I agree with you. So there needs to be a process. It needs to be articulated to staff. I don’t remember a person voting on that part.”

Mayor Tecklenburg recognized Councilmember Bowden, followed by Councilmember Appel.

Councilmember Bowden said, “I appreciate the process arguments. I think it’s good to have those certainly, but I don’t want the substance to get lost in this. I mean, there is a two year track record now of realistic decisions based on what healthcare professionals are saying. Increasing when numbers are going up, when people are dying in larger numbers, decreasing when those things goes down, and that happening, really the City being pretty nimble about it. You know, I know plenty of people will have lots of ideologies about this, and they just won’t take the vaccine for whatever reason or whatever it is, but you know, just on the substantive point, the City has been doing a very good job of being reasonable about this policy. I sort of agree that it should get worked out. Predictability is a good thing, but let’s not pretend that this has been some heavy handed, totalitarian mandate, which I think it’s sort of a conversation that’s going on outside of this room.”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “Thank you, Mr. Mayor. I just want to echo what Jason said. You don’t remember voting on a vaccine mandate for employees because we never did. Yes, we passed some emergency ordinances during the height of COVID, which allowed the Mayor to have some exemplary powers. But the idea that this Council votes on every single HR policy that the City enacts is a fallacy. That’s not how it works around here. In my analogy of the Federal government, the various departments are akin to the agencies in the Federal government, where

every day there are multiple directives, and policies are set. Yes, on some core fundamental level everything emanates from the well spring of Council. To that, I absolutely agree with Councilmember Gregorie, but the day to day management, the administration of the departments, has nothing to do with City Council. It is one hundred percent the Mayor. Now, we can call some of that power back, prospectively. That's something that absolutely could happen, and that's maybe a discussion worth having. But, I do think it's important to set the record straight and be clear on the process here, that under our system of government, under the strong Mayor form, you know, there's a lot of inherent authority that rests in the Executive Branch. And, there are some benefits to that. There's some cost to that. I mean, look at some of the jurisdictions around the area that have weak Mayor forms of government."

Councilmember Appel continues, "It ain't all roses and sunshine over there, as well. So, these are challenging questions, but I think it's healthy and important to have these discussions periodically, so we make sure that we're all on the same page, and we strike the proper balance moving forward."

Mayor Tecklenburg said, "So if I may, case in point, you take our employee manual that we update every year with various edits and changes. We don't bring that back to Council every year to approve every change in our employee handbook, right? We don't. We do follow any ordinances that this Council passes, so they are consistent with our employee policies and our employee handbook. So, if we pass an ordinance saying that we are going to treat everybody fairly and equally, we make sure that our policy handbook reflects that, but no, we don't approve every employee policy that comes along. That's done on an administrative level, but consistent with anything you all pass. You all want to pass an ordinance giving us direction about any matters, for that matter, let us have it. Yes, sir. Alright, so if we could move on to the next item, which is also a request by Councilmember Parker, is to request to receive a [South Carolina Attorney General opinion regarding the same matter, COVID-19 employee mandates.](#)"

Mayor Tecklenburg recognizes Councilmember Parker.

Councilmember Parker said, "Yes, thank you, Mr. Mayor. So, yes, back to again, just the process. I don't know about you all, but I would like a strong legal opinion. I've circled. I have spoken to lawyers. I've circled around and around. I understand our form of government, as well as, I hope some of the citizens if they're listening now, or looking back later, they'll understand. The Mayor and Legal stated that I could request an opinion from the Attorney General. The Attorney General's office said that it needs to come from the Mayor, Legal or Council as a whole. Legal would not do that for me. They can only act if the Mayor asks them or Council asks them. That's what I was told. I request this evening that Council request a legal opinion from Attorney General Wilson on the executive power of the Mayor used to implement his mandate and testing policy on our City's employees and the legality of requiring vaccine passports at City sanctioned events. Hopefully, from there we can come up with a path forward on how and when to handle situations that we've seen in the past two years and have a written process for how they should be handled in the future."

Mayor Tecklenburg recognized Councilmember Appel followed by Councilmember Gregorie.

Councilmember Appel said, "So, Councilmember Parker, you have the right as a public official to request an Attorney General opinion. If Attorney General Wilson told you that you don't, he is wrong on the law. I have personally read Attorney General opinions more than I want to admit in my life doing what I do, which you will see when you read these Attorney General

opinions, which by the way, are not binding. They're just an opinion from an attorney. He's been wrong; he's been right. You see on top of these letters, he actually responds to the person who is requesting the opinion, and I actually pulled a couple of these as I was preparing for tonight's Council Meeting because I wanted to make sure, can City Councilmembers request Attorney General opinions? They absolutely can. Now, I have seen them co-signed before, where like a group on Council, would get together. Maybe there will be three or four Councilmembers, but I've also seen plenty of them where there are individual Councilmembers requesting the opinion. I would encourage you to do that. You can go to Attorney General Wilson's website. He actually has that ability to do it. Maybe you'll find some people on Council that will co-sign it with you, if you ask them about it. I don't know. Our legal counsel has opined on this issue. I think you have the right to seek the advice of the Attorney General. I'm surprised to hear that he doesn't think he needs to respond to you. I think he does. I think that's his job, to respond to public officials. You are absolutely a public official as much as the Mayor is, and as much as anyone else on Council is. So, I would encourage you to request in writing to Attorney General Wilson, and his team, to address these issues that you brought forward. I think you have the power to do that."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I agree, totally, that you have the authority to do it. One thing, when you are dealing with bureaucracy, you've got to keep going until you get the answer you want, seriously, especially when you are dealing at that level. Just keep going up the line, all the way up. The best place to go is to the decision maker, directly, so you can get the answer. Otherwise, you'll just be out there. Go to the top, all the way."

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, "Thank you, Mr. Mayor. Thank you both for saying that. Like I said, I have requested that. I've spoken with Legal, and that was the response that I got from their office. I will certainly try again. I mean, if that's where we want to go with this, but I would like the support. We can all feel differently about this situation, but I am certainly here as a voice for our City employees, and I will always side with the law. So whether these mandates are lawful, unlawful, I certainly want to hear that. You all are all attorneys. I am not an attorney. I, again, just want to know if it's lawful and how we can moved forward with a process. So, that's all I wanted to bring."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. I agree with Councilmember Appel, and certainly Councilmember Gregorie. At the end of the day, it's our collective Council, and I really like the conversational process. I think we all did. One thing about this COVID-19 pandemic, none of us knew what we were doing two years ago. Truthfully, we were kind of learning as we went. The Mayor would get with his team, bring a policy forward to Council. We debated it, brought in the medical professionals, and as the Mayor said, we got a chance to question those doctors, and we made decisions. You're right, Councilmember Gregorie, they weren't always unanimous. Now that we've got two years' experience in this, when it comes to policy going forward, we should know it. The Mayor's better for the last two years, and the Councilmembers who are around this table are better at it after two years' experience, such that if we were to have a spike, well, we had a spike two years ago, and we had no policy. None. What is that policy going forward? I think it would be good for that to be known when it comes to Council. And I think you get a better answer on that, going forward from this body and this Mayor. I respect the Attorney General, but just like Councilmember Appel said, its one opinion on that day. I think you get more results, which you

have done with first posing the question, because we should have it going forward. We should know what's going to be next, I guess. Hopefully, we're not going to have to use it again, but those double zeros were very impressive. Thank you, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very briefly, because I'm sure we're going to come back to discussing process again. I would just suggest that every member around this table read Section 2-96, which is very clear, and it's very simple. It enumerates 1.b1 – 9, 'The Powers of Mayor and the Powers of Council'. Read it, and then when we have this discussion again, I mean, to use an imperfect analogy, the Mayor is the Chief Executive Officer, and we're the Board. The only difference is we don't have a Chairman of the Board. In some ways the Chairman of the Board is probably the citizens. The Mayor's job is carry out the day-in and day-out affairs of the City and implement the policy as created by Council, of which he is a member, and it's very clear. The two powers that he's got, that we don't have to authorize him to do, the ordinance mandates and he does it, one – he gets to hire department heads. That's his job. And, two, is to present a budget to us to vote on. And then, go forth and prosper as the Chief Executive Officer, implementing our policies.

So, just read it. It's a good sort of thing for all of us to understand. I think, one of the things that you hear a lot about is we have a strong Mayor-form of government, and that means there are sort of these superpowers in the Mayor, and that's not what it means. Strong Mayor-form of government is just what I said. He presents the budget, sets the financial goals for the City, and puts his staff around them, and then implements policy. If we had a City Administrator, the Mayor wouldn't put the budget forward, the City Administrator would, and the business would run through the City Administrator's office. Instead, because of our form of government, it runs through the Mayor's office. That's the difference between a strong Mayor and City Administrator form of government. That doesn't mean all of sudden he goes into a phone booth and comes out as 'Super Mayor.' Sorry, Mayor."

Mayor Tecklenburg said, "I accept that."

Councilmember Seekings said, "So, I do agree with Councilmember Waring and others who were here through the whole COVID. We did learn as we go, and I think one of the things that is instructive is for us to, you always have after action review of things, and it's a really good thing to do. We probably need to have a little after action review of the manner in which we handled some of the things when Councilmember Sakran says, 'I don't remember voting for it', because we didn't. Whether that should be something voted on is a discussion we should have once we understand what §2.96 says. Do we need to amend it? That's up to us. Do we need to make sure it's followed? That's clearly up to us. I think having this conversation is really good, but let's have a base-line understanding of what the Mayor's powers are, or what Councils' powers are, and let's go forward.

I also want to say, I agree with Councilmember Appel, that you can clearly seek an Attorney General's opinion. You've got to do it, though, as an elected official. I don't think you are empowered to use the City's staff to do it. That would be something again, the Mayor administers staff, so we would just have to go and do it. I don't know if that clears up a whole lot, but at least it gives everyone some homework to go back and sort of have a base-line understanding. Thank you, Mr. Mayor, for indulging me."

Mayor Tecklenburg said, "Thank you. Any other discussion or comments?"

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, “Just thank you, Mr. Mayor. Again, thank you for having that discussion. Again, like I said, I’m not here to debate it, just talk about process. We have a lot lawyers on Council, just talking about the process moving forward. So, thank you, gentlemen, and I hope we can continue these conversations.”

Mayor Tecklenburg said, “Great. Thank you very much. So, next up is our Council Committee Reports. First is our [Committee on Recreation](#), which had a lengthy meeting yesterday. Councilmember Shealy.”

Councilmember Shealy said, “Thank you, Mr. Mayor. Yes, the Recreation Committee did meet yesterday at 2:00 p.m. To start us off, Troy Miller with the Friends of Muni gave us a great report on the Municipal Golf Course. As you know, it went under extensive renovations in 2020, and then the course reopened at the end of 2020, in December, and after the renovations, we still obviously offer our residents a very affordable way to enjoy the game, but now it’s on a first-class facility that has ranked 19th best in the United States by Golf.com and Golf Magazine. But the course went from having 55,000 rounds in 2019 to 67,000 rounds in 2021. They’ve also gone from 350 players with the Junior Golf Program up to 1,000 players now in the Junior Program. So, the course was also awarded the 2022 South Carolina High School Championship and the 2022 South Carolina Public Links Championship, and our Municipal Golf Course has been written about and talked about in at least a dozen national and international publications, and now that national attention is drawing tourists to our Municipal Golf Course.

So, the renovation of the golf course also helped with drainage improvements in the Woodland Shores area, as well as on the golf course itself, of course, and, traditionally, our Municipal Golf Course hasn’t made money. In fact, it’s probably lost between \$50,000 and \$100,000 annually in net income operating, but in 2021 the golf course made \$1.2 million more in revenue than it ever had before and ended up with a profit of \$550,000, which was a \$650,000 improvement over 2019. So, the Muni is also working with the Evans Scholarship Foundation, working with rising 9th graders for an opportunity to be paid caddies, and they also will have an opportunity to earn a full scholarship, including room and board, through many colleges. They also have a focus on diversity, equity, and inclusion with that program.

So, some needs the Muni had that they brought to us, they have a need for a Tee Sheet Management System that will increase the accessibility and also an ease of use system, and what that will do is it will actually bring in more revenue from out-of-towners because they can use this app. They can use this thing to log their tee times much easier. It will bring more people from out-of-town here. So, they also asked for continued landscaping, continued drainage updates. They would like to see the Muni become like a community center with expanded facilities, so they’re asking to have a pavilion looked at that would have restrooms and a snack bar on the golf course, and that would also be the home for that Junior Program, too, would be that pavilion area. The pavilion would be an event space for corporate events or any kind of events before and after golf tournaments, before and after play. The Friends of the Muni project that the combination of the Tee Sheet Management System and the pavilion could increase the revenue that they saw last year of \$550,000 to a profit of maybe \$750,000 or a million, but an updated clubhouse to create a community center and gathering place was also another ask that may be further down the road than some of these others, but they’re wanting to expand the reach for municipal golf in Charleston to everybody. They want to provide a place for everyone to come together, gather, and celebrate important moments in their lives and become a crown jewel in recreation for Charleston.

In addition to the golf, we also had a presentation from Fern White, who represented pickleball players in Charleston, and she explained the explosion of the sport, locally and nationally, and how it's really taken off and that it's played by all ages. Sometimes it's a misnomer of certain ages, but all ages are participating in pickleball, and they welcome everybody. But they are currently chalking their own lines on the existing tennis courts at Bees Landing. She explained that it's quite a bit of work that requires someone to come out an hour before play to draw the lines, and she showed some slides that compared cities of Camden, Aiken, Greenville, and North Charleston, and how many pickleball courts each one of those cities or towns had compared to their populations. Those cities showed anywhere from 10 to 32 courts with smaller populations to our City, where we only have right now, according to her slides, there are four pickleball courts that are open and available for 150,000 residents. It's not exactly accurate, and I'm going to get to that, Councilmember Seekings, I see you shaking your head. She explained on a chart how pickleball can have over five times as many participants per day as the same space as a tennis court considering the space required, and the amount of time, and the number of players. She said that the pickleball community would be willing to chip in for lines or some improvements on courts.

Director Kronsberg let us know that we heard about pickleball in the public engagement portion of the Master Plan and that it is included, although it's included in a long list of considerations, that's certainly considered in the Master Plan. Recreation Director Yarbrough let us know that we are talking with Roper St. Francis about the possibility of extending some hours on the pickleball courts there at the Waring Center. There are no lights on those courts, but they're currently not open on weekends, so maybe we could possibly do that. They currently close at 7:00 p.m. over at the Waring Center, so hopefully we can extend maybe at least until, you know, through the daylight hours possibly. There are two tennis courts on Mary Utsey that have lights and pickleball lines, however, Ms. White shared her concern with the condition of those courts, but pickleball is also being offered in the gym at Bees Landings three days a week in the morning from 10:30 a.m. to 12:30 p.m., and there are 11 courts with pickleball lines on them in gyms across Charleston. Capital Projects had lined out those courts last year, and we actually have someone with the City Rec Department, Des Brown, who is giving pickleball lessons on the Eastside currently. So, we spoke about converting racquetball courts at Parkshore, maybe using an area that the Mayor mentioned, under I-26, and maybe some other locations. As a reference to what we would be looking at financially, it was mentioned that Moultrie Playground costs was about \$100,000 for courts, but that was without lights, and that was also pre-COVID.

Director Kronsberg met last week with our consultant team to start the implementation of the Parks and Recreation Master Plan, and they will be having another meeting on March 23rd, along with BFRC and consultants, and we will report out to the Recreation Committee in April. We're accepting applications right now for the Enterprise Manager position, and Laurie Yarbrough will be starting interviews next week, and I believe Tom O'Rourke is going to assist her in that.

We got a report on Stoney Field. The Charleston County School District converted the field into a synthetic field, and Charleston County is also fixing a water leak right now. There is a parking lot, entry plaza, and fencing work being done. The Army Corps next door is also concerned with a landfill cap. We're working through some issues there. It may cause some delays to meet the requirements for the Army Corps to protect that cap on the landfill. The home stands have been updated and painted, lights were updated to LED lights, and progress continues with the contractor right now.

We have an early May projected completion for the Carr/Richardson Park. I went out there. It's a beautiful piece of property, and I'm very excited to see that open, hopefully, in May, if they stay on track.

Fort Pemberton, we're working with neighborhood associations to have engagement feedback. We've submitted for a land and water conservation grant for \$261,000, and we should know in September if we're awarded, and those funds would provide for the first phase and help move us toward preparing for a park opening there at Fort Pemberton.

We also discussed some public/private and some public/public partnerships that we have going on and, unfortunately, Daniel Strickland and Lance Tyner had some technical difficulties. They were trying to get in to make a presentation on the Maybank Tennis Center, but we will have them on in our April meeting. So, that concludes my report, Mr. Mayor. There was nothing to vote on."

Mayor Tecklenburg said, "Thank you for that report. Any questions?"

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. I was really looking forward to this Committee Report, and Councilmember Shealy did an excellent job summarizing everything, but I think we really owe Troy Miller and everybody with the Friends of the Muni really a round of applause. This is an absolute model of a private/public partnership that takes a City asset to the next level, and we're making big bucks over there. This is not some failing venture that has to be subsidized through taxpayer dollars. They are carrying their weight and beyond. I think that, as Councilmember Shealy indicated, they're going to be coming to see us for some help and some improvements, and I think we ought to remember just how far they've come. Some of these statistics that were rattled off today, because when you bring your A-game, we ought to reciprocate with that and reward this sort of really excellent work that the Municipal Golf Course is doing.

The only other thing I would say is that I'm a big fan of parks, recreation, and water access. I'm very excited about Fort Pemberton in my district and WPAL Park in my district. Last year, following the Parks and Recreation Master Plan, we considered, and unfortunately rejected, a bond referendum to raise some serious money to help move a lot of these projects forward. I think we ought to think about giving that another try this year. Maybe have some more dialogue amongst ourselves and the Mayor's Office so we can maybe get a little bit more clarity with respect to what some of that money is being used for. Nobody likes raising taxes around here, but I think if we go to our public, and we identify specific park improvements that touch each and every one of our districts and we demonstrate a track record of success there, we can get public buy-in and support for this, so let's keep the momentum going on this. I think we need to be applying more resources and funding. I think the Municipal Golf Course, Troy Miller, Friends of the Muni are setting the model for how you take these sort of enterprises to the next level. Thank you for that excellent report, and let's keep pushing forward on all fronts."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I think Councilmember Appel took most of my thunder, but I wanted to say I'm not a member of the Recreation Committee, but I did join in because I missed

our first Municipal Golf Course Commission meeting. It was held last week and just re-emphasize the things that they are looking for in the future with the pavilion and the clubhouse. That is a wonderful opportunity for us to get on. It is going to increase the availability of that facility to the public, and it's going to, of course, raise some more income. But if you haven't played out there, if you are a hacker like I am, it is a magnificent course. I made this comment at the Recreation Committee meeting, you get lost in the beauty of that course. You just want to walk around, observe, and take in the marsh views, the oak views out there, and so they have done a terrific job. A true collaboration between public and private enterprise coming together, and we just need to make sure they've got the momentum on this. Let's keep it going forward because I think even better days are ahead of the Muni.

I mentioned this at the meeting, as well, and I've been in contact with Jason Kronsberg about Parkshore. I want to give them a big shout-out. A citizen was raising some concerns about Parkshore. I shared those concerns with Laurie and Jason. They got on it immediately. If you haven't been out there recently, it's just magnificent what they have done with the Parkshore Park. Thank you, Jason, to you and your team in doing that. We've got some old racquetball courts, which I think is not being used for racquetball, but for some other nefarious conduct out there, and we're offering that as a pickleball court, to knock those things down and get that up and running. So, thank you, a good report, Mr. Chairman, and thank you, Jason, again, for all of the work that you've done out on Parkshore."

Mayor Tecklenburg said, "Councilmember Waring, did you want to be heard?"

Councilmember Waring said, "Well, Councilmember Mitchell said 'no.'"

There was laughter in the Chamber.

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

Councilmember Waring said, "Yes, that's a great report. I ditto everything that was stated."

Mayor Tecklenburg said, "So, if you think about those numbers and the fact that a good bit of the capital for our improvements were raised by the Friends of the Muni, it's about a three-year complete return on investment back to the City, based on the turnaround and revenue that you cited there, so that's remarkable. I did want to point out, even though at the time I think that report was done by Ms. White there may have been four dedicated pickleball courts, we've added a couple since then. We painted 11 courts. I don't think she was counting the four courts at the Waring Center or there are four courts on Daniel Island at the tennis center over there, so really altogether, not counting the gym users, it's about 25 courts now in the City where you can play pickleball. They're not all dedicated courts. Some of them are conversion or have pickleball lines on the tennis court, and we need more, and that's why we were brainstorming any other hard surface that we might can add them. So, we're really working on that and going to add some more in the near future, but there are more available than cited in that report. So, anyway, thank you. Great report, Councilmember. Next up is our Committee on [Public Works and Utilities](#), Councilmember Waring, oh, Councilmember Mitchell now."

Councilmember Mitchell said, "Yes, before Councilmember Waring comes forth, I just want to mention that, essentially part of Recreation, that the CCPLC organization that is on the Eastside with Mr. Jones, we have been working last year with the General Manager of the Charlotte Hornets, and they have issued 100 tickets to Mr. Jones to bring some of the young kids up to the game in Charlotte, North Carolina. I think they will be playing the Sea Island Hawks, I believe.

Well, that game is with 100 tickets, so the only thing they are required to do is provide the transportation, and the tickets will be given to them. So, what he is going to do is, some of the volunteer coaches that work with the Recreation Department, is give 50 tickets over to them, then we can at least bring ten of each one of the kids up there that they manage over there. With these nine young people that are going, they're going to have a chaperone for each nine kids, so that's something that they will be able to see things in actuality with basketball and the General Manager. I was there when the General Manager called, and this is something they are doing for the underserved community. I advised him that we could try to get together and have a mixed sort of diverse group of young people that's going down there when this is happening. We have one of our former Councilmembers that is also working with him to try to assist him in providing transportation insofar as the bus. We also reached out to the Mayor, too, to see what we can do and anyone else that has things with buses, big Trailway buses, or big buses like that, to let us know so we can try to get this transportation set up for the young people to go there. If you even want to give anything towards it, you can contact Michael Whack with the City of Charleston, who is going to be working with us also insofar as a City standpoint. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Are we to the Public Works Report?"

Mayor Tecklenburg said, "Yes, sir. We're ready for that."

There was laughter in the Chamber.

Councilmember Waring said, "Okay. Thank you, Mr. Mayor. The [Committee on Public Works and Utilities](#) did meet yesterday. Item a. is outstanding work on the City's behalf, this Low Battery Seawall and the appropriations to extend it, I think, another 1,800 ft. It's been going along, frankly, at record pace and at a record price. On that point, I'm going to defer this part of the report to Councilmember Seekings. Would you like to have any comments on that?"

Councilmember Seekings said, "I'll be brief. Thank you, Mr. Chairman, thank you, Mr. Mayor, and thank you, fellow Councilmembers. If you haven't been down to the Low Battery, I really would encourage you to go and take a look and see what we're doing with, not actually our property tax dollars, but with our hospitality dollars. Tourism is paying for an incredible renovation of a wall that was originally built in the early 1900s and has basically been untouched since that time. This project is not a new build, it's a retrofit of that wall, which was originally built, by and large, on helical wood pilings, on wood in the water. So, it's an amazing project and just a couple of things for you to know as we vote to approve, which we already did through Ways and Means, the contract for both the construction and the construction management of Phase 3 of the Low Battery Seawall, which will be done in four phases. Phase 3 is really the combination of two phases. It's really about a phase and three-quarters. It's 1,800 ft. and, just so you all know, the first phase was 850 ft., and the cost per foot to do that project from the outset was about \$11,800 a foot. We didn't know much about what we were doing. Well, they didn't. We didn't know anything, mobilization and the like. So, and there was one parklet built. If you go down there, there are little bump-outs at cross streets. We call them parklets. They're great. There are benches on them. You can recreate. So, we did it for about \$11,800 a foot.

Phase 2, which is about to close out, which is 1,100 ft., was done for about \$9,500 a foot, which is really pretty remarkable. The last phase, which we're about to vote on, if approved, when it's completed, will be done for \$10,444 a foot with not one, not two, but three of these parklets. Now think about that just for a second, what's happened in the last three years in terms of the

costs of doing business in the world of construction. It's gone up somewhere in the vicinity of 30% to 40% in some instances, and this is a project where we're pouring concrete like crazy, and concrete is one of the things that's gone up, so the team that is out there has been amazing. Internally, Matt and his team and Frank Newham have done a great job managing this project. Gulf Stream, which is now going to be the Phase 3 contractor, has done a great job, and I think, apropos of the fact that we're talking about Women's History Month, and we've got a report tonight on the Commission for Women, the Construction Manager of this project for the engineer, who has been out there every single day rain, snow, heat, cold, and if you go and meet with her and you look at her boots, you will know how hard she has worked is a woman named Laura Boisclair. She has done this project pretty much, from a management perspective, on her own. It's been really amazing, so I commend this project to you.

I really encourage you all to go down there and take a look at it, to meet the team that's putting it in place, to talk to Frank Newham. It's a victory for the City that we're here, that we've done it to date on schedule and on budget, and that was no small mistake. Mr. Mayor, we started thinking about this long before you were elected. Councilmember Waring and Councilmember Gregorie were probably two of the biggest hawks on making sure that we put enough money aside, but not too much and that we had a good finance plan, so I hope this will stand as a model going forward. We've got lots of challenges going forward with large scale infrastructure projects. This is a pretty darn good model for it. So, thank you, Mr. Chairman, for handing this off to me and allowing me to just put a few words in, but it's really going to be an incredible amenity when it's done, and not just to protect us, but to allow us a one-mile long really incredible linear park, so please go down and look at it. I thank you all for your support of this project. It's something that's going to be an incredible benefit to the Peninsula, and to the City, and to the region. So, thank you."

Councilmember Waring said, "Mr. Mayor, you pulled together a wonderful team on this one. You might have a few words on this?"

Mayor Tecklenburg said, "Well, thank you, and there's not much to add. You covered it very well, Councilmember Seekings. I would just state a correction to the article I saw this morning, which said that this was the final phase. It's not. Originally, we had planned this to be in five construction phases, we've knocked it down to four, but this is just Phase 3. So, this is going to take the reconstruction almost to King Street, but not quite, and then we'll have one more phase to get us from where this ends down to the corner, down to the High Battery, which is the shortest distance, but it includes White Point Gardens, and so there will be more parklike considerations in the final Phase 4. So, we're getting there, but this isn't the last phase. We will still have one more to go after this one and, anyway, I wanted to point that out."

Councilmember Seekings said, "And I do think that that article was corrected. We talked about that today. One of the things that I might add really quickly, and thanks to Councilmember Waring and the Mayor who sit on the Board of Charleston Water Systems (CWS), Charleston Water Systems has contributed an enormous amount of money to this project. In this phase alone, they're putting in \$2.7 million, and what that money is used for is for the relocation and upgrading of utilities along there including the water supply. Once we get done with Phase 3, the good news about Phase 4 is there is very little utility work that needs to be done. Phase 3 is probably the biggest portion of it, as is evidenced by the fact that it's the biggest contribution by Charleston Water Systems. So, once we get to Phase 4, we've got the park to worry about, but we don't have as many issues with utilities and getting in there. So, thank you."

Mayor Tecklenburg said, "Good."

Councilmember Waring said, “Charleston Water Systems has been a wonderful partner on this one. As a matter of fact, there is a piece of property that the Mayor, would you touch on that piece of property that was going to be a green space that now will also contribute to hopefully some of our flooding issues that we’re buying from CWS?”

Mayor Tecklenburg said, “So, there is a lot at the corner of Limehouse and Murray Boulevard. It was vacant. Charleston Water System had bought it because they needed to put a shaft at that corner down to their deep sewer tunnel, so they were done with all of that and were in a position to sell the property. Thankfully, they partnered with us, and we came to an agreement. The City is going to buy the property. We have that under contract, and we have the opportunity because one of our archway tunnel lines, one of the main ones, ends there as an outfall. In the future, we’ll be able to put a pump station to help with our drainage of the Peninsula, and that won’t take up the whole lot. So, in this whole theme that Councilmember Seekings mentioned of having this linear park, we’re going to be able to add a little more than a linear portion there to that piece of property and have a parklike feature along with reserving what we feel will be definitely needed a future pump station at that site. So, once again, as noted, Charleston Water System has been an amazing partner, not just on this project, but in just about everything we do that goes under the surface.”

Councilmember Waring said, “Keep in mind that this is a linear park, and it’s one of the best linear parks this side of the Mississippi, and it belongs to all of us, all of us. My wife and I go down there often after church. We circle from St. Patrick’s and go on down to the Battery and take a little walk time. I invite all of you to do that. We live in an international City. If you don’t believe it, walk down our sidewalks, and you will hear all kind of languages being spoken around you, so we invite the world to see this. We have a lot of pride in this project. With that, I call for the motion to approve the dollars.”

Councilmember Seekings said, “Second.”

Mayor Tecklenburg said, “We have a motion and a second. Any further discussion?”

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Seekings, City Council voted unanimously to approve Item I.a.(i) of the Committee on Public Works and Utilities Report as presented:

a. Stormwater Management Department Update:

- (i) Low Battery Seawall Project Phase 3 – Recommend approval of a construction contract with Gulf Stream Construction Company, Inc. in the amount of \$21,496,256.00 for the restoration of the Low Battery Seawall from Limehouse to King Street. With the approval of the project budget staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council Approved Budget. Approval of this item will institute a \$51,303,289.39 project budget from Hospitality Funds, Municipal Accommodations Tax Funds, Charleston County Accommodations Tax Fees, CWS Contributions and a future Hospitality Revenue Bond.

Mayor Tecklenburg said, “You just approved \$21.5 million for the Low Battery Seawall.”

There was applause in the Chamber.

Councilmember Waring said, "I agree. I agree. We have a nickname for Councilmember Seekings. We just started calling him Councilmember 'Money Bags.'"

There was laughter in the Chamber.

Councilmember Waring said, "The rest of the agenda, as you see, most of it was an update on Calhoun West, which was postponed, Orleans Woods was postponed, Cooper/Jackson was postponed, but it was a good discussion on Lake Dotterer. It is a situation that I'm going to defer to Councilmember Shealy on. He asked for it to be put on the agenda."

Councilmember Shealy said, "Thank you, Councilmember. I appreciate the opportunity. Lake Dotterer, a lot of you know, has flooded over and over again. They've had major flooding three times. It's part of our City park, part of the West Ashley Park. When you look back at where and why this flooding has occurred, the Weston & Sampson Church Creek Basin Study showed that this creek should flow out into Longbranch Creek, which goes underneath the Glenn McConnell Parkway. So, when the Glenn McConnell widening project was going on, it was actually included in there to put pipes back underneath the Glenn McConnell so that lake could flow out into Longbranch Creek. The bad news is somewhere along the line, the State has said you can't use the half-cent sales tax. Now, when the State, and I know Councilmember Appel disagrees with that, and maybe there's a fight there, I don't know, but we were all excited when this thing was going to go through. It made sense. We're going to do this all at the same time. The road is going to have to be cut, so the pipe goes down, so that that lake can drain. It was a great idea, and everything is good until this ruling comes down, and then all of a sudden it's not a great idea anymore.

I've got to tell you that, in a lot of areas, if people's homes had flooded three times, and we continually have issues with it, and we're draining this lake every time we have storms coming, in a lot of other areas, \$2.6 million, when we just approved \$21 million is, to me, I was very disappointed in the lack of urgency, I guess, that I saw in this thing. The people of West Ashley deserve just as much as anybody else when we know they are going to flood. So, I came out of that meeting, I'm not on that Committee, but I came out a little bit disappointed in what's going on. So, what I would like to do is I'd like to add this to our next City Council agenda so that we could have a discussion on this. I just feel like there should be that urgency and that we should be taking care of people that live in a flooded area. If we could add that, I'd appreciate it. Thank you."

Mayor Tecklenburg said, "We'll be glad to do that. Yes, sir."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Waring said, "We're still on Public Works now."

Councilmember Gregorie said, "I know we are. The agenda, Councilmember Parker and I, in particular, I mean, we're getting a lot of e-mails with regard to drainage issues on James Island, particularly the WAMBAW Project, Central Park, and we would like to get an update on that project, particularly since back in 2015 is when we started, and it took us many years just to get the money for the study, as you know, Mr. Mayor. Now I think that many of the residents on the Island are a little uncomfortable because they're not sure whether or not this project is

continuing to be a priority. I thought we had set aside \$5 million specifically for this project. We need to get some clarity so that Councilmember Parker, as well as Councilmember Appel, will be able to provide current and appropriate information to the residents of the Island because they're really getting concerned. In addition, if we can just get an update on all of the drainage projects on James Island, I think it would be good, not just for Councilmember Appel and I, but more so for Councilmember Parker."

Mayor Tecklenburg said, "So, if I may respond to that request and, really, if I may respectfully say to the Lake Dotterer request, as well, we've been planning for some time to have a Budget Ad Hoc Committee meeting to review where we are with the Drainage Fund and projects that, both small and large, that are in the planning phase and hadn't been funded yet and try to set those priorities. Amy was supposed to set up a date, but I don't know if it's been set yet."

Councilmember Gregorie said, "Mr. Mayor."

Amy Wharton said, "We're going to bring that to Council the first meeting in April."

Mayor Tecklenburg said, "The first meeting in April."

Ms. Wharton said, "Like we did kind of last year, that presentation."

Councilmember Gregorie said, "Right. Exactly. Because that's really what I'm referring to, Mr. Mayor, and you were prioritizing them."

Mayor Tecklenburg said, "That's right. So, could I respectfully ask that, rather than come to the next Council meeting, that we take both of these together and the rest of it by process to our Ad Hoc Committee meeting? Everybody is welcome to attend and then that Committee will, of course, report at Council as they normally do, but I think that would be a good procedure and kind of look at it a little more holistically than piecemeal because, like I say, there's Lake Dotterer, there's James Island, there's Johns Island. We do need to look at all of them, and Amy's coming forward to maybe share something further with us."

Ms. Wharton said, "Last year what we did, Mayor, was we took it to Public Works Committee first, and then we did it to full Council, if you remember that. If that's what you wanted us to do again this year."

Mayor Tecklenburg said, "Yes, but on the budget side, I thought we had decided we would do an Ad Hoc Budget meeting, as well."

Ms. Wharton said, "I thought we were doing it like we did last year, so we can do it whichever way. It doesn't matter."

Mayor Tecklenburg said, "Either way is fine with me."

Councilmember Gregorie said, "Mr. Mayor, just, I'm sorry."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Mr. Mayor, you know, we've got a short window of time with working with this widening project, and we've already brought this to Public Works."

Mayor Tecklenburg said, "Right."

Councilmember Shealy said, "Like I said, we've got a short window of time. If you do this project twice, the thousands and thousands of people that live in District #10, that live in District #2, that live in District #5, and the thousands of people who bring their kids to West Ashley High School, and bring them to C.E. Williams Middle School, and bring them to the playgrounds out that way are going to have to go through this. They already sit in horrible traffic right now. If we don't do this while the County does it, we're going to have two road construction projects that are going to bring terrible traffic to an area that already has terrible traffic because we're going to be doing construction twice. It does not make sense. Because of that short window of time, I'd really like to request that we put this on the agenda for the next City Council meeting."

Mayor Tecklenburg said, "That's fine, sir."

Councilmember Shealy said, "Thank you."

Councilmember Gregorie said, "And Mayor."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Just so that we are clear, it's my understanding, correct me if I'm wrong, that we had \$5 million specifically for WAMBAW and Central Park."

Mayor Tecklenburg said, "No, sir. I don't recall it that way."

Councilmember Gregorie said, "I know you don't, but we need to go back to the minutes of the meeting because I think we had gained \$5 million in interest on something, and we dedicated that \$5 million to that project. So, we need to go back to the minutes of the meeting because we voted on it, as a Council, that that \$5 million would go towards the WAMBAW Project on James Island. I just want to make sure that that's clear."

Mayor Tecklenburg said, "We'll be glad to do that."

Councilmember Gregorie said, "So, if you can pull the minutes, that would be fine."

Mayor Tecklenburg said, "Which meeting was this?"

Councilmember Gregorie said, "I can't remember, but I think that there is a way to research it."

Mayor Tecklenburg said, "I think it's when we refinanced the Stormwater Bond."

Councilmember Gregorie said, "Yes, it was."

Mayor Tecklenburg said, "And there is some savings annually over an extended period of time."

Councilmember Gregorie said, "But whatever it is, extended or however, we've got to make sure that those dollars are dedicated to the Island for this project."

Mayor Tecklenburg said, "We're going to check that. Back to our Committee Report."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Back to me to finish this report. Thank you, Mr. Mayor. Would you believe it or not, everything else passed unanimously and that, collectively, is the extent of my report."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Thank you. Do we need to take action on any of those items?"

The Clerk said, "The ordinance."

Mayor Tecklenburg said, "The ordinance. We do need to take action on the ordinance."

Councilmember Waring said, "But I thought Ms. Copeland was going to put a little tweaking into it."

Mayor Tecklenburg said, "That's right."

Julia Copeland said, "You're talking about Ashley Harbor?"

Councilmember Waring said, "Yes, ma'am."

Mayor Tecklenburg said, "That's right. It didn't pass anyway."

Ms. Copeland said, "Correct. The way the ordinance is written is to approve it in a form that is later approved by Legal, so we're still working through the tweaks."

Councilmember Waring said, "That's what I thought. Thank you. We didn't vote on it in the Committee meeting because of a little bit more tweaking, that's all."

Mayor Tecklenburg said, "We're coming back?"

Ms. Copeland said, "Well, I think you voted to move it forward. I think that's what I recall just by the way it was drafted on the agenda, and you gave us some instruction on the tweaks."

Mayor Tecklenburg said, "Okay. So, we don't need to take action upon the Ashley Harbor matter?"

Councilmember Waring said, "I don't think we voted."

Ms. Copeland said, "You can tonight, or we can wait until we get it into final form."

Councilmember Appel said, "So, I definitely made a motion regarding the Ashley Harbor thing, to move forward as modified. You know we were going to limit the scope of the maintenance and all of that stuff."

Ms. Copeland said, "Correct."

Mayor Tecklenburg said, "That's right. Okay."

Councilmember Waring said, "Well, I so move that before Council."

Councilmember Appel said, "Second."

Mayor Tecklenburg said, "Thanks for the reminder. We have a motion. It was amended in Committee that we allow this easement to go forward with some further refinement, definition of what maintenance means by Legal Counsel, correct? Alright. Any further questions about that?"

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "I didn't have a comment about that specifically, but I just wanted to follow up on Councilmember Shealy's very passionate plea for Lake Dotterer and some of that work over there. I've researched Charleston County's Half-Cent Sales Tax Referenda enabling ordinances extensively over the years. I am here to tell you, you cannot fund a pure drainage project through the road half-cent sales tax money, but if you can tie and connect a road project to an ancillary drainage project, you can 100 percent use Charleston County Half-Cent Sales Tax dollars for that purpose. Charleston County has a lot of money they get to play with every year. This half-cent sales tax measure has generated over a billion dollars since it was first enacted. The \$2.6 million Change Order to whatever they're doing over at Glenn McConnell is a rounding error for the County and guess where all of the, or a really large percentage, of the sales tax revenue gets generated in this County? It's right here. So, I think Councilmember Shealy is right on target and to the extent there is a lot of like bad legal advice that's been given around lately, you know. We've got people telling Councilmembers they can't request an Attorney General Opinion. We've got some very wrong legal advice on the half-cent sales tax issue. I'm sorry. I have to say it, and I just think that we need to find a way to help Councilmember Shealy out over there."

Mayor Tecklenburg said, "Alright. The motion on the floor is regarding the Ashley Harbor neighborhood."

Councilmember Appel said, "Sorry about that."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I'll comment after we take the vote on the motion."

Mayor Tecklenburg said, "Okay. Any further discussion regarding Ashley Harbor?"

No one else asked to speak.

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

An ordinance to accept non-exclusive stormwater drainage easements, marked in the attached plats and incorporated herein as Exhibit A, for the purposes of periodic inspection and maintenance by the City in the Ashley Harbor neighborhood, in a form approved by legal counsel.

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. I'm not trying to beat a dead horse on this, but we've gotten into this discussion about Lake Dotterer and the very limited funds we have on Stormwater Management. So, I just want to make sure the process is correct because we're all jockeying around here for money. I've got several projects in District #9 that have been on the waiting list, and they have been deferred from time to time, and these folks are maybe a little smaller group of people it may impact, but they have been waiting for almost a decade to get relief. So, whatever process we're going through, and Councilmember Gregorie brought up a point dealing with issues on James Island. So, I don't want to undercut what Councilmember Shealy is concerned about with Lake Dotterer, but I just want to make sure that we're following the process. There seems to be some confusion about this. We've got Stormwater fees that we set aside, and we have also a million dollars that we set aside for what has been called 'the smaller projects' on that. I haven't seen Matt here, but we try to create, he was here earlier, a process on prioritizing those particular projects, particularly they call them the 'small projects.' I don't want us to get derailed and lose sight of that and make sure that our priorities are still straight on that. Councilmember Shealy has got a good point that we don't want to re-do something that is in the process of being under construction, but I don't want to lose my position in line either for these projects that we have. So, if we're going to meet in April, let's meet in April to start having this discussion about some of these projects. If we're going to bring it back up in City Council, I want my projects brought up, as well, then, too. I don't want to default on those issues that we're dealing with, and I know Councilmember Gregorie's got some issues in dealing with this, as well, so, now, I'm just concerned with the process. Where are we going with this now? Are we going to have a meeting in April to talk about this, or we're going to bring this back up at City Council next time?"

Mayor Tecklenburg said, "We're definitely going to have a meeting in April to talk about all of the projects. Councilmember Shealy, could I, I wouldn't call it a compromise, but let me, we discussed this matter at great length yesterday in the Committee meeting, and it's a little complicated, you know, it's not as easy as just putting the pipes under the road. You've got to basically put them in and close them off, so they're not going to do any good until you do Plan B and C further in Longbranch Creek, and we have so many days in which to notify the County that we're going to proceed with putting up the money to do the project, even the pipes. So, as explained to us yesterday, and I made a suggestion that I didn't follow up with, as of yet, I am right now. Why don't we ask our Stormwater Department to proceed to get the permit that they need from the Corps of Engineers even to do the pipes, okay? They've got to still get more permitting in place in order to proceed with the County project.

In the meantime, we've got to figure out what happened with Longbranch, what the benefit is of dealing with the dam, and where to spend our big money, so to speak, next, but there is no reason why we can't keep the ball rolling, in my opinion, based on that discussion yesterday, and it is within my authority to ask Mr. Fountain to proceed with getting that permit in place. So, we won't lose any time in that sense of urgency while we come back to everybody in April and talk about all of the projects together because, basically, we've got to decide are we going to spend \$2.6 million of City funds to put those pipes under there that won't be utilized maybe for some years in the future. I respect if we make that decision, that's fine, but that may mean, you know, you don't do something else somewhere else, but we all have to make that decision. But, there is no reason, and it won't cost us, I think Matt said it would maybe cost \$50,000 to proceed with continuing to get and apply for a permit, and I'm willing to authorize him to proceed and keep on that track."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I agree with all of that. We're having a lot of conversation, but if Councilmember Shealy were to, if we were to put that on the agenda--"

Mayor Tecklenburg said, "It's fine to be on the agenda."

Councilmember Waring said, "But in the next two weeks we're going to find out more information on this, I promise you, because we're going to have conversations with County Councilpersons. Councilmember Appel made a valid point. Mr. Fountain can continue with your instructions, and with that additional information in two weeks, we can defer that, but I think we couldn't put it back on the agenda. I think this one, because of the County moving forward, if you would allow, put it on the agenda."

Mayor Tecklenburg said, "Absolutely."

Councilmember Waring continued, "In the next two weeks, we've got enough items on this agenda tonight that are going to be deferred. We can easily defer that."

Mayor Tecklenburg said, "Yes, sir."

Councilmember Waring said, "Thank you."

Mayor Tecklenburg said, "But I'm suggesting to you we'll keep the ball rolling in the meantime and keep all options open."

Councilmember Shealy said, "Okay."

Mayor Tecklenburg said, "I think that's most reasonable and, with all due respect, Councilmember Appel, we and the County jointly asked the Department of Revenue (DOR). They said, 'no.' Now, maybe Legal Counsel could tell us we can petition the State or sue the State or there's maybe some subsequent action we can take, but our definitive answer from the Department of Revenue, for whatever reason, Julia can explain it rather than me, but they said 'no.' Honestly, I don't know that the County minded that response, but that's another issue."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor, and I'd be fascinated to see that correspondence, Julia, when you have a moment, no rush. I don't know the ins and outs and specifics of Lake Dotterer. I don't follow it that closely, no offense. I've got my hands full over in District #11, but I do want to just make one quick point before we move on to the next Committee Report. It's something that Councilmember Waring has mentioned a time or two over the years, and it directly addresses something that Councilmember Shahid mentioned, which is to say that the City of Charleston, currently, we're very limited in the resources we have dedicated to Stormwater. You know, the Stormwater fees, they're great, it allows us to do some work, but it's not big, big time. So, my point is, is that when there are opportunities to leverage other funding sources, whether it be the County's half-cent sales tax, whether it be TIF revenue downtown, that frees up the Drainage Fund for the Windermere Basin Project, for the WAMBAW Project, for the DuWap implementation, for Lake Dotterer, and things of that nature. So, it's very important for us, and our City does a great job at this, you know, looking at different alternative funding sources to get these projects done because we will not solve, I'm telling you right here, we will not solve our off-Peninsula drainage problems purely on our Drainage Fund. I mean, it's just not enough resources, especially given all of the stuff we're doing downtown, rightfully so. We've got to find

alternative sources of revenue when they exist, and it may be the case here, it may not, but I look forward to seeing what the DOR has to say, and we'll go from there. Thank you, all."

Mayor Tecklenburg said, "Alright. Terrific. Any further comments or questions?"

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Well, I just wanted to respond by saying, you know, I've been on Council, this is my fifth year. I've never seen a drainage project turned down that's come to Council, and I have certainly voted 'yes' on every one in probably every different district. I believe this is a unique situation where we've got a small window of time, not trying to take anything from anyone, because like I said, I have voted positively on every drainage request that's come before City Council in the time that I've been here. I support everybody's drainage problems, everybody's district, but I just think we've got a unique situation where we have a small window of time. I do believe that we'll have more information in two weeks when this comes back up, just like Councilmember Waring said, and we'll have a lot more information, and maybe we can move forward. Thank you."

Mayor Tecklenburg said, "Great. So, back to you, [Committee on Special Facilities](#). Councilmember Shealy."

Councilmember Shealy said, "Alright. Thank you, Mr. Mayor. The Committee on Special Facilities met this afternoon in person. We did have one Councilmember that met virtually through Zoom, and we unanimously approved a Memorandum of Understanding between the City of Charleston and the Coastal Community Foundation regarding the construction of a grave memorial on the Gaillard Center grounds along George Street. This is the same one that Mayor Tecklenburg was talking about in the Ways and Means Committee. The City of Charleston's costs for the memorial will not exceed \$250,000. Funding has been included in the 2022 Hospitality Fund budget, so I guess we need to vote on that from here."

Councilmember Mitchell said, "So moved."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Any further discussion?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to approve Item I.3.a. of the Committee on Special Facilities Report, as presented:

- a.** Approval of a Memorandum of Understanding between the City of Charleston and the Coastal Community Foundation regarding the construction of a grave memorial on the Gaillard Center grounds along George Street. The cost of the memorial will not exceed \$250,000. Funding has been included in the 2022 Hospitality Fund budget.

Councilmember Shealy said, "Thank you. We also had an update on facilities from Matt Frohlich. I want to see--"

Mayor Tecklenburg said, "He's still here."

Councilmember Shealy said, "Matt's still here. Thank you, Matt."

Matt Frohlich said, "Thank you, Councilmember Shealy. I just updated the Special Facilities Committee on the City's special facilities, what had happened in 2021 and what we are working on for 2022. Just real briefly here, the Dock Street Theatre had visitation around 30,000 in 2021. We completed a new five-year lease and Facilities Use Agreement with Charleston Stage. We did have some impacts on rentals because of the pandemic, but we did have quite a few events. We have a full schedule on the books for 2022.

The Maritime Center, we saw 334 transient boaters and had fuel sales of 57,000 gallons. We completed the Lease Agreement with the Aquarium and the License Agreement with Charleston Harbor Tours. We are doing some upgrades to waterlines and electric on the docks in 2022. The Boat Exchange had 83,000 visitors. We are doing some updates to panel displays there.

The Old Slave Mart Museum had 78,000 visitors. We are doing some updates there and a model put in. The big one, Angel Oak Park, had 336,000 visitors. That included being closed on some Wednesdays in 2021, but we are re-open on Wednesdays effective this week. Thank you."

Councilmember Mitchell said, "That's good."

Mayor Tecklenburg said, "Thank you. Any questions for Mr. Frohlich?"

No one asked to speak.

Mayor Tecklenburg said, "Alright. Thank you for that report."

Councilmember Shealy said, "Thank you. That concludes the report. Thanks."

Mayor Tecklenburg said, "Okay. Next up [Committee on Ways and Means.](#)"

Councilmember Gregorie said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Any questions, additions?"

No one asked to speak.

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

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

(Bids and Purchases

(Budget, Finance, and Revenue Collections: Approval of the 2022 Master Lease Purchase Financing Agreement with TD Equipment Finance in the amount of \$7,183,453. 40 Calhoun St., Charleston, SC. Solicitation Number 22-B001C. [Ordinance]

- (Budget, Finance, and Revenue Collections: Approval of Workers Compensation Excess Insurance renewal with Safety National in the amount of \$423,090. Renewal of excess insurance and the 22/23 policy runs April 1, 2022 to April 1, 2023.
- (Budget, Finance, and Revenue Collections: Approval of an Agreement with GFOA to assist the City of Charleston in selection of a new Enterprise Resource Planning (ERP) Advisory Services system in the amount of \$229,500.
- (Fire Department: Approval to submit the 2021 Fire Prevention and Safety Grant (FEMA) after the fact in the amount of \$86,525 for smoke alarms, a fire extinguisher training prop., and creating a fire prevention vehicle. There is a 5% match (\$4,120.24) in the FY2022-23 budgets. Depending upon timing of the grant award, funding will need to be found in the 2022 budget or budgeted in 2023.
- (Fire Department: Approval to submit the 2022 State Homeland Security grant in the amount of \$101,500 for Charleston FD Collapse Search and Rescue Team. There is no financial impact with this grant in the FY22 or 23 Budget. There is no City match required.
- (Mayor's Office for Children, Youth and Families: Approval to accept the AmeriCorps VISTA Grant Award, providing up to 19 AmeriCorps Members and 16 Summer Associates to serve in the Charleston Community with nonprofits and organizations focused on eradicating poverty. There is no fiscal impact. The cost share will be provided through site fees received from the participating organizations.
- (Stormwater Management: Approval of Low Battery Seawall Repairs – Phase III Construction Contract with Gulf Stream Construction Company, Inc., in the amount of \$21,496,256 for the restoration of the Low Battery Seawall from Limehouse to King Street including \$2,729,883.61 of work to be funded by CWS. With the approval of the project budget, Staff is authorized to award and or amend contracts less than \$40,000, to the extent contingency fund exist in the Council approved budget. Approval of this will institute a \$51,303,289.39 project budget, of which the \$21,496,256 Construction Contract will be funded. The funding sources for this project are: Hospitality Funds (\$17,077,901.53), Municipal Accommodations Tax Funds (\$15,651,479.68), Charleston County Accommodations Tax Fees (\$400,000), CWS Contributions (\$4,876,746) and a future Hospitality Revenue Bond to cover the rest of the project.
- (Stormwater Management: Approval of Low Battery Seawall Restoration – Phase III Fee Amendment #10 in the amount of \$842,381.31 with Johnson, Mirmiran and Thompson, Inc., for construction management and inspection services related to Phase III of the Low Battery Seawall Restoration project from Limehouse St. to King St. Approval of this fee amendment adds 548 days to the contract time. Approval of Fee Amendment #10 will increase the professional service contract by \$842,381.31 (from \$2,863,471.05 to \$3,705,852.36). The funding sources for this project are Hospitality Funds (\$17,077,901.53), Municipal Accommodations Tax Funds (\$15,651,479.68), Charleston County Accommodations Tax Fees (\$400,000), CWS Contributions (\$4,874,746) and a future Hospitality Revenue Bond to cover the rest of the project.
- (Police Department: Approval of agreement renewal between the University of South Carolina and the City of Charleston Police Department to work in collaboration of Racial Bias Audit Plan. Total cost for the renewal is \$37,000. The cost is budgeted for in the FY22 budget.
- (Police Department: Approval of an application for an Elder Advocate and Resource Specialist for the CPD Victim Services Unity under the Victims of Crime Act Grant

- Program (continuation) in the amount of \$54,975. The application is due on April 27, 2022. The project requires a 57% City match of \$72,872.
- (Police Department: After-the-fact approval to submit two Project Proposal Worksheets for the 2022 Homeland Security Grant administered through SLED in the amount of \$207,000 for a Modular Vehicle Barrier System and \$472,000 for a Total Containment Vessel, total of \$679,000. The Worksheet was due February 25, 2022. There is no City match required.
- (Legal Department: Approval of a Memorandum of Understanding between the City of Charleston and the Coastal Community Foundation regarding the construction of a grave memorial on the Gaillard Center grounds along George Street. The cost of the memorial will not exceed \$250,000. Funding has been included in the 2022 Hospitality Fund budget.
- (An ordinance to authorize the Mayor to execute a deed and any other necessary documents, approved as to form by the Office of Corporation Counsel, Quit-claiming to Children's Museum of Charleston the City of Charleston's right, title and interest, if any, to that certain portion of property bearing TMS No. 460-16-02-010, and subject to certain exceptions and other matters to be approved by the Office of Corporation Counsel. **(DEFERRED)**
- (Request approval of an ordinance authorizing the Mayor to execute on behalf of the City the Lease Agreement between the City of Charleston and Lucier Enterprises, LLC. The monthly base rent is \$3,816 (\$36 per square foot), with a 3% annual increase. The tenant will also reimburse the City for property taxes, insurance, and CAM. The property is owned by the City of Charleston (401-B King St.)(Suite B in the Francis Marion parking garage retail complex)(TMS No. 460-16-04-008).

First reading was given to the following bills:

An ordinance to authorize the execution and delivery of Lease Purchase Agreements with TD Equipment Finance, Inc. in order to provide for the acquisition of various vehicles and associated collateral, various maintenance equipment and associated collateral, Information Technology equipment to include computer, laptop and tablet replacement, and mobile data terminals for Police; to provide the terms and conditions of such Lease Purchase Agreements; to provide for the granting of a security interest to secure all obligations of lessee under the Lease Purchase Agreements; to authorize the execution and delivery of all documents, including one or more Escrow Agreements, necessary or appropriate to the consummation of such Lease Purchase Agreements; and to provide for other matters related thereto.

An ordinance authorizing the Mayor to execute on behalf of the City a Lease Agreement between the City of Charleston and Lucier Enterprises, LLC.

Mayor Tecklenburg said, "Next we have our [bills up for second reading](#), and I think we've got 12 of them total. You want to take all of them together? Does anybody want to pull anything out for any reason?"

Councilmember Seekings said, "No."

Mayor Tecklenburg said, "Sir?"

Councilmember Seekings said, "No."

Mayor Tecklenburg said, "Okay. We'll take 1 through 12 together. Did we get a second?"

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Yes. Any discussion or questions on any of 1 through 12?"

No one asked to speak.

On a motion of Councilmember Mitchell, twelve (12) bills (Items L-1 through L-12) received second reading. They passed second reading on motion by Councilmember Shealy and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shealy, the rules were suspended, and the bills were immediately ratified as:

- 2022-032 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 3351, 3357 AND 3363 MAYBANK HIGHWAY (JOHNS ISLAND) (APPROXIMATELY 6.9 ACRES) (TMS #279-00-00-189, 184, 185 AND 307) (COUNCIL DISTRICT 5), BE REZONED FROM GENERAL OFFICE (GO) CLASSIFICATION TO BUSINESS PARK (BP) CLASSIFICATION. THE PROPERTY IS OWNED BY BERKELEY ELECTRIC COOPERATIVE, INC.
- 2022-033 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2221 S DALLERTON CIRCLE (WEST ASHLEY) (APPROXIMATELY 0.5 ACRE) (TMS #310-07-00-059) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 11, 2022 (#2022-007), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY DANIELLE D. CERASI.
- 2022-034 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2216 S DALLERTON CIRCLE (WEST ASHLEY) (APPROXIMATELY 0.26 ACRE) (TMS #310-07-00-044) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 25, 2022 (#2022-012), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY DANIELLE D CERASI.
- 2022-035 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1506 N EDGEWATER DRIVE (WEST ASHLEY) (APPROXIMATELY 1.59 ACRES) (TMS #349-09-00-026) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 25, 2022 (#2022-013), BE ZONED RURAL RESIDENTIAL (RR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY ELLISON C AND JEANNE R LIVINGSTON.
- 2022-036 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 30, 32 AND 34 WEDGE PARK ROAD, 43 AND 49 LOLANDRA AVENUE (WEST ASHLEY) (APPROXIMATELY 0.99 ACRE) (TMS #418-13-00-254, 255, 256, 260 AND 262) (COUNCIL DISTRICT 3), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 25, 2022 (#2022-014), BE ZONED SINGLE-FAMILY

RESIDENTIAL, (SR-1) CLASSIFICATION FOR LOLANDRA AVENUE PARCELS AND (SR-2) CLASSIFICATION FOR WEDGE PARK ROAD PARCELS. THE PROPERTIES ARE OWNED BY GLORY HOLDINGS, LLC.

- 2022-037 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2319 LAZY RIVER DRIVE (WEST ASHLEY) (APPROXIMATELY 0.62 ACRE) (TMS #310-14-00-014) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 25, 2022 (#2022-015), BE ZONED RURAL RESIDENTIAL (RR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY CARL E SEEL, SR AND JEAN B SEEL.
- 2022-038 -** AN ORDINANCE AMENDING CHAPTER 19, ARTICLE XVI, OF THE CODE OF THE CITY OF CHARLESTON, PEDICABS, TO AMEND THE OPERATING DECAL APPLICATION PROCESS AND THE REQUIREMENTS FOR ISSUANCE OF DECALS TO THE SUCCESSFUL BIDDER.
- 2022-039 -** AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$14,600,000 SPECIAL OBLIGATION REDEVELOPMENT BOND (CHARLESTON NECK REDEVELOPMENT PROJECT AREA), SERIES 2022, OF THE CITY OF CHARLESTON, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO. **(AS AMENDED)**
- 2022-040 -** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A LEASE BETWEEN CITY OF CHARLESTON AND MARINA VARIETY STORE.
- 2022-041 -** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1939 PIPER DRIVE (0.25 ACRE) (TMS# 350-09-00-067), 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 5. THE PROPERTY IS OWNED BY SUSAN J VIGEN.
- 2022-042 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES ON CUMBERLAND STREET, CHURCH STREET AND LINGUARD STREET (PENINSULA) (APPROXIMATELY 0.68 ACRE) (TMS #458-05-03-089, 090, 091, 093 AND 087) (COUNCIL DISTRICT 1), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY CUMBERLAND, LLC.
- 2022-043 -** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES ON CUMBERLAND STREET, CHURCH STREET AND LINGUARD STREET (PENINSULA) (APPROXIMATELY 0.68 ACRE) (TMS #458-05-03-089, 090, 091, 093 AND 087) (COUNCIL DISTRICT 1), BE REMOVED FROM THE ACCOMMODATIONS OVERLAY ZONE. THE PROPERTY IS OWNED BY CUMBERLAND, LLC.

The vote was not unanimous. Councilmember Seekings voted nay on Item L-7.

Mayor Tecklenburg said, "So, next up we have an [ordinance to amend Article II](#). It looks

like Ms. Copeland has some comments about that while I sign these.”

Ms. Copeland said, “Actually, no. Since we posted the proposed amendments regarding virtual participation, we are talking about that ordinance, right? Okay, good. We’ve had some good citizen input. So, with that said, we would ask that someone, or that this Council adopt first reading, as amended--”

Councilmember Shahid said, “So moved.”

Councilmember Seekings said, “Second.”

Ms. Copeland continued, “to remove the last sentence in Section II, which is in front of you. It was a conflicting provision with the body of Section f, so we would ask that you amend it to remove that line.”

Mayor Tecklenburg said, “Alright. I’m signing away. Any discussion or questions about that for first reading?”

Councilmember Parker said, “I’m sorry. I have a question.”

Mayor Tecklenburg recognized Councilmember Parker.

Councilmember Parker said, “Yes, can you just show me, I lost Julia on that one.”

Councilmember Seekings said, “I’ve got it. So, if you go to f.2. on the amendment that was just put on your desk. If you don’t have that, I can pass it to you.”

Councilmember Parker said, “Perfect. Thank you.”

Councilmember Seekings said, “If you take a look at f.2., the last sentence, it just conflicts in terms of how to define a quorum with f.”

Councilmember Parker said, “Okay. Thank you.”

Mayor Tecklenburg said, “Are we straight on that?”

No one asked to speak.

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

An ordinance to amend Article II (City Council), Division 1 (Generally) of Chapter 2 of the Code of the City of Charleston (Administration). (AS AMENDED)

Mayor Tecklenburg said, “Anything else for the good of the order this evening?”

Councilmember Mitchell said, “Move to adjourn.”

Councilmember Seekings said, “Second.”

Mayor Tecklenburg said, "Two more seconds, you all. That's it. Hearing none, we stand adjourned. Thank you."

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

Jennifer B. Cook
Clerk of Council