

CITY COUNCIL VIRTUAL MEETING

Regular Meeting

April 27, 2021

The one-hundred and eighteenth meeting of the City Council of Charleston was held this date convening at 5:04 p.m. over video conference call (Zoom).

A notice of this meeting and an agenda were made available on the City's website April 22, 2021 and appeared in the Post and Courier on April 26, 2021.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

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

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

The Clerk called the roll.

Mayor Tecklenburg said, "If you would like to join us, Councilmember Shahid will lead us in an invocation."

Councilmember Shahid opened the meeting with an [invocation](#).

Councilmember Shahid then led City Council in the [Pledge of Allegiance](#).

Mayor Tecklenburg said, "So, we have just a few proclamations this evening. The first one is recognizing April, even though we're almost to the end of the month, as National Donate Life Month. I believe Dave DeStefano is with us this evening with the organization. I'll read our [proclamation](#) first, Dave, and then call on you to make a few remarks."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "So, I must admit to you all that years ago when I first registered, I think, to get a driver's license, I went ahead and signed up. I figured what am I going to need these things for if something happens to me? If you did it long ago, and you don't remember whether you ever got signed up, if you look at your driver's license, there is a little red heart here on your driver's license if you're signed up in the system. So, you might want to check it. If you're not, the next time you register or re-register your license, you can easily check off and get on the list. I'm so proud you all that Donate Life South Carolina is now

headquartered right here in Charleston. They have the wonderful new facility out on Henry Tecklenburg Drive in West Ashley, and we're so pleased to have them as a part of our community. So, Dave, please, any remarks you would like to make, please proceed."

David DeStefano said, "Mr. Mayor, thank you very much for having me, and thank you for that wonderful proclamation. I also want to thank the Councilmembers for all of their support of organ, eye, and tissue donation through the proclamation and throughout the year. April is a very special month for us. It's Donate Life Month, and it allows us to honor the legacies that those organ donors have given and also celebrate the lives that they saved. It's also an opportunity for us, as the Mayor had mentioned, to elevate the donation discussion and let people make their own decision about organ, tissue, and eye donation to help save lives. I will share with the Council that during COVID and during a very difficult year, the people of South Carolina through their strength, their courage, and their generosity left the most legacies in the history of this State, and that's an incredible testament to our citizens and to our State that those folks, during all of it, were able to think of others during such a difficult time. We're privileged to be part of this organization, we are humbled to be a small part of leaving a legacy, and we're excited to be part of Charleston, South Carolina and have our headquarters here to be able to honor those who have given this wonderful gift and celebrate the life they've given. So, I just wanted to thank you all so much for having me. Thank you for your support, and Mr. Mayor, thank you so much for that wonderful proclamation."

Mayor Tecklenburg said, "Great. Thank you so much for being with us. Good luck to you. Holler if we can help you in West Ashley in any way."

Mr. DeStefano said, "We will. Thank you."

Mayor Tecklenburg said, "So, next we have a [proclamation](#) honoring quite a legacy in the world of basketball who happens to now live right here in Charleston. This was requested by Councilmember Harry Griffin. I'm going to give the proclamation to Ted Valentine, then call on Councilmember Griffin to make some remarks, and then ask Mr. Valentine if he would like to make some remarks. Also, I understand we may be joined by a Senior Commissioner of the ACC as well, Paul Brazeau."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

There was applause.

Mayor Tecklenburg said, "Congratulations. Councilmember Griffin, would you like to add some remarks next?"

Councilmember Griffin said, "Thank you, Mr. Mayor. You know, officials never get any love. They've got the hardest job in the world. They're never going to please everybody, but I figured there were a couple of things that we could do. Number one, I could honor a great constituent of mine, but, number two, now we have somebody to call if we ever need somebody to officiate one of our City Council meetings. We could call on Mr. Valentine."

There was laughter.

Councilmember Griffin continued, "More importantly though, he has lived in Charleston for a long time. He calls it home, and I'm hoping that we can find a way where he can do some volunteer work with the City of Charleston. He has done some great work up in North Charleston. He told me that he would even like to officiate youth sports for us. I think that's an invaluable thing to have somebody who wants to give back to their community. We're always talking about how we need volunteers and we need coaches, and when you have somebody who does it at the highest level want to come and give back to our City, especially with the kind of season he just went through with the pandemic, I thought this was the perfect time. This basketball season just wrapped up. We had our National Championship a couple of weeks ago. I figured this was a great time to honor him. So, everybody, please, meet Mr. Ted Valentine."

Ted Valentine said, "Well, hey. Thank you very much. This is truly an honor. I was always taught that you let others speak of your success. Praise God for my grandmother. I need to thank God, the man above, because I know he's good all of the time, and you can't function in this world without God. I want to thank Mayor Tecklenburg for spending a few minutes out of his very busy schedule, however, Mayor, for the next five minutes I'm going to be the Mayor, if you don't mind. Then, I will relinquish my duties right back to you, and you can go do the things that you do for the great City of Charleston, which I've been here for 18 years. I really do appreciate you being a part. I also want to thank Mr. Griffin. The day he called it was my birthday, it was my 63rd birthday, and I was practically in shock, I was. I mean, because I don't expect things to come. I never have expected things to come. I work hard for whatever I receive because I was always taught by my parents to work hard. May they rest in peace. I want to thank the Charleston City Council, and I know you'd rather be home having dinner instead of sitting here with a ref. You wouldn't know me if you probably passed me. You'd have to go to the College of Charleston and see me in a black and white shirt, but this is truly an overwhelming honor.

I would like to thank college basketball for allowing me the opportunity to be a part of this great game for 39 seasons. Who would ever picture a person 39 seasons working at the top level? I fell in love with Charleston. I drove here 650 miles, which equals 1,300 miles round trip, and I got a speeding ticket going down and a speeding ticket going back to go teach high school, and I've loved Charleston ever since. I fell in love in Charleston. I'd been coming here for years, The Citadel, and one day I decided that I'm going to move, and I did. I packed up and left, and that's how I got here. I want to say a special thanks to the Atlantic Coast Conference and all of the member institutions because I couldn't have done it without the league. I think it's the best league in America. I feel I've worked for the best people. Also, I'd like to thank the Conference, the late retiring super Commissioner Mr. John Swofford because he needs to be noticed too, and our current Commissioner Mr. Jim Phillips along with Associate Commissioner Mr. Paul Brazeau, who has been a very dear friend of mine. I have known him for years. I go way back. I'm older than he is, so I go way back, and I refereed his games when he coached. So, that tells you how far that I go back. I'd like to thank my supervisor, Mr. Bryan Kersey, a former ref. If it wasn't for him, you know, assigning the games, putting them in the proper match ups, he goes unnoticed, too, and his staff members with the ACC, which are very great, and I know them all. They definitely deserve the Medal of Honor dealing with me. I'm telling you, they deserve the Medal of Honor. I'm very competitive, I care about the game, I care about the participants, and it's just been one whole, I don't know, I can't even imagine, I can't. I don't think about it.

The love of my life is my wife, Fabiana. She is athletic and knows her husband very well. My 11-year old granddaughter, Mila, and they are commuting home right now. They would like to be here, but they were going home. They were going to go to do something. I don't know. You know how children are and my daughter Joneesha. It's been truly an honor, it is. I spoke to

my aunt, and when you get honored by the church that you go to, and you get honored by your City, you must be doing something correct. I just want to thank each and every one of you. I hope to get to meet you someday. I know I went home because of the quarantine, but I was fully vaccinated, so I ended up going home, and I'm just very, very grateful. I'm overwhelmed. I really am. I'm very, very overwhelmed and I'm grateful, and, Mayor Tecklenburg, you can have your City back now. Thank you very much."

Mayor Tecklenburg said, "Thank you, ref, and enjoy 'Ted Valentine Day' today in the City of Charleston. God bless you."

Mr. Valentine said, "Thank you."

Councilmember Griffin said, "Mr. Mayor, we've got the ACC on the phone as well, Mr. Paul Brazeau."

Mayor Tecklenburg said, "Paul, are you there? Okay. I didn't see you. Yes, sir."

Paul Brazeau said, "Yes, sir."

Mayor Tecklenburg said, "You've got a pretty good basketball league there, Paul."

Mr. Brazeau said, "Well, thank you, Mr. Mayor."

Mayor Tecklenburg said, "Been a big fan for many years."

The Clerk said, "I think he froze up."

Mayor Tecklenburg said, "We'll give him a moment and see."

Councilmember Appel said, "He might need that SEC TV deal money."

There was laughter.

Mayor Tecklenburg said, "Ted, my son played for Wofford in the Southern Conference. You didn't ever ref in that league, did you?"

Councilmember Shealy said, "He did."

Mr. Valentine said, "Yes, sir. I worked in that league for almost over 30 years."

Mayor Tecklenburg said, "Okay. Terrific."

Mr. Valentine said, "Yes, sir. I've been to Wofford several times. They did a very new facility."

Mayor Tecklenburg said, "Absolutely. Well, we'll have to move along. It looks like Paul dropped off now as a matter of fact."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. I appreciate you recognizing me. I just wanted to tell Mr. Valentine thank you very much. A lot of people don't realize how important basketball is to guiding young people, you know, keeping them out of trouble and giving them opportunities. Some get to go to college only because they played great in basketball and where they may not have been able to afford to go, and it's part of the reason why our Police Department has these pick-up patrols where they host games on our outdoor City courts. Mr. Valentine has become a legend because of the way he displays his passion for basketball. He does an incredible job of making sure the game is kept in control and played correctly. I can tell you in the 1990s when I was Assistant Athletic Director over at Charleston Southern, I worked in the Athletic Department and served as the game manager for all of the home basketball games, and I still love going to college basketball games today. I've been in attendance of many games that Mr. Valentine has called, and I have to confess I'm guilty of giving out a 'Come on, Teddy' or 'There's our TV Ted. Oh, TV Ted.' So, I, just like many other people, know how important your role is. You play off the crowd, you're animated, you make faces, you smile, and you really enjoy the experience. You make college basketball more fun while taking control of the game at the same time. I know that it's a tough and thankless position because nobody is probably ever going to say, 'Man, Ted Valentine had a great game tonight. He was perfect.' But, what you do is incredibly important because without officials, we couldn't have organized basketball. So, I just wanted to say thank you and let you know that the City of Charleston is proud to have you representing us. So, thank you so much."

Mr. Valentine said, "Thank you, sir."

Mayor Tecklenburg said, "Thank you, and Paul, are you back with us?"

Mr. Brazeau said, "Yes, I am. Can you hear me okay?"

Mayor Tecklenburg said, "Yes, sir. Please proceed."

Mr. Brazeau said, "Thank you, Mr. Mayor, and esteemed Councilmembers. I appreciate the opportunity to be here. As Ted mentioned, we've known each other for over 30 years, and he's an esteemed member of our Council, of our Council of Referees. College basketball has benefited from his judgment, his wisdom, and his energy over the course of his years as a college referee. We certainly appreciate him. We share in your sentiments toward Ted today and are thrilled that he's a member of our group. I know his colleagues on the floor, his colleagues in the coaching world, the young people he's touched along the way, join in our appreciation and best wishes to Ted and to all of you. We appreciate it. Thank you."

Mayor Tecklenburg said, "Yes, sir. Thank you for being with us. Alright. We have one more [proclamation](#) this evening, one for Municipal Clerks' Week, and I think it's apparent from the proclamation that we honor the service of our Madam Clerk, Jennifer Cook, but also of our wonderful staff in the Clerk's Office."

There was applause.

Mayor Tecklenburg continued, "So, let me briefly make this proclamation, as well."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "Thank you, Jennifer, and all your staff for the fine work and function you fill in our City government. Jennifer."

There was applause.

The Clerk said, "Thank you, Mr. Mayor, and thank you for having this on the agenda for tonight. This is a proclamation that the International Institute of Municipal Clerks promotes every year, and I thought it would be nice this year to really recognize our staff in the Clerk of Council Department. I know you all are probably familiar with me and with Velvett, who is our Deputy Clerk, but we have other staff members who work in the Clerk's Office that really keep the wheels turning, and they've been wonderful this past year with everything going on with the pandemic and having to transition to different ways of how we do our meetings. They've just done a fantastic job, so I really wanted to give a shout-out to them. They kind of work behind the scenes, so they're not the most visible City employees, but they've just done an amazing job this past year. I really wanted to thank them for all of their hard work. So, thank you."

Mayor Tecklenburg said, "Thank you, Jennifer."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, Mr. Mayor. I didn't want this opportunity to pass without personally thanking Jennifer and her staff. You know, we had a wonderful Clerk in Vanessa, she retired, and she certainly deserved that retirement, and Jennifer stepped right in. This has been a very seamless transition. I think it's a testament to Jennifer's understudy and having a wonderful staff, but I think we just can't overlook the work that Jennifer has done and her staff in the past year with this pandemic. She mastered this technology, and you all may have recalled, we were just conference calls when we were not meeting in person, and it was chaotic because we were all trying to talk at the same time, and we couldn't see one another. She mastered that ability for us to meet through this Zoom platform. So, Jennifer, you have really carried on the work of City government Vanessa did while she was here and you and your staff have, and I just want to tell you in my official, but also my personal capacity, just a deep warm thank you for all that you have done for me, for our Council, and for our community. Thank you, Jennifer, and your staff."

The Clerk said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I echo my colleague and the Mayor. Jennifer, would you be so kind as to give the names of each of your Clerk team? Because, I think, we're all familiar with their names, but we need to sometimes put the names with the faces and, certainly, our citizens do not know their names. So, thank you."

The Clerk said, "So, we have our wonderful Deputy Clerk, Velvett Simmons, Bethany Whitaker, Wanda Stepp, Andrea Derungs, Tia LaBoard-Brown, Lindsay Partin, who is our Docent, Vanessa Ellington, and also I don't want to leave out our Records Department because they are also part of the Clerk's Office, but Meg Moughan, Rebecca Schultz, Heather Hemmer, Marcia Grant, and Ernestine Fellers. Hopefully, I'm not leaving anyone out. I think I've got everybody, but they do an amazing job, and we couldn't run this department without them. So, thank you, Councilwoman Jackson."

Councilwoman Jackson said, "Thank you."

Mayor Tecklenburg said, "Great. Well, thank you, again, Jennifer. You've really done a terrific job this year, and, boy, we added so many meetings on you all. I forget the numbers, but somebody counted them out recently, and we've had more City Council meetings in the last year than in recent years, so you really had a big workload, as well. Thank you. Okay. So, next to our [public hearings](#), I think we have seven of them this evening. Mr. Morgan, Christopher Morgan, would you, please, announce those as we go? Number one."

Christopher Morgan said, "Yes, sir, Mr. Mayor, and Stirling Halversen is going to handle this first one for the Development Agreement."

Mayor Tecklenburg said, "Okay. Stirling."

Stirling Halversen said, "Good afternoon, everyone. This is a First Amendment to Development Agreement between HPH Properties, LP and the City. The property that is subject to the Development Agreement includes 299 gross acres of land in West Ashley. The First Amendment will extend the term for another five years to August 1, 2025. New changes will include language clarifying that the development of the property will be subject to the City's current Stormwater regulations that are in effect at the time of submission of a complete construction activity application. The developer has agreed to construct a 17.5 acre stormwater retention pond that will serve the property. It will be constructed as part of the first phase of development, so there will be a short-term drainage benefit to the Church Creek Basin because it will hold excess water from the area until the development is built out. The developer has also indicated that the pond will have a long-term benefit to the area because it will be designed to hold excess drainage indefinitely, however, that will be subject to the developer's final submitted design and the City's review and approval. The developer has agreed to make the pond accessible to the public and will grant the City recreational access easements in and around the pond.

In exchange for the benefits of the pond and the easements, the City has agreed to reduce the number of acres reserved for the City to purchase for park property from 25 acres to 15 acres. The park property will be located adjacent to the pond so the public can enjoy the walking trails around the pond as a passive park area, and then the 15 acres will be conveyed to the City at a discounted price based on the park use appraised value rather than the fair market value. This will be highland acreage that can be developed as athletic fields, and the City has the option to purchase within three years of the recording date of the final subdivision plat. Then, all of the other terms and conditions of the original Development Agreement will remain in effect and unchanged."

Mayor Tecklenburg said, "Thank you, Stirling. Madam Clerk, would anyone from the public like to be heard?"

The Clerk said, "No one has signed up to speak on this matter."

Mayor Tecklenburg said, "Alright. Then the matter comes to Council."

Councilmember Griffin said, "Move for approval."

Councilmember Shealy said, "Second."

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

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, sir, Mr. Mayor. First of all, I want to remind Council that this came up in front of the Real Estate Committee meeting before last, and I just want to make the record clear again that, as I stated at the Real Estate Committee meeting and when we reported this out at Ways and Means, that my wife represented some of the folks involved with this, but her representation has nothing to do with what's before the City at all. I did consult with a legal ethics professor, and she advised me that this is not a conflict of interest. Also, I just want to mention this, that we deferred this out of the Real Estate meeting last time at the request of Councilmember Griffin. This is in his district. I met with Councilmember Griffin and Councilmember Shealy on Sunday, which happened to be Councilmember Griffin's birthday, by the way, and we met with Shea Kuhn and Taylor Bush. We went out there. It was a very muddy excursion. The land is absolutely beautiful. It's pristine property out there, and they showed us the proximity of where this lake is going to be developed and the athletic fields, recreation fields. I think Councilmember Shealy, I'll let him talk with you all about what he did independently at the other side of the tract of land. This is a wonderful opportunity for the City. While we're losing some acreage for recreational use, we are picking up this lake, which is going to be for recreation and an amenity. If someone just wants to walk around the lake or just sit on a park bench and overlook it, it's going to improve the availability of stormwater runoff. In walking out there, you had this very clear sense of how this lake development is going to improve the property for runoff water and also have a side benefit, I think, for the Church Creek Basin, as well. I would recommend that we approve this. If they don't take on this obligation to build this lake and provide for this retention pond, part of it, that's something the City may have to be responsible for, so they're taking on this burden, as well. This is just smart planning overall, and I was glad I had the opportunity to be out there with two of my colleagues and the folks who are developing this because it really did give you a clear visual of what we're trying to accomplish out there. The other is that this is going to be a huge area that's going to grow very quickly."

Councilmember Shahid continued, "So, thank you all for the opportunity to address Council."

Mayor Tecklenburg said, "Thank you, Councilmember Shahid. Councilmember Griffin, thank you for facilitating that meeting. Do I understand we're lucky you were able to get out of there?"

Councilmember Griffin said, "Yes, I'm very lucky that I wasn't stuck. I think we went sideways twice, but with a little bit of birthday luck we did not have to call a tow truck out there to the property. Thank goodness."

Councilmember Shealy said, "Outstanding mud experience."

Mayor Tecklenburg said, "Happy birthday, as well, Councilmember. Alright. Is there any further discussion?"

Councilmember Griffin said, "May I make just a point or two about this project, Mr. Mayor?"

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Thank you so much. All joking aside, this is in the heart of District #10, but we've got to look at it from two different ways. Yes, this is an important step out there in outer West Ashley, a thriving, growing area, an area where we just don't have a lot of recreational activity. I mean, we've got Bees Landing, but we need more. Really all over the City, there's not a lot of land where we could do recreation, so that was an important aspect of our walk out there and also, Councilmember Shealy, who went out to Bear Swamp Road to make sure that we've got plenty of land available for us to have an option to buy for parks. We need sports fields, and we're going to get them, and Councilmember Shealy will tell you that area out there is absolutely mesmerizing. We're talking about a 1,700 acre County park that's going to be out there, and we're talking about a couple hundred acres for a City park. Now, we're giving up an option to buy ten acres that could potentially be a park, but we're gaining a 17½ public access lake that is going to have approximately 11 acres that can be used for stormwater retention, that is going to have a public benefit to Church Creek and to all of our citizens out there. This is a great, great project. It's something that is 15 years in the making and, frankly, we've got to continue to support it because it represents the future, not only of my district, but it represents the future of West Ashley. It represents the future of our Parks and Rec Department, which we're going to talk about our Parks and Rec Master Plan here shortly. It really ties District #10 together. It connects Grand Oaks to Village Green and eventually, through all of that, we're going to hopefully have an opportunity for a Glenn McConnell extension that is going to take traffic off of Bees Ferry Road and off of Hwy. 61. So, I thank you for allowing us to wait two weeks to get out there and really roll our sleeves up, but as Councilmembers Shahid and Shealy will tell you, and I believe Councilmember Waring also met with the people involved, this is a great project, and I'm really excited. I appreciate you all giving me a little bit of time to make sure everybody is on board with it, but I certainly am excited about the future of District #10."

Mayor Tecklenburg said, "Great. Thank you. Madam Clerk, did you have a note to make?"

The Clerk said, "Just Councilmember Shealy, I think, had his hand up, as well."

Mayor Tecklenburg said, "Okay. Thank you."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Yes. Thank you, Mr. Mayor. I did get to go out, and I want to thank Director Jason Kronsberg for taking me out to see the beautiful property that we have at Bear Swamp. There is highland out there and my concern last week was, do we have enough recreational space for active recreation for athletic fields and things like that? I'm convinced that we do now. There have been many meetings and many studies on this property for a couple of years now, and the property owners of the development have gone beyond our very strict new requirements for Church Creek Basin and have shown a plan that will not only keep additional water out of the Church Creek Basin, but it's actually going to retain water that flows into the basin right now today. The new standard required they hold back water for 48 hours, and they've shown that they can hold water for possibly up to 80 hours. So, keep in mind, this is water that will be cut off that directly flows into Church Creek. If we had a heavy rainstorm right now, it would be cut off and go into this retaining area. We'll also build an active park on this property that's going to provide us with those much needed multi-use athletic fields for West Ashley. As this grows, the outer West Ashley area will be able to use some of these TIF funds to improve our drainage, our roads, our infrastructure needs, and for the first time in a long time

that part of West Ashley is going to have designated funds for that specific area of the City. So, I'm going to support this, and I appreciate everybody's efforts on this. Thank you."

Mayor Tecklenburg said, "Great. Are there any other comments or questions?"

No one else asked to speak.

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

An ordinance authorizing the Mayor to execute on behalf of the City a First Amendment to the Development Agreement with HPH Properties, LP, dated August 1, 2015, pertaining to lands located in the West Ashley area of the City comprising approximately 299 acres and bearing Charleston County TMS Nos 301-00-00-033, 301-00-00-042, 301-00-00-043, 301-00-00-054, 301-00-00-057, and 301-00-00-114.

Mayor Tecklenburg said, "[Number two](#), Mr. Morgan."

Councilmember Seekings said, "Mayor, can we take two and three together for purposes of public hearing and presentation?"

Mayor Tecklenburg said, "Absolutely. I think we did last time this came up. We'll take numbers two and three together, Mr. Morgan."

Mr. Morgan said, "Will do. So, these are properties on St. Philip Street, Line Street, King Street, and Ackermans Court in the Cannonborough-Elliottborough neighborhood. The first one, E-2, is approximately 83/100 of an acre, and it is identified on the image in front of you with the dotted properties that are on St. Philip Street and Line Street here. These are properties that would go from General Business to Mixed-Use/Workforce Housing (MU-1/WH) which is compatible with the Limited Business District. So, it would be MU-1/Workforce Housing along this portion of St. Philip and Line Streets. Then, on E-3, these are also along St. Philip Street, Line Street, King Street, and Ackermans Court. This is a bigger parcel. It's 1.9 acres, and these parcels are identified on this image with the crosshatch. It would go from General Business to Mixed-Use/Workforce Housing (MU-2/WH), and that is compatible with the GB types of commercial uses. We have some images just to remind you of where the property is. This is Upper Urban Core in the Upper King Street area in our current Comprehensive Plan and the aerial photo of the property showing the parking lots that exist there at present. Here is another aerial photo of the property showing King Street in the background, and here is a view on King Street, another view on King, another view at St. Philip and Line, another view from St. Philip, and other views from St. Philip Street and Line Street, and King Street South, and Line Street West, and Ackermans Court, St. Philip and Bogard. So, our staff and Planning Commission recommended approval for this rezoning 8 to 0, and it comes to you now. We do have some slides from the applicant, as well, to show you."

Mayor Tecklenburg said, "Alright. Councilmember Mitchell, I'll call on you when we bring this to Council. I'll call on you first. Now, did that cover number three, as well?"

Mr. Morgan said, "Yes, sir, and the applicant is here and I think wanted to talk from their slides that they have."

Mayor Tecklenburg said, "Alright. Madam Clerk."

The Clerk said, "Yes, sir. We have three people signed up to speak, and would you like to set a time limit?"

Mayor Tecklenburg said, "Two minutes will be fine."

The Clerk said, "The first is Ben Liebetrau, and I apologize if I mispronounced that name. Ben Liebetrau, and I believe he is on Zoom."

Mayor Tecklenburg said, "Hey, Ben."

1. Ben Liebetrau said they had extensive and ongoing dialogue for six to seven months with the City and the neighborhoods, which had been positive. They were extremely proud of the support they had gotten from Cannonborough-Elliottborough, the City, surrounding business owners, and Councilmember Mitchell. Their approach had been healthy, transparent, and open. They thought this was a win for the City as this was in the Urban Core of the Century V Plan, and most dense uses belonged there. There was broad neighborhood support. They had worked extensively with the neighbors, and they had made some unprecedented moves related to the use where they were offering to preclude short term rentals as well as operating hours due to the MU-2 as they were worried about late night uses on King Street. This was something they offered in order to quell concerns from the neighborhood, Historic Charleston Foundation, and the Preservation Society. They had unanimous Planning Commission recommendations and complimentary comments from multiple Commissioners, and City staff supported their project. They had great ongoing dialogue with staff and the Mayor's Office. They proposed a substantial and voluntary exceedance of the ordinance, and this was far more than any previous application, to their knowledge. They proposed paying the entire fee-in-lieu, which in and of itself took care of the ordinance. Additionally, they proposed additional workforce housing on site, which met the City and other groups' desire for units, and they also proposed that those units remain affordable permanently. They heard loud and clear from folks like Geona Shaw Johnson that money for the City was very important for the City to go out and acquire, units onsite that were Greystar managed, built, and asset managed, and also the permanence. They thought they met all three of those goals. He asked Council when they had seen a proposal that fit within the Master Plan, enjoyed broad neighborhood support, unanimous Planning Commission approval, and what they thought was a substantial and groundbreaking three-prong commitment to workforce housing in the City.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Next is Rick Rader."

Mr. Liebetrau said, "Rick is on my team, and I wasn't sure if I was going to be able to make it. I'm in the public library here, but good to go."

Mayor Tecklenburg said, "Alright."

The Clerk said, "Marion Hawkins."

2. Marion Hawkins, President of Cannonborough-Elliottborough Neighborhood Association, said Greystar and Evening Post Industries had been actively engaged and involved with the project. Initial meetings were with surrounding property owners and neighborhood leadership and dealt with the entire association. They had three major concerns regarding the project. One was the possibility of a high concentration of legal short term rentals, but it was resolved by a voluntary 20-year restriction. The second concern was retail space located in the late night Overlay, which could contribute to the high density of bars that currently impact Upper King. This was resolved by a permanent prohibition of businesses operating from 12:00 midnight to 5:00 a.m. The third concern was the need for affordable housing, which was resolved by Greystar and Evening Post Industries going above and beyond by voluntarily offering the entire fee-in-lieu payment, adding more workforce housing units, and ensuring they were affordable for 99 years. The zoning request was presented at their January 4th neighborhood meeting and was approved unanimously. They looked forward to continuing their relationship with Greystar and Evening Post Industries throughout the development of the project, which they hoped would make a significant and lasting improvement on the City and their neighborhood. The Cannonborough-Elliottborough Neighborhood Association supported and recommended the request be approved by Council.

Mayor Tecklenburg said, "Thank you, sir. Appreciate it. Madam Clerk."

The Clerk said, "Those were all of the speakers we had."

Mayor Tecklenburg said, "Alright. The matter now comes to Council."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, Mr. Mayor, and Councilmembers, everything I was going to say has been said already, so I don't think I need to reiterate that again. I'm not going to go over it. I don't believe in drawing out the conversation and talking about the same thing someone already said, so I'm going to vote for approval."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "Alright. So, that's a motion to approve numbers two and three and, Councilmember Griffin, you're seconding both of those?"

Councilmember Griffin said, "Yes, sir."

Mayor Tecklenburg said, "Is there any further discussion or questions from anyone?"

No one else asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that subject properties on St. Philip Street, Line

Street, King Street and Ackermans Court (Peninsula) (approximately 0.83 acre) (TMS# 460-08-02-111, 114, 118 through 121 and a portion of TMS# 460-08-02-015, 109, 110, 112, 117 and 122) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The properties are owned by Evening Post Industries.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that subject properties on St. Philip Street, Line Street, King Street and Ackermans Court (Peninsula) (approximately 0.83 acre) (TMS# 460-08-02-111, 114, 118 through 121 and a portion of TMS# 460-08-02-015, 109, 110, 112, 117 and 122) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-1/WH) classification. The properties are owned by Evening Post Industries.

Mayor Tecklenburg said, "I want to give my thanks to Ben and his team and to Evening Post Industries also for really going the extra mile on the affordable housing. The fact that they provided units that are in perpetuity, forever and ever, is really a big deal, and we really appreciate them working with us. Thank you so much, Ben and your team."

Mr. Liebetrau said, "I appreciate it. Thank you."

Mr. Morgan said, "Item E-4, which is a rezoning at 334 Folly Road on James Island. It's a portion of TMS #424-05-00-028. It's approximately a half acre. This is property that would go from Limited Business to General Business. The owner is Refuel. This a site at the corner of Tatum and Folly that is planned to be a new Refuel gas and convenience store, and they are adding another parcel to the south of it and making it part of the General Business zoning, as well. It is in the Century V Plan as a Highway designation, so that is compatible. Here is an aerial image of the property. There are older buildings on the property that would be removed. They would go before the DRB, and the entire site goes before the DRB for its new construction. Here you see an aerial again of the property. Here is a street-level view of the property and other adjacent property that is already zoned GB and an adjacent property to the east, and across the street fast food restaurants. So, the Planning Commission and staff recommended approval of this request."

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

The Clerk said, "Yes, we have one citizen signed up to speak. Narciso Lira."

1. Narciso Lira said he was a representative for Refuel and they were managing the project. He was there on behalf of Michael McCormick, who submitted the application, to answer any questions. They needed the rezoning change to make the whole property compatible for GB and allow them to have the typical convenience store hours. The parcel now had limited hours to it, and this would allow them to stay open a couple of more hours in the evening to manage any evening sales and fuel availability. They were working with City staff currently to go through the DRB process and were presenting some alternate building layouts and elevations, and they were hoping to schedule a meeting with them in the next couple of days to finalize that so they could work towards their DRB package.

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

The Clerk said, "Those were all of the requests we received."

Mayor Tecklenburg said, "None others, the matter comes to Council."

Councilmember Griffin said, "Move for approval."

Councilmember Mitchell said, "Second."

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

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Griffin.

Councilwoman Jackson said, "I just have a question. I hadn't really noticed this because I can only print things out in black and white, but the property that we're asked to rezone is the rectangle outlined in black, right?"

Mr. Morgan said, "Correct."

Councilwoman Jackson said, "Then, there is another little section of LB right next to it. What are we doing about that?"

Mr. Morgan said, "I think that this LB actually is indicating the LB on this property."

Councilwoman Jackson said, "Oh, I see."

Mr. Morgan said, "It's a quirk in our GIS system. I'm sorry about that."

Councilwoman Jackson said, "Alright. That's all. I'm in favor."

Mayor Tecklenburg said, "Great. Thank you."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. Thank you, Mr. Mayor. I just want to speak as an advocate for this. It was sad to see Clair's Service Station go, which was a staple of James Island for many, many years. While I represent West Ashley, I've been known to hit up a barbecue buffet a time or two. So, I've spent a lot of time at the Dukes across the street, and everybody has kind of been anticipating what will come. It's always good to support a local business. Refuel is all over our Lowcountry now. They're on Daniel Island, and we have one out in West Ashley. It's good to support, I believe they are a local chain, are they not?"

Mayor Tecklenburg said, "They are. Yes, sir."

Councilmember Griffin said, "Christopher, I think you're shaking your head."

Mr. Morgan said, "Yes, sir."

Councilmember Griffin said, "So, it's always good. I know that gas stations sometimes give people a little bit of heartburn, but more or less, this is a parcel that's already a gas station, and it's going to be local still, which keeps sort of the flare of Clair's. Even though it's not Clair's

Service Station, we get to have another local gas partner. So, I thank you all for letting me talk about Dukes Barbecue, but I support this project.”

Mayor Tecklenburg said, “Alright. Does anyone else want to be heard?”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “Thank you, Mr. Mayor. This is my district, and I'm certainly deferential to the Planning Committee on this. It sounds like they were in support of it, but this is really the first time I've really heard about this. I'm certainly going to give this first reading tonight, but I would ask for the applicant to reach out to me. I'd like to talk with them and try to get a little bit of a better understanding of what's being proposed here and how it interfaces with the residential properties that are right behind this. I've heard from several folks about concerns in similar situations, and I just want to make sure I'm cool with the layout, but I think it's great to see there is some new development coming to this area. I just want to make sure that all of those issues are addressed. So, look me up, it's not hard to find my information, and I look forward to talking to you.”

Mr. Lira said, “Okay. Will do. I'll reach out to the local Refuel guys. They're located there in Mt. Pleasant and have them reach out to you.”

Mayor Tecklenburg said, “Right. They are a local company, and I know them to be very attentive to neighborhood input and concerns. I don't know if you know this or not, I just happen to know, it was before my time as Mayor, but the same owner had worked with the City to replace the adult bookstore at the corner of Sycamore and Hwy. 61. It was quite a grueling effort with a lot of legal challenges. He prevailed, and everyone in the City was kind of partnering with him it seemed like at the time. So, anyway, he's good folks.”

Mr. Lira said, “I'll add to this. I know they have been in contact with one of the adjacent property owners that lives behind the property there. His name is slipping my mind right now. So, there have been some discussions out there, but like I said, I'm sure that within the next day or two they will call you.”

Mayor Tecklenburg said, “Great. Are there any other questions or comments?”

No one else asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 334 Folly Road (James Island) (approximately 0.49 acre) (TMS #424-05-00-028) (Council District 11), be rezoned from Limited Business (LB) classification to General Business (GB) classification. The property is owned by Refuel.

Mayor Tecklenburg said, “Mr. Morgan.”

Mr. Morgan said, “The next item is at 254 Coming Street. It's parcel 460-08-02-062. It's 0.03 of an acre. It's a request to rezone from DR-2F to Commercial Transitional. As you can see from the map here, at the corner of Bogard and Coming is already a Commercial Transitional

parcel. This would be immediately to the north. It's the same owners. I'm going to show you some of the surrounding development. Also, this is in our Urban area in the Century V Plan, so that does conform to the Century V Plan. Here is an image of the property from an aerial. Here is an image of the property from an oblique. Again, the property on the corner that is commercially zoned is the building in green with the white roof, and the subject property is the blue building with the gray roof. Here is the subject property from the street, and here is the relationship to the adjoining Commercial property you all might know as the Chubby Fish restaurant. Here is adjacent property to the north and across the street Residential. So, this came to staff with a lot of background on it, and the applicant has some slides that they want to present, but suffice to say that the applicant was able to show that these properties actually were one property in the past and also show that the subject property had had a Commercial use in the past, too. These are some of the criteria we look for when we are recommending for CT zoning in this neighborhood. So, given that background which, again, I think the applicant is going to present, we were comfortable with this and recommended for it, and Planning Commission approved, as well. We do have the applicant provided content if the applicant is here to speak to this."

The Clerk said, "Mr. Mayor, we actually did not have anyone sign up to speak, so I didn't know if the applicant was on now."

Mr. Morgan said, "If he's not, I can show you the slides."

Mayor Tecklenburg said, "Alright. Just proceed, if you would, Mr. Morgan."

Mr. Morgan said, "Okay. I'm not going to read all of this, but he had extensive title research done to determine that these parcels were in common ownership and on the same parcel at one point and did have a Commercial use in the past. Then, this is the plat research that they did on the property that showed it combined. Again, a lot of background research on this. Then we have a survey that they are combining the properties together. Should they get the rezoning, they will have been combined. They have already submitted to the City for this. They also have petitions of support from surrounding neighbors, and I believe they have support from the neighborhood association, as well. So, again, staff and Planning Commission recommended approval of this rezoning."

Mayor Tecklenburg said, "Are there any questions or comments from Council?"

Councilmember Mitchell said, "Move for approval."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, I was at the neighborhood meeting when the neighborhood association approved it with all of the background information that Christopher Morgan just explained to you. They explained it to the neighborhood association at that time, with the background of the property. At one time, it was all one property. All of that was explained to them, and they were satisfied with it, so I'm going to move for approval. So, I'm going to vote for approval, although this is in Councilmember Sakran's district around the corner. I'm right across the street, but I attended all of the neighborhood meetings, and they approved it. So, I'm going to vote for approval."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. Christopher, do you know what they're going to do with that property once this is approved? Did they lay out a plan of what it's actually going to look like and use?"

Mr. Morgan said, "Yes. It would be an expansion of Chubby Fish."

Councilmember Seekings said, "Oh, great."

Councilmember Mitchell said, "That's it. It's expanding it."

Mayor Tecklenburg said, "I'm sorry. I couldn't hear you. What was that Christopher?"

Mr. Morgan said, "It's an expansion of the Chubby Fish restaurant into this building."

Mayor Tecklenburg said, "Great. Thank you."

The Clerk said, "Mr. Mayor, I don't mean to interrupt, but if everyone that's not speaking, if they could keep their microphones on mute. I think we're getting some feedback."

Mayor Tecklenburg said, "Correct. Thank you. Would anyone else like to be heard?"

No one else asked to speak.

Mayor Tecklenburg said, "We have a motion on the floor, correct, Madam Clerk?"

The Clerk said, "Yes, sir."

Mayor Tecklenburg said, "Alright."

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 254 Coming Street (Peninsula) (approximately 0.03 acre) (TMS #460-08-02-062) (Council District 3), be rezoned from Diverse Residential (DR-2F) classification to Commercial Transitional (CT) classification. The property is owned by Francis J. Iwanicki and Caroline Von Asten.

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "This is E-6. This is located at 860 Morrison Drive on the Peninsula. It's two Tax Map numbers, 459-02-00-002 and 005. It's a total of 1.76 acres. It's a request to add the subject property to the Accommodations Overlay. It is currently zoned Upper Peninsula and would remain zoned Upper Peninsula. The property is in our Urban Core area in the current Comprehensive Plan. That is an area that is home to the most intense uses in the City. The existing Accommodations Overlay Zone boundaries do not include this property, and this is part of the reasoning that staff used in our not recommending for this Accommodations Overlay

addition, but I'll show you some images of the property. It was a former tile and stone facility that was vacated and put on the market I believe. Here you see images. It's just kind of in the shadow of the current Cooper River Bridge approach ramps, and here is an image from the street, and here is the Housing Authority property across the street. Staff did recommend against this request, however, Planning Commission recommended 9 to 0 in favor of the request. We do have some slides from the applicant. I believe the applicant has signed up to speak and wanted to show those."

The Clerk said, "Yes, the first speaker is Zach Bearden."

1. Zach Bearden, Origin Development Partners, said he was there for 860 Morrison Drive, a former tile and stone store. James Wilson with Womble Bond was also with him. He noted that he had been working closely with Councilmember Mitchell on their request, as well, and had reached out to the Mayor's Office and City staff for input. They received unanimous approval from the Planning Commission the previous month. They had engaged the Eastside community and businesses in their conversations and reached out to all of the stakeholder groups they could pull together for the request. Councilwoman Jackson had shared her concerns with the Planning Commission and suggested this use was more appropriate potentially for West Ashley. They respected her opinion, but disagreed and felt a hotel in that area was needed to serve the office space and restaurants. The only other group opposed to their request was the Preservation Society, and they were just generally opposed to an expansion of the Overlay at this time. The slide on the screen showed the subject property, the site adjacent showed the office space, and then the Mixed-Use building under construction. He noted that not all Accommodations requests were alike, and he felt he needed to provide some context. Morrison Yard was a \$290 million Master Development that consisted of 386 market rate and affordable units, 40,000sf. of retail, and 138,000sf. of Class A office. They really felt that a business hotel was needed in that area as a final piece of the puzzle to complete the Mixed-Use node along Morrison they called Morrison Yard.

The Clerk said, "Next is James Wilson."

2. James Wilson, Womble, Bond, Dickinson Law Firm, spoke on behalf of the applicant. He said this really was part of a Mixed-Use development. There was residential, retail, and office already under construction. The residential included affordable housing, and there was a large, new, public open space component to it. The applicant was securing waterfront access on the old rail spur behind it, as well, and building new crosswalks for connectivity with the neighborhood. All of that went to the fact that under the Comprehensive Plan it was part of the Urban Core, which called for Urban Mixed-Use, and that was exactly what was going on. This was a consistent proposal with the Comprehensive Plan and also with the Upper Peninsula District, which likewise was expressly about a mix of uses. There was always some concern about adding parcels to the Accommodations Overlay, but he reminded Council that the Overlay had never been static, that it evolved in sites that were appropriate or added over time. For example, the Santi's property up at the top of Morrison Drive, most recently the Huger Street property just down the street, the flat iron parcel up toward the end of Morrison Drive, and Laurel Island which was only about 300 yards away which was another Mixed-Use area essentially next door. He thought the key was to look at

the particular locations that made sense, and the City's goals in the Zoning Ordinance were to maintain a diversity of uses and to not crowd out residential and office. This site was not crowding out anything. It was just the opposite. He thought this was part of an overall development that added office, residential, affordable housing, open space, and all of those things. The Planning Commission unanimously agreed with them and voted 9 to 0 in favor of it. Most importantly, there had been great neighborhood support for it.

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

The Clerk said, "Next is Edward Jones."

3. Edwards Jones said he was a member of the EC Community Development Corporation, a good friend of Bridgeview Neighborhood Association residents, and a founder of ECCDC. He said the community supported the project because of the simple fact that it was the only development going on around there right now, and they reached out to the community to be a good neighbor. He said when coming downtown heading north on East Bay Street, it was an area that was trashy, overgrown, all of the ditches would flood, and trash would pile up in them and into the street. The flooding would overflow into the public housing. Now, they had a chance for a developer to come in and help take care of the drainage situation on Morrison Drive, so it wouldn't overflow into the public housing area. He, his family, and friends in the area decided to listen and talk to Councilmember Mitchell and go along with the recommendation. They asked Councilmember Mitchell to look into it to see what was best, but he knew it would be a better look for public housing across the street as well as Sanders-Clyde School.

Mayor Tecklenburg said, "Thank you, Mr. Jones."

The Clerk said, "We also received a comment. One, a citizen said the City should applaud the increased capital investment from private entities into the Eastside and that a first-class business hotel would be the best use of the property, as the current use of the property offered little to no benefit. Multi-million dollar investment into the property would increase job opportunities and the City's tax dollars. We also received 13 letters of support for the Accommodations Overlay zoning that stated the development of a Hospitality use of the location would support office, tenants, restaurants, and retail in the immediate area with minimal traffic. Those were all of the comments we received."

Mayor Tecklenburg said, "Great. Thank you. So, the matter now comes to Council. Again, I'll call on Councilmember Mitchell first."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Mr. Mayor and Councilmembers, I have worked with these developers and with my community on the Eastside, and you see that you have residents coming from public housing in favor of something, which is hard for me to get sometimes, and they came out wholeheartedly. They came to me and said, 'Councilmember Mitchell, we need the support.' They said, 'We've looked at that blighted area a long time,' and the support that they are getting from this developer, assisting them with doing a whole lot of things on the Eastside, they are more than satisfied with that area being rezoned. So, I said, 'Well, you all

want it, and you all fought for it, so I'm happy to support it.' That's what I'm asking all of my colleagues to do because you don't normally get people coming out in the community as they did to support something like this and having that developer working with them on the Eastside. I mean, working with them a lot, even with some of the things they're going to still do on the Eastside to make the Eastside better in that particular area and with the flooding and bringing everyone together insofar as the public housing, the sidewalks, and all of these kind of entities they're going to put there they promised to do. So, I'm going to vote in favor of it, and I'm asking everyone to vote in favor of it."

Councilmember Griffin said, "Second."

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

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Shahid.

Councilwoman Jackson said, "Thank you, Mr. Mayor. Yes. Well, I have one particular question that I'm sure the owner representatives will need to answer. I know that the Morrison Yard itself is part of an Opportunity Zone portfolio, so will this property also qualify for Opportunity Zone tax credits?"

Mr. Bearden said, "It would qualify for an Opportunity Zone type investment, not necessarily a tax credit, but it is in the Opportunity Zone. Yes."

Councilwoman Jackson said, "I mean I'm asking a particular. Is that the way you all plan to develop it? Because if you do, then you need to have some community benefit named and put forward. So, that's what I'm asking. Is that part of your game plan to make this an Opportunity Zone financed property?"

Mr. Bearden said, "I think that's definitely one of the paths that we'll consider, but as with our office building, we went down equity partner paths that included Opportunity Zone and non-Opportunity Zone investment. Actually, through the pandemic, we found that there was less appetite for Opportunity Zone type funds, however, our office building is an Opportunity Zone type funded project, so this is to be determined. It's very early on in the process, and I'm happy to talk with you about that further offline if there is something specific. I'm not sure I fully understand where you're going with the question, but would love to walk through it with you."

Councilwoman Jackson said, "Well, maybe you could just give us the example of what the office uses are that will qualify you for the Opportunity Zone funding. There has to be some sort of community development benefit identified, right?"

Mayor Tecklenburg said, "No, I don't believe that's the case, Councilwoman. Respectfully, if you're in an Opportunity Zone, and you make a real estate investment and hold it for a certain number of years, I believe you're eligible for the tax credit. I don't think there are a lot of strings attached. I could be wrong."

Councilwoman Jackson said, "Alright. I would be very interested in following that train of thought then. Thank you."

Mr. Bearden said, "I'm just asking, would you be referring to new market tax credits by any chance? That might be a different program."

Councilwoman Jackson said, "No, I was talking about the Opportunity Zone, and I appreciate that. Anyway, we can talk about that offline. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. Mr. Morgan, what was the reason for staff's recommendation against this project?"

Mr. Morgan said, "Because this was not identified in our Accommodations Plan as a future expansion location for the Accommodations Overlay."

Councilmember Shahid said, "Even though this was going to be next to a Commercial business type development?"

Mr. Morgan said, "Well, again, that is new development. The Accommodations Plan hasn't been updated in a number of years, but this was not a site that was identified for it."

Councilmember Shahid said, "But, otherwise, it would fit. I mean, we're not doing anything too radical here by approving this. Actually, it's more consistent with the overall plan of the project."

Mr. Morgan said, "You know, we were just trying to be consistent with the Accommodations Plan."

Councilmember Shahid said, "I got it. I think this is worthwhile in approving. It sort of fits into the overall scheme of what the developer is trying to accomplish here, and we're not doing any harm to what I think we were trying to accomplish with the Accommodations Overlay Zone in other parts of the City. This fits, and it should be approved."

Mayor Tecklenburg said, "Councilmember Mitchell, I promise I'll come back to you. Let me catch the other Councilmembers who have not been recognized yet."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. I just wanted to confirm whether this parcel was in the Cooper River TIF? It looks like it to me, but I just wanted to make sure from the applicant."

Mayor Tecklenburg said, "I'm pretty sure it is. Isn't that true, Mr. Bearden?"

Mr. Bearden said, "I'm not aware that it's in the Cooper River TIF. I'd like to ask Mr. Morgan to confirm. It may be in the Morrison Drive TIF District."

Mayor Tecklenburg said, "Oh, that's right. I think it is the Morrison Drive District. I think you're right, Mr. Bearden. Christopher?"

Mr. Morgan said, "Yes, sir."

Mayor Tecklenburg said, "That's right."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. If anybody remembers the marble company that was there, a Light Industrial type use, there is no way that that would be a step above what these people are planning on doing. The way we've had two stakeholders in the community recently, earlier in this agenda, the Post and Courier stepped up with a dense type use in a very appropriate area and went above and beyond, as you pointed out, with affordable housing and reaching back to the community. On the same agenda, we have another developer that's doing something similar. They actually reached out, in this particular case, to people in low income housing. They won them over as fans. That's exceptional on one agenda, Mr. Mayor. If it was not in the Overlay District, frankly, it should have been in the Overlay District. It is not going to be detrimental to Single-Family housing. It basically almost abuts the bridge, so to speak, so I think it's very appropriately located. I commend the developer for reaching out and being inclusive and, I think, hopefully most of my colleagues are going to go along and support this measure. Thank you, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, Mr. Mayor. As some of my colleagues know, if all don't know, I work hard in my community. I'm always out there, and I work hard with my constituents. I always advise people, like I tell people, I ask my colleagues all of the time, if they have something pertinent in my community, please let me know, and I can have these things taken care of prior to any other information or any words they might say. I don't go in anyone else's district to cause any problems or ask any questions that seem like they're knocking a project, so to speak. I've got a problem with that, and that's always my problem. I always have a problem with that. I don't do things like that. So, I'm saying right now, when I have my constituents working with me, and this is a low income housing project where I have people coming out of public housing because they're looking for something better, and we've got people on this Council talking about something else and saying, 'Is this in this zone or in that zone?,' I don't even want to hear those kinds of things. These people are coming out here because they live there, and they saw what happened with all of the blighted area in there. It's not going to affect Sanders-Clyde School. I've been out there talking with them and made sure of that because if it did, I would not support it. So, I worked with them, back and forth, with the developers. I met with them, back and forth. I met with the constituents out there, and they are right in that office today because they said, 'Councilmember Mitchell, we're going to fight for this because it seems like they never want to give us anything in this community or in the City.' So, we've got to stop this kind of carrying on when it comes to things like this when I fight hard for something. I did my due diligence on these projects. I always do, and these developers will tell you I don't pull punches with them either. I let them know exactly what's going on and what I'm looking for. So, that's why I'm asking my colleagues to support it because I'm out there doing it. I'm out there doing my work. Thank you very much."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "I think we have a motion and second already on the floor. I would just like to add, Mr. Bearden, my general tendency would have been to agree with the staff recommendation. I would note, however, that the development that you all have pursued with Morrison Yard was not anticipated either. So, basically, we've created a new little business node there that was not anticipated, and I always look for some public benefit in a matter like

this. Of course, our new hotel ordinance requires you all to make a contribution to affordable housing, which is a benefit. It is in a TIF District, which will allow the City to provide some more public benefit, but I must commend you and your team for looking for other ways to bring some public benefit, including a prospect of a small public park of a small property that you still wish to procure from the Ports Authority that would be appropriate for a park. So, we look forward to working with you on that prospect, and I will support the matter. Does anyone else have any questions or comments?”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “Yes, just real, real quick. I pulled up the TIF Map. It's actually in the Cooper River TIF, and I think that is great because we hear about that TIF a lot. We talk about it a lot with respect to the LowLine, stormwater, affordable housing, and all of these things. This is going to be a shot in the arm with the TIF, great, but also just keep in mind everybody, a hotel still has to go before the BZA, as was already pointed out, so there will be another level of public review to kind of take a closer look at a specific design. This is not the end of this, but I think this is a great project and, frankly, the developer is to be commended for his outstanding outreach. I mean, I know he was all after me to try to meet with him, and we haven't hooked up, but, Zach, I hope we can connect. I just think you've done a great job. So, hat's off, and let's do it.”

Mayor Tecklenburg said, “Great.”

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 860 Morrison Drive (Peninsula) (approximately 1.76 acres) (TMS #459-02-00-002 and 005) (Council District 4), be rezoned to be included within the Accommodations Overlay. The property is owned by John Ritter.

Mayor Tecklenburg said, “Alright. Mr. Morgan.”

Mr. Morgan said, “This is E-7. The address is 30 and 30C F Street in the Westside of the Peninsula. It backs up to I-26 and the ramps and the LowLine. It's 0.16 of an acre. It is a request for a rezoning from DR-1 to DR-2F. We've seen a couple of other rezonings adjacent to this to the southeast. Also, across the street from this property we have pre-existing DR-2F, so the neighborhood is kind of split between these two categories, and the applicants would like to bring these properties into the DR-2F, as well. It's in our Urban recommended areas from our Century V Plan, so this is compatible with that. Here is an aerial image of the two properties. Again, they back up to I-26. Here is an aerial oblique image of the properties. Here is a street view, street to the southeast, street to the northwest, and residential across the street. So, staff recommended for this based on what was in the Plan and the fact that the other half of the neighborhood is zoned this way, and Planning Commission also recommended approval by 9 to 0 majority.”

The Clerk said, “No one signed up to speak on this matter.”

Councilmember Griffin said, “Move for approval.”

Councilmember Shealy said, “Second.”

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "This is another area I represent. I had a young lady call me pertaining to this project, and I contacted Mr. Morgan to make sure what was going on there and the way that particular property is offset, if you may. It's a funny piece of property. So, I explained it to her, after Mr. Morgan explained it to me, and they are satisfied with it, so we can go on and approve it."

Mayor Tecklenburg said, "Alright. Thank you, sir. Are there any other comments or questions?"

No one else asked to speak.

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

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 30 and 30C F Street (Peninsula) (approximately 0.16 acre) (TMS #463-16-03-049 and 050) (Council District 4), be rezoned from Diverse Residential (DR-1) classification to Diverse Residential (DR-2F) classification. The property is owned by ELP Properties.

Mayor Tecklenburg said, "That ends our public hearings for this evening. Thank you, everyone, who participated. Next up is our approval of [City Council minutes from April 13th.](#)"

Councilmember Griffin said, "So moved."

Councilmember Brady said, "Second."

Mayor Tecklenburg said, "Are there any additions, deletions, or suggestions?"

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilmember Brady, City Council voted unanimously to approve the minutes from the April 13, 2021 City Council meeting.

Mayor Tecklenburg said, "Next is our [Citizens Participation Period](#). Madam Clerk, would you lead us in that, please?"

The Clerk said, "Yes, sir. We have two citizens signed up to speak, and would you like to set a time limit?"

Mayor Tecklenburg said, "We'll stick with the two minutes. Yes, ma'am."

The Clerk said, "The first speaker is Tony Daniell. If you're on the line, if you could press *6. Tony Daniell."

1. Tony Daniell said his father, Dr. Herman Daniell, had lived near their home since 1966. He spent 30 years at MUSC publishing 75 papers and abstracts on heart and spine research, saving lives, and improving the quality of life, not only to citizens in Charleston

and South Carolina, but citizens around the world. He said apparently from the comments of the neighborhood they considered him an insignificant minority, and his safety was of no importance. He said the cause of traffic issues on Burning Tree and Frampton were a direct result of the two road closures not authorized by City Council by Court Order, a legal requirement before a road can be closed. As Councilmember Appel wrote to him, 'The facts are the facts.' For six months, he asked for signs that matched the ones posted on Inverness. From Councilmember Appel, 'We have refrained from installing 'No Parking' signs that are outlined on the School Traffic Study is that it essentially eliminates the legal ability to pick up/drop off.' He asked if it was true that Councilmember Appel intentionally ignored the law and the impact on traffic to the detriment of his father and his safety following his stroke to avoid having traffic on Inverness and forcing all drivers onto Frampton in violation of the Traffic Code. He didn't know why Councilmember Appel was so concerned about members on Inverness and Fairway. He said to please look at the videos he had provided. There were dogs playing in the street on Inverness while traffic was backed up on Frampton and people going the wrong way on Burning Tree Road during the traffic. It was not safe. He reminded Council that in 1976 Councilmember Stevens restated his motion that Fairway Drive at Harborview Road be barricaded, not closed and not abandoned, which passed unanimously. From Councilmember Appel, 'Opening these right-of-ways is not a legal obligation for us, therefore, the decision to re-open them and reverse the decision from the 1970s must be one that takes into account all of the voices in the narrative.' He didn't know what Councilmember Appel was talking about as they had voted to not close the road. He asked where the Traffic Study was and what was Councilmember Appel's decision based on.

2. Miguel Torres said he was also a homeowner in Country Club II. He didn't know why they were being singled out, but basically he had the right to have the same as everyone else, the freedom from noise, traffic, and so forth. Maybe it was because he was a retired, disabled Veteran, maybe it was his heritage, maybe it was his last name, but basically it was due to Councilmember Appel's improper relationships with others in the neighborhood and biases. He didn't know why Councilmember Appel needed to explain the differences between why they were not being treated as the rest of the neighborhood. He formally requested signs. There were a lot of parking codes being violated on Burning Tree. The Police came out once, and they were so disgusted that they left. He just didn't understand why they couldn't have a true study done by the time the school was released. He said that Councilmember Appel stated that he had stopped the study and that he was willing to do whatever it took, but yet nothing was being done. He said Councilmember Appel was willingly breaking the law as he was allowing violations day in and day out, and he had totally ignored the oath he took for City Council. He said there were eight young children that lived on his street, and he didn't understand why they would have so much traffic on his street. It was horrendous. There were 89 people who lived in the neighborhood, and nothing was happening. There was a small group that Councilmember Appel was friends with. With eight young children on his street alone and parents not being able to drop off their children safely, it was horrendous. Councilmember Appel needed to state his true intentions and not hide them.

Mayor Tecklenburg said, "Thank you, sir. Appreciate your comments. Alright. Back to you, Madam Clerk."

The Clerk said, "We also received some comments online and by phone, as well as letters. Those were submitted to Council ahead of the meeting. Two people asked that City

Council designate Flags Across the South as a terrorist organization and ban their activity at the Battery. Eight people expressed opposition to a petition to reopen the entrances at Frampton Street and Fairway Drive because allowing traffic would make the area unsafe for children to ride bikes or walk to Harborview Elementary School. Five people referenced City Council minutes from 1976 where the City agreed to not close Fairway Drive, Harborview Road, and Frampton Street. One person said a traffic study should be completed at Fairway Drive, Harborview Road, and Frampton Street and said that YouTube showed congested traffic on Burning Tree Road. They expressed concerns about the traffic. We received 48 letters of opposition to reopen Fairway Drive and Harborview Road stating that the area would become unsafe if reopened. Those were all the comments that we received.”

Mayor Tecklenburg said, “How many letters did you say, Madam Clerk, did you receive opposing?”

The Clerk said, “Forty-eight.”

Mayor Tecklenburg said, “Forty-eight. Okay, thank you. Councilmembers, any comments?”

No one asked to speak.

Mayor Tecklenburg said, “Alright, we’ll move on to our Petitions and Communications. First up is the [appointment of two Code Enforcement Officers](#). They do other things for the City, Tory Parish and Frances Pinto.”

Councilmember Griffin said, “Move for approval.”

Councilwoman Delcioppo said, “Second.”

Mayor Tecklenburg said, “Alright. Any discussion?”

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilwoman Delcioppo, City Council voted unanimously to approve the following appointments of Code Enforcement Officers:

- Tory Parish – City Architect – Preservation
- Frances Pinto – Senior Preservation Planner

Mayor Tecklenburg said, “Next we have a report from the remarkable Katie McKain. I say that because she’s done a remarkable job putting together our City’s proposed [Climate Action Plan](#) that we will bring to you at our next meeting, so that we could accommodate a special public hearing to get public comments on this important plan. Katie, thanks in advance for the work you’ve done on it. Please give us a report on that and the other work of that committee at its recent meeting.”

Ms. McKain said, “Great. Thank you very much, Mayor Tecklenburg. The Resiliency and Sustainability Advisory Committee met on April 15, and there were 11 of 13 members present. First on the agenda was the Peninsula Flood Risk Management Study, and Mark Wilbert shared a few updates about that, including a new 3x3 Advisory Committee that was created, as you all

know, to enhance the public engagement part of that project. The names of that committee have been posted on the website for everyone to see. Next on the agenda was the Heat Watch Program, and Janice Barnes explained that this is a heat research program happening in Charleston this summer. It's going to give us some more local data and bring more awareness to extreme heat in Charleston. Finally on the agenda, I presented the Climate Action Plan, which you all know, we have been working on since last fall with a robust community engagement process. The Committee did vote on it and voted unanimously to recommend the Climate Action Plan to City Council for your consideration. So, the Climate Action Plan will be on the next agenda, as Mayor Tecklenburg mentioned. Finally, there was a public comment period, and there were about seven people who spoke."

Mayor Tecklenburg said, "Thank you, Katie. Any questions or comments for Katie?"

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Katie, sorry I missed that meeting, quick question for you. Did we cost any of the recommendations out that the City would be responsible for? I know there are a lot of voluntary kinds of things that can be done, but have we done any costing out for the City at all?"

Ms. McKain said, "That was part of the process. There's a range listed in the plan with some basic estimates, but honestly, the majority of the items in the plan are no cost or very low cost. Any initiatives with a higher price tag are things we've been talking about for a long time, such as inventorying how we collect garbage and trash and things like that, the street lights on the Peninsula."

Councilmember Gregorie said, "Thank you."

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

Mayor Tecklenburg said, "Alright. Any other questions?"

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. Thank you, Katie, and I look forward to taking up the plan for approval and adoption at the next meeting. I just want to make sure that people who are watching this meeting will appreciate the breadth and the depth of the volunteers that went into working under Katie's excellent management plan to get the plan done. As a manager of people and stuff my whole career, it really was a pleasure to watch that whole process play out so professionally and engage people that were volunteering in their passion areas and really going the extra mile to do research and pool their creativity and innovative energy. I think it's going to have a lot of circles of influence that spin off once we adopt it because it will really prove that the City is serious, and people are sort of waiting for us to make that kind of contribution to their own engagement. So, I'm looking forward to all the next stuff. Just one more second about that, I know we'll have had another Resiliency meeting before the Heat Inventory Day takes place in July, right? But I do think that the more we can publicize our cooperation with MUSC and the Climate Adaption Partners who are going to come to Charleston and literally send out volunteers to designated locations around the area and literally take the temperature of the City and create that into a very innovative and useful database because people are studying science and climate impact. Water is one thing. Heat is going to be the thing that really has to

gain all of our cooperation to improve conditions that especially happen in urban areas like we have here.”

Mayor Tecklenburg said, “Thank you. Would anyone else like to ask a question or make a comment? I’ll just add to that NOAA study about temperature, the heat, it’s definitely another risk factor for our community. It’s also another factor that has, in essence, equity considerations. Those who can afford it have been able to enjoy the benefits of cooling and air conditioning, and as temperatures continue to rise, it makes a considerable difference. In studies that I’ve seen so far, the areas of our City with fewer trees and more asphalt have a marked difference in heat. So, to map all that out and to designate that and to focus our efforts for Cool Breeze and other programs that provide air conditioning and fans to our citizens really goes hand in hand and will be a good effort this summer. So, we move on next to a [report on the Health and Wellness Advisory Committee.](#)”

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, “Thank you, Mr. Mayor. I will be brief. I’d just like to outline to you all what a typical Health and Wellness Advisory Committee looks like and begin by thanking Councilmember Shealy and Paul Wieters on staff, who are dedicated members, as is everybody on that Committee. It’s super interesting. I would recommend all of you tune in sometime to one of our meetings, and you’ll see the number of things that are going on in our community that we can get involved in and have been involved in. At our last meeting, Dr. Katy Richardson, who you all know very well from giving us updates and briefings during COVID, shared with us her efforts in fast-track cities, which is an update around the Tri-County area where they’re looking at initiatives, among other things, to eliminate HIV in our community. She’s been very active in that, and it’s been amazing the things they’ve been able to accomplish. A Health in All Policies Program, something we, I think, as a Council, really need to think about. The idea of Health in All Policies is to make sure we create level changes within the City for addressing what are very apparent disparities and inequities within our community and to better understand how we, as a City, can really move that needle of life expectancy in our community. If you look by zip code, the life expectancy disparities are really apparent, and we need to really work hard on that.

If you haven’t met her, we heard from Dr. Ashley Hink, who introduced MUSC’s Community Based Violence Intervention Program. The idea in that program is they are looking to get with patients who present as vulnerable to being victims of violence and do some community intervention and develop relationships. It’s amazing how many patients they see that are victims of violence, and I think you’ll hear more from her directly on how we, as a City Council, can help in principle ways to support MUSC and their efforts there.

Lastly, and I think importantly for all of us to be aware of or perhaps even get involved in, we heard from Beth Johnson with the American Cancer Society and Kenneth Ray with the Center for Black Health and Equity who talked about one of the things that is near and dear to some of our hearts, and that’s tobacco and, specifically, flavored tobacco and the impact on our youth. It’s amazing how vaping and e-cigarettes are pervasive around our community. I think one of the things you all need to be aware of, and this is something that is not just directed at this issue, but sort of something that is near and dear to all our hearts, which is Home Rule, is House Bill 3681, which is the Tobacco Preemption Bill. Essentially, what that would do is take out of our hands, as a City, the ability to intervene and really regulate in any way, shape, or form vaping, tobacco products, menthol flavored cigarettes, and all the like getting in the hands of our youth. That bill, I think, is actually on a roster and an agenda this week up at the Statehouse and

in the Senate, so to the extent you all have contacts up there and have any feeling about this issue or more importantly taking the baton out of our hands locally from being able to do some really common sense regulations and taking Home Rule away from us, I would encourage you all to get on out there and have your voice be heard because I think it's amazing and important. Little by little and less and less we have a say on what goes on in our community, and I think that's something we all should be concerned about. So, lots going on in Health and Wellness in our community. Please make sure that you tune in if you get a minute. You can always go back and look at YouTube under the Health and Wellness Advisory Committee tab. With that, Mr. Mayor, unless there are any questions, that concludes my report. I want to thank Mr. Shealy for being back in town, so he can take this back over next time because he does an incredibly good job."

Mayor Tecklenburg said, "He does. Absolutely."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I'll be quick. Thank you, Chairman Seekings. I really appreciate that you gave us a report that wets our appetite for understanding all the challenges and that you are bringing forward in combination with our equity goals, so that's really nice to hear. I had a detailed question about the vaping or smoke products preemption legislation. Is it on the House side or the Senate side?"

Councilmember Seekings said, "It's a House bill, but it's both actually. It's a House bill, but they're taking it up and debating it in the Senate."

Councilwoman Jackson said, "So, it's already passed the House?"

Councilmember Seekings said, "From my understanding, yes. I will forward you an email from Beth Johnson that has all the details about it, which I just received this afternoon."

Councilwoman Jackson said, "That would be great. I would like to gear up some advocacy around that. Thanks."

Councilmember Seekings said, "Great."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "It was great to hear your report, especially as you talked about life expectancy and equity, etc. As we move forward with developing recommendations from the Commission, I think it would be very important that you take a close look at the recommendations from the Subcommittee on Health Disparities because I think there is an unbelievable connection, just based on your report. When those recommendations come forward to Council, we have to determine who will be responsible for implementing such. Some of that will definitely come to your Committee for taking a look at and making recommendations on how we could implement in order to eradicate some of the disparities that you just articulated. So, I appreciate what you're doing, but just hope that we would all connect everything to what the Commission is pushing for."

Councilmember Seekings said, "Well, let me just respond to that, Councilmember, if I might, just very briefly to you and Chairman Sakran. The Health and Wellness Advisory Committee is a resource that I would encourage you to reach out to prior to finalizing any

recommendations you have on health and wellness, particularly when it comes to health disparities and equity, because there is a lot of collective knowledge and wisdom in that group. They are well-educated and have a lot of information that I think they could share back with you. One of the things we've talked about a lot is health in all policies and the health disparities and inequities. We've been focused on that, so I would recommend you use the Committee as a resource before finalizing your recommendations and coming to Council."

Councilmember Gregorie said, "I agree with you totally, and it's just not for wellness, but as you go through all of our subcommittees, it has a connection to our standing committees in particular, and I think it's going to be the standing committees that will have a great deal of responsibility for going through those recommendations and coming forward with actions that the City may be able to implement. So, I agree with you. We cannot move forward without the extensive input, not just from your Committee, but all Committees that have a relevancy to the Commission. I appreciate what you just said. Thanks."

Mayor Tecklenburg said, "Any other questions or comments?"

No one asked to speak.

Mayor Tecklenburg said, "Okay. Thank you, Councilmember Seekings. Next up, we're going to do a follow-up on our workshop meeting, I think it was last week, about our [upcoming municipal elections](#) and the census. We resolved last week we'd try to go ahead and take action on at least determining whether we're going to proceed and have municipal elections this November. In the meantime, we did hear from the new Executive Director of the Charleston County Board of Elections and Voter Registration, Isaac Cramer. He's the guy that manages the execution, the running of the elections, and wanted to share a few observations with us about this matter. So, if I may call on Isaac to share with us. Isaac, thank you for being here with us this evening."

Mr. Cramer said, "Thank you, Mayor, and thank you, Councilmembers. I appreciate the opportunity to talk about the municipal election that you all were talking about. Obviously, I'm newly appointed and I heard about it on, I think, day 4 of my job, and my ears perked up when you all were talking about postponing the election and what that all looks like. Real quickly, Charleston County Board of Elections, we are the ones, even though you all have the MEC, you use our equipment, our poll workers, any election day absentee ballots, voter registration, we handle all of that for your election. One of the things I want to reiterate here is we want to minimize voter confusion, and we want to maximize voter participation. So, one of the proposals I saw was about the June primary date. I just want to give some caution to that. First of all, the timeline for the Census data, obviously they want to shoot for September 30, and there are some rumors it may be earlier, it could be later, and there could be lawsuits and a lot of those things. So, we don't have a true date as we go forward with the discussion about the municipal elections.

Let's just say, in a perfect world, September 30 you all can get the maps drawn and everything correct, and then you shoot for the June primary of next year. One of the things is the election would be a separate election from the June primary. It would not be on the same ballot. What would that mean? Voters would have to get in line again and sit in line and then vote in the municipal election. So, they would have already voted in the June primary, and they would have had to go into line again to vote for the municipal elections. So, I know from the fact of doing this for almost seven years that voters have places to be, things to do. They may not know that they have to sit in a second line, and there will just be confusion over the whole entire process, not to

mention the participation would probably drop significantly from people who are voting for the primary compared to the municipal election. So, in theory, it would be a good idea because you have everybody showing up for one election, but in reality, they would have to go through an entire different process to vote in the municipal election. Just to also note on that, the filing dates would also coincide with the State House, State Senate, and other partisan offices for County Council during the same timeline. Our office, it will take us 3-4 weeks for all the Census, redistricting, reapportionment, anything that is done administratively, that will take us almost a month to do, and that is if everything is perfect. We know that does not happen in real life. So, I just want to let you know that filing and those dates would coincide with other filings, and we have a very busy election calendar starting in January of 2022 going through the June primary. Any elections that were to be held during those months, it's my belief, in my short time of doing this, but I've been with the office for over seven years, it would probably lead to low participation if we're doing it during that timeline. So, that's about all I have to say on the municipal elections. I appreciate you listening to me. I know a lot of the other things might be a political discussion, but from our standpoint, the June primary date will not work for our office."

Mayor Tecklenburg said, "Thank you, Mr. Cramer. I think that confirms the gist of our conversation from the other day. Does anybody have any other questions for Mr. Cramer?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, sir. Thank you, Mr. Mayor. Mr. Cramer, thank you for volunteering to jump into this. We appreciate your insight and your advice on this. I just want to make clear a couple of things. There's nothing in the way of going forward, from your perspective, with an election in November for municipal elections, is that correct?"

Mr. Cramer said, "There is no issue with having the elections in November, and quite frankly, a lot of other jurisdictions in South Carolina are going forward with that."

Councilmember Shahid said, "The other question, and you mentioned a busy election season for 2022, in the event that we decide a special election sometime in 2022, what would be some of the dates or months that we would need to avoid so that we don't have a train wreck, from your perspective?"

Mr. Cramer said, "Right. Once again, we want to minimize voter confusion, so I would recommend any time after the June primary and before September, so sometime in the summer."

Councilmember Shahid said, "Thank you for jumping on. I appreciate those comments. Thank you, sir."

Mr. Cramer said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. My point is actually to the next item if nobody else has any more questions for Mr. Cramer."

Mayor Tecklenburg said, "Alright. Could I ask, before we bring it up to Council as a whole, Susan, did our staff have any other observations they would like to offer, further reflection or research?"

Ms. Herdina said, "Mayor, I don't think so. Julia did distribute to everyone the fifth scenario, and we're happy to answer any questions that anyone may have at this point."

Mayor Tecklenburg said, "I appreciate that. I would share with Council that it is possible for us to bifurcate this and go ahead and make a decision tonight that we would proceed with the November election, for example, and then just wait until a little later on to decide what we're going to do after November when we get the Census data and we really know what it's like and all of that. We don't have to do it all tonight, but that's just a suggestion to you."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. Thank you. That point is well taken, Mr. Mayor, but I'd like to go ahead and make a motion that we advise our staff to draft a resolution to proceed with that scenario five – November election, redistrict map, and if the new map results in an open district with no Councilmember or a district with multiple sitting members, hold a special election for those anomalies."

Councilmember Gregorie said, "Second for scenario five, Mr. Mayor."

Councilmember Griffin said, "That is scenario five, yes."

Mayor Tecklenburg said, "Alright. A second. Any discussion?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, sir, Mr. Mayor. You took the words out of my mouth, what I was going to say about this election. We need to bifurcate this. First of all, we need to go forward, and I said that the last time. We need to go forward and make a decision, and I fully support an election in November. That's why I asked Mr. Cramer just to cement this, that there's nothing to prevent us from going forward with an election in November. That's just fair to the six Councilmembers whose seats are up for reelection, the even number Councilmembers. It's fair to those who are going to file for those seats, as well. We just need to get that done and have that election in place. However, it is folly, and I'm going to emphasize this as strongly as I possibly can, it is absolutely negligent on our part to ask our staff to do something when we don't have the numbers on the Census. We're going to get it sooner or later, and we're going to be able to make an informed, intelligent decision on how to proceed with any other special election that we may need to have. We can guess pretty intelligently where the growth in the City of Charleston's boundaries has been. That's on Daniel Island and on Johns Island. We're going to have to make decisions on how those now underrepresented districts are going to need to be fully represented. I'm certainly going to be advocating that the folks on Johns Island and the folks on Daniel Island have not one, but at least two members of Council represent that. We're going to split some of those districts, which is going to bleed over to other districts. That may not be a very popular thing for some of you all, but it may be the right thing to do.

The one thing about all of this is this is not about us. This is not about any individual Councilmember. It's not about any particular candidate running for a City Council seat. This is about our community, and the presentation we had at the workshop was this: every voter, every citizen, has the right to be equally represented. That's the critical part of all of this. If that is our guiding post, if that is our responsibility, if that is our mission, we can't fulfill that unless we have the Census numbers dictating to us how we're going to represent and how our districts are

going to be redrawn. It also goes back to what Councilmember Gregorie said, who has been a veteran of these redistricting issues much more than I ever have been, once you make an adjustment on one particular Council district line, it's going to have an impact on at least one other if not all of our district lines. Some type of adjustment is going to have to be made. Now how in the world are we going to be able to ask for a resolution to be imposed, to say let's have an election on alternate five or scenario five, when we don't even have the numbers? If we support something along those lines then we're telling our community we're just going to heedlessly advance an election without having the numbers to back that up. That falls on all of our shoulders because the one responsibility to our City, as a community and a City as a whole, is to make sure that we are adequately including everybody as much as we possibly can. Now, scenario five may be the most appropriate and easiest solution that we're going to come across at some point, and I may support it at that time, but to go forward and say let's come up with a resolution and say let's plan for either scenario one or scenario four or scenario five is not being prudent at this particular point. I would very simply ask this, let's go forward with the election in November. That's been my position from the very beginning. That's fair to the six of you all who are up for reelection and any opposition. Then, let's just wait. Let's take a time limit, it may come in June, it may come in July, to see how we want to proceed after we get the numbers and after we have an idea of how those numbers are going to shake up. So, I would move to defer or at least amend the motion proposed that we just go forward with the November election. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "Correct me if I'm wrong, but isn't that exactly what scenario number five offers? It's that we move forward with the election in November, and we see how the chips fall and then move forward from there with how to proceed, or am I off base? I want to make sure I'm understanding it correctly because that's how I understand scenario five. We have our election in November. Once we get that census data, and we see how things shake out, then we develop our next steps."

Mayor Tecklenburg said, "Correct me if I'm wrong, Councilmember Seekings, but doesn't it specify that some districts may have a special election after the November election, and some may not depending on how the districts get drawn?"

Councilmember Seekings said, "Well, I think, if I can speak, I know others have their hands up, but I think you directed it to me, the whole concept of option five, which is the one that I suggested, is exactly how it was described by Councilwoman Delcioppo and others. With all due respect, not only do I not think its folly, I think it's irresponsible for us not to have a resolution telling people what we're thinking about going forward. It doesn't mean we need the numbers. All it says is we're going to have November elections, and within a reasonable time we'll take our Census numbers and redistrict and if, underline if, and only if those districts when drawn demand that we have a special election because there's an open district, then we move forward and have an open district election. By definition, we'll have to have at least one other election because then we'll have two Councilmembers living in the same district. So, it doesn't mean we need to know the numbers now, Councilmember Shahid, none of that. It's just telling people that we're not going to let this hang forever. We'll have our elections in November, we'll get our numbers, they may be November, they may not get to us until next year. Then, after we've done our redistricting, we have an election if, and only if, necessary. For those of you who've been through redistricting before, it may not be necessary. We may get numbers, we

may be able to draw districts so each one of us lives in a district, but one thing is for sure, and this is to Councilmember Shahid's point too, every single district is going to change, not a single district is going to remain the same. That is not a reason to put off announcing how we're going to proceed procedurally when we go forward and do the redistricting. We will have elections, if necessary, within a reasonable period of time. That is scenario five. That is what I'm going to support. If we don't do it tonight, it's what we're going to do anyway. It's going to come along, and we might as well just put it out there, let the people know how we're going to handle this process and then go through the process as the numbers come to us. Look, this is not something we created ourselves. This has been thrown at us by somebody else, and I think the best and most responsible thing to do, with all due respect, is to let people know, not only that we're going to have the elections in November, but we will deal with those numbers when we get them. We'll deal with them responsibly by redistricting and having elections within a reasonable period of time, if we have to. There is no guarantee we will have to."

Mayor Tecklenburg said, "Thank you, Councilmember Seekings, for that response. If I may make an observation, our citizens would know how we're going to proceed, and I think it would be unanimous, if we decided to say we're going to have an election in November based upon the current districts. I think we're all agreeable with that. Where I differ with you is the fairness issue of specifying that only certain districts may be subject to a special election. I don't know that that's fair to the Councilmembers or to our citizens. If two districts ended up, as you say, open, would it not be fair for all six districts to have a reelection? I don't know. I'm not advocating that. I would ask our Counsel, is that a situation by necessity that dictates another election be held? In fact, I think I remember our presentation saying that once you get elected you're good for a four year term. The good part about all of this is that we're in charge, so we can proceed and have an election in November and then see how it shakes out with the districts, if it turns out that we have, as you described, an open district or not. Susan, by necessity, is that a situation that would 'dictate' an election be held?"

Ms. Herdina said, "Well, again, to go back to what we talked about last week, there are a lot of different scenarios that can be pursued here. With regard to scenario five, the only thing I would say, and it may be defensible, however, there is no case law that we've seen where a map has been approved that only certain voters get to vote. So, that is a question that should be raised, and I think Mayor you just spoke about it. So, I want to be clear that there is no legal authority that either approves or disapproves the scenario five. Again, we want to look at our ultimate goals. How do we make sure we have voter participation? How do we make sure we have no voter confusion? I think those are some of the principles we have to keep in mind when we're deciding how to pursue tonight. To answer your question, Mayor, there's nothing that we have found that says you cannot, in effect, bifurcate how you have an election. In other words, as I understand scenario five, we'd be talking about one, possibly two, districts just having an election and the other four, their new voters would not vote immediately. They would wait for two more years or four years. That's a little bit different twist on what we've seen in the law."

Mayor Tecklenburg said, "Alright. Thank you. Would anybody else like to comment?"

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "No, I'm just saying I'm ready to vote."

Mayor Tecklenburg said, "Okay. Councilmembers Delcioppo and Griffin would like to be heard again."

Councilwoman Delcioppo said, "I'm sorry, but I guess I don't understand. Some people wouldn't be able to vote again. I mean, I don't like putting this out in the universe, but let's say I passed away, and now my district is open. District one folks would vote for me. That doesn't make it unfair for the other 11. I guess I'm trying to understand what that means. If you suddenly have a district that's unrepresented, how does that make it unfair? It's unfair to those people. They need to go to the polls and elect someone to represent them. It doesn't make it unfair for those people who have representation. I think I'm missing something here."

Ms. Herdina said, "I think the focus isn't just on residency but on when, in effect, do you get to vote on a map and who is going to represent you in that district. Under scenario five, again, it may be defensible, what you're saying is that those citizens who are in one district or maybe two, they can step up and vote now in a special election, but other people who have moved into your new district, I think it's fair to say that all the districts will have new people in them, you need to wait to vote for two years or four years or whatever is ultimately decided if the special election is held with only one district or two districts involved."

Councilwoman Delcioppo said, "But, I think that happens anyway. I mean, people move here all the time. My election was on November 5th, I mean, there were probably people who moved to Daniel Island on November 6th. I guess I'm just not making the connection."

Ms. Herdina said, "The difference is you're redistricting, and you have an official map here. The question is when the voters are entitled to have that map implemented and can vote for their new Councilmembers. It's ultimately your decision on whether you want to make that decision now or wait until you see the map and how it shakes out and make a decision then."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir, thank you. Susan, I hear what you're saying, but I think that your argument, for me, that kind of relates back to whether or not we want to have an election in November. From what I've heard, the overwhelming majority, if not unanimously, everyone is on board with having the elections in November. I feel a lot more comfortable that there is no case law that discredits us doing that nor discredits option five, but the fact of the matter is the vote tonight is for you to prepare a resolution, which means we're going to have to take another vote on this within the next couple of meetings. If something else comes up between, I mean, we're certainly not taking the vote on the resolution tonight, just authorizing the drafting of that. So, that gives us some more time if, for some reason, something else comes up. I would maybe say to ask the Attorney General to write an opinion on it, but I'm supportive of option five. I don't believe there's any case law that discredits us from doing that. I think that it would seem at least not very commonsensical for us to run in November and then potentially have to run again next year. I don't think that would be the case, but I'm concerned now with some of the dialogue that I've heard tonight, that we have some confusing things that have come up. I want to proceed with the vote as I recommended it, as I made the motion. Hopefully, if something comes up as you draft, you can bring it to our attention, if this even passes tonight."

Ms. Herdina said, "That's fine."

Councilmember Mitchell said, "Ready for the question."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "We're talking about voter confusion. If we have to change a resolution, we're creating voter confusion. To Councilwoman Declio's question, people within a district, every ten years there's going to be a change in the district. People turn 18 years old and are eligible to vote. People move into the district and are eligible to vote. People die and those people are no longer there. So, you have a shift internally within those ten years. That happens all the time. We don't change districts every year. We don't change districts every five years. We change districts with the Census review every ten years because that gives us a good sense of what's going on. We know from our own experience, and what we've seen happen, that there's a huge shift in certain geographic boundaries in our City. We know that. We don't have the exact numbers. We know that Johns Island right now is grossly underrepresented. We know that Daniel Island is grossly underrepresented. What everyone has agreed to is this, that no matter what we do we're going to have an impact on all 12 districts, on how we reshape it. We're talking about, very simply, avoiding voter disenfranchisement. What's the hurry on making a decision on what scenario we need to vote on tonight? What's the rush on that? There is no urgency on doing that. As Susan told us, there's no case law directly supporting doing that. So, you talk about voter confusion, voters are going to come out of here and say we've agreed to go forward with the November 5th election, but we may have to change the scenario five later because numbers come in. Why would we want to do that to our electorate? Let's make this very simple, very clear, very clean and say to the world, say to your electorate, we're going forward with the November election in 2021 for those even number districts and then, once we get the numbers in from our Census count, which we should be getting soon since we had a pretty good release today on what's going on with the Census count, once we get that, then let's look at that and see what scenario we need to vote on. That's very easy and very clean and very simple to do, and people have a very clear understanding of what we're trying to accomplish here."

Mayor Tecklenburg said, "Well, I must say, I concur. I know some of you all differ, but just to give you all an example, and Councilmember Brady, do you mind if I use you in an example because yours is one of the districts that we note might be subject to change? So, we have the November election, and that's district six, and Councilmember Brady decides to run..."

Councilmember Brady said, "District five."

Mayor Tecklenburg said, "District five. I'm sorry. Alright, take any even number district, those are the ones up this year, and somebody wins reelection, but then they wake up two months later, and they don't live in their district anymore. I think, Councilmember Seekings, you're saying that district would have a new election, even though when we elect someone, according to what we learned last week, you're really electing them to a full term, as long as that's what we agree to. Is it fair for that district to be subject to a new election when the other one wasn't, and they've all changed? I agree with Councilmember Shahid. It makes it crystal clear, if we disagree at this point, we're going to have an election in November that's based on the current district lines, and then we decide what to do later. I respect everybody's opinion. Any further comments? I'll call the question."

No one asked to speak.

Mayor Tecklenburg said, "The motion is to direct staff to draft a resolution along the idea of option number five."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Mr. Mayor, just procedurally, if Councilmember Shahid wants to put forward an amendment..."

Councilmember Gregorie said, "Come on."

Councilmember Griffin said, "I said I didn't want to add that amendment. I would like a roll call vote."

Mayor Tecklenburg said, "Absolutely."

The Clerk said, "Was there a second?"

Mayor Tecklenburg said, "There was a second. I think Councilmember..."

Councilmember Gregorie said, "I seconded."

Councilwoman Jackson said, "So, you're going to ask us to vote up or down on the full November election of scenario five?"

Mayor Tecklenburg said, "Right."

Councilwoman Jackson said, "And if it passes, it passes. If it's defeated, then we have to have another."

Councilmember Griffin said, "It's a resolution. It's to direct staff."

Mayor Tecklenburg said, "I'm going to call the question. All in favor, please say 'aye' when your name is called. Let's have a roll call vote."

The Clerk said, "Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Yes."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Aye."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "Aye."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "Aye."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Aye."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Aye."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "Aye."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Aye."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "Nay."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Aye."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Aye."

The Clerk said, "Councilwoman Jackson."

Mayor Tecklenburg said, "You're on mute, Councilmember Jackson."

Councilwoman Jackson said, "Aye."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Nay."

On a motion of Councilmember Griffin, seconded by Councilmember Gregorie, City Council voted to approve to direct Legal Counsel to draft a resolution and/or ordinance related to the date of the 2021 Municipal Election. The vote was not unanimous. Councilmember Shahid and Mayor Tecklenburg voted nay.

Mayor Tecklenburg said, "The motion passes. We'll come back to you with a recommendation."

Councilmember Gregorie said, "Mr. Mayor, I didn't get what Councilwoman Jackson's vote was."

Councilwoman Jackson said, "It was 'yes.'"

Councilmember Gregorie said, "Thank you."

Mayor Tecklenburg said, "Alright. Next up is an [update on COVID-19](#). Shannon Scaff and his team have been doing a remarkable job helping with vaccinations, and Tracy McKee might have a general update for us. Tracy, you want to take it away?"

Tracy McKee said, "Yes. Thank you, Mayor, and good evening, everyone. So, over the past couple of weeks, we've seen a little bit over a 31% decrease in our 7 day average. That's a low that we actually have not seen since early October. Hospitalizations continue to remain stable, which is also very good. However, variants are still a bit of a concern. Just kind of as a note, CDC is actually reporting that 70% of the positive samples that they're sequencing are from variants now. That's across the whole U.S. MUSC is getting ready to sequence a batch of positive samples, and they should have those results sometime next week. Just to share a little bit of information from the MUSC team, of the past 7 days in Charleston County, to kind of look at comparing how people are getting COVID and with vaccines, the average is about 10 cases per day per 100,000 people, and that's total population. But when you look at that rate, at those that have not been vaccinated and those that have no COVID-19 immunity, meaning no vaccine and they have not contracted the illness in the last five months, that goes up to 18 and then to 37 cases per day per 100,000 people. Really, the takeaway from the MUSC team is that it's highly likely that there is a surge of infections occurring among those without vaccination or have not had a recent infection. I think that that really highlights the need for people to get vaccinated. According to DHEC, I think this is really encouraging as well for vaccinations in general, there's only been about 150 breakthrough cases. If you actually look at, assuming those were all in April, that's still only 1% of all the cases in the State. That's very, very, very low and very encouraging. Another very encouraging thing is in their study recently that more than 80% of South Carolina residents indicated that they wanted to get vaccinated.

Staying with our theme of getting vaccinated, CDC released some new guidance today. Some of you have probably already seen this. They did put out a bigger list. I kind of pulled some of the things I thought would be of most interest to folks. On the left, you can see the recommendation for those who have been fully vaccinated. On the right, those who are unvaccinated. At the top we've got walking, running, or biking outdoors with members of your household. That is safe to do by those that are unvaccinated, as well as fully vaccinated, without a mask. The middle one was kind of a new recommendation today, or new guidance, dine in an outdoor restaurant with friends from multiple households. Now, if you are fully vaccinated, CDC has lifted the mask guidance, so if you are fully vaccinated you can do that safely without a mask. Obviously, if you are unvaccinated, they still encourage a mask and recognize that as something that is a little bit of a risk. One down from that, attend a small indoor gathering of fully vaccinated and unvaccinated people from multiple households. So, this is kind of assuming you really don't know the vaccination status of those that you are gathering with indoors. The recommendation is still for individuals to wear a mask and be socially distanced in that scenario. I thought that was interesting and positive guidance that came out today for folks that are fully vaccinated. Vaccine distribution, you can see we've kind of hit a plateau the last couple of weeks. The same number of doses have been distributed to our State. That dip was really just due to the pause in the Janssen & Janssen, or J&J, vaccine. That pause has been lifted, so I anticipate that distribution number should go up next week.

Just in case we have some folks watching who are unsure how to get a vaccine, thanks for prompting me with that last week, so South Carolina DHEC has a vax locator website, and that has the most current providers who are accepting appointments for vaccines. So, that's really the best resource to use to get a vaccine. Just for clarity, we have Pfizer, which is a two dose, available to any 16 and older. Moderna is also a two dose, and that is currently available to those 18 and older. Then, we have the Janssen or Johnson & Johnson, which is a one dose, and that one is also available to those 18 and older.

How are we doing across the U.S. in vaccinations? You can see we've got almost 43% that have received at least one dose, and we're approaching 30% of Americans who are fully

vaccinated. How are we doing in South Carolina in comparison? We're kind of right there in line with the U.S., 41% have at least one dose and 30% fully vaccinated. City employee cases and vaccinations so, we have 3 active cases currently. Over the course of the pandemic we've had 282 cumulative cases, and we are now at 36% fully vaccinated for City employees. Unfortunately, you only get me tonight. Shannon got the night off. So, just some information from Shannon and his team. They've been doing some amazing work in the vaccination efforts in the community and more than 35,000 City assisted vaccinations happening in the City of Charleston. That team is continuing to support existing and new vaccination efforts. Through a partnership and grant, the City now has a pop-up shelter that can be used in future vaccine efforts. MUSC is continuing to use the space at 180 Lockwood, and they're administering, on average, around 5,500 doses each week at that location. A lot of great work happening, and I'm happy to try to answer any questions you all might have."

Mayor Tecklenburg said, "Any questions for Tracy?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Tracy, I was watching the news earlier this morning about the number of folks not following through with getting their second shot. How does South Carolina compare with the national trend on folks passing up on their second shot?"

Ms. McKee said, "I looked for that information on the vaccination dashboard. I don't see where DHEC is actually reporting that at the State level. I'll continue to look for it, and if I find it I'll be sure to share it with you all."

Councilmember Shahid said, "I was just more curious to see how we were faring with the rest of the country on that. I don't understand the issue. If you took the time to get your first shot, why would you not go forward with the second shot? I just wanted to see how that was panning out locally for us. Thanks."

Ms. McKee said, "Sure. I got my second shot already last week."

Councilmember Shahid said, "I got mine, too. I'm all good."

Mayor Tecklenburg said, "Alright. Anybody else?"

No one else asked to speak.

Mayor Tecklenburg said, "Well, thank you, Tracy and Shannon, for your work on this. I spoke with Dr. Cole Monday morning, and he indicated, along with Dr. Cawley, that demand is softening a little bit, particularly for what you would call the 'one off' clinics. Business has been pretty steady at Lockwood, but MUSC does plan to expand the hours a little bit and also make vaccinations available to folks who walk up without getting an appointment to try to make it more convenient for people as the demand softens a little bit. So, more to come on that, but we're going to continue our efforts and try to get as many people vaccinated as we can. So, thanks for everybody's work. Next up is [Council Communications](#). This also is a follow-up from prior conversation. Councilmember Waring asked for this. Councilmember Waring, if you don't mind, I would like to ask Rick Markiewicz to give us a report. We had asked him after our last meeting to take another look at City Council Chambers and assess how many people we could get in there under current conditions. Rick and the team have taken a look at that."

Mr. Markiewicz said, "Yes, sir. Good evening, Mayor and Councilmembers. Tracy has a diagram that she's going to put up for me for the visual people. I know there are a couple of Councilmembers that are in the Chambers tonight, so this is not to scale as it comes up. In anticipation of the CDC loosening some of their COVID-19 restrictions, we were asked to reevaluate the occupancy for Council Chambers. Instead of using the six feet, we looked at it to see if we were able to use the three feet recommendations that they're currently using for elementary schools. Based upon that, as you can see, we can get 25 people on the main floor. That's broken down into the 12 Councilmembers, the Mayor, the Clerk, Assistant Clerk, three City staff, three City IT, three media, in case all three media outlets want to show up, and then a microphone for public speaking. We're still working through the flow for the public, but according to the Fire Marshal's requirements, it's limited for what we can put in the hallway. Along the wall, we might be able to get 11 people waiting with three spaces for seating. We have not used the board room vestibule yet, that's unmarked. There are a lot of desks that we're not sure they can relocate that Tracy is identifying right now. If we can do that, we can get some more seating for overflow. That's the way it's looking right now with the anticipation of three feet distancing for CDC recommendations."

Mayor Tecklenburg said, "Okay. Well, thank you, Rick, for taking another look at that. Councilmember Waring, do you mind if I just throw out a suggestion to us?"

Councilmember Waring said, "No, I don't. Go ahead, Mr. Mayor."

Mayor Tecklenburg said, "So, we still don't get a lot of people in Council Chambers and, as you all know, every year we historically have some away from Council Chambers meetings around the community. So, I'd like to suggest, I've also asked our IT folks to look into what larger facilities we have that have the wi-fi and internet capabilities to sustain. What we would like to do is have a blended meeting where we meet in person, but also Zoom so that folks can still join us over the internet, in addition to coming in person if they'd like. To try and accommodate more people and to go ahead and begin the second meeting of May, May 25th, and for the summer, to have our away from Council meetings. Hopefully, by the end of the summer, we'll be able to have different recommendations from CDC to where we could get more people back in City Council Chambers. So, the four places we've identified would be the James Island Recreation Center, the Bees Ferry Recreation Center, the Daniel Island Recreation Center, and the Gaillard. So, we have the capability to meet at those locations. We'd fulfill our normal, annual objective of having community City Council meetings around the City, and it would allow us to get more people back in the in-person rooms. Anyway, that's my suggestion, but we're open to the pleasure of Council."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I think those are excellent choices. I wasn't with it to having Council meetings in City Hall Chambers. I always thought we could have Council meetings at the Gaillard. We've had them there in the past. As a matter of fact, there are a couple of other places we could have them. We've had them at Ashley River Elementary School before. We've had meetings at Burke's Fine Art Center before, it's auditorium over there. But, your idea about going off-site I think is great, and the second meeting in May, I think is fine."

Mayor Tecklenburg said, "We did check with the school district, and they are not allowing us to meet in the schools yet. They're still not allowing that. I'd recommend the Gaillard first, but the 25th is right at the beginning of Spoleto, so I think it will be best to be at either James Island or Bees Ferry, then do the Gaillard, and then do the other two."

Councilmember Waring said, “Mr. Mayor, I’m fine with that, as well. I just think we ought to get back to meeting with the public. Those other venues that you made mention of, I’m fine with that, as well. We just need to get back and be more transparent than only Zoom allows.”

Mayor Tecklenburg said, “Absolutely. I’m ready. I think we’re all ready.”

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, “Thank you, Mr. Mayor. As you all know, I’ve been down here at City Hall these last few months, and it does present some challenges trying to do Zoom, especially with multiple people in the room. I know you all probably hear our echo, but we’re just down here. There’s four of us today. We’re all spread out. None of us have contracted the virus, but it just doesn’t feel fair to meet and not be able to face our constituents. I know my district is telling me, ‘Harry, I don’t care where the meeting is. Just make it public.’ If we can keep pushing towards that goal, I know it’s going to come back up at our next meeting to take a vote, if in the next couple weeks we can put a plan together, Mr. Mayor, so we can take that vote and have a location for the following meeting, if you think we can get it done in a month, that would be a big step in the right direction. I know that we’re always looking to follow CDC guidelines, but just for an example, we actually decided that we weren’t going to wear masks outside before the CDC recommended it, and our numbers are still dropping. So, we need to think about what is best for our citizens. We need to make a decision for them. We can’t think about the collective whole of the country, but if we look around us, and we look around these other municipalities, they’re all making steps to meet together in person again. Almost every one of them have already put that procedure in place and are doing it, and I think the last couple of municipalities close by have now got that procedure in place and will be meeting in person within the next week or two. I hate that we’re the last ones to the table on this, but I would love it if we could continue to push this conversation forward and make a decision within the next month.”

Mayor Tecklenburg recognized Councilwoman Jackson followed by Councilmember Shahid.

Councilwoman Jackson said, “Thank you, Mr. Mayor. I hope I didn’t miss this. I have a quick question. I’m ready to meet in person, and I know I’ve been very conservative through this whole last year, and I don’t think we should feel that we’re anything other than what we are as a City. We definitely set the tone for a lot of things that happen in this State over the longevity of our municipality and just in the way that we conduct our own business and set standards. So, I don’t think that we need to apologize that we’re coming to this at a later phase of the COVID recovery. We are who we are, and we are very protective, and we are very conservative when it comes to the safety and the lives of our citizens. Regardless, I’m totally ready to meet in person. I do miss not having the body language and the eye contact and understanding where people are coming from. You just cannot do that on Zoom. There’s just no substitute. But, I do know that our public has also been very appreciative of being able to dial-in from where they are safely on our meeting nights and watch our proceedings as actively as they possibly can. So, I don’t know if we’re still planning that we would have public access by Zoom or some other means of interacting with us, especially if it’s small numbers. So, that’s going to be the program, right? We’ll be in-person with whoever we can squeeze in safely, and then we’ll have public access virtually.”

Mayor Tecklenburg said, “The public would have the option of coming in person or watching us online and participating online, as we’ve been doing. Our hope is to accommodate

both and, frankly, I've said before, I think if we can figure out a way to keep that alive, we increase public engagement and participation which I think we all agree is a good thing."

Councilwoman Jackson said, "Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, Mr. Mayor. This is more for clarification purposes. So, when we do meet in person, are we talking about only the Ways and Means Committee and full Council, or are we going to meet in full person for all of the various committees and commissions?"

Mayor Tecklenburg said, "At this point, our recommendation is just Ways and Means and City Council."

Councilmember Shahid said, "So, today there was a Recreation Committee meeting, and what we have done in the past when we did meet at different sites, we would all gather early for those Committee meetings and then roll right into Ways and Means and other committees. So, for instance, would Recreation meet by Zoom only, and then meet in-person for Ways and Means?"

Mayor Tecklenburg said, "I must admit, I don't know that we've thought about the logistics of same-day committee meetings. I would not be adverse to having them in person since we're all set up to have an in-person meeting, but if you had the Monday afternoon meeting we could still Zoom it for now."

Councilmember Shahid said, "I'm just throwing that out there for consideration and discussion. I think that's something that I don't know that we've thought all that through, but I would just add that should be part of the discussion."

Mayor Tecklenburg said, "Okay, great. Back to Councilmember Waring."

Councilmember Waring said, "Thank you, Mr. Mayor. Listen, we had this nice discussion. We've had it before, but I think your idea is right about going out to larger sites. But, what I'd like to do is put a motion on the floor that we meet in-person, give staff time to work out the logistics, the second meeting in May."

Mayor Tecklenburg said, "We did put on the agenda that we may or may not take action. So, we have a motion on the floor. Do I hear a second?"

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "That we would resume City Council meetings in-person on May 25th. Any further discussion?"

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shealy, City Council voted unanimously to resume in-person City Council meetings on May 25th.

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

Mayor Tecklenburg said, "So, we'll work further on the logistics and let you know the specific location we'll be at, not only May 25th, but through the summer. We are going to figure out a way, if at all possible, to continue the Zoom or internet capability for citizens so they have that choice. Okay. Great. So, next up is our [Committee on Public Safety](#). Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor and members of Council. The Public Safety Committee met yesterday afternoon at 1:30. We had a very full agenda. First, we received a report from Steve Ruemelin as to the sidewalk ordinance. He gave us a breakdown as to the enforcement since 2017 and number of cases that were handled, deferred or dismissed. We went back and recommended that they look at four areas to improve or tweak this sidewalk ordinance. One area is that some people, or sort of a loophole with this ordinance, is that people may be sitting on private property with parts of their body extended over into the sidewalk, which sort of defeats the purpose and idea of doing that. So, we've asked them to look at that and redoing that particular aspect. There was an issue with keeping count of first warnings issued to some of these folks, so there was discussion about whether or not we should eliminate that aspect of the ordinance. Also, the imposition of a restraining order also including a certain piece of the area around Market Street between King and East Bay was part of the issue, as well. So, that was the other part, and we've asked them to review. Steve is available online if you have any questions concerning that, but we don't need to take a vote on that. It was just an update and request for them to tweak those four particular areas of the sidewalk.

We also received, for information only, Items number four and number five of our agenda, an agreement between the Police Department and Dignity Best Practices. This was a goal of implementing some of the recommendations from our internal audit, sorry not the internal, but our audit dealing with how we're handling with other folks who may have other issues. It sort of goes hand in hand with the Police training dealing with folks who may have special needs. Hopefully, what we're looking for is de-escalating situations as opposed to letting things get out of control. We've seen a lot of that apparently, and unfortunately, across the country how people with special needs, the situation becomes more accelerated, and there's sometimes a very unfortunate and fatal reaction or outcome with the Police not handling that properly. The other part is this DAODAS Program and partnering with them and entering into agreement with the Charleston County Addiction Crisis Taskforce. Part of that is also with the opioid addiction, as well. So, those were just for information purposes only. No action was taken on those items, three, four, and five.

We also had an update on the Emergency Ordinance. This was the curfew ordinance, and we told Council we approved it for 30 days. That curfew just gives the Mayor a tool to impose a curfew after consultation with the Chief. The Chief requested that we keep that ordinance in effect and let it expire after its 30-day termination, and if we need to renew it, come back and do it. But, certain things are still developing across the Country that may have an impact in Charleston with the need for a curfew based upon other protests that are going into effect. Again, no action was taken on any of those items.

Finally, we spent a good portion of the time in Executive Session regarding a discussion on the development of security personnel and devices. It was very robust. We came up with some specific questions and recommendations to get a further report. This is particularly dealing with when we return to City Council Chambers for in-person meetings on security issues that we need to be addressing throughout City Hall. If we need to have any further discussion about

that, I would recommend that we go back into Executive Session. I don't want to talk about security matters in open public. I see Chief Reynolds is on the line, if you have specific questions for him concerning that, and Chief Curia certainly weighed in, as well. I'm sort of giving you a very abridged version of that discussion. It lasted well over an hour as to what we were talking about."

Mayor Tecklenburg said, "Well, thank you, Councilmember Shahid. I'll just simply add that during the summer, while we're having these away from City Hall meetings, the recommendations by Chief Reynolds and our staff, Jason Bruder, looked very closely at this. We'll be implementing those safety enhancements that we can over the summer."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Yeah, I brought up part of the issue at the last meeting and gave deference to our Chairman of Public Safety Committee. I'll continue to do that tonight. In lieu of an hour, potentially, executive session, is there any way we can get an update on that executive session outside this meeting or a Cliff Notes version? Obviously, members of the Public Safety Committee are informed on that, but that leaves out about seven Councilmembers of the information loop. I understand the sensitivities and wanting to discuss this in Executive Session, and I'm agreeing with that, Mr. Mayor and Chairman."

Councilmember Shahid said, "So, I think, I would love to do that, Councilmember Waring. I think everybody needs to be informed and weigh in on this issue. Susan, can we do that, send out a confidential memo to the rest of Council?"

Ms. Herdina said, "That's what I was going to suggest, that we can put together a confidential attorney-client privilege memo and distribute it to Council to review."

Councilmember Waring said, "Thank you. Let me defer my concerns until we get a chance to get some additional information. I'll defer the questions that I brought up at the last meeting as a result of your Committee meeting with both Chiefs, Chief Curia and Reynolds, upon receiving additional confidential information. Let me defer until after receiving that information. I don't want to discuss the previous discussion I had at the last meeting."

Councilmember Shahid said, "Councilmember Waring, I was just asking Ms. Herdina if she was going to prepare the memo."

Mayor Tecklenburg said, "We'll send that out, and how about this? If we need to schedule an additional Executive Session for the entire Council after that gets reviewed, we certainly can do that."

Councilmember Shahid said, "That will be a prudent way to do it. I agree with that."

Ms. Herdina said, "Councilmember Shahid, we can prepare that."

Mayor Tecklenburg said, "Alright. Any further questions for Public Safety or for Chief Reynolds?"

No one else asked to speak.

Mayor Tecklenburg said, "Hearing none, we did vote on an additional update to that Civil Sidewalks ordinance, but we can vote on that when it comes before us. I think everything is for information only. Correct, Councilmember Shahid?"

Councilmember Shahid said, "Yes, Mr. Mayor. That was all for information purposes. Those are just recommendations and then once we get a proposed, revised ordinance, we'll bring it for full Council."

Mayor Tecklenburg said, "Great. Terrific. Thank you. Next up is [Committee on Public Works](#). Councilmember Waring."

Councilmember Waring said, "Thank you, Mr. Mayor. We met yesterday and had a discussion on the amendments to this Street Tree Manual, which were actually some pretty good amendments. It was voted on and passed unanimously, and I so move for its adoption."

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

Councilmember Gregorie said, "Second."

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

a.(i) Consideration of Amendments to the Street Tree Manual

Councilmember Waring said, "Under Item B, we did receive an update from Mr. Fountain on the Stormwater Manual Taskforce. We had an Executive Session that we got information and brought up to speed on the situation that you'll see drawn on your agenda, but no action steps were taken on that. That's the extent of my report, but I'm going to let Mr. Fountain finish it out with a Cliff Notes version of the Stormwater Manual Taskforce update. Mr. Fountain."

Mr. Fountain said, "Thank you, Mr. Chairman. Just very briefly, we did reconvene the Stormwater Manual Taskforce that had originally been sort of the diverse group of stakeholders that had met to discuss the Stormwater Manual and make supported recommendations to staff that were incorporated into the final Manual. It's basically been nine months, approximately, since the manual went into effect. We've had about 75 unique development applications come through the review process in that time. That's unique properties, not numbers of reviews of those properties. So, it's been a pretty good testing of how the manual would go into practice from the design side. The Task Force indicated that its generally gone well. I think there's certainly a stricter requirement, but there was an understanding that it's clearer and has less discretion associated with the manual. That was something that was seen as a positive. We did discuss further then modifications might be needed to make to the manual based on this experience and also complaints staff has had from the public. I think the main area we discussed was smaller sites that are not currently covered by the stricter standards of the manual. There was some discussion at the Task Force briefly on not making that overly restrictive for very small, especially commercial, sites being built by making those basically impossible to develop. The methodology we basically presented, and I think was well-supported, was to do a pre-development drawing to show where water would flow on a site, and then a post-development drawing to show, after grading, how water would be directed into a public drainage system. That, I think, was seen as a good medium, where it doesn't involve a lot of design costs. It's work that should be done anyway on a site development, but it does provide

some security for neighboring properties that water isn't being dammed up on neighboring properties and causing flooding, which is what we're seeing still as one of the major complaints is these small properties as they develop that way.

We did also discuss the Fill Ordinance, options for additional restrictions to fill. The Task Force basically asked that we see some of the 75 projects through and into construction to see how those are working from a fill perspective because, again, while we've had 75 sites come in, most of those have been in the last handful of months so they haven't made their way all the way through into construction yet obviously. Only a few of them have gotten into construction. The area that was discussed in more detail however was the idea of potentially looking at a restriction on slab-on-grade foundations within the floodplain as a way to disincentivize fill. That was generally supported by the Task Force. Most of the development community felt that wouldn't restrict the ability to develop a site and build lots. Again, I'm speaking in very general terms here. I did want to note that the Task Force does not have a strong representation from the building community. It's much more of the site development community, the technical community, scientific community, and residents, so I think we do still need to reach out to the builders on this, but there has been pretty good support for potential restrictions on slab-on-grade within the floodplain with some caveats to make sure we don't negatively impact affordability of housing construction.

So, I think at that point, we were basically directed by the Public Works and Utilities Committee to basically start making these changes that we've discussed with the Task Force, bringing back the draft of those reviews by the committee, and also to start the drafting process and outreach associated with it, looking at a slab-on-grade foundation restriction within the floodplain."

Mayor Tecklenburg said, "Great. Thank you."

Councilmember Waring said, "That's the extent of the report, Mr. Mayor. I just wanted to give congratulations to Mr. Fountain. Many of you all may have seen, I believe it was in the City paper, he had an extensive article in there and glamour shot in there with his picture talking about drainage projects. So, congrats, Mr. Fountain."

Mayor Tecklenburg said, "Thank you for that. Alright, were there any other questions or comments for Mr. Fountain or this committee?"

No one asked to speak.

Mayor Tecklenburg said, "Alright. Hearing none, next is [Committee on Recreation](#). Councilmember Gregorie."

Councilmember Gregorie said, "Yes, Mayor. I'm going to ask Jason, Laurie, and Scott to give a brief update on the items contained in the report."

Mayor Tecklenburg said, "Alright. Thank you, sir. Jason, do you want to go first?"

Mr. Kronsberg said, "So, yes, Mr. Mayor and Chairman. I can start in order on the agenda, which is a little bit different than we had in our meeting. I'll try to keep this succinct, and if it's okay, I will just keep presenting, and if you have any questions, please feel free to interrupt me, if that's okay with everybody. I'll go through, first, the Parks and Rec Master Plan update. So, we had our consultant on the call earlier, and I'm going to try to go through this quickly just

to kind of give everyone an update on where we've been, where we will be soon, and the outlook on the schedule. So, since we started this project, the consultants have visited over 145 City sites, and the architects have assessed 36 structures on those sites. They've analyzed our recreation programming offerings, reviewed demographics, analyzed service areas of all facilities and parks to identify gaps in service, reviewed existing studies and previous reports, performed a social needs and conditions analysis to identify those areas that will benefit most from Parks and Recreation services, benchmarked our facilities program and budgets with 32 other agencies of similar sizes in the Southeast. A challenge during Covid, that I think we all had, is public engagement. So, what the team did, we put together a statistically valid survey of over 600 households. We had 2,400 responses from our website survey, and this was a unique thing that the team came up with, they went and had t-shirts printed up, and they visited over 20 locations in our parks and just talked to people that were there using the parks. They have over 324 surveys that they were able to gather. They talked to many people that may not participate in an online meeting, may never go to a public meeting, and may never fill out a survey. So, it was really interesting feedback, and it was a wonderful way for us to get that person-to-person contact during the pandemic. In addition, we had 28 stakeholder meetings that involved sports groups, outside recreation providers, City partners, and other groups, as well. They participated in 10 of the City Plan Listening Sessions, with over 300 participants each, reviewed the City Plan results from over 3,000 people, additional online engagement with 108 individuals, worked with 59 staff members to develop a strategic plan with a new mission, vision, values, goals and objectives for Parks and Recreation. The consultant team came to Charleston last week with our local rep and met for three days to review all of this information. So, that's where we have been, and here's where we go.

They are bringing all of that information together. They're putting together a City-wide Parks and Rec facility recommendation, working on individual park improvements with cost estimates, recommendations for overall department organizational structure, potential for income generation, looking at staffing, funding, and revenue generation, partnerships, programs and services. So, I'll end up here with the schedule going forward. May 10th, the team will be in town, and Laurie and I will review the draft recommendations. Then, on May 13th we were going to schedule the next Steering Committee meeting, which hopefully some of you will be present at, to review the Strategic Plan and preliminary recommendations. Finally, on the 17th, we'll be meeting with the Mayor to review everything that I just talked about, and then in May we'll come back to the Recreation Committee, present the findings. Early June, full draft and final plan to the Steering Committee. June Recreation Committee for the draft of the final plan and then hopefully bring it back in July to present to the full Council. So, that is where we are and where we have been on the Parks and Rec Master Plan. Any questions on that? I know that was a lot of information, and I apologize for that much.

Mayor Tecklenburg said, "You look good. Keep going."

Mr. Kronsberg said, "Alright, so we'll keep going. We also gave an update on the Alma Dungee Community Center. Many of the contract terms have been completed. We've installed the new structural supports for the second floor. We've repaired the old termite and rot damage. We've replaced a lot of the second floor joistings and flooring. Framing for the new restrooms has been completed. Plumbing work has started, as well as the HVAC duct work. What we did find, as is with any of these over 100 year old buildings, when we started peeling back the onion, if you will, we pulled the ceiling down, and the original issues were because the ceiling caved in on the back corner of the building. That's when we had the structural evaluation done. Well, we didn't have the ability to see everything, so when we started pulling the ceiling out we found there was additional former termite damage, additional brick and mortar issues that

created moisture issues, more rot. So, we had to call the structural engineer back in. The engineer has reviewed those issues and prepared additional documents for repairs. We have a Change Order in the queue that will be coming to the next Council meeting with, not an insignificant amount of money, but nothing too substantial. This would also incur a time extension, so we're waiting for the contractor to come back with a new schedule, which we will have to amend their contract. I'm going to keep going, unless you have any questions.

W.L. Stephens Pool, we are preparing to open that facility up on July 1st as a seasonal pool due to the air quality issues resulting from the failed roofing system and the fact that the facility is an old 60's/70's building. So, the current work is we're adding a new security system. We've repaired all the sewer lines. We're conducting some painting and some fencing. So, that facility will open on July 1st."

Councilmember Waring said, "Mr. Kronsberg?"

Mr. Kronsberg said, "Yes, sir?"

Councilmember Waring said, "I've got questions about W.L., actually about our swimming pools period. I think W.L. Stephens is, frankly, obsolete. What is the long-term plan for our swimming enthusiasts in the City of Charleston? My understanding is that the renovated M.L. King pool roof also is experiencing difficulties. What is our plan?"

Mr. Kronsberg said, "The M.L.K pool, the contractor did come back and make some repairs to the cracks and irregularities in the pour of the concrete. Not unsurprising that a brand new facility of that scale and stature, there's going to be little things that we're going to have to fix and adjust. So, to my knowledge, it's operational again and didn't think there was too much of an effect on the schedule of programming. W.L. Stephens, and I think when the Parks and Rec Master Plan comes out it's going to have some major recommendations, Capital recommendations, for W.L. Stephens."

Councilmember Waring said, "And that's what I'm asking for. I understand the seasonal part, temporary aspect. We've even had to go to the point of using some of St. Andrew's PSD Wellness Center. That's a big hole in West Ashley not having a facility there. The long-term plan, the Capital aspect that you alluded to, I'd like to know about."

Mr. Kronsberg said, "The W.L. Stephens recommendation is going to be that we start fresh. The facilities need so much work and we've been, at the request of the Mayor, working on a couple of different options on how we could rebuild that facility while keeping that pool open, but the recommendations are going to be to replace that facility. All of these things come with a budget that has to be identified, and I think there are going to be a lot of recommendations that come in the Master Plan that will evaluate each of our pools, and specifically W.L. Stephens, that it be replaced with a whole new facility."

Councilmember Waring said, "Thank you."

Mr. Kronsberg said, "Let's keep moving forward. Stoney Field, the CCSD contractor, their field surcharge is complete. Now, they've got the second project of surcharging to compact the ground soil conditions for the 400 meter track. That surcharge will be sitting probably until late summer, hopefully sooner, but at least through late summer, August of this year. They've indicated to us that the schedule would not accommodate for football this year, so CCSD will be working to provide a facility for them to play. I think they played at the Citadel last year and

some other locations. We also picked the synthetic turf material, as well as the rubberized surface for the track, which is commensurate with all the other fields that the school district is building right now. The City work that's happening on Stoney Field, you've all seen that we've done the lighting. We've done all the small repair, painting the stands, new seats, new fencing interior to the facility. The HVAC work has been completed inside the locker rooms, so those locker rooms that have never had conditioned air now have conditioned air. The undergrounding has been completed. The new transformer installed and most of the underground infrastructure is in place, so there will be a new meter installed and that secondary pole will be removed when the new power line gets tied in.

We're currently working with CCSD, reviewing all of the irrigation improvements across both of our projects to make sure they're coordinated appropriately. The SCDOT encroachment permits have been approved for the driveway apron. Lastly, we are finishing up our TRC review for the parking lot enhancements. The new gathering or entry area, that is located where the old maintenance gate was off the old parking lot, more landscaping, hardscape, trees, as well as new fencing that will surround the stadium on the front side. That will be brick piers with ornamental fencing in between. That work should be bid out in May for the City site work. Was there a question?"

Councilmember Waring said, "I do have a question, but I'm going to wait until the end after you do Carr Richardson."

Mr. Kronsberg said, "Okay. So, as you all know, Carr Richardson Park is fairly freshly started. It's a 365 calendar day contract. The SWIPP inspections have passed. The site work has commenced, and the general contractor has made significant headway with their submittals and product data to the City for approvals. As you can all imagine, the contractor has encountered significant debris at the end of the point that extends out into the marsh, so we're making determinations on how we can contend with that rubble that's out there at the end that doesn't have any soil materials on top of it. It might require us to shorten the finished area creating the overlook a little bit short of the end, but we're working with the architects and the engineers now to figure out some sort of geotextile fabric that we can cover up that rubble with to create a grass and gravel surface that gets us down there to see those incredible views out there on the point. The building pad for the project was also excavated and, again, this is on the former highland of the area. Again, significant amount of debris on that area. The proof roll did not pass, so we're working with our third party geotechnical engineers to come up with strategies to get that proof roll approved so we can proceed with the construction of the park house. That's kind of, quickly as I could, an overview of the items on the Parks and Recreation Committee agenda."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Well, I just have one last question, going back to W.L. Stephens and the bikeway. About a year and a half, almost two years ago, we spoke about a footpath or a bridge, the bikeway into W.L. Stephens, I'm going to say park, over there. Where are we on that footpath, on that bridge to come from so walkers on that bikeway can come down into the park where W.L. Stephens is?"

Mr. Kronsberg said, "That was prior to that Stormwater project. There was the foot bridge there that was damaged during the project, so what we did was work with the Clemson Design Build Studio. Those students took that project on, and they have reconstructed that bridge and it is now operational. We worked with our own facility staff, our masons, and those students, and

it's a pretty cool bridge, if you haven't see it. It's bicycle inspired, if you will. So, that's in place and operational."

Councilmember Waring said, "Well, thank you. I'll get over there and get a photo-op with it then, so thank you."

Mayor Tecklenburg said, "Councilmember Waring, the Clemson architecture school is working with us for yet another foot bridge in the Ardmore area, a turtle pond that we were speaking of just recently."

Councilmember Waring said, "Thank you. I've seen that, and that's coming along well. Thank you so much."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. Jason, thanks for the update on Carr Richardson. I spoke with Marsha Higgins, the President over at Ashleyville-Maryville, and I join their support and am encouraged by the developments. They did have a question about Bender Street. I'm not sure if this is a question for you or for Keith in Traffic and Transportation. Their concern was Bender is a one-way with one-way out and one-way in. Have we done any kind of investigation in terms of trying to make it one-way in and then actually another exit from Bender?"

Mr. Kronsberg said, "I've seen some emails lately about that. Our property only fronts Bender Street. I know the request may be to create some sort of loop around the park to the other street, but we don't have any frontage on the other street. The new parking lot for the park is a one-way in, loop around, one-way out. Bender Street is a two-way street, so you will loop through the parking lot in a one-way fashion. We don't believe there are going to be any traffic issues."

Mayor Tecklenburg said, "So, the parking loop will basically allow you to make that turn around easily, and the two-way street allows you to get back out. Unless the City had purchased other property up on that other street, that wouldn't have been possible."

Councilmember Sakran said, "Thank you."

Councilmember Gregorie said, "Any more questions?"

Councilmember Waring said, "Just to add to that, I think maybe on the drawing or the rendering, I think that Stantec did for that part, it actually shows the loop the Mayor was talking about. I don't know if Ms. Higgins has seen that, but maybe the Neighborhood Association should be given a presentation on that because it does have a loop. I will say this, as you know, when you go up on Bender Street, there's a 90 degree curb you go around. I actually was there several hours ago, I saw the building pad, Mr. Kronsberg, but it is a blind curve just due to growth. I guess that's a job for my Public Works Committee to get on. I'll take a picture to report that to get that cleaned up."

Councilmember Gregorie said, "Any more questions on the Recreation update?"

No one asked to speak.

Councilmember Gregorie said, "If not, there was nothing to vote on. This was just for information only."

Mayor Tecklenburg said, "Thank you, Councilmember Gregorie, and thank you, Jason, for that good report."

Mr. Kronsberg said, "You're welcome."

Mayor Tecklenburg said, "We're sticking with you, Councilmember Gregorie. Next up is [Committee on Ways and Means](#)."

Councilmember Shahid said, "Move for approval."

Councilmember Brady said, "Second."

Councilmember Gregorie said, "Any questions or discussion?"

Mayor Tecklenburg said, "Any questions, comments on that?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Brady, City Council voted unanimously to adopt the Committee on Ways and Means Report, as amended:

(Bids and Purchases

(Parks-Capital Projects: Approval of the 2021 Park and Recreation Development (PARD) Grant Acceptance to expand the playground equipment at Johns Island Park, including new play structures, safety surfacing, and site work for installation. Requested funding is \$35,850.74 with a 20% City Match of \$7,170.15. City Match of \$7,170.15 from 523000-52435 Maintenance, Playground Equipment.

(Parks Department: Approval to accept the Arbor Day Foundation Grant in the amount of \$22,125 for the 2021 West Rock Community Tree Recovery Planting in Martin Park. No City match is required.

(Traffic and Transportation: Approval of the annual Traffic Signal Maintenance Agreement with the South Carolina Department of Transportation for the initial term April 1, 2021 to March 31, 2022, which will renew for two additional terms that will run from April 1, 2022 through March 31, 2023 and April 1, 2023 through March 31, 2024, provided that terms and conditions of the agreement remain the same.

(Office of Cultural Affairs: Approval to apply for \$25,000 from the Asphalt Art Initiative of Bloomberg Philanthropies, to support a temporary public art project in partnership with Redux Contemporary Art Center in 2022. No City match required. (To be sent under separate cover by the Office of Cultural Affairs)

(Office of Cultural Affairs: Approval to apply for a grant in the amount of \$1,750 from South Arts to support fees for visiting artists for Free Verse Festival in October 2021. A 1:1 City match is required. Matching funds from private donations.

(Planning Preservation and Sustainability: Approval to accept a Federal Grant Award from the Economic Development Administration in the amount of \$100,000 to develop business development and technical assistance programming for minority-owned businesses. The grant period of performance is from April 7, 2021 to April 7, 2023. The City has committed an in-kind match of \$25,000 based on Minority Business Enterprise Manager's staff time spent working on the grant project.

(Housing and Community Development: Approval of a grant request in the amount of \$100,000 from the 2021 AARP Community Challenge. The grant when received would allow the City to select 10 homeowners to receive \$20,000 each to support the development of an affordable Accessory Dwelling Unit on their property. Homeowners selected would need to demonstrate a positive impact to low-and-moderate income residents and/or elderly and disabled person who may want to “age in place” living close to family members or caregivers while also in compliance with the Fair Housing Act. A match is not required for this grant. However, to incentivize the use of Accessory Dwelling units, staff also proposes utilizing \$100,000 from Fee-In-Lieu to leverage the AARP funds and maximize the total number of beneficiaries of the program. This is an after-the-fact approval.

(Request approval of a new Lease Agreement with the Beach Company & Pastime Amusement Co. for the City’s new lease of three parcels for inclusion in City’s MarketHorlbeck Municipal Parking Lot. 2-year lease, no extensions. Rent to be a base amount of \$25,000 and a percentage of net revenue. (Former 40-year lease expired December 31, 2020, with interim extensions since.) (131 Broad Street; TMS# 457-0802-113 (Pastime); TMS# 457-08-02-111 (Beach); TMS# 457-08-02-012 (Beach). The property is owned by the City of Charleston.

(Request approval a new Lease Agreement with GoHoBe, LLC for the City’s new lease of its parcel for inclusion in the City’s Market-Horlbeck Municipal Parking Lot. 2-year lease, no extensions. Rent to be a base amount of \$1,500/month, City reimburses property tax cost, City provides 3 free parking cards; no percentage of net revenue. (Former 40-year lease Expired December 31, 2020, with interim extensions since.) (131 Meeting Street; TMS# 457-08-02-112). The property is owned by GoHoBe, LLC.

(An ordinance amending ordinance No. 2019-129, adopted December 3, 2019, by authorizing the Mayor to execute, on behalf of the City of Charleston, all necessary documents to enter into that certain Third Amendment to Option to Lease and that certain Amended Ground Lease by and among the City of Charleston, as Landlord; and Flat Iron Partners, LLC and Classic Development Company, LLC, as tenants, under which (1) the Ground Lease is amended to include language required by lender(s) for the development of the James Lewis, Jr. Apartment site; and (2) the tenants’ option to enter into the Ground Lease, as amended, is extended to August 31, 2021. **(Approved as amended to defer the Ground Lease)**

(Consider the following annexations:

-- 807 Savage Road (0.193 acre) (TMS# 309-15-00-053), West Ashley, (District 7). The property is owned by Andrew Dufresne and Grace Dufresne

-- Clements Ferry Road (0.15 acre) (TMS# 271-00-02-153), Cainhoy, Berkeley County, (District 1). The property is owned by Sweetwater Apts SC PH II, LLC. (Executive Session pursuant to Section 30-4-70(a)(2) of the South Carolina Code, to receive legal advice to discuss potential sale of property located in Grace Bridge area.

First reading was given to the following bills:

*Amending Ordinance No. 2019-128, adopted December 3, 2019, by authorizing the Mayor to execute, on behalf of the City of Charleston, all necessary documents to enter into that certain Third Amendment to Option to Lease by and among the City of Charleston, as landlord; and Flatiron Partners, LLC, and Classic Development Company, LLC, as Tenants, under which the tenants’ option to enter into the Ground Lease is extended to August 31, 2021. **(As amended)***

An ordinance to provide for the annexation of property known as 807 Savage Road (0.193 acre) (TMS# 309-15-00-053), West Ashley, Charleston County, to the City of

Charleston, shown within the area annexed upon a map attached hereto and make it part of District 7. The property is owned by Andrew Dufresne and Grace Dufresne.

An ordinance to provide for the annexation of property known as Clements Ferry Road (0.15 acre) (TMS# 271-00-02-153), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. The property is owned by Sweewater Apts SC PH II LLC.

Mayor Tecklenburg said, "Next up is our [bills up for second reading](#)."

Councilmember Griffin said, "I'll move we take 1-4 together."

Councilmember Shahid said, "Second."

The Clerk said, "Mr. Mayor?"

Mayor Tecklenburg said, "Items 1-4, and I will note that number 4 has been amended since it got first reading."

Councilmember Griffin said, "As amended."

Mayor Tecklenburg said, "As amended and we have a second."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Could we just ask our code writing chairman to state what the amendment is since I don't think we saw that officially in the first reading?"

Mayor Tecklenburg said, "Okay. Mr. McQueeney, would you like to describe that amendment or change that occurred on number 4?"

Mr. McQueeney said, "Yes, Mr. Mayor. It changed the vote requirements to set a public hearing on a violation of the oath from 3/4 to 2/3, and the vote during a trial from 3/4 to 2/3. I think this was more of a question, but we wanted to emphasize there's nothing wrong with going into an executive session to ask legal advice about a potential violation of the oath, so I put that in there. I believe Councilmember Waring suggested that, and Councilmember Waring had also mentioned the voting of a member who was accused of violating the oath, and I checked the Senate and House records because the Committee wanted it to match what they do. I could not find the rule, and it's probably buried in a rule to a sub-rule, but I looked up the history and the member accused in the House or the Senate either votes or is called to vote and answers present, which means they're essentially abstaining from voting, so I put in there the member could vote. I believe those were the only changes that were considered by the Committee and approved by the Committee."

Mayor Tecklenburg said, "Great. Thank you. Any other questions?"

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "I just hope we can get that document. I'm going to vote for this, but I couldn't find that we've gotten the latest amendment document. It was not in our packet unless I missed it totally. Thanks."

The Clerk said, "It's in your packet. The Council agenda."

The Mayor said, "It might have been inadvertent. I do see it in mine, as well."

Councilwoman Jackson said, "My bad. Thank you."

Mayor Tecklenburg said, "Okay, any other questions?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I don't have any questions, Mr. Mayor, but I wanted to thank you. I wanted to thank all members of Council, especially thanks to Councilwoman Delcioppo, Councilmember Appel, and Councilmember Seekings for thinking to add the oath to this part of the policy. I really appreciate everybody rolling up their sleeves. If I didn't call your name, it's not on purpose. I want to say thank you to each and every one of you. There's a big difference between the first reading and the second reading, and I think we all listened and heard one another. The words matter, what we say. We went back and did some very good work on a policy that I think we all can feel legitimate and proud of. Councilmember Shealy over there, we could tell we did something, and we wanted to make it better. As a matter of fact, Councilmember Appel said that we could make it better, and he was right. I want to give my heartfelt thanks. This isn't politics. I felt gratified by the willingness to come and put our best practice forward along with our integrity. So, thank you so much for all who were involved directly or indirectly, whether you attended the meetings or not, the best thoughts were a part of the process. For that, I'm grateful. Thank you."

Mayor Tecklenburg said, "Thank you, Councilmember, for those comments. Any other comments or questions?"

No one asked to speak.

On a motion of Councilmember Griffin, four (4) bills (Items L-1 through L-4) received second reading. They passed second reading on motion by Councilmember Shahid and third reading on motion of Councilwoman Jackson. On further motion of Councilmember Shealy, the rules were suspended, and the bills were immediately ratified as:

2021 – 056 - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$19,000,000 SPECIAL OBLIGATION REDEVELOPMENT BOND (HORIZON REDEVELOPMENT PROJECT AREA), SERIES 2021, OF THE CITY OF CHARLESTON, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO.

2021 – 057 - AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING \$20,000,000 GENERAL OBLIGATION BONDS OF 2021 OF THE CITY OF CHARLESTON, SOUTH CAROLINA, TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS OF THE BONDS SHALL BE EXPENDED, TO PROVIDE FOR THE PAYMENT THEREOF, AND OTHER MATTERS RELATING THERETO.

- 2021 – 058** - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 3919 SAVANNAH HIGHWAY (1.83 ACRES) (TMS# 285-00-00-205), 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 LILLIE AND CARL SMALLS.
- 2021 – 059** - AN ORDINANCE TO AMEND DIVISION 1 OF ARTICLE II (CITY COUNCIL) OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF CHARLESTON BY ADDING A NEW SEC. 2-29 (CODE OF CONDUCT), APPLICABLE TO MEMBERS OF CITY COUNCIL (AS AMENDED).

The vote was not unanimous. Councilmembers Mitchell and Gregorie voted nay on Item L-4.

Councilmember Gregorie said, “Mayor Tecklenburg, I’m ‘nay’ on the conduct piece.”

Mayor Tecklenburg said, “I’m sorry, Councilmember Gregorie, I couldn’t understand you.”

Councilmember Gregorie said, “Item 4, for me, is a ‘nay.’”

Mayor Tecklenburg said, “Oh, okay.”

Councilmember Mitchell said, “Me, too. Councilmember Mitchell is ‘nay.’”

Mayor Tecklenburg said, “Okay. ‘Nay’ for Mitchell and Gregorie on number 4.”

The Clerk said, “Mr. Mayor, if we could go back on the agenda, I just wanted to mention that the Ways and Means report, when it was approved, it was ‘as amended.’ The item related to the third amendment to the option to lease. That first reading was approved ‘as amended.’ I think that was approved with the removal of the ground lease.”

Councilmember Shahid said, “That was a report from Real Estate, I think, that the Clerk is mentioning, Mayor.”

The Clerk said, “Yes. That’s just for the record.”

Mayor Tecklenburg said, “For the record. Yes, absolutely. Terrific. We do have one [bill up for first reading](#) today.”

Councilwoman Delcioppo said, “Move for approval.”

Mayor Tecklenburg said, “Christopher Morgan, or do we have a motion to approve?”

Councilwoman Delcioppo said, “Move for approval.”

Councilmember Shealy said, “Second.”

Mayor Tecklenburg said, “Any discussion on this one?”

No one asked to speak.

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

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending the Marshes at Cooper River Planned Unit Development (PUD) Master Plan and Development Guidelines (originally adopted by Ordinance #2015-078 and last amended by Ordinance #2018-095) located off Clements Ferry Road (Cainhoy) (approximately 36.09 acres) (original TMS# 267-00-00-004, 005, 010, 050 through 057, 069 and 071) and by changing the Zone Map to include property located on Clements Ferry Road (Cainhoy) (Berkeley County) (approximately 0.15 acre) (TMS# 271-00-02-153) (Council District 1), in the PUD. The property is owned by Marshes at Cooper River Homeowners Association et al.

Mayor Tecklenburg said, "We will be having a special workshop meeting..."

The Clerk said, "Mr. Mayor?"

Mayor Tecklenburg said, "Madam Clerk, please."

The Clerk said, "So, the CEIRC workshop, we were looking at trying to do that on April 29th, and that date is not going to work out. We're looking for a future date, and I think we were looking at May 17th, but we have two Councilmembers who will be out of town, so we're now looking at Friday, May 21st. I know some of you have already responded about the previous date, but if you could get with me to let me know as soon as possible if you'll be available on Friday, May 21st, and we'll go from there."

Councilmember Gregorie said, "Madam Clerk?"

The Clerk said, "Yes, sir."

Councilmember Gregorie said, "Would you coordinate a little closer, those dates, with Ms. Johnson because they're also contingent upon when the facilitators are available because it's not just the Councilmembers' schedules that we have to check, but it's the folks who will be doing the presentations for the Council workshop. What we need to do is, once we figure it out, whether or not they're available to conduct the workshop."

Mayor Tecklenburg said, "Understood."

Councilmember Gregorie said, "It is also contingent upon their availability, as well. It makes it a little more complicated, I know."

Mayor Tecklenburg said, "Understood."

The Clerk said, "We'll be happy to do that."

Councilmember Gregorie said, "Okay, thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Can I just ask a follow-up question then? Is it only one workshop we're trying to schedule? I thought it was supposed to be two."

Councilmember Gregorie said, "There were supposed to be two."

Mayor Tecklenburg said, "I think the decision was we were going to have one prior to the presentation of the recommendations and then a second one after those recommendations have come to Council."

Councilwoman Jackson said, "Okay, so is the prior one the May 7th? Do we still have May 7th on our calendar?"

Mayor Tecklenburg said, "No, this is the rescheduling that Madam Clerk was referring to. We're not going to have the presentation to Council now until the second meeting in May in respect to both Chairmen being out of town on the 11th."

Councilwoman Jackson said, "Okay, so none of the dates that we've been given earlier are still on the table? It's the 21st is the only thing you want to hear from us?"

The Clerk said, "Yes, and we will coordinate with Amber, as well, regarding the facilitators."

Councilwoman Jackson said, "Okay, and there's a second date that will be way out from there, like in June?"

Mayor Tecklenburg said, "Correct. We don't have a proposed date for that, yet. Let's get past the recommendations coming to Council, and then we'll schedule the second one."

Councilwoman Jackson said, "Well, I appreciate that because I was holding a lot of dates. So, thanks."

Mayor Tecklenburg said, "Right. So, the next regular meeting will be our next meeting, which is May 11th, and it will be our last virtual Zoom meeting, and then after that we'll be meeting in person, although we might have a workshop meeting by Zoom. We'll see. Any further business to come before us tonight?"

Councilmember Gregorie said, "Yes, Mayor, just so that we're clear that in June, July, and August we're only having one meeting. Not two like we did before? Right? One meeting?"

Mayor Tecklenburg said, "One meeting per month."

Councilmember Gregorie said, "Okay, thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "No, I was saying goodbye."

There being no further business, the meeting was adjourned at 8:26 pm.

Jennifer B. Cook
Clerk of Council